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PROVINCE OF CANTERBURY,

NEW ZEALAND.

JOURNAL OF PROCEEDINGS

OF THE

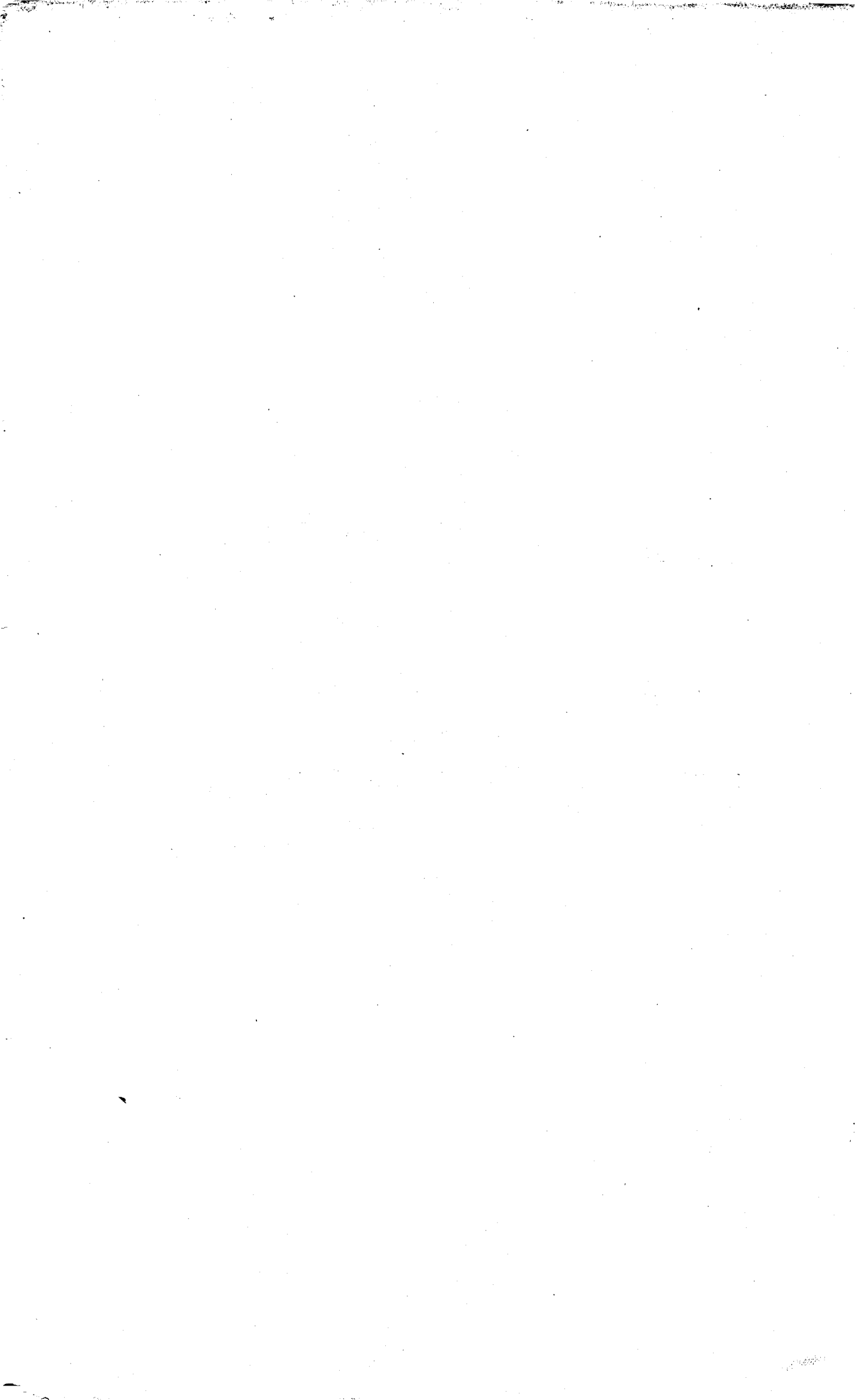
PROVINCIAL COUNCIL.

SESSION XXXVI.—1872.

CHRISTCHURCH:

PRINTED UNDER THE AUTHORITY OF THE PROVINCIAL GOVERNMENT OF THE PROVINCE OF CANTERBURY, AT THE "LYTTELTON
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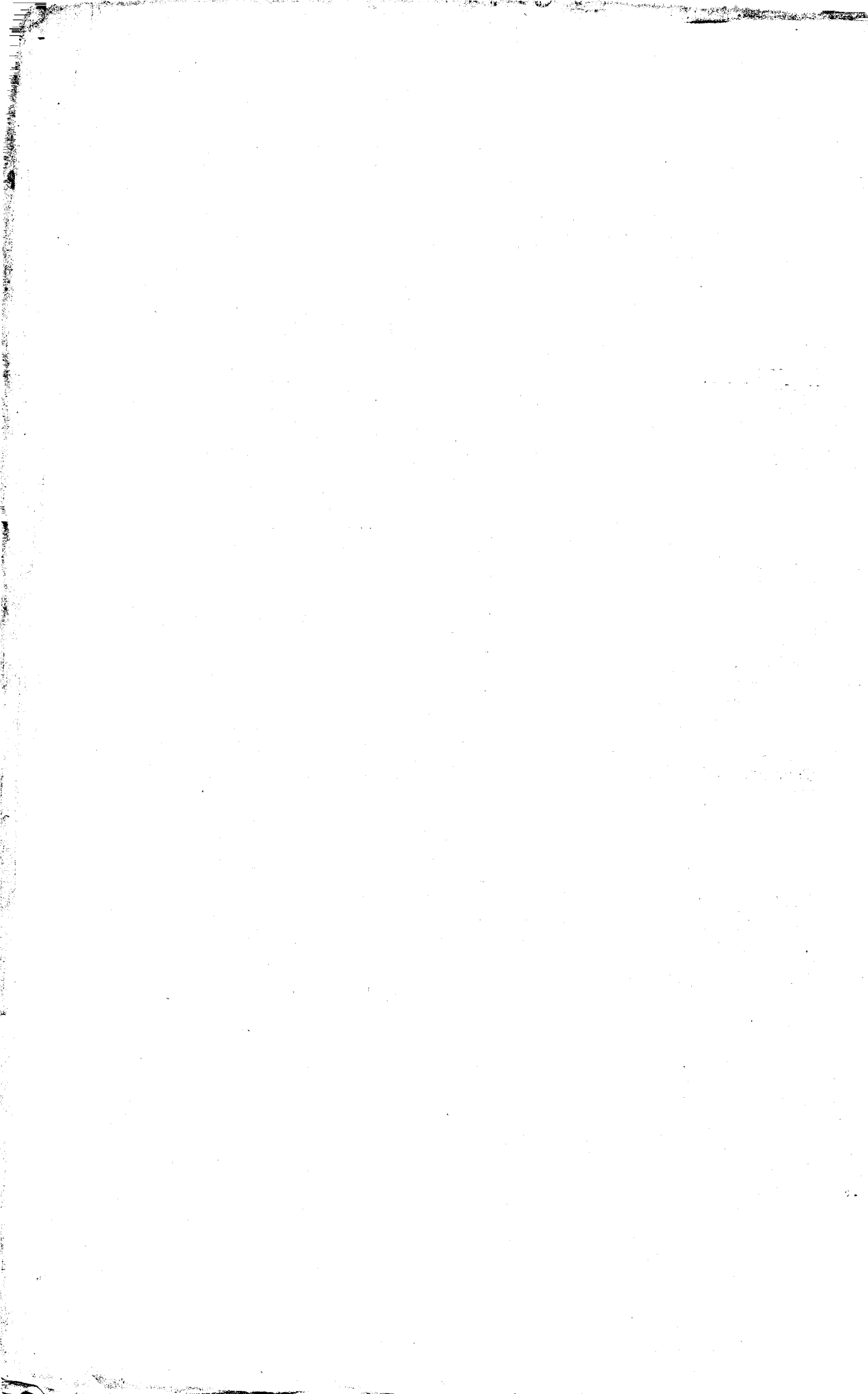
CANTERBURY PROVINCIAL COUNCIL.

SESSION XXXVI.

LIST OF MEMBERS.

Mallock, J. W.	-	-	-	-	-	Waipara District.
Maskell, W. M.	-	-	-	-	-	} Sefton District.
Walker, F. H. M.	-	-	-	-	-	
Higgins, R. L.	-	-	-	-	-	Oxford District.
Brown, J. E.	-	-	-	-	-	Rangiora.
Joynt, T. I.	-	-	-	-	-	Town of Kaiapoi.
Beswick, J. (3)	-	-	-	-	-	} Mandeville District.
Dixon, M.	-	-	-	-	-	
Hawkes, J. G.	-	-	-	-	-	} City of Christchurch.
Inglis, J.	-	-	-	-	-	
Sawtell, H.	-	-	-	-	-	
Peacock, J. T.	-	-	-	-	-	} Papanui District.
Williams, Wynn W. H.	-	-	-	-	-	
Delamain, F. W.	-	-	-	-	-	} Riccarton District.
Tosswill, W. B.	-	-	-	-	-	
Richardson, E.	-	-	-	-	-	} Town of Lyttelton.
Webb, H. R.	-	-	-	-	-	
Cowlishaw, W. P. (2)	-	-	-	-	-	} Heathcote District.
Fisher, J. T.	-	-	-	-	-	
Duncan, A.	-	-	-	-	-	} Lincoln District.
Knight, A. C. (4)	-	-	-	-	-	
Tancred, H. J.	-	-	-	-	-	} Port Victoria District.
Potts, T. H.	-	-	-	-	-	
Westenra, R. (4)	-	-	-	-	-	Town of Akaroa.
Buchanan, H.	-	-	-	-	-	Wainui District.
Rhodes, R. H.	-	-	-	-	-	Bays District.
Enys, J. D.	-	-	-	-	-	} Rakaia District.
Hall, Hon. J.	-	-	-	-	-	
Brett, Colonel de Renzie	-	-	-	-	-	} Selwyn District.
Jollie, E.	-	-	-	-	-	
Studholme, J.	-	-	-	-	-	Ashburton District.
Ormsby, A.	-	-	-	-	-	} Geraldine District.
McDonald, W. K.	-	-	-	-	-	
Healey, G.	-	-	-	-	-	Town of Timaru.
Parker, G. B.	-	-	-	-	-	Waitangi District.
Matson, A. K.	-	-	-	-	-	Mount Cook District.
Buckley, G.	-	-	-	-	-	Waimate District.
Kennaway, W. (1)	-	-	-	-	-	} Seadown District.
Perry, A.	-	-	-	-	-	

1. Provincial Secretary and Secretary for Public Works.
2. Provincial Solicitor.
3. Provincial Treasurer.
4. Member of the Executive.



PAPERS LAID UPON THE TABLE.

SESSION XXXVI.

Agency, English, and Immigration—

21. Correspondence with A. O. Ottywell, from 19th May to 28th October, 1871.

Ashburton Bridge—

13. Correspondence with the General Government relating to the Site of the Ashburton Bridge.

Ashburton Bridge—

16. Report of the Members of the Road Board on the Site of a Bridge leading to Alford Forest.

Breakwater—

12. Report of G. Thornton, C.E., on the Works at Lyttelton Breakwater.

Buildings—

44. Correspondence referring to Sites for General Government Buildings.

Cathedral Square—

48. Plan of Cathedral Square agreed upon by the Standing Committee of the Synod and the Christchurch City Council.

Cathedral Square—

68. Alteration of Roadway, Cathedral Square.

Charitable Aid—

2. Report of the Administrator of Charitable Aid.

Dog Fees—

63. Correspondence on the subject of Dog Fees.

Education—

29. Report of the Board of Education, 30th September, 1871.

Education—

30. Report on the Training and Employment of Pupil Teachers.

Education—

52. Correspondence referring to the Course of Instruction pursued in Christ College Grammar School and the High School.

Education—

62. Correspondence on the Establishment of Borough Schools.

Education—

65. Letter from the Rev. J. Wilson, referring to the Course of Education pursued at Christ College.

Engineer—

7. Report of the Provincial Engineer.

Executive—

51. Correspondence having reference to the resignation of the Hon. G. Buckley.

Finance—

27. Correspondence between his Honor the Superintendent and the Hon. the Colonial Secretary, relating to "The Payment to Provinces Act, 1871."

Finance—

31. Comparative Statement of Finance, to 30th September, 1871.

Finance—

32. Statement of Receipts and Expenditure for the Quarter ending 31st December, 1871.

Gaol—

6. Report on the Lyttelton and Christchurch Gaols.

Gaol—

10. Report of B. W. Mountfort on Works at Lyttelton Gaol.

Gaol—

53. Report on the Works at Timaru Gaol, by B. W. Mountfort, Architect.

Harbour—

4. Report of the Harbour Master.

Harbour—

17. Report of the Harbour Master on Charges for Pilotage, &c.

Hospital—

35. Report on the Christchurch Hospital, November, 1871.

Immigration—

23. Report of the Officer on Immigration, from 1st October, 1870, to 30th December, 1871.

Immigration—

46. Correspondence referring to the Transfer of Immigration to the Colonial Government.

Immigration—

61. Correspondence relating to the Conveyance of Immigrants direct to Timaru.

Immigration—

69. Telegrams between the Superintendent and the Hon. Colonial Secretary referring to the report in the *Wellington Independent* as to the action of the Agent-General in the matter of Immigration.

English Agency Account—

70. Copy of.

Industries, American—

18. Report of Laning Coates, Esq., on Cheese Factories, &c., America.

Irrigation of the Plains—

33. Report by C. E. Fooks, Waimakariri Gorge, on the Irrigation of the Plains.

Irrigation—

58. Report No. 2, by C. E. Fooks, on Irrigation of the Plains.

Lunatic Asylum—

3. Report of the Officer of the Lunatic Asylum.

Lunatic Asylum—

8. Report of B. W. Mountfort, Architect, on the Lunatic Asylum.

Lyttelton Reclaimed Land—

56. Correspondence relating to the Leasing of the Reclaimed Land, Lyttelton.

Lyttelton Reclaimed Land—

64. Lease of Lyttelton Reclaimed Land.

Matheson's Agency—

60. Copy of Letters to the Secretary for Public Works from Matheson's Agency, dated 16th November, 1871.

Museum—

43. Report on the Canterbury Museum, for the Year ending 30th September, 1871.

Observatory—

28. Correspondence relating to the Establishment of a Christchurch Observatory.

Orphan Asylum—

24. Report of the Master of the Orphan Asylum, Lyttelton.

Plantations—

11. Report of the Government Gardener on the results obtained from the Seeds of American Trees.

Plantations—

19. Correspondence referring to Seeds of American Trees.

Plantations—

36. "Forest Trees Planting Encouragement Act, 1871."

Police—

26. Report of the Commissioner of Police.

Police—

39. Report of the Commission on the Police Department.

Police—

40. Enclosures referred to in the Report of the Police Commission.

Police—

41. Correspondence relating to the Inquiry with the Police Department.

Police—

49. Reply by the Commissioner of Police to Charges brought against him by the Provincial Auditor.

Railway—

20. Correspondence with A. O. Ottywell relating to Railway Stock, from 19th May to 28th October, 1871.

Railway—

22. Letter from A. O. Ottywell referring to his Agency in forwarding Material for the Northern Railway.

Railways—

38. Correspondence referring to the Transfer of the Railway Works to the Colonial Government.

Railways—

45. Correspondence referring to the Extension of Railways.

Railways—

47. Report on Railways, for the Year ending 30th September, 1871.

Railways—

66. Letter from the Provincial Solicitor relative to Claim of Messrs. Holmes and Co., for Work on Lyttelton and Christchurch Railway.

Rakaia Bridge—

57. Copy of the Terms on which £400 was paid to Mr. W. White for the temporary use of.

Rakaia—

14. Report of T. L. Locke, C.E., on the Overflow of the Rakaia River.

Rakaia—

59. Additional Correspondence on the Rakaia Overflow.

Reformatory—

9. Report of B. W. Mountfort, Architect, on Works at Burnham Reformatory.

Registration—

25. Report of the Officer of Registration relating to the Compilation of the Provincial Electoral Rolls.

Sheep—

37. Report of the Inspector of Sheep.

Sheep—

1. Correspondence referring to a Petition of Mr. T. Sanderson, for Remission of Scab Fine.

Survey—

5. Report of the Chief Surveyor.

Survey—

42. Correspondence relating to the Appointment of an Assistant Surveyor.

Survey—

50. Papers referring to the Appointment of an Assistant Surveyor.

Treasurer—

55. Correspondence relating to the Appointment of the Provincial Treasurer.

Waimakariri—

34. Report of the Conservators of the Waimakariri.

White's Waimakariri Bridge—

67. Return of Expenses, Receipts, and Disbursements attending White's Waimakariri Bridge, from the time it came into the hands of the Government to the 31st December, 1871.

Waimakariri, Gorge Hill—

54. Correspondence relative to the Establishment of a Ferry at Gorge Hill, Waimakariri.

Waitangi Bridge—

15. Correspondence referring to the Site of the Waitangi Bridge.

LIST OF SELECT COMMITTEES

APPOINTED

DURING SESSION XXXVI.,

1872.

HOUSE COMMITTEE—

Col. Brett, Messrs. Parker, Jollie, Ormsby, and the Provincial Secretary.
Appointed 4th January.



INDEX TO JOURNAL.

	PAGE
ADDRESS of His Honor the Superintendent upon Opening the 36th Session of the Provincial Council	1
ADDRESS of His Honor the Superintendent upon Closing the 36th Session of the Provincial Council	42
AUDITOR—Report of the Provincial	1, 6
 BILLS—	
Diversion of Roads Special, No. 1, 1872	7, 10, 13
" " " 2, "	7, 11, 13
" " " 3, "	7, 11, 13
Section No. 7, Town of Kaiapoi	7, 11, 14
Reserve No. 262	8, 11, 14
Railway Tolls and Management	8, 13, 31, 40
Imprest Supply	8
Executive Council Ordinance Amendment Ordinance	25, 33
Diversion of Roads Special, No. 4, 1872	26
" " " 5, "	26, 33, 40
Education Ordinance 1871, Amendment 1872	29, 41
Appropriation, 1872	41
 COMMITTEES—	
Chairman of	1, 7
House	7
Of Supply	9, 11, 16, 20, 25, 31, 40
COUNCIL—Sittings of	7, 25
MEMBERS—Election of	1
 MESSAGES from His Honor the Superintendent—	
No. 1. Transmitting the Imprest Supply Bill, 1872	7
" 2. Assenting to the Imprest Supply Bill, 1872	10
" 3. Transmitting a recommendation of a Grant for Unauthorised Expenditure	10
" 4. Transmitting a Petition for the foundation of an Observatory	18, 24

MOTIONS AND RESOLUTIONS—

	PAGE
Canterbury Rivers Act, District to be Proclaimed ...	11
Cathedral, Site to be Conveyed ...	29
Corn Exchange, Grant for Erection of ...	39, 40
Educational purposes, Reserve of Land for ...	36
Fish, during Spawning Season ...	38
Immigration Barracks, to be handed over to the General Government	29
Kaiapoi, Grant for Cart Bridge ...	39
McCormick, Grant to Widow of ...	15
Police, Rate of Payment to ...	36
Public Works, Suspension of ...	8
Provincial Treasurer, to be under Bond ...	36
Railway, Rate of Wages ...	25
„ Branch Lines ...	37
„ Benefit Society ...	38
Reserves, to be made for Gravel ...	38
Returns, for ...	8, 10, 15, 19, 38, 40
Road Board, Avon, Grant to ...	39
Road, North, Grant for ...	38
School Buildings, Provision for the Erection of ...	26
Survey, Appointment in Department ...	26
Timber Cutting Licenses, Proclamation referring to ...	40
PETITIONS—	
Rangiora and Mandeville Road Board ...	12
Rangiora Swamp, Owners of Land in ...	12
Lincoln Farmers' Club, for the Erection of a Corn Exchange ...	18
For the Founding of an Observatory ...	24
REPLY to the Opening Address of his Honor the Superintendent ...	16
RESERVES, Confirmation of ...	29
SITTINGS of Council ...	7, 25
STANDING Orders, Suspension of ...	37

SESSION XXXVI.

PAPERS ORDERED TO BE PRINTED.

Auditor—Report of the Provincial Auditor, with Comparative Statement, showing the Votes and Expenditure for the Year ending 30th September, 1871, and for the Three Months ending 31st December, 1871.

Police—Report of Commissioner, showing operations and state of his Department for Year ending 30th September, 1871.

Police—Reply by Commissioner to Charges brought against him by Provincial Auditor.

Police—Correspondence relating to Inquiry held by Provincial Auditor on Police Department.

Police—Record of Payments on account of Travelling Expenses and Dates of Inspection.

Police—Correspondence relating to Dog Fees.

Police—Reports of the Commission.

Police—Enclosures referred to in Report of the Commission.

Museum—Reports on, by Trustees and Director, for Year ending 30th September, 1871.

Reclaimed Land, Lyttelton—Correspondence relating to Leasing of Warehouse Sites, and Copy of Lease to Wood and Cunningham.

Reclaimed Land, Lyttelton—Copy of Lease to New Zealand Loan and Mercantile Agency Company.

College and High School—Correspondence referring to course of Instruction pursued at Christ College Grammar School and the High School.

Road Boards—Grants to and Distribution, 1872.

Timaru and Gladstone District—Revenue and Expenditure Account—Accounts for Financial Year ended 30th September, 1871.

Timaru and Gladstone District—Revenue and Expenditure Account for Quarter ending 31st December, 1871.

Timaru and Gladstone District—Estimate for Nine Months ending 30th September, 1872.



JOURNAL OF PROCEEDINGS
OF THE
PROVINCIAL COUNCIL.

PROVINCE OF CANTERBURY, NEW ZEALAND.

SESSION XXXVI.

WEDNESDAY, 3RD JANUARY, 1872.

The Council met pursuant to Proclamation of his Honor the Superintendent, bearing date 20th November, 1871.

Members present—All, except Messrs. Brown, Buckley, Williams, Dixon, Enys, Hall, Hawkes, Healey, Mallock, Ormsby, Parker, Perry, Potts, Rhodes, Tosswill, and Macdonald.

The Speaker in the chair.

Election of Members.—The Speaker notified to the Council that William Henry Wynn Williams, Esq., had been duly elected to serve as M.P.C. for the District of Papanui, in the room of Alfred Cox, Esq., resigned; and William Kenreth Macdonald, Esq., for the District of Geraldine, in the room of Launcelot Walker, Esq., resigned.

Chairman of Committees.—The Speaker notified to the Council the resignation of office by the Chairman of Committees.

Provincial Auditor's Report.—The Speaker laid the Report of the Provincial Auditor upon the table.

Opening Address of his Honor the Superintendent.—His Honor the Superintendent entered the Council Chamber, and delivered the following Address :—

“ MR. SPEAKER AND GENTLEMEN,

“ I regret that circumstances should compel me to call you together at this season of the year, when the shearing as well as the approach of harvest must make it inconvenient for many of your number to attend at the Session.

“ The conclusion of the period for which supplies had been granted by you for the public service rendered it impossible to delay the Session to a later date. I regret it the more because there has not been sufficient time since the Session of the General Assembly to prepare the measures which it will be necessary to submit to you, in place of the Ordinances which will in a few months cease to be valid under the operation of ‘The Provincial Acts Validation Act, 1871.’

" I have presumed that it will suit your convenience on the present occasion if matters requiring lengthy consideration are postponed for a Session to be held in the autumn, and accordingly only such appropriations as it may be deemed advisable to make, and such proposals as require your immediate attention will now be submitted to you.

" In compliance with the opinion expressed by you that it is desirable that the Provincial Treasurer should be a Member of the Executive, and have a seat in the Council, a Member of the Council has been appointed to the office, and has become a Member of the Executive Council.

" The Estimates of Receipts and Expenditure for the ensuing nine months will be brought before you without delay. In considering these the altered position of the Province under the financial changes effected by the colonial legislation of last Session, will require your careful attention.

" From the first day of October last the General Government has taken upon itself the construction of the Northern and Southern Lines of Railway, and a refund of the amount previously expended by the Provincial Government on those works has, with some deductions, been made to the Provincial Government.

" It is believed that the Northern Line will be open for traffic as far as Kaiapoi before the end of next month, and the terms on which the line will be worked in connection with the existing lines are now under the consideration of the Colonial and Provincial Governments. I hope to be able to place the conditions which may be proposed before you in a few days.

" By recent legislation railways to the North, as far as the Kowai, and to the South to the Temuka, meeting the line previously sanctioned from Timaru to Temuka, have been authorised. You will agree with me that to secure the successful working of the Northern Line it should be pressed on without delay as far as Leithfield, so as to serve the interests of the large settled district north of the Ashley; and that to derive the greatest benefit from the extension to the South the line should be taken to the Ashburton, as previously intended by you, as quickly as material can be obtained for its construction.

" Provision has also been made by 'The Railways Act, 1871,' for the construction, with some modifications, of the Branch Lines, as recommended by you, on the condition of the Province providing a sum of £42,000, as against a sum of £150,350 to be provided by the General Government; and I am given to understand that these works will be put in hand without delay. You will be asked to make the necessary appropriations of Provincial funds for this purpose.

" By 'The Immigration and Public Works Act, 1871,' the provisions of the 39th and 41st sections of the former Act, under which the Superintendent was consulted as to the numbers and classes of immigrants to be introduced into any Province, and as to the mode of settlement of such immigrants, are repealed, and it is enacted that the Governor may exercise all the powers and do and perform all the acts, matters, and things in the said sections mentioned, without any request from any Superintendent of any Province or any other person or authority. And by the other sections of the same Act a power is given to the Colonial Government by which the existing Land Laws of the Province are made subject to the will of that Government, in respect of so much of the Waste Lands of the Province as may be considered necessary to enable it to give effect to the provisions of the Act.

" It is needless for me to point out to how great an extent the exercise of such powers must sooner or later interfere with the administration of the Waste Lands under the laws previously existing, the initiation of which has hitherto rested with the Provincial Legislature, nor how largely this Province is likely to be affected as compared with most of the other Provinces of the Colony.

" I have thought it right to draw your attention to these points as indicating the changes which are rapidly being introduced by the action of the Colonial Legislature. Whether the change in respect of the conduct of immigration will be beneficial, appears to be open to question, and will

greatly depend on the course adopted by the Colonial Government which is now solely responsible for it. Largely increased responsibilities remain to you in respect of the requirements of the largely increased population which is contemplated.

“The General Government has initiated a scheme of Railways as a means of developing the material resources of the country, and proposes to make great efforts to introduce and settle a large number of immigrants in the Colony. If the good order, good government, and best interests of the country are to be promoted, corresponding efforts must be made to maintain in a state of efficiency the educational and social institutions which have ever occupied a prominent position in the minds of those who have worthily engaged in the work of colonisation.

“You will be asked to sanction a considerable expenditure on the general purposes of Education, especially in the erection of Borough and District school buildings, so as to enable fuller advantage to be taken of the provisions of the Education Ordinance of last Session, for the purposes of which taxation will be initiated early in this year.

“I desire again to bring under your notice the advisableness of vesting the Educational Endowments of the Province in trustees, and making provision for the permanent appropriation of the proceeds of the Educational Reserves to the purposes for which they were made. Among the special objects for which it is very desirable that permanent provision should be made independent of annual votes of public money which, in times of financial pressure are of a precarious nature, and of the proceeds of taxation which is never popular, and liable to be objected to for any but purposes of absolute necessity and universal acceptance :

“I would mention the Scholarships which are so valuable as forming a link between the primary and high schools, and as leading up to the higher branches of education, which I trust, ere long, to see promoted and guided by the New Zealand University throughout the Colony.

“A proposal was made on the 16th of last month, and has met with general acceptance, to commemorate the Twenty-first Anniversary of the Province by the establishment of an Observatory. It has since transpired that, unknown to the promoters of this undertaking, the Astronomer Royal had suggested Christchurch as the best place for the purpose, having special regard to important astronomical observations to be taken in the year 1874.

“I shall ask you to make provision for the erection of the necessary building, and also for the maintenance of the Observatory in permanence.

“A copy of a telegraphic message which I have received from the Colonial Treasurer, and of my reply to it, will be laid on the table.

“The necessity for increasing the accommodation in the Hospital and Lunatic Asylum will be brought under your attention.

“The accommodation in the Orphan Asylum has been considerably increased during the past year, and it is already fully occupied. It contains at the present time 98 inmates, and there are still 41 destitute children outside its walls dependent on the Government for their maintenance. The Reformatory now in course of erection will provide for a number of these. That the sums distributed by the Provincial Government in charitable aid at the present time, independently of the expenditure on the Hospitals, Orphan Asylum, and Lunatic Asylum, should amount to £4000 per annum, is a fact of great significance, and one which will shortly force itself on your attention more prominently.

“The total annual expenditure of public money on the above purposes for a population of 46,000 souls, amounts to £13,600.

“A copy of an Act entitled ‘The Forest Trees Planting Encouragement Act, 1871,’ will be placed before you. The Act was suggested by resolutions passed by you on the subject. Should you be of opinion that its provisions can be advantageously brought into operation in this Province, it will be necessary that you should signify your desire by a resolution to that effect.

“ A Bill introduced into the General Assembly for the purpose of giving effect to your resolutions as to the repayment of sums due to the Province under ‘The Canterbury Rivers Act, 1868,’ was rejected by the House of Representatives.

“ In order to give effect to a resolution passed by you in your last Session, surveys have been made to ascertain whether it is practicable to irrigate portions of the plains from the rivers which flow through them. The report of the Surveyor, which will be laid before you, and the experience which has already been gained in one portion of the Province is favourable to such a result.

“ The least expensive and most feasible proposal is to bring portions of the River Hawkins over the plains between the Waimakariri and the Selwyn. Should the work be successful, a considerable tract of country will be rendered available for profitable settlement, which must otherwise remain only partially occupied. The importance of this question, in view of the proposals to largely increase the population and improve the means of communication throughout the Province, can scarcely be overrated.

“ Correspondence relative to the immediate payment to the Road Boards of the sums available to this Province out of the £100,000 of the Loan payable under ‘The Payments to Provinces Act, 1871,’ will be placed before you.

“ The opening of communication which will shortly be complete with the town and port of Akaroa, by road and telegraph, is a matter which will give great satisfaction to a district whose large resources have been hitherto little known. Though the present proposals for railway extension do not include a line to Akaroa, it cannot be doubted that this important harbour will at no distant period be brought into closer and better communication with the interior of this Island.

“ GENTLEMEN,—

“ The present position of the Province in consequence of the increased value of its exports is a subject for great congratulation.

“ You will join with me in the earnest hope that the new year will be one of increasing prosperity to the Province and Colony.

“ I now declare this Council open for the dispatch of business.

“ W. ROLLESTON,
“ Superintendent.”

His Honor the Superintendent left the Council Chamber.

Papers.—The following Papers were laid upon the table:—

1. Correspondence referring to a Petition of Mr. T. Sanderson, for Remission of Scab Fine.
2. Report of the Administrator of Charitable Aid for the Financial Year ending 30th September, 1871, and Supplementary Report from 1st October to 12th December, 1871.
3. Report of Sunnyside Lunatic Asylum, December, 1871.
4. Report of the Harbour Department, for year ending December, 1871.
5. Annual Report of the Chief Surveyor.
6. Report on the Lyttelton and Christchurch Gaols, for year ending 30th September, 1871.

7. Annual Report of the Provincial Engineer.
8. Report of B. W. Mountfort, Architect, on the Works at the Lunatic Asylum
9. Report of B. W. Mountfort, Architect, on the Reformatory Buildings at Burnham.
10. Report of B. W. Mountfort, Architect, on the Buildings at Lyttelton Gaol.
11. Report of the Government Gardener on the results obtained from the Seeds of American Trees.
12. Report of G. Thornton, C.E., on the Works at Lyttelton Breakwater.
13. Correspondence with the General Government relating to the erection of Bridge, River Ashburton.
14. Report of T. L. Locke, C.E., on the Overflow of the River Rakaia.
15. Correspondence referring to the Site of the Waitangi Bridge.
16. Report by Members of the Ashburton Road Board on the Site of a Bridge leading to Alford Forest.
17. Report of the Chief Harbour Master on the Charges for Pilotage, &c.
18. Report of Laning Coates, Esq., on Cheese Factories, &c., America.
19. Correspondence referring to Seeds of American Trees.
20. Correspondence with A. O. Ottywell, relating to Railway Stock, 19th May to 28th October, 1871.
21. Correspondence with A. O. Ottywell, relating to Emigration and English Agency, 19th May to 28th October, 1871.
22. Letter from A. O. Ottywell, referring to his Agency in forwarding Material for the Northern Railway.
23. Report of the Immigration Officer, 1st October, 1870, to 20th December, 1871.
24. Report of the Master of the Orphanage Asylum, Lyttelton.
25. Report of the Provincial Registration Officer, relating to the Compilation of the Provincial Electoral Rolls.
26. Report of the Commissioner of Police, for year ending 30th September, 1871.
27. Correspondence between his Honor the Superintendent and the Honble. the Colonial Secretary, relating to "The Payment to Provinces Act, 1871."
28. Correspondence relating to the Establishment of an Observatory, Christchurch.

29. Report of the Board of Education, 30th September, 1871.
30. Report on the Training and Employment of Pupil Teachers.
31. Comparative Statement to 30th September, 1871.
32. Statements of Receipts and Expenditure for the Quarter ending 31st December, 1871.

The Report of the Provincial Auditor was ordered to be printed.

The Council adjourned at 2.30 until Thursday.

THURSDAY, 4TH JANUARY, 1872.

NOTICES OF MOTION.

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| <ol style="list-style-type: none"> 1. THE PROVINCIAL SECRETARY—To move that a House Committee be appointed, to consist of Colonel Brett, Messrs. Parker, Jollie, Ormsby, and the Mover. 2. THE PROVINCIAL SECRETARY—To move that the Council proceed to the election of a Chairman of Committees. 3. THE PROVINCIAL SECRETARY—To move that, in pursuance of the resolution passed at the last Session of the Council, the Council shall sit during the present Session on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays in each week, at five o'clock p.m. 4. THE PROVINCIAL SECRETARY—To move for leave to introduce a Bill intituled "The Diversion of Roads Special Ordinance No. 1, 1872." 5. THE PROVINCIAL SECRETARY—To move for leave to introduce a Bill intituled "The Diversion of Roads Special Ordinance No. 2, 1872." 6. THE PROVINCIAL SECRETARY—To move for leave to introduce a Bill intituled "The Diversion of Roads Special Ordinance No. 3, 1872." 7. THE PROVINCIAL SECRETARY—To move for leave to introduce a Bill intituled "Section No. 7, Town of Kaiapoi Ordinance." 8. THE PROVINCIAL SECRETARY—To move for leave to introduce a Bill intituled "Reserve No. 262 Ordinance, 1872." | <ol style="list-style-type: none"> 9. THE PROVINCIAL SECRETARY—To move for leave to introduce a Bill intituled "The Railway Tolls and Management Ordinance, 1872." 10. THE PROVINCIAL TREASURER—To move that the Council do resolve itself into Committee of Supply to consider the Estimates for the Nine Months ending September 30, 1872. 11. THE PROVINCIAL TREASURER—To move the suspension of the Standing Orders in order that "The Imprest Supply Bill, 1872," may pass through all its stages. 12. THE PROVINCIAL TREASURER—To move that a respectful Address be presented to his Honor the Superintendent, praying that he will send down to this Council a recommendation to grant a sum of Two Hundred and Fifty Pounds, being the amount of the unauthorised expenditure incurred under the special orders directed by his Honor to the Provincial Auditor, during the three months ending the 31st December, 1871. 13. MR. MELVILLE WALKER—To move for a Return of all Money spent on the Main Road running through the Kowai Road Board District during the last twelve months. 14. COLONEL BRETT—To move that in the opinion of this Council it is desirable that all Public Works be suspended from the 10th January to the 10th March, 1872, to enable the farmers to gather in their harvest. |
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The Council met pursuant to adjournment.

Members present—All, except Messrs. Brown, Buckley, Cowlshaw, Delamain, Dixon, Healey, Mallock, Macdonald, Ormsby, Perry, Potts, Rhodes, Studholme, Tosswill, and Williams.

Message from His Honor the Superintendent.—Message No. 1 was received and read :

“The Superintendent transmits to the Council a Bill intituled ‘The Imprest Supply Ordinance, 1872,’ and recommends the Council to make provision accordingly.

“W. ROLLESTON,
“Superintendent.”

House Committee.—A House Committee was appointed, to consist of Colonel Brett, Messrs. Parker, Jollie, Ormsby, and the Provincial Secretary.

Chairman of Committees.—Mr. Webb was elected Chairman of Committees.

Sittings of Council.—Motion was granted as amended—“That in pursuance of the Resolution passed at the last Session of the Council, the Council shall, on and after Monday next, sit during the present Session on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays in each week, at five o’clock p.m.

The Diversion of Roads Special Ordinance, No. 1, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

The Diversion of Roads Special Ordinance, No. 2, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

The Diversion of Roads Special Ordinance, No. 3, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

The Section No. 7, Town of Kaiapoi Ordinance, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

The Reserve No. 262 Ordinance, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

The Railway Tolls and Management Ordinance, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Monday.

Notice of Motion No. 10 was postponed until after No. 14.

The Imprest Supply Bill, 1872.—The Standing Orders were suspended in order that “The Imprest Supply Bill, 1872,” might pass through all its stages.

Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The Bill was read a second time.

The Council in Committee on that Bill.

Clauses 1 and 2, the Preamble and Title passed as printed.

The Speaker in the chair.

The Bill was reported as printed.

The Bill was read a third time and passed.

Unauthorised Expenditure.—The Council in Committee for the consideration of Notice of Motion, No. 12.

The Resolution passed as proposed.

The Speaker in the chair.

The Resolution was reported as passed—“That a respectful Address be presented to his Honor the Superintendent, praying that he will send down to this Council a recommendation to grant a sum of Two Hundred and Fifty Pounds, being the amount of the unauthorised expenditure incurred under the Special Orders directed by his Honor to the Provincial Auditor during the three months ending 31st December, 1871.”

Returns.—Motion was granted—“For a Return of all Money spent on the Main Roadrunning through the Kowai Road Board District during the last twelvemonths.”

Public Works Suspension.—Motion was proposed—“That in the opinion of this Council it is desirable that all Public Works be suspended from 10th January to 10th March, 1872, to enable the farmers to gather in their harvest.”

Division was called for.

The Speaker declared that, in accordance with Standing Order No. 53, division could not be taken.

The Motion was negatived.

The Provincial Treasurer made a Financial Statement.

Committee of Supply.—The Council in Committee of Supply to consider the Estimates for the nine months ending 30th September, 1872.

Vote was taken—Permanent Charges £17,777 15 0

The Speaker in the chair.

The Chairman reported progress.

The further consideration in Committee of the Estimates was made an Order of the Day for Friday.

Papers.—The following Papers were laid upon the Table:—

33. Survey by C. E. Fooks, on the Irrigation of the Plains, Waimakariri Gorge.

34. Report of the Conservators, South Waimakariri District.

35. Report of the Christchurch Hospital, November, 1871.

36. "Forest Trees Planting Encouragement Act, 1871."

37. Report of the Inspector of Sheep.

38. Correspondence referring to the Transfer of Railway Works to the Colonial Government.

39. Report of the Commission on the Police Department.

40. Enclosures referred to in the Report of the Commission on the Police Department.

41. Correspondence relating to the Inquiry with the Police Department.

The Council adjourned at 6.50 until Friday.

FRIDAY, 5TH JANUARY, 1872.

NOTICES OF MOTION.

1. THE PROVINCIAL SECRETARY—To move that it is expedient that the undermentioned locality as hereinafter described shall be constituted a district for the purpose of

"The Canterbury Rivers Act, 1870;" that the name of such District shall be the North Rakaia District, and that the number of Conservators which shall constitute

the Board of the District shall be five. The boundaries of the said District to be as follows:—On the south-eastward by the sea, on the eastward by Lake Ellesmere, on the south-westward by the Rakaia river, on the north-westward by the western side of the South Road, and on the northward by the top of the Rakaia Terrace commencing where it intersects the west side of the South Road at a point about 3 miles 25 chains from the Rakaia, thence following the top of the said Terrace in an easterly direction to where it is crossed by

the western boundary of section 10543, thence by a straight line to the south-east corner of section 6931, thence by the road forming the southern boundary of sections 9940 and 5950 to the southernmost corner of the latter section, thence by a straight line drawn through trig. station E. 11 to Lake Ellesmere before-mentioned.

2. MR. PARKER—To move for the Correspondence between the Provincial Government and the Chief Surveyor relative to the appointment of an Assistant Surveyor.

ORDERS OF THE DAY.

The second reading of "The Diversion of Roads Special Ordinance, No. 1, 1872."

The second reading of "The Diversion of Roads Special Ordinance, No. 2, 1872."

The second reading of "The Diversion of Roads Special Ordinance, No. 3, 1872."

The second reading of "Section No. 7, Town of Kaiapoi Ordinance."

The second reading of "Reserve No. 262 Ordinance, 1872."

Committee of Supply.

The Council met pursuant to adjournment.

Members present—All, except Messrs. Buckley, Delamain, Duncan, Fisher, Hall, Hawkes, Healey, Mallock, Macdonald, Ormsby, Peacock, Perry, Potts, Rhodes, Sawtell, Studholme, and Tosswill.

The Speaker in the chair.

Messages from His Honor the Superintendent.—The following Messages from His Honor the Superintendent were received and read:—

Message No. 2:—"The Superintendent intimates to the Provincial Council that he has assented on behalf of the Governor to "The Imprest Supply Ordinance, 1872."

Message No. 3.—"The Superintendent, in pursuance of a Resolution of the Provincial Council, transmits to the Council a recommendation to grant a sum of Two Hundred and Fifty Pounds, being the amount of the unauthorised expenditure incurred under Special Orders directed by him to the Provincial Auditor during the three months ending 31st December, 1871."

Notice of Motion No. 1 was postponed until after the Order of the Day.

Returns.—Motion was granted—"For the correspondence between the Provincial Government and the Chief Surveyor relative to the appointment of an Assistant Surveyor."

Paper.—The following Paper was laid upon the table:—

42. Correspondence relating to the appointment of an Assistant Surveyor.

The Diversion of Roads Special Ordinance, No. 1, 1872, was read a second time, and ordered to be committed presently.

The Diversion of Roads Special Ordinance, No. 2, 1872, was read a second time, and ordered to be committed presently.

The Diversion of Roads Special Ordinance, No. 3, 1872, was read a second time, and ordered to be committed presently.

Town of Kaiapoi Ordinance.—"The Section No. 7, Town of Kaiapoi Ordinance," was read a second time, and ordered to be committed presently.

The Council in Committee for the consideration of those Bills.

The Diversion of Roads Special Ordinance, No. 1, 1872," passed as printed.

The Diversion of Roads Special Ordinance, No. 2, 1872," passed as printed.

The Diversion of Roads Special Ordinance, No. 3, 1872," passed as printed.

The Section No. 7, Town of Kaiapoi Ordinance, passed as printed.

The Reserve No. 262 Ordinance, 1872, passed as printed.

The Speaker in the chair.

The Chairman reported the Bills as printed.

The third reading was made an Order of the Day for Monday.

Committee of Supply.—The Committee of Supply was made an Order of the Day for Monday.

Motion was granted—"That it is expedient that the undermentioned locality as hereinafter described shall be constituted a District for the purposes of "The Canterbury Rivers Act, 1870;" that the name of such District shall be the North Rakaia District, and that the number of Conservators which shall constitute the Board of the District shall be five; the boundaries of the said District to be as follows:—On the S.E., to the sea; on the East, by Lake Ellesmere; on the S.W., by the Rakaia River; on the N.W., by the Western side of the South Road; and on the North by the top of the Rakaia Terrace, commencing where it intersects the West side of the South Road, at a point about 3 miles 25 chains from the Rakaia; thence following the top of the said Terrace in an Easterly direction to where it is crossed by the West boundary of Section 10543; thence by a straight line to the S.E. corner of Section 6931; thence by the road forming the South boundary of Sections 9940 and 5950 to the Southernmost corner of the latter section; thence by a straight line drawn through Trig. Station E. 11, to Lake Ellesmere before-mentioned.

The Council adjourned at 12.45 until Monday.

MONDAY, 8TH JANUARY, 1872.

NOTICES OF MOTION.

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| <p>1. COLONEL BRETT—To ask the Provincial Secretary if he has any objection to lay on the table all Correspondence, Minutes, Official Documents, &c., connected with the recent appointment of the Provincial Treasurer.</p> <p>2. THE PROVINCIAL SECRETARY—To move that this Council approve of his Honor the Superintendent conveying to the Trustees of the Site of the Cathedral the portions of land situate in Cathedral Square, in Christchurch (the said pieces of land being at the N.E. and S.W. corners of the said Square),</p> | <p>on the condition referred to in the resolutions, copy of which were forwarded to the Provincial Secretary by the City Council in letter dated December 28, 1871.</p> <p>3. MR. MASKELL—To move that all the Correspondence and Papers laid on the table having reference to the inquiry into the Management of the Police Department be printed.</p> <p>4. MR. JOLLIE—To move that all Correspondence having reference to the resignation of the Hon. G. Buckley of his seat in the Executive, be laid on the table.</p> |
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ORDER OF THE DAY.

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| <p>The second reading of "The Railway Tolls and Management Ordinance, 1872."</p> <p>The third reading of "The Diversion of Roads Special Ordinance, No. 1, 1872."</p> <p>The third reading of "The Diversion of Roads Special Ordinance, No. 2, 1872."</p> | <p>The third reading of "The Diversion of Roads Special Ordinance, No. 3, 1872."</p> <p>The third reading of "Section No. 7, Town of Kaiapoi Ordinance."</p> <p>The third reading of "Reserve No. 262 Ordinance, 1872."</p> <p>Committee of Supply.</p> |
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The Council met pursuant to adjournment.

Members present—All, except Messrs. Delamain, Mallock, Peacock, Potts, and Tosswill.

The Speaker in the chair.

Petitions.—A Petition of the Rangiora and Mandeville Road Board was presented and received.

A Petition of the Owners of Land in the Rangiora Swamp was presented and received.

Papers.—The following Papers were laid on the table :—

43. Report on the Canterbury Museum, by the Trustees and Director thereof, for the Year ending 30th September, 1871.
44. Correspondence referring to Sites in Christchurch for General Government Buildings.
45. Correspondence referring to the Extension of Railways within the Province.
46. Correspondence referring to the Transfer of the Immigration Department to the Colonial Government.
47. Canterbury Railway Report, for the Year ending 30th September, 1871.
48. Plan agreed upon by the Standing Committee of the Synod and the Christchurch City Council for the altering present Roadway in Cathedral Square.

49. Reply by the Commissioner of Police to Charges brought against him by the Provincial Auditor.

50. Papers referring to the Appointment of an Assistant Surveyor.

Paper No. 43 was ordered to be printed.

Notice of Motion No. 2 was withdrawn by leave.

Motion was granted—"That all the Correspondence and Papers laid on the table having reference to the Management of the Police Department, be printed."

Motion was granted—"That all Correspondence having reference to the resignation of the Hon. G. Buckley of his seat in the Executive, be laid on the table."

Paper.—The following Paper was laid on the table :—

51. Correspondence having reference to the Resignation of the Hon. G. Buckley.

The Railway Tolls and Management Bill, 1872.—The Bill was read a second time.

The Council in Committee for the consideration of that Bill.

Clauses 1 to 20 passed with amendment.

Clause 21 was proposed and passed as printed upon division.

Ayes, 18: Messrs. Beswick, Buchanan, Cowlshaw, Dixon, Enys, Fisher, Hawkes, Higgins, Jollie, Kennaway, Knight, Matson, Rhodes, Richardson, Tancred, Walker, Westerra, and Duncan.

Noes, 7: Messrs. Brett, Brown, Williams, Inglis, Joynt, Maskell, and Parker.

Clauses 22 to 44 passed with amendment.

The Speaker in the chair.

The Chairman reported progress, and asked leave to sit again.

The consideration in Committee of the Bill was made an Order of the Day for Tuesday.

The Diversion of Roads Special Ordinance, No. 1, 1872, was read a third time, and passed.

The Diversion of Roads Special Ordinance, No. 2, 1872, was read a third time, and passed.

The Diversion of Roads Special Ordinance, No. 3, 1872, was read a third time, and passed.

The Section No. 7, Town of Kaiapoi Ordinance.—The Bill was read a third time, and passed.

The Reserve No. 262 Ordinance, 1872.—The Bill was read a third time, and passed.

The Committee of Supply was made an Order of the Day for Tuesday.

The Council adjourned at 9.30 until Tuesday.

TUESDAY, 9TH JANUARY, 1872.

NOTICES OF MOTION.

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| <p>1. MR. MASKELL—To ask whether the Government intend to bring down, according to promise, an Amended Cattle Trespass Ordinance this Session; and if not, why not.</p> <p>2. MR. RICHARDSON—To move that a respectful Address be presented to his Honor the Superintendent requesting him to place on the Supplementary Estimates the sum of One Hundred and Thirty Pounds as a gratuity to the Widow of the late Dugald McCormick, who was killed whilst in the execution of his duty on the Canterbury Railways.</p> <p>3. MR. HIGGINS—To move for all Correspondence relating to the Establishment of the Ferry across the Waimakariri River at the Gorge Hill.</p> <p>4. MR. WYNN WILLIAMS—To move that in the opinion of this Council the Grant of One Hundred Pounds to the Avon Road Board under the late Appropriation Act should be paid in full, without any stipulation as to clearing the Avon; and that a respectful Address to his Honor the Superintendent be presented, requesting him to place such a sum on the present Estimates.</p> | <p>5. MR. WYNN WILLIAMS—To move that a list of the names of the Candidates for the office of Secretary to the Board of Education be placed on the table.</p> <p>6. MR. INGLIS—To move that a copy of the terms on which the vote of Four Hundred Pounds was paid to Mr. White for the use of his Temporary Bridge over the Rakaia be laid on the table.</p> <p>7. MR. INGLIS—To move that copies of the Leases granted of the Reclaimed Land in Lyttelton be laid on the table.</p> <p>8. COLONEL BRETT—To move that all Correspondence, Minutes, and other Official Documents connected with the recent appointment of the Provincial Treasurer be laid on the table.</p> <p>9. MR. MACDONALD—To move that the Council do proceed to consider an Address in reply to the Speech of his Honor the Superintendent.</p> <p>10. THE PROVINCIAL SECRETARY—To move that his Honor the Superintendent be respectfully requested to make application, on behalf of the Provincial Council, to the General Government to declare "The Forest Trees Planting Encouragement Act, 1871," to be in operation in this Province.</p> |
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ORDER OF THE DAY.

Committee of Supply.

Consideration in Committee of "The Railway Tolls and Management Ordinance, 1872."

The Council met pursuant to adjournment.

Members present—All except Mr. Sawtell.

The Speaker in the chair.

Papers.—The following Papers were laid upon the table :—

52. Correspondence referring to the Course of Instruction pursued in Christ College Grammar School and the High School.

53. Report on the progress of Works at Timaru Gaol, by B. W. Mountfort, Architect.

McCormick.—The Council in Committee for the consideration of Resolution No. 2.

Grant to Widow.—The Resolution passed as proposed.

The Speaker in the chair.

The Resolution was reported as passed—“That a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of One Hundred and Thirty Pounds, as a gratuity to the widow of the late Dugald McCormick, who was killed whilst in the execution of his duty on the Canterbury Railways.”

Returns.—Motion was granted—“For all Correspondence relating to the establishment of the Ferry across the Waimakariri River at the Gorge Hill.”

Paper.—The following Paper was laid on the table :—

54. Correspondence relative to the Establishment of a Ferry at Gorge Hill.

Notice of Motion No. 4 was not moved.

Returns.—Motion was negatived—“That a list of the names of the Candidates for office of Secretary to the Board of Education be placed on the table.”

Motion was granted—“For a copy of the terms on which the Vote of Four Hundred Pounds was paid to Mr. White for the use of his Temporary Bridge over the Rakaia.”

Motion was granted, as amended—“For Copies of the Leases granted of the Reclaimed Land in Lyttelton. Also, Copies of all Tenders received and Agreements entered into, as well as of all Notices issued by the Provincial Government, and of all Correspondence between the Provincial Government and other parties relating to this subject.”

Motion was granted—“For all Correspondence, Minutes, and other Official Documents connected with the recent appointment of the Provincial Treasurer.”

Paper.—The following Paper was laid on the table :—

55. Correspondence relating to the Appointment of the Provincial Treasurer, and his being under Bond.

Reply to the Opening Address of his Honor the Superintendent.—The Reply passed as amended :—

“1. The Provincial Council desire to thank your Honor for your Address on the occasion of the opening of the present Session.

“2. The Council are gratified to learn that the Northern line will in all probability be open for traffic as far as Kaiapoi before the end of March, and agree with your Honor that it should be pressed on without delay as far as Leithfield.

“3. The Council are glad to hear that provision has been made in “The Railway Act, 1871,” for the construction of the branch lines as recommended by resolution passed at its last Session, and will favorably consider any appropriations that it may be necessary to make for this purpose.

“4. The Council thank your Honor for having called its attention to the sections of “The Public Works and Immigration Act, 1871,” which in your opinion will, if exercised, interfere with the administration of Waste Lands under the laws previously existing.

“5. The Council trust that the immigration now being instituted by the General Government will be conducted with care and discretion, and that it will not have the effect of unduly increasing the responsibilities indicated by your Honor.

“6. The Council will give their earnest attention to any proposal for expenditure for the purposes of Education, and will also be prepared to consider the advisableness of passing a measure vesting the Educational Endowments of the Province in Trustees.

“7. The proposal to found an Observatory in connection with the important astronomical observations to be taken by the Imperial Government in 1874, will receive due consideration.

“8. The Council will, when the Estimates are before them, give due weight to your Honor’s recommendation with reference to the question of Irrigation, and the enlarging of the Hospital and Lunatic Asylum.

“9. The Council regret that there has not been sufficient time to prepare the measures rendered necessary by the lapse of the Ordinances under the operation of “The Provincial Acts Validation Act, 1871,” but beg to express a hope that your Honor will see fit to order a Special Session at an early date, for the purpose of preparing such measures.

“10. The Council accept with gratification your Honor’s congratulations on the present position of the Province, and cordially join with you in the hope that the new year will be one of increasing prosperity to the Province and Colony.”

Committee of Supply.—The Council in Committee of Supply.

Vote was proposed—Class II.—Executive £1,425 0 0

Amendment was negatived upon division—“That the Question be postponed.”

Ayes, 8: Messrs. W. Williams, Enys, Higgins, Jollie, Mallock, Maskell, Parker, and Macdonald.

Noes, 17: Messrs. Beswick, Brown, Brett, Buckley, Cowlshaw, Fisher, Hawkes, Kennaway, Knight, Matson, Ormsby, Peacock, Perry, Richardson, Walker, Westenra, and Duncan.

Vote was taken—Class	II.—Executive	...	...	£1,425	0	0
„	„	III.—Electoral	...	600	0	0
„	„	IV.—Legislative	...	951	5	0
„	„	V.—Police and Gaol	...	10,253	10	6
„	„	VI.—Charitable Aid	..	3,510	0	0
„	„	VII.—Hospitals	...	3,393	18	9
„	„	VIII.—Orphan Asylum	...	1,674	15	0
„	„	IX.—Lunatic Asylum	...	3,853	10	0
„	„	X.—Inspection of Sheep	...	1,450	0	0

The Speaker in the chair.

The Chairman reported progress, and asked leave to sit again.

The Committee of Supply was made an Order of the Day for Wednesday.

The Council adjourned at 12 p.m. until Wednesday.

WEDNESDAY, 10TH JANUARY, 1872.

NOTICES OF MOTION.

1. MR. PARKER—To ask the Provincial Secretary what steps the Government proposes taking relative to a Claim made by Mr. E. G. Griffith for remission of rent of certain stores at the Christchurch Railway Station.
2. MR. ORMSBY—To ask the Provincial Secretary why effect had not been given to the resolution of this Council passed during its last Session on the subject of Timber Licenses.
3. MR. ANDREW DUNCAN—To move that all Correspondence relating to Dog Fees between the Provincial Government, the Commissioner of Police, and the Provincial Auditor, of October, 1870; as also, all the Correspondence relating to the suspension and dismissal of Constable Walsh, be laid on the Table of the House.
4. MR. DIXON—To move that the Government make it an instruction to their Field Surveyors to recommend the most suitable places for Gravel Reserves, at distances of about eighty chains apart, where the land is not yet sold.
5. MR. DIXON—To move for a Return of the Receipts, Expenses, and Disbursements attending White's Waimakariri Bridge since it came into the hands of the Government.
6. MR. DIXON—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of Two Hundred Pounds, as a contribution towards a Cart Bridge to the number Two Kaiapoi Island.
7. MR. DIXON—To move that the Government be requested to have a Survey made of the Line of the New Cut across the Kaiapoi Island, and that the owners of the land which is found to have been destroyed be allowed to select an equal amount of acreage elsewhere from the Waste Lands of the Crown within the Province.
8. MR. HALL—To move for copies of all Correspondence between the Government and the Board of Education on the subject of the establishment of Borough Schools.
9. MR. HALL—To move for copies of all Correspondence between the Provincial Government and the Managers of Christ College and of the High School, respecting the course of instruction pursued in those establishments.
10. MR. MASKELL—To move that a copy of a letter addressed to the Secretary of Public Works by Messrs Matheson's Agency, under date 16th November, 1871, be laid on the table.

11. MR. PERRY—To move that all Correspondence and other Official Documents between the Provincial Government and the General Government with reference to the Conveyance of Three Hundred Immigrants

direct to Timaru, in accordance with a resolution of the Provincial Council passed the 25th day of July, 1871, be laid on the table.

ORDER OF THE DAY.

Committee of Supply.

Consideration in Committee of "The Railway Tolls and Management Ordinance, 1872."

The Council met pursuant to adjournment.

Members present—All.

The Speaker in the chair.

Petition.—A Petition of the Lincoln Farmers' Club for the establishment of a Corn Exchange, was presented and received.

Message from his Honor the Superintendent.—Message No. 4 was received and read:—

"The Superintendent transmits to the Council a Petition which has been presented to him by a number of gentlemen interested in the establishment of an Observatory in this Province.

"As previously intimated by him, it was his intention to recommend the Council to make provision supplementing private contributions for the erection of the requisite building and the necessary apparatus, and also to make such appropriations for the maintenance of the Observatory as will secure its efficiency in permanence.

"In forwarding this Petition, he has to express his cordial concurrence in the prayer, and his hope that the Council will, at an early date, take it into its favourable consideration.

"In addition to a School of Science, of which so valuable a nucleus is already formed in the Province, he is of opinion that the establishment of an Institution of this character, having for its object the promotion of one of the highest branches of scientific study with which the study of other branches of physical science and of the higher mathematics is so closely allied, would be of the greatest value as well to the Colony as the Province, and that the locality in which the Observatory was placed would derive the highest immediate benefit in the prosecution of scientific education, from the special interest taken in it by scientific men in other parts of the world, and from the presence of more men devoted to the study and teaching of physical science.

"The Superintendent would recommend that for promoting the special object of the Petition, a vote for One Thousand Pounds should be appropriated for the

building and requisite apparatus, and that an endowment of 5000 acres of land should be given on conditions to be determined by the Council for the permanent maintenance of the Observatory.

“ With regard to the opinion of the Memorialists that the present is probably one of the last opportunities for securing endowments for educational and scientific purposes, the Superintendent proposes in a separate Message to bring under the attention of the Council a recommendation to make an endowment for the purposes of a School of Science, in connection with which such liberal provision has already been made by it for the erection of buildings.

“ W. ROLLESTON,
“ Superintendent of Canterbury.

“ January 10, 1872.”

Notice of Motion was given—“ That the Message be taken into consideration on Thursday.”

Papers.—The following Papers were laid upon the table :—

56. Correspondence relating to the Leasing of Warehouse Site on the Reclaimed Land at Lyttelton.

57. Statement of Terms on which £400 was paid to Mr. W. White.

58. Irrigation of the Plains, Report by C. E. Fooks, C.E., No. 2.

59. Additional Correspondence on the Rakaia Overflow.

Returns.—Motion was granted—“ For all Correspondence relating to Dog Fees between the Provincial Government and the Commissioner of Police and the Provincial Auditor, of October, 1870 ; as also all the Correspondence relating to the Suspension and Dismissal of First-class Sergeant Walsh.”

Notices of Motion Nos. 4, 5, 6, and 7 were postponed until after No. 11.

Returns.—Motion was granted—“ For Copies of all Correspondence between the Government and the Board of Education on the subject of the Establishment of Borough Schools.”

Notice of Motion No. 9 was not moved.

Returns.—Motion was granted—“ For a Copy of a Letter addressed to the Secretary of Public Works by Messrs. Matheson’s Agency, under date 16th November, 1871.”

Motion was granted—“ For all Correspondence and other Official Documents between the Provincial Government and the General Government with reference to the Conveyance of 300 Immigrants direct to Timaru, in accordance with a Resolution of the Provincial Council, passed 25th July, 1871.”

Notices of Motion Nos. 4, 5, 6, and 7 lapsed.

Committee of Supply.—The Council in Committee of Supply.

Vote was taken—Harbour ...	...	...	...	£2,088	2	0
„ Museum ...	...	...	...	750	0	0
„ Departmental Miscellaneous ...	...	...	...	2,261	0	0
„ Public Works ...	...	...	...	1,518	15	0
„ Railways—General Expenditure...	...	...	...	1,964	0	0
„ „ Passenger Department, Lyttelton and Christchurch Line ...	...	...	...	1,350	6	0
„ „ Passenger Department, Southern Line ...	...	...	...	911	17	6
„ „ Locomotive Department ...	...	...	...	5,384	14	0
„ „ Lyttelton and Christchurch Line, Maintenance ...	...	...	...	2,932	12	6
„ „ Southern Line ...	...	...	...	3,405	17	6
„ „ Goods Department, Lyttelton and Christchurch Line ...	...	...	...	6,591	10	0
„ „ Goods Department, Southern Line	...	...	...	400	0	0
„ „ Police and Gatekeepers, Lyttelton and Christchurch Line ...	...	...	...	329	8	0
„ „ Police and Gatekeepers, Southern Line ...	...	...	...	484	0	0
„ Wharves and Jetties...	...	...	...	1,946	15	6
„ Contingencies ...	...	...	...	500	0	0
„ Provincial Government Works ...	...	...	...	1,676	0	0
„ Public Plantation ...	...	...	...	574	19	0
„ General Miscellaneous ...	...	...	...	1,237	10	0
Vote was proposed—Education ...	...	...	...	8,930	0	0

Amendment was carried upon division—“That the sum be reduced by £187 10s.”

Ayes, 16 : Messrs. Brett, Brown, Buckley, Cowlshaw, Enys, Fisher, Hall, Healey, Higgins, Joynt, Maskell, Matson, Ormsby, Potts, Richardson, and Macdonald.

Noes, 14 : Messrs. Beswick, Buchanan, Delamain, Hawkes, Inglis, Kennaway, Knight, Parker, Perry, Sawtell, Tancred, Tosswill, Westenra, and Duncan.

Vote was taken—Education	...	...	...	£8,742	10	0
„ General Contingencies	...	...	...	1,500	0	0
„ Lighterage and Cartage	...	...	...	5,000	0	0
„ Land Exchange	...	...	...	680	0	0
„ Avon and Eyreton Road Boards...	...	...	...	400	0	0
„ Waste Lands Board	...	...	...	397	10	0
„ Surveys	...	...	...	6,959	0	0
„ Little River Road	...	...	...	400	0	0
„ Lunatic Asylum	...	...	...	1,600	0	0
„ Gaol, Lyttelton	...	...	...	600	0	0
„ Museum	...	...	...	2,000	0	0
„ Industrial School	...	...	...	1,200	0	0
„ Gaol, Timaru	...	...	...	1,550	0	0
„ Orphan Asylum	...	...	...	200	0	0
„ Woolshed, Tekapo	...	...	...	100	0	0
„ Templeton Well	...	...	...	160	0	0
„ Waimakariri Gorge Ferry	...	...	...	500	0	0
„ Rangitata Bridge	...	...	...	600	0	0
„ Lock-up, Lyttelton	...	...	...	50	0	0
„ Steam Fire Engine	...	...	...	£250	0	0
„ Powder Magazine, Timaru	...	...	...	65	0	0
„ New School Buildings	...	...	...	8,000	0	0
„ Custom House	...	...	...	300	0	0
„ Timaru Water Supply	...	...	...	300	0	0
Vote was withdrawn—Police Depot, Christchurch	...	...	...	1,000	0	0
Vote was taken—Weights and Measures, Akaroa and Timaru...	...	...	...	185	0	0
„ House for Pilot, Sumner	...	...	...	125	0	0

Vote was taken—Boats, Kaiapoi and Sumner	...	...	£65	0	0
„ Main Roads, South of Rangitata	...	...	875	0	0
„ Barry's Bay Jetty and Road	...	...	350	0	0
„ Hospital, Painting	...	...	100	0	0
„ Planting Railway Reserves	...	...	300	0	0
Vote was withdrawn—Irrigation	...	...	1,000	0	0
„ „ Municipal Schools	...	...	3,000	0	0
Vote was taken—Le Bon's Bay Road	...	...	100	0	0
„ Contingencies	...	...	500	0	0

SCHEDULE C.

Vote was taken—Harbour Works	...	...	20,000	0	0
„ New Moorings, Timaru	...	...	400	0	0
„ Rakaia Bridge	...	...	9,000	0	0
„ Huruni Bridge	...	...	650	0	0
„ Tunnel Works	...	...	2,700	0	0

The Speaker in the chair.

The Chairman reported progress, and asked leave to sit again.

The Committee of Supply was made an Order of the Day for Thursday, at 7 p.m.

The consideration in Committee of "The Railway Tolls and Management Ordinance, 1872," was made an Order of the Day for Thursday.

The Council adjourned at 11.15 until Thursday.

THURSDAY, 11TH JANUARY, 1872.

NOTICES OF MOTION.

1. MR. JOYNT—To ask the Provincial Secretary whether the legal difficulties which during last Session he informed the Council stood in the way of the Reserves of the Town of Kaiapoi being handed over to the Municipal Council of that town have been removed; and, if they have not, whether those

difficulties are of such a character that they can be removed by Provincial legislation; and, if they are not capable of removal by such means, whether the Provincial Government are prepared to take steps to facilitate their removal by an Act of the General Assembly or otherwise.

2. **MR. ORMSBY**—To ask the Provincial Secretary—(1) Where the Thomson's Road Steamer is, and what the Government propose to do with it. (2) For information as to all expenditure incurred in connection with the Steamer for purchase, freight, repairs, and working expenses.
3. **MR. ORMSBY**—To ask the Provincial Secretary if he can inform the Council whether it is intended by the General Government to invite Messrs. Brogden to tender for the construction of the Railway between the Rakaia and the Washdyke; and, in the event of such being the case, to inquire when Mr. Brogden may be expected in the Province.
4. **THE PROVINCIAL SECRETARY**—To move the consideration of Message No. 4 from his Honor the Superintendent.
5. **MR. BUCKLEY**—To move for leave to introduce a Bill to amend "The Executive Council Ordinance, 1868."
6. **MR. TOSSWILL**—To move that it is highly inexpedient that any Session of this Council should be held during harvest time.
7. **THE PROVINCIAL SECRETARY**—To move that in the opinion of this Council provision should be made for the erection of School Buildings in the Municipalities of the Province of a better kind than now exist, and better adapted for the introduction of a more complete school organisation; and with a view of initiating a reform in this direction, the Council will approve of an expenditure of £3000 in aiding the inhabitants of Municipalities to effect an alteration of this nature.
8. **THE PROVINCIAL SECRETARY**—To move for leave to introduce a Bill intituled "The Diversion of Roads Special Ordinance, No. 4, 1872."
9. **THE PROVINCIAL SECRETARY**—To move for leave to introduce a Bill intituled "The Diversion of Roads Special Ordinance, No. 5, 1872."
10. **MR. WYNN WILLIAMS**—To move that this Council is of opinion that the recommendation of the Chief Surveyor as to the appointment of an Assistant Surveyor, should be carried out.
11. **MR. PARKER**—To move that this Council, having considered the papers laid before it on the subject of the proposed appointment of an Assistant Surveyor, is of opinion that (while all communications from the Chief Surveyor to the Provincial Government on the subject of the duties of his office should be forwarded through the Secretary for Public Works) it is not incumbent on the Chief Surveyor to give the reasons for any recommendation he may make under the authority of Clause 15 of the Waste Lands Regulations.
12. **COLONEL BRET**—To move that this Council consider the indiscriminate destruction of Fish along the Coast of New Zealand during the Spawning Season is detrimental to the interest of the inhabitants of the Colony, and that his Honor the Superintendent be requested to forward a copy of this resolution to the Colonial Secretary, for the consideration of the General Government.
13. **MR. JOYNT**—To move the House into Committee to consider the following resolution:—That a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of Twenty-five Pounds, in aid of the purchase of a Steam Fire Engine for the Town of Kaiapoi.
14. **THE PROVINCIAL SECRETARY**—To move that the Council do resolve itself into Committee to consider the Reserve made temporarily by his Honor the Superintendent since the last Session of the Council.
15. **MR. WYNN WILLIAMS**—To move that, in the opinion of this Council, it is desirable that the Provincial Treasurer, in any instance, should enter into the necessary bond with sureties.
16. **THE PROVINCIAL SECRETARY**—To move for leave to introduce a Bill for an Ordinance intituled "The Education Ordinance, 1871, Amendment Ordinance, 1872."
17. **MR. ANDREW DUNCAN**—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of One Hundred and Fifty Pounds, for the purpose of erecting a Propagating House in the Government Domain, for the raising of Seeds and other exchanges received by the Domain Board.
18. **MR. MASKELL**—To move a respectful Address to his Honor the Superintendent, praying him to place on the Supplementary Estimates a sum of Six Hundred and Forty Pounds, to be expended by the Kowai Road Board on the Main North Road; such sum to be spent in making new portions of the said road, and not in repairing portions already made.
19. **MR. DIXON**—To move that the Government make it an instruction to the Field Surveyors to recommend the most suitable places for Gravel Reserves, at distances of about eighty chains apart, where the land is not yet sold.
20. **MR. DIXON**—To move for a Return of the Receipts, Expenses, and Disbursements attending White's Waimakariri Bridge since it came into the hands of the Government.
21. **MR. DIXON**—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of Two Hundred Pounds, as a contribution towards a Cart Bridge to the number Two Kaiapoi Island.

22. MR. DIXON—To move that the Government be requested to have a Survey made of the Line of the New Cut across the Kaiapoi Island, and that the owners of the land

which is found to have been destroyed be allowed to select an equal amount of acreage elsewhere from the Waste Lands of the Crown within the Province.

ORDER OF THE DAY.

Committee of Supply.

Consideration in Committee of "The Railway Tolls and Management Ordinance, 1872."

The Council met pursuant to adjournment.

Members present—All.

The Speaker in the chair.

Petition.—A Petition relating to the Foundation of an Observatory was presented, read, and received.

Papers.—The following Papers were laid upon the table:—

60. Copy of Letter to the Secretary for Public Works by Messrs. Matheson's Agency, dated 16th November, 1871.

61. Correspondence referring to the Conveyance of Immigrants direct to Timaru.

Message No. 4.—The Council in Committee for the consideration of Message No. 4 from his Honor the Superintendent.

The following Reply passed upon division—"The Council thank your Honor for your Message No. 4, and resolve as follows:—'This Council request his Honor the Superintendent to place One Thousand Pounds on the Supplementary Estimates for the purpose of establishing an Observatory, and Two Hundred Pounds for providing a suitable Site in this Province, on the understanding that the above sum shall be expended only in case the Colonial Government shall undertake the future maintenance of the Institution.'"

Ayes, 25: Messrs. Brown, Buchanan, Buckley, Cowlshaw, Williams, Dixon, Enys, Hall, Hawkes, Higgins, Inglis, Jollie, Joynt, Mallock, Maskell, Matson, Ormsby, Parker, Potts, Rhodes, Richardson, Sawtell, Tancred, Tosswill, and Walker.

Noes, 11: Messrs. Beswick, Brett, Fisher, Healey, Kennaway, Knight, Peacock, Perry, Macdonald, Westerra, and Duncan.

The Speaker in the chair.

The Reply was reported as passed.

Papers.—The following Papers were laid upon the table:—

62. Correspondence on the Establishment of Borough Schools.

63. Correspondence on the Subject of Dog Fees.

64. Lease of Reclaimed Land, Lyttelton.

The Council in Committee of Supply was moved.

Railways.—Motion was granted—“That in the opinion of this Council it is not advisable to reduce the rate of wages at present paid to the persons at present employed as Guards and Porters on the Canterbury Railways.”

Committee of Supply.—The Council in Committee of Supply.

Vote was taken—	Rails for Sidings	...	...	...	£3,000	0	0
„	Timaru and Temuka Railway	...	...	...	7,000	0	0
„	Branch Line to Malvern	...	...	...	10,000	0	0
„	„ „ Southbridge	...	...	...	12,000	0	0

Question was negatived upon division—“That the Chairman report progress.”

Ayes, 6 : Messrs. Brett, Dixon, Parker, Peacock, Studholme, and Tosswill.

Noes, 24 : Messrs. Beswick, Buckley, Cowlshaw, Enys, Fisher, Hall, Hawkes, Healey, Higgins, Inglis, Jollie, Joynt, Kennaway, Knight, Mallock, Maskell, Matson, Ormsby, Potts, Richardson, Tancred, Walker, Westenra, and Duncan.

Vote was taken—	Branch Line to Oxford	...	...	...	£10,000	0	0
„	„ „ Eyreton	...	...	...	5,000	0	0
„	„ „ Waimate	...	...	...	5,000	0	0
„	„ „ The Point	...	...	...	5,000	0	0

The Speaker in the chair.

The Chairman reported progress, and asked leave to sit again.

The Committee of Supply was made an Order of the Day for Friday.

The Executive Council Ordinance Amendment Ordinance, 1868.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

Motion was granted—“That it is highly inexpedient that any Session of this Council should be held during harvest time.”

The Council in Committee for the consideration of Notice of Motion No. 7.

The Resolution passed as proposed.

The Speaker in the chair.

School Buildings.—The following Resolution was reported :—“That in the opinion of this Council provision should be made for the erection of School Buildings in the Municipalities of the Province of a better kind than now exists, and better adapted for the introduction of a more complete school organization, and with a view of initiating a reform in this direction the Council will approve of an expenditure of Three Thousand Pounds in aiding the inhabitants of Municipalities to effect an alteration of this nature.”

The Diversion of Roads Special Ordinance, No. 4, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

The Diversion of Roads Special Ordinance, No. 5, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for Friday.

Survey.—Motion was proposed—“That this Council having considered the Papers laid before it on the subject of the proposed appointment of an Assistant Surveyor, is of opinion that while all communications from the Chief Surveyor to the Provincial Government on the subject of the duties of his office should be forwarded through the Secretary for Public Works, it is not incumbent on the Chief Surveyor to give the reason for any recommendation he may make under the authority of Clause 15 of the Waste Lands Regulations.”

The previous Question was proposed.

The Motion “That the Question be now put,” was negatived upon division.

Ayes, 15: Messrs. Buckley, Williams, Enys, Hall, Hawkes, Higgins, Jollie, Joynt, Mallock, Maskell, Parker, Perry, Potts, Tosswill, and Macdonald.

Noes, 17: Messrs. Beswick, Brett, Brown, Buchanan, Cowlshaw, Fisher, Healey, Inglis, Kennaway, Knight, Peacock, Richardson, Sawtell, Walker, Webb, Westenra, and Duncan.

The Council adjourned at 1.40 until Friday.

FRIDAY, 12TH JANUARY, 1872.

NOTICES OF MOTION.

1. **THE PROVINCIAL SECRETARY**—To move that with reference to a letter addressed to his Honor the Superintendent from the Ministers of the Middle Island, requesting the Provincial Government to hand over the Immigration Barracks to the General Government, the Council is of opinion that the request be granted so soon as provision is made, at the expense of the General Government, for the accommodation of the Charitable Aid cases that are now maintained at the Barracks.
2. **THE PROVINCIAL SECRETARY**—To move that the Council approve of his Honor the Superintendent conveying to the Trustees of the Cathedral Site the two pieces of land hereinafter described on terms expressed in the resolutions agreed to by the City Council and the Standing Committee of the Synod of the Church of England:—All that piece or parcel of land containing by admeasurement twenty-nine perches (more or less), being part of the land reserved as a site for the Cathedral, and numbered 1 (in red) on the Map of the City Surveyor, setting out and describing the Town of Christchurch, commencing at the north-eastern corner of the said reserve; thence southerly, following the eastern boundary thereof a distance of 1 chain 15 links; thence westerly at a right angle a distance of 1 chain 73 links to the proposed footpath; thence north-easterly, following the said footpath to the northern boundary of the said reserve, and from thence returning along that boundary a distance of 1 chain 50 links to the commencing point; and also all that piece or parcel of land containing by admeasurement twenty-nine perches (more or less), being part of the land reserved as a site for the Cathedral, and numbered 1 (in red) on the Map of the Chief Surveyor, setting out and describing the Town of Christchurch, commencing at the south-eastern corner of the said reserve; thence northerly, following the eastern boundary thereof a distance of 1 chain 15 links; thence westerly, at a right angle a distance of 1 chain 73 links to the proposed footpath; thence south-easterly, following the said footpath to the southern boundary of the said reserve, and from thence returning along that boundary a distance of 1 chain 50 links to the commencing point.
3. **THE PROVINCIAL SECRETARY**—To move for leave to introduce a Bill for an Ordinance intituled "The Education Ordinance, 1871, Amendment, 1872."
4. **THE PROVINCIAL SECRETARY**—To move that the Council do resolve itself into Committee to consider the Reserves made temporarily by his Honor the Superintendent since the last Session of the Council.

ORDER OF THE DAY.

- Committee of Supply.
Committal of "Railway Tolls and Management Ordinance."
Second reading of "The Diversion of Roads Special Ordinance, No. 4, 1872."
Second reading of "The Diversion of Roads Special Ordinance, No. 5, 1872."
Second reading of "The Provincial Executive Council Ordinance, 1872."
5. **MR. JOYNT**—To ask the Provincial Secretary the question standing in his name on the Order Paper, No. 1, of Thursday, 11th January, as follows:—Whether the legal difficulties which during last Session he informed the Council stood in the way of the Reserves of the Town of Kaiapoi being handed over to the Municipal Council of that town have been removed; and, if they have not, whether those difficulties are of such a character that they can be removed by Provincial Legislation; and if they are not capable of removal by such means, whether the Provincial Government are prepared to take steps to facilitate their removal by an Act of the General Assembly or otherwise.
 6. **MR. HALL**—To ask what steps the Government propose to take on the Report of the Commission into the Management and Organisation of the Police Department.
 7. **MR. HALL**—To move that the Papers relating to the Leases of the Reclaimed Land at Lyttelton be printed.
 8. **MR. E. RICHARDSON**—To move that in the opinion of this Council it is desirable that the Government should take immediate steps to establish a Mutual Benefit Society on the Canterbury Railways, making it compulsory that every employè on the railways should be a Member of the Society. The principal objects of such Society being to provide assistance in cases of sickness, and a fixed sum in case of death of members.
 9. **MR. PARKER**—To move that the claim of Mr. Griffiths for the remission of rent for certain Stores at Railway Station, Christchurch, is entitled to the favourable consideration of this Council.
 10. **COLONEL BRETT**—To move that this Council consider the indiscriminate destruction of Fish along the Coast of New Zealand

- during the Spawning Season is detrimental to the interest of the inhabitants of the Colony, and that his Honor the Superintendent be requested to forward a copy of this Resolution to the Colonial Secretary for the consideration of the General Government.
11. MR. JOYNT—To move the House into Committee to consider the following resolution:—That a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of Twenty-five Pounds, in aid of the purchase of a Steam Fire Engine for the Town of Kaiapoi.
 12. MR. WYNN WILLIAMS—To move that in the opinion of this Council it is desirable that the Provincial Treasurer, in every instance, should enter into the necessary bond with sureties.
 13. MR. ANDREW DUNCAN—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of One Hundred and Fifty Pounds, for the purpose of erecting a Propagating House in the Government Domain for the raising of Seeds and other exchanges received by the Domain Board.
 14. MR. MASKELL—To move a respectful Address to his Honor the Superintendent, praying him to place on the Supplementary Estimates a sum of Six Hundred and Forty Pounds, to be expended by the Kowai Road Board on the Main North Road; such sum to be spent in making new portions of the said road, and not in repairing portions already made.
 15. MR. DIXON—To move that the Government make it an instruction to their Field Surveyors to recommend the most suitable places for Gravel Reserves, at distances of about eighty chains apart, where the land is not yet sold.
 16. MR. DIXON—To move for a Return of the Receipts, Expenses, and Disbursements attending White's Waimakariri Bridge since it came into the hands of the Government.
 17. MR. DIXON—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of Two Hundred Pounds, as a contribution towards a Cart Bridge to the number Two Kaiapoi Island.
 18. MR. DIXON—To move that the Government be requested to have a Survey made of the Line of the New Cut across the Kaiapoi Island, and that the owners of the land which is found to have been destroyed be allowed to select an equal amount of acreage elsewhere from the Waste Lands of the Crown within the Province.
 19. MR. WYNN WILLIAMS—To move that a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates a sum of Seventy-five Pounds, in addition to the grant to the Avon Road Board.
 20. COLONEL BRETT—To move that a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of Five Hundred Pounds, for the purpose of erecting a Corn Exchange on a portion of the Government property adjoining Cathedral Square, at Christchurch, to be invested in Trustees.
 21. MR. HAWKES—To move that all Correspondence laid on the table between the Grammar Body of Christ College Grammar School and the Government be printed.
 22. MR. WYNN WILLIAMS—To move—That, in view of probable changes in the constitution of Provincialism, this Council desires to express its opinion—
That it is desirable that steps should be taken without delay for the purpose of simplifying the form of Government in the Province.
That, for effecting the above purpose, it is desirable that the Executive Council Ordinance should be amended, so far as to provide that the paid offices of Government should be permanent ones, and non-political.
That the Superintendent for the time being shall be the officer whose duty it shall be to carry on the work now done by the Provincial Secretary and Secretary for Public Works.
That, for further carrying out the above, the General Government be requested to bring in a Bill at the early part of next Session, giving the Superintendent for the time being the power to sit in the Council *ex-officio*.
That his Honor the Superintendent be requested to forward a copy of the above to the Colonial Secretary.
 23. THE PROVINCIAL SECRETARY—To move that this Council do sit on Saturday, the 13th January, at two o'clock.

The Council met pursuant to adjournment.

Members present—All, except Messrs. Higgins and Studholme.

The Speaker in the chair.

Papers.—The following Papers were laid upon the table :—

65. Letter from the Rev. J. Wilson, referring to the Course of Education pursued at Christ College.

66. Letter from the Provincial Solicitor relative to Claim of Messrs. Holmes and Co., for Work on Lyttelton and Christchurch Railway.

Immigration Barracks.—Motion was granted—“That with reference to a letter addressed to his Honor the Superintendent from the Ministers of the Middle Island, requesting the Provincial Government to hand over the Immigration Barracks to the General Government, the Council is of opinion that the request be granted so soon as provision is made, at the expense of the General Government, for the accommodation of the Charitable Aid cases that are now maintained at the Barracks.”

Cathedral Site.—Motion was granted—“That the Council approve of his Honor the Superintendent conveying to the Trustees of the Cathedral Site the two Pieces of Land hereinafter described on terms expressed in the Resolutions agreed to by the City Council and the Standing Committee of the Synod of the Church of England :—All that piece or parcel of land containing by admeasurement twenty-nine perches (more or less), being part of the land reserved as a site for the Cathedral, and numbered 1 (in red) on the Map of the City Surveyor, setting out and describing the Town of Christchurch, commencing at the north-eastern corner of the said Reserve; thence southerly, following the eastern boundary thereof a distance of 1 chain 15 links; thence westerly at a right angle a distance of 1 chain 73 links to the proposed footpath; thence north-easterly, following the said footpath to the northern boundary of the said reserve, and from thence returning along that boundary a distance of 1 chain 50 links to the commencing point; and also all that piece or parcel of land containing by admeasurement twenty-nine perches (more or less), being part of the land reserved as a site for the Cathedral, and numbered 1 (in red) on the Map of the Chief Surveyor, setting out and describing the Town of Christchurch, commencing at the south-eastern corner of the said Reserve; thence northerly, following the eastern boundary thereof a distance of 1 chain 15 links; thence westerly, at a right angle a distance of 1 chain 73 links to the proposed footpath; thence south-easterly, following the said footpath to the southern boundary of the said Reserve, and from thence returning along that boundary a distance of 1 chain 50 links to the commencing point.”

The Education Ordinance, 1871, Amendment Bill, 1872.—Leave was given to bring in that Bill.

The Bill was read a first time, and ordered to be printed.

The second reading was made an Order of the Day for the next sitting day.

Reserves.—The Council in Committee for the consideration of the Reserves made temporarily by his Honor the Superintendent since the last Session of the Council.

The following Reserves were confirmed :—

No. IN RED.	QUANTITY, <i>more or less.</i>			DESCRIPTION.	REMARKS.
	A.	R.	P.		
1080	310	0	0	Situate in the Oxford District, commencing at a point on the Forest road, the same being sixty-nine chains fifty links distant from and north-east of Trig. Station 0.36; thence westerly at an angle of 41° with the said road a distance of one hundred and two chains to the northern bank of the Waimakariri; thence southerly and easterly following the said bank to the road before-mentioned; and from thence returning along the road to the commencing point, subject, nevertheless to sections 7735, 6766, and 3599.	For tramway and other purposes.
1319	7	0	0	Situate in the Malvern District, bounded on the northward by a road; on the westward by the road forming the eastern boundary of section 11140; on the eastward by sections 2317 and 2138; and on the southward by the road forming the southern boundary of the latter section.	For a site for a school.
1320	20	0	0	Situate in the Waipara District, bounded on the south-westward by section 8198, for a distance of twenty chains, and extending north-easterly a distance of ten chains, in a rectangular block, so as to include the land at present used as a metal pit.	For a reserve for metal.
1321	5	0	0	Situate in the Oxford District, bounded on the southward by the road south of section 10030; on the westward by the road east of that section; on the northward by section 12915; and on the eastward by a line at right angles to the first above-mentioned road, to include the required quantity.	For a gravel pit.
1322	30	0	0	Situate in the Malvern District, bounded on the north-eastward by the Coal Tramway Reserve; on the north-westward by section 4708; on the south-westward by the Racecourse Hill and Kowai Road; and on the south-eastward by a line parallel to the north-western boundary, so as to contain the above quantity, subject to a road, if required, on survey.	For school purposes.
1323	5	0	0	Situate in the Timaru District, bounded on the westward by the road forming the south-western boundary of section 13,666; on the southward by a line drawn at right angles to said road from a point thereon, situate about 42 chains in a direct line north-west of the westernmost corner of the aforesaid section 13,666; on the northward by a line parallel to the southern boundary, and ten chains distant therefrom; and on the eastward by a line at right angles to the southern boundary, so as to contain the above quantity, and cover the stone at Stony Point at the entrance into the Pleasant Valley.	For a quarry.

Reserves Nos. 1324 to 1329 were withdrawn.

Reserve No. 1330 was confirmed.

No. IN RED.	QUANTITY, <i>more or less.</i>	DESCRIPTION.	REMARKS.
1330	A. R. P. 5 0 0	Situate in the Mandeville District, having five chains frontage on the road east of section 10,173, and extending westerly ten chains in a rectangular block, south of and adjoining that section.	For a gravel pit.

The Speaker in the chair.

The Reserves were reported and confirmed.

The first Order of the Day, Committee of Supply, was postponed.

Railway Tolls and Management Ordinance.—The Council in Committee for the consideration of that Bill.

The Schedule of Tolls and Charges on the Lyttelton and Christchurch Railway was considered.

The words “only on the day” were ordered to stand part of the Question upon division.

Ayes, 12: Messrs. Beswick, Buchanan, Dixon, Healey, Knight, Matson, Ormsby, Potts, Rhodes, Richardson, Tancred, and Westenra.

Noes, 11: Messrs. Brett, Brown, Cowlshaw, Enys, Fisher, Hawkes, Inglis, Kennaway, Peacock, Sawtell, and Duncan.

The Schedule passed as printed.

Tolls on Great Southern Railway passed as printed.

Tolls on Lyttelton and Christchurch and Great Southern Railways respectively, passed as amended.

Wharfage Dues passed as amended.

Warehousing Charges passed as printed.

Weights and Weighing Charges were struck out.

The Preamble and Title passed as printed.

The Speaker in the chair.

The Chairman reported the Bill as passed with amendment.

The third reading was made an Order of the Day for next sitting day.

Committee of Supply.—The Council in Committee of Supply.

Vote was taken—Contribution to Road Boards £12,250 0 0

~~The Supplementary Estimates were considered.~~

SCHEDULE A.

Vote was taken—Class	III.—Printing Superintendent's Electoral Roll	£260 0 0
„ „	V.—Accountant, Police Department	18 10 0
„ „	XIII.—Medical Officer, Contagious Diseases Act... ..	50 0 0
„ „	XV.—New Waggon	500 0 0
„ „	„ —Donkey Engine, Lyttelton	200 0 0
„ „	„ —New Gate House, South Line	120 0 0
„ „	„ —Engine Shed, Christchurch	250 0 0
„ „	„ —Carriage Shed, Lyttelton	225 0 0
„ „	„ —Telegraph, Heathcote and Lyttelton	50 0 0
„ „	„ —Wages, Guards and Porters	150 0 0
„ „	XVI.—Roads	400 0 0
„ „	XVIII.—Race Fund	100 0 0
„ „	„ —Refund of Sheep Fine	300 0 0
„ „	„ —Gratuity to Widow of Dugald McCormick	130 0 0
„ „	„ —Police Commission	50 0 0
	Special—Northern Railway Working Expenses	3,000 0 0

SCHEDULE B.

Vote was taken—Class	III.—Female Gaol, Additions	£50 0 0
„ „	„ —Hospital, Additions	500 0 0
„ „	„ —Templeton Well	150 0 0
„ „	„ —Observatory (subject to resolution)	1,200 0 0
„ „	„ —Domain, Cottage, &c.	275 0 0
„ „	„ —Rangitata Bridge, south approach	300 0 0
„ „	„ —Saltwater Creek Bridge	1,200 0 0

Vote was taken—Class	III.—Municipal Schools	...	£3,000	0	0
„	„ —Removal of Bathing Place, Lyttelton	... ..	170	0	0
„	„ —Salaries, Immigration Department	... ..	300	0	0
„	„ —Drainage, Lake Ellesmere and Forsyth	... ..	100	0	0
„	„ —Immigration	... ..	2,499	3	9

SCHEDULE C.

„	Northern Railway	... ..	10,000	0	0
„	Locomotive Engine	... ..	2,200	0	0
„	New Station, Lyttelton	... ..	800	0	0
„	Railway Renewal Fund	... ..	2,000	0	0

The Speaker in the chair.

The Chairman reported progress.

Order of the Day No. 3 was discharged.

The Diversion of Roads Special Ordinance, No. 5, 1872.—The Bill was read a second time.

The Council in Committee for the consideration of that Bill.

Clauses 1 and 2, Schedules A and B, the Preamble, and Title passed as printed.

The Speaker in the chair.

The Bill was reported as printed.

The third reading was made an Order of the Day for next Sitting Day.

Order of the Day No. 5 was proposed—“The second reading of ‘The Provincial Council Executive Ordinance, 1872.’”

The Motion was negatived upon division.

Ayes, 7: Messrs. Buckley, Enys, Jollie, Mallock, Maskell, Ormsby, Parker, and Westenra.

Noes, 21: Messrs. Beswick, Brown, Cowlshaw, Delamain, Fisher, Hawkes, Healey, Inglis, Joynt, Kennaway, Knight, Matson, Peacock, Perry, Richardson, Sawtell, Tosswill, Walker, Webb, Westenra, and Duncan.

Papers.—Motion was granted—“That the Papers relating to the Leases of the Reclaimed Land, Lyttelton, be printed.”

The Council adjourned at 12.30 until Monday.

MONDAY, 15TH JANUARY, 1872.

NOTICES OF MOTION.

1. **MR. PARKER**—To move for a Committee to inquire into the differences between the Executive and the Chief Surveyor, with power to call for persons and papers—To report on Tuesday next. To consist of Hon. J. Hall, Messrs. Westerra, Inglis, Studholme, Joynt, Duncan, and the Mover.
2. **MR. ENYS**—To move that his Honor the Superintendent be respectfully requested to reserve a tract or tracts of country, not exceeding in the aggregate 100,000 acres, of purely pastoral land in the Province of Canterbury, as an endowment for the School of Technical Science and other Educational purposes contemplated by "The Canterbury Museum and Library Ordinance, 1870."
3. **MR. WYNN WILLIAMS**—To move that in the opinion of this Council it is desirable that the Provincial Treasurer, in every instance, should enter into the necessary bond with sureties.
4. **MR. WYNN WILLIAMS**—To move—That, in view of probable changes in the constitution of Provincialism, this Council desires to express its opinion—
That it is desirable that steps should be taken without delay for the purpose of simplifying the form of Government in the Province.
That, for effecting the above purpose, it is desirable that the Executive Council Ordinance should be amended, so far as to provide that the paid offices of Government should be permanent ones, and non-political.
That the Superintendent for the time being shall be the officer whose duty it shall be to carry on the work now done by the Provincial Secretary and Secretary for Public Works.
That, for further carrying out the above, the General Government be requested to bring in a Bill at the early part of next Session, giving the Superintendent for the time being the power to sit in the Council *ex-officio*.
That his Honor the Superintendent be requested to forward a copy of the above to the Colonial Secretary.
5. **MR. PARKER**—To move for a Committee to inquire into the question of Rent of Stores at the Railway Station, Christchurch, claimed by Mr. Griffith, for consideration—to report on Wednesday. To consist of Messrs. Delamain, Jollie, Hawkes, Knight, and the Mover.
6. **MR. MASKELL**—To move that it would be likely to lead to inefficiency in carrying out the duties of the Police, and would therefore be inexpedient to reduce the salaries of the present officers of the Force.
7. **MR. ORMSBY**—To move that his Honor the Superintendent be respectfully requested to revoke his Proclamation on the subject of Timber Licenses, dated 3rd November, 1869.
8. **THE PROVINCIAL SECRETARY**—To move that with reference to the contributions voted by this Council towards the construction of certain Branch Railway Lines within the Province, the Council is of opinion—
1st. That, if the General Government undertake their construction, the amounts thus voted should be paid over by the Provincial Government in proportion to the respective contributions of the two Governments, as defined in the Railway Act, 1871, as and when works involving their construction are contracted for.
2nd. That the construction of several Branch Lines should be proceeded with, if possible, simultaneously; but, if such a course is found by the General Government to be impracticable, the Council recommend that the following order of construction be adopted, that is to say—
1st. The Branch Line from Rangiora to Oxford.
2nd. " " Rolleston to South-bridge.
3rd. " " Rolleston to Malvern.
4th. " " Kaiapoi to Eyreton.
5th. " " Waimate to the Southern Line.
The Council will also be prepared to appropriate the sum of Five Thousand Pounds towards the construction of a Branch Line from the Washdyke to the Point in the Timaru District, on the same terms as, or it may be agreed upon, for the construction of the above-mentioned Branch Lines.
9. **THE PROVINCIAL SECRETARY**—To move that the Standing Orders be suspended, with a view of enabling "The Appropriation Act, 1872," "The Railway Tolls and Management Ordinance, 1872," and "The Education Amendment Ordinance, 1872," to pass through all their stages.
10. **MR. E. RICHARDSON**—To move that in the opinion of this Council it is desirable that the Government should take immediate steps to establish a Mutual Benefit Society on the Canterbury Railways, making it compulsory that every employè on the railways should be a Member of the Society. The principal objects of such Society being to provide assistance in cases of sickness, and a fixed sum in case of death of members.
11. **MR. PARKER**—To move that the claim of Mr. Griffiths for the remission of rent for certain Stores at the Railway Station, Christchurch, is entitled to the favourable consideration of this Council.

12. **COLONEL BRETT**—To move that this Council consider the indiscriminate destruction of Fish along the Coast of New Zealand during the Spawning Season is detrimental to the interest of the inhabitants of the Colony, and that his Honor the Superintendent be requested to forward a copy of this Resolution to the Colonial Secretary for the consideration of the General Government.
13. **MR. JOYNT**—To move the House into Committee to consider the following resolution:—That a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of Twenty-five Pounds, in aid of the purchase of a Steam Fire Engine for the Town of Kaiapoi.
14. **MR. ANDREW DUNCAN**—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of One Hundred and Fifty Pounds, for the purpose of erecting a Propagating House in the Government Domain, for the raising of Seeds and other exchanges received by the Domain Board.
15. **MR. MASKELL**—To move a respectful Address to his Honor the Superintendent, praying him to place on the Supplementary Estimates a sum of Six Hundred and Forty Pounds, to be expended by the Kowai Road Board on the Main North Road; such sum to be spent in making new portions of the said road, and not in repairing portions already made.
16. **MR. DIXON**—To move that the Government make it an instruction to their Field Surveyors to recommend the most suitable places for Gravel Reserves, at distances of about eighty chains apart, where the land is not yet sold.
17. **MR. DIXON**—To move for a return of the Receipts, Expenses, and Disbursements attending White's Waimakariri Bridge since it came into the hands of the Government.
18. **MR. DIXON**—To move that his Honor the Superintendent be respectfully requested to place on the Supplementary Estimates the sum of Two Hundred Pounds as a contribution towards a Cart Bridge to the number Two Kaiapoi Island.
19. **MR. DIXON**—To move that the Government be requested to have a Survey made of the Line of the New Cut across the Kaiapoi Island, and that the owners of the land which is found to have been destroyed be allowed to select an equal amount of acreage elsewhere from the Waste Lands of the Crown within the Province.
20. **MR. WYNN WILLIAMS**—To move that a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates a sum of Seventy-five Pounds in addition to the grant to the Avon Road Board.
21. **COLONEL BRETT**—To move that a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of Five Hundred Pounds, for the purpose of erecting a Corn Exchange on a portion of the Government property adjoining Cathedral Square, at Christchurch, to be invested in Trustees.
22. **MR. HAWKES**—To move that all Correspondence laid on the table between the Governing Body of Christ College Grammar School and the Government be printed.

ORDER OF THE DAY.

Committee of Supply.

Third reading of "The Railway Tolls and Management Ordinance."

Third reading of "The Diversion of Roads Special Ordinance, No. 5, 1872."

Second reading of "The Education Ordinance, 1871, Amendment Ordinance, 1872."

The Council met pursuant to adjournment.

Members present—All, except Messrs. Dixon, Hall, Higgins, Mallock, Sawtell, Studholme, Tosswill, and Macdonald.

The Speaker in the chair.

Notice of Motion No. 1 was withdrawn by leave.

Notice of Motion No. 2 was proposed.

Amendment was negatived—"That the number of Acres be reduced by 50,000."

Ayes, 10:—Messrs. Beswick, Brett, Buckley, Delamain, Fisher, Healey, Knight, Matson, Peacock, and Westenra.

Noes, 18: Messrs. Brown, Buchanan, Cowlshaw, Enys, Hawkes, Inglis, Jollie, Joynt, Kennaway, Ormsby, Perry, Parker, Potts, Rhodes, Richardson, Walker, Webb, and Duncan.

The word “hilly” was inserted before the word “land.”

The words were added “also, when Crown granted, the Government are requested to bring in an Ordinance to authorise the leasing of the country so reserved to the present holders on the same terms as now held.”

The Resolution was proposed as amended, and carried upon division—“That his Honor the Superintendent be respectfully requested to reserve a tract or tracts of country, not exceeding in the aggregate of 100,000 Acres, of purely Pastoral hilly land in the Province of Canterbury as an endowment for the School of Technical Science and the other Educational purposes contemplated by ‘The Canterbury Museum and Library Ordinance, 1870;’ also, when Crown granted the Government are requested to bring in an Ordinance to authorise the leasing of the country so reserved to the present holders on the same terms as now held.”

Ayes, 23: Messrs. Beswick, Brown, Buchanan, Buckley, Cowlshaw, Enys, Hawkes, Healey, Inglis, Jollie, Joynt, Kennaway, Knight, Maskell, Matson, Ormsby, Potts, Rhodes, Richardson, Walker, Webb, Westenra, and Duncan.

Noes, 6: Messrs. Brett, Williams, Delamain, Fisher, Parker, and Peacock.

The Provincial Treasurer.—Notice of Motion No. 3 was proposed, and carried upon division.

“That in the opinion of this Council it is desirable that the Provincial Treasurer should in every instance enter into the necessary bond with sureties.”

Ayes, 20: Messrs. Brett, Brown, Buchanan, Williams, Delamain, Enys, Fisher, Hawkes, Healey, Jollie, Joynt, Maskell, Matson, Ormsby, Parker, Peacock, Potts, Rhodes, Richardson, and Duncan.

Noes, 8: Messrs. Beswick, Cowlshaw, Inglis, Kennaway, Knight, Walker, Webb, and Westenra.

Notice of Motion No. 4 was withdrawn by leave.

Notice of Motion No. 5 was postponed.

Police.—Motion was negatived—“That it would be likely to lead to inefficiency in carrying out the duties of the Police, and would therefore be inexpedient to reduce the salaries of the present officers of the Force.”

Notice of Motion No. 7 was postponed.

Notice of Motion No. 8 was proposed—"That with reference to the contributions voted by this Council towards the construction of certain Branch Railway Lines within the Province, the Council is of opinion—

"1st. That if the General Government undertake their construction, the amounts thus voted should be paid over by the Provincial Government in proportion to the respective contributions of the two Governments, as defined in the Railway Act, 1871, as and when works involving their construction are contracted for.

"2nd. That the construction of the several Branch Lines should be proceeded with if possible simultaneously, but if such a course is found by the General Government to be impracticable, the Council recommend that the following order of construction be adopted, that is to say :—

- | | |
|------|--|
| 1st. | The Branch Line from Rangiora to Oxford. |
| 2nd. | Ditto ,, Rolleston to Southbridge. |
| 3rd. | Ditto ,, Rolleston to Malvern. |
| 4th. | Ditto ,, Kaiapoi to Eyreton. |
| 5th. | Ditto ,, Waimate to the Southern Line. |

"The Council has also appropriated the sum of £5,000 towards the construction of a Branch Line from the Washdyke to the Point in the Timaru District, on the same terms as, or it may be agreed upon, for the construction of the above-mentioned Branch Lines."

Section No. 1 was considered, and passed upon division.

Ayes, 18: Messrs. Beswick, Buchanan, Cowlshaw, Duncan, Enys, Fisher, Healey, Inglis, Kennaway, Knight, Maskell, Matson, Parker, Peacock, Rhodes, Richardson, Walker, Webb, and Westenra.

Noes, 3: Messrs. Brett, Brown, and Delamain.

Section No. 2 was proposed—The words "if possible" were struck out. All the words after the word "simultaneously" were struck out.

Section No. 3 passed.

The Preamble passed as printed.

The Council has also appropriated the sum of £5,000 towards the construction of a Branch Line from the Washdye to the Point, in the Timaru District, on the same terms as may be agreed upon for the construction of the above-mentioned Branch Lines.

The Standing Orders were suspended with a view of enabling "The Appropriation Act, 1872," "The Railway Tolls and Management Ordinance, 1872," and "The Education Amendment Ordinance, 1872," to pass through all their stages.

Amendment was granted—That the word “the” in the fourth line be struck out. That the words “this or some other benefit” were substituted.

The motion was withdrawn.

Railway Benefit Society.—Notice of Motion No. 10 was proposed—“That in the opinion of this Council it is desirable that the Government should take immediate steps to establish a Mutual Benefit Society on the Canterbury Railways, making it compulsory that every employè on the Railways should be a Member of the Society. The principal objects of such Society being to provide assistance in cases of sickness, and a fixed sum in case of death of Members.”

Notice of Motion No. 11 was postponed.

Fish during Spawning Season.—Notice of Motion No. 12 was proposed, and passed as amended—“That this Council consider the indiscriminate destruction of Fish along the Coast and in the Lakes and Harbours of New Zealand during the Spawning Season is detrimental to the interest of the inhabitants of the Colony, and that his Honor the Superintendent be requested to forward a copy of this Resolution to the Colonial Secretary for the consideration of the General Government.”

Notice of Motion No. 13 lapsed.

Notice of Motion No. 14 was not moved.

North Road, Grant to.—The Council in Committee for consideration of Notice of Motion No. 15.

The words were struck out “by the Kowai Road Board.”

The words between “Saltwater Creek and Leithfield” were inserted after the words “North Road.”

The Resolution passed as amended.

The Speaker in the chair.

The following Resolution was reported as passed :—

“That a respectful Address be presented to his Honor the Superintendent, praying him to place on the Supplementary Estimates the sum of Six Hundred and Forty Pounds, to be expended on the Main North Road between Saltwater Creek and Leithfield. Such sum to be spent in making new portions of the said road and not in repairing portions already made.”

Gravel Reserves.—Motion was granted—“That the Government make it an instruction to their Field Surveyors to recommend the most suitable places for Gravel Reserves, at distances of about eighty chains apart, where the land is not yet sold.”

White's Waimakariri Bridge.—Motion was granted—“That a Return of the Receipts, Expenses, and Disbursements attending White's Waimakariri Bridge since it came into the hands of the Government be laid upon the table.”

Papers.—The following Papers were laid upon the table :—

67. Return of Expenses, Receipts, and Disbursements attending White's Waimakariri Bridge, from the time it came into the hands of the Government to the 31st December, 1871.

68. Alteration of Roadway, Cathedral Square.

69. Telegrams between the Superintendent and the Hon. Colonial Secretary referring to the report in the *Wellington Independent* as to the action of the Agent-General in the matter of Immigration.

70. Copy of English Agency Account.

Cart Bridge, Kaiapoi.—Motion was proposed that his Honor the Superintendent be requested to place upon the Supplementary Estimates the sum of Two Hundred Pounds, as a contribution towards the Cart Bridge to the number Two Kaiapoi Island.

Motion that the Speaker do leave the chair was negatived.

Notice of Motion No. 19 was negatived.

Avon Road Board.—Motion was proposed—“That a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates a sum of Seventy-five Pounds, in addition to the grant of the Avon Road Board.”

Motion that the Speaker do leave the chair was negatived.

The Council in Committee for consideration of the Resolution.

Corn Exchange.—That a respectful Address be presented to his Honor the Superintendent, requesting him to place upon the Supplementary Estimates the sum of Five Hundred Pounds, for the purpose of erecting a Corn Exchange on a portion of the Government Property adjoining Cathedral Square, in Christchurch, to be invested in Trustees.”

Amendment was proposed, that all the words after the word “Exchange” to the word “Christchurch” be struck out.

A further amendment was proposed, that the word “erecting” be struck out, and negatived on a division. The question having been put that the word proposed to be omitted stand part of the question :

Ayes, 10: Messrs. Brett, Enys, Fisher, Kennaway, Knight, Peacock, Richardson, Tancred, Walker, and Duncan.

Noes, 8: Messrs. Brown, Buchanan, Cowlshaw, Healey, Inglis, Maskell, Matson, and Westenra.

The former amendment was carried.

The Speaker in the chair.

The Resolution was reported as passed—"That a respectful Address be presented to his Honor the Superintendent, requesting him to place on the Supplementary Estimates the sum of Five Hundred Pounds, for the purpose of erecting a Corn Exchange in Christchurch, to be vested in Trustees.

Christ College Grammar School.—Motion was granted—"That all Correspondence laid on the table between the Governing Body of Christ College Grammar School and the Government be printed."

Notices of Motion No. 5 and No. 11 lapsed.

Timber Licenses.—Motion was granted—"That his Honor the Superintendent be respectfully requested to revoke his Proclamation on the subject of Timber Licenses, dated 3rd November, 1869.

Committee of Supply.—The Council in Committee of Supply.

Vote was taken—Compass Adjustment	...	...	...	£285	0	0
Railway Renewal Fund	...	...	...	704	0	0
Legal Costs—Hargreaves <i>v.</i> Government	...	...	...	89	13	4
Acclimatisation Society	...	...	...	150	0	0
Main Roads	...	...	...	640	0	0
Corn Exchange	...	...	...	500	0	0
Groins, River Selwyn	...	...	...	62	0	0

The Speaker in the chair.

The chairman reported progress.

The Council in Committee for consideration of "The Railway Tolls and Management Ordinance, 1872."

Clause 32 was re-considered and amended.

The Speaker in the chair.

The Bill was read a third time and passed.

The Diversion of Roads Special Ordinance, No. 4, was read a third time and passed.

The Education Ordinance, 1871, Amendment Ordinance, 1872, was read a second time.

The Clauses, Preamble, and Title passed, with amendment.

The Speaker in the chair.

The Chairman reported the Bill as amended.

The Bill was read a third time and passed.

The Council adjourned at 11.30 p.m., until next sitting day.

TUESDAY, 16TH JANUARY, 1872.

The Council met pursuant to adjournment.

Members present: All, except Messrs. Buchanan, W. Williams, Delamain, Dixon, Enys, Hall, Higgins, Inglis, Mallock, Potts, Tosswill, Macdonald.

The Speaker in the chair.

Message.—Message No. 5 from his Honor the Superintendent was received and read:—

“The Message transmits to the Council a Bill intituled “The Appropriation Ordinance, 1872,” to appropriate the Supplies granted in this Session, and recommends the Council to make provision accordingly.

“W. ROLLESTON,
“Superintendent of Canterbury.”

The Appropriation Ordinance, 1872, was read a first time, and ordered to be printed.

The Bill was read a second time.

The Council in Committee for the consideration of the Bill.

The Clause, Schedule, Preamble, and Title passed as printed.

The Speaker in the chair.

The Bill was reported as passed.

The Bill was read a third time and passed.

HENRY JOHN TANCRED,
Speaker.

HENRY BACON QUIN,
Clerk of Council.

His Honor the Superintendent entered the Council Chamber, and delivered the following Address :—

“ MR. SPEAKER AND GENTLEMEN,

“ On behalf of his Excellency the Governor, I have assented to the following Bills :—

‘ The Imprest Supply Ordinance, 1872.’

‘ The Diversion of Roads Special Ordinance, No. 1, 1872.’

‘ The Diversion of Roads Special Ordinance, No. 2, 1872.’

‘ The Diversion of Roads Special Ordinance, No. 3, 1872.’

‘ The Diversion of Roads Special Ordinance, No. 4, 1872.’

‘ The Railway Tolls and Management Ordinance.’

‘ The Education Ordinance, 1871, Amendment Ordinance.’

‘ The Appropriation Ordinance.’

“ I have reserved for the signification of his Excellency’s pleasure thereon :—

‘ The Section No. 7, Town of Kaiapoi Ordinance.’

‘ Reserve No. 262 Ordinance, 1872.’

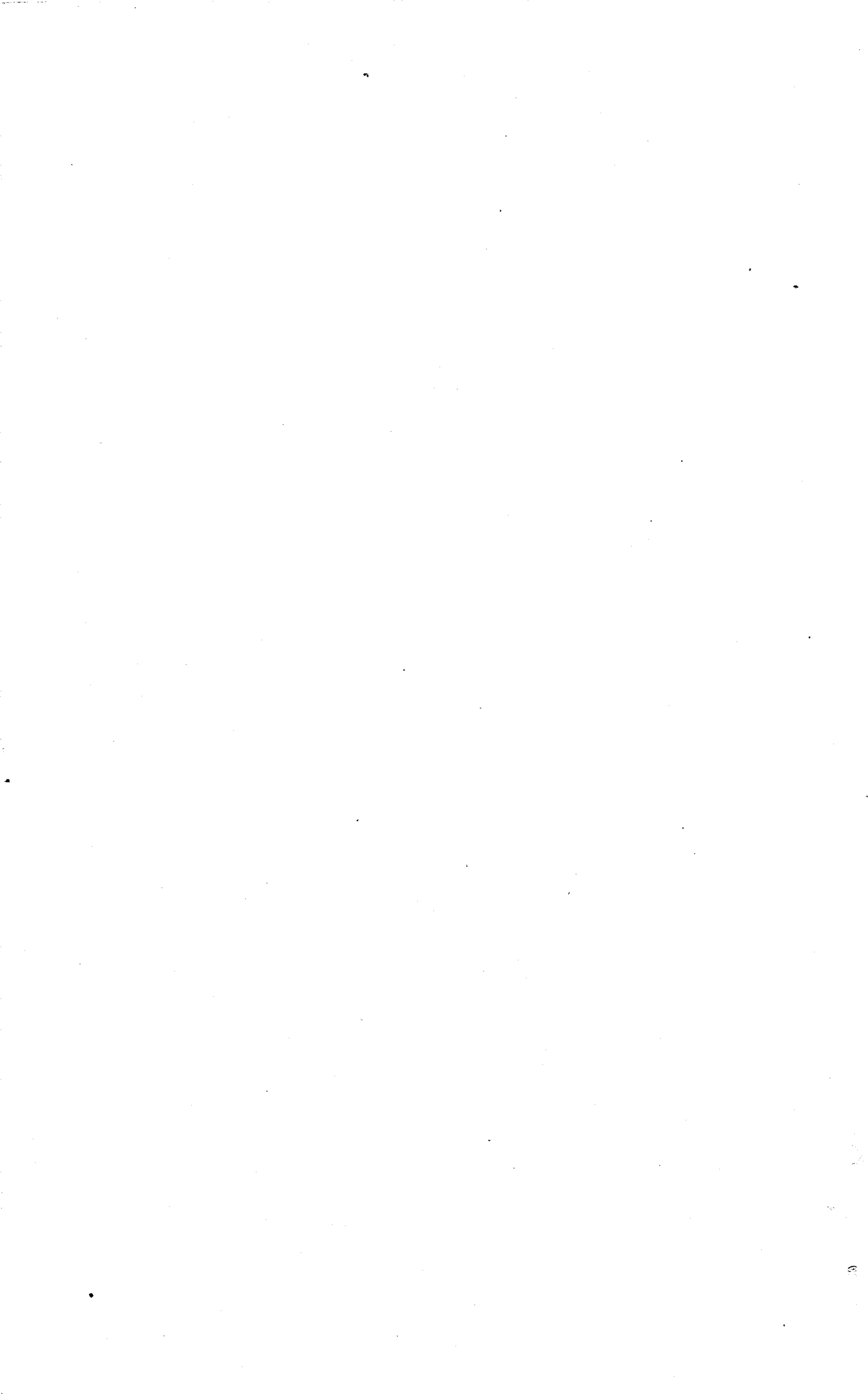
“ In accordance with the wish expressed by you, I propose to summon you for a Special Session in the autumn, when those measures rendered necessary by the lapse of the Ordinances recently validated by Act of the General Assembly will be submitted to you.

“ I now declare this Council prorogued.

“ WM. ROLLESTON,

“ Superintendent of Canterbury.”





R E P O R T

OF THE

PROVINCIAL AUDITOR,

WITH

COMPARATIVE STATEMENT,

SHEWING THE

VOTES AND EXPENDITURE, UNDER THE APPROPRIATION ACT,
FOR YEAR ENDING 30TH SEPTEMBER, 1871, AND FOR THE
THREE MONTHS ENDING 31ST DECEMBER, 1871.

CHRISTCHURCH:

PRINTED UNDER THE AUTHORITY OF THE PROVINCIAL GOVERNMENT OF THE PROVINCE OF CANTERBURY, AT THE
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THE TIME BEING TO THE SAID GOVERNMENT.

MDCCCLXXII.

AUDITOR'S REPORT.

Provincial Auditor's Office,
Christchurch, Canterbury, New Zealand,
January 3rd, 1872

TO H. J. TANCRED, ESQ., SPEAKER OF THE PROVINCIAL COUNCIL.

SIR,—In connection with this Report, I have the honour to hand you a Comparative Statement shewing the Votes and Expenditure under the Appropriation Act for the year ending 30th September, 1871, and also for the three months ending 31st December, 1871,—the latter shewing the amounts which had passed audit on that day. The Treasurer's accounts for the quarter ending 31st December, 1871, passed audit yesterday. I have very few remarks to make upon these accounts. The votes have in most cases been found sufficient for the requirements of the departments. During the last three months, the chief exception is in the vote for Charitable Aid; under this item his Honor the Superintendent has issued a special order for my certificate for £250. I desire to draw the attention of the Council to a charge which seems to have become permanent in the shape of Charitable Aid to infirm men, who are and have been in receipt of Government aid for a long period, and who receive it as labour employed at the Government domain. This relief amounted in 1870 and 1871 to £574, and for the last three months it has amounted to £239 1s. 3d.

If this charge is to be continued, it is perhaps a question for the Council to consider whether it should not be transferred to the vote for "Public Plantations," so that this sort of labour should be immediately under the direction of Mr. Armstrong, when the actual cost of the department will be brought prominently before the Council.

Under the head of "Railway Working Expenses," I would request the attention of the Council to a Report annexed, which I addressed to his Honor the Superintendent, after the completion of my audit of the Railway Manager's accounts, submitted to me by the Accountant. While it will be found that the accounts are satisfactory, I have felt it to be my duty to suggest some alterations in the departments of the Storekeeper and the Outside Goods Manager, and which appeared to me to be called for to secure greater accuracy. The General Manager, acting upon the suggestion, has directed a system to be adopted in both departments which will, I think, effectually accomplish the object I had in view.

I have in former reports drawn the attention of the Council to the consumption of stores of stone, authorised by the Government, but without votes of the Council. The value of these stores was estimated at £2983 on the 1st October, 1869. During the year ending 30th September, 1871, there has been taken from this stock stone to the value of £1036 18s. 0d., and for which there has been no vote. Stores are necessarily of the same character as money, and should not be appropriated without authority. I observe there has been granted to the

Supreme Court, stone to the value of ...	...	...	...	£63	17	0
Heathcote Road Board ...	...	...	...	69	4	6
Christchurch City Council ...	...	...	...	77	13	6
Railway Station ...	...	...	...	325	0	0
New Gaol Buildings ...	...	...	...	487	10	0

and since the 1st October up to date there has been consumed 1022 cubic yards of metal for roads, amounting, in value, to a further sum of £868 14s. None of these items appear in the accounts of the Provincial Treasurer, and consequently will not be found in the published accounts for the year; all these appropriations are consequently in excess of the votes of the Provincial Council.

I also desire to draw the attention of the Provincial Council to the appropriation of the Revenue arising from the Reserves made for Educational purposes. These reserves are at present vested in the Superintendent as Trustee of the Public Estate, but the rentals derived from them are now paid into the Provincial Account, and are dealt with as ordinary Provincial Revenue. Some of these were intended by the resolutions of the Council to be the basis for endowments, and they should be specially disposed of by vote of the Provincial Council, or they should be placed to a separate account for educational purposes, and allowed to accumulate. If Trustees should be hereafter appointed to hold and to manage these Reserves, a refund of these rentals might be claimed on account of the specific character of the reserves, and that notwithstanding the existing Educational Grants.

Attached to this Report are copies of communications which I have addressed to His Honor the Superintendent, and which, under the "Audit Act," 1866, I am also directed to transmit to you. These relate—First, to "the form of contract" entered into by the Public Works Department which appeared to me to be exceedingly unsatisfactory. I am happy to inform the Council that His Honor has directed an amended form to be adopted, and which will remove the objections I entertained.

Secondly. Remarks upon vouchers arising out of charges made for inspection of sheep on the Waitaki.

Thirdly. Remarks upon the appointment of a Provincial Treasurer without the customary bond for fidelity. I must ask the attention of the Provincial Council to this document, and to the alteration in the system hitherto prevailing.

The Provincial Treasurer has always been called upon to give bond, varying in amount from £5000 to £10,000, and this has been the general practice with, I believe, but one exception, and that during the brief period in which the office was held by Mr. Montgomery, and until the appointment of Mr. Marshman as Assistant Treasurer. In this case Mr. Montgomery was an unpaid political officer, and declined to give security; but Mr. Marshman was required to and did give bond for £5000; so did Mr. Stewart; so did Mr. Bowen; so did Mr. Sale. Having understood that Mr. Marshman was to vacate the office of Provincial Treasurer on the 30th of September, I took an opportunity to remind the Government that if the Treasurer's official signature was required to operate upon the Provincial Account at the Bank it would be necessary to call upon him, if he was to be a paid officer of the Government to enter into the usual securities. I have from time to time felt it to be my duty to urge upon the Government the necessity for fencing in by bonds all persons who are receivers or distributors of public revenues and in the public interest, this principle has been generally recognised. It was with considerable surprise that I heard the practice was to be departed from in so important an office as that of the Provincial Treasurer, and more particularly so as by the "Public Revenues Act," 1867, it was enacted:—

"That every person who shall be concerned in the receipt, custody, control, issue or expenditure of the public moneys, shall be required to find security for the faithful performance of his duties, by himself and two sureties, or by the guarantee of an approved Insurance Society, in such form and to such amount as the Government shall direct." And to this there is a proviso—"That it shall not apply to the Colonial Treasurer or to any member of the Executive Council, or to the Bank." It is contended in answer to my objection to the exemption claimed for the Provincial Treasurer, that as a political officer he is in the same position as the Colonial Treasurer, and therefore should be excepted. I demur to this on the ground that the Colonial Treasurer is, as a minister of the Crown, surrounded with responsibility, while there is no such responsibility attaching to the officers of the Provincial Government, and none at all except that of the possible loss of office. I felt it to be my duty to submit the matter to the notice of the Colonial Treasurer, and am advised that my duty would be discharged by directing the attention of his Honor the Superintendent and the Provincial Council to the very important clause (the 78th) of the "Public Revenues Act, 1867," and which I have above

recited. In concluding this portion of my Report I have to inform the Council that the Government have accepted bonds for Mr. Jameson's fidelity to the extent of £2500, thus reducing the security provided by Mr. Marshman by one-half. I am anxious that the Council should dismiss from their mind any idea of a personal application of my remarks, because in alluding to Mr. Jameson it is only fair and due to him to add that there is not a more reliable or a more painstaking officer in the service of the Provincial Government.

I have now to direct your attention to an inquiry which, as Provincial Auditor, I have been called upon to hold at the Police Dépôt, originating in a charge of misappropriation of public stores, brought under my notice by Inspector Pender. The results of this inquiry will be found in my report to his Honor the Superintendent, which is annexed, and which are based upon the evidence given before me upon oath. The Council will probably call for the original minutes of the evidence which I took, and which are attached to the report. Accompanying this report are copies of letters which I have addressed to his Honor, referring to matters arising out of this inquiry, and to which I will respectfully invite the serious attention of the Council. First in order is the copy of an endorsement recorded upon my report made by the Provincial Solicitor, and which, before I proceed to remark upon it, I desire to inform the Council, I copied with the authority of his Honor the Deputy-Superintendent (whose permission I have obtained for thus using his name); and, 2ndly, my reply to it, which I immediately transmitted to his Honor, but which the Provincial Secretary refused to recognise or receive. A reference to the "Provincial Audit Act, 1866," will, I trust, satisfy the Council that I am justified in respectfully denying the right of the Executive to reject or to endorse any report which, in the discharge of my duty, I may find it necessary to address to the Superintendent, and ultimately (as the Act requires) to the Provincial Council, to whom I am alone amenable. That report is the property of the Superintendent and the Provincial Council, and not of the Executive, whose actions it might so happen I should find it necessary to criticise or object to as your officer.

I should have here left the subject to be dealt with at the discretion of the Provincial Council, but there is contained in this endorsement, strictures upon my conduct of so serious a character as to demand inquiry. In it I am charged with holding "a grossly unfair inquiry," "with a desire to record evidence unfavourable to the Commissioner," "with having intimated my decision long before the inquiry was closed," &c., &c., and these charges reflecting upon my conduct as your officer and as a Magistrate still stand endorsed upon my report, and are allowed to remain on record, while my protest is refused to be received. I need not remind the Council that these are grave charges and seriously affecting my position—that under the Act, I am appointed expressly to watch over the interests of the public, to see that the will of the Council as expressed in the "Appropriation Act" is carried into effect and I am charged with very responsible duties under the "Audit Act of 1866," among these

"To bring under the consideration of the Superintendent every circumstance necessary to be known to ensure the faithful discharge by persons (having the receipt and issue of public money and stores) of their several duties in conformity with the law or regulations now or hereafter to be in force."

It behoves the Provincial Council to satisfy itself that I have done my duty according to the trust reposed in me, and I must respectfully ask the Council to cause an inquiry to be made into the matter, and so uphold me in the free exercise of my duties, inasmuch as my position, to be of any public value, must be one of perfect independence and free from all bias.

I shall not here comment upon the reply which the Commissioner has made, because it might be thought a prejudgment of the case. I shall merely state to the Council that the Commissioner has thought proper to stigmatise my report as untruthful and malicious, and my comments upon the state of the service as presumptuous and impertinent. He asserts that the service is conducted upon the Victorian model, and that there this method of dealing with public money passing into the hands of the officials as departmental money was recognised, but he seems to forget that no Victorian or any other model could authorise him to receive and to issue money belonging to the Provincial

Government of Canterbury, save only as the Provincial Council shall have directed—upon my certificate, and under warrant of the Superintendent; that his being a self-constituted receiver was entirely at variance with the Government regulations, which makes the Provincial Treasurer the only responsible officer for this purpose.

It will be seen that it was suggested to me that I might have put in force the 21st clause of the "Audit Act" in the case under consideration. But my reasons for not doing so will be found in the opinion given to me by the Assistant Colonial Treasurer with the concurrence of the Assistant Law Officer, to whom I submitted the case, and a copy of which I have annexed.

I have also attached a return showing the amounts received by the Commissioner for travelling allowances for the years 1866, 1867, and 1868, and the absences recorded and drawn from the daily occurrence books and forage books of the various stations.

The inquiry has been a painful one, but in the discharge of my duty I could have no regard for individuals. So therefore it will now rest with the Provincial Council to say whether that duty has been properly discharged, and whether these strictures are merited or not.

I have the honour to be, Sir,

Your most obedient servant,

J. OLLIVIER,

Provincial Auditor.

COMPARATIVE STATEMENT,

Showing the Votes and Expenditure under the Appropriation Act, for period ending the 31st December, 1871.

SCHEDULE A.

	VOTED.			PASSED AUDIT.			UNEXPENDED.		
—	£	s.	d.	£	s.	d.	£	s.	d.
CLASS 1.									
Cass Pension	100	0	0	100	0	0			
Superintendent's Salary	200	0	0	200	0	0			
CLASS 2.									
Provincial Secretary's Department	325	0	0	324	3	0	0	17	8
" Treasurer's	132	10	0	94	3	4	37	16	8
" Auditor's	25	0	0	20	0	0	5	0	0
" Solicitor's	62	10	0	62	10	0			
CLASS 3.									
Expenses of Elections	62	10	0	53	2	6	9	7	6
CLASS 4.									
Legislative	73	15	0	49	11	0	24	4	0
CLASS 5.									
Expenses of Session—Supreme Court	37	10	0	21	16	10	15	13	2
Gaol at Lyttelton—Salaries	437	12	6	436	14	0	0	18	6
" " Rations	225	0	0	199	18	9	25	1	3
" " Clothing &c.	86	6	11	16	5	9	70	1	2
" " Fuel, &c.	58	4	6	57	7	10	0	16	8
" Christchurch—Salaries	73	8	9	73	5	0	0	3	9
" " Rations	72	0	0	50	4	9	21	15	3
" " Bedding, Fuel, &c.	65	18	11	32	15	9	33	3	2
" Timaru—Salaries	68	8	9	68	0	0	0	8	9
" " Rations	20	0	0	14	15	0	5	5	0
" " Sundries	41	5	0	8	12	0	32	13	0
Police—Salaries and Supplementary	1657	11	7	1573	12	0	83	19	7
" Sundries and do.	720	0	0	515	18	6	204	1	6
CLASS 6.									
Charitable Aid	862	10	0	862	10	0			
CLASS 7.									
Christchurch Hospital—Salaries	202	16	3	202	15	0	0	1	3
" " Provisions	270	0	0	236	17	1	33	2	11
" " Wines, &c.	87	10	0	84	16	6	2	13	6
" " Fuel, &c.	104	15	0	66	5	11	38	9	1
" " Drugs, &c.	97	10	0	51	19	2	45	10	10
Casualty Ward—Lyttelton	12	10	0				12	10	0
Timaru Hospital—Salaries	83	15	0	83	15	0			
" " Rations, &c., &c.	227	10	0	122	14	3	104	15	9
CLASS 8.									
Orphanage—Salaries	138	5	0	138	5	0			
" " Provisions	200	0	0	200	0	0			
" " Fuel, &c.	150	0	0	125	6	1	24	13	11
CLASS 9.									
Lunatic Asylum—Salaries	401	0	8	400	5	6	0	15	2
" " Rations	418	4	7	407	2	10	11	1	9
" " Clothing, &c.	100	0	0	64	5	0	35	15	0
" " Fuel, &c.	92	10	0	91	2	9	1	7	3
" " Library, &c.	30	0	0	20	4	8	9	15	4
" " Medicines, &c.	50	0	0	43	8	0	6	12	0
" " Miscellaneous	37	10	0	37	10	0			

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
CLASS 10.			
Inspection of Sheep—Salaries	437 10 0	437 10 0	
" " Subsidy to Riccarton Dip	12 10 0	12 10 0	
" " Contingencies	57 10 0	25 0 9	31 9 3
CLASS 11.			
Harbour—Salaries, Chief	256 0 8	251 1 6	4 19 2
" " Inward	154 10 0	154 4 0	0 6 0
" " Contingencies	56 5 0	56 1 1	0 3 11
" " Timaru	123 10 0	120 0 9	3 9 3
" " Sumner	37 10 0	25 0 0	12 10 0
" " Kaiapoi	37 10 0	30 0 0	7 10 0
" " Saltwater Creek	75 0 0		75 0 0
" " Akaroa Jetty	55 0 0	55 0 0	
CLASS 12.			
Museum—Salaries	175 0 0	175 0 0	
" " Sundries	75 0 0	75 0 0	
CLASS 13.			
Fuel	37 10 0	9 12 0	27 18 0
Messengers	37 10 0	37 10 0	
Printing, &c.	300 0 0	299 4 6	0 15 6
Registration of Deeds	25 0 0		25 0 0
Dog Collars	40 0 0	2 3 8	37 16 4
Postage, &c.	40 0 0	36 7 2	3 12 10
Painting, &c.	20 0 0	19 5 0	0 15 0
Health Officer	5 0 0	5 0 0	
Insurance	125 0 0	119 7 9	5 12 3
Housekeeper	43 15 0	43 15 0	
Pleuronpneumonia	75 0 0	43 10 8	31 9 4
Government Fire Engine	12 10 0		12 10 0
Resident Magistrate's Court, Rangiora	5 0 0		5 0 0
Expenses of Witnesses	12 10 0	0 17 3	11 12 9
Steward of Reserves	50 0 0	50 0 0	
" " Travelling Expenses	12 10 0	8 6 8	4 3 4
Contingencies	62 10 0	40 0 4	22 9 8
CLASS 14.			
Provincial Engineer—Salaries	368 15 0	343 15 0	25 0 0
Office and Other Expenses	112 10 0	97 1 11	15 8 1
CLASS 15.			
Railway—Working Expenses	9358 7 7	8523 1 8	835 5 11
Repairs to Wharves	112 10 0	17 2 0	95 8 0
Contingencies	250 0 0	30 1 3	219 18 9
Lighterage and Cartage	1750 0 0	757 4 5	992 15 7
Railway Renewal Fund	662 10 0		662 10 0
CLASS 16.			
Roads	350 0 0	347 2 3	2 17 9
Bridges and Culverts	125 0 0	43 2 6	81 17 6
Buildings	125 0 0	99 0 0	26 0 0
Clearing Avon	26 15 0	18 3 0	8 12 0
Police Buildings	68 15 0	1 8 4	67 6 8
Contingencies	62 10 0	61 18 11	0 11 1
Repairs—Drill-shed	200 0 0	200 0 0	
CLASS 17.			
Plantations—Salaries	102 1 7	101 17 0	0 4 7
Fencing, &c.	56 5 0	48 13 9	7 11 3
Timaru Domain	25 0 0		25 0 0
CLASS 18.			
American Agency	50 0 0	6 19 2	43 0 10
Revisions Ratepayers' Roll	180 0 0	180 0 0	
Rangitata—Subsidy	56 5 0	37 10 0	18 15 0
Waitaki	25 0 0		25 0 0

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
CLASS 18—Continued.			
Bealey Subsidy - - - -	12 10 0	12 10 0	
Rent of Custom House - - -	37 10 0	37 10 0	
Contingencies - - - -	125 0 0	113 3 3	11 16 9
Bonus—Flax, Supplementary - - -	2000 0 0		2000 0 0
„ Linseed Oil—Supplementary - - -	250 0 0		250 0 0
Literary Institutes „ - - -	200 0 0	115 0 0	85 0 0
Agricultural Societies „ - - -	200 0 0	200 0 0	
Volunteer Encampment „ - - -	100 0 0	100 0 0	
Race Fund „ - - -	100 0 0	100 0 0	
Lyttelton Regatta „ - - -	50 0 0	50 0 0	
Fencing Cemeteries „ - - -	200 0 0	27 0 0	173 0 0
CLASS 19.			
Ordinary Schools - - - -	1825 0 0	1825 0 0	
Scholarships - - - -	250 0 0	250 0 0	
Salaries - - - -	137 10 0	137 10 0	
Superior Schools - - - -	125 0 0	125 0 0	
Contingencies, &c. - - - -	93 15 0	89 3 3	4 11 9
Survey—Supplementary - - - -	100 0 0	1 10 0	98 10 0
CLASS 20.			
General Contingencies - - - -	500 0 0	493 9 1	6 10 11
CLASS 21.			
Little River Road Board - - - -	187 10 0		187 10 0
Avon and Eyreton Road Boards—Contingent on Tolls -	100 0 0	100 0 0	
CLASS 15—SUPPLEMENTARY.			
Lighting Wharves - - - -	50 0 0		50 0 0
Removal of Station, Lyttelton - - -	100 0 0		100 0 0

SCHEDULE B.

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
CLASS 1.			
Waste Land Board—Salaries - - -	125 0 0	125 0 0	
CLASS 2.			
Survey—Salaries - - - -	1075 0 0	976 8 0	98 12 0
Preparation of Crown Grants - - -	228 15 0	200 5 0	28 10 0
Contract Surveys - - - -	350 0 0	317 6 11	2 13 1
Contingencies - - - -	81 5 0	74 2 5	7 2 7
CLASS 3.			
Immigration—Salaries - - - -	230 0 0	215 0 0	15 0 0
Rations, &c. - - - -	956 5 0	289 16 9	666 8 3
Quarantine Barracks - - - -	25 0 0	11 3 9	13 16 3
CLASS 4.			
Fittings, Lyttelton Magistrate's Court - - -	150 0 0	145 9 6	4 10 6
Lunatic Asylum - - - -	600 0 0	533 8 10	66 11 2
Gaol—Lyttelton - - - -	300 0 0	288 15 6	11 4 6
Female Gaol - - - -	250 0 0	158 10 3	91 9 9
District Gaol—Timaru - - - -	1450 0 0	46 0 0	1404 0 0
Lockup—Lyttelton - - - -	50 0 0		50 0 0
Orphan Asylum - - - -	200 0 0	200 0 0	
Reformatory - - - -	1000 0 0	146 10 1	853 9 11
Woolshed—Tekapo - - - -	150 0 0	52 0 0	98 0 0
Lyttelton Drainage - - - -	650 0 0	650 0 0	
Ashley Bridge - - - -	270 0 0	270 0 0	

	VOTED.	PASSED AUDIT.	UNEXPENDED.
<i>CLASS 4—Continued.</i>			
	£ s. d.	£ s. d.	£ s. d.
Road to Rangitata Bridge	250 0 0		250 0 0
Buildings—New Schools	1500 0 0	890 12 6	609 7 6
Little River Road	500 0 0	500 0 0	
Malvern Coal Road	150 0 0	109 13 8	40 6 4
Orphanage—Lyttelton	80 0 0	80 0 0	
Police Buildings	300 0 0	39 15 6	260 4 6
Templeton Well	160 0 0		160 0 0
Rakaia Ferry	400 0 0	400 0 0	
Waimakariri Gorge Ferry	300 0 0		300 0 0
Hargreaves' Store	1850 0 0	1832 18 4	17 1 8
Irrigation—Supplementary	250 0 0	243 0 6	6 19 6
Clearing Avon	75 0 0	75 0 0	
Museum	2000 0 0	250 11 3	1749 8 9
Hurunui Bridge	22 10 0		22 10 0
LeBon's Bay Road	100 0 0		100 0 0
<i>MAIN ROADS—NORTH.</i>			
Waipara District	150 0 0		150 0 0
Kowai	250 0 0		250 0 0
Ellesmere	50 0 0		50 0 0
Rakaia	25 0 0		25 0 0
Ashburton	25 0 0		25 0 0
<i>SOUTH.</i>			
Temuka	62 10 0		62 10 0
Levels	187 10 0		187 10 0
Waimate	625 0 0		625 0 0
ROAD BOARDS	2023 5 0	31 5 0	1992 0 0
Contingencies	125 0 0	54 6 11	70 13 1

SCHEDULE C.

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
Northern Railway	30,000 0 0	3286 6 11	26,713 13 1
Timaru and Temuka	6995 5 6		6995 5 6
Rakaia Bridge	10,260 0 0	2508 0 0	7752 0 0
Lyttelton Harbour Works	10,000 0 0	57 17 5	9942 2 7
Tunnel Works	3000 0 0	958 3 5	2041 16 7
Ashburton Bridge	20,000 0 0		20,000 0 0
Rolleston to Southbridge	10,000 0 0		10,000 0 0
" to Malvern	10,000 0 0		10,000 0 0
" to Oxford District	10,000 0 0		10,000 0 0
" to the Eyreton Plains	5000 0 0		5000 0 0
District South of Rangitata	10,000 0 0	3306 15 6	6693 4 6
Southern Railway	48,000 0 0	89 16 11	47,910 3 1
Railway Sheds, Lyttelton	1000 0 0	641 6 6	358 13 6

SCHEDULE D.

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
Expenses of Elections - - - -	50 0 0	42 16 2	7 3 10
Charitable Aid - - - -	570 0 0	570 0 0	
Repairs to Fencing Orphanage - - - -	100 0 0		100 0 0
Mrs. Davie—Honorarium - - - -	500 0 0	500 0 0	
South Selwyn School - - - -	112 2 0	112 2 0	
Fencing Reformatory - - - -	200 0 0	126 0 0	74 0 0
Protective Works—Rakaia - - - -	1100 0 0	1100 0 0	
Female Gaol - - - -	200 0 0	200 0 0	
Lunatic Asylum - - - -	165 0 0	136 2 2	28 17 10
Expenses of Members - - - -	550 0 0	438 18 9	111 1 3
Printing - - - -	200 0 0	154 19 0	45 1 0
Interest to Bank of New Zealand - - - -	1019 3 9	1019 3 9	
Commission &c., Bank of New Zealand - - - -	945 0 0	945 0 0	
SPECIAL ORDER.			
Charitable Aid - - - -	250 0 0	246 18 4	5 1 8

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
CLASS 18—Continued.			
Bealey Subsidy - - - -	12 10 0	12 10 0	
Rent of Custom House - - -	37 10 0	37 10 0	
Contingencies - - - -	125 0 0	113 3 3	11 16 9
Bonus—Flax, Supplementary - - -	2000 0 0		2000 0 0
" Linseed Oil—Supplementary - - -	250 0 0		250 0 0
Literary Institutes " - - - -	200 0 0	115 0 0	85 0 0
Agricultural Societies " - - - -	200 0 0	200 0 0	
Volunteer Encampment " - - - -	100 0 0	100 0 0	
Race Fund " - - - -	100 0 0	100 0 0	
Lyttelton Regatta " - - - -	50 0 0	50 0 0	
Fencing Cemeteries " - - - -	200 0 0	27 0 0	173 0 0
CLASS 19.			
Ordinary Schools - - - -	1825 0 0	1825 0 0	
Scholarships - - - -	250 0 0	250 0 0	
Salaries - - - -	137 10 0	137 10 0	
Superior Schools - - - -	125 0 0	125 0 0	
Contingencies, &c. - - - -	93 15 0	89 3 3	4 11 9
Survey—Supplementary - - - -	100 0 0	1 10 0	98 10 0
CLASS 20.			
General Contingencies - - - -	500 0 0	493 9 1	6 10 11
CLASS 21.			
Little River Road Board - - - -	187 10 0		187 10 0
Avon and Eyreton Road Boards—Contingent on Tolls -	100 0 0	100 0 0	
CLASS 15—SUPPLEMENTARY.			
Lighting Wharves - - - -	50 0 0		50 0 0
Removal of Station, Lyttelton - - - -	100 0 0		100 0 0

SCHEDULE B.

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
CLASS 1.			
Waste Land Board—Salaries - - - -	125 0 0	125 0 0	
CLASS 2.			
Survey—Salaries - - - -	1075 0 0	976 8 0	98 12 0
Preparation of Crown Grants - - - -	228 15 0	200 5 0	28 10 0
Contract Surveys - - - -	350 0 0	347 6 11	2 13 1
Contingencies - - - -	81 5 0	74 2 5	7 2 7
CLASS 3.			
Immigration—Salaries - - - -	230 0 0	215 0 0	15 0 0
Rations, &c. - - - -	956 5 0	289 16 9	666 8 3
Quarantine Barracks - - - -	25 0 0	11 3 9	13 16 3
CLASS 4.			
Fittings, Lyttelton Magistrate's Court - - - -	150 0 0	145 9 6	4 10 6
Lunatic Asylum - - - -	600 0 0	533 8 10	66 11 2
Gaol—Lyttelton - - - -	300 0 0	288 15 6	11 4 6
Female Gaol - - - -	250 0 0	158 10 3	91 9 9
District Gaol—Timaru - - - -	1450 0 0	46 0 0	1404 0 0
Lockup—Lyttelton - - - -	50 0 0		50 0 0
Orphan Asylum - - - -	200 0 0	200 0 0	
Reformatory - - - -	1000 0 0	146 10 1	853 9 11
Woolshed—Tekapo - - - -	150 0 0	52 0 0	98 0 0
Lyttelton Drainage - - - -	650 0 0	650 0 0	
Ashley Bridge - - - -	270 0 0	270 0 0	

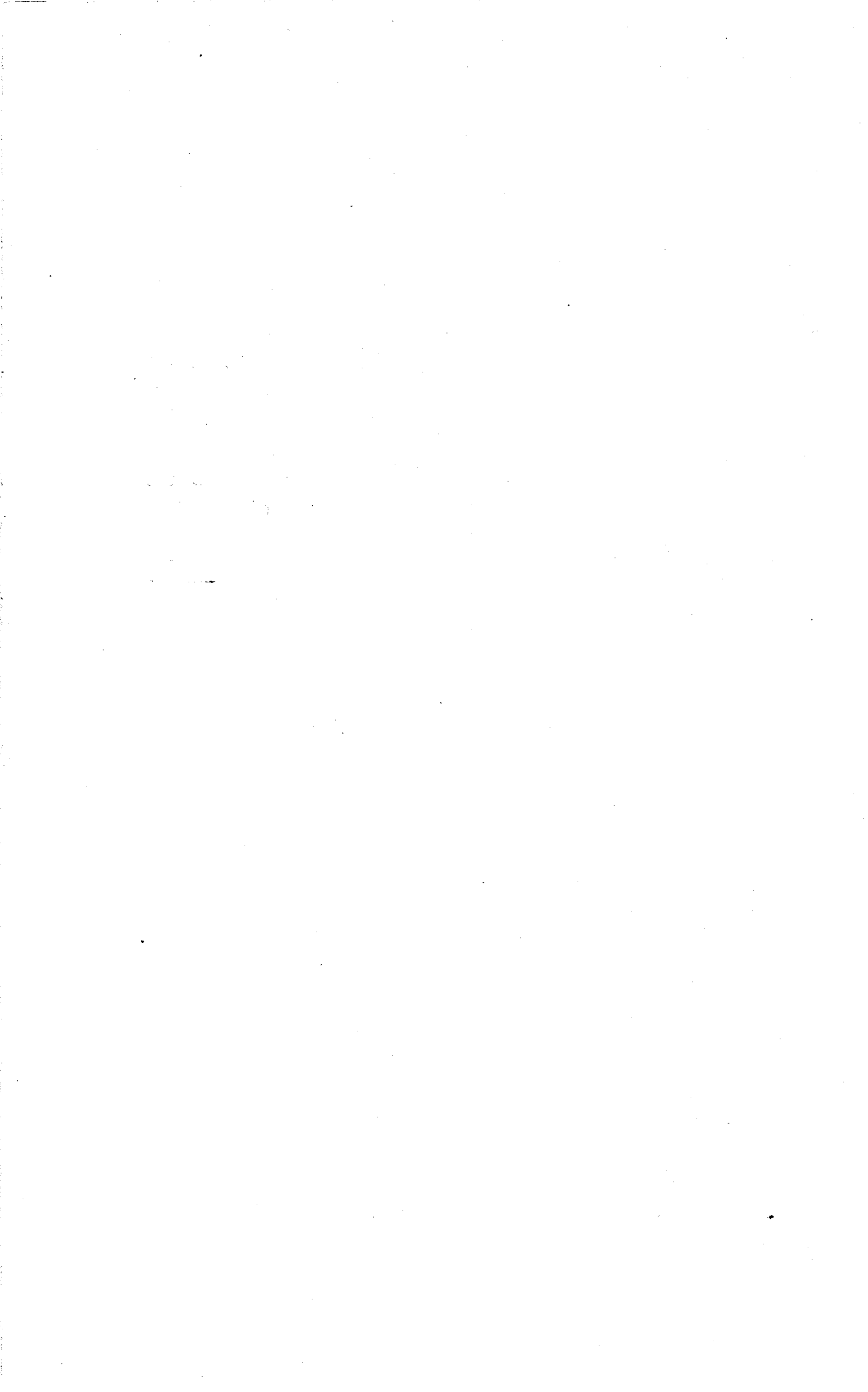
	VOTED.			PASSED AUDIT.			UNEXPENDED.		
	£	s.	d.	£	s.	d.	£	s.	d.
<i>CLASS 4—Continued.</i>									
Road to Rangitata Bridge	250	0	0				250	0	0
Buildings—New Schools	1500	0	0	890	12	6	609	7	6
Little River Road	500	0	0	500	0	0			
Malvern Coal Road	150	0	0	109	13	8	40	6	4
Orphanage—Lyttelton	80	0	0	80	0	0			
Police Buildings	300	0	0	39	15	6	260	4	6
Templeton Well	160	0	0				160	0	0
Rakaia Ferry	400	0	0	400	0	0			
Waimakariri Gorge Ferry	300	0	0				300	0	0
Hargreaves' Store	1850	0	0	1832	18	4	17	1	8
Irrigation—Supplementary	250	0	0	243	0	6	6	19	6
Clearing Avon	75	0	0	75	0	0			
Museum	2000	0	0	250	11	3	1749	8	9
Hurunui Bridge	22	10	0				22	10	0
LeBon's Bay Road	100	0	0				100	0	0
<i>MAIN ROADS—NORTH.</i>									
Waipara District	150	0	0				150	0	0
Kowai	250	0	0				250	0	0
Ellesmere	50	0	0				50	0	0
Rakaia	25	0	0				25	0	0
Ashburton	25	0	0				25	0	0
<i>SOUTH.</i>									
Temuka	62	10	0				62	10	0
Levels	187	10	0				187	10	0
Waimate	625	0	0				625	0	0
ROAD BOARDS	2023	5	0	31	5	0	1992	0	0
Contingencies	125	0	0	54	6	11	70	13	1

SCHEDULE C.

	VOTED.			PASSED AUDIT.			UNEXPENDED.		
	£	s.	d.	£	s.	d.	£	s.	d.
Northern Railway	30,000	0	0	3286	6	11	26,713	13	1
Timaru and Temuka	6995	5	6				6995	5	6
Rakaia Bridge	10,260	0	0	2508	0	0	7752	0	0
Lyttelton Harbour Works	10,000	0	0	57	17	5	9942	2	7
Tunnel Works	3000	0	0	958	3	5	2041	16	7
Ashburton Bridge	20,000	0	0				20,000	0	0
Rolleston to Southbridge	10,000	0	0				10,000	0	0
" to Malvern	10,000	0	0				10,000	0	0
" to Oxford District	10,000	0	0				10,000	0	0
" to the Eyreton Plains	5000	0	0				5000	0	0
District South of Rangitata	10,000	0	0	3306	15	6	6693	4	6
Southern Railway	48,000	0	0	89	16	11	47,910	3	1
Railway Sheds, Lyttelton	1000	0	0	641	6	6	358	13	6

SCHEDULE D.

	VOTED.	PASSED AUDIT.	UNEXPENDED.
	£ s. d.	£ s. d.	£ s. d.
Expenses of Elections - - - -	50 0 0	42 16 2	7 3 10
Charitable Aid - - - -	570 0 0	570 0 0	
Repairs to Fencing Orphanage - - - -	100 0 0		100 0 0
Mrs. Davie—Honorarium - - - -	500 0 0	500 0 0	
South Selwyn School - - - -	112 2 0	112 2 0	
Fencing Reformatory - - - -	200 0 0	126 0 0	74 0 0
Protective Works—Rakaia - - - -	1100 0 0	1100 0 0	
Female Gaol - - - -	200 0 0	200 0 0	
Lunatic Asylum - - - -	165 0 0	136 2 2	28 17 10
Expenses of Members - - - -	550 0 0	438 18 9	111 1 3
Printing - - - -	200 0 0	154 19 0	45 1 0
Interest to Bank of New Zealand - - - -	1019 3 9	1019 3 9	
Commission &c., Bank of New Zealand - - - -	945 0 0	945 0 0	
SPECIAL ORDER.			
Charitable Aid - - - -	250 0 0	246 18 4	5 1 8



REPORT

OF

THE COMMISSIONER OF POLICE,

SHOWING THE OPERATIONS AND STATE OF

HIS DEPARTMENT

FOR THE YEAR ENDING SEPTEMBER 30, 1871.

1914

1915

1916

No. 343.

71.

Constabulary Department, Commissioner's Office,
Christchurch, Canterbury, N. Z.,

14th day of December, 1871.

SIR,

In reply to your circular of the 10th inst., number 362, requesting me to forward a report showing the operations of the Department under my charge for the year ending 1871; also, a supplementary report with reference to the existing state of the Department, and treating of matters with which I am dealing at the time the report is sent in.

I have the honour to inform you that the total strength of the Department for the twelve months commencing 1st of October, 1870, and ending 30th September, 1871, was forty until the 6th of April, when one additional Foot Constable was placed at the Selwyn Railway Station, and one on the 25th of May at the Washdye, in the Timaru district, thus increasing the number to forty-two for the remainder of the financial year; this gives less than one man to every thousand of the population, now numbering 46,801—about half the strength of that allowed in similar departments in the other Provinces and the Australian Colonies.

The Province is divided into eleven Police districts, and some of these into sub-districts, making in all fifteen stations; the districts and sub-districts, with few exceptions, are placed under the charge of either an Officer or Sergeant, the total strength of each being as follows:—

Christchurch, 21; Lyttelton, 3; Timaru, 4; Ashburton, 1; Kaiapoi, 2; Rangiora, 1; Leithfield, 1; Oxford, 1; Leeston, 1; Bealey, 1; Selwyn, 1; Washdye, 1.

Though the most important functions of the Department have been conducted with some degree of efficiency, it will be necessary to increase the strength to meet the requirements of the coming year; with three additional First-class Constables

for the Christchurch district—one to be employed as Inspector of Weights and Measures, the others on ordinary duties, and one for the Courtenay district—the work could then be carried out in a more satisfactory manner. When the size of the Province, the scattered population, and the public works in process of formation are considered, no doubt it will be seen that a Force numbering forty-six will not be more than adequate to contend with the duties of the Department.

The sum of £8,750 7s., voted by the Provincial Council last year for the maintenance of the Department, though insufficient, has not been exceeded. It requires the greatest care to keep within that amount.

The Members of the Force were frequently employed beyond the regulation hours, and had to exert themselves to the utmost to get through their more important duties. The proposed expenditure (£7,405 4s.) for the nine months ending September 30th, 1872, will show an increase of £1,123 5s. on last year's expenditure, which will be sufficient to maintain the additional number in excess of last year's vote.

With the present population (46,801) and the proposed expenditure under the heads of salaries and contingencies (£9,873), the cost per head per annum will not exceed 4s. 2d. This bears a most favourable comparison with the other Provinces of the Southern Island, which show the subjoined rates:—Westland, 8s. 9d.; Nelson, 6s. 5d.; and Otago, 5s. 5d. I find also that the proposed cost of the Police would be 1s. 2d. per head less than it was in 1862, when I took charge of the Department, previous to the introduction of the present system.

Besides preserving the peace, preventing and detecting crimes, and bringing offenders to justice, there is a great deal of work performed by the Police; for instance—the collection of the revenue under “The Dog Nuisance Ordinance,” the Inspection of Weights and Measures, duties under “The Distillation Act, 1868” the issue of Stage-Carriage Licenses, the collection of information for the Registrar in Lunacy, the Administrator of the Charitable Aid Fund, and the Curator of Intestate Estates; they also act as Crown Lands Rangers.

In comparing the number of prisoners arrested in 1863 (the first year of the introduction of the present system) with that of 1870, the following results are shown:—In 1863, with a population of about 20,000, there were taken into custody 893 males, 50 females—total, 949; while in 1870, with a population of 46,801,

there were 1074 males and 135 females—total, 1,209; showing only an increase of 260, with 6,801 more than double the population of 1863.

The Barrack accommodation in Christchurch is quite inadequate to the requirements of the Department, and the allotment on which the Depot stands measures only a quarter of an acre. The present buildings consist of the Commissioner's office, an office for the Inspector, and accommodation for the Sergeants and Constables employed in the Christchurch district, and all others visiting headquarters; the general store of the Department, the district forage store, lock-up for prisoners, and stabling. It must be evident from this that more space is required, and that it will be necessary to erect buildings on a large scale.

The buildings occupying the present site in Armagh street were erected for a livery stable, and were altered as a temporary accommodation for the Police until suitable Barracks could be provided and erected in Hereford street, where land was purchased in 1862 for that purpose.

It is necessary, for sanitary reasons and for the discipline of the Force, that the proposed buildings should at least occupy an acre of land. The present place is in every respect ill-adapted for a Police Depot, and, from its over-crowded state, is found to be unhealthy.

In 1868, when large reductions were made in the Department, the Police buildings in Hereford street were for the time handed over for the use of the gaol, and are still used for that purpose. When the new Barracks are erected, the prisoners could be removed to the present Depot, which would afford them ample accommodation. The new Barracks should comprise quarters for the staff required in the Christchurch district, as well as for Members of the Force whose duties may call them to head-quarters; and the Inspector of Weights and Measures. The buildings already on the allotment would answer for offices for the Commissioner and quarters for the Inspector, if removed to a more convenient site; and the present lock-up could be occupied as heretofore.

The Courtenay district requires Police protection, and provision has been made on the proposed estimates for the erection of suitable buildings—Christchurch, Leeston, Bealey, and Oxford being at present the nearest stations.

It will be necessary to provide accommodation for the Inspectors of Weights and Measures at Timaru and Akaroa, as the buildings at those places are barely sufficient for the present wants. I have placed a sum on the proposed estimates for the erection of two rooms at each of those places. In Christchurch, the Inspector

has been provided with rooms in the house lately occupied as a female gaol, which could be retained by him until the proposed Depot has been built, where he could be under the immediate supervision of the Officer in Charge of the district, and available for other duties should his time not be fully occupied.

In reviewing the general efficiency of the Force, I may mention that, in 1868, when the expenditure was considerably less in Canterbury, in proportion to the population, than any of the other Provinces of the Southern Island or the Colonies of Australia, the expenditure was reduced from £12,400 to £7,000, and the strength of the Force from 55 to 33. This, of course, seriously disturbed the working of the Department, the effects of which are felt in some degree to the present time. Within the last two years the Force has been gradually improving; and, with ordinary means for its maintenance, would soon become as efficient as it was previous to the large reductions.

I may here remark, if future prospects were held out to the Members of the Force, it would be the means of increasing the efficiency, by inducing them to remain in the service after acquiring a knowledge of their duties, instead of regarding it in the light of temporary employment only, as is now too frequently the case. This could be effected by the establishment of a Superannuation and Police Reward Fund, in accordance with the general custom.

In conclusion, I would also suggest, with the view of making the Telegraph more useful in the prevention and detection of crime, that all communications should be sent free of cost, and that rewards be more frequently offered for information that would lead to the conviction of offenders.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,
Commissioner of Police.

The Provincial Secretary,
Christchurch.



REPLY

BY

THE COMMISSIONER OF POLICE

TO

CHARGES BROUGHT AGAINST HIM

BY THE PROVINCIAL AUDITOR.

Constabulary Department
Commissioner's Office,
Christchurch, Canterbury, New Zealand,
November, 1871.

SIR,

In forwarding the attached statement in reply to the charges made against me by the Provincial Auditor in his Report of the 23rd ultimo, I beg leave to inform you that the subject extending over so many years, and the extreme length of the statement, are the reasons why it has not been placed in your hands at an earlier date.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,
Commissioner of Police.

The Provincial Secretary,
Christchurch.

Constabulary Department,
Commissioner's Office,
Christchurch, Canterbury, New Zealand,
13th day of November, 1871.

HIS HONOR THE DEPUTY-SUPERINTENDENT.

SIR,

In compliance with instructions received by me from the Provincial Government, I have now the honour to submit to you the following statements in reply to the various charges made against me by the Provincial Auditor in his report forwarded to you under date 23rd October, 1871.

The charges referred to may, for convenience of reference, be classified as follows :—

1. Charge of Negligence and Want of System in Accounting for Money and Stores.
2. Charges of Fraudulent Misappropriation of Stores, and other Government Property.
3. Charges of Mismanagement and Inefficiency in the Administration of the Affairs of my Department, and
4. Charges of General Misconduct.

There is also a specific charge made against me by the Auditor in his report, which seems, virtually, to amount to one of embezzlement, namely, that I have from time to time credited myself in my accounts with the Provincial Government with greater amounts of money for my travelling allowances than I was actually entitled to, and that by so doing I fraudulently abstracted from the Government Treasury a considerable sum of money. To that charge I have already (and I trust satisfactorily) replied, and therefore I propose to omit from this statement any further reference to it, save only to say that, should your Honor or the Provincial Government at any time desire it, I shall be happy to submit such further observations on the subject as may be thought necessary.

He, first, under the four heads under which I have classified the report, namely, that including charges of negligence and want of system in accounting seems to embrace all the Auditor's observations on the system of accounting generally, which prevails in the Police Department, and especially so far as regards the Forage Accounts, and the Petty Cash Book, or as it may more properly be called the Account Book of Departmental Moneys received and expended, thus distinguishing it from the Account Book of petty cash received under imprest.

On the subject of the general system of accounting, the Auditor remarks (p. 1 and 2 of copy report furnished to me)—“The accounts are kept in the Commissioner's office by the Clerk and Accountant, and I have seldom met with anything more unsatisfactory. System there is not, and it is only a matter of surprise that more serious matters have not arisen out of so lax a principle as seems to have prevailed here, at least since 1868. There is no daily record kept of cash transactions, and consequently no means of tracing to what accounts moneys (which I found in the office, amounting to some £30 and upwards, on the suspension of Clerk and Accountant Greenwood) belong.” As to the first portion of the foregoing observations, I would remark that it contains charges of so sweeping and general a character that it is extremely difficult to reply satisfactorily to it save by a general contradiction. I may say, however, on the whole subject that there are, and always have been, kept in the office not only a daily record of cash transactions, but a complete, and I believe entirely satisfactory set of books, and that these books were, wherever practicable, made up to the 30th September—the day on which I gave

temporary charge of the office to Mr. Pender. I have said "wherever practicable," because some of the books (as, for instance, the Monthly Store Account Book) are made up monthly, and consequently could show only the state of the transactions to which they relate at the end of the month prior to the commencement of the Auditor's investigation. With regard to the books of the Police Department generally, I would observe that, inasmuch as they differ totally from books of account ordinarily kept in either Government offices or mercantile houses, and are peculiarly applicable to the several branches of this department, it is quite impossible that they could be understood by the Auditor from the merely cursory and hurried reference which he incidentally made to a few of them in the course of the inquiry—and that not with a view of ascertaining their completeness and efficiency or otherwise, but only for the purpose of informing himself as to portions of their contents. I would also observe that there are one or more books devoted, and perfectly adapted, to each separate branch of the service, and that the system of accounting is complete in itself, and fully answers the requirements of the department. It was introduced by me when I came to this Province from the Colony of Victoria in the year 1862, for the purpose of organising a Police Service here, and is precisely similar (so far as circumstances will permit) to the system which has for many years been in use in that Colony, and which has been found there, and also in other Colonies, to be admirably adapted to the purposes for which it is intended. In reference to the remark of the Auditor as to the money found in the office on the suspension of the Clerk and Accountant Greenwood, I would beg leave to suggest that a moment's reflection will suffice to make it clear. In the absence of a complete balance of the several books of the department up to the day of Greenwood's suspension, it was quite impossible that I could tell, at a moment's notice, to what particular account, or to how many several accounts, the money belonged; but the Auditor might, if he had thought proper to do so, have ordered such a balance to be struck, when he could very readily have obtained the information, of the want of which he now complains. I have also to state that, immediately upon my having an opportunity to do so, I investigated the books of the department, and at once ascertained the proper appropriation of the money referred to by the Auditor; and, further, that the Auditor had in his possession, and read at the inquiry, a written memorandum addressed to himself by Greenwood, in which that officer fully explained the manner in which the money in question ought to be appropriated. Regarding the Forage Account, the Auditor says (p. 2 of copy report)—"The Forage Account which, up to April 1868, appears to have been kept under the direction of the Inspector and the Officer in Charge of the Depot, was then altered. Since that date the Forage Account has been most shamefully neglected." The change to which the Auditor here refers was effected by my orders, and was one of a series of modifications in the details of the service which I made about the period referred to, and which I considered necessary, in consequence of the supplies which had previously been voted to the service having been materially decreased by a vote of the Provincial Council." It may be that the Forage Accounts after this time do indicate a less amount of care than formerly, but they were kept with as much care as the great reduction in the number of the men and the numerous duties devolving on the Clerk and Storekeeper would permit.

The person who filled the office of Clerk and Storekeeper at the period here referred to was removed by me for incapacity. With reference to the Account Book of departmental "moneys received and expended," which the Auditor calls a "Petty Cash Book," that official says (p.p. 4 and 5 of copy report)—"I find also that a Petty Cash Book has been kept in the office from 1862 and down to 1871 of moneys received at the Depot from various sources, and they are of a very various character, and none of these sums, until the beginning of 1870, were paid, in accordance with the Government Regulations, to the Provincial Account up to the end of 1869. They are said to amount to rather more than £870. About £117 of this amount is derived from fines; a considerable sum is from payments made by prisoners and others for uniform clothing destroyed. Again, a large amount is from refunds of salaries said to have been payable to Constables, but returned to the Commissioner; proceeds of stores sold, &c., &c.

With regard to the figures given by the Auditor, I would observe that the sum of £888 or thereabouts represents the gross totals of the moneys received by me from all sources from the time when I first established the service here (about the month of July, 1862) up to the end of the year 1869. An investigation of the items which go to make up the sum will show that moneys included in it, to the amount of £501 0s. 8d., were received by me for payments for specific purposes, and which were necessarily applied by me for those purposes, leaving a sum of £387 11s. 3d. received by me during the whole period for the general purposes of the department; and this latter amount includes a sum slightly exceeding £117 obtained from fines inflicted on Constables, and applied in the purchase of books for the Library, leaving a balance of £270 3s. 3d., or about £36 per annum expended by me during the seven to eight years above-mentioned for the general purposes of the department.

In reference to the appropriation by me of this latter sum in connection with the department under my charge, I beg to state that such a method of appropriation of moneys similarly received has been made in the Police Departments in the Colony of Victoria, and in consequence of such usage in that Colony, I introduced it into my system of official management in this Province. I found it to be a convenient method of meeting the numerous trifling necessities requiring the expenditure of ready money, which frequently occurs in a department such as the Police, and inasmuch as I did not consider the moneys thus received as in any manner belonging to the Provincial Revenue. I conceived that the instruction contained in the Manual (p. 11, paragraph 4, of instructions to Commissioner of Police) give me full authority to dispose of these moneys in the manner I have done. This system of appropriating these moneys pursued by me was never in any manner interfered with until the end of the year 1869, when Mr. E. Jollie (then Provincial Secretary) made a suggestion to me to pay these moneys in future into the Bank to the credit of the Provincial account, and accordingly I have always done so. In reference to the application by me of moneys obtained from fines inflicted on Constables, in the purchase of books for the Library at Christchurch and Hokitika, I respectfully submit that I have always had the concurrence of the Provincial

Government in my doing so, and this is shown by the circumstance that a regulation to this effect was introduced into the code of rules relating to the Library, which was framed and adopted with the sanction of the Government in the year 1869.

I next proceed to the second of the heads under which I have classified the Auditor's Report, namely, the charges of fraudulent misappropriation of stores and other Government property. The passages in which these charges are made I shall state in the order in which they occur in the report, and I shall then proceed to comment on them *seriatim*. The Auditor says (p.p. 3 and 4 copy report)—“And the Commissioner, instead of drawing forage allowance, in accordance with the scale regulated by the Manual, has set the regulations on one side, and given instructions to the Clerk that his horse should be supplied with full rations, whether present or absent on duty, and yet while absent on duty is found by the District Duty and Forage Books at the same time drawing his Forage Allowance from whatever station he may have been visiting. There is no doubt that the evidence is somewhat contradictory on this point, as regards the Commissioner drawing his full allowance; but White, the present Storekeeper, in his evidence (*vide* p. 2), and Williams, formerly the Commissioner's Orderly (*vide* p. 17), both corroborated the statement; while Fowler's evidence is less clear as to the amount drawn, although not so as to the instructions he received (*vide* p. 6). This forage was drawn and taken to the Commissioner's private residence, and on the evidence of his own servants was frequently, and up to the date of the inquiry in Beattie's case, and consumed by the horses belonging to the Commissioner's private friends.” Again, it is asserted on oath—“that on the Commissioner's removal from the Depot in Hereford Street to his private residence, several articles, the property of the Provincial Government, were taken from the Depot, and dealt with as if the Commissioner's private property.” (*Vide* Walsh's evidence, p.p. 14 and 15).

It may perhaps be said that the above charges do not convey a direct accusation of fraudulent misappropriation by me of forage and other Government property; but such a supposition, if it should be raised, is imputed by the following passage, which occurs in the concluding paragraph of the report (p. 9):—“Under the 21st clause of the Audit Act it would appear to be my duty to prosecute this matter to a still further extent.” The section of the Act here referred to by the Auditor deals only with the cases of fraudulent misappropriation.

With regard to the passage first above quoted, I feel bound to say, and I much regret that I cannot characterise it by more qualified phraseology, that it is in every particular an untruthful and malicious commentary. On the evidence untruthful, inasmuch as it not only studiously suppresses the truth where it would appear to my advantage, but also because it repeatedly suggests false statements which do not appear in evidence, and inasmuch also as it misrepresents and puts a false colour on the whole evidence; and, to bear out these strong and emphatic assertions, it will be necessary for me to refer at some length to the evidence bearing on the subject of the drawing out of forage, and I shall endeavour to do so with perfect fairness, as well as to those passages which may appear to prejudice me as others. White, Acting-Storekeeper, says in his evidence as to forage allowances

(p. 1, *et seq.*):—“There is a regulated scale of issue; each horse is entitled to a prescribed quantity, according to the Manual. It is 10lbs. of oats, 2lbs. of bran, 16lbs. of hay, 6lbs. of straw. It is 4lbs. of straw in the Manual, but I was authorised by the Clerk to give out 6lbs.; that is the regulated allowance. The Commissioner’s horse is kept at his house; forage was supplied to him fortnightly, and by the Commissioner’s Orderly. He used to take 14 rations, the ordinary supply for a fortnight. This last fortnight there has been only a week’s supply issued. I asked the Orderly if he wanted forage, and he said he did not; when he required it he would let me know. Up to the time of the inquiry being made the issue was fortnightly; this was done lately, before that I don’t know how he obtained it. The Clerk and Accountant directed me to put down a full ration each day for the Commissioner’s horse, even when he was absent—they were charged whether he was absent or present. I know the Commissioner was away on inspection for a few days, but I never deducted anything for his absence. I acted under orders. I find that on Sunday, the 17th September, there is an entry of full rations for the Commissioner’s horse; and according to the return from Kaiapoi, there was also full rations issued for the Commissioner’s horse. Also, on Sunday, the 10th September, and Monday, the 11th, full rations were also issued at the Depot, and by the return at Kaiapoi, according to the books, the horse would be drawing rations at both places. On Sunday, the 27th August, and Friday, the 1st September, and on Saturday, the 2nd, and on Sunday, the 3rd, full rations were also issued at both places, and half rations on Monday; and also, according to the returns, on Friday and Saturday, the 17th, full rations were issued to the Commissioner’s horse for the whole week ending 19th August; and from the Kaiapoi returns they were also entered as issued two full rations during the same week. In the week ending 26th August full rations were issued from the Depot, and in the Kaiapoi returns there is entered as issued two-and-a-half rations for the week. The week ending 12th August there is entered in the Kaiapoi returns two full rations, and in Christchurch for each day full rations. Week ending the 5th of August there is entered in the Kaiapoi returns half-rations to the Commissioner’s horse, and in Christchurch full rations for the week. In the week ending 29th July, rations are entered as issued at Kaiapoi to Commissioner’s horse for two full rations, and in Christchurch full rations for each day of the week. In the week ending 8th July, full rations issued at Christchurch and one at Kaiapoi. I did not know of the Commissioner’s absence from Christchurch when absent on duty. According to these returns produced, the allowance drawn for the Commissioner’s horse has exceeded the Regulation Scale. I made these entries in the Depot Forage Book under the direction of the Clerk and Accountant.” John Fowler (p.p. 5, 6, 7) states—“I was orderly to the Commissioner. I went there on the 1st May, 1870, and I left in August, 1870. The Commissioner’s police horse was kept at his house; it was a Government horse. There was no private horse of his own. I attended to him. I received forage once a fortnight (alternate Mondays). It was supplied to me by Mr. Greenwood, who was then Storekeeper. Generally I took it myself; I mean I took it by his authority. If I was short, I took the full allowance; if not, I did not, as I had no room to place it. I have left hay repeatedly; I never took the full allowance of oats. I merely took enough for the time. The horse was

on half-rations at the time by order of the Commissioner. I cannot say with any certainty what quantity I took, as it was not weighed out. I have been often told by the Commissioner to draw my full rations although I only gave the horse half-rations, but I never did so. I took the forage from the Depot to the Commissioner's house. There have been times when I have given feeds to gentlemen's horses visiting at the Commissioner's house. The first time I was with the Commissioner he had no private supply. One gentleman brought his horse, which was there for two or three days; I don't know which. I fed the horse by direction of the Commissioner. I don't think Mr. Barker was there more than once. Captain Brown came sometimes, and his horse had one or two feeds. The forage so consumed was never replaced within my knowledge. On the second time of my going to live at the Commissioner's (about February last, and I left on the following May), there was then a private store of all kinds of forage. After February, I have not drawn forage from the Depot for a month at a time, in consequence of having an excess on hand, arising from the absence of the Commissioner on official duty. None of the forage was ever used by me in any other way than for the use of the Commissioner's horse. Visitors' horses were always supplied from the private store. I have gone to the Depot for supplies, but have occasionally not been able to get them, in consequence of the cart horse being engaged, and I then fed the Commissioner's horse from his private store. I never cared to replace it. This did not occur often. The forage store was generally open and the usual quantity I took was about three trusses of hay. I got oats from the store. I obtained the key of the store from Mrs. Greenwood, and filled two sacks; these sometimes lasted five weeks. I took the supply as I wanted it; it was never weighed out to me. The forage in the Commissioner's house when I first went there was represented by Smith as having been drawn from the Depot. The consumption of private forage for the Commissioner's horse would have been more than equal to the supplies to private individuals. When I left there was oats and bran, but little hay, belonging to the Commissioner." Inspector Pender (pp. 7, 8, 9) states—"About the time Beattie was arrested, Sergeant O'Grady arrived here one morning and informed me that Beattie had insinuated that there was something wrong in connection with the department besides what he had been charged with. O'Grady was anxious for inquiry, and made a statement to the Commissioner in my presence to the effect that such insinuations had been made by Beattie. I wished the Commissioner to have an investigation, and that he should apply to the Provincial Auditor to inquire into the matter. The Commissioner said he would see the Auditor and ask him to investigate Beattie's case and the whole proceeding. O'Grady was told to send in a report on the subject; he did so, and it is now in the Commissioner's office, I believe. Sometime after Beattie's trial I was at Leithfield on inspection, O'Grady made a similar complaint there to me. Beattie had been putting the reports into circulation, and people believed them. I told him to send another report to the Commissioner, but I have heard nothing further of it. I made some inquiries, but I could not find out what was wrong. Soon after I was told that Mr. Barker was in the habit of going to the Commissioner's house and using the forage. I then got information that Fowler had come to the Depot and stated that there were several gentlemen staying at the Commissioner's house, and he required an extra quantity of forage.

Sometime after I spoke to the Sergeant in Charge (McKnight), and asked him if there was anything wrong about it, and then for the first time I discovered that there was no regular account kept, and the forage used as the men thought proper. Within a day or two I wrote to the Commissioner asking for the inquiry, and the correspondence enclosed, a copy of which I forwarded to the Provincial Auditor. The Commissioner declined to hold the inquiry." Mr. Walsh (p. 11) states—"I remember the change in the care of stores, it was in consequence of a letter addressed to the Inspector in April, 1868. I remember the Commissioner giving instructions to Davidson, whom he placed in charge, to give his horse full weekly rations; it was immediately after the letter was written. I cannot say if it was acted upon." Sergeant O'Grady (p. 13) says—"I remember when Beattie was charged on coming to Christchurch in February last. I made a report to the Commissioner of facts brought to my notice relative to Beattie. I made a written report connected with shoeing and forage by the Commissioner's instructions. I did not suggest an investigation. I heard you (Pender) say something about me, and that there ought to be an inquiry. I remember the Commissioner looking over the Audit Act. I remember seeing you (Pender) at Leithfield. I mentioned that I had reported to Mr. Shearman the use of envelopes by the officer at Leithfield. All the rumours I have spoken of were in connection with Beattie and no one else. I did not hear Beattie, but McKnight, say others were as bad, and he was not the only one to suffer." Thomas Williams (p.p. 14 and 15) says—"I am a contract cook. I have been a Constable in the Force, and had charge of the Commissioner's horse from August, 1870, to February, 1871, after Fowler left and until his return. I remember buying forage for your (Commissioner's) private use. I bought a sack of oats and bran at $3\frac{1}{2}$ B, and a truss of hay. I fed the horses belonging to Mr. Shearman's visitors. I left some of it when I came away." (By Pender)—"It was about six weeks before I left; it was more than a fortnight. I bought it at Hinton's (January 17). I cannot say this was during Beattie's case. The Commissioner was away in the direction of Leithfield after the purchase of his private forage. When any visitors came before this, a feed or two was occasionally taken when required from his Government forage allowance by Captain Brown and Mr. Barker. He only got one feed (the horse) and broke away. I recollect the Commissioner telling me to get private forage, and be sure to feed the horses of gentlemen who came. The forage was not used in any other way, except one truss of musty hay, which was thrown away; it was no good. I was in the habit of fetching the Commissioner's forage; it was weighed and delivered to me in fortnightly quantities, according to the Manual, and I always had my full allowance without any deduction, and also during the absence of the Commissioner. The horse was only on half rations when I went, and then another horse, a brown horse, came, and he was in bad condition, and I was told by Mr. Hill to give him all I could get, and I did so, and when I left there was handed over to Fowler nearly two sacks of oats, and hay, &c., in addition to the Commissioner's private allowance. (I left on Wednesday, and the following fortnight's forage day was due on Monday). The space was large enough to hold the whole fortnight's allowance. Greenwood said I need not be too particular, as he knew the Commissioner was often away. No Government forage was ever taken away from the Commissioner's house or

consumed, except occasionally for a few feeds to visitors. I was told by the Commissioner to put back oats from his private store, that had been taken from the Government forage. I put some back. I did not strictly obey the Commissioner's orders. I have often cut grass and fed the Government horse with it, and all the carrots grown in the garden." James Penthony (p. 15) states—"I am a Constable in the Force. I was in charge of the Commissioner's horse. When I took charge there were two lots of forage in the loft. I first went to the Commissioner's house about five years ago, and was there about 18 months. On going there I found one bag was nearly full of oats, and the other about 1½ bushels or thereabouts. The hay was in use for the horse. I used to cut grass from the paddock, and carrots grown in the garden. Some of my private hay was also consumed for the Government horse. The forage issued was consumed in the time for which it was drawn. I don't remember its lasting longer." (By Pender)—"I drew the full rations when the horse was at the house. This forage was never used during the time I lived with Mr. Shearman for private visitors." John Pratt, Police-Sergeant, stationed at Kaiapoi (p. 15) states—"In May, 1871, week ending 20th, drew two-and-a-half rations; 24th June, 29th July, twelve; and 17th August, 24th September, two to end September; Commissioner has been up repeatedly, lately he has inspected station on each occasion; the horse has only been used by himself. He was attended by the Constable, and that is his duty when the Commissioner goes up." Thomas Butler (p.p. 15 and 16) states—"I am a Constable in the Force. I am in charge of the Commissioner's horse. When the horse is absent there is no forage consumed; the forage remains in store. I issue it to the horse, and I swear that the forage drawn from the Depot is never given to or consumed by any other horse. When I went there first, about three months since, there was a half a bag of oats (about 120lbs.) in the stable), the private property of Mr. Shearman. I had shot this into the bin containing the Government forage, and the Government horse consumed it. I replaced it from the Government forage afterwards. I fed the visitors' horses from the same bin where I had shot the private oats; afterwards visitors' horses were fed from that which I replaced. There would be about three horses. I have recently purchased a bag of oats at Hinton's. I have not given the Government horse either grass or carrots. I don't draw the rations regularly. I draw them as I require them. It will be three weeks next Monday since I drew one week's supply. I draw the rations from the Storekeeper as they are weighted out to me by White and Rogers. The horse is living upon forage that has accumulated during his absence, coupled with the fact that he does not get his full rations. There is still 70 or 80lbs. of oats, beside the private supply. I have not drawn the regulation allowance fortnightly, and not as often as required, because I could not get the horse—the Commissioner's horse has been so often away." (By Pender)—"Fowler, when he left, did not hand over any private forage; Fowler told me afterwards. I replaced the oats given to private persons. The oats were drawn from Hereford street. I took the key from the Depot and helped myself; there was no one to weigh it out. I might have taken half-a-dozen bags if I had been so disposed. Forage has been refused me, but I don't know why. I got a requisition from the Commissioner's office for forage, and I could not get it. It was not from what the Commissioner said to me that I

declined to draw the forage, but because I did not want it. The bin would not hold the usual allowance of hay and corn if not consumed by the horse. I and my wife live at the Commissioner's house—I doing duty as Commissioner's Orderly.' William Eager (pp. 16, 17) states—"I was formerly a Police Constable and Orderly to the Commissioner. I went to him on the 18th May, 1870, and I was there about nine months. The Commissioner's horse was kept at the Commissioner's private house. I drew the forage from the Depot; sometimes I drew it weekly, sometimes fortnightly. I drew the full rations during the time I was there. The Commissioner's horse was not absent more than four or five times during my time. I drew the allowance still; the horse was in full rations. He was working either in saddle or trap." (By Commissioner)—"The rations lasted longer in consequence of your absence from the station. There was no private forage in the Commissioner's stable. I never gave any forage to visitors' horses while I was there. Mr. Barker's horse was turned out into the paddock, and Captain Brown's tied up."

NOTE.—This last witness was in error in fixing the date of his commencing duty as my Orderly at 13th May, 1870; he should have said that he commenced such duty on 13th May, 1869. The evidence of Fowler and Williams above quoted will show that his statement in that respect was erroneous, and the Oath of Office Book shows that the true date of his commencing duty was the 14th May, 1869.

I have been induced to quote the evidence on the subject of forage allowance in extenso partly because I desire to make this statement (so far as I can do so) a complete and exhaustive reply to the charges made against me by the Auditor, and partly because I desire to prevent the possibility of any imputation being made that I selected only such passages from the evidence as might appear to create an impression in my favour. From a careful and dispassionate consideration of the whole of the foregoing evidence, I respectfully but confidently submit that the following conclusions may fairly be deduced.

That for the sake of uniformity and regularity in the forage accounts, full daily rations were charged for my horse whether I was present in Christchurch or absent on official duty.

That such daily rations were drawn by my Orderly whenever they were required, and that when rations were drawn in excess of those actually required for immediate use, they accumulated to some extent, and that in such cases the accumulations were consumed before any further rations were drawn.

That the rations, although drawn at irregular intervals, were never drawn in excess of those regulated by the Manual, and that very frequently they were drawn in lesser quantities than the regulation allowances.

That I usually kept on hand a store of forage which was purchased by myself, and was my private property.

That on a few occasions when it happened that my private supply of forage was exhausted, the horses of one or two of my friends were fed from the Government forage.

That, on the other hand, the Government horse was frequently fed not only from my own private store, but also from the produce of my land, such as grass and carrots; and also that on other occasions the Government forage used in feeding my friends' horses was, by my orders, replaced from my private store.

That the forage supplied to the horse from my private store was more than that taken from the Government forage for the horses of my friends. That the reference made by the Auditor in his report, and contained in the passage now under consideration to "the date of the inquiry in Beattie's case," in connection with the statement that the Government forage was frequently consumed by the horses belonging to my private friends is entirely gratuitous and unwarranted by the evidence, and is made by him for no other purpose than to attempt to show that I was guilty of malpractices similar to those with which Beattie (lately a Sergeant in the Police Force) was charged, and that I was deterred from continuing them by the fact that Beattie had been arrested, and that the exposure of his misconduct would probably be followed by an inquiry. It is true that Mr. Inspector Pender (who originated the investigation, and whose conduct throughout the proceeding has been characterised by the Auditor as being most straightforward and correct) has attempted in his evidence to connect some matters relating to the case of Beattie with the alleged misappropriation by me of the Government forage. I think, however, that a review of the evidence of Mr. Pender will suffice to show not only that he has utterly failed in his attempt, but also that the part he has taken in the investigation, in so far at least as his evidence is concerned, has been the reverse of "straightforward and correct."

In the first place, it will be seen that Mr. Pender's evidence has reference merely to rumours and insinuations originated by the man (Beattie) who had been arrested on a charge of embezzlement of Government stores, of which charge he was convicted; and in the next place that he attempts to make these rumours and insinuations point to the alleged misdealing by me with Government property. He also endeavours to show that both Sergeant O'Grady and himself were anxious for an investigation into the matter which he supposed or pretended to suppose were hinted at by Beattie, and that he requested me to have an inquiry made by the Provincial Auditor, and that I (presumably through a consciousness of guilt, and fear of an exposure) would not face an investigation. He then refers to the attempts made by himself to discover that "something was wrong in connection with the Department besides what Beattie had been charged with," and these proving unavailing, he soon after "is told" that a gentleman "was in the habit of going to my house and using the forage," and soon after he "got information" that a person "had stated" that "there were several gentlemen" staying at my house, and that extra forage was needed, and, as a matter of course, he soon after "discovered" from McKnight that everything in connection with the forage branch of the Police Department was wrongly conducted, and had been so since he had ceased to have charge of that branch.

Assertions such as these made by Mr. Pender, based on the insinuation of a guilty person, and upon the statements of other persons, cannot be entitled to

any weight whatever, unless they should be corroborated in the fullest manner by independent evidence, and therefore it is desirable to ascertain how far those of Mr. Pender are supported by the witness O'Grady, who it will be seen is named by Mr. Pender as his authority for several of the statements made by him; and it will be found that O'Grady not only does not support these statements, but that the effect of his evidence is to show that Pender has studiously and designedly perverted and made most improper use of observations made to him from time to time by O'Grady. He (O'Grady) says that by my instructions he made a written report to me of facts brought to his notice, connected with shoeing and forage, and relating to Beattie. Further on he says—"All the rumours I have spoken of were in connection with Beattie and no one else." He says—"I did not suggest an investigation. I heard you (Pender) say something about one." And as to the meeting between the witness and Pender at Leithfield, at which, according to Pender's evidence, O'Grady complained to him that "Beattie had been putting reports into circulation, and people believed them, and that he (Pender) told him to send another report to the Commissioner." O'Grady says—"I remember seeing you (Pender) at Leithfield. I mentioned that I had reported to Mr. Shearman the use of envelopes by the officer at Leithfield" (Beattie). Later in his evidence, O'Grady, in answer to Pender, makes a statement which may throw some little light upon other parts of the evidence, but which I here forbear to comment on further than to remark that the person referred to in it has lately been a member of the Police Force, and that he is referred to by Mr. Pender as his authority for many of the statements made by him as to the irregularities in the forage department. O'Grady says—"I did not hear Beattie, but McKnight, say others were as bad, and he was not the only one to suffer." It may be thought singular that I made no objection at the inquiry to the admission by the Auditor of such evidence as that given by Mr. Pender, evidence which (with the exception of two or three sentences) would be quite inadmissible in a court of law, and which is altogether unreliable. As to this, I can only say that my legal adviser expressly desired that I should not interfere in any manner to prevent any evidence which might be brought forward by Mr. Pender from being taken by the Auditor. I trust and respectfully submit that I have said sufficient on this subject to induce the feeling that the strictures which I have passed on this part of the Auditor's report^s are neither unwarranted nor undeserved.

On the subject of the other passage above quoted in reference to the alleged fraudulent misappropriation by me of Government property, I have not many observations to offer. The charge is attempted to be supported by the evidence of the witness Walsh, to which indeed the Auditor refers as his authority. That witness says (p. 11, *et seq.*)—"The moneys received on account of petty cash were not paid to the Provincial account, but were disbursed again in the office, they were expended in various ways. I cannot say from recollection that any portion of the sums received were applied by the Commissioner to his own use. I know that there were several things bought for the use of the Depot with Government money, which the Commissioner has taken away for his private use; they were taken to his private residence. There were some door scrapers from Hawkes and

Strouts, those have gone there; there were water barrels and stands and other things from Hereford street previous to the removal from the Depot, obtained originally from Osborne's. Osborne finished and repaired the house in Hereford street, occupied by the Commissioner. I occupied it afterwards; there were things removed paid for by Government; there were poles and other things for which I paid Osborne the sum of two pounds and upwards. The Commissioner told Osborne he was to allow him for them. The oilcloth in the hall and other things were taken away. I understood from Osborne that they had been paid for by Government (page 19). In February, 1865, there is an entry—Cash paid to John Mills, 24s. for five water-barrels, for the use of police. These were supplied to the Commissioner in Hereford street, and two of them were taken to his private residence. October, 1866, there is an entry of subscription to the *Lyttelton Times*, £1. The newspaper was sent to the Commissioner's private residence. There were three copies supplied—two to the office and one to the Commissioner; some of these were filed."

With regard to these matters, I beg to suggest that on my taking charge of the department I was entitled, according to the custom of similar departments, to a residence; and this perquisite I for some time enjoyed. The cessation of this enjoyment by me was caused by my own action, and was of my own free-will, and I neither asked of the Government nor have I received any pecuniary allowance in lieu of it; and therefore I do not think that the statements made by Walsh, and above quoted, should (even if entirely true) have the effect of reflecting in any way prejudicially on my conduct, because I think I was entitled, if I had required it, to such a quantity of furniture as would have been sufficient to furnish, in a moderate manner, a residence for myself; but the fact is, that the articles which were removed to my private residence on my ceasing to live at the Police Station were few and of exceedingly small value. Of the water-barrels mentioned by Walsh, I retained but one, and that is in use at my stable for the Government horse which I use. The newspaper mentioned by him is, and always has been, filed at my office; and I think it is but right that it should be first left at my private house, inasmuch as it appears to me to be very desirable that I should receive as early intimation as possible of any matters of moment that may appear in the public press.

With these observations, I beg to leave in your hands the consideration of that portion of the Auditor's Report which charges me with fraudulent misappropriation of Government property.

The remaining subjects into which I have reduced the Auditor's Report—namely, the charges of mismanagement and inefficiency in my official capacity, and of general misconduct, are matters which are so mixed together in the report, and so very different to deal with separately, that I think it best that I should take them together in the order in which they occur. These charges will be found in several passages scattered through the report, and are in order as follows (p. 1 of report):—"The Commissioner fails to recognise his personal responsibility for moneys passing through the office. (p. 2)—By the evidence of Walsh, the Inspector was forbidden to have access to any books in the Commissioner's office. (Again on

p. 2)—The instructions in the Manual of Police Regulations for the issue of forage (*Vide* p. 73 of the Manual) have been disregarded, and particularly so, as it will be presently seen, as regards the last clause, and that by the Commissioner himself; instead of the forage being given out daily by the Storekeeper as formerly, the men have been allowed to keep themselves, and the supposed consumption debited in the forage book from the number of horses recorded as being in the stable by the Duty Book. (*Vide* White's evidence p.p. 1 and 2.) (p. 4)—And thus setting the regulations aside and in defiance of that rule and order in the service of which he should have been the first to enforce. (p. 5—) The whole of this money has been expended by the Commissioner without authority; in one case I find the payment of an account actually refused to be authorised by the Government in uniform clothing, &c., and £243 in the purchase of books for the library, and which books it is given in evidence were after purchase sent to the Commissioner's private residence, and reached the Depot several months after. (*Vide* p. 14.) (p. 5)—But the whole matter is of a very serious character, as showing an assumption of authority utterly at variance with departmental usage as well as in direct contradiction of his own duties as laid down in the Manual (p.p. 11 and 12, and also p. 54.) (p.p. 8 and 9)—In conclusion, I may add that it is scarcely to be wondered at that with such a state of things existing as I have here laid before you the natural inference is that the service is utterly disorganised, that there is little or no authority in the Inspector's hands, because it is clashing with that of the Commissioner." As to the first of the foregoing remarks, I beg to state that there is nothing whatever in the evidence to lead to the conclusion arrived at by the Auditor, and that I have in fact never for a moment lost sight or endeavoured to get rid of my just responsibility either for moneys passing through my office, or for the discharge of any duty properly devolving on myself or any person under my official control; but I respectfully submit that some cases, say of embezzlement by the Clerk, might occur, in which it would be extremely hard that I should be held responsible for moneys fraudently misappropriated, more especially as in such a case I should be left without remedy against the defaulter, who is an officer under security for his fidelity to the Superintendent, and who is virtually irresponsible to me. It will be seen from my evidence on the subject of the moneys found to be unaccounted for by Greenwood, and the mode in which they should have been accounted for (p.p. 27 and 28) that on two distinct occasions I have spoken of myself as a responsible official. In reference to the next quoted remark of the Auditor, I beg to draw your Honor's attention to the evidence of Walsh therein referred to, it is as follows (p. 12):—"The Inspector applied to the Commissioner to see the books shortly after the date of the letter in April, 1868, and I was directed to refuse Mr. Pender access to them. You (Mr. Pender) were not allowed to see any book." Mr. Pender could at all times have seen any books of the department when his duties required that he should have access to them, and when he applied for them in a proper manner, and on every one of the numerous occasions on which I have, since the above date, been absent from Christchurch on duty Mr. Pender, when present, was left in sole charge of the department, and could at any of these times have compelled the witness to give him free access to all the books of the department, and on his refusal to do so could instantly have

suspended him for insubordination. As to the remark of the Auditor next above quoted, it may be true, as I have before mentioned, that for a period the accounts of this branch of the service were not kept with sufficient care, but the regulations were otherwise observed, and no forage was given out so as in any manner to involve a loss to the Government on these stores. The duty of supervising the proper carrying out of the regulations as to this service was entrusted to the then Clerk and Accountant (the witness) Walsh. With regard to the last clause of the forage regulations, which is as follows:—"When Members of the Force absent from their stations obtain more than the daily rations they will be charged for the amount overdrawn," I submit that there is nothing in the evidence to show that such a case as is contemplated by this regulation has ever occurred, and the witness Greenwood in his evidence on the subject of forage (p. 22) states—"The last clause under the head of forage has never to my knowledge been acted upon, and no occasion within my knowledge has arisen in which it should have been acted upon." The next passage in the Auditor's Report above quoted has reference to the alleged misdealing by me with the Government forage, and I trust that the remarks which I have already made on that subject will render it unnecessary that I should trouble your Honor with any further observations regarding it.

The Auditor's next remark above quoted has reference to the departmental moneys received and expended by me as already explained, and will be considered in connection with the explanations I have already offered, with the exception of the case particularly instanced by him, of the payment by me of an account refused to be authorised by the Government. This refers to a case in which, after some trees, &c., had been planted, and other trifling improvements effected at the Police Station in Timaru, with my sanction, a voucher was forwarded in the usual manner to the Government to authorise the payment for the work, and the Government having declined to authorise the payment of the amount out of moneys appropriated from the revenue, I felt compelled, rather than repudiate the claim, to take upon myself to pay the account out of the departmental moneys which were in my hands. I venture to hope that your Honor will accept this explanation of the matter as satisfactory. As to the Auditor's remarks in reference to the books purchased by me for the Library, that they were sent to my residence and reached the Depot several months after, I beg to observe that this is founded on Walsh's evidence to which the Auditor refers, and in which that witness (p. 12) says—"The books were in the first instance sent by Hughes to the Commissioner's house, and then sent on to the Library some several months after." I cannot think that this discloses any offence committed by me; I submit that it is quite in accordance with the Library regulations, that the books before reaching the Library should be inspected by me, and I had not always time at my disposal to do so immediately upon their being purchased, besides which, I venture to suggest that even though I had for my own entertainment perused some of the books before sending them down to the Library, I should not thereby have committed any breach of rule nor violated any official duty. In reference to the Auditor's next remark above quoted I have no observations to offer. Your Honor, and your Government will, on consideration of all the circumstances, be the best judges as to whether the evidence

discloses the fact that I have unduly assumed authority utterly at variance with departmental usage and in direct contravention of my own duties as laid down in the Manual. Should you consider that it is proved that I have done so and have thereby merited censure, I shall bow to your Honor's decision. With regard to the concluding remark quoted from the report, I cannot permit it to pass without emphatically and fearlessly contradicting every word of it; it is totally untrue, and I respectfully submit that no such inference is to be drawn from the evidence, and apart from the evidence I venture to assert that it is presumptuous and impertinent on the part of the Auditor to pass such a stricture upon a service, of the details, requirements, and working capabilities of which he can have no accurate knowledge whatever. It is also untrue that the authority of Inspector Pender clashes with or is in any way affected by the exercise of mine, and so long as the Inspector adheres to the performance of his duties as defined by the Manual, it is quite impossible that it could be so, because such duties must necessarily be discharged independently of and in the most perfect accord with mine, but of course if Mr. Inspector Pender or any other subordinate officer should at any time attempt to assume the exercise of functions beyond those with which he is legally invested, then from that moment his illegally assumed authority must of necessity clash with the legitimate exercise of the authority of his superior officer. This suggestion may perhaps prove to be the solution of the difficulty here complained of by the Auditor, and it can admit of no other.

I have now, I trust with fairness, commented on the report of the Auditor in so far as it contains direct charges against myself; but there is a statement contained in it which, although apparently only made incidentally, and as affecting the conduct of the witness Greenwood, may yet be made to imply that I, through my Solicitor, was desirous of avoiding inquiry into some transactions observed in the report. The passage I refer to is as follows (p. 2):—"While Greenwood, under the supposition of a probable prosecution being commenced against him, was advised by Mr. Joynt, who attended on behalf of the Commissioner, not to reply to any questions which might possibly tend to criminate him." As to this I beg to state that I was not present on the occasion referred to by the Auditor, and that I never, directly or indirectly, instructed or suggested to Mr. Joynt to interfere with the evidence which any witness might be asked to give on any subject connected with the department during the investigation, and that any such instruction would have been quite at variance with that gentleman's advice, under which I acted, and would not have been regarded by him; and I have been informed by Mr. Joynt (in a letter addressed by him to me, a copy of which I beg to forward herewith) that on the occasion referred to by the Auditor, he (Mr. Joynt) was not in attendance on my behalf, but on behalf of and expressly retained by Greenwood, whose conduct in reference to his accounts was then undergoing investigation; and also that he (Mr. Joynt) distinctly informed the Auditor that he was then present at the inquiry as the legal adviser of Greenwood, and that in that capacity, and in the face of a distinct intimation by Mr. Pender that it would be his duty to institute a prosecution against Greenwood, he objected to that officer being examined on the subject of his accounts.

In bringing this, I fear somewhat lengthy, statement to a close, I would beg leave to offer a few general remarks on the whole case.

The Provincial Auditor's attention was first drawn by Mr. Pender "to an alleged misappropriation of Government stores in the Police Depot," and the ostensible object of the inquiry was, according to Mr. Pender's evidence, to ascertain the facts connected with some alleged irregularities in the Forage department. So far the investigation would have been perfectly legitimate; and, had I seen matters connected with that branch of the service in the same light as that in which Mr. Pender professed to view them, I should have been the very first to press for an inquiry; but, as the investigation proceeded, it very soon became apparent that the object put forward was not the true one, but that the investigation was in reality intended to be an engine of mischief, levelled directly at me. With this motive in view, the whole proceeding becomes at once intelligible. The whole of my official conduct for the past nine or ten years was keenly scrutinised, and that not in a spirit of candour and impartiality, but in a vindictive and malicious spirit, and with a determination to leave no means untried which might result in affixing to my character some stain, however slight.

With the most sincere and unaffected deference for order and constituted authority, I feel compelled to repeat that the investigation which has just been held under the auspices of Mr. Ollivier, the Provincial Auditor, has been conceived and prosecuted solely with a desire and determination, if at all possible, to work my ruin, and that the conduct of the whole proceeding, so far as regards the persons taking the principal part in it, has been vindictive and partial; the exceeding facility with which the principal witnesses followed in the groove formed by their leader, Mr. Pender, and the precision and accuracy as well as readiness with which the witness Walsh in particular caught up the drift of the Inspector's questions and understood his most trifling suggestions and inuendo, tells plainly how long and how carefully the details of this proceeding have been hatched and nursed in their development; and the unfairness and untruthfulness of the Auditor's Report indicates only too clearly and unmistakably how readily that functionary espoused the views, and sought to forward the contrivances of Mr. Pender and his adherents. Every feature which generally betrays the presence of evil designs of the worst kind was here easily recognisable. The very time selected for the commencement of the inquiry suggests, more or less distinctly, the feelings that prompted it. And the result of the whole matter, the effect of the blow so long contemplated and hurled with so much violence, has been so unlooked for so very different from that which was anticipated by the assailants of my reputation and my position, that it must be patent to your Honor and to every one who may consider the subject that from the first to the last they had not on their side the power of truth and justice, but only the sinister alliance of falsehood and wrong. I now beg to commit to your Honor the consideration of my case.

I have the honor to be,

Sir,

Your obedient servant,

(Signed)

R. C. SHEARMAN,

Commissioner of Police.

P.S.—I find that I have omitted in the foregoing statement to remark that some amounts remaining unexpended from moneys drawn from the Treasury after payment of salaries to Constables, were expended by me for the general purposes of the department. Against this it will also be found that moneys to at least an equal amount have from time to time been paid by me for salaries of Constables out of the departmental moneys held by me, and without any application being made to the Treasury for the purpose.

(Signed) R. C. SHEARMAN,
Commissioner of Police.

Christchurch, Canterbury, New Zealand,
13th November, 1871.

DEAR SIR,

In answer to your inquiry relative to my interference with the examination of the witness Greenwood during the recent investigation before the Provincial Auditor, I beg to inform you that on the occasion to which you refer the accounts of Greenwood (as Clerk and Accountant in your office) were undergoing investigation, and that on that day the inquiry was confined to those accounts. I attended at the inquiry on that occasion on behalf of Greenwood, he having retained me for that purpose in consequence, as he informed me, of a threat held out by Mr. Pender that he would probably institute a prosecution against him (Greenwood). My attendance at that inquiry was solely on behalf of Greenwood, and in no manner as representing you. In consequence of an intimation made by Mr. Pender that it would be his duty to prosecute Greenwood, I advised the latter not to answer questions in any way relating to his accounts or the cash in hand at the time of his suspension, but before I took this step I informed both Mr. Ollivier and Mr. Pender that I was present at the inquiry on behalf of Greenwood.

I am,

Yours truly,

(Signed) THOS. I. JOYNT.

R. C. Shearman, Esq.,
Commissioner of Police.

CORRESPONDENCE

RELATING TO

INQUIRY HELD BY THE PROVINCIAL AUDITOR

ON

POLICE DEPARTMENT.



Provincial Auditor's Office,
Christchurch,

October 23rd, 1871.

SIR,

In consequence of a communication which I received from the Inspector of Police, dated the 26th of September, drawing my attention to an alleged misappropriation of Government stores in the Police Depot, it became my duty to investigate the charge, and I have now the honour to report to you on the subject. The inquiry has occupied several days. The evidence which accompanies this report was taken upon oath. I will, however, summarise the result as briefly as I can.

First, as regards the system of accounting. The accounts are kept in the Commissioner's office by the Clerk and Accountant, and I have seldom met with anything more unsatisfactory; system there is not, and it is only a matter of surprise that more serious matters have not arisen out of so lax a principle as seems to have prevailed here, at least since 1868.

The Commissioner fails to recognise his personal responsibility for moneys passing through the office. There is no daily record kept of cash transactions, and consequently no means of tracing to what accounts moneys which I found in the office, amounting to some £30 and upwards, on the suspension of Clerk and Accountant Greenwood, belong. The Commissioner is ignorant of the whole matter, while Greenwood, under the supposition of a probable prosecution being commenced against him, was advised by Mr. Joynt, who attended on behalf of the Commissioner, not to reply to any questions which might possibly tend to criminate him.

The Forage Account, which, up to April, 1868, appears to have been kept under the direction of the Inspector, and the officer in charge of the Depot, was then altered—(*vide* the evidence of Mr. Pender, p. 8, and Sergeant M'Knight, p. 10, and Walsh, then clerk and accountant, p. 15)—and by the evidence of the latter the Inspector was forbidden to have access to any books in the Commissioner's office. Since that date the Forage account has been most shamefully neglected. The instructions in the Manual of Police Regulations for the issue of forage (*vide* p. 73 of the Manual) have been disregarded, and particularly the last clause, and that by the Commissioner himself. Instead of the forage being given out daily by the Storekeeper, as formerly, the men have been allowed to help themselves, and the supposed consumption debited in the Forage Book from the number of horses recorded as being in the stable by the Duty Book (*vide* White's evidence, p.p. 1 and 2); and the Commissioner, instead of drawing forage allowance in accordance with the scale regulated by the Manual, has set the regulation on one side, and given

instructions to the Clerk that his horse should be supplied with full rations, whether present or absent on duty, and yet while absent on duty is found by the District Duty and Forage Books at the same time drawing his forage allowance from whatever station he may have been visiting.

There is no doubt that the evidence is somewhat contradictory on this point as regards the Commissioner drawing his full allowance; but White, the present storekeeper, in his evidence (*vide* p. 2), and Williams, formerly the Commissioner's Orderly (*vide* p. 17), both corroborate the statement; while Fowler's evidence is less clear as to the amount drawn, although not so as to the instructions he received (*vide* p. 6). His forage was drawn and taken to the Commissioner's private residence, and on the evidence of his own servants was frequently, and up to the date of the inquiry into Beattie's case, consumed by the horses belonging to the Commissioner's private friends, thus setting the regulations aside, and in defiance of that rule and order in the service of which he should have been the first to enforce.

Again, it is asserted on oath that on the Commissioner's removal from the Depot in Hereford Street to his private residence several articles the property of the Provincial Government were taken from the Depot, and dealt with as if the Commissioner's private property. (*Vide* Walsh's evidence, p.p. 14 and 15.)

I find also that a "Petty Cash Book" has been kept in the office from 1862 and down to 1871, of moneys received at the Depot from various sources, and they are of a very various character, and none of these sums until the beginning of 1870 were paid, in accordance with the Government regulations, to the Provincial account. Up to the end of 1869 they are said to amount to rather more than £870; about £117 of this amount is derived from fines, a considerable sum is from payments made by prisoners and others for uniform clothing destroyed. Again, a large amount is from refunds of salaries said to have been payable to constables, but returned to the Commissioner—proceeds of stores sold, &c., &c. The whole of this money has been expended by the Commissioner without authority—in one case I find in the payment an account actually refused to be authorised by the Government. In uniform clothing, &c., and £243 in the purchase of Books for the Library, and which Books, it is given in evidence, were after purchase sent to the Commissioner's private residence, and reached the Depot several months after (*vide* p. 14).

This account is not balanced, it has been cast up only in pencil; but the whole matter is of a very serious character, as showing an assumption of authority utterly at variance with the departmental usage, as well as in direct contravention of his own duties as laid down in the Manual (p.p. 11 and 12), and also (p. 54).

But a more serious matter arises out of the application of travelling allowances. Page 70 of the Manual states—That "when officers travelling on public duty are obliged to absent themselves from their homes, 12s. will be allowed for each night, and when absent under similar circumstances during the day, 5s.; the

latter not to follow the former in immediate succession." The evidence on this portion of the inquiry will be found at p.p. 21, 22, and 23, and subsequently on p.p. 35, 36 and 37. I have caused a very careful investigation to be made into this matter. The only evidence of the Commissioner's authority to draw travelling allowances is derived from the Duty and Forage Books of the different stations. I directed these to be sent for, and received them from Lyttelton, Kaiapoi, Leithfield, Rangiora, Oxford, Ashburton, Timaru, and Waimate, and the Bealey. From these I have tabulated the day and night absences for the years 1866, 1867, and 1868, showing the sums he was entitled to receive on each occasion. (I have unfortunately been compelled to limit the inquiry to the months of March, July, August, September, October, and November of 1867, and all 1868.) The sub-vouchers which will alone show the amount drawn by the Commissioner, are not to be found for the year 1866, and the remaining months of 1867—they are supposed to be somewhere in the Depot. By reference again to Walsh's evidence it will be seen, at page 21, that the Commissioner some time in 1866 instructed him to charge the Provincial Government 12s. for all absences whether day or night, and this is corroborated by the fact that all the above vouchers for 1867 show that such a charge was made.

The result is briefly this :—During the above months of 1867			
and 1868 the Commissioner has drawn	...	...	£32 9 0
Whereas he was only entitled to receive	...	...	11 13 0
			£20 16 0

showing an abstraction from the Treasury of £20 16s. more than he was entitled to receive, while it is yet to be seen what the other vouchers, if found, may disclose. Many of these travelling allowances have been drawn for absences from Saturday afternoon to Monday morning, and for absences from Christchurch to Lyttelton and only between the hours of One and Three.

The whole inquiry has been a very painful one, and I cannot close this report without expressing my very great regret and disappointment at the non-attendance of the Provincial Solicitor—it is true he was there one day, but so far from assisting me or the Inspector on the occasion, rather thwarted the inquiry than otherwise, by casting an imputation upon the witness for attempting to make charges of so serious a character as those I have referred to in connection with the travelling allowances received by his superior officer; the production of the Duty and Forage Books have clearly proved the justice of his charge; at the same time I am compelled to say that the conduct of Inspector Pender throughout this investigation has been most straightforward and correct—the charge being mainly one against his Chief Officer was of exceeding difficulty and delicacy. I must however say that had he not instituted this inquiry as he has done, and these circumstances had reached the Provincial Government, he would have laid himself open to a serious charge of neglect of duty, if not rendered himself liable to dismissal.

In conclusion, I may add that it is scarcely to be wondered at that, with such a state of things existing as I have here laid before you, the natural inference is that the service is utterly disorganised, that there is little or no authority in the Inspector's hands, because it is clashing with that of the Commissioner. I am led to the conclusion, also, looking at the duties of the Commissioner as defined in the Manual, that his services should be dispensed with, they are unnecessary for a force such as now and will for some years exist probably in Canterbury; I would respectfully suggest that the Storekeeper be dispensed with, as well, of course, of the Orderly—virtually only a private servant of the Commissioner—and also of the Clerk and Accountant, and that a competent Financial Officer be at once appointed, to be entirely independent of the force, and accountable and under bond to the Provincial Government.

It will now be for your Honor to determine what steps shall be taken, as under the 21st clause of the Audit Act it would appear to be my duty to prosecute this matter to a still further extent, but I shall await your Honor's decision on the matter, as probably the Government may determine to suspend the Commissioner only during possibly further investigation, and finally dismiss rather than prosecute.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed)

J. OLLIVIER,

Provincial Auditor.

Superintendent's Office,

Christchurch,

October 25, 1871.

SIR,

A report addressed to me by the Provincial Auditor, dated 23rd instant, contains charges against you of so grave a character, that I consider it to be incumbent upon me to suspend you from the duties of the office of Commissioner of Police until further notice.

You are therefore hereby suspended, and you are further required to place Mr. Inspector Pender in charge of all books, papers, moneys, and Government property generally, which have been in your hands and under your charge by virtue of your office of Commissioner of Police.

I am, Sir,

Your obedient servant,

(Signed)

R. J. S. HARMAN,

Deputy-Superintendent.

R. C. Shearman, Esq.,

Commissioner of Police.

Christchurch,

October 25, 1871.

MR. INSPECTOR PENDER,

SIR,

I have to inform you that I have considered it my duty to suspend Mr. Commissioner Shearman from the office of Commissioner, until further notice.

You will, pending such suspension, take upon yourself the duties of Commissioner, and you are hereby authorised to receive from Mr. Shearman all books, papers, moneys, and Government property generally, which have been in his hands by virtue of his office.

I am, Sir,

Your obedient servant,

(Signed) R. J. S. HARMAN,
Deputy-Superintendent.

 October 26, 1871.

THE PROVINCIAL AUDITOR,

SIR,

I am directed to inform you that the papers to which you refer in the enclosed memorandum were supplied to you for the purpose only of your copying the evidence attached thereto.

I am instructed therefore to return to you the enclosed memo. as, under the circumstances, it cannot be officially recognized.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) WALTER KENNAWAY,
Provincial Secretary.

 Christchurch, Canterbury, N.Z.,

26th October, 1871.

HIS HONOR THE DEPUTY-SUPERINTENDENT,

SIR,

Mr. Commissioner Shearman has placed in our hands your letter to him of yesterday's date, in which you inform that gentleman that a Report addressed to you by the Provincial Auditor, dated 23rd instant, contains charges against him of so grave a character that you consider it to be incumbent upon you to suspend

him from the duties of the office of Commissioner of Police until further notice. And you further intimate to Mr. Shearman that he is therefore thereby suspended, and that he is further required to place Mr. Inspector Pender in charge of all books, papers, moneys, and Government property generally which have been in his hands or under his charge by virtue of his office of Commissioner of Police, and we have been instructed by him to reply thereto.

In accordance with these instructions, we beg to submit to your Honor—

That the Superintendent has not by law the power to suspend the Commissioner of Police. The statutory powers given to the Governor in respect to that officer are those of displacement and removal, and the appointment of another in his place. You will perceive that where the power of suspension is intended to be conferred, *e.g.* in the case of the Commissioner of Police in dealing with constables, it is given in express words and not by implication, and although it may be said in reference to this that the greater power will include the lesser, such a maxim cannot be taken to apply to this case; firstly, because in construing a penal clause in a statute no implications will be permitted to be made use of against the person toward whom the penalty is directed, but the literal language of the enactment must be adhered to, and any advantage which may arise from omissions or ambiguities in the language of the law must be offered to the accused person; and, secondly, because in the case of the Commissioner of Police, an act of suspension, although differing in terms, must in its nature be equivalent to one of dismissal, and such act if performed at all ought to be performed in the terms of the power under which it purports to be so performed.

We submit this latter proposition, because an act of suspension of a Commissioner of Police is in effect a degradation, although perhaps only a temporary one. And as the whole organisation and moral efficiency of the force is entrusted to him, it would be quite impossible for him in the event of his exculpation and consequent reinstatement so completely to erase from the minds of the men over whom he must exercise almost absolute control the fact of such degradation as to inspire them with the full respect and confidence which must be absolutely necessary to exist, in order to preserve to the fullest extent that organisation and efficiency, added to which, it will be seen, that if it should once become known to the members of the force that they have it in their power by means of an attempt on their part sufficiently well organised to bring about the degradation of the head of their department, the independence, and consequently the authority of that officer must be very materially weakened, if not totally destroyed.

This remark applies with the greatest possible force to the action taken by your Honor in this particular instance—namely, in not only temporarily displacing the Commissioner, but in putting in his place a subordinate officer, that officer being the person at whose instance the investigation, the result of which is the grave charge referred to in your letter, has taken place—the effect of which measure we submit will be at all times not only to render the Commissioner of Police dependent in a great degree upon the goodwill of the persons under his control, but

also indirectly to offer to these persons a very appreciable premium for preferring charges against their superior officer. We would also submit that no gentleman of honourable and high-minded feeling could bring himself to re-accept office with such considerations as we have referred to affecting his mind on the simple understanding that the grave charges made against him had not been substantiated, but having probably no redress for the injury done to him, with weakened authority and lessened independence, and with an overwhelming sense of his being liable to renewed attacks upon him whenever it might gratify the malice, humour, the caprice, or serve the self-interest of any of his subordinates.

If, then, the act of suspension which your Honor has attempted to pass upon the Commissioner of Police is in its effect equivalent—as we believe we have shown that it is—to an act of dismissal from his office, we submit that, even had your Honor by law the power to impose and enforce it, the performance of such an act in respect to a person holding the position of Commissioner of Police on the strength of statements made by persons, several of whom are his subordinates, some of whom are persons who have been dismissed or removed, or have retired from the Police Force, and some of whom (and those whose statements appear to have the most damaging tendency) are persons who can be proved to entertain, and to have for a long time passed entertained, strong feelings of ill-will against the Commissioner, without giving that officer any opportunity whatever of refuting or explaining those statements, would be a violation not only of justice and right, but of the spirit of the contract entered into by the Government with that officer, and of the respect which is due to his position.

If these remarks be true as regards the course which the Government ought to pursue in reference to the official in question in the abstract, we submit that they apply with very great force to Mr. Shearman in particular. That gentleman was, at the urgent request of the Provincial Government, induced to resign the high position which he held in the Police Force in the Colony of Victoria, and to come to this Province to undertake the organisation and management of a Police Force here. There were many prospective advantages incidental to the office which he resigned, and he refrained from stipulating with the Provincial Government for the acquirement of equal or similar advantages. With a small body of men and a restricted allowance of money at his command, he succeeded in organising and maintaining a force which for efficiency in the discharge of its functions, and for economy in its management, is, we believe, not surpassed in the Australasian Colonies; besides which, Mr. Shearman has always borne, and now bears in public estimation a high and untarnished character for the strictest rectitude, and for the maintenance of high-minded and honourable principles, both in his official and in his private life.

This being the case, we with full confidence submit that it would be most unjust, and would inflict serious and undeserved wrong upon Mr. Shearman, should your Honor persist in the action which you have commenced in reference to him without first giving him the fullest opportunity of exculpating himself. We assert most emphatically, and with the fullest confidence, that he has it in his power

completely to refute every accusation, of how grave soever a character that may have been preferred against him, and not only to do so to the satisfaction of your Honor and the Provincial Government, but also to prove satisfactorily that the persons whose statements are of the most positive and inculpatory a character, have been actuated in the part which they have taken in the investigation referred to by feelings of vindictiveness and malice.

Should your Honor agree with us that Mr. Shearman is entitled to have an opportunity afforded him for defending himself against the charges made against him, your Honor will perceive that the effect of carrying out your instructions to place Mr. Inspector Pender (he being the person at whose instigation the charges referred to by you have been preferred, and who is consequently the person most interested in such charges being established) in charge of the books and papers connected with the Police Department must of necessity be to deprive Mr. Shearman of the very means which it will be essential that he should have at his disposal to enable him to prepare full and satisfactory statements—namely, unrestricted and uninterrupted access to these books and papers; and, as we presume that many, if not all, of the charges in question are based upon the contents of the books and papers of the department, it is obvious that without continual and unfettered access to them it will be quite impossible for Mr. Shearman to prepare the statements in refutation which he desires to make, and which it is so important to him that he should have the fullest opportunity of making.

We also conceive that it will be necessary for Mr. Shearman to have copies supplied to him of the notes of the evidence taken by the Provincial Auditor, and of the report furnished to your Honor by that functionary, and referred to in your Honor's letter, now under reply.

We have, under all the circumstances, respectfully to request your Honor, before proceeding to put in force the act of suspension mentioned in your letter, to grant to Mr. Commissioner Shearman a full opportunity of replying to the statements made against him; and with a view to enable him to do so in a manner satisfactory to your Honor and to himself, that you will be pleased to give him free access to all books, papers, and documents connected with his department, and to cause him to be supplied with copies of the notes of evidence, and the report before referred to.

Should your Honor think it advisable to exercise a control over Mr. Shearman in his making use of the books and papers above mentioned, we beg to request that you will have the goodness to appoint some independent person to be present at all times during which the said books and papers are so being made use of.

Pending your Honor's consideration of and notification of your pleasure in reference to the contents of this letter we have advised Mr. Shearman that he ought to continue in charge of his department as heretofore.

We have the honour to be,

Sir,

Your obedient servants,

(Signed) JOYNT & THOMAS.

Superintendent's Office,
Christchurch,
October 27th, 1871.

MESSRS. JOYNT AND THOMAS,
Christchurch.

GENTLEMEN,

I beg to acknowledge the receipt of your letter of yesterday's date, with reference to the suspension of Mr. Commissioner Shearman.

In accordance with the Government Regulations, a reply thereto will be returned by the Provincial Secretary. In the meantime, however, I may state that before your letter reached me instructions had been given by the Government for the supply to Mr. Shearman, as a matter of course, of copies of the Auditor's Report, and of the papers attached thereto.

I need hardly add that the Government will be glad to place every facility in Mr. Shearman's way for exculpating himself from the charge preferred against him by the Provincial Auditor.

I am, Gentlemen,
Your obedient servant,

(Signed) R. J. S. HARMAN,
Deputy-Superintendent.

Provincial Secretary's Office,
Christchurch,
27th October, 1871.

SIR,

His Honor the Superintendent has received a letter from Messrs. Joynt and Thomas with reference to his Honor's suspending you from your office of Commissioner of Police.

As it is obviously inconvenient and irregular, and in the present case inexpedient that an officer of the Government should address the Superintendent through his Solicitors, I, while acknowledging Messrs. Joynt and Thomas' letter, deem it right to communicate to you the opinion of the Government on the questions raised in their letter, and to indicate the course which the Government have determined to pursue with regard to them.

You have through your Solicitors demurred to his Honor the Deputy-Superintendent exercising the right of suspension, but the Government are quite clear as to his Honor having sufficient power to suspend, if the Government consider it desirable.

Mr. A. F. N. Blakiston will take charge of your office, but you, however, will be allowed free access to it, and to all the papers and documents that you may require for the purpose of offering explanations on the matters to which the Provincial Auditor refers in his report, and Mr. Blakiston will also assist you in obtaining every information you may wish to obtain.

I have already intimated to you that you will be furnished with copies of the Provincial Auditor's report, and the evidence on which that report is based; but in order to avoid any unnecessary delay in the matter, I enclose a copy of an extract from the Auditor's report, containing a certain charge against you which the Government would wish you to reply to as soon as possible, and prior to any explanation you may wish to offer on the other matters alluded to in the Auditor's report.

I have the honour to be,

Sir,

Your obedient servant,

WALTER KENNAWAY,
Provincial Secretary.

R. C. Shearman, Esq.

Christchurch,

28th October, 1871.

SIR,

I have the honour to acknowledge the receipt of your letter to me of number and date in margin, in which you state that in order to avoid any unnecessary delay in the matter of the Provincial Auditor's Report and my consequent suspension, you enclose a copy of an extract from the Auditor's Report containing a certain charge against me which the Government would wish me to reply to as soon as possible, and prior to any explanation I may wish to offer on the other matters alluded to in the Auditor's Report. I have perused the copy of the extract from the report referred to in and accompanying your letter, and in reference thereto I have the honour to make the following remarks:—In the first place, I beg to give to the assertion of the witness Walsh—"That some time in 1866 I instructed him to charge the Provincial Government twelve shillings for all absences, whether day or night"—the most emphatic and unqualified contradiction; and I submit that such an assertion, particularly when taken in connection with a subsequent statement of the same witness, to the effect that he was obliged to go to the Commissioner on all occasions for a record of his travelling expenses, and that "he had no other way of finding it out," bears on its face abundant evidence of its untruthfulness; because it is obvious that if (as was actually the case) I had in my power

from month to month, to give the Clerk and Accountant a return of my travelling allowance for the past month, and that, in the event of my giving a false return, neither he nor any other person had any means whatever of ascertaining its falsity. I could have no object whatever in giving such an instruction as this witness now asserts that I did; added to which, I should have been guilty of committing (outside the dishonesty involved in such a proceeding) the gross blunder of needlessly exposing my dishonest conduct to the eyes of a subordinate, and making him, as it were, a confederate, or at all events an abettor, in my fraudulent transactions, and thereby not only gratuitously degrading myself in his estimation, but, by a purposeless action, making myself entirely dependent on him, and consequently completely destroying all authority over him. With regard to the report of the Provincial Auditor, that Walsh's statement is "corroborated by the fact that all the vouchers for 1867 show that such a charge was made," and that the only evidence of the Commissioner's authority to draw travelling allowances is derived from the Duty and Forage Books of the different stations, I beg to submit that the Auditor is in error; and in reference thereto I would remark that the vouchers for 1867 do not show that I made the charge of twelve shillings when absent only by day, because, in the first place, these returns show on the face of them that they are not to any extent reliable for establishing such an assertion, inasmuch as a comparison of the books will disclose the fact that in numerous instances they do not all agree with each other, but are quite contradictory. In the next place, the Auditor did not make use of the whole of the books and returns at his disposal, but referred arbitrarily to such of the books as he pleased—in the greater number of cases consulting only those of the stations within a short distance of Christchurch—principally those of Lyttelton, Kaiapoi, Rangiora, Leithfield, and Oxford—omitting those at a greater distance from Christchurch. Again, the Auditor had in his hands the whole of the monthly returns from all the outlying stations. These give, or ought to give, a return of the last inspection held by me at the various stations during each month; and these returns the Auditor (on finding by comparison they did not tally with the forage and duty returns, but referred to many more inspections than were disclosed by the latter documents) refused to take into consideration in making his calculations, declaring that he considered them untrustworthy. And, again, it is impossible that these returns—the Duty and Forage Books—can by any means be taken as a guide in ascertaining the times or periods of my absence on duty, because the case at the utmost only shows the times when I was present at the various stations, or when my horse was supplied with forage there, and do not, and of course cannot show any of the great number of times when, from various causes, I put up at hotels, accommodation-houses, or other places than in the neighbourhood of Police Stations; and these occasions form a very large proportion of the number of my visits to the different parts of the Province. Before leaving this subject, I would draw your attention to the circumstance that, while Walsh said in his evidence (on page 19 of the copy furnished to me)—"I can not say, without referring to the books, that the Commissioner was not absent at night on the occasions for which the allowances are drawn—the Letter Book, the Duty Occurrence Book, and Forage Book at the out-stations should show it;" at a later period of his evidence (and after the production of these books) he said, in

reference to the discrepancies between the Duty Books and Forage Books (page 30 of copy margin)—“ I go by the forage returns, the others only assist,” I would also remark that the Auditor did not make any use of the Letter Book of the department in taking notes of the evidence.

It is true that several of the duty and forage returns show no charge for daily absence, but only those occasions on which I was absent during the night. With regard to this, I have only to remark that, although from the remoteness of the time referred to in the Auditor's Report it is quite impossible for me to particularise instances, yet I have no doubt whatever that the returns are in all cases perfectly accurate; and I may add to this, in a great number of instances I have forbore to make any charge whatever for my occasional absence during the day, and this remark especially applies to the period succeeding the date (June, 1867) when the Commission appointed by his Honor the Superintendent to inquire into the working of the Civil Service of the Province made several suggestions in their report recommending retrenchment in the working expenses of several of the departments of the Government, including that of the Police.

From all the foregoing facts, I am led to submit, and I do so with the most perfect confidence, that the conclusion arrived at by the Provincial Auditor in his report, that “ During the months of 1867 and 1868 I have drawn £32 9s., whereas I was only entitled to receive £11 13s., showing an abstraction from the Treasury of £20 16s. more than I was entitled to receive,” is entirely fallacious, and that such a conclusion is not arrivable, even from the data which was available to the Auditor for the purpose of investigation.

Although it is perfectly immaterial, yet I would desire to remark that the assertion of the Provincial Auditor that “ Many of the travelling allowances have been drawn for absences from Saturday afternoon to Monday morning,” is entirely unsupported by any evidence whatever.

It may appear at first somewhat strange that the witness Walsh, if speaking untruly, should have been able in his evidence to connect the time when he alleges that I gave him the instructions to charge the excessive travelling allowances with the period during which the Travelling Expenses Pay Sheets disclose charges for nightly travelling allowance only. As to this, I would remark that Walsh, in case he has chosen to make false statements tending to my prejudice, has had ample opportunities afforded him of fabricating a story, inasmuch as he is not only the person who from time to time prepared the returns of these allowances, but he has also had ample opportunities of conferring with Mr. Inspector Pender (the official at whose instance the charges against me have been investigated), and that conferences between these persons, and on the very subject of these travelling allowances, have actually taken place, is shown by the evidence of Walsh himself, in which, after positively asserting as follows—“ I gave no information before the inquiry to Mr. Pender as to the evidence I could give before the Auditor;” in the very next breath he states—“ Before I was first examined I asked the Inspector whether he knew if the Commissioner was entitled to draw the nightly allowance,

and he said 'No.' I told Mr. Pender that the Commissioner had been in the habit of drawing the nightly allowance, and I told him the instructions I had received." In the face of such statements as these, made deliberately on oath, it is difficult for me to persuade myself that the Provincial Government can consider the evidence of this man of such weight as would influence them in arriving at the conclusion that I have been guilty of fraudulent and disgraceful conduct, which he has attributed to me.

As to the whole of Walsh's evidence (apart from its utter untruthfulness), I am compelled to say that I am deeply impressed with the conviction that he has been actuated by a desire to injure me, and that with that view he has deliberately concocted a series of misstatements, which have been accepted by the Provincial Auditor as a basis for several of the charges which that official has in his report made against me; and that I have been (as I believe credibly) informed that he (Walsh) since his dismissal from the Police Force has, on many occasions, stated that he attributed his dismissal to representations made by me to his prejudice, and that in connection therewith he has made use of expressions indicative of strong feelings of ill-will towards me.

In conclusion, I would beg most emphatically and unhesitatingly to state, in reference to this question of my charges for travelling allowance, as well as in all my other dealings with the Government, that I have acted truthfully and faithfully, and that I have not in any degree merited the charges of misconduct and impropriety made against me by the Provincial Auditor.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN.

October 30, 1871.

MR. INSPECTOR PENDER,

SIR,

Referring to my letter of the 25th instant, I have now to inform you that I have this day relieved Mr. Commissioner Shearman from suspension, he will therefore resume control of the Police Department as heretofore.

I am,

Sir,

Your obedient servant,

(Signed) R. J. S. HARMAN,
Deputy-Superintendent.

Provincial Auditor's Office,
Christchurch, Canterbury, New Zealand,
November 2nd, 1871.

SIR,

Notwithstanding the inquiry which your Executive have ventured to make in my absence into the charges against Mr. Shearman, and notwithstanding the stigma they have cast upon my report, I have to inform you that I have again most carefully gone over every document and books in reference to the charge of misappropriation of travelling allowances, and have verified every one of my previous figures, and which were during the inquiry checked in the presence of Mr. Shearman and Mr. Joynt.

I again assert that those accounts distinctly disclose the fact			
that the Commissioner of Police drew on account of			
travelling allowances for the years 1866, 1867, and 1868	£109	18	0
and was entitled to receive only	74	3	0
	<hr/>		
and that he is consequently a defaulter to the extent of ...	£35	15	0

I shall address you more fully upon other incidents connected with this very painful inquiry presently.

I have the honor to be,
Your obedient servant,

(Signed) J. OLLIVIER,
Provincial Auditor.

Superintendent's Office,
Christchurch,
November 3, 1871.

THE PROVINCIAL AUDITOR,
Christchurch.

SIR,

I have the honour to acknowledge the receipt of your letters of October 23rd, and of November 2nd, with reference to the Commissioner of Police.

In reply thereto, I must first of all assert the absolute right and duty of the Government to institute an inquiry in such a manner, and at such time as may seem to them to be required by the circumstances of the case.

This they have already done, but they are unable to arrive at the conclusion indicated by yourself in that portion of your report of which a copy is annexed. I have therefore to ask you to be good enough to supply the Government with a copy of the abstract on which the figures referred to are based, and by which you conclude that Mr. Shearman has wrongfully drawn during the period specified £20 16s. more than he was entitled to.

The Government will place clerical assistance, if required, at your disposal, in order to save you from unnecessary trouble.

The Government have as yet been unable to investigate more than one of the charges preferred by you against Mr. Shearman, but will do so at the earliest possible moment.

I have the honor to be,
Sir,
Your obedient servant,

(Signed) R. J. S. HARMAN,
Deputy-Superintendent.

Provincial Auditor's Office,
Christchurch, Canterbury, New Zealand,
November 3rd, 1871.

SIR,

I have the honour to acknowledge the receipt of your letter of that date asking for a "copy of the abstract on which the figures referred to in my report are based, and by which I conclude Mr. Shearman has wrongfully drawn during the time specified therein the sum of £20 16s. more than he was entitled to," and in reply I have to inform your Honor that the particulars are to be found in the evidence taken on oath at the inquiry in the presence of Mr. Shearman and his solicitor.

So far from denying the right of the Provincial Government to institute an inquiry into this matter, it will be found by reference to my report that I have suggested it, but it should be a full and proper inquiry, which I am satisfied it has not been, nor ought it to have been made in my absence.

I deny the right of the Executive to stigmatise my report as partial, and my figures as erroneous.

I have in my letter of yesterday's date already informed you that I have again fully investigated this matter for the years 1866, 1867, 1868, and I have prepared a Debtor and Creditor Account, showing the exact state of things as drawn from the Books—not from private information. If you have any doubt on this

point, I have no objection to meet any gentleman conversant with accounts—say, the Provincial Treasurer, a proper authority to inspect the account, conjointly with myself. Otherwise I shall submit the account as I have prepared it to the Provincial Council as an addenda to my reports.

I have further to inform you that I forwarded to your Honor a memoranda in reply to the Provincial Solicitor's endorsement on my report; that the Executive have thought proper to return it to me. This document was addressed to your Honor, and not to the Executive, so therefore it is again forwarded to you, because I claim the right to protect myself from charges of so serious a character as those embodied in Mr. Cowlshaw's endorsement. If the Provincial Solicitor's charges are to be on record, I must request that my reply shall also be placed on record, as it is my intention to transmit a copy of all these proceedings to the Provincial Council on its re-assembling.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) J. OLLIVIER,
Provincial Auditor.

To his Honor the Deputy-Superintendent.

Superintendent's Office,

Christchurch,

4th November, 1871.

SIR,

I have the honour to acknowledge the receipt of your letter of yesterday's date, relating to the charges made by you against the Commissioner of Police, and in reply thereto beg leave to inform you that immediately on receipt of your official report I caused the Commissioner to be suspended from the performance of his duties, pending the result of an inquiry into the truth of the charges thereby made against him.

Of course I need not remind you that it would have been obviously improper, and also unfair to Mr. Shearman, that an inquiry involving the character of so high an official in the public service should remain in abeyance during your uncertain though probably brief absence from the Province, and I therefore at once instituted an investigation into the matter.

It appeared to me that with the exception of the charge made by you—viz., that the Commissioner had abstracted from the Treasury, for travelling allowances, the sum of £20 16s. more than he was entitled to receive, the other charges were

of such a character that they alone would not have warranted me in continuing his suspension, and I therefore confined my inquiry to that most serious charge.

The inquiry was conducted under my personal instructions and supervision, and after a most searching investigation into the books and vouchers to which you refer as affording you the information upon which you based this part of your report, I unhesitatingly arrived at the conclusion that the charge of abstracting the sum of £20 16s. could not be substantiated.

I therefore deemed it my duty to reinstate the Commissioner in his office. I may further inform you that I submitted to the members of the Executive Council this information obtained by my investigation, and they unanimously concurred with me in my opinion, and at the Executive meeting held on Thursday, the 2nd November, formally approved of the reinstatement of Mr. Shearman.

Under these circumstances I think the decision of myself and Executive Council must, as far as the Government of the Province is concerned, be considered a final adjudication upon the particular charge, unless you are prepared to furnish me with the information I solicited in my letter to you of the 3rd November.

It is unnecessary for me to remind you that by section 21 of "The Provincial Audit Act, 1866," that whenever it shall appear to the Provincial Auditor that any public money has been expended, used, or taken by any person for any other purpose than the public service, it is the duty of that officer to commence a criminal prosecution against that person; and that should you, notwithstanding my inquiry into and decision upon the charge, entertain the opinion that the Commissioner has improperly abstracted the sum above mentioned, your course of action is clear, but the responsibility of any further proceedings on the matter must rest with you alone.

With reference to that part of your letter in which you refer to the Provincial Solicitor's endorsement on your report, I would remind you that that endorsement had not been officially communicated to you, and your knowledge of its existence was obtained and made use of by your borrowing the papers for another purpose, and I may add that at the time when you wrote your memorandum it had not even been under the consideration of the Executive Council.

I have deferred communicating with you upon the subject until inquiry into certain matters of your report had been concluded.

I may, however, inform you that the Provincial Solicitor has written to me stating that he has no objection to the endorsement being communicated to you, whenever I consider it advisable to do so.

Your memorandum was returned to you by my orders, with the concurrence of the Executive Council, and I now return it to you again until such time as I consider it desirable to write you officially on the matter.

I have the honor to be,
Sir,
Your obedient servant,

(Signed) R. J. S. HARMAN,
Deputy-Superintendent.

Superintendent's Office,
Christchurch,
4th November, 1871.

SIR,

In further reply to your letter of the 3rd instant, I have to remark that as your principal charge against Mr. Shearman is based on a tabulated statement of day and night absences during the period in question, I think a reference to that document would be the readiest means of explaining your figures. If you will be good enough to supply me with the same I will request the Provincial Treasurer to compare it with the books, and report to the Government the result of such examination.

I have the honour to be,
Sir,
Your obedient servant,

(Signed) R. J. S. HARMAN,
Deputy-Superintendent.

The Provincial Auditor,
Christchurch.

Provincial Audit Office,
December 6, 1871.

TO HIS HONOR THE SUPERINTENDENT.

SIR,

I have perused Mr. Shearman's letters of the 28th October and 16th November, which have only this morning been placed in my hands, in the first of which he replied to that portion of my letter to your Honor having reference to the travelling allowances. It is not my business to offer any opinion upon the Commissioner's explanation as to his absences on duty at other times than those which

appear in the Duty and Forage Books. The evidence of Walsh taken on oath directly asserts that the Commissioner ordered him to charge 12s. for every absence, and the comparison of the sub-vouchers for 1867 show in corroboration of this statement that he always drew at the rate of 12s., *and nothing else for every absence*. It was sworn in the presence of the Commissioner that the Depot Duty Books, the Forage Books, and the Monthly Inspection Reports would prove the occasions on which he was absent, and the books were accordingly ordered to be sent to me for examination. If these books were not evidence of this fact, it appears to be remarkable that Mr. Shearman did not at once inform me that they would not afford the evidence required. Inferring that they did so, and the whole charge of the witness rested upon this fact, I took the trouble to examine them and tabulate their contents, and I again distinctly assert that they prove what I asserted in my letter to your Honor of the 2nd November. *All* the books from the stations were examined in the presence of the Commissioner, except that from Akaroa, which did not come to hand until the inquiry was closed, but the monthly record from Akaroa show inspections to have taken place regularly every month—whereas the Duty Occurrence Books, the Forage Books or the Office Letter Book will show in all cases save one (when he is accounted for as being at Akaroa) that the Commissioner was either visiting elsewhere, or that he was in Christchurch.

So far as the Monthly Inspection Returns are concerned I attach no value to them, because the returns purport to be a record of the transactions of the month ending the last day thereof, and in some cases they return an inspection as having been made during the ensuing month.

It must be borne in mind that the statement of the Commissioner is unsupported, and if not more reliable than his assertion—"that in my report that many of his allowances have been drawn for absences from Saturday to Monday is entirely unsupported by any evidence whatever,"—I can only remark that it must be valueless, inasmuch as while *no evidence* was given before me to that effect my own examination of the books has sufficiently proved to me the correctness of the report.

With regard to the reply of Mr. Shearman to the remaining portions of my report in his letter of the 16th November I have no remarks to make, except in reference to the personal allusions which, following the example of the Provincial Solicitor, he has been *induced* to put on record, and while I can make every allowance for the Commissioner labouring under the belief that this inquiry has originated in malice, I cannot allow his personalities to remain unchallenged.

I have nothing whatever to do with the animus which is said to have instigated this inquiry, my duty was to hold it, and to report to your Honor the result, and I am prepared to justify the action I have taken and the mode in which I conducted the inquiry. It will be more consistent with the office I hold and the independence I desire to maintain, if I request your Honor to urge upon the Provincial Council the propriety of appointing a Commission to re-investigate the whole subject—a course which I shall undoubtedly pursue and ask for in my own justification as its officer.

I have also before me a copy of an interim report of the committee of gentlemen appointed to make inquiry into this matter. It calls for no remark, because the conclusions they have arrived at are simply from the testimony of persons whose evidence was not surrounded by the obligations of an oath, but which has been allowed entirely to overrule evidence which has been so given, which, if not true, must render the witnesses giving it liable to severe penalties.

I have the honour to be,

Sir,

Your most obedient servant,

J. OLLIVIER,
Provincial Auditor.

POLICE ENQUIRY.

RECORD OF PAYMENTS

ON ACCOUNT OF

TRAVELLING EXPENSES,

AND

DATES OF INSPECTION

DRAWN FROM

DAILY OCCURRENCE BOOK,

AND

OTHER PAPERS FROM PROVINCIAL AUDITOR.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 1

LECTURE 1

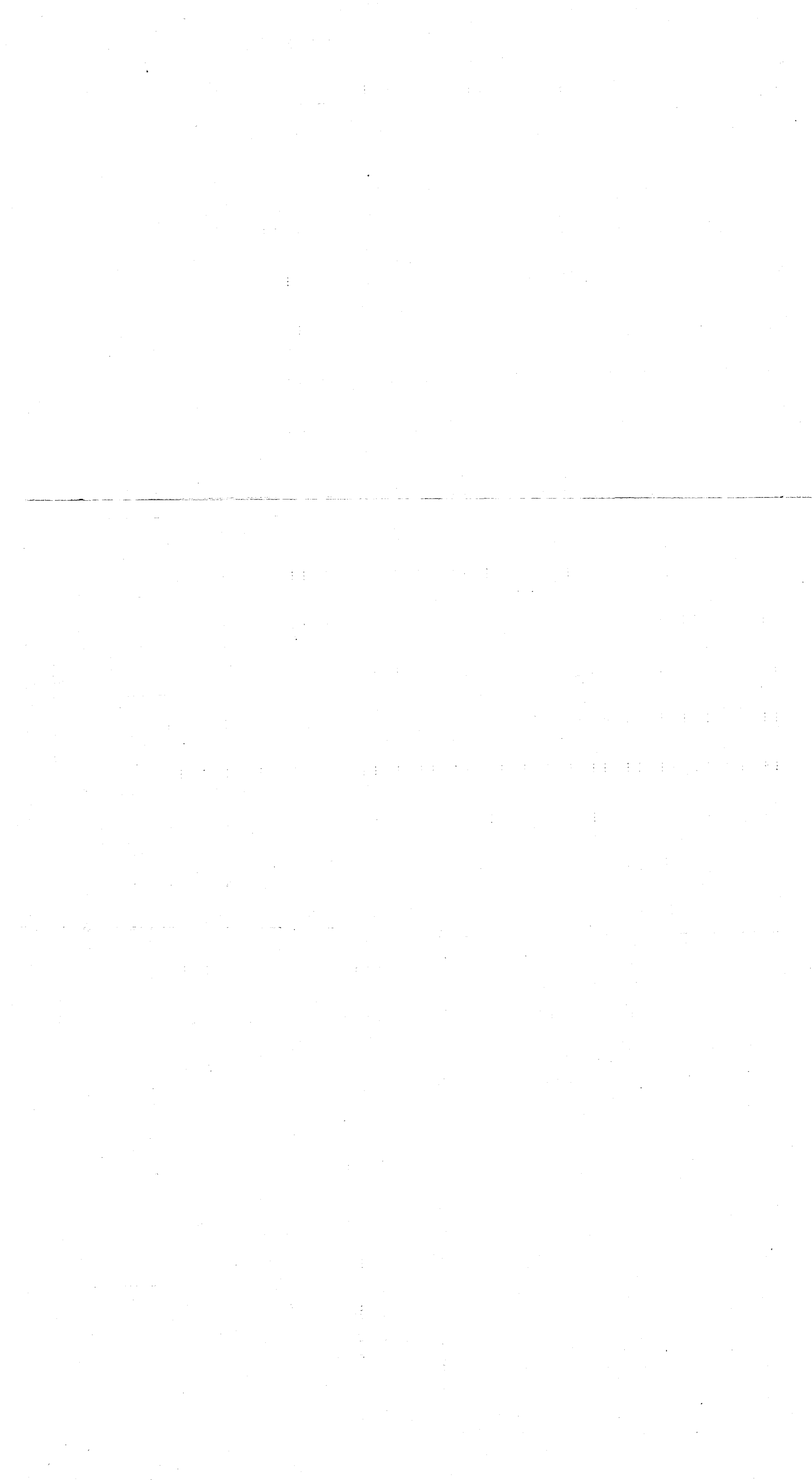
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LECTURE 1

RECORD OF PAYMENTS MADE TO COMMISSIONER ON ACCOUNT OF TRAVELLING ALLOWANCES AND
 Dr. ABSENCES DRAWN, FROM BOOKS OF THE POLICE FORCE. Cr.

Dr.				£	s.	d.	Cr.
1866.							
January	Cash paid to the Commissioner on Voucher	Do.	1	9	0	0	17
February	Do.	do.	1	17	0	0	14
March	Do.	do.	6	12	0	0	12
April	Do.	do.	4	9	0	0	5
May	Do.	do.	1	4	0	0	5
June	Do.	do.	10	16	0	0	17
July	Do.	do.	6	12	0	0	8
August	Do.	do.	5	8	0	0	17
September							8
October	No Vouchers.						17
November							0
December	Cash paid to the Commissioner on Voucher		1	16	0	0	5
1867.							
January	No Vouchers.						10
February							0
March	Cash paid to the Commissioner on Voucher		9	12	0	0	10
April	Do.	do.	12	12	0	0	0
May	Do.	do.	3	12	0	0	5
June	Do.	do.	3	0	0	0	0
July	Do.	do.	2	8	0	0	10
August	Do.	do.	3	0	0	0	2
September	Do.	do.	3	12	0	0	0
October	Do.	do.	2	8	0	0	17
November	Do.	do.	3	12	0	0	0
December	Do.	do.	3	8	0	0	18
1868.							
January	Do.	do.	1	0	0	0	5
February	Do.	do.	0	10	0	0	10
March	Do.	do.	3	18	0	0	9
April	Do.	do.	4	0	0	0	10
May	Do.	do.	1	0	0	0	0
June	Do.	do.	2	4	0	0	17
July	Do.	do.	1	10	0	0	10
August	Do.	do.	1	0	0	0	0
September	Do.	do.	1	0	0	0	7
October	Do.	do.	1	17	0	0	10
November	Do.	do.	1	0	0	0	0
December	No Vouchers.		1	0	0	0	0
				£109 18 0			
				74 3 0			
				35 15 0			
				£109 18 0			

Balance overdrawn



ABSTRACT OF DAILY OCCURRENCE BOOKS OF STATIONS SHEWING DATES OF COMMISSIONER'S INSPECTIONS.—Continued.

DATE.	LYTTLETON.			KAIAPOI.			LEITHFIELD.			RANGIORA.			OXFORD.			ASHBURTON.			TIMARU AND WAIMATE.			BEALY & WEST COAST.			REMARKS.		
	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.	Forage.	Arrival.	Departure.			
1867:																											
Oct. 26		Arrived																							Oct. 26, 31	\$3 12s.	
Nov. 2	T ½	..																							Nov. 1 to 3	36s.	
Nov. 19	T ½	..																							Nov. 19	5s.	
Nov. 22	T ½	..																							Nov. 22, 23	12s.	
Nov. 27	W ½	..																							Nov. 27	5s.	
Dec. 17		..																								Dec. 17, 21—4 days, 4 nights	\$3 8s.
1868:																											
Jan. 1		Arrived																								Jan. 1	5s.
Feb. 22		Arrived																								Feb. 22	5s.
Feb. 28	F	..																								Feb. 28	5s.
March 12	T	..																								March 12	5s.
March 18	T	..																								March 18, 19	12s.
March 19	T	..																								March 18, 19	12s.
March 24	T	..																								March 24, 25 (?)	12s.
April 7	W	..																								April 7	5s.
May 1	T	..																								April 29	5s.
May 12	T	..																								May 1, 22	5s.
May 26	F	..																								May 12, 22	5s.
May 27	T	..																								May 26, 27	5s.
May 28	T	..																								May 28, \$1 only charged	
June 5	T	..																								June 5 and 6	12s.
June 6	T	..																								June 19	5s.
July 13																										July 13	5s.
July 31																										July 31	5s.
Sept. 10	T ½	..																								Sept. 10	5s.
Sept. 17	T ½	..																								Sept. 17	5s.
Oct. 21	F	..																								Sept. 21	5s.
Oct. 23	F	..																								Sept. 28, 29	12s.
Nov. 2	F	..																								Oct. 21	5s.
Nov. 18	F	..																								Oct. 23	5s.
Nov. 20	F	..																								Nov. 2	5s.
Nov. 24	F	..																								Nov. 18, 20	20s.
Dec. 4	M	..																								Nov. 24, 4 at 5s	20s.
Dec. 7	S	..																									
Dec. 12	S	..																									
Dec. 16	W	..																									
Dec. 29	T	..																									
																											5 Visits—none of these are charged for.

[Faint, mostly illegible text in the middle section of the page, possibly containing a list or detailed notes.]

[Faint, mostly illegible text in the bottom section of the page, continuing the list or notes.]

ABSTRACT OF MONTHLY INSPECTIONS.

DATE.	Akaroa.	Lytelton.	Kaitiopi.	Rangiora.	Leithfield.	Oxford.	Ashburton.	Timaru.	Arrowhenna.	Waimate.	Bealey.
1867—											
January
February
March
April
May
June
July
August
September
October
November
December
1868—											
January
February
March
April
May
June
July
August
September
October
November
December

* On West Coast; † In Christchurch (see Letter Book); ‡ Visits of Inspector, charged (see Occurrence Books); ¶ At Timaru; †† At Kaitiopi; § At Lyttelton; ** Was inspecting here on 23rd; *** Vide Occurrence Book, 24th.

These inspections are made by Inspector Buckley.

These inspections supposed to be made by Felton.

POLICE ENQUIRY.

Copy of the Assistant Treasurer's Letter.

Wellington, 30th Oct., 1871.

Sir,—With reference to the case on which you did me the honour to consult me, I beg now to express at length the opinion I have formed, and the grounds on which I have arrived at such a conclusion.

The case as stated by you I understand to be this:—The Commissioner of Police of the Province of Canterbury is entitled to draw certain allowances of forage and travelling expenses when absent from his usual place of residence on the public service. These allowances have been drawn from time to time, but it (in some way of which I am not aware), was brought under your notice that those allowances had been drawn for days or nights (or both), in respect of which the Commissioner was not entitled to draw them. This, you have ascertained on enquiry, to be the case, and you therefore ask whether this is an offence in terms of the 21st Section of the "Provincial Audit Act, 1866." My opinion is, that it does not come under the operation of that clause, and my reasons are—

1. That the charge itself was a legal one, and the accounts being complete as to date, certificate, &c., you, as Auditor, passed, or would have passed, such accounts for payment, and they would have been and were paid in due course, according to law. The money therefore cannot be said to have been "taken by any person for any other purpose than the public service."

2. The evidence documentary and otherwise which you have obtained, and which seems to you to prove that these payments were made for periods, in respect of which no legal claim existed, is not such as would necessarily come before you in your capacity as Auditor.

3. The Section referred to has a distinct meaning and application apart from cases like the present, in respect of monies placed in the hands of an officer for expenditure under imprest, and also in respect of the action of persons (such as the Provincial Treasurer), who have the power of drawing money from the Provincial account, to which cases the words of the Section seem especially—if not exclusively—to point.

I have the less hesitation in coming to this conclusion from the consideration that the facts as stated, point to either a breach of trust, or an obtaining of money under false pretences, either of which is punishable by ordinary processes, without the necessity of having recourse to the peculiar powers and remedies given by the "Provincial Audit Act."

I have the honour to be, &c.,

(Signed) J. WOODWARD,

Assistant Treasurer.

To the Provincial Auditor,
Canterbury.

October 2, 1871.

To His Honor the Deputy Superintendent.

Sir,—In consequence of representations made to me by Inspector Pender, I am holding an enquiry at the Police Depot into an alleged misappropriation of public stores. The enquiry has already lasted two days, and Mr. Pender is now anxious that the services of the Provincial Solicitor should be at his disposal in the further prosecution of the enquiry, which will be resumed next week. Sufficient evidence has been brought out to justify my supporting this application, and suggesting that the Provincial Solicitor should at least be present to watch the case on behalf of the Provincial Government, as Mr. Joynt is now engaged on behalf of the Commissioner.

I have the honour to be, &c.,

(Signed) J. OLLIVIER,
Provincial Auditor

Copy of the Provincial Solicitor's endorsement.

MEMO.—I attended upon this enquiry during one sitting. The proceedings of the Auditor, Inspector Pender, and Constable Walsh were so grossly unfair that I felt compelled to interfere, and I had to remind the Auditor that he was conducting the inquiry in the character of a judge, and not as a partizan. Constable Walsh's evidence was simply unworthy of belief, and, throughout, he showed greatest animus against the Commissioner. I had several times to interfere, and insist upon the Auditor taking down evidence which was favourable to the Commissioner. I may say that the Auditor had scarcely commenced his enquiry before he intimated the nature of his decision. I did not attend this enquiry any further, because the Auditor intimated he could conduct the enquiry better in my absence.

Memo. on the Provincial Solicitor's endorsement.

The Provincial Auditor is astounded at the untruthful nature of the Provincial Solicitor's endorsement upon his report on the Police enquiry, and at his assertion that he (the Auditor) was in league with Mr. Pender and constable Walsh in the conduct of a "grossly unfair inquiry." So far from the Provincial Solicitor even reminding the Auditor of the nature of his functions, it was the painful duty of the Provincial Auditor to tell the Solicitor that he should close the enquiry if he ventured to continue his unjustifiable attack upon a witness then under oath. Mr. Cowlishaw said, "It appears to me that you are a very improper witness. You give your evidence at times with the greatest reluctance, and at other times with a deal of animus. You are now bringing a very grave charge against the Commissioner, which, even if correct, shows you lent yourself to an infernal swindle;" and this language was used to a witness who had told him on more than one occasion that until the vouchers and the duty books were produced he was unable to fix his attention upon any particular case. The Provincial Solicitor however, still persevered in this style of browbeating, and continued to stigmatise the witness as untruthful and unworthy, when the Provincial Auditor adjourned this portion of enquiry for the production of the books.

The evidence as it is taken down, and which was read in the presence of the Provincial Solicitor, shows how and when Mr. Cowlishaw "insisted" on the Auditor taking notes differing from those he had already on record, and it will show that there is a difference in words, but not in sense, and that he was in reality only impeding instead of assisting the enquiry.

The Provincial Auditor never examined a witness except for the purpose of getting the evidence clearly on record, but left the conduct of the enquiry to Mr. Pender.

It is entirely untrue for the Provincial Solicitor to assert that the Auditor ever intimated the nature of his decision at any period of the investigation. The Auditor did say that if the unseemly interference of the Provincial Solicitor was continued he would report the matter, and leave the Government to complete the enquiry into the allegations connected with the travelling allowances; and that, so far as the charge of misappropriation of Government stores was concerned, the case was closed.

It is equally untrue for the Provincial Solicitor to say that the Auditor intimated his intention to complete the enquiry without the Provincial Solicitor, and it seems to the Provincial Auditor to be a neglect of duty on the part of the Provincial Solicitor that he should fail to attend to watch the enquiry on behalf of the Government when he was under the impression that the Auditor, not only in his official capacity but also as a magistrate in the discharge of a grave public duty, was guilty of so gross a breach of propriety as that which the Provincial Solicitor has had the extreme temerity to charge him with.

J. OLLIVIER,
Provincial Auditor.

26th October, 1871.

CORRESPONDENCE

BETWEEN

THE PROVINCIAL GOVERNMENT, THE PROVINCIAL AUDITOR,
AND THE COMMISSIONER OF POLICE,

RELATING TO

DOG FEES;

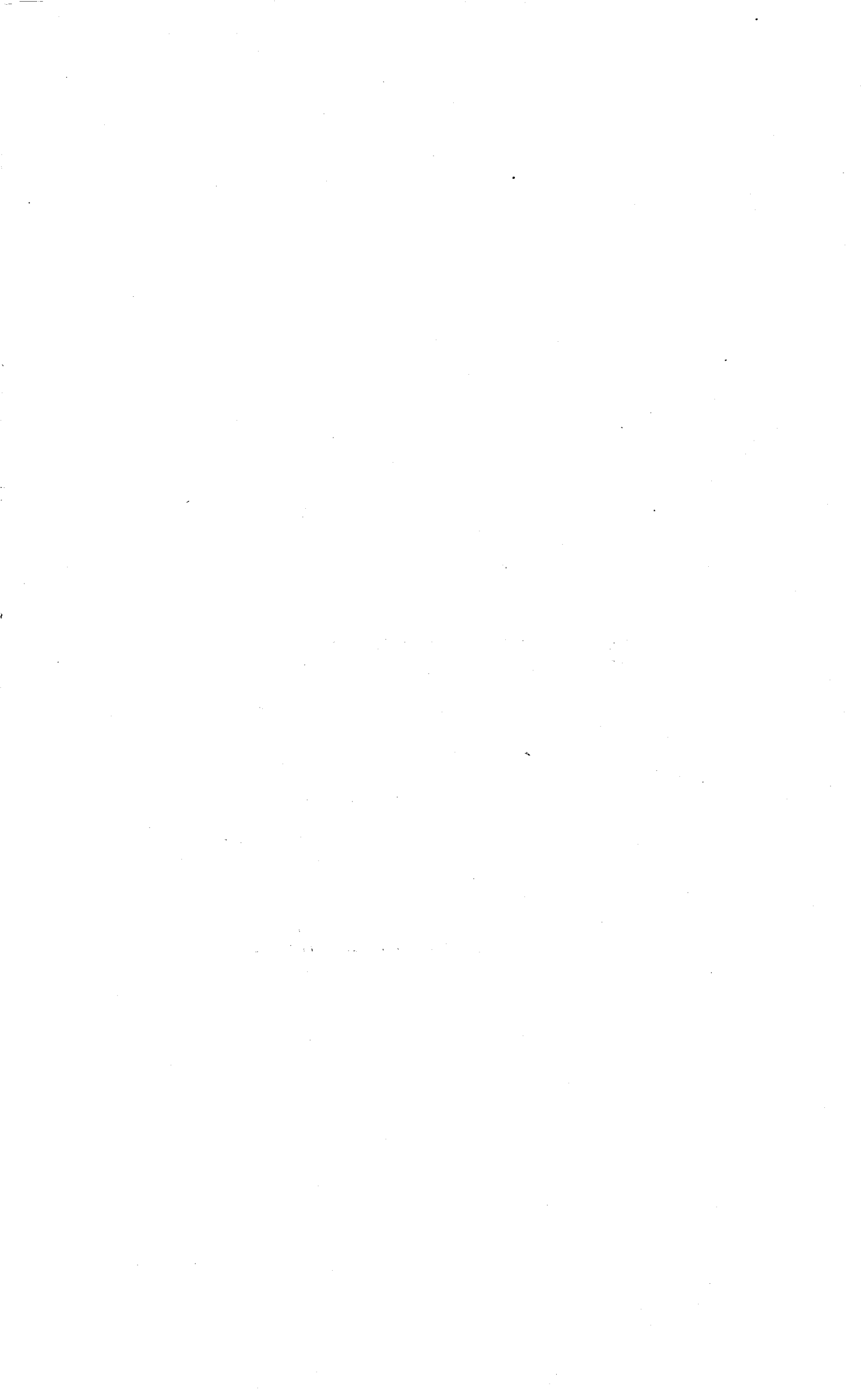
AND BETWEEN

THE PROVINCIAL GOVERNMENT AND THE COMMISSIONER OF
POLICE, RELATING TO THE

SUSPENSION AND DISMISSAL

OF

FIRST-CLASS SERGEANT WALSH.



CORRESPONDENCE.

Provincial Auditor's Office,

September 26, 1870.

SIR,—I beg to call your Honor's attention to a departure from the Government regulations in the office of the Commissioner of Police, arising from the non-payment of fees collected under the Dog Nuisance Act, to the Government account.

While auditing the Provincial Treasurer's accounts in the month of August I observed that no fees had been lodged on account of the July receipts, and I requested the Provincial Treasurer to call the attention of the Commissioner to the circumstance when £145 was lodged to the account. This was on the 7th August, but since that date no other sums have been paid over. I have ascertained that up to the 22nd instant, £96 10s. had been received, and I presume held by the Commissioner notwithstanding the communication addressed to him by the Provincial Treasurer. As this is entirely at variance with the recent practice of the Department, I have felt it to be my duty to bring the matter under your Honor's notice with the view to the issue of an order for a stricter compliance with the Government regulations.

I have the honour to be, Sir,

Your most obedient servant,

(Signed) J. OLLIVIER,

Provincial Auditor.

To His Honor the Superintendent.

[No. 372.]

Provincial Secretary's Office,

Christchurch, N.Z., October 1, 1870.

SIR,—Referring to the letter of the Provincial Auditor on the subject of the payment into the treasury of dog fees which was forwarded to you for your remarks on the 27th ult., and to which no reply has been received, I have to request that you will reply to the same at once.

I have the honour to be, Sir,

Your obedient servant,

(Signed) EDWARD JOLLIE,

Provincial Secretary.

The Commissioner of Police.

[No. 325.]

Constabulary Department,

Commissioner's Office, October 3, 1870.

SIR,—I have the honour to acknowledge the receipt of your letter of the 1st instant, No. 372, calling my attention to a letter from the Provincial Auditor, on the subject of the payment into the treasury of the dog fees, which was forwarded to me for my remarks on the 27th ult., and to which no reply has been received, and requesting me to reply to the same at once.

I beg leave to inform you that the clerk and accountant neglected to bring the letter from the Auditor's, to which you refer, under my notice, and that I did not receive it until this morning.

Immediately on receiving this letter I sent it to the clerk and accountant, who has been absent on the sick list from the office since the afternoon of Tuesday, the 27th ultimo, for his explanation, when he sent a message to say that he was really too sick to reply or attend the office, and that he hoped to be able to be in attendance to-morrow.

The clerk and accountant who receives, and pays, and lodges, all Government monies, is under a bond of fidelity for £500 to the Government for the proper discharge of his duty, and, as I have no reason to believe that the money has not been lodged through any other reason than his inability in consequence of the pressure of business and sickness, I trust this explanation will be sufficient until his health has sufficiently recovered to enable him to attend the office.

I may here remark in reference to the following extract from the Auditor's letter to His Honor the Superintendent, "I have ascertained that up to the 22nd instant £96 10s. has been received, and I presume held by the Commissioner, notwithstanding the communication addressed to him by the Provincial Treasurer. As this is entirely at variance with the recent practice of the department I have felt it to be my duty to bring the matter under your Honor's notice with a view to the issue of an order for a stricter compliance with the Government regulations;" that the Auditor never spoke to me on the subject; and that the clerk and accountant never informed me that he had spoken to him; that no communication was addressed to me by the Provincial Treasurer, and that no Government monies are at any time held by me.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,

Commissioner of Police.

The Provincial Secretary, Christchurch.

Provincial Auditor's Office,

Christchurch, Canterbury, N.Z., October 5, 1870.

SIR,—In reference to the letter from the Commissioner of Police on the subject of the non-payment of the dog fees collected since the 31st July last, I am at a loss to understand how the illness of his clerk accounts for his non-compliance with the Government regulations, and still more how it can in any way account for a continuous departure from those regulations. The clerk I observe was only declared incapable of discharging the duties of his office on the 27th September, but on the 22nd of that month (as I have shown) there was £96 10s. in the Commissioner's hands unaccounted for, and to this day, and this hour (two o'clock) no payment has been made from this department to the provincial account, and none since the 7th August last, when £145 was paid in one sum, notwithstanding the rule directing payments to be made whenever sums of £10 shall have been received.

The statement of the Commissioner that no Government monies are held by him is unintelligible because I observe that every warrant for payment to the Bank is signed by him, and so discloses the fact that the monies are lodged there by his order. I shall be glad to be informed if this is so understood by the Provincial Government, because it seems to me that accepting subordinate officers as responsible officers, and acknowledging them as receivers of revenue in lieu of the head of the department is a departure from the recognised rule of the Government.

My complaint is that the practice of this department adhered to up to the end of June of paying monies as received to the Government account, was departed from in July, and has been ever since, and the Commissioner should be aware of the fact—that notice has been given to him of the circumstance, and still the subject of complaint is disregarded.

The illness of the clerk surely cannot be the cause of this, and as the monies received at the office are either retained there or lodged to the credit of the Commissioner at the Bank—there should be no reason why the assistant clerk or the Commissioner himself should allow the irregularity to continue. I trust your Honor will direct the money to be lodged forthwith, and insist upon a return to the practice which I have shown prevailed at this office until now, and failing compliance with this order it may be necessary to institute more rigid enquiries.

I have the honour to be, Sir,

Your obedient servant,

(Signed) J. OLLIVIER,

Provincial Auditor.

To His Honor the Superintendent.

[No. 397.]

Superintendent's Office,

Christchurch, N.Z., October 5, 1870.

SIR,—I am informed by the Auditor that no payments into the treasury have been made since the 3rd instant, when I spoke to you on the subject of monies collected in your department.

I have to remind you that the Government looks to you as the head of the department to see that all payments are made regularly into the treasury in accordance with Regulation 7 (*Provincial Gazette*, August 29, 1867), and I shall be obliged by your insisting upon the payments being made and the accounts furnished by noon to-morrow.

I have the honour to be, Sir,

Your obedient servant,

(Signed) WM. ROLLESTON,

Superintendent.

The Commissioner of Police.

[No. 374.]

Provincial Secretary's Office,

Christchurch, October 7, 1870.

MEMO. for the Commissioner of Police—

No reply having been received from the Commissioner of Police to His Honor the Superintendent's letter of the 5th instant in reference to the payment of monies into the treasury, and the furnishing of accounts, an immediate reply thereto is requested giving the dates of receipts, and full particulars of all monies received by the department on account of dog fees.

(Signed) EDWARD JOLLIE,

Provincial Secretary.

Constabulary Department,

Commissioner's Office, October 7, 1871.

SIR,—I have the honour to acknowledge the receipt of your Memo. of the 7th instant, No. 374, informing me that no reply had been received from me to His Honor the Superintendent's letter of the 5th instant, in reference to the payment of monies into the treasury, and the forwarding of accounts, and requesting an immediate reply thereto, giving the dates of receipts and full particulars of all monies received by the department on account of dog fees.

January, February, March, April, May, June, July, August, September.

In reply I beg leave to forward the returns herewith of dogs registered at the several Police Stations throughout the Province during the months quoted in the margin, and to inform you that as the clerk and accountant who receives all monies is at present on the sick list, and unable to attend the office, that I am not in a position to particularise the dates on which the monies were received.

During the month of January there were no dog collars delivered at the Depot, to supply Lyttelton, Ashburton, Kaiapoi, Rangiora, Oxford, Hurunui, and Leeston, which accounts for the absence of these returns during the month of January.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,

Commissioner of Police.

To the Provincial Secretary, Christchurch.

[No. 328.]

Constabulary Department,

Commissioner's Office, 7th October, 1870.

SIR,—In acknowledging the receipt of a letter from his Honor the Superintendent dated the 5th instant, No. 397, informing me that he had been told by the Auditor that no payments into the Treasury were made since the 3rd instant, when he spoke to me on the subject of monies collected in my department;

And reminding me that the Government looks to the head of the department to see that all payments are made regularly into the Treasury in accordance with Regulation 7 (*Provincial Gazette*, August 29, 1869), and requesting me to insist on the payment being made by the clerk and accountant, and the accounts furnished by noon on the 6th instant;

I have the honour to inform you that all monies collected under the Dog Nuisance Ordinance up to the 6th instant, were lodged previous to the receipt of the letter from his Honor the Superintendent, and that the delay was caused through a pressure of business in this office, and the absence of the clerk and accountant through sickness.

No one can regret more than I do, the absence of sufficient means to conduct the duties of the department with efficiency, and that there should be any reason for the Auditor's remark, "That the absence of promptitude in making payments in accordance with the rules of the service was entirely at variance with the recent practice of the department."

The reasons why irregularities take place in the police department can be readily seen on reference to my report on the 23rd August, 1870, No. 286, and explained here in a few words. The expenditure based on population having been reduced in 1868 from 6s. 6d. per head per annum to 3s. 8d., and the fact that the energies of the members of the force having since that time been overtaxed in endeavouring to contend with the duties of the department are the real causes.

How is it possible for me to get the work done efficiently if the sum voted for the maintenance of the department is insufficient to meet the reasonable demands; or how can I be responsible for the management of the department unless my views are adopted?

And I have no doubt if his Honor will kindly take the circumstances surrounding the case into consideration, he will agree with me that the members of the Police Force have at all times done their utmost to contend with the arduous and onerous duties of the department.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,

Commissioner of Police.

[No. 11.]

Constabulary Department, Commissioner's Office,

Christchurch, Canterbury, N.Z., January 16, 1871.

Acting Sergt. Greenwood to be 3rd class sergeant; 3rd class Sergt. Greenwood to be 2nd class sergt.; 2nd class Sergt. Greenwood to be 1st class sergt.; 1st class Sergt. Greenwood, clerk and storekeeper to be clerk and accountant.

SIR,—I have the honour to request that you will be good enough to submit the promotion quoted in the margin to the favorable consideration of his Honor the Superintendent, as I have found it necessary to remove 1st class Sergeant Henry Walsh, the clerk and accountant from my office, for neglect of duty.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,

Commissioner of Police.

The Provincial Secretary.

[No. 22.]

Provincial Secretary's Office,

Christchurch, January 18, 1871.

SIR,—Referring to your letter (No. 11), of the 16th instant, relative to the promotion of Acting Sergeant Greenwood to be 1st Class Sergeant and Clerk and Accountant, His Honor the Superintendent would be glad to be informed what difference will be made in the rates of pay by these promotions.

His Honor further wishes to know what was the neglect of duty of which Mr. Walsh was guilty.

I have the honour to be, Sir,

Your obedient servant,

(Signed) WALTER KENNAWAY,

Provincial Secretary.

The Commissioner of Police.

[No. 22.]

Constabulary Department, Commissioner's Office,

Christchurch, Canterbury, N.Z., January 19, 1871.

SIR,—In acknowledging the receipt of your letter of the 18th instant (No. 22), relative to the promotion of Acting Sergeant Greenwood to be 1st Class Sergeant and Clerk and Accountant, and informing me that His Honor the Superintendent would be glad to be informed what difference will be made in the rates of pay by these promotions, and that His Honor further wishes to know what was the neglect of duty of which Mr. Walsh was guilty ;

I have the honour to inform you that the clerk and storekeeper is at present receiving £164 5s., the pay of a 1st class sergeant, and the clerk and accountant, who has to find a guarantee for his fidelity, £225.

There will be no difference in the rates of pay specified in the Appropriation Ordinance. The clerk and accountant neglected to forward the November pay due to the Police at the out-stations, and drawn from the treasury on the 21st December, contrary to instructions given to him by me on the evening of the 21st, when I told him not to fail in despatching the money on the following day. I returned from Leeston on Saturday, the 24th, and asked him if he had sent the pay to the out-stations, when he told me that he had. Some days after this I asked him the reason why the pay abstracts were not returned, when he said he did not know. About the 6th January when I made further enquiries he told me the money was in the Bank of Australasia. I then made enquiries at the Bank, when I found that he had left £204 in an open envelope with one of the clerks. There were no instructions given by him to place the money to the credit of the members of the force at the out-stations, nor did he send the usual advices during my absence, though he had led me to understand that he had done so.

I then instructed him to hand over the money, which he should have had in his possession, and found a deficiency of £32. He then left the office and returned in about an hour with the amount that was deficient. On frequent occasions I have had to speak to the clerk and accountant for similar neglect which I believe has arisen in every instance through the effects of intemperate habits.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,
Commissioner of Police.

The Provincial Secretary.

[No. 43.]

Provincial Secretary's Office,

Christchurch, February 9, 1871.

SIR,—I have the honour to inform you that having brought your letter of the 9th January with reference to Mr Walsh's neglect of duty, under the attention of his Honor the Superintendent, he has requested me to direct that he should be immediately supplied with information as to the reasons why Mr Walsh was not at once suspended from his office on your learning that his accounts showed a deficiency. His Honor considers that the fact that you had on frequent occasions had reason to speak to Mr Walsh for similar neglect, rendered it incumbent on you to bring the circumstances under the attention of the Government, and so far as can be gathered from your letter, the case is only rendered more serious by the fact stated by you that the neglect in every instance has arisen through the effects of intemperate habits.

The case as at present stated, appears to the Superintendent to indicate a state of disorganisation which he is unwilling without further explanation, to believe can exist in any department of the Government ; and before bringing the matter finally before the Executive he desires to hear from you any explanation you may wish to afford. His Honor further desires me to call your attention to the impropriety of forwarding for approval, without calling attention to it, the salary abstract of an officer who had been guilty of such grave directions of duty. Of course Mr Walsh is suspended pending the decision of the Government.

I have the honor to be, Sir,

Your obedient servant,

(Signed)

WALTER KENNAWAY,
Provincial Secretary.

To the Commissioner of Police.

Constabulary Department, Commissioner's Office,

Christchurch, Canterbury, New Zealand,

February 9, 1871.

SIR,—I have the honour to acknowledge the receipt of your letter of the 9th instant, informing me that having brought my letter of the 9th January with reference to Mr Walsh's neglect of duty under the attention of his Honor the Superintendent he has requested you to direct that he should be immediately supplied with information as to the reason why Mr Walsh was not at once suspended from his office on my discovering that his accounts showed a deficiency, and that his Honor considers that the fact that I had on frequent occasions had reason to speak to Mr Walsh for similar neglect, rendered it incumbent on me to bring the circumstance under the attention of the Government, and so far as can be gathered from my letter the case is only rendered more serious by the fact stated by me that the neglect in every instance has arisen through the effects of intemperate habits, and that the case as at present stated appears to the Superintendent to indicate a state of disorganization which he is unwilling without further explanation to believe can exist in any department of the Government, and before bringing the matter finally before the Executive, he desires to hear from me any explanation I may wish to afford, and that his Honor further desires you to call my attention to the impropriety of forwarding for approval without calling attention to it, the salary abstract of an officer who had been guilty of such grave dereliction of duty, and that of course Mr Walsh is suspended pending the decision of the Government.

In reply, I beg leave to inform you that the reason why Mr Walsh was not at once suspended from duty, was, in consequence of his being at the time the discovery was made on the sick list, and under the control of the Provincial Surgeon, as soon as Mr Walsh presented a certificate from the Provincial Surgeon informing me that he was fit for work, I then suspended him from duty to await the result of the correspondence pending in his case.

On previous occasions when the clerk and accountant neglected his duty knowing that he was over-worked, I considered a reprimand sufficient. The Commissioner under the Constabulary Force Ordinance, Session 7, No. 2, and the Regulations framed in accordance with the 3rd Clause of that Ordinance has full power to deal with offences committed by members of the force. If this course were not allowed and my authority upheld, it would be impossible for me to keep up the discipline and maintain the efficiency of the force.

Nothing would have induced me to undertake the task of organising and managing the department under any other conditions, as it would be impossible for me to hold myself responsible for the views and the actions of others.

There is something to be said to show why forbearance should be exercised towards Mr Walsh. He is one of three that left a life appointment in the force of Victoria, at the request of the Provincial Government, to assist me in organising the police force in Canterbury. I have had little reason to find fault with him until after the expenditure of the department was reduced from £12,500 to about £7000, when all who felt bound to keep the service from complete disorganisation had frequently to work day and night, and I feel convinced had there been no occasion for Mr Walsh to over-exert himself mentally, he would not be in the position which he is at present.

It will appear evident that every member of the force must have been over-tasked to get through the work of the department after the reduction took place from £12,500 to about £7000, and that the work from that time up to the present has been oppressive. This will be understood more readily when I inform you that when the Police Expenditure in Canterbury was at its highest the force was then conducted at a cost of about one-half of that of similar departments in most of the Provinces of New Zealand and the other Colonies.

The salary abstracts were signed by me this evening immediately before leaving the office with the intention of forwarding them together with an explanation in the morning for the consideration of the Government, and I must say that I do think that Mr. Walsh is fairly entitled to this amount as he was doing duty and on the sick list during the time for which the application has been made together with

this course being in keeping with that adopted in similar departments. The fact of Mr. Walsh being removed from my office though allowed to retain the rank of 1st class sergeant will involve a reduction of pay to the amount of £60 15s. per annum, which I trust will be considered sufficient punishment for the faults he has committed.

Under the circumstances it pains me to think that His Honor should have considered it necessary to call the efficiency of the force in question. There are no grounds whatever for such a supposition, though I must admit that the service could be vastly improved by slightly increasing the expenditure and improving the stability of the department by holding out future prospects for the well being of the members of the force.

I offer these explanations with no desire on my part than to do justice to the department and to an old public servant who has gained nothing by leaving peaceable and permanent employment to assist me in my undertaking, and I must say that I trust my views will meet with the favorable consideration of His Honor the Superintendent and the Executive Council.

As your letter was marked "Immediate" I have hastened to forward a reply which is the only reason I can offer if I have failed to explain my views in a satisfactory manner.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,

Commissioner of Police.

The Provincial Secretary.

[No. 101.]

Provincial Secretary's Office,

Christchurch, N.Z., March 21, 1871.

SIR,—Referring to your letter of the 14th instant, enclosing pay abstract, and cheque for six days' pay due to Henry Walsh, which you state was tendered to him and refused, I have to request that you will be good enough to inform me why Mr. Walsh was not suspended immediately on the deficiency mentioned in your letter of the 19th January, being discovered, pending an enquiry being made into the circumstances of the case.

I have the honour to be, Sir,

Your obedient servant,

(Signed) WALTER KENNAWAY,

Provincial Secretary.

The Commissioner of Police.

[No. 92.]

Constabulary Department, Commissioner's Office,

Christchurch, Canterbury, N.Z., March 22, 1871.

SIR,—In acknowledging your letter of the 21st instant (No. 101), referring to my letter of the 14th instant, which accompanied the pay abstracts and cheque for six days' pay due to Mr. Henry Walsh, which was tendered to him and refused, and requesting me to inform you why Mr. Walsh was not suspended immediately on the deficiency mentioned in my letter of the 19th January, being discovered pending an enquiry into the circumstances of the case;

I have the honour to inform you that the reason why the clerk and accountant was not at once suspended from duty was in consequence of his being at the time the discovery was made on the sick list, and under the control of the provincial surgeon.

As soon as Mr. Walsh presented a certificate from the provincial surgeon informing me that he was fit for work, I suspended him from duty to await the result of the correspondence pending in his case. When the clerk discovered that there was a deficiency of £30, he told me of it, and said the money was at the house.

I told him to go and get it, when he left the office and returned in about an hour, and gave me the missing money.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. C. SHEARMAN,

Commissioner of Police.

The Provincial Secretary, Christchurch.

REPORTS

OF

THE COMMISSION

APPOINTED TO

ENQUIRE INTO MATTERS.

CONNECTED WITH

THE POLICE DEPARTMENT.

Memorandum for the Commissioners appointed to enquire generally into the organisation of the Police Department ; and also to take into consideration the charges made by the Provincial Auditor against the Commissioner of Police :—

The Government desire to direct your attention to the Report of the Provincial Auditor, copies of which and of the evidence on which it is based have been already furnished to you.

The replies of the Commissioner of Police to the charges contained in the Report of the Auditor have also been laid before you.

Instructions have been issued to furnish you with all such books and documents as you may consider necessary to complete the enquiry, and to enable you to report on the charges which have been made by the Provincial Auditor both with reference to the efficiency of the Police Department, and the conduct of the Commissioner as regards certain special matters referred to in the Report.

It is the wish of the Government also that you should take into consideration, generally, the organisation of the Police Department, with a view to recommending any amendment or alterations that would, in your opinion, increase its efficiency, or improve the system under which it is worked.

(Signed) WALTER KENNAWAY,

Provincial Secretary,

November 21, 1871.

REPORT,

Provincial Council Library,
Christchurch, 5th December, 1871.

TO THE PROVINCIAL SECRETARY, CHRISTCHURCH.

SIR,—The Commission being at the present time unable to draw up a final Report in reference to the investigation into the department of the Police, owing to the unexpected length of the enquiry, desires to submit to the Government an *interim* Report.

The matters brought before the Commission have involved two branches of enquiry.

One affecting the personal integrity of the head of the Police Force, Mr. Shearman, the other—the disorganisation and mismanagement of the department.

It is with reference to the first branch that the Commission has thought it but just to an officer, upon whom an imputation of dishonesty is now lying, that its conclusions should be made known as soon as possible.

The Commission begs to state that, in its opinion, the charges impugning the integrity of Mr. Shearman, are not sustained, either by the evidence taken by the Provincial Auditor, or by any other evidence which has been before the Commission.

In the Report and Evidence which will follow so soon as opportunity will allow, this, as well as other matters, will be the subject of remark in full detail.

The Commission has been sitting for twelve evenings to a late hour, and the time and business engagements of its members preclude at present any further Report.

We have the honour to be, Sir,

Your obedient Servants,

(Signed) JOHN INGLIS,
THOMAS WM. MAUDE, } Commissioners.
GEORGE HART,

Christchurch, 2nd January, 1872.

THE PROVINCIAL SECRETARY, CHRISTCHURCH.

SIR,—I have the honour to forward herewith, to be submitted to the Provincial Government, the Report of the Commission appointed to enquire into matters connected with the Police department.

I have the honour to be, Sir,

Your obedient Servant,

JOHN INGLIS, Chairman.

The Commission appointed to enquire generally into the organisation of the Police Department, and also to take into consideration the charges made by the Provincial Auditor against the Commissioner of Police, have the honour to submit to the Government its final Report in reference to these matters.

The grounds for the opinion expressed by the Commission in its *interim* Report, "that the charges impugning the integrity of Mr. Shearman are not sustained either by the evidence taken by the Provincial Auditor, or by any other evidence which has been before the Commission" will be found embodied herein.

The Report of the Provincial Auditor, and the evidence taken by him on oath, the results of which he states that he has summarized, was laid before the Commission.

This summary of charges appears to be want of system in accounting, irregularities and discrepancies in the issue of forage, misappropriation of Government property, the wrongful obtaining of money for travelling allowance, and general disorganisation of the Police Force.

The Commission, before entering upon the consideration of these specific charges, deemed it advisable to examine the books of the department.

The Commission has examined no fewer than thirty books in use in Mr. Shearman's office, and nineteen in the Inspector's office, besides the usual books of printed forms, manual, &c.

There are six cash books, so called, seven store or stock books, several subsidiary books of account, and other books relating strictly to Police duties. Many of the latter are no doubt of the first necessity in enabling the Police to retain a record of all transactions which come under the attention of the officers in charge of the various districts; but the number of cash and stock books in use is out of all proportion to the necessities of the case, and the keeping of which in proper order must entail a large amount of clerical labour on the department.

These books have never been properly attended to, and in consequence many of them are practically useless. Indeed had they been fully kept up, the advantage resulting would hardly be worth the loss of time and expense involved.

The Commission agrees with the Provincial Auditor in thinking that the system is unsatisfactory. It might be simplified to a large extent, and requires regular audit, especially as regards the cash and stores.

The Commission now proceed to the consideration of the special charges made by the Provincial Auditor.

ACCOUNTANT'S DEPARTMENT.

The Provincial Auditor states (p. 2 of his Report) that Mr. Shearman "fails to recognise his personal responsibility for monies passing through his office," but the Commission has not found any evidence in support of this, whereas Mr. Shearman says, "he does not fail to recognise the responsibility for monies passing through the department that should devolve on the head of the department." (New Evidence, p. 31)

The clerk and accountant (under bond) is in charge of the cash, passing through his office, and is responsible to the Government, although no audit of his books has ever been instituted. It appears to have been the practice, ever since the establishment of the Force, to receive and disburse monies for fines or forfeitures of salaries of members of the Force, monies found by the Police, proceeds of sales of condemned horses and stores, and these have partly been expended respectively in the purchase of library books, horses, stores, &c., &c., at the discretion, and on the authority of Mr. Shearman.

At the instance of the Commission an abstract has been made of the so called Petty Cash Book, which has been compared with the Vouchers with the results as shown in the statement attached.

The cash found by the Provincial Auditor in the safe at the time of the suspension of accountant Greenwood amounts to Twenty-eight pounds three shillings and fivepence; besides, it is presumed certain sums (not duly entered by him in the Petty Cash Book) amounting to Three pounds nine shillings and eightpence less twelve shillings and sixpence paid by him. The abstract shows one shilling and eightpence more expended than appears to have been received by the debit side, and there is therefore the nett sum of Twenty-eight pounds one shilling and ninepence of a surplus to be explained. The grossness of this state of things is sufficiently apparent without further remark.

The Petty Cash Book is the principal cash book in the department, but the title is a total misnomer. It has been kept in a very loose manner, and the abstract referred to shews that the funds, even on the alleged practice, have not been disbursed correctly. In the single instance of fines and forfeitures, the sum of One hundred and forty-seven pounds seven shillings and sixpence has been received, whereas the sum of Two hundred and sixteen pounds three shillings and ninepence has been expended in Library Books. This book is really a record of daily cash, and when Greenwood (p. 26) gives evidence that there is "no general cash book shewing records of daily transactions" it is apparent from the book itself that cash transactions do not occur daily. There are no vouchers in support of many of the payments.

The keeping of this cash book by Greenwood exhibits, to say the least of it, the grossest carelessness, and the omission to enter certain sums received by him, demands further enquiry at the hands of the Government.

The application of fines and forfeitures of salary, which are in the nature of fines to the purchase of library books for the use of the Force, has since 3rd

February, 1870, been under the authority of the Superintendent, and the previous expenditure of monies in the same direction, may be said thereby to be condoned, and Mr. Bealey's Government was aware of it (new evidence p. 33), but it is a matter for the consideration of the Government whether this money shall not be applied in accordance with the provisions of the Constabulary Force Ordinance, section 11.

Since December, 1869, all monies from the sales of Government stores and horses have been paid into the Treasury, with the exception of thirty pounds, proceeds of horses sold, but afterwards applied towards the purchase of a horse, by the authority of the Provincial Secretary, under date November 19, 1869.

STOREKEEPER'S DEPARTMENT.

The issue and accounting for forage is very far from being in a satisfactory state, and the books have been neglected. The deficiencies and surplusage shown therein are not satisfactorily explained, and the system of issue has not been conducted on any plan which would be likely to ensure absolute correctness. It is in evidence (Greenwood pages 27, 28; White p. 1 to 5; New Evidence—Beattie p. 51, and Fowler p. 6, 7, and 8), that the men could help themselves, and Beattie says he had helped himself, while it would appear that Mr. Shearman's orderly also did so sometimes. Where forage was issued for Mr. Shearman's horse, it was in seven or fourteen days' supplies, and full rations were charged each day.

Nothing but a memo. was made by the storekeeper when this was delivered, and it was destroyed when the orderly came for a fresh supply—he, the storekeeper, taking care that Mr. Shearman's horse was entitled to again draw rations.

It must be observed that it does not appear from the evidence before the Auditor that Mr. Shearman has ever drawn from the depot more than the actual allowance of rations which he would be entitled to for his horse, assuming his horse had been present every night the forage book kept at the depot assumes that the horse has been so present, for it will be seen on reference to the evidence taken before the Commission that this book is a pure assumption throughout, and that in the particular instance of Mr. Shearman's horse, it has been the practice to give out a certain quantity of forage, calculated at regulation scale to last one horse for a certain time, and to charge a ration every day until a fresh lot is applied for.

From the evidence before the Auditor it will also be found that in no case has a fresh supply been applied for before the estimated time for the consumption of the previous issue has run out. In many instances it appears that the forage has lasted longer than the time it was calculated to last.

The forage books at Kaiapoi and other out-stations, are doubtless reliable evidence that when Mr. Shearman has visited the station his horse has been fed there, a full or half ration being charged, but inasmuch as the Christchurch book is not a record of fact, but an estimate only, and as it has been shown that the forage drawn by Mr. Shearman from the Christchurch station has frequently lasted longer than the estimated time for which it has been issued, it does not seem that there are any grounds for supporting the allegation that Mr. Shearman has been drawing two rations, where he was only entitled to draw one.

The Provincial Auditor charges Mr. Shearman with setting the regulations aside, and defying rule and order in the service, by using Government forage drawn by him for the use of his private friends.

The complaint that the horses of Mr. Shearman's friends have been fed on the Government forage is no doubt partially true, but the evidence (Fowler p. 6, 7, and 8; Williams p. 18 and 19; Puckney 18; Butler p. 19; Eager p. 21) taken by the Auditor does not bear out the assertion that such was "frequently" the case. Fowler, his servant, says "There have been times when I have given feeds to gentlemen visiting at the Commissioner's house. One gentleman brought his horse and was there two or three days," &c. (see evidence above quoted. Also see that of Williams and Butler). But it is also in evidence before the Auditor that there have been times when the Government horse has been foraged from the private supplies of Mr. Shearman, and in the evidence of Fowler, during whose first time of residence with Mr. Shearman, it appears that the horses of Mr. Shearman's friends received feeds from Government forage "the consumption of private forage for the Commissioner's horse would have been more than equal to the supplies to private individuals.

Although during the first period of Fowler's service with Mr. Shearman and during the interval in which Williams had charge of Mr. Shearman's horse, it is in evidence that there was no private forage on hand until that purchased by Williams, yet on the other hand the evidence of Puckney which has not been referred to by the Auditor is important as shewing that there have been previous occasions on which a private stock has been kept, and as supporting the statement made by Mr. Shearman before the Commission to the effect that during the time he has had charge of the Police Department, he has always had a private supply of forage on hand.

It is difficult to gather from the evidence before the Auditor why, in connection with this forage question as applied to Mr. Shearman, the remark of the Auditor in reference to Beattie's case, has received such prominence.

As all the evidence above cited and referred to is that taken upon oath before the Auditor (excepting the statement lastly mentioned made by Mr. Shearman as to his stock of private forage), and is the ground upon which the Auditor has based his Report on this special matter, the Commission is of opinion that the circumstances disclosed are not sufficient, so far as an improper appropriation of Government forage is concerned, to warrant the conclusions which the Auditor has been induced to arrive at.

MISAPPROPRIATION OF GOVERNMENT PROPERTY.

On the sole evidence of Walsh (p. 24) Mr. Shearman is charged with dealing with door scrapers, water barrels, and stands, "curtain poles, &c., oil cloth, &c.," the *Lyttelton Times*, the property of Government, as if they were his private property.

Walsh states on oath before the Auditor as follows:—"I know that there were several things bought for the use of the department with Government money, which the Commissioner has taken away for his private use. They were taken to his private residence. There were some door scrapers from Hawkes and Strouts. These have gone there. There were water barrels and stands and other things, from Hereford street, obtained originally from Osborne's previous to the removal to his depôt"; and further, "Osborne furnished and repaired the house in Hereford street occupied by the Commissioner. I occupied it after. There were things removed paid for by Government. There were poles and other things for which I paid Osborne the sum of Two pounds and upwards. The Commissioner told Osborne he was to allow him for them. The oil cloth in the hall and other things were taken away. I understood from Osborne that they had been paid for by the

Government," and again, speaking of the "petty cash book," he says, "In February, 1865, there is an entry cash paid to John Mills, twenty-four shillings, for three water barrels for the use of the Police. These were supplied to the Commissioner in Hereford street, and two of them were taken away to his private residence. October, 1866. There is an entry of subscription to the *Lyttelton Times*, one pound. The newspaper was sent to the Commissioner's private residence. There were three copies supplied; two to the office, and one to the Commissioner, and the only one paid for was that sent to the Commissioner."

The explanations relative to this matter are in evidence before the Commission, and Mr. Shearman says "The system adopted in Canterbury was similar to that adopted in Victoria: each police officer is provided with quarters and furniture, and at the time the witness Walsh alludes to I was living in a house provided by the Government, which I gave up of my own accord. Some of the articles of furniture—a kitchen table, two chairs, and a door scraper, and a hat rack, were removed by the servant with my subsequent knowledge. The fact of my not making use of the house provided by the Government did not appear to me a reason why I should forego any of the other advantages. Had the articles I mention not been removed during my absence I don't think that I should have taken advantage of it. If I were to leave the Government service I should consider it imperative in me to return these articles to the Government store. I cannot say whether they are on the Government property list or not. Only one barrel was taken to my house for the use of the horse; also a wheelbarrow."

If the Commissioner of Police is entitled to quarters, and the use of furniture, there does not appear to be any greater impropriety in the keeping of these few articles at his private residence so long as they are distinctively known as Government property than in the stabling, at his own residence, of the horse which is also Government property, and appropriated to his use so long as he is in the public service.

The rest of the evidence of Walsh as to the appropriation of the Government property is, in the opinion of the Commission, untrue.

The Commission has before it copies of accounts from Mr. Osborne from whom the furniture was obtained.

These accounts have been verified by comparison with Mr. Osborne's books, and a statement herewith in writing has been made by him which entirely contradicts all that Walsh's evidence conveys. One item in particular may be noticed. Walsh says—"The oil cloth in the hall, and other things, were taken away. I understood from Osborne that they had been paid for by the Government."

Osborne says—"The oil cloth which was laid in the hall, and which is the item four and a-half yards of oil cloth, and laying one pound seven shillings and sixpence appearing in Mr. Shearman's private account, and which was paid for by him, was never charged by me to the Provincial Government. I never told Walsh, or led him to believe in any way, that these goods had been paid for by Government. I can say positively that Walsh never asked me whether those things had been paid for by the Government or Mr. Shearman."

It appears remarkable also that when three copies of the *Lyttelton Times* paper are, according to Walsh, supplied to the department, and one only charged, "the only one paid for was that sent to the Commissioner."

TRAVELLING ALLOWANCES.

The charge against Mr. Shearman, preferred by the Provincial Auditor, is made in the following terms (pp. 4-5)—“During the above months (March and July to November) of 1867 and 1868—

	£	s.	d.	
The Commissioner has drawn	32	9	0	
Whereas he was only entitled to receive ...	11	13	0	
	<hr/>			
Showing an abstraction from the Treasury of ...	20	16	0	{ more than he was en- titled to receive.”

The Auditor was good enough to meet the Commission, and to produce the tabulated statement referred to in his report, p. 7, purporting to show the above results. This document was gone through by him, together with the members of the Commission, and a comparison made with the duty and forage books, from which the statement has been compiled, and so far as the Commission could judge, the items extracted are correct, but the Commission was surprised to find that the Auditor produced from this comparison a result, as to figures, widely differing from that given in his report.

The Auditor in his report (p. 48), says that Mr. Shearman was only entitled to draw Eleven pounds thirteen shillings, while in the accounts made out by him before the Commission from the tabulated statement, he shews that he was entitled to receive seventeen pounds fourteen shillings, and was unable to explain to the Commission how the difference arose. The memo. is appended to this report.

On the very threshold of the enquiry into this point, the Commission finds that in the month of March, 1867 (one of the months specially investigated by the Auditor), Mr. Shearman was entitled to draw, and actually drew, twelve pounds twelve shillings, for twenty-one days' absence, travelling to and from the West Coast. The Auditor, however, appears to have overlooked this item altogether. Again the Auditor says, Mr. Shearman has drawn for the above period thirty-two pounds nine shillings, but from the vouchers for the same months, it appears that he drew no less than forty-nine pounds.

Walsh says Mr. Shearman instructed him (Walsh—evidence p. 21) to charge twelve shillings for every absence, whether night or day, but although this statement is made on oath, it is quite unsupported, and the Commission is of opinion that the solemn denial of Mr. Shearman, that he never gave such instructions, is entitled to at least equal weight, and as the vouchers for the five months referred to in 1867, are the only documents to be found, it is not justifiable to assume that the charge was a uniform one for the whole year, and, if it were so, it would not amount to positive proof.

The Commission, moreover, is of opinion that the evidence of the duty and forage books is altogether unreliable, for neither can be said to be a correct record of Mr. Shearman's visits to the stations.

An examination of these books shows that Mr. Shearman's horse has received forage at a station where no record appears in the duty book, and he appears to have visited stations, although his horse is not entered as receiving rations. The Commission do not, therefore, think it is unreasonable to suppose that occasional visits to stations have taken place without any record being made thereof. Besides Mr. Shearman states (new evidence p. 40) that he was absent at many other places for

the night, of which no record could be found anywhere, as there were no Police stations at these places. He makes further statements (p. 41-2-3) in connection with the same matter to which the Commission beg to draw attention.

The Commission wish specially to note that only Walsh's unsupported evidence bears on this subject, and that it is very unreliable, inasmuch as it is not of a positive character.

It entirely fails to prove what it attempts, viz., that on certain days Mr. Shearman drew night allowances, whereas he was in town or only on day duty, and it leaves unaccounted for all other days, when Mr. Shearman might have been absent at places where there are no stations.

The Provincial Auditor said before the Commission that "Walsh in evidence stated that the Commissioner's absence could only be shewn by the occurrence books, the forage books, &c., and the Commissioner tacitly admitted this. The Commissioner did not deny it, but tacitly admitted the fact. He was acting at the time under Mr. Joynt's advice not to answer any questions," but the Commission cannot attach any weight to Walsh's opinion in view of Mr. Shearman's denial, and of the proved incompleteness of the books referred to, nor can it accept the opinion of the Auditor, that although Mr. Shearman, under legal advice, declined to answer questions by his silence, he thereby admitted Walsh's views.

DISORGANISATION.

The Provincial Auditor on this head, after assuming Mr. Shearman's complicity in the irregularities as to forage, says, "thus setting the regulations aside, and in defiance of the rule and order in the service of which he should have been the first to enforce." (Report p. 4.)

He then says (p. 9) "The natural inference is that the service is utterly disorganised, that there is little or no authority in the Inspector's hands because it is clashing with that of the Commissioner," and then further on (p. 10) recommends the services of the Commissioner's (Mr. Shearman's) clerk and accountant, storekeeper, and orderly should be dispensed with, and a competent financial officer, independent of the Force, be appointed.

The Commission has agreed with the Auditor in condemning the manner in which the accounts are kept. It also agrees with him in objecting strongly to Mr. Shearman paying out of the monies passing through his hands, a sum which was refused to be sanctioned by the Government, and has recommended an alteration in the system; but there is no evidence either in that before the Provincial Auditor or the Commission to prove any wilful defiance of rule and order by Mr. Shearman. The want of concord between Mr. Shearman and Inspector Pender must no doubt have a tendency to disorganise the force, and should be terminated at once; but the general outside efficiency of the Police, as far as evidence has come before the Commission, does not appear to be impaired.

The want of concord referred to appears to have helped on the irregularities in the issue of forage. When the issue of forage was transferred from the sergeant to the storekeeper what Mr. Shearman intended apparently as a rearrangement of the duties consequent on the reduction which took place in the force in 1868, Mr. Pender interpreted as a removal of the forage from his control.

The Commission begs to draw special attention to a correspondence relating to forage, which has been before it, between Mr. Shearman and Inspector Pender.

The Inspector appears to have received orders on the 15th day of August, 1871, at once to take charge of the forage. These orders were repeated on two or three subsequent occasions, but it does not appear that the Inspector has taken any step towards obeying them. He was ordered to take charge of the forage, and declined to do so on the ground that any interference on his part with it, would frustrate the ends of justice. This was also the reason given by him to the Commission, and so far as the Commission understand, the order of Mr. Shearman still remains unattended to by the Inspector. In the opinion of the Commission, the reason given by the Inspector for declining to obey the order of Mr. Shearman, in no way justifies what is an act of serious insubordination. Had the Inspector, at the time when ordered to do so, taken a proper account of the forage in stock, something reliable at least might have been obtained, as to the quantity actually in store at that time, and the ends of justice would have been assisted rather than frustrated.

The Auditor's suggestion for the abolition of so many officers does not commend itself to the approval of the Commission. Neither the evidence of Mr. Shearman or Mr. Pender is in this direction, but the Commission recommends that, as soon as a better system is established for keeping the accounts, steps should be taken to concentrate as far as possible some of the clerical work now transacted between the Inspector's office (new evidence p. 62) and that of Mr. Shearman.

In concluding this Report, the Commission is sensible of its incompleteness in one or two points, but suggestions have been thrown out which it is hoped will enable the Government at once to deal with certain matters upon which early action ought to be taken.

The following papers are forwarded herewith:—

Notes of the evidence taken by the Commission, together with Osborne's accounts and statement.

Correspondence between Mr. Shearman and Inspector Pender on the subject of forage.

Abstracts of the petty cash book, Provincial Auditor's memo. of results of comparison of his tabulated statement, with duty and forage books, at his interview with the Commission, also his memo. of cash found in Mr. Shearman's office.

(Signed) JOHN INGLIS, Chairman.
THOMAS WM. MAUDE.
GEORGE HART.



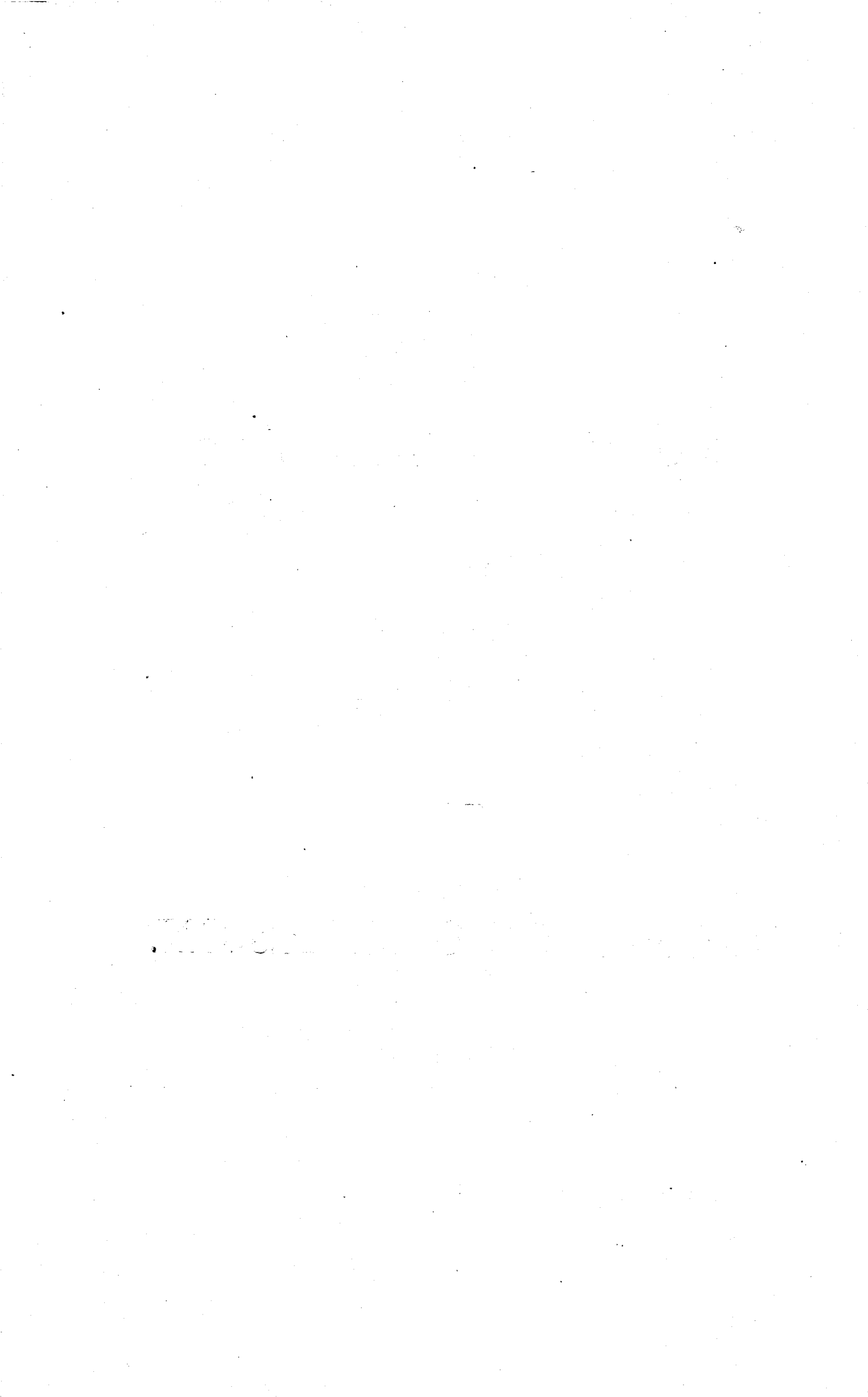
ENCLOSURES REFERRED TO

IN

REPORT

OF

THE POLICE COMMISSION.



POLICE ENQUIRY COMMISSION.

TUESDAY, NOVEMBER 21, 1871.

Present—J. Inglis, Esq. (Chairman), G. Hart, Esq., T. W. Maude, Esq., and the Provincial Secretary.

Mr. Commissioner Shearman attended.

Mr. Inglis requested him to enumerate the books kept in his department.

Mr. Shearman handed in list, which is attached hereto numbered 1.

CASH BOOKS.

Mr. Shearman—Imprest Cash Book has entered in it all sums received, by way of advance, from the Government, which are entered on one side and accounted for according to the disbursements per contra.

IMPREST CASH BOOK.

I apply for advances by requisition in the form produced, No. 2. These monies refer only to petty accounts under £1. This book has been kept four or five years. The rule is that the advice note, and the entry in the Imprest Book should be compared.

Sergeant Greenwood—On getting check from Treasury I take it to the Bank and cash it, and lodge all the amounts due to the credit of the sergeants and police at the various out-stations, and the balance remains in my hands for disbursements in Christchurch. The small balance of money is kept with other monies in the safe.

Mr. Shearman—On each occasion of applying for a fresh imprest an account is rendered of the expenditure of the previous one. The imprest warrant and the account attached is the regular form adopted. The account of the imprest is kept in the Imprest Book as shown, and balanced each month in accordance with the statement furnished to the Auditor. The imprest account is supported by sub-vouchers for the payments shown and forwarded with the statement. The Imprest Book has never been examined by the Provincial Auditor.

REGISTER OF ACCOUNTS BOOK

Is useful for tracing the amounts of accounts forwarded in case dispute should arise as is sometimes the case.

DOG FEES BOOK.

This is a book showing the amounts received for registration of dogs from all the stations. These are checked by the monthly returns furnished to me, showing

the dogs registered for the month, the collars issued, and the collars in stock. Each out-station is charged with a stock of collars as required. The book produced shows the dog collars received and issued. Whenever the out-districts send money an advice accompanies it in form No. . Monies remitted from out-stations, where practicable, are paid through a Bank to my official account at the Bank of Australasia. Where there is no Bank, they are sent through post in registered letter only. The Dog Fees Book has never been examined by the Provincial Auditor until a late occasion. The fees are paid by me into the provincial account, and a return of fees received, collars issued, and collars in stock, is forwarded to the Provincial Government for examination. [NOTE.—Mr. C. Williams says these returns are forwarded to the Auditor.] There is a monthly inspection of the stock of dog collars at the outlying stations. Although a nominal monthly inspection, it is sometimes postponed to suit circumstances. The out-stations do receive trifling amounts besides dog fees, such as amounts found on deceased persons, &c. There is no certificate specially given by the Inspecting Officer at out-stations of the stock of collars on hand. The Dog Fees Book has been in use since the year 1864. These fees have invariably been paid in without deduction to the provincial account.

LIBRARY ACCOUNT BOOK

Shows sums received and disbursed on account of the Library Fund. In this book will be found fines levied on members of the Force. The regulations produced are those in force for regulating the Library. These Regulations have received the approval of his Honour the Superintendent. The funds are held by the clerk and accountant, who acts as Librarian.

Serg. Greenwood in answer to a question as to the custody of Library Fund, stated that as he was under the threat of a prosecution from Inspector Pender, he did not feel at liberty to answer.

Mr. Shearman—This book has never to my knowledge been audited by any officer of the Government outside the Police department, but I periodically examine this book.

BANK PASS BOOK

Checks the amounts paid in to the Commissioner's official account, sent to Bank from head office.

CASH BOOK.

This book shows the expenditure for salaries and contingencies at all stations, and for all purposes; being everything that goes against the Force for its maintenance. This book also contains expenditure incurred by the Police under the Pleuro-pneumonia and Dog Collar votes respectively. Details of this book are entered from the vouchers before forwarding them for payment.

RECEIPT BOOK

Shows all monies or other articles received at the Christchurch station. This book has never been audited.

The Commission adjourned at 11.15 p.m. to 7 o'clock to-morrow evening (Wednesday).

WEDNESDAY, NOVEMBER 22, 1871.

Present—J. Inglis, Esq. (Chairman), T. W. Maude, Esq., G. Hart, Esq., and the Provincial Secretary.

The evidence taken at previous meeting was read.

Mr. Shearman attended.

PETTY CASH BOOK

Shows departmental monies received and expended. Departmental monies means monies expended in the executive management of the department, such as rewards to constables, fines for misconduct, monies found on persons dying intestate, monies retained out of salaries as deductions for misconduct, for forfeiture of pay while suspended, monies received from other Provinces for transport of prisoners—in fact it includes all monies, except those drawn from the Provincial Treasury, and money received as public revenue. This book has been kept since the establishment of the force. These receipts, from the commencement up to December, 1869, have been disbursed under the authority of the Commissioner. At that time I was directed by the Provincial Secretary to pay all monies belonging to the Provincial Government into the provincial account; this has been done invariably ever since. Previous to December, 1869, I am not aware the Government were cognisant of my disbursing these monies in this way. I had done so from the first because I considered I had authority to do so from the regulations—(Manual, page 11, clause 4). This was the system I was accustomed to in the Victorian Force.

Sergeant Greenwood wished it to be noted, with reference to the amounts in pencil in the writing of the Provincial Auditor, that he (Greenwood) had paid over the amounts at once to the Inspector. He further explained that the money for the purchase of a blanket in lieu of that torn by a prisoner in the watch-house, was placed in his hands, namely 15s. He purchased a blanket for 12s. 6d., and retained the balance, 2s. 6d., as clerk and accountant, on account of the Provincial Government. There were documents in the office and safe which refer to items in pencil in the Petty Cash Book.

Mr. Shearman—This book has never been audited by any one outside the Police Department. There have been no forfeitures deducted from salaries since 1869. Fines for misconduct previous to October, 1869, were not entered in the Library Cash Book. Certain sums were expended in purchase of books, as shown in Petty Cash Book. The Commissioner states that the whole of the fines from the commencement have been devoted towards the purchase of books for the library. Any forfeitures of salary were, as far as possible, expended in paying wages for any special services. I was present during the time that the Petty Cash Book was in the hands of the Provincial Auditor during his investigation. In reference to an item, October, 1869, £30 received for sale of horses, I had authority to expend this sum in the purchase of a horse. I cannot say now whether the authority was verbal or written. It was from the Provincial Secretary; but it was this occasion that led to the instructions of payment of all Provincial Government monies received into provincial account. There are vouchers in the Police Department for all monies disbursed out of the petty cash. There have been no monies received that ought to appear in the Petty Cash Book since August 17th, 1871, except perhaps those marked in pencil.

SALARY ABSTRACT BOOK.

Not kept now, in consequence of trouble involved when reductions took place. Discontinued April, 1870. It merely contained a copy of the monthly salary

abstracts furnished to the Provincial Secretary's office. A Roll Book is kept, showing when members of force are appointed, and when leaving. (Not produced.) Store Books are as follows:—Dog Collar Issue and Receipt Book; Stationery Ledger; General Stores; Forage Book; Daily Book (Stores), 2 books; Register Government Property; Receipt Book; Requisition Book on Commissioner; General Order Book.

DOG COLLAR ISSUE AND RECEIPT BOOK.

The stock of dog collars is kept by the storekeeper, who has charge of all other stores as well. The entries in credit side of this book are the only records of the disposal of these stores, but the collars issued to the different stations are accounted for on the monthly forms. The stock of collars is checked occasionally, but no special record made thereof. The butts from out-stations of the receipts for fees and dog collars on hand are returned to the head office at the end of each year. No account of the stock of dog collars has ever been asked for by the Provincial Auditor, but the dog collar returns are furnished to the Provincial Secretary. The stock on hand has never been counted by any one outside the Police Department. Previous to 1869 no stock book was kept of dog collars; the account was shown by the Receipt and Issue Book.

STATIONERY LEDGER

Shows the stationery in stock, and receipts, and issues. The stock consists principally of books, forms, and paper. "Form of Monthly Return" of all stationery on hand, produced.

GENERAL STORES BOOK

Shows all stores except those under the head of stationery. Clothing, caps, &c., issued to members of the force for their use. General Stores Book shows the stock on hand of stores at the head office. Stock is taken every twelve months, and compared with the Ledger. This book is written up from the Daily Receipt and Issue Books. There has been no statement of stores furnished to the Provincial Government except on the occasion of the separation of Westland.

The Commission then adjourned at 11.15 p.m., till 7 p.m. on Thursday, 23rd instant.

THURSDAY, NOVEMBER 23, 1871.

Present—J. Inglis, Esq. (Chairman), G. Hart, Esq., T. W. Maude, Esq., and the Provincial Secretary.

Mr. Shearman attended.

FORAGE BOOK.

This book shows the weekly stock on hand, the receipts during the week, and daily consumption, with the week's expenditure, and the balance carried forward to the following week. There is a book of this description kept at all stations where horses are kept. There is a weekly return forwarded from all such stations. This book shows only forage rations issued and received at Christchurch. Each man has

care of, and is responsible for his own horse. Each man draws his forage rations three times a day, when at the Depot, from the storekeeper. This book has been regularly kept from day to day from the commencement. Forage is served out by the storekeeper at regular times daily.

Sergeant Greenwood—I think the deficiency occurred during the time I was storekeeper. I attribute the deficiency partly to unavoidable waste, and partly to the fact of the stores not being weighed out. On the present storekeeper taking office I weighed the stock of oats which was handed over to him. I could not attend to the weighing out of forage to the men as it interfered with the duties of clerk and storekeeper devolving on me. Walsh was clerk and accountant, and during his time I had a good deal of his duty to do. After Walsh left the office there was an assistant appointed, temporarily, but I held the office of clerk and storekeeper, and had to do the work of accountant as well.

Mr. Shearman—I was not aware that Sergeant Greenwood did not attend to the serving out of the forage, but I was aware that he had more work than he could possibly attend to. At that time (1868) very large reductions in the amount voted by the Provincial Council for the maintenance of the force, took place. The vote was reduced from £12,500 to £7,000. The reduction consequent on this in the force necessarily upset, in a great degree, the existing arrangements. The more important duties, such as the prevention and check of crime, consequently were first considered, and in many instances therefore there were no means of attending to less important duties. The clerk and accountant's duties would be to check the Forage Book and the stock.

Sergeant Greenwood—On taking charge of the stores no accounts had been kept by Davidson (the previous storekeeper), but when I received fresh stock in May, 1870, I estimated the forage on hand, and opened the Forage Book produced. In consequence of their being no actual stock taken I found a small surplus of hay in June, as noted in Forage Book. A further surplus in deliveries occurred in the following week. Previous to May, 1870, the sergeant in charge attended to the daily issue of forage. The surplus of bran which occurs September and December, 1870, &c., would also arise from the under-estimated quantity in May previously, as well from the practice of not drawing out full rations; also, from damaged bran not being drawn. From May, 1870, to April, 1871, the forage issued to the men in the Depot was not weighed; it was merely measured. The forage for the Commissioner's horse was always weighed out. I used to take notes of the weight of forage issued to the Commissioner, but they have not been preserved in the office. The Commissioner's orderly saw it weighed invariably.

Mr. Shearman—I was not aware that the forage was not weighed, but I knew that there was a regular measure issued. There is a regulation measure used for the purpose. (See Manual, page 18.) I never allowed the men to help themselves. It is the duty of the Inspector to see that the horses were properly attended to.

Sergeant Greenwood—It was usual to issue to the Commissioner's horse a bag of oats or a bag of bran at a time as required; this was made to last as long as rations issued according to scale would have lasted. I kept a check against this on a memo. of my own latterly, during my term as storekeeper. For the last few months it was my habit to give the orderly a fortnight's rations at a time; this was by direction of the Commissioner. I either issued it personally to Commissioner's orderly or saw it immediately before he took it away, he giving me the weights. I was satisfied by personal inspection of the goods, that the weights were correct. In the hay and bulky rations, as nearly as possible a fortnight's supply was issued at a time. It would be a fortnight's rations issued in advance, then entered daily as the fortnight ran off. The fortnightly ration issued to the Commissioner has always lasted the fortnight, and frequently longer than the fortnight.

FORAGE BOOK.

Mr. Shearman—The Forage Book does and can only give an approximate account of what is expended in rations in proportion to the number of horses at the station day by day. The stock of forage has never been taken by anyone outside the department. The deficiency noted in this book of 10th of June was not reported to me by the storekeeper till a few days before the visit of the Auditor. It was Sergeant Greenwood, the clerk and accountant, who then reported this to me.

Sergeant Greenwood states he forgot to mention this deficiency till the time named above.

Mr. Shearman—Upon receiving this report from Sergeant Greenwood, I issued instructions to have the stock of forage weighed, when a surplus of 1,758 lbs. was found to exist; it was weighed by White and reported by Greenwood. I account for this surplus from the fact of a number of the horses being ill and not using so much.

Sergeant Greenwood—The deficiency before referred to ranged over a period of a year.

Mr. Shearman—One source of deficiency might be accounted for by loss of weight by grass seed. That when the Commissioner has received rations at out-stations, the supply at the Commissioner's house has lasted longer than the time for which it was issued in consequence. I have frequently been on official business up country when I have not stopped at a Police Station, but at hotels or other places, but on these occasions I have not charged for my horse. On one occasion at Leithfield, where I was detained a few days, I charged my stabling expenses; this was before a Police Station was established there. This was the only case I remember. The travelling allowance does not include forage. (See page 73 of the Manual.)

The Commission then adjourned at 10.55 p.m., to 7 p.m., Friday.

 FRIDAY, NOVEMBER 24, 1871.

Present—J. Inglis, Esq., (Chairman), G. Hart, Esq., T. W. Maude, Esq., and the Provincial Secretary.

Mr. Shearman attended.

FORAGE.

Mr. Shearman—Letter 11th August, 1871 (produced), from Inspector to Commissioner, is the first and only report, either verbal or written, made to me on the subject. On receipt of this letter the storekeeper had immediate instructions to weigh the forage. Report 14th August, Storekeeper to Commissioner, states that Sergeant McKnight could give no assistance in weighing the forage, and that he could not do it by himself. 15th August, Commissioner to Inspector, instructing Inspector that the forage would be under the officer in charge for the Christchurch District (the Inspector). 23rd August, Commissioner to Inspector, repeating instructions, and asking explanation why former instructions have not been carried out. 24th August, 1871, Memo. Inspector to Commissioner. I had no other communications on this matter than appears at this stage. The Forage Books were not

kept in my private office, but in the storekeeper's. The Inspector could have seen them at any time when he wished. It would be the Inspector's duty to inspect the books in the storekeeper's charge whenever he thought fit. (*Vide* page 18, Manual.) I don't think the Inspector has made a practice of examining these books. Davidson was appointed storekeeper in April, 1868, to take charge of the stores, including forage, and to keep the Forage Book, in place of duties which formerly devolved upon the sergeant. I usually saw the forage before it left the Depot, and the fortnightly supply issued from the Depot for my horse frequently lasted three weeks. This I state from my own knowledge when it arrived at my place. The number of men in the service in 1864 was fifty-four; in 1868 it was reduced to thirty-three. Up to the present time the Inspector has not complied with my instructions in reference to taking charge of the stock of forage at the Depot.

Sergeant Greenwood—I did on one occasion check Fowler (the Commissioner's orderly) for taking an unusually large quantity of oats away. I think what gave rise to this was his taking such a large quantity of oats at one time that it would run the small stock kept at the Depot store out, and necessitate the men bringing it from the store in Hereford street, to which the sergeant in charge objected, on grounds as taking the men off ordinary duty more often than they could well be spared. This large quantity was two bags. About seven bags was the quantity brought down from Hereford street at a time. These two bags should be good for twenty-four days. He was not in the habit of taking such large quantities, but he was allowed to take it on this occasion. Instructions were then issued by the Commissioner for fortnightly supplies. Before the fortnightly system was adopted I always kept a check on the quantity issued. This occurred between May and August, 1870.

Mr. Shearman—Up to April, 1868, the Sergeant at the Depot had charge of the horses and forage, he kept the Forage Book and issued the forage. From April, 1868, to August, 1871, the storekeeper took over the charge of the stores, forage, and books from the sergeant. In August, 1871, the Inspector was instructed to take charge of the forage and Forage Books. The requisition of Inspector Pender, noted on the back of his memo. of August 24, 1871, was approved by the Commissioner but never acted on by Inspector Pender. [NOTE—With regard to charge against Fowler, made by Inspector Pender in his letter of 24th August, 1871, according to Manual, page 61, a defaulter's sheet should have been prepared and the charge entered, and the Constable taken before the Commissioner to have the charge investigated. See also Constabulary Ordinance, Session VII., No. 7. The Inspector has not followed this course in the case of Fowler.] Any officer guilty of disobedience of orders renders himself liable to dismissal. (See pages 13, 16, and 91, Manual.) Inspector Pender disobeyed my orders relative to the forage, but I considered it unadvisable to suspend him, as the charges he was bringing forward were against myself.

On the Commissioner being asked if he had any explanation to make in reference to a reported statement of Fowler's—"that he had come back for forage sooner than he otherwise would have done as some gentleman was staying at the Commissioner's"—(this is Sergeant Greenwood's statement in letter, August 25, 1871, to Inspector Pender)—the Commissioner replied—

Mr. Shearman—During the time I have had charge of the Police Department I have always had a private supply of forage on hand. If this private supply had not been used to feed the Government horse there would at all times have been sufficient to feed the horses of friends coming to my house, and if there was any Government feed supplied to the horses of friends coming to my house, it was without my knowledge. On looking over my private file I find on January 1st, 1871, that I purchased from W. Hinton $3\frac{1}{2}$ bushels oats, 1 bag bran, and hay

(2s. 10d.), or horse-feed to the value of 19s. 10d. (account produced); and on September 13, 1871, $4\frac{1}{2}$ bushels oats, amounting to 13s. (account produced). I have made other purchases besides these from time to time previously. The quantity of forage that I have purchased would be more than sufficient to feed the horses of private persons who have called at my house. The number of nights that private horses have been stabled at my house during my tenure of office would not number more than six nights over a period of nine years; occasionally in the day horses of my private friends have had feeds. I have never had any horse except the one supplied by the Government, with the exception of one which I had for three months on my first arrival. I may also add I have frequently foraged the Government horse on hay and carrots grown on my own land. I do not think that the work of the Christchurch district could be performed by myself and a sergeant-major. I consider the services of the Inspector absolutely necessary on the ground of the population having so considerably increased.

To copy of Inspector Pender's letter of 26th September, 1871, in which he states that the Commissioner granted him permission to use his own discretion as to the course he should adopt in the matter of the alleged misappropriation of forage—

Mr. Shearman says—I declined to advise him on the subject. (See Commissioner's letter of 29th August, 1871.) The letter was forwarded direct to the Auditor and not through me, contrary to the rule laid down in the Police Manual, page 11.

The Commission then adjourned at 11 p.m., till 2 p.m. on Saturday.

SATURDAY, NOVEMBER 25, 1871.

Present—J. Inglis, Esq., (Chairman), T. W. Maude, Esq., G. Hart, Esq., and the Provincial Secretary.

Mr. Shearman attended.

STORE ACCOUNT DAILY RECEIPT, AND STORE ACCOUNT DAILY ISSUE BOOKS

Show the receipt and issue of stores and stationery, and are posted in the Stores and Stationery Ledger.

Constable White—I check my postings in these books at the end of each month.

REGISTER OF GOVERNMENT PROPERTY BOOK

Shows the property issued at the various stations.

Mr. Shearman—Returns of Government property at the various stations are sent in to the head office every six months; these returns are checked off on the Register of Government Property Book.

Constable White—I have been storekeeper since May, 1871. I have corrected the Register of Government Property Book from the returns sent in from the various stations. That by the returns it was not a correct return of the property in use at the various stations. This Government Property Book has no reference to date whatever, except that it corresponds with the returns last furnished from the various stations.

Mr. Shearman—It was necessary when the large reductions took place in 1868, to abandon the regular keeping of some of the books until such time as the strength of the force would enable me to continue the keeping of them as before. Some of the accounts in this book have been closed, and the articles returned to the Depot Store, but they have not in some instances been marked off in the book.

RECEIPT BOOK

Shows receipts of Government property, or other property; either the Commissioner or the officer in charge signs these receipts.

REGISTER OF GOVERNMENT PROPERTY BOOK.

Returns produced showing stock of articles on hand at various stations.

GENERAL ORDER BOOK.

An order issued May 18, 1868, shows the fresh arrangements I was obliged to make for the disposition of the force at the time of the reduction. These orders are copied and sent to each station, where they are entered in a book, and kept as records.

LIBRARY REGULATIONS.

Letter produced, October 7, 1870. Commissioner to Provincial Secretary, requesting authority to use the fines in purchase of books for library. Endorsement on letter, showing authority asked for was granted.

SUMMONS BOOK

Shows list of summonses handed in for service, and the disposal thereof. Similar books kept at all the outlying stations. This book is indispensable. This book is kept by clerk and accountant at Christchurch.

STAGE CARRIAGE BOOK

Shows licenses issued at the several stations. The fees for these licenses are collected at the Provincial Treasury. The licenses for stage carriages are issued by the Police, through the Provincial Treasury.

REQUISITION BOOK

Shows copy of requisitions, forwarded for approval to Provincial Government.

MEMO. BOOK—GENERAL

Contains memo. copies of temporary instructions.

LETTER BOOK

Shows press copies of letters sent.

MINUTE BOOK

Shows communications received and dispatched. This book is kept by clerk in my office.

LEAVE OF ABSENCE BOOK

Contains record of certificates issued to officers and men obtaining leave of absence.

OATH OF OFFICE BOOK.

Form of oath administered to men entering the force.

MONTHLY RETURN STATIONERY AND STORES BOOK.

POLICE REGISTER BOOK.

Names of members of force when appointed, and when leaving, &c.

POSTAGE AND STAMP BOOK.

This is a detail of letters posted. There is a book similar to this kept at all stations, and monthly returns furnished by them. This book has never been examined by any one outside the Police Department.

OUT-STATION BOOKS

Are kept in accordance with the last-named in the Manual. (See page 20.)

LIBRARY BOOK.

Issue and return of books.

SPECIAL CONSTABLES BOOK.

Names of special constables.

The Commission then adjourned at 6.20 p.m., till 7 p.m. on Tuesday.

TUESDAY, NOVEMBER 28, 1871.

Present—J. Inglis, Esq. (Chairman), T. W. Maude, Esq., G. Hart, Esq., and the Provincial Secretary.

Mr. Shearman attended.

RE-KEEPING ACCOUNT OF DAILY CASH.

Mr. Shearman—Any cash received is entered from day to day. I am not in a position to carry out the requirements of the department as well as I should wish in the absence of sufficient means, since 1868.

RESPONSIBILITY IN FINANCIAL MATTERS.

I do not fail to recognise the responsibility for monies passing through the department that should devolve on the head of the department. The clerk and accountant is under a bond to the Government for £500, holding him responsible for any money passing through his hands. With reference to the money in the safe at the time of Mr. Greenwood's suspension, the Auditor read me a statement showing to what accounts the money in the safe belonged. At the moment I had no knowledge to what accounts they belonged, but on examining the books I discovered at once to what accounts the monies belonged. The cash in the safe was correct, with the exception of some small amounts that were handed over by clerk and accountant on being suspended. I have not recently tested the Petty Cash Book. I found the entries, latterly, that had not been disposed of per contra, correct.

DISPOSAL OF MONIES PREVIOUS TO 1869.

With reference to the disposal of monies received previous to 1869 from sale of Government property, I acted under what I conceived to be the meaning conveyed under Regulation 4, page 11, of the Manual, which, with the other regulations in the Manual, I had the framing of. The system to which I was accustomed in Victoria provided for such monies being expended in a similar manner. I do not think that any other authority was given to me to dispose of these monies.

LIBRARY.

With reference to the disposal of library monies previous to January, 1870, Mr. Bealey's Government was privy to my so applying the fines and forfeitures, and on 27th January, 1870, a written authority was received from Government.

LIBRARY BOOKS.

I frequently had some of the newly-purchased books sent to my place to examine them, according to Rule No. 2, of Library Regulations. I have no recollection of keeping them for any unnecessary lengthy period. No complaints on this score were ever made to me. I have always endeavoured to act up to the rules in the Manual, and I do not know to what the Auditor refers to in page 6 of his letter as to assumption of authority, contrary to Manual, pages 11, 12, and 54.

STORE BOOKS.

In reference to Mr. Walsh's evidence as to handing over of Store and Forage Books, I never refused Mr. Pender access to any book except the Petty Cash Book, and that was done because I considered the demand of the Inspector impertinent and insubordinate, as implying incorrectness in the keeping of the book. The book was kept by the then clerk and accountant (the witness Walsh), who told me that the Inspector was under the impression that monies that should have been paid over to the Curator of Intestate Estates were in my office safe. The Inspector had access to all the books in my office during my absence, even the Petty Cash Book. At the time I gave Walsh instructions not to let Mr. Pender see the Petty Cash the monies due to the Intestate Estates had been paid into the Colonial Treasury some time previously. They were so paid in because the then Curator, Mr. Calvert, refused to receive them, as they were under £50 in each estate. I did not take any steps against Inspector Pender for his insubordination, as he complained to me of bad health at the time.

FORAGE.

Mr. Shearman—With reference to the irregularities referred to by the Auditor (page 2 and 3 of his letter), I have to state that after the great reduction took place in 1868, the most important duties of a Police Department—the prevention and detection of crime, and the preservation of life and property—received full attention, and other departmental duties were performed as well as the reduced circumstances of the department would permit, but the utmost care was taken that no loss should take place in the issue of forage. The deficiency that took place in the forage extended over twelve months. The deficiency, under the circumstances, I consider to be small. I never knew of the forage regulations being infringed until the Inspector reported so to me in his letter of 11th August, 1871. It was the duty of the Inspector to have reported to me any laxity in the issuing of forage previous to this. This he failed to do. I had not relieved him of the duty of seeing that the forage was properly issued, although I had transferred the duty of actual issue from the sergeant to the storekeeper. It would be the duty of the Inspector to be present at the stable morning and evening to see that the horses were properly attended to. If the Inspector had performed his duty as regards

this no irregularity could have taken place without his knowledge. He has had charge of the Christchurch district from the date of the organisation of the service up to the present time. I am not aware that the last paragraph of page 73 of the Manual has been infringed. None of the rules of the service were countermanded, either by intention or expression in the letter of 17th April, 1868, instructing the Inspector to have the forage taken over from the sergeant by the storekeeper. If the consumption was estimated from the Duty Book it was entirely without my knowledge. I never gave any express instructions as to the issue of forage for my horse, except that the usual allowance should be forwarded to my place fortnightly, and accounted for to the storekeeper by the groom. Government forage was never issued with my knowledge to the horses of my private friends. I was never told by the groom that Government forage had been issued to the horses of my friends, or that my private forage had been issued to the Government horse. I had forage of my own in store previous to Beatty's case.

ALLEGED REMOVAL OF GOVERNMENT PROPERTY TO COMMISSIONER'S PRIVATE RESIDENCE.

Mr. Shearman—In reference to Walsh's statement as to the removal of door-scrappers, mats, poles, barrels, stands, oilcloth, &c., to my house for private use, the system adopted in Canterbury was similar to that adopted in Victoria:—Each Police officer is provided with quarters and furniture; and at the time the witness Walsh alludes to I was living in a house provided by the Government, which I gave up of my own accord. Some of the articles of furniture—a kitchen table, two chairs, a door-scraper, and a hat-rack—were removed by the servant with my subsequent knowledge. The fact of my not making use of the house provided by the Government did not appear to me a reason why I should forego any of the other advantages. Had the articles I mentioned not been removed during my absence I don't think that I should have taken advantage of it. If I were to leave the Government service I should consider it imperative on me to return these articles to the Government store. I cannot say whether they are on the Government property list or not. Only one barrel was taken to my house for the use of the horse, also a wheelbarrow.

The Commission then adjourned at 11.30 p.m., till 7 p.m. on Wednesday, the 29th instant.

WEDNESDAY, NOVEMBER 29, 1871.

Present—J. Inglis, Esq. (Chairman), T. W. Maude, Esq., G. Hart, Esq., and the Provincial Secretary.

COMMISSIONER'S TRAVELLING ALLOWANCES.

Mr. Shearman—The Occurrence or the Forage Books would fail to record instances when I remained for the night at the following places:—Eyreton, Weka Pass, Horsley Downs, Taylor's Station (Hurunui), Glenmark, Amuri, Leeston, Selwyn, Ashburton, Malvern, Kowai Pass, Cragieburn, Grassmere, Cass River, and the Accommodation House south side Upper Waimakariri; and all the above-mentioned places I have visited. At Akaroa the Forage Books would give no information, as I travelled by sea. Lyttelton District: I occasionally remained the night at the Queen's Hotel when I travelled to Akaroa and Timaru by sea. I inspected the Lyttelton Station without charging daily or nightly travelling

allowance. When I visited Lyttelton during the day no charge was made by me unless where I incurred actual expenses, or remained there over six hours. When the Kaiapoi bridge was out of repair the Police horse was stabled at my expense, and would not appear in the forage return at the Kaiapoi Station. In 1868 I very frequently visited Woodend, and stabled my horse at the hotel. The forage on such occasions would not appear in the Kaiapoi Forage Book. In 1866, 1867, and 1868 I had more travelling than at any other time, in consequence of the West Coast Goldfields. The reason why the information which appears in the forage reports cannot be relied on is, that I have frequently remained the night at hotels and other houses where there were no Police Stations. I have frequently called at Police Stations, and found the sergeant in charge absent, and left without inspecting them. When I have inspected stations the sergeant may have neglected to make an entry in the Forage Books. When I have visited stations, and did not find it necessary to feed my horse, no entry would appear in Forage Books. The reasons why the Occurrence Books do not contain reliable information would depend whether the sergeant in charge of the station considered my visit an occurrence that should be entered. With regard to the evidence to be adduced from the Letter Books as to my absences, I may state that it was my custom to visit my office in the morning and attend to the correspondence, then leave Christchurch and visit outlying stations, and remain a night or nights, and again attend my office in the evening of the day I returned. I have frequently signed letters of a previous date that would appear in the Letter Book, after my signature was attached. When I have been absent from Christchurch it was sometimes the case that letters remained unanswered until my return, therefore the Letter Book would not show my absence by the evidence of letters bearing the signature of the Inspector.

The Commission adjourned at 11 p.m., till Thursday evening, at 7 p.m.

THURSDAY, NOVEMBER 30, 1871.

Present—J. Inglis, Esq. (Chairman), T. W. Maude, Esq., G. Hart, Esq., and the Provincial Secretary.

The Provincial Auditor attended.

OCCURRENCE BOOKS SHOWS :—

COMMISSIONER AT LYTTTELTON—

1867, July	10—Arrived 1.30 p.m., and left 3 p.m.—half ration.
„ August	29—Arrived 1.30 p.m., left 3 p.m.—forage.
„ September	25—Arrived 1.30 p.m., left 3 p.m.
„ November	19—Arrived 1.30 p.m., left 3 p.m.—half ration.
„ „	27—Arrived 2 p.m., left 3 p.m.—half ration.
„ December	22—Arrived 8 a.m., and inspected books on his return from Akaroa.
1868, January	1—Regatta—no forage.
„ February	28—Commissioner inspected station—no forage entry.
„ March	12—Arrived 1 p.m., left 4 p.m., inspected books—no forage.
„ April	7—Arrived 12.30 p.m., left 4 p.m.—no forage.
„ „	29—Arrived 9.30 a.m., left 4 p.m., inspected books—no forage.
„ May	12—Arrived 1 p.m., left 4 p.m., inspected station—no forage.
„ „	22—Arrived 12.30 p.m., left 1 p.m.—no forage.
„ September	17—Arrived 2.30 p.m., left 3.45 p.m.—half forage.
„ October	23—Arrived 1 p.m., left 3.30 p.m.—no forage.
„ November	20—Arrived 3 p.m., left 5 p.m.—no forage.
„ December	7—Arrived 1 p.m., left 1.30 p.m., inspection—no forage.
„ „	12—Arrived 1 p.m., left 1.30 p.m.—no forage.

COMMISSIONER AT KAIAPOI—

1867, July	2—	Arrived to inspect station—no forage.			
"	"	22—	No entry in Occurrence Book—entered in Forage Book only—half forage.		
1868, April	4—	"	"	"	—half forage.
"	May	1—	"	"	—half forage.
"	"	26 & 27—	"	"	—half forage.

(It appears that the Commissioner was at Kaiapoi inspecting station).

Mr. Ollivier—Walsh in evidence stated that the Commissioner's absence could only be shown by the Occurrence Books, the Forage Books, &c., and the Commissioner tacitly admitted this. The Commissioner did not deny it, but tacitly admitted the fact. He was acting at that time under Mr. Joynt's advice not to answer any questions.

COMMISSIONER AT KAIAPOI—Continued.

		OCURRENCE BOOK.	DUTY.	FORAGE BOOK.
1868, June	5 ...	Nil	Nil	Half rations on 5th & 6th
"	"	19 ...	Nil	Nil
"	July	13 ...	...Inspecting station...	Half ration
"	"	31 ...	Arrived 1 p.m., left 3 p.m.	...Inspecting station...Half ration
"	Sept.	21 ...	Arrived 1 p.m., and at 1.30 left for Woodend ...	Nil
"	"	29 ...	Nil	...Visiting station ...Half ration
"	Oct.	21 ...	Arrived 12.40, left 3.15 p.m. for Christchurch ...	...Visiting station ...Half ration
"	Nov.	2 ...	Arrived 2 p.m., left for Christchurch 3 p.m. ...	...Visiting station ...Half ration
"	"	18 ...	Arrived 11.30 a.m., left for Christchurch 4 p.m. ...	...Visiting station ...Nil
"	"	24 ...	Nil	...Visiting station ...Half ration
"	Dec.	4 ...	Arrived 12.30 p.m., left for Christchurch 1.30 p.m. ...	Nil
"	"	16 ...	Nil	...Visiting station ...Half ration
"	"	29 ...	Nil	...Visiting station ...Half ration

COMMISSIONER AT LEITHFIELD—

1867, July	22 ...	Returning 23rd July	...Visiting station	...Half rations 22nd & 23rd
"	Sept. 12 & 13 ...	Nil	Nil	...Half rations 12th & 13th
"	Nov. 22 & 23 ...	Nil	...Inspecting station...	Half rations 22nd & 23rd
1868, Mar. 18 & 19 ...	Nil	...Ret. to Ch. Ch. 19th...	Half rations 18th & 19th	
"	June	5 ...	Arrived 9.30 p.m. 5th, left for Christchurch 6th 10 a.m....	Nil
"	Oct. 28 & 29 ...	Arrived 4 p.m. 28th, left at 10 a.m. 29th ...	Nil	...Half rations 28th & 29th

COMMISSIONER AT RANGIORA—

1867, July	23 ...	Nil	...Inspecting station...	Half ration
"	Aug.	25 ...	(From Oxford)	...Inspecting station...Half ration
"	Nov.	23 ...	(From Leithfield)	...Inspecting station...Nil
1868, May	28 ...	Called, sitting R. M. Court	Nil	Nil
"	June	6 ...	Nil	...Inspecting station...Nil
"	Sept.	10 ...	Nil	...Inspection of station and premises ...Half ration
"	Nov.	18 ...	Nil	...Inspection of station and premises ...Half ration

COMMISSIONER AT OXFORD—

1867, Aug.	24 ...	Nil	...Inspection	...Half rations 24th & 25th
1868, Mar. 26 & 27 ...	Nil	...Inspection	...Half rations 26th & 27th	

COMMISSIONER AT BEALEY—

1867, Oct.	26 ...	Commissioner passed <i>en route</i> for West Coast ...	Nil	...Nil
"	Nov.	2 ...	Commissioner returned by coach from W.C. <i>en route</i> for Christchurch	Nil

COMMISSIONER AT ASHBURTON, AROWHENUA, TIMARU, AND WAIMATE—Immaterial, books not examined by Commission.

The Auditor after having gone through his tabulated statement with the Diary and Forage Books showing the sources from which he had gathered information, went on to say that while he had no objection to explain his report to the Commission so far as might be necessary to elucidate his meaning, yet he must decline to give any evidence, or to make any statement, which was to be reduced to writing, and form part of the minutes of the Commission.

The Commission adjourned at 11.50 p.m. to 7 p.m.. on Friday, Dec. 1, 1871.

FRIDAY, DECEMBER 1, 1871.

Present—J. Inglis, Esq. (Chairman), G. Hart, Esq., T. W. Maude, Esq., and the Provincial Secretary.

Beatty—At the end of February or the beginning of March last, I said that Mr. Shearman ought to have protected me against the attacks of those who prosecuted me (Petrie and James); I think I stated this to Mr. Pender. I never said anything disparaging of the Commissioner, I could not do so; I have served under him for eight years. I wish to state that I travelled frequently with the Commissioner from about 1864, and as to honesty and integrity, I do not consider there is a more honest and faithful officer in any department of the Government. My reason for thinking so is, Mr. Shearman knew I had money by me, and before we proceeded on these journeys he told me the Government would pay our expenses, and asked me to take some money with me; I did so and he instructed me to keep memos. of monies paid. When I came to forward these for payment he struck out several items and paid them out of his own pocket. That I would consider fairly chargeable to the Government. Some stores for the journey and other refreshments he paid for the men out of his own pocket; he did this invariably when I travelled with him. The Government allow the force saddlery, but I know that the Commissioner paid out of his own pocket, for the saddle he now uses in the public service. (The evidence of Mr. Inspector Pender having been read to Mr. Beatty) he said he never said anything against the Commissioner, and the only remark he made was that already given. I say this though I think Mr. Shearman treated me badly. I was in charge of the forage in 1864 and at intervals afterwards. I served out the forage rations three times a day by the regulations measure. As sergeant in charge I was responsible for the forage received, and if there was any deficiency on the issue of it, I had to pay for it, but there never was any deficiency in my case. I would always enter the full rations whether the horses had it or not; sometimes they did not get the full rations, from their being off their feed from sickness or other causes. The Inspector would hold me responsible, and the Commissioner hold the Inspector so. I sent grass seed to Kaiapoi. I have sometimes issued the grass seed to the horses. I consider it impracticable to weigh out forage to the horses, because the men might be better employed, and on the whole I consider the results ought to come out correctly. After April, 1868, the forage was issued much in the same way as when I was in charge, but the men had greater scope, that is, they were allowed to help themselves; I have helped myself. I presume the reason of this was that the foot sergeant was not able to fulfil the duties since the services of the mounted sergeant was discontinued at Christchurch. Occasionally the Inspector would examine the Forage Books; he would examine frequently, and would certify to them weekly. When I was in charge of the Leithfield Station, I always entered in the Duty Book in column of remarks, when the Commissioner visited the station. The Commissioner never went to the Hurunui, with my knowledge during 1868. I always attended the arrival of the Christchurch coach to receive despatches, and to

see the passengers who arrived by it. If the Commissioner passed through without calling at the station I should note it in the Occurrence Book. I was in the habit of weighing out forage to the Commissioner in advance, for seven or fourteen days. In charging this against the Commissioner's horse when I knew he was absent, I did not charge it against his horse but would consider the rations issued would last longer than the seven or fourteen days, according to the number of days he was away from Christchurch.

Mr. Pender—Books produced:—Duty and Occurrence Book; Letter Book; Minute Book; Memo. Book, from Commissioner's Depot; Memo Book, from Out-stations. Copy of Memos. issued from Commissioner's Memo. Book.

GENERAL ORDERS BOOK.

Copy of general orders from Commissioner.

DISTRICT ORDER BOOK.—[NOT USED.]

DOG COLLAR RECEIPT AND VOUCHER ACCOUNTS BOOK

Showing monies received for dog collars forwarded to Commissioner's office, and also showing accounts as forwarded to Commissioner to the Government for payment. The books are kept by a clerk (Mr. Stevenson) in my office under regulation. Page 21, of the Manual.

SUMMONS BOOK.

Record of summonses received from Resident Magistrates' Court. These do not appear in similar book kept in Commissioner's office.

WARRANT BOOK.

Record of warrants issued and disposal. These do not appear in similar book kept in Commissioner's office.

POSTAGE ACCOUNT BOOK.

Account of stamps issued from Commissioner's office.

REGISTER OF PROPERTY.—[NOT USED.]

LIST OF PUBLICANS

Shows fines imposed by Resident Magistrate's Court, on publicans, and records and fines on slaughter-houses.

RECOGNISANCE BOOK.

Order issued by Commissioner dispensing with this book. Used till 1871. I consider this book necessary, according to the Act.

TELEGRAPH FORM BOOK.

Telegram sent by the Inspector. He has counterpart of all telegrams. Special, printed.

WATCH-HOUSE BOOK.

Records, names of all persons apprehended by the Police.

RECEIPT BOOK.

Record receipts for monies and property.

REQUISITION BOOK

Shows articles required to be supplied.

DOG REGISTRATION RECEIPT BOOK

Shows receipts for dogs registered. The Auditor has never examined any books in my charge. I had distribution of the pay at one time. It was altered at my request to clerk and accountant, to save trouble.

The Commission adjourned at 11.15 p.m.

SATURDAY, DECEMBER 2, 1871.

Present—J. Inglis, Esq., T. W. Maude, Esq., G. Hart, Esq., and the Provincial Secretary.

Mr. Pender—I do not note in my Occurrence Book when the Commissioner leaves Christchurch. He generally makes an entry when he is leaving. There have been instances of his leaving without doing this, but on these occasions he generally left a message with the Clerk. As a rule he always let me know when he was going to stop away a night, but it might have happened that he did not. As a rule I did not keep the letters from Commissioner on these matters. They would be copied in the Commissioner's Letter Book. He might have been away from Christchurch without my knowledge; as to what station he was visiting during the day, generally if he did not tell me he told the Clerk. The Canterbury Police system is the same as the Victorian system, with the exception of a few particulars, the general organisation is the same. I was six years in the Victorian police. I was in charge of a Sub-District. The Victorian system is carried out here as far as possible, alterations have been from circumstances. The duties of various officers here are well defined in the Manual, and as a whole are carried out, and efficiently. The Manual gives me power to deal with the men, but the Commissioner undertakes this duty himself. The Commissioner being a J.P., can take evidence on oath, and it is more convenient for him to deal with these matters. I have an oversight of all that goes on within the Christchurch district, and have supervision of the Force with exception of Library, Forage, and Stores. I had charge of the Forage and Stores till 1868, when the Commissioner ordered me to hand over to Storekeeper—Constable Davidson. The Sergeant in immediate charge up to that time of the Stores and Forage, was under my supervision. The officer to whom the Forage was handed I had no supervision over. I never had anything to do with the officer to whom it was handed over, neither had the Sergeant under me. Before 1868 I never heard of any irregularities in the issuing of Forage, nor of any deficiency. I always signed the Forage Books and examined the Stock of Forage, not by weight, but to satisfy myself. I could always check it when the Forage ran out. The Sergeant from his own knowledge would fill in the rations in the Forage Books. Full rations were not issued to sick horses, or absent horses. If a horse was off his feed for a couple of days full rations as a rule were issued; if for a longer period, half-rations were entered in Forage Book; though entered as half-rations they might not have been given them. I did not become aware of the deficiency in Forage till a few days before. I reported it, namely, early in August, 1871. On hearing of the deficiency I considered it my duty to report it. The Commissioner must have known I had no control over Forage and Stores after April, 1868, as the books

were removed from my office. I do not recollect any correspondence passing between the Commissioner and myself on this matter after the letter of April 1868. I considered that the letter superseded the Rule in page 18, 4th line of the Manual so far as the Forage was concerned. I do not consider the Clerk and Accountant or the Storekeeper under my control. In fact, I have occasionally to take orders from the Clerk and Accountant—that was in the Commissioner's absence—written orders. Letter produced—30th November, 1871, endorsed by Constable White, for Commissioner. When Walsh was Clerk and Accountant, he was on several occasions left in charge of the duties of the Commissioner's office; this by the rules of the service properly should have devolved on me. I am not aware that the Clerk and Accountant Greenwood is under bond; I don't think White is. The reason why I wrote the letters to the out-stations as stated in my evidence before the Auditor, was that I had a suspicion that monies sent from out-stations had not been entered in the Cash Book; indeed, I had ascertained this from Sergeant O'Grady's evidence. He mentioned the amount, I think it was about 5s. I never asked the Commissioner leave to see the Forage and Stores Books after 1868, but I asked to see the Cash Book accounting for fines. In Victoria and in other provinces of New Zealand, it is customary to set aside the fines as a reward fund, and therefore I was anxious to ascertain how they were disposed of, but the Commissioner declined to allow me any books in the office. I applied in person. The Clerk and Accountant Walsh was present. When the Commissioner was absent I never went into his office except when the Clerk and Accountant was present. I understood from the Clerk and Accountant that it was the Commissioner's wish that I should not see them, and therefore I did not seek to see them. I never could ascertain the Commissioner's objection to my seeing the books. A member of the Force must be six hours absent to entitle him to a daily travelling allowance, but since the Commissioner's Memo. to that effect, and leaving the charge to the officer's discretion, I have not claimed the allowance unless six hours absent. It was twelve months or so since, before it was discretionary, but I always required it to be shown that the men had been put to some expense; the same rule applied to myself. I think the Clerk and Accountant in the Commissioner's office could not be dispensed with, but I know little of the working in the Commissioner's office, and don't feel competent to give an opinion. If the Dog Registry Book, the Postage Book, Letter Book, Summons Book, Warrant Book, and Minute Book, at present kept in my office were transferred to the Commissioner's office, or dispensed with altogether, there would be no necessity for the services of a Clerk in my office. If I had access to them, one set of similar books would do both offices. The Commissioner has written to me during his absence to request me to attend to "urgent duties" during his absence. (Letter produced, 29th September, 1871.) I have sometimes been communicated with by the Clerk and Accountant as from the Commissioner, a course which I consider objectionable. The letter produced is an instance of what I mean. 30th November, 1871, from Provincial Secretary, endorsed by Constable White. The Commissioner here occupies an analogous position to that of the Chief Commissioner in Victoria. The districts in Victoria are in charge of Superintendents or Inspectors, and there are Sub-districts in charge of Sub-Inspectors. Some of the districts in Victoria are as large as the districts in this province in area and population. I consider it necessary that there should be one person in charge of the whole force. I am aware that Mr Brannigan in Otago, took charge of the whole Force, as well as the duties of the district he was located in, in Otago, and that he took charge of the prosecutions at the Police Court. The Chief Commissioner in Victoria had no district duties. I consider myself bound to carry out the instructions of the Commissioner, unless I knew there was something wrong. I did not think these instructions of the Commissioner were legal after I had asked for an enquiry. Previous to the Commissioner's writing his memo. of August 15, 1871, I had a personal interview with him respecting the forage, when he told me he had made enquiry and the forage was all right. I asked him if he knew there was a deficiency, I told him I had information that led me to believe there was something wrong about it; I asked

him to let me know the result of the enquiry. I had at that time heard that large quantities of forage had been taken away to the Commissioner's house, and I was anxious that the forage should not be interfered with until an enquiry had been held. The general discipline of the force has been carried out of late. There is scarcely such a thing as crime escaping undetected. The force is not demoralised or disorganised, things go on just in the same way, so far as I am concerned, as heretofore, and so far as I am aware throughout the Province. The force is rather shorthanded in my district, and has been so for some time. Mr. Brannigan did not keep Inspectors. If there were no Inspector it would involve the Commissioner's taking charge of all the duties, both night and day, and he would be obliged to be on the spot constantly; but I do not think the Timaru Inspector could be dispensed with. There are three men on night duty in Christchurch; Commissioner, Inspector, first-class sergeant, third-class sergeant, a clerk and accountant (sergeant), storekeeper, nineteen first-class constables (three mounted), orderly, cook—twenty-five in all Christchurch district. Some time since I wrote to the Commissioner asking him to hold an enquiry as to the purchase of horses. I have not received a reply up to the present time. This was about eight or nine months ago. I considered the horses were not bought in accordance with the regulations. The Commissioner bought the horses himself, required me to sign though I was not present. I believe Mr. Hill the veterinary surgeon was present. The rule has not been complied with for some time. The first instance was—a horse was brought to the Depot by Mr. H. B. Johnstone during my absence; I knew nothing about this horse and I declined to sign. The horse was purchased and paid for by Government. The horse was slightly lame shortly after, but has turned out well since and is still at the Depot. Some of the horses purchased since have been found to be lame shortly after purchased. The last horse purchased went lame shortly after he was purchased, and was lame when I last saw him.

Mr. Shearman—During my absence from the station it would be the duty of the Inspector to open my official correspondence, as second in command, but if the Inspector was not in the Depot the accountant would open the letters. The accountant or storekeeper would simply pass the letters on. I think the form endorsed on letter November 30, 1871 (produced), a proper one. I was not aware that the storekeeper or accountant used this form. Mr. Pender never complained of this mode of transmitting correspondence. It is very unusual for the clerk and storekeeper to forward correspondence, and only in cases of emergency. I only recollect this instance; it was done in order to save time. The cash found in safe at time of Greenwood's suspension is in my possession. Referring to my letter 29th September, instructing Mr. Pender to attend to urgent business, I meant merely to relieve him from any duties except those of immediate importance. Accountant Greenwood has been under bond almost from his appointment. The memo. in which I stated that members of the force should not receive a day's travelling allowance unless they were absent six hours, I did not mean to apply to myself or to the Inspector. I am not aware whether the Inspector has refrained from charging travelling when absent less than six hours. I think it works better to keep summons and warrant books in Inspector's as well as in my office. I consider the services of clerk and storekeeper absolutely indispensable, and that the offices should be held by separate persons. I think if the books at present in use were materially altered or discontinued it would impair the efficiency of the service. It is necessary in a Police Force to keep records of everything that transpires for future reference. Horses are purchased in accordance with the rules of the Manual (page 70), a certificate has to be signed by Commissioner, veterinary surgeon, and an officer. I have never, to my knowledge, purchased a horse except under this regulation. In purchasing a horse from H. B. Johnstone, the certificate was signed by myself and a veterinary surgeon, and some member of the force. Sometimes horses that have been purchased have subsequently turned out badly. There is one now at the Bealey lamed after purchase. I brought this under the

attention of the veterinary surgeon. I don't know of any horse that is lame at present except the one above referred to. I purchased horses largely for the Victorian Police Force. I never asked Inspector Pender to sign certificates without his seeing the horse; he has refused to sign certificates on the ground that he did not see the horse, though the horse has been in the Police stable at the time. The horse had not in the meantime been purchased, but was agreed to be purchased. The last two horses that were purchased I asked him to examine with me, and he refused, saying he had nothing to do with it. I think this was bordering on insubordination.

The Commission adjourned at 7 p.m., to Monday, December 4.

MONDAY, DECEMBER 4, 1871.

Inspector Pender—In the letters produced which were left for me by the Commissioner when he was about to absent himself on duty, I considered that the expression "matters requiring immediate attention," indicated a wish on the part of the Commissioner that I should abstain from transacting any business other than what required immediate attention, and not as intending to relieve me from pressure of the business of the ordinary and usual duties of his office. My reason for thinking this was that on one occasion I complained personally to him that I did not like the clerk giving me instructions, when he said that it should not occur again. I am not certain, but I think it was in the latter part of 1869.

REPORT OF INSPECTOR PENDER IN REFERENCE TO SUSPENSION OF
SERGEANT GREENWOOD.

The original papers respecting the urinal that had been broken, as mentioned in my report of the 16th November, 1871, show that the money collected from the prisoner was forwarded to the Commissioner, and a urinal was issued from the store. This money was not entered in the Cash Book, and was not forthcoming from Greenwood until the enquiry held before the Auditor, when he handed the money to the Auditor on the 4th October, whereas he received it on the 25th July, 1871, having previously denied on more than one occasion that he had any other monies not entered in the Cash Book. He denied this in the presence of White.

With reference to the blanket, the original papers produced show that on the 21st June Sergeant McKnight reported a blanket torn by a prisoner, Michael Howard, and sent 15s., received from the prisoner, to me. I forwarded the same to the Commissioner's office, with requisition on Commissioner for issue of a fresh blanket from the store. Sergeant Greenwood received this money, and bought a blanket for 12s. 6d. in the town, and did not enter the 2s. 6d. in the Cash Book.

The account on provincial form has no signature of the Commissioner. I infer from this, and also from the absence of the Commissioner's signature to a memo. in Greenwood's handwriting that the papers never were put before the Commissioner. It was storekeeper White's duty to have purchased the blanket, if one was to have been bought at all. The papers should have been sent out and entered in the books, which does not appear to have been done.

The date of the letter reports to the Commissioner that the purchase of horses was not in accordance with the rules of the Manual on the 14th January, 1871, and asking for an enquiry.

My reason for not certifying to horses was that they had been purchased before I had seen them.

On Saturday night a person came to me and wished to make a statement relative to matters concerning the force. I preferred that he should make his statement in the presence of the Commissioner, and accordingly proceeded with him to the Commissioner's house, where he made a statement in my presence before the Commissioner, who requested him to put it in writing, which he did, and left it with me. I gave the statement to the Commissioner this morning. The statement involves certain of the sergeants as to the misappropriation of forage, wood, and stores. He wished his name not to be mentioned.

I have seen Davidson, the former storekeeper, now stationed in Lyttelton, in the Commissioner's office; also, Greenwood, since the commencement of the inquiry, working at the books.

Davidson did not report himself at the Depot, and on inquiry from the sergeant, I learned that he was sent for to come into the Commissioner's office.

Mr. Shearman—On Saturday evening a person came to my place with the Inspector, and stated that O'Grady had purchased forage in bulk, and sold it to the Government at a higher price than he bought it for by the ton, and realised a profit of about £6; that Sergeant Horniman had received forage or stabling, and that he got the hotelkeeper, Lawrence, to sign the accounts, and did not pay him; that Sergeant Barsham had got a requisition for six cords of firewood, and that he bought nine, and consequently charged a higher price for the six in order to cover the cost of the nine, he was stationed at Leithfield at this time; that O'Grady had had some chimnies swept, and charged more than the proper amount; that he got some straw for nothing, and carted it with the Government horse, and that he charged the Government with the straw; that Walsh, clerk in my office then, got him to make up a deficiency of money that was missing. The correspondence on this subject is in the Secretary's office. That Walsh borrowed £60 from somebody to pay the money. The person who gave me the information desired me not to mention his name, but that he was very inveterate against Sergeant O'Grady. This person was under the influence of liquor when he came to my place. I told him to put it in writing, and he did so. I understand that these matters occurred in 1868 or 1869. Greenwood has been collecting papers in my office for the Commission, and has been doing nothing else, except to-day, I gave him a tracing to do which he took to his own house.

(Copy of account.)

		Cambridge Terrace West, Christchurch.
MR. SHEARMAN,		
1863.	Bought of ALFRED OSBORN, Cabinetmaker, Upholsterer, and Undertaker.	
December 30—	1 Pair palliasses	£1 15 0
	1 Pier glass	7 0 0
	3 Engravings, at 40s.	6 0 0
	1 Ditto	3 0 0
	4½ Yards oilcloth, and laying	1 7 6
	1 Hair pillow	0 10 0
		£19 12 6

I hereby certify that this account was rendered by me, and paid by Mr. Shearman.

ALFRED OSBORN.

(Copy of account.)

		Cambridge Terrace West, Christchurch.
MR. SHEARMAN,		
1863.	Bought of ALFRED OSBORN, Cabinetmaker, Upholsterer, and Undertaker.	
December 27—	Mahogany chiffonier	£12 0 0
	2 Cornice poles, at 55s.	5 10 0

December 27—2 Pair curtains, at 30s. and 35s.	...	...	...	...	£3 5 0
24 Yards tapestry carpet, at 6s. 6d.	...	...	...	...	7 16 0
Making and laying	...	...	...	...	1 16 0
2 Pair band tassels, at 15s....	...	...	...	...	1 10 0
					<hr/>
					£31 17 0

I hereby certify that this account is a correct copy of account rendered by me, and paid by Mr. Shearman.

ALFRED OSBORN.

Cambridge Terrace West, Christchurch.

MR. SHEARMAN,

Bought of ALFRED OSBORN, Cabinetmaker, Upholsterer, and Undertaker.

	Mahogany chiffonier	...	...	...	...	£12 0 0
	2 Cornice poles	...	...	...	...	5 10 0
	2 Pair curtains, at 30s. and 35s.	...	...	...	...	3 5 0
Government.	4 Blind rollers	...	...	...	...	4 0 0
	24 Yards carpet	...	...	...	...	7 16 0
	Making and laying	...	...	...	...	1 16 0
Government.	Lining back room	...	...	...	...	10 0 0
Government.	2 Cedar ventilators	...	...	...	...	2 10 0
Government.	Altering mantelpiece	...	...	...	...	0 15 0
Government.	Making and fixing fanlight	...	...	...	...	2 10 0
	2 Pair band tassels, at 15s.	...	...	...	...	1 10 0

Mr. Osborn—I remember the time at which I furnished the house at Hereford street Police Station, occupied by the Commissioner. The account book I produce contains entries of all the things ordered by Mr. Shearman on the 27th and 30th December. I give a copy of these entries. The items marked Government have been paid for by the Provincial Government, and the others by Mr. Shearman. The cornice poles were paid for by Mr. Shearman in the first place, and when he removed to his residence on the East Belt, I supplied him with two cornice poles amongst other things, which are debited to his private account on the 7th August, 1866, and have been paid for by him. These were ordered because those formerly supplied were not long enough for his new house. The old ones were left on my hands for sale, and I sold them to Walsh for £3. The two which are charged to his account on the 10th August same year have been paid for. I know of my own knowledge that the things marked Government in the copy account furnished were not removed to the Commissioner's private residence. The oilcloth which was laid in the hall, and which is the item four and a-half yards of oilcloth and laying, £1 7s. 6d., appearing in Mr. Shearman's private account, and which was paid for by him, was never charged by me to the Provincial Government. I never told Walsh or led him to believe in any way that these goods had been paid for by the Government. I can say positively that Walsh never asked me whether these things had been paid for by Government or Mr. Shearman. I produce my labour book. I show an entry, Folio 48, dated December 30, 1863, in which the time of one hour for laying oilcloth is charged to Mr. Shearman. There are also entries on the same page of the time for making and polishing cornice poles, which is charged to the name of Shearman. I have had several accounts with Mr. Shearman, but anything ordered by him for the Provincial Government has been kept strictly separate, and paid for by the Government in regular course.

The above statement was taken down by me in writing, and read over to Mr. Osborn, 13th December, 1871.

THOMAS MAUDE.

ALFRED OSBORN.

Police Department,
Commissioner's Office, Christchurch, August 14, 1871.

Constable Edward White reports for the information of the Commissioner, that on Saturday, 12th instant, the clerk and accountant instructed the constable to weigh all the forage in the Depot, and that he would obtain assistance from the sergeant in charge of the Depot to do so. On the constable applying for assistance to weigh the forage, Sergeant McKnight says he could give no assistance. The forage was not weighed, as it would be impossible for Constable White to weigh it by himself.

EDWARD WHITE,
Constable and Storekeeper.

The Commissioner of Police, Christchurch.

Constabulary Department,
Commissioner's Office, Christchurch, 15th August, 1871.

MEMO. v. 3084, 1871—

As it is my intention to place the management of the Forage Store at the Depot under the supervision of the officer in charge of the Christchurch district, the Inspector will be good enough to take delivery of the stock of forage on hand, and report its condition, and any deficiency or surplus that may exist. The usual Forage Book must be kept, and a weekly return forwarded to this office. Forage will be issued from the store in Hereford street when required, on requisition from the Inspector.

R. C. SHEARMAN,
Commissioner of Police.

The Inspector of Police, Christchurch.

Constabulary Department,
Commissioner's Office, Christchurch, 23rd August, 1871.

MEMO. v. 3028, 1871—

The Inspector in charge of the Christchurch district will be good enough to carry out on this date the instructions contained in memorandum of the 14th instant, relative to the forage stored at the Depot for immediate use, and explain why the delay has taken place.

R. C. SHEARMAN,
Commissioner of Police.

The Inspector in charge of Police, Christchurch.

Inspector's Office,
Christchurch, 24th August, 1871.

MEMO. 555, 1871—

Referring to my letter of the 11th instant, and the Commissioner's memo. thereon, also the explanations of the clerk and accountant, and storekeeper in the Commissioner's office.

The storekeeper, who acts under the immediate control of the Commissioner, has had the sole management of the store and forage. He alone has been accountable for the purchase and issue of the forage. The Forage Books have been kept in the Commissioner's office. This course has been adopted in accordance with instructions from the Commissioner. It appears that for some time past serious irregularities have been carried on. The forage has been left open for any person who wished to take it as they pleased, the returns being made up by guess. It is said that the Commissioner's orderly (Constable Fowler) was in the habit of taking away large quantities, and using it for private purposes. Fowler was a man of intemperate habits, and may have sold it. I understand the clerk and accountant on more than one occasion called Fowler to account for taking such large quantities of forage to the Commissioner's house. The explanations given by the clerk and accountant, and the storekeeper, are in my opinion very unsatisfactory. Both must be aware that it was recently ascertained that there was a large quantity of forage deficient, and also of the cause of the deficiency. I regret to find that the Commissioner feels so much annoyed at my asking to have this matter fully investigated, and I feel sorely his apparent determination (see memos. of 14th, 15th, and 23rd instants), to press me on to a course of action which must tend to frustrate my efforts to have the rules of the service enforced, and any violation of them punished. I feel this the more, because the clerk and accountant, the storekeeper, and other members of the force who see the correspondence, and who are my subordinates in the service, must see it. However, I beg to assure the Commissioner that in bringing this matter under his notice, I was actuated by no other motive than a determination to strictly and honestly do my duty. I would respectfully suggest that the Provincial Auditor be requested to investigate the matter, and that things go on as hitherto awaiting the result.

P. PENDER,
Inspector.

The Commissioner of Police, Christchurch.

MEMO. v. 3041, 1871—

I must again call the Inspector's attention to my memos. of the 15th and 23rd instants, that the instructions contained in them may be carried out forthwith. The Forage Book has been forwarded to the Inspector's office. If the Inspector has any charges to make against members of the department, they should be entered on a charge sheet, that they may be investigated in the usual way. The storekeeper should be present when the forage is weighed. The gross irregularities mentioned by the Inspector should have been brought under my notice by him, that steps might have been taken at once to have them remedied.

R. C. SHEARMAN,
Commissioner of Police.

August 24, 1871.

MEMO. 556, 1871—

I saw the storekeeper and the Forage Book, and I am unable to ascertain the real quantity which should be on hand. There are several erasures and alterations in the book. I think it will be best if the Commissioner will be good enough to instruct the storekeeper to hand me over the quantity named in the requisition which I forwarded herewith.

P. PENDER,
Inspector.

MEMO. v. 3057, 1871—

For the storekeeper's attention, who will hand over all the forage in store at the Depot. The forage must be weighed, and the quantities entered in the Forage Book.

R. C. SHEARMAN,
Commissioner of Police.

August 24, 1871.

Commissioner's Office,
Christchurch, 25th August, 1871.

The storekeeper respectfully applies to the Commissioner of Police for assistance to weigh the forage at the Police Depot, Christchurch, to-day.

EDWARD WHITE,
Constable and Storekeeper.

The Commissioner of Police, Christchurch.

MEMO, v. 3060, 1871—

For the attention of the Inspector in charge of the Christchurch district. Two men should be instructed to assist the storekeeper to weigh the forage in the Depot store. The person who is to be employed for the future to issue the forage should be in attendance to see that the quantities are correct.

R. C. SHEARMAN,
Commissioner of Police.

August 25, 1871.

MEMO. v. 3065, 1871—

For the attention of the clerk and accountant. Has Constable Fowler at any time taken more forage than the rations required for one horse during the time the store was under your charge?

R. C. SHEARMAN,
Commissioner of Police.

August 25, 1871.

Constable Fowler, so far as Sergeant Greenwood while storekeeper, is aware of, never took any more than the quantity for one horse; the usual plan was to take a fortnight's forage as near as could be. The forage used to last considerably over the prescribed time, and this was not an unusual occurrence, but an almost regular affair.

CHAS. W. GREENWOOD,
Accountant and Clerk.

August 25, 1871.

MEMO. v. 3066, 1871—

For the attention of the storekeeper. Has Constable Fowler at any time taken more forage than the ration required for one horse during the time the store has been under your charge?

R. C. SHEARMAN,
Commissioner of Police.

August 25, 1871.

Not that the storekeeper knows of. Whenever he gave Constable Fowler forage it lasted the time allowed for its consumption by one horse.

EDW. WHITE,
Constable and Storekeeper.

August 25, 1871.

MEMO. 560, 1871—

Referring to previous letters and correspondence on this subject, I beg to say that I am anxious the matter should be cleared up as soon as possible. If the information received by me is correct, ex-Constable Fowler has been in the habit of taking away large quantities of Government forage from the Depot store, and using it for private purposes; and if he had not the permission of the Commissioner to do so, he has been guilty of felony under "The Larceny Act, 1867," page 21, section 37. I hope, therefore, the Commissioner will be good enough to afford me every opportunity to see the books, accounts, &c., connected with the receipt and issue of the forage, and instruct the clerk and storekeeper in his office to assist me in ascertaining whether or not a felony has been committed. Any interference with the forage may tend to frustrate the ends of justice. I would be glad if the Provincial Auditor could investigate the matter.

P. PENDER,
Inspector.

August 25, 1871.

The attached memo. No. 3067, is forwarded for the information and guidance of the Inspector in charge of the Christchurch district.

R. C. SHEARMAN,
Commissioner of Police.

August 25, 1871.

Constabulary Department,
Commissioner's Office, Christchurch, August 25th, 1871.

MEMO. 3067, 1871.

Constable Fowler was instructed by me to apply to the storekeeper for the usual quantity of forage for Government horse No. 29, stabled at my house; and the storekeeper was directed by me to issue the forage. The clerk and accountant and the storekeeper have been instructed to afford the Inspector every assistance to discover whether ex-Constable Fowler has at any time taken and misappropriated forage. I again order the Inspector to have the forage on hand weighed, in accordance with my previous instructions, as such a course could not interfere in any way detrimental to the case, even though Constable Fowler was guilty of larceny. The Forage Book is in possession of the Inspector,

R. C. SHEARMAN,
Commissioner of Police.

The Inspector of Police, Christchurch.

MEMO. 567, 1871—

I beg to forward herewith a report made up by the clerk and accountant in the Commissioner's office, and to request the Commissioner will be good enough to take steps to have the matter fully investigated as soon as possible.

P. PENDER,
Inspector.

MEMO. 3100, 1871—

It is quite unnecessary to make any enquiry of this kind, as I am perfectly satisfied the Constable has never drawn more than forage for one horse. I trust the Inspector will attend to my orders, and have the forage weighed, and take charge of the store as directed.

R. C. SHEARMAN,
Commissioner of Police.

August 28, 1871.

MEMO. 500, 1871—

I think under the circumstances I am bound to bring the matter under the notice of the Government or the Provincial Auditor, at once.

P. PENDER,
Inspector.

August 29, 1871.

Commissioner's Office,
Christchurch, 25th August, 1871.

Sergeant Greenwood reports that to the best of his recollection, the following was the purport of his conversation with ex-Constable Fowler, referred to by the Inspector.

The usual day for the issue of forage to Fowler having come round, he was asked by the storekeeper if he was going to take it that day, and was answered no, he had some by him. A few days after he said he required forage, and when the storekeeper expressed his surprise, was told that he had used more than usual, as some gentlemen were staying at the Commissioner's.

CHAS. W. GREENWOOD,
Sergeant.

P. Pender, Esq.,
Inspector of Police, Christchurch.

MEMO. 576, 1871—

Constable Fowler received forage from the Depot store from 1st May to 16th August, 1870; and 1st February, 1871, to 10th June, 1871.

P. PENDER,
Inspector.

Forwarded to the Commissioner.

Constabulary Department, Commissioner's Office,
Christchurch, Canterbury, New Zealand, 29th August, 1871.

MEMO. 242, 1871—

SIR,—In reply to your remarks of the 29th instant, which appear on the instructions issued to you relative to taking charge of the forage store at the Depot, I must decline to advise you as to the course to adopt, and will leave the matter to your own discretion.

I have the honor to be, Sir,
Your obedient servant,

(Signed) R. C. SHEARMAN,
Commissioner of Police.

The Inspector of Police, Christchurch.

Police Depot,
Christchurch, September 8, 1871.

MEMO.

The Commissioner has just forwarded the accompanying requisition. I explained to Sergeant Greenwood that I had received instructions from the Inspector to act on no orders in his absence unless given personally or in writing from the Commissioner. The Commissioner says the requisition is sufficient. There are no oats, and very little bran in the forage store at the Depot.

E. J. A. STEVENSON,
Constable.

P. Pender, Esq., Inspector.

MEMO. 637, 1871—

I have instructed the men under my control to refrain from doing anything in connection with the forage which may in any way tend to frustrate the ends of justice. (See previous correspondence on this subject.) From information given me it appears certain that some of the forage has been misappropriated.

P. PENDER,
Inspector.

September 8, 1871.

MEMO. v. 3512, 1871—

The storekeeper will see that the forage mentioned in the attached requisition is weighed and issued to Constable Butler for the use of Police horse No. 29, stabled at my house.

R. C. SHEARMAN,
Commissioner of Police.

September 8, 1871.

MEMO.—

Hay, 130lbs.; oats, 80lbs.; bran, 14lbs.; rock salt, 9lbs.; and 42lbs. straw have been this day issued to Constable Butler.

EDWARD WHITE,
Constable and Storekeeper.

September 12, 1871.

Canterbury Constabulary Force,
Commissioner's Office, Station, 8th September, 1871.

Required the following :—

70 lbs. oats, 9 lbs. rock salt
14 lbs. bran, 20 lbs. carrots
112 lbs. hay, 42 lbs. straw

For one week's forage for Police horse No. 29, ridden by the Commissioner of Police.

R. C. SHEARMAN,
Commissioner of Police.

To the District Storekeeper, Depot, Christchurch.

[CONFIDENTIAL.]

Inspector's Office,
Christchurch, 12th September, 1871.

James Fowler,
ex-Constable at
Christchurch.

SIR,—I have the honour to request you will be good enough to have instructions issued to the members of the force in charge at the out-stations to keep a watch on the movements of the person named in the margin, so that should he attempt to remove himself from the Province or leave Christchurch pending the result of the enquiry relative to the misappropriation of Government forage at the Depot, steps may be at once taken to prevent his doing so. (See previous correspondence on this subject).

I have the honour to be, Sir,
Your obedient servant,

P. PENDER,
Inspector.

The Commissioner of Police, Christchurch.

[COPY.]

Inspector's Office,
Christchurch, 26th September, 1871.

SIR,—I have the honour to forward herewith for your information copy of correspondence relative to irregularities in the issue of forage at the Police Depot, and to state that the reports in connection therewith arose from some remarks made by ex-Sergeant Beatty, who was tried and convicted for larceny of hay at the March session of the Supreme Court. From the information given me on the subject, it appears that quantities of the forage, taken away from the Depot by ex-Constable Fowler, have been misappropriated; that it was recently ascertained by the clerk (First-class Sergeant Greenwood) and the storekeeper (Constable Edward White), that there was a deficiency, and that the books have been improperly kept.

In conversation which I had with the Commissioner of Police on the subject, he informed me that it was not his intention to ask for an enquiry, or to bring the matter under the notice of the Government; but as you will observe by his letter of the 29th ultimo, he granted me permission to use my own discretion as to the course I should adopt. (See Manual of Police Regulations, pages 72 and 73.)

I have the honour to be, Sir,
Your obedient servant,

(Signed) P. PENDER,
Inspector of Police.

The Provincial Auditor, Christchurch.

[COPY.]

Constabulary Department, Commissioner's Office,
Christchurch, 17th April, 1868.

MEMO. 210 B., 1868—

John David- over the charge of the Depot store as soon as possible to the constable named in the
son, First-class margin. For the future the store accounts will be kept in my office, and the forage
Constable. will be issued by the storekeeper.

I have the honour to be, Sir,
Your obedient servant,

(Signed) R. C. SHEARMAN,
Commissioner of Police.

P. Pender, Esq.,
Inspector of Police, Christchurch.

Canterbury Constabulary Force,
Christchurch, 24th August, 1871.

Required the following :—

About 1680 lbs. oats
" 400 lbs. bran
" 2880 lbs. hay
" 750 lbs. straw
For use of Police horses at the Depot.

P. PENDER,
Inspector.

To the Commissioner of Police.

Inspector's Office, Christchurch, 11th August, 1871.

SIR,—I have the honour to request your attention to the fact that the forage is not issued at the Depot in accordance with the rules of the service, and that I have reason to believe there is a large quantity deficient. I trust that some inquiry may be instituted into the matter.

I have the honour to be, Sir,

Your obedient servant,

P. PENDER,
Inspector.

The Commissioner of Police, Christchurch.

MEMO. v. 3034, 1871—

For the attention of the clerk and accountant, who will explain what rules have been neglected, and take steps to have the forage weighed, and report the exact quantity on hand.

R. C. SHEARMAN,
Commissioner of Police.

August 12, 1871.

The forage is in charge of the storekeeper, who has not attended the issue at morning, noon, and night, stable parade, nor have the rations of hay and straw been weighed out. The Commissioner has since the above order made other arrangements to have the stock on hand weighed.

CHAS. W. GREENWOOD,
Clerk and Accountant.

August 23, 1871.

MEMO. v. 3036, 1871.

For the storekeeper's explanation.

R. C. SHEARMAN,
Commissioner of Police.

August 23, 1871.

The storekeeper only received the order to issue the forage at the Depot on the 11th instant, and had been of the opinion that it was not his duty to do so, but that of the member of the force who has immediate charge of the stable, as during the time he (storekeeper) was a mounted constable, the forage was never issued to him by the storekeeper. Since the 11th instant he has issued the forage morning, noon, and night.

EDWARD WHITE,
Constable and Storekeeper.

August 23, 1871.

MEMO. v. 3037, 1871—

For the attention of the Inspector in charge of the Christchurch District, who has been employed to issue the forage.

R. C. SHEARMAN,
Commissioner of Police.

August 23, 1871.

ABSTRACT OF PETTY CASH BOOK—POLICE.

RECEIPTS.		PAYMENTS.	
	£ s. d.		£ s. d.
GENERAL GOVERNMENT.			
Sales of Property	...	Paid Treasury	...
Fines, Ashburton	...	Do. do.	...
	26 12 0		24 10 0
PROVINCIAL GOVERNMENT.			
For Sales of Property, &c.	...	Paid Provincial Treasury	...
	282 17 2	Purchase of Stores	...
MONEY AND PROPERTY FOUND.			
Found	...		53 14 3
	95 3 11½		128 10 0
MISCELLANEOUS.			
Sums merely passing through office	...	Paid Treasury	...
Rewards	...	Payments to Persons	...
Expenses of Arrests	...		22 2 10½
Passages Refunded	...		20 10 0
Expenses Labaste, over Refunded	...	MISCELLANEOUS.	
Wages Drawn, not Paid	...	Paid	298 13 6
Monies for Constables and Prisoners	...	Do.	81 0 0
	...	Do.	5 0 0
	...	Do. Passages of Prisoners and Police	26 10 0
	...	Do. Wages, &c., to Sundries	29 0 0
	...	Do. for Prisoners and Constables	24 5 6
	...	Do. Stationery	14 14 0
	...	Do. for Sundries	40 1 0
Fines	119 14 0	Library Books purchased	519 4 0
Forfeitures of Pay	27 13 6	Inspector Fender—Money to be accounted for	216 3 9
	486 12 7	Balance forward	4 0 0
	147 7 6		1,010 14 10½
	1,010 13 2½		30 18 11
Monies Paid over to Provincial Auditor	...		
Do. not entered in P.C. Book	£3 9s. 8d.		
Less Blanket paid	0 12s. 6d.		
	2 17 2		
	31 0 7		
	1,041 13 9½		
Balance brought forward	...		1,041 13 9½
	30 18 11		

ABSTRACT OF PETTY CASH BOOK OF THE POLICE DEPARTMENT, CHRISTCHURCH, OCTOBER 24, 1862,
TO AUGUST 17, 1871.

RECEIPTS.		PAYMENTS.	
STATE- MENT.	£ s. d.	STATE- MENT.	£ s. d.
Found Money	11 16 3	<i>For disposal on Proper Accounts</i> £11 16 3	1
Deceased Persons, property of	22 2 10½	Paid General Government Treasury	22 2 10½
Do.	0 0 6	(?) Curator	0 0 6
Do. Const. Duncan	18 10 6	Tombstone—Constable Duncan	16 0 0
Do. for burial of	4 10 0	Burial of McCawley	4 10 0
Provincial Government Property—lost, sold, or destroyed	45 3 10½	<i>Balance of</i> £18 10s. 6d. (?)	2 10 6
Do.	179 2 11	<i>Due to Government Property</i> ... 179 2 11	4
Do. sold	53 14 3	Paid into Provincial Government Account	53 14 3
<i>Due by the Provincial Government</i> £128 10 0		Paid for Uniforms, &c.	128 10 0
Unclaimed Goods	232 17 2	(?) <i>Due to Government</i> ... £38 3 10	5
Sales on account of Crown of Perishable Goods or Liquors	38 3 10	Paid to General Government Treasury	38 3 10
Rewards	22 0 0	Rewards paid	22 0 0
Expenses of Arrest	81 0 0	Paid Expenses of Arrests	81 0 0
Miscellaneous Monies received and applied to the purposes for which they are named, such as transports, Monies due, &c.	13 7 11	<i>Balance (?) Provincial Government</i> £8 7 11	5
Wages drawn from Provincial Government, but not paid, and Money received on account of Prisoners and not expended	298 13 6	Miscellaneous Payments in the Accounts of which the Money has been received, per contra	298 13 6
Do.	55 12 6	(?) <i>Provincial Government</i> ... £55 12 6	7
<i>P. Pender, to be accounted for</i> £4 0 0		Paid Account—Prisoners	55 12 6
(?) <i>Due from Provincial Government</i> 29 0 0		(?) <i>Provincial Government, balance</i> 3 13 2	8
Passages due	27 18 8	P. Pender, for special use	27 18 8
Passages refunded	9 10 0	Paid Constables Wages, and on Prisoner Passages advanced	9 10 0
Fines—Resident Magistrate's Court, Ashburton	26 12 0	Paid Resident Magistrate's Court	26 12 0
Fines—Police	119 14 0	<i>Due witness Crofts (refused charge is £5 5s.)</i>	£2 2 0
<i>Library, in excess of</i>	27 13 6	Library	27 13 6
<i>To be provided for</i>	0 10 0	Books, &c. for Com. use	0 10 0
Forfeited Pay	0 1 8	<i>To be disposed of</i>	27 13 6
Labaste—Paid in excess of Expenses due		Sundry Expenses at Depot, &c.	40 1 0
Balance Payments over Receipts			
	1,010 14 10½		1,010 14 10½

PAYMENTS—continued.

RECEIPTS—continued.		PAYMENTS—continued.	
	C.B.	£ s. d.	£ s. d.
Brought forward	...	57 0 1	42 12 10½
GOVT. PROPERTY—continued.			
Sword broken	22	5 15 0	
Forage	22	8 13 1	
Damage to Belt	22	0 13 6	
Jumper	22	2 7 6	
Do.	22	2 7 6	
Cap	22	0 10 6	
Lost, say half of £4 4s.	23	2 2 0	
Jumper	23	2 7 6	
Baton and Handcuffs	24	0 13 6	
Jumper torn	24	2 7 6	
Do.	25	2 10 0	
Deficiencies	25	0 9 6	
Armllets	25	0 7 6	
Lantern	25	0 7 6	
Night Belt	26	0 4 6	
Handcuffs	26	0 6 6	
Uniform destroyed	26	4 2 6	
Baton	26	0 7 6	
Do.	26	0 7 6	
Do.	28	0 10 0	
Handcuffs	28	2 3 0	
Uniform damaged	28	0 12 0	
Cap	29	1 5 0	
Caps	29	0 18 6	
Gaiters, &c.	29	2 17 9	
Sundries supplied	30	0 3 6	
Chamois Skin	30	0 17 6	
Oilskin	31½	0 6 6	
Handcuff	31½	2 0 0	
Sundries—2s. 6d., 12s., 13s., 2s., 10s. 6d.	32	4 10 0	
Sundries—30s., 10s., 10s., 40s.	32	5 1 0	
Sundries—35s., 16s., 50s.	32	1 15 0	
Forage	32	6 19 10	
Sundries—19s., 17s. 6d., 40s., 40s., 23s. 4d.	35	4 16 6	
Sundries—6s. 6d., 40s., 50s.	35	6 17 6	
Uniform	35		
Brought forward	...	57 0 1	42 12 10½

RECEIPTS—continued.		PAYMENTS—continued.	
	C.B.	£ s. d.	£ s. d.
Brought forward ...			
GOVT. PROPERTY—continued.			
Baton ...	36	0 7 6	
Sundries—6s., 2s., 7s. 6d., 7s. 6d. ...	37	1 3 0	
Jumpers ...	37	2 7 6	
Sundries—7s. 6d., 6s. 6d. ...	38	0 14 0	
Handcuffs ...	40	0 6 0	
Forage ...	41½	0 12 0	
Horses (two) ...	41½	30 0 0	
July 20, 1869 ...	41½	1 15 0	179 2 11
Dec. 20, 1869 ...	41½	10 7 0	
Feb. 5, 1870 ...	42	9 18 6	
Feb. 21, 1870 ...	42	1 16 3	
Mar. 31, 1870 ...	42	10 5 0	
April 11, 1870 ...	42	1 10 0	
April 28, 1870 ...	42	10 0 0	
Jan. 17, 1871 ...	43	3 10 0	
April 27, 1871 ...	43	4 12 6	53 14 3
Brought forward ...			
Should have been paid to Government Account ...			
Paid in B.N.Z. to Provincial Treasurer's Account ...	41½	1 15 0	
Do. do. ...	41½	10 7 0	
Do. do. ...	42	9 18 6	
Do. do. ...	42	1 16 3	
Do. do. ...	42	10 5 0	
Do. do. ...	42	1 10 0	
Do. do. ...	42	10 0 0	
Do. do. ...	43	3 10 0	
Do. do. ...	43	4 12 6	53 14 3
v. Constable Walsh for Clothes returned on his promotion to Chief Clerk ...	7	15 1 0	
v. Compensation to Chief Clerk in lieu of Uniform ...	17	15 0 0	
v. Pants, paid to G. Fletcher ...	20	4 10 0	
Do. do. ...	20	4 10 0	
Do. do. ...	20	4 10 0	
Do. do. ...	25	2 5 0	
v. Capes, &c., H. Moss ...	25	10 0 0	
v. Gloves, B. Ware ...	30	2 11 0	
v. Gloves, W. Gavin ...	30	2 2 0	
v. Dyer, for Repairs to Coat ...	30	2 0 0	
v. Compensation to Chief Clerk in lieu of Uniform ...	31½	15 0 0	
v. Bedford's, Fletcher Uniforms, Watson ...	32	4 10 0	
Do. do. ...	36	12 19 0	
Carried forward ...			275 10 0

The letter v. denotes Voucher Account.

RECEIPTS—continued.			PAYMENTS—continued.		
£	s.	d.	£	s.	d.
Brought forward ...			Brought forward ...		
<i>Miscellaneous Sums received and paid:—See on other side for payment.</i>			<i>Applied to the purposes named on receipt side.</i>		
June 10, 1865	...	...	June 10, 1865	...	...
Nov. 17, 1865	...	...	Nov. 17, 1865	...	...
Feb. 16, 1866	...	...	Feb. 16, 1866	...	...
Do. ...	...	...	Do. ...	...	...
Do. ...	...	...	Do. ...	...	...
May 4, 1865 ...	...	...	Jan. 9, 1865 ...	...	...
July 7, 1865 ...	...	...	May 4, 1865	...	...
Feb. 7, 1866 ...	...	...	Feb. 7, 1866	...	...
Do. ...	...	...	Do. ...	...	...
Feb. 16, 1866 ...	...	...	Feb. 19, 1866	...	...
Do. ...	...	...	Do. ...	...	...
Do. ...	...	...	Do. ...	...	...
Do. ...	...	...	Do. ...	...	...
March 5, 1866	...	...	March 12, 1866	...	...
March 19, 1866	...	...	March 19, 1866	...	...
Sept. 17, 1866 ...	...	...	Sept. 17, 1866	...	...
Nov. 7, 1866 ...	...	...	Nov. 7, 1866	...	...
Nov. 19, 1866 ...	...	...	Do. ...	...	...
Sept. 8, 1868 ...	...	...	Sept. 19, 1866	...	...
Aug. 8, 1868 ...	...	...	Sept. 6, 1866	...	...
Dec. 3, 1864 ...	...	...	Nov. 16, 1866	...	...
Dec. 24, 1864 ...	...	...	Jan. 9, 1865 ...	...	...
Nov. 12, 1867 ...	...	...	Nov. 20, 1865	...	...
Dec. 20, 1867 ...	...	...	Dec. 20, 1865	...	...
Brought forward ...	444	9 0	Brought forward ...	332	17 1
Found on Grumble, property of D. McGrath ...	8	0 0	Paid Bilkes to pay McGrath ...	8	0 0
Cost of Summons—Faulkner ...	11	0 4	Con. Hams, sum paid by him ...	11	0 4
Waist belt, damaged ...	12	0 4	for waistbelt ...	12	0 4
For dark lantern ...	13	0 6	dark lantern ...	13	0 6
For Regulation belt ...	13	1 10	Regulation belt ...	13	1 10
Return of loan to Constable Clark ...	7	2 0	Loan to Constable Clark ...	7	2 0
Constable Elliott's passage, paid ...	9	7 10	v. Con. Elliott's passage adv. ...	7	7 10
Constables McPherson and Hoskins, for mess ...	12	4 3	Sent to West Coast for mess ...	12	4 3
Forrester due to Emerson ...	12	0 10	Braham, to pay Emerson ...	12	0 10
Braham due to Moss ...	13	2 17	Moss ...	13	2 17
Perry due to Suckling ...	13	5 1	Suckling ...	13	5 1
Perry due to McCrae ...	13	0 15	McCrae ...	13	0 15
Pardy's advance to Cook ...	15	1 10	Pender, to pay Pardy ...	15	1 10
Price of Regulation box, already stopped out of pay ...	15	1 10	Braham, to pay Perry ...	15	1 10
Braham and Sweeney's expenses ...	16	0 8	Paid Sweeney ...	15	0 8
For repairs to coat ...	25	2 14	for repairs to coat ...	25	2 14
handcuffs ...	27	0 11	Wood for handcuffs ...	27	0 11
"	27	0 6	Pender to pay Cooper ...	27	0 6
"	41	1 6	Hawkes & Strouts for urinal ...	41	1 6
For urinal destroyed ...	4	3 0	Constable Hams' passage ...	4	3 0
Constable Hams' passage ...	5	8 0	v. Paid Sergt. Darby's passage ...	5	8 0
Sergeant Darby's passage ...	6	24 0	Paid Sugrue to pay passages, per contra ...	6	24 0
From Com. Police, for transfer of Borrow and Duke to Dunedin ...	37	6 0	Constable Grey, 12 days' suspension, forgiven ...	37	6 0
Constable Grey, suspended 12 days ...	41½	8 0	Provincial account ...	41½	8 0
Detective Thompson, expenses re Bain ...	...	...	Carried forward ...	...	...
Carried forward ...	...	...	Carried forward ...	...	...
					£332 17 6

RECEIPTS—continued.				PAYMENTS—continued.			
	C.B.	£	s. d.		C.B.	£	s. d.
Jan. 9, 1865 ...			444 9 0	Brought forward ...			332 17 1
June 10, 1865 ...	7	10 0 0		Advance to Constable Short ...	5	10 0 0	
June 21, 1865 ...	8	15 0 0		v. Prisoner from Nelson to Lyttelton ...	8	6 0 0	
Aug. 7, 1865 ...	8	5 0 0		v. Prisoner, Joseph Jennings	8	4 10 0	
Sept. 19, 1865 ...	10	10 0 0		Special Constable, 9 days ...	8	4 10 0	
Do. ...	10½	7 0 0		v. Paid Miles & Co., Reeves	8	5 0 0	
Feb. 16, 1866 ...	10½	4 6 0		v. Inspector, to pay passages	10	10 0 0	
Aug. 27, 1866 ...	13	5 0 0		Paid J. D. Macpherson, M'Donald, and F. Brooks	10½	7 0 0	
Do. ...	24	16 0 0		v. Paid passage, Reardon ...	10½	4 6 0	
Do. ...	24	10 0 0		Advanced to Constable Perry	11	5 0 0	
Aug. 4, 1866 ...	24	0 2 6		v. Cole & Co., for McGavin and Con. ...	24	16 0 0	
Nov. 3, 1866 ...	22	6 0 0		Advance account Nelson Government to Williams, &c.	20	10 0 0	
Jan. 2, 1867 ...	27	6 0 0		Premium returned to Nelson Government ...	24	0 2 6	
Jan. 2, 1868 ...	29	11 0 0		Advanced Sergeant Barsh ...	22	6 0 0	
Aug. 1, 1868 ...	38	10 0 0		" v. Con. Bastork ...	25	6 0 0	
April 1, 1870 ...	40	7 10 0		" v. Con. Bennet and Mossop at Melbourne	28	11 0 0	
July 20, 1869 ...	42	1 0 0		Paid Inspector Pender, Sydney, advanced to Dyer ...	37	10 0 0	
Aug. 8, 1865 ...	41½	0 5 0		Passage of Wilson and escort to Dunedin ...	40	7 10 0	
Feb. 16, 1866 ...	10½	12 15 0		Paid in Provincial account ...	42	1 0 0	
Do. ...	14	15 15 0		Entrance fee for horse	41½	0 5 0	
Do. ...	14	1 12 0		Ex-Constable Wright, salary forwarded ...	9	12 15 0	
Do. ...	15	17 4 6		Constable Cork's salary ...	14	15 15 0	
Do. ...	15	3 2 0		" ex., forwarded	14	1 12 0	
April 7, 1866 ...	16	14 14 0		" Dixon's salary "	15	17 4 6	
			£444 9 0	Carried forward ...			£332 17 1

RECEIPTS—continued.		PAYMENTS—continued.	
	C.B.	£ s. d.	£ s. d.
Brought forward		444 9 0	332 17 1
<i>Miscellaneous—continued.</i>			
Provincial Government	16	10 17 0	3 2 0
Ditto	29	6 3 6	14 14 0
On Government Account—			
Stopped Sergt. Allis' pay on his discharge for passage from Melbourne	3	10 0 0	10 17 0
Constable Sutherland discharged on the 28th; pay drawn for month from Government	14	1 3 0	6 3 6
Received for expenses on account of prisoner Boag	2	0 12 0	
Ditto ditto Latobe	2	0 9 6	
Ditto deserter Creed	2	1 0 0	
From Capt. McNeil, account deserters "Zambesia"	3	5 0 0	
Com. of Police, Otago, transportation of Young and Campbell	4	4 10 0	
Con. Payne, excess in pay sheet	4	0 1 6	
Com. of Police, Otago, Wilson and Escort	5	9 0 0	
Pay drawn, not due	26	2 6 0	
To pay Wood, but the work was not done	31	0 6 0	
Damage by cattle to paddock Nelson Government, <i>re</i> expenses Chas. Manders	36	0 15 0	
Do.	18	1 8 6	
Do.	18	1 1 0	
Do.	19	16 0 0	
Do.	19	2 0 0	
Broham, W. C., account Mr. Cullocks, travelling expenses and pay	16	5 13 0	
Carried forward			
		298 13 6	298 13 6
Brought forward			
Constable Howard's, ex. McGuire's	15		
" Trelear	16		
" Barslock	28		
Should have been paid, Government account: £55 12 6			
Paid on account McCulloch	16	55 12 6	5 6 0
March 19, 1866			
Carried forward			
			£631 10 7

RECEIPTS—continued.

PAYMENTS—continued.

RECEIPTS—continued.		PAYMENTS—continued.	
	C.B.	£ s. d.	£ s. d.
Aug. 7, 1866...	24	22 5 8	18 19 6
Brought forward ...		27 18 8	
MISCELLANEOUS—continued.			
Nelson Government, on account of Expenses re Spears			
P. Pender, to be accounted for ... £4 0 0			
Recoverable (?) £5 was received for Exps., folio C.B. 3 ...			
Should have been received from Provincial Government ...			
McKay and McCulloch, part Passage ...	10½	7 0 0	7 10 0
McKay's balance ...	11	2 10 0	7 0 0
Bal. unpaid. £1610s., 10s.—£17		9 10 0	12 0 0
Fines R. M. Court, Ashburton	45	26 12 0	26 10 0
PAY WITHHELD NOT FOR SPECIFIC PURPOSES.			
April 20, 1865	7	2 2 0	
Constables Dick and Taylor (reference), Abstract of March, 1865 ...			
Wham and Dunner, Abstract July, 1865 ...	15	8 2 6	
Kirkpatrick during suspension	12	7 15 0	
Grey, 9 days ..	37	4 10 0	
Brought forward ...			
Carried forward ...			739 16 1

	C.B.	£ s. d.	£ s. d.
Brought forward ...			
v. £10 } v. 8s. 4d. } Spiers v. 15s. 6d. }	24		18 19 6
Short paid ... £3 13 2			
P. Pender, for special use ...			
Paid Cole and Co., Expenses deserter "Nangtleshender"	3	3 0 0	3 0 0
9 days' Pay Special Constable Nash ...	3	5 17 0	5 17 0
2 days' Pay Special Constable Tuniman ...	3	0 13 0	0 13 0
6 days' Pay Special Constable W. Smith ...	4	1 19 0	1 19 0
Sergeant John Neilson ...	7	17 11 0	17 11 0
PASSAGES ADVANCED.			
Miles and Co., for Constable Wilson, per "Hero" ...	9	7 10 0	7 10 0
v. Peacock, Passage of Sergt. named Hickson, not given v. do. for McKay and McCulloch ...	10½	7 0 0	7 0 0
	10½	12 0 0	12 0 0
v. Paid Clerk of the Bench ...	45		26 10 0
Short paid in ... £2 2 0			24 10 0
Carried forward ...			739 16 1

RECEIPTS—continued.				PAYMENTS—continued.			
	C.B.	£ s. d.	£ s. d.		C.B.	£ s. d.	£ s. d.
May 21, 1863...	...	Brought forward ...	862 15 8	...	...	Brought forward ...	789 16 1
		PAY FORFEITED—continued.				<i>Should this be Government or Library (?) ... £27 13 6</i>	
		Due to Lining when he deserted ...	5 4 0				
		FINES.				PAID ON ACCOUNT LIBRARY, CHRISTCHURCH AND HOKITIKA.	
Aug 21, 1864...	4	5s., 10s., 4s., 10s., fol. 4	1 9 0	Aug 20, 1864	6	v. John Hughes ...	7 5 0
Oct 21, 1864...	5	5s., 15s., 5s. ...	1 1 5 0	July 15, 1865	10	v. ...	18 16 0
Dec 21, 1864...	5	20s., 20s. ...	2 0 0 0	Aug 24, 1865	10½	v. ... (half of £3 12s.)	1 16 0
Jan 21, 1865...	6-7	£1 12s. 6d., fol. 6; 5s. f. 7	1 17 6	June 9, 1866	20	v. ...	2 3 6 6
Feb 21, 1865...	7	...	0 5 0	July 14, 1866	...	v. ...	22 13 6
July 21, 1865...	9-10	20s., 5s., 5s., 15s., 20s., 7s. 6d., 40s. ...	6 12 6	Nov 7, 1866	21	v. ...	11 10 6
July 21, 1865...	10	...	0 10 0	Dec 20, 1866	27	v. ...	12 0 6
Aug 21, 1865...	10	...	0 7 6	April 5, 1867	27	v. ...	19 18 0
Sept 21, 1865...	10½	...	1 10 0	May 3, 1867	31½	v. ...	8 18 0
Oct 21, 1871...	10½	10s., 27s. 6d. ...	1 17 6	July 29, 1867	32	v. ...	17 6 0
Nov 21, 1872...	11	5s., 40s., 20s. ...	3 5 0	Sept 10, 1867	34	v. ...	8 2 0
Dec 21, 1865...	11	...	1 10 0	Do. ...	35	v. ...	14 16 0
Jan 21, 1866...	12	2s. 6d., 40s. ...	2 2 6	Do. ...	35	v. ...	3 19 0
Feb 21, 1866...	12	55s., 20s., 2s. 6d., 5s., 10s., 15s., 5s., 2s. 6d., 5s., 10s., 10s., 20s., 10s. ...	9 5 0	Mar 24, 1868	40	v. ...	12 15 0
Mar 21, 1866	13	7s. 6d., 12s. 6d. ...	1 0 0 0	July 10, 1868	41	v. ...	15 14 0
April 21, 1866	16	52s. 6d., 15s. ...	3 7 6 6	April 6, 1869	41	v. ...	1 11 0
May 21, 1866	17	90s., 5s. ...	4 15 0 6	July 19, 1869	41	v. ...	8 0 0
June 21, 1866	18	17s. 6d., 10s. ...	1 7 6				
July 21, 1866...	18	10s., 5s., 2s. 6d., 5s., 130s., 5s., 10s. ...	8 7 6				
Aug 21, 1866...	21	...	7 14 6				
	24	2s. 6d., 20s., 20s., 10s., 12s. 6d., 42s., 35s., 12s. 6d. ...	5 10 0 0				
Sept 21, 1866	24	30s., 80s. ...	6 12 6 6				
Oct 21, 1866...	27	10s., 5s., 60s., 52s. 6d., 5s. ...	0 7 6 6				
Dec 21, 1866...	28	...	6 8 0				
Jan 21, 1867...	29	42s. 6d., 85s. 6d. ...	5 10 0				
Do. ...	29	10s., 15s., 50s., 5s., 10s., 2s. 6d., 2s. 6d., 15s. ...	0 7 6				
Feb 21, 1867...	30	...	5 10 0				
	30	...	0 7 6				
		Brought forward ...	890 9 2			Carried forward ...	739 16 1

RECEIPTS—continued.

PAYMENTS—continued.

RECEIPTS—continued.		PAYMENTS—continued.	
	C.B.	£ s. d.	£ s. d.
Feb. 7, 1867 ...		890 9 2	
April 7, 1867 ...			
May 7, 1867 ...			
Do. ...			
July 7, 1867 ...			
Aug. 7, 1867 ...			
Sept. 7, 1867 ...			
Oct. 7, 1867 ...			
Nov. 7, 1867 ...			
Dec. 7, 1867 ...			
Jan. 7, 1868 ...			
Feb. 7, 1868 ...			
March 7, 1868 ...			
April 7, 1868 ...			
Sept. 7, 1868 ...			
March-July, 7, 1869 ...			
Aug. 7, 1869 ...			
Oct. 7, 1869 ...			
		119 14 0	
			216 3 6
Brought forward ...			
FINES—continued.			
7s. 6d., 5s., 10s., 20s., 20s., 20s.,			
20s., 40s. ...	31	6 15 0	
67s. 6d., 20s. ...	31	4 7 6	
5s., 27s. 6d. ...	32	1 12 6	
7s. 6d., 5s., 12s. 6d., 27s. 6d. ...	33	2 12 6	
47s. 6d., 37s. 6d. ...	34	4 5 0	
... ..	35	1 2 6	
10s., 2s. 6d. ...	35	0 12 6	
25s., 10s., 7s. 6d. ...	36	2 2 6	
5s., 25s. ...	37	1 10 0	
... ..	38	1 2 6	
15s., 40s. ...	38	2 15 0	
2s. 6d., 10s. ...	39	0 12 6	
... ..	39	0 15 0	
2s. 6d., 2s. 6d. ...	40	0 5 0	
... ..	41	0 5 0	
... ..	41	2 7 6	
5s., 2s. 6d. ...	41	0 7 6	
15s., 5s. ...	41	1 0 0	
Paid Library account in excess of fines £96 9 9			
Paid in excess of expenses by Labaste, on 17th May, 1868 ...		0 10 0	
17th Aug, 1871, addition of C. book, fol. ...			
		1,010 13 2	
Should be received from Provincial Government for expenses.			
Carried forward ...			
Brought forward ...			
HOKITIKA LIBRARY.			
v. Hargreaves & Co. ...	35	15 16 9	
v. J. E. FitzGerald ...	35	2 5 0	
v. Charges ...	35	1 7 0	
v. Packing case ...	35	0 3 6	
v. Glasscasc ...	37	9 7 6	
Is this Government money? £0 10 0			
ON BOOKS, &c., FOR COMMISSIONER'S OFFICE.			
v. ½ of Hughes' account ...	10½	1 16 0	
v. J. Hughes, books ...	27	6 1 0	
v. Acts of Victoria, and P.O. prem. ...	27	0 9 6	
v. Practical stats. of N.Z. ...	34	5 5 0	
v. Charges on Acts, Victoria v. Map ...	37	0 2 6	
	41½	1 0 0	
Carried forward ...			
			14 14 0
			£970 13 10

RECEIPTS—continued.		PAYMENTS—continued.	
	£ s. d.		£ s. d.
Brought forward ...	1,010 13 2	Brought forward ...	970 13 10
Balance of payments in excess of receipts ...	0 1 8	PETTY EXPENDITURE, &c.	
		Jan. 10, 1863	1
		Aug. 30, 1864	5
		Sept. 21, 1864	5
		Sept. 23, 1864	5
		Dec. 24, 1864	5
		June 9, 1865	8
		Do. ...	26
		Oct. 9, 1866 ...	28
		Jan. 9, 1867 ...	34
		Do. ...	34
		Aug. 16, 1867	36
		Sept. 26, 1867	36
		Oct. 11, 1867	36
		Oct. 22, 1867	36
		Dec. 9, 1867	38
		Do. ...	38
		Jan. 21, 1868	39
		Aug. 24, 1868	41
		Oct. 8, 1868	41
		Feb. 20, 1869	41
		Nov. 12, 1869	41½
		Jan. 30, 1866	30
		IMPROVING PROPERTY, &c.	
		Jan. 30, 1863	30
		Feb. 3, 1865	7
		Aug. 27, 1866	24
		Dec. 11, 1867	24
		Aug. 17, 1871	45
		Balance ...	£0 1 8
		Copper tokens, becoming valueless, on hand at this date under the Act ...	0 3 4
		17th Aug. 1871, addition of C. B. fol. ...	£ 1,010 14 10
Total ...	1,010 14 10		
December 29, 1871			

Should have been received from Provincial Government.

Mr. Ollivier's Memo. of results of comparison of his tabulated statement with the Duty and Forage Books, at his interview with the Commission:—

£	s.	d.					£	s.	d.	
3	0	0	...	July	...	2 at 5s., 1 at 12s.	...	1	2	0
3	12	0	...	August	...	1 at 5s., 1 at 12s.	...	0	17	0
2	8	0	...	September	...	1 at 5s., 1 at 12s.	...	0	17	0
3	12	0	...	October	...	...	...	3	12	0
3	12	0	...	November	...	2 at 5s., 4 at 12s.	...	2	18	0
1	0	0	...	January	...	1 at 5s.	...	0	5	0
0	10	0	...	February	...	2 at 5s.	...	0	10	0
3	18	0	...	March	...	1 at 5s., 2 at 12s.	...	1	9	0
4	0	0	...	April	...	2 at 5s.	...	0	10	0
1	0	0	...	May	...	6 at 5s.	...	1	10	0
2	4	0	...	June	...	...	...	0	17	0
1	10	0	...	July	...	...	...	0	10	0
1	0	0	...	August	...	...	...	—	—	—
1	17	0	...	September	...	...	...	1	7	0
1	0	0	...	October	...	...	...	0	10	0
1	0	0	...	November	...	...	...	1	0	0
<hr/>								£17	14	0
£51	3	0								
3	8	0								
<hr/>								£32	9	0
£47	15	0						3	8	0
12	12	0								
<hr/>								£35	17	0
£35	3	0						17	14	0
17	14	0								
<hr/>								£18	3	0
£17	9	0								

	£	s.	d.	
In one cash box...	19	0	0	notes.
	4	10	0	gold.
In another do. ...	3	0	0	notes.
6th October, 1871	4	0	0	gold.
Money } ...	0	10	6	silver.
} ...	0	0	1	copper.
<hr/>				
Contents of cash boxes in Commissioner's office in charge of Greenwood	£31	0	7	

POLICE ENQUIRY.

COPY OF EVIDENCE TAKEN BEFORE THE PROVINCIAL AUDITOR,
SEPTEMBER 29, 1871.

Edward White—Constable in the Canterbury Police Force, and second clerk in Commissioner's office, under the control of Sergeant Greenwood, and also storekeeper. I am acting-storekeeper. I receive 7s. a day, no more. I was never gazetted as storekeeper. I only know that I am doing the duties of that office, and have done so since about April last. The general stores are issued on requisitions; they are purchased on requisition. I purchase some—forage. I purchase forage for the Depot. I purchase other stores on requisition, and I keep the books. At present I am issuing the forage; it was formerly issued by the person in charge of the stable; the books are kept in the Commissioner's office. Delivery of the forage was taken from the weights of the weighbridge, and entered from them in the forage book, and then issued from the Depot; I don't know by whom; it was left there, and could be taken by any member of the force disposed to do so, as I believe. There is a regulated scale of issue. Each horse is entitled to a prescribed quantity; according to the Manual, it is 10lbs. of oats, 2lbs. of bran, 16lbs. of hay, 6lbs. of straw. It is 4lbs. of straw in the Manual, but I was authorised by the clerk to give out 6lbs., that is the regulated allowance. I don't know that the regulation was adhered to. [Ration Book produced.] In my entry in the book I have been guided by the Depot Duty Book, in which I found the horses accounted for by the day, and by that I judged of the forage that they should have received; that was the only guide I had. The only knowledge I had of the absence or otherwise of a horse, was from the Duty Book. As far as I know, and as far as I have done the work, the book produced is a correct record derived from the Duty Book. If a man returns during the day he records his return in the Commissioner's office, and I judge from that he is entitled to half-rations. The course is not the same as that pursued elsewhere. The member of the force in charge ought to keep the Duty and Forage Book, and is responsible for the forage. The entries are made daily; no other way would in my opinion be correct. The Commissioner's horse is kept at his house; forage was supplied to him fortnightly, and by the Commissioner's orderly. He used to take fourteen rations, the ordinary supply for a fortnight. The last fortnight there has been only a week's supply issued. I asked the orderly if he wanted forage, and he said he did not, when he required it he would let me know. Up to the time of the enquiry being made the issue was fortnightly; this was done lately; before that I don't know how he obtained it. The clerk and accountant directed me to put down a full ration each day for the Commissioner's horse, even when he was absent; they were charged whether he was absent or present. I know the Commissioner was away on inspection for a few days, but I never deducted anything for his absence. I acted under orders. I ascertained a short time since that there was a deficiency in the forage. It appears in the book; in the week ending 10th June, there is an entry showing a deficiency of 1,754lbs. hay and 2,665lbs. straw. When the delivery was made by Stoddart I then observed the deficiency as above described, and was directed to add the deficiency to the previous week's consumption in order to bring out a correct balance. This was done by order of the clerk and accountant. The expenditure so entered as an expenditure was incorrect. The alterations made in the Forage Book during the month of January were made without my knowledge. I was not then in the office. In the week ending the 16th September, there is an entry of 1,758lbs. of hay as surplus upon the previous week's stock (reference made to the deficiency of 10th June). I was instructed by the clerk and accountant to

weigh the forage, and with two men to assist me, and I then found 1,976lbs. of hay in stock, whereas by the previous week's balance it should have been 218lbs. This was taken by actual tally, in the presence of the two men. I cannot account for the difference in the figures of the 10th June and 16th September; the quantity in store on the 10th June was not more than two trusses. I don't know how this surplus came into the store. I find that on Sunday, the 17th September, there is an entry of full rations to the Commissioner's horse, and according to the return from Kaiapoi there was also full rations issued for the Commissioner's horse. Also, on Sunday, the 10th September, and Monday, the 11th, full rations were also issued at the Depot; and by the return at Kaiapoi, according to the books the horse would be drawing rations at both places. On Sunday, the 27th August, and Friday, the 1st September, and on Saturday, the 2nd, and on Sunday, the 3rd, full rations were also issued at both places, and half rations on Monday; and also according to the return on Friday and Saturday, the 16th and 17th. Full rations were issued to the Commissioner's horse for the whole week ending 19th August; and from the Kaiapoi return they were also entered as issued—two full rations during the same week; in the week ending 26th August, full rations were issued from the Depot; and in the Kaiapoi returns there is entered as issued $2\frac{1}{2}$ rations for the week; the week ending 12th August, there is entered in the Kaiapoi return two full rations, and in Christchurch for each day full rations. Week ending the 5th August there is entered in the Kaiapoi return half rations to the Commissioner's horse, and in Christchurch full rations for the week. In the week ending 29th July, rations are entered as issued at Kaiapoi to Commissioner's horse for two full rations, and in Christchurch full rations for each day of the week. In the week ending 8th July, full rations issued in Christchurch and one ration in Kaiapoi. I did not know of the Commissioner's absence from Christchurch when absent on duty. According to these returns produced, the allowance drawn for the Commissioner's horse has exceeded the regulation scale. I made these entries in the Depot Forage Book, under direction of the clerk and accountant.

John Fowler, late a Constable in the Canterbury Police Force—I was orderly to the Commissioner. I went there on the 1st May, 1870, and I left in August, 1870. The Commissioner's Police horse was kept at his house. It was a Government horse. There was no private horse of his own. I attended to him. I received forage once a fortnight—alternate Mondays; it was supplied to me by Mr. Greenwood, who was their storekeeper. Generally I took it myself; I mean I took it by his authority. If I was short I took the full allowance, if not I did not, as I had no room to place it. I have left hay repeatedly. I never took the full allowance of oats; I merely took enough for the time. The horse was on half rations at the time, by direction of the Commissioner. I cannot say with any certainty what quantity I took, as it was not weighed out. I have been often told by the Commissioner to draw my full rations, although I only gave the horse half rations; but I never did so. I took the forage from the Depot to the Commissioner's house. There have been times when I have given feeds to gentlemen visiting at the Commissioner's house. The first time I was with the Commissioner he had no private supply. One gentleman brought his horse which was there for two or three days; I don't know which. I fed the horse by direction of the Commissioner. I don't think Mr. Barker was there more than once. Captain Brown came sometimes, and his horse had one or two feeds; the forage so consumed was never replaced within my knowledge. On the second time of my going to live at the Commissioner's, about February last, and I left in the following May, there was then a private store of all kinds of forage. After February I have not drawn forage from the Depot for a month at a time, in consequence of having an excess on hand, arising from the absence of the Commissioner on official duty. None of the forage was ever used by me in any other way than for the use of the Commissioner's horse. Visitor's horses were always supplied from the private store. I have gone to the Depot for supplies, but have occasionally not been able to get them in consequence of the cart horse being engaged, and I then fed the Commissioner's horse from his private store.

I never cared to replace it. This did not occur often. The forage store was generally open, and the usual quantity I took was about three trusses of hay. I got oats from the store. I obtained the key of the store from Mr. Greenwood, and filled two sacks; these sometimes lasted five weeks. I took the supply as I wanted it; it was never weighed out to me. The forage in the Commissioner's house, when I first went there, was represented by Smith as having been drawn from the Depot. The consumption of private forage for the Commissioner's horse would have been more than equal to the supplies to private individuals. When I left there were oats and bran, but little hay, belonging to the Commissioner.

[Fowler applied for payment, left his work, and employed a man in his place.]

Inspector Pender—I am Inspector of Police. Up to the 17th April, 1868, forage and books were kept by the sergeant in charge at the Depot; on that day the Commissioner wrote to me to instruct Sergeant Pardy to hand over the charge of the Depot store to J. Davidson, and informing me that the forage and store accounts would in future be kept in his office. I did so, and ever since that time I have had no control over the stores, nor the forage, nor had the sergeant in charge. About the time Beattie was arrested Sergeant O'Grady arrived here one morning, and informed me that Beattie had insinuated that there was something wrong in connection with the department, besides what he had been charged with. O'Grady was anxious for inquiry, and made a statement to the Commissioner in my presence, to the effect that such insinuations had been made by Beattie. I wished the Commissioner to have an investigation, and that he should apply to the Provincial Auditor to enquire into the matter. The Commissioner said he would see the Auditor, and ask him to investigate Beattie's case and the whole proceedings. O'Grady was told to send in a report on the subject; he did so, and it is now in the Commissioner's office, I believe. Some time after Beattie's trial I was at Leithfield on inspection. O'Grady made a similar complaint then to me. Beattie had been putting these reports into circulation, and people believed them. I told him to send another report to the Commissioner, but I have heard nothing further of it. I made some enquiries, but I could not find out what was wrong. Soon after I was told that Mr. Barker was in the habit of going to the Commissioner's house and using the forage. I then got information that Fowler had come to the Depot and stated that there were several gentlemen staying at the Commissioner's house, and he required an extra quantity of forage. Some time after I spoke to the sergeant in charge (McKnight), and asked him if he knew how the forage was issued, and if there was anything wrong about, and then for the first time I discovered that there was no regular account kept, and the books not properly kept, the stores left open, and the forage used as the men thought proper. I then a day or two afterwards wrote to the Commissioner asking for the enquiry, and the correspondence enclosed, a copy of which I have forwarded to the Provincial Auditor. The Commissioner declined to hold the enquiry.

By the Commissioner—I never asked to be relieved of the care of the store.

Robert McKnight, formerly Sergeant of Police, left by resignation on the 30th August last. I have been in the force since July, 1865, except for about nine months in 1869. I remember an alteration in 1868 being made in the custody of the stores. Everything was kept by the sergeant in charge up to that time, and this was in accordance with the rules in the Manual. The entries were regularly kept, and the forage returns were made daily, to the best of my belief. After April, 1868, the sergeant had nothing to do with either the stores or the books. The Sergeant-Major or myself issued the forage three times daily, and in accordance with the scale in the Manual. When I came from Port in October or September, 1869, I found that the stores were not issued in accordance with the system which prevailed before April, 1868. The store was open, and the men fed their horses as they required, and no one was responsible for the supply of the forage. That has been going on up to

nearly the time of my leaving. The store was locked up for about a week prior to my leaving, and after Mr. Pender wrote to the Commissioner on the subject, and then reported when hay was required. I told the storekeeper, and a supply was got, and in like manner with straw and bran for horses, but not the oats. When we required oats they were brought from the store in Hereford street. About June before I left I reported I wanted hay and straw. I was told by the storekeeper that there should be 1,500lbs. of hay on hand, and I think 1,000lbs. or 1,100lbs. straw, and I told him that there was only a truss or two of hay, and that I did not think the horses had eaten it. I said that in time we might pull it up again, as the horses were then eating carrots, and not so much hay. I instructed the man in the stable not to give the horses so much hay unless they eat it, and they were not to pinch the horses in their allowance. It was agreed between the storekeeper and myself to write the deficiency off as consumption. I think the reduction in the supply of hay, as I have already indicated, might, in the course of three months, very nearly have amounted to the deficiency before alluded to; of the sick horses which were entered with full rations they were to get as much as they could eat, under Mr. Hill's instructions. When you (the Inspector) spoke to me on the subject of the deficiency, it was the first occasion of my doing so. I wrote to the Commissioner immediately after. The Commissioner's orderly used to ask for the horse and cart for forage. I have seen him load the forge and take it away. I have seen the storekeeper once or twice in the store with him; the place was open to anyone. When I was present they got nothing more than their allowance, but they could get anything they wanted afterwards. The storekeeper kept no account of what was issued. I don't know from my own knowledge how he arrived at the weekly returns. I don't think he could keep the accounts accurately without being present. The return must have been made up from the duty returns; the number of rations should correspond with the Forage Book. I have not examined them carefully. I have examined a book at the time of the last races in November. There were a number of out-station horses here then, and they had not been reported at the time I saw the book; their consumption of that or of any other strange horse should have been accounted for. They were here five or six days. There were four extra horses. I can form no idea of the cause of the deficiency in June. Had the account been properly kept it could not have occurred. The alteration made in April, 1868, was in consequence of the Commissioner's office being brought to the Depot. I cannot say that the instructions given by the Commissioner arose from any economic change called for in the Depot.

By the Commissioner—I never reported to the Inspector that the store doors were allowed open.

SECOND DAY.

Henry Walsh, formerly Clerk and Accountant in Commissioner's office, and had charge of the books—I remember the change of the care of stores. It was in consequence of a letter addressed to the Inspector in April, 1868. I remember the Commissioner giving instructions to Davidson, whom he placed in charge, to give his horse full weekly rations; it was immediately after the letter was written. I cannot say if it was acted upon. There were a few small sums paid into the office for forage given to stolen horses and paid by the owners. It was entered in a book and paid to the Commissioner; there was no account rendered to the Government of that money. I kept that book up the time of my leaving. It was first called "Petty Cash," and then "Monies Received and Disbursed." It was altered after some Government regulations had been issued. The title of the book was altered by order of the Commissioner; I don't know the reason for the alteration. [Petty

Cash Ledger produced.] The monies received on account of petty cash were not paid to the Provincial account, but were disbursed again in the office. They were expended in various ways; for instance, I observe that in July, 1868, there was a sum of £15 14s. for books and periodicals paid to Hughes for the library. I cannot say from recollection that any portion of the sums received were applied by the Commissioner to his own use. I know that there were several things bought for the use of the Depot with Government money which the Commissioner has taken away for his private use; they were taken to his private residence. There were some door-scrappers from Hawkes and Strouts; those have gone there. There were water barrels and stands and other things from Hereford street, previous to the removal to the Depot, obtained originally from Osborn's. There has been about £1,000 received and disbursed from October, 1862, to the present time. The account is not balanced. The books were in the first instance sent by Hughes to the Commissioner's house, and then sent on to the library some several months after. The Government had no check over it. The items in this Cash Book are not transferred to any other book in the Depot. The Inspector applied to the Commissioner to see the books shortly after the date of the letter in April, 1868, and I was directed to refuse Mr. Pender access to them. You were not allowed to see any book. There was some money paid through the Resident Magistrate's Court for injury done to uniform clothing; it was paid to the office, and passed to this petty cash account (see June, July, November, 1866), and subsequently to 1868-69. Fines were received from constables under regulations, and occasionally for drunkenness. They were paid to the same account, and disbursed in like manner. I know of no authority given to the Commissioner to keep these monies. I should have known of it had any such authority been given in writing. I received from this account £15 yearly, for clothing—in January, 1865, in May, 1866, April, 1867—nothing since. This was in lieu of uniform clothing. It was not passed through the Government office. The monies were expended independent of the Government until 1870, when they were paid to the Provincial account. I remember an instance from the Provincial Government directing all monies to be paid to Provincial account. It was about 1869 or 1870. There is nothing in this account relating to travelling allowances. Osborn furnished and repaired the house in Hereford street, occupied by the Commissioner. I occupied it after. There were things removed paid for by Government. There were poles and other things for which I paid Osborn the sum of £2 and upwards. The Commissioner told Osborn he was to allow him for them. The oilcloth in the hall and other things were taken away. I understood from Osborn that they had been paid for by the Government. Requisitions have been sent in for goods, and the Commissioner has exchanged some of the articles for others of a similar class, but more required. I know of a requisition for general requirements of the Depot being sent to the sergeant's office for approval, and sanctioned.

[Walsh's evidence adjourned to next sitting.]

Thomas O'Grady, Sergeant in the Armed Constabulary Force, stationed at Leithfield—I remember when Beattie was charged coming to Christchurch in February last. I made a report to the Commissioner of facts brought to my notice relative to Beattie. I made a written report connected with shoeing and forage by the Commissioner's instructions. I did not suggest an investigation. I heard you say something about one, and that there ought to be an enquiry. I remember the Commissioner looking over the Audit Act. I remember seeing you at Leithfield. I mentioned that I had reported to Mr. Shearman the use of envelopes by the officer at Leithfield. About six months ago I paid to Sergeant Greenwood some money received for forage supplied to a stolen horse. I received the money from Evans, the owner of the horse. I did not get a receipt. All the rumours I have spoken of were in connection with Beattie and no one else. I did not hear Beattie, but McKnight say "others were as bad, and he was not the only one to suffer." I have said that it would be very hard for the force to suffer for the faults of others.

Thomas Williams—I am a contract cook. I have been a constable in the force. I had, while in the force, charge of the Commissioner's horse from August, 1870, to February, 1871, after Fowler left and until his return. I remember buying forage for your private use. I bought a sack of oats and bran at 3½d. per lb., and a truss of hay. I fed the horses belonging to Mr. Sherman's visitors. I left some of it when I came away.

By Mr. Pender—It was about six weeks before I left. It was more than a fortnight. I bought it at Hinton's (January 17). I cannot say this was during Beattie's case. The Commissioner was away in the direction of Leithfield after the purchase of his private forage. When any visitors came before this a feed or two was occasionally taken when required from his Government forage allowance. Captain Brown and Mr. Barker. He only got one feed (the horse) and broke away. I recollect the Commissioner telling me to get private forage, and be sure to feed the horses of gentlemen who came. The forage was not used in any other way except one truss of musty hay, which was thrown away; it was no good. I was in the habit of fetching the Commissioner's forage. It was weighed and delivered to me in fortnightly quantities according to the Manual, and I always had my full allowance without any deduction, and also during the absence of the Commissioner. The horse was only on half rations when I went, and then another horse, a brown horse, came, and he was in bad condition, and I was told by Mr Hill to give him all I could get, and I did so, and when I left there was handed over to Fowler nearly two sacks of oats and hay, &c., in addition to the Commissioner's private allowance. (I left on Wednesday, and the following fortnight's forage day was due on Monday). The space was large enough to hold the whole fortnight's allowance. Greenwood said I need not be too particular, as he knew the Commissioner was often away. No Government forage was ever taken away from the Commissioner's house, or consumed, except occasionally for a few feeds to visitors. I was told by the Commissioner to put back oats from his private store that had been taken from the Government forage. I put some back, I did not strictly obey the Commissioner's orders. I have often cut grass and fed the Government horse with it, and all the carrots grown in the garden.

James Pentheny—I am a constable in the force. I was in charge of the Commissioner's horse. When I took charge there was two lots of forage in the loft. I first went to the Commissioner's house about five years ago, and was there about eighteen months. On going there I found one bag was nearly full of oats, and the other about 1½ bushels or thereabouts. The hay was in use for the horse. I used to cut grass from the paddock, and carrots were grown in the garden. Some of my private hay was also consumed for the Government horse. The forage issued was consumed in the time for which it was drawn. I don't remember it lasting longer.

By Mr. Pender—I drew the full rations when the horse was at the house. This forage was never used during the time I lived with Mr. Shearman for private visitors.

John Pratt, Sergeant in the Police stationed at Kaiapoi. In May, 1871, week ending 20th, drew 2½ rations, 24th June, 29th July, 12th and 17th August, 24th September to end September. Commissioner has been up repeatedly lately. He has inspected station on each occasion. The horse has only been used by himself. He was attended by the constable. That is his duty when the Commissioner goes up.

Thomas Butler—I am a constable in the force. I am in charge of the Commissioner's horse; when the horse is absent there is no forage consumed, the forage remains in store. I issue it to the horse, and I swear that the forage drawn from the Depot is never given to or consumed by any other horse. When I went there first

about three months since, there was half a bag of oats (about 120lbs.), in the stable, the private property of Mr. Shearman. I had shot this into the bin containing the Government forage, and the Government horse consumed it. I replaced it from the Government forage afterwards. I feed the visitor's horses from the same bin where I had shot the private oats; afterwards, visitor's horses were fed from that which I replaced. There would be about three horses on 12th Sept. I have recently purchased a bag of oats at Hinton's. I have not given the Government horse either grass or carrots. I don't draw the rations regularly; I draw them as I require them. It will be three weeks next Tuesday since I drew one week's supply. I draw the rations from the storekeeper, and they are weighed out to me by White and Rogers. The horse is living upon forage that has accumulated during his absence, coupled with the fact that he does not get his full rations; there is still 70 or 80lbs. oats, besides the private supply. I have not drawn the regulation rations fortnightly, and not as often as required, because I could not get the horse. The Commissioner's horse has been so often away.

By Mr. Pender—Fowler when he left did not hand over any private forage. Fowler told me afterwards. I replaced the oats given to private persons. The oats were drawn from Hereford street. I took the key from the Depot and helped myself. There was no one to weigh it out. I might have taken half-dozen bags if I had been so disposed. Forage has been refused me, but I don't know why. I got a requisition from the Commissioner's office for forage, and I could not get it. It was not from what the Commissioner said to me that I declined to draw the forage, but because I did not want it. The bin would not hold the usual allowance of hay and corn if not consumed by the horse. I and my wife live at the Commissioner's house; I doing duty as Commissioner's orderly.

THIRD DAY.

Wm. Eager, sworn—I was formerly a police constable and orderly to the Commissioner. I went to him on the 13th May, 1870, and I was there about nine months. The Commissioner's horse was kept at the Commissioner's private house. I drew the forage from the Depot. Sometimes I drew it weekly, sometimes fortnightly. I drew the full daily rations during the time I was there. The Commissioner's horse was not absent more than four or five times during my time. I drew the allowance still. The horse was in full rations.

By the Commissioner—He was working either in saddle or trap. The rations lasted longer in consequence of your absence from the station. There was no private forage in the Commissioner's stable. I never gave any forage to visitor's horses. While I was there Mr Barker's horse was turned out into the paddock, and Capt. Brown's tied up.

Walsh re-examined—Regulation of travelling expenses read from Manual, page 70, under head of allowance; the travelling allowance here alluded to were drawn up to some period in 1866. The Commissioner told me that in future for every day that he was absent he was to receive nightly allowance, viz., 12s., and when I made up the return monthly, I called upon Mr. Shearman for an account of his travelling expenses, sometimes he referred to me, asking if he had not been in Port or Kaiapoi so many days, and for every day he was so absent there was 12s; but generally on going to Port he went by the 12 o'clock and returned by 2 o'clock train. This amount was embodied in the pay sheet, and subsequently drawn by the Commis-

sioner. This nightly allowance was charged for nearly two years, although absent only during the day. I could point out the occasions on which he drew the allowance if I saw the vouchers. The original form of voucher differed from this produced, and had not the column for night absence. Constable Davidson, now in Port, was in the office at the time I asked the Commissioner for his account, and was within hearing on most occasions. These expenses were drawn until the Commissioner told me that retrenchment was necessary, and he would only charge nightly allowance when absent at night, and daily when absent by day, and after that he received the regulation rates. This account was frequently given without reference to any memoranda. I was often surprised at the number of nights he gave me. He sent me word by his servant or came himself to say when he would be absent for the night. I could tell by the books of the department whether the Commissioner was absent or not. I could not fix from memory upon any particular occasion on which this occurred. I don't remember any particular occasion without seeing the voucher. I have reason to think that this charge for night allowances has been made. The reasons were that on a few occasions there were large amounts drawn for travelling expenses, and the Commissioner was almost daily in attendance. It did not strike me at the time as in excess. I made no report of it. I might have spoken to Davidson on the subject. I cannot say without referring to the books that the Commissioner was not absent at night on the occasions which the allowances are drawn. The Letter Book, the Duty Occurrence Book, and Forage Books at the out-stations should show it. I have examined the Petty Cash Book with the Auditor, and found entries of forage monies received and not paid into the Provincial account. This Cash Book is a true record of receipts and disbursements. In Feb. 1865, there is an entry cash paid to Jas. Mills, 24s, for three water barrels for the use of police; these were supplied to the Commissioner in Hereford street, and two of them were taken away to his private residence. Oct. 1866, there is an entry of subscription to the *Lyttelton Times* £1; there is also another on the 11th October, 1867, paid Ward and Reeves for 100 copies of Civil Service Commission Report, £1 7s 6d, composition, one proof 10s 6d, and subscription to news to September 30, 1867, 15s. The newspaper was sent to the Commissioner's private residence. There were three copies supplied, two to the office, and one to the Commissioner: and the only one paid for was that sent to the Commissioner. Some of these were filed. Jan. 1868, there is another entry of subscription to newspaper, 15s. Sept. 1868, paid to Ben. Watson, for expenses on officers uniforms, £12 19s.; one was for Mr Pender the other Mr Shearman. On the 9th January, 1865, there is an entry of £2 5s paid to Sergeant James for trees, &c., planted at Akaroa. The sanction of the Government was refused to this payment, and it was subsequently made from this account. I am not aware that there was any authority given to the Commissioner to expend the fines in purchase of books prior to April 1868. Since April 1868, the library regulations were sent to and approved by the Superintendent, and it was then that authority was given to expend the fines in the purchase of books. On March 5, 1866, there is an entry of £8 2s 6d received from Inspector Broham, it was for salaries due to Constables Wham and Dormer. The salaries were drawn in full for these constables, and for the days they were suspended their salaries were deducted from them and forwarded to the Commissioner. None of these monies were paid to the provincial account except in cases where so stated, but were appropriated as the per contra side of the account shows. (Letter Book for 1867 produced and examined.) January—Not absent; March, 1867—Commissioner absent to 21st; February—Fourteen days absent. April 21, 22, 23; 2, 7, 14, 19, 25; May 5, 11, 12, 19, 25, 26; June 1, 2, 3, 9, 10, 11, 23, 25, 30; July 2, 6, 7, 10, 17, 28; August 4, 11, 17.

Chas. Greenwood, sworn—Clerk and accountant since 23rd February last. Cash Book, Petty Cash, do. Imprest, do. Departmental Accounts. No general cash book shewing records of daily transactions. Departmental Cash Book represents amounts paid or certified for payment on account of different services.

Cash Book represents amounts received from treasury, and disbursed by the department. I pay upon the voucher being authorised by the Commissioner, but do not obtain the authority of the Commissioner for the actual payment. I keep no daily record of receipts, but I keep a Minute Book of ordinary transactions in the office received and dispatched. I also kept a library account in which I enter receipts and expenditure. All amounts paid and received on accounts of library since January, 1871, appear in this book. Balance due at time of my suspension, £15 7s. 9d.—Dog Collar Book, and the Bank Pass Book. It was not my duty to keep the forage account. It was done by White. I was not present at the issue of forage. The deficiency arising in the forage alluded to arose from there being no check on the men—at least I so infer. There was a pressure upon the storekeeper. I was storekeeper, and had the duty of issuing of general stores as well as forage. Neither the storekeeper nor clerk and accountant performs any functions as a constable except on extraordinary emergency. The last clause under the head of forage has never, to my knowledge, been acted upon, and no occasion within my knowledge has arisen in which it should have been acted upon. I could not have performed the duties of assistant clerk and storekeeper and attend to the issue of forage, more especially the mid-day issue. The men could at any time assist themselves to hay from the peculiar construction of the loft. The deficiency arose from unavoidable waste. I believe the deficiency grew up in the course of a quarter. The storekeeper may have been absent, and horses from out-station have drawn supplies, and have not been entered. I know the sergeant in charge at the Depot, while I was in the mounted force, was always in attendance at the issue of forage morning and night. I have seen him in attendance since I have been clerk and accountant not so frequently as formerly, but this may have arisen from my absence at stable time. The issue of other stores besides forage consists of clothing, stationery, arms, fuel, and bedding, utensils, &c., but these are chiefly issued quarterly, and are only occasional duties. Before I was suspended White made a verbal report of a deficiency in the amount of straw. I was custodian of the oats at the Hereford street Depot. They were delivered as often as required. I always authorised his fetching them, although not present. He could have helped himself to any quantity if so disposed, and I had no means of checking until towards the close of the season.

H. H. DeBourbel—I am Curator of Intestate Estates. I frequently receive monies through this office on account of Intestate Estates. The department collects and transfers the money through the Commissioner. The monies have generally come in an envelope, sometimes in money, sometimes by cheque. In the case of Ralph Williams, deceased, I have not received the money mentioned in the paper produced, viz., 14s. 8d. Since the date of the foregoing papers, I received from the Commissioner's Office, papers relating to the estate of Hugh McDonald, there is no reference to money in these papers.

Inspector Pender—On the 29th September, I was left in charge of the Commissioner's office during his absence. On the Monday following and on Tuesday, I was in the office, I asked Greenwood for the Petty Cash Book and for his Bank Pass Book. I pointed out in the Pass Book a second item in the Pass Book not in the Cash Book, and he said he had forgotten to enter it. I then asked if there were any other monies received but not entered, he said no. I then told him to write a memo. to the out-stations, and have it ready for my signature, directing the persons in charge to send in a return of all monies forwarded by them to the Commissioner's office during the previous six months. White was present. I returned in the afternoon and signed them, and they were sent. On the Wednesday morning, I again came to the office, and asked Greenwood whether he had received some money on account of a Government blanket, torn by a prisoner and sent from my office. He said yes, and that he had bought a blanket with the money. I asked for the papers, and he handed me a report from Sergeant McKnight, dated 21st

June, 1871, with an account subjoined for a blanket for 12s. 6d., the account receipted. The account and papers do not appear to have been shown to the Commissioner. The account is not certified by him in the usual way, and the receipt is not witnessed. The account shewing only 12s. 6d. having been paid, he then said he had kept the 2s. 6d. since it had not been entered in the Cash Book, nor had the 2s. 6d. been entered. I then asked if there were any other monies not entered, and I mentioned the case of a urinal. He said he had—he had received 30s. Report and receipt signed by Stevenson under date 22nd July, 1871. A new urinal was issued from the store to replace this. Greenwood stated that he had not got the urinal made, and that he had ordered it on the previous Monday, and that he had the money, but it was not entered in any book; the delay he said was caused by some intended alteration in the shape of the urinal. I again asked if there were any other monies. He said there was another small sum which came from Sergeant O'Grady, on account of an Intestate Estate, it came by a post office order for 14s. 8d. That he had cashed it and kept the money since May; he produced the papers and the money at the same time. Papers shew by the endorsement that the Commissioner ordered the money to be forwarded to the Curator. Greenwood then handed over the monies, viz., the 2s. 6d., the 30s., and the 14s. 8d., in my presence, to the Provincial Auditor. The minutes attached to these documents should have been entered in the Minute Book, but they don't appear to have been entered as they ought to have been. That relating to the urinal does appear to have been entered by the endorsement. I have examined the Receipt Book for moneys paid to the Commissioner's office, and there is no entry therein of either of these sums. There was a sum of money found in the iron safe, and yesterday Sergeant Greenwood came to the Commissioner's office, and the Commissioner sent for me. Commissioner told me that Greenwood was about to tell him what the monies belonged to. I said before he did so, I wished to caution him not to say anything to criminate himself. Commissioner said he requested his explanation, and I then told him to make any statement he wished. Greenwood then said that under the circumstances he should say nothing about it, and the money was put back into the safe. All the returns called for have not yet come in. I objected to Greenwood having access to the papers in the office, pending the enquiry. There is an entry of £7 received on account of dog fees, and paid to the Provincial account, but is evidently an error; it should have been entered as received on account of a lunacy case, and paid to Mr. Willcocks.

Edward White re-examined—My office is the same with Greenwood. I keep the Minute Book. All correspondence passes through the Minute Book. No matter on what subject. I endorse the document with the No. of minute, and if it is to go away I forward it, and if returned to the office, I return it to the clerk and accountant. The document relating to the blanket has been entered in the Minute Book on the requisition of Mr. Pender. I know of no reason for not recording it; it should have borne the counter-signature of the Commissioner. I find I did issue the blanket from the store and replaced it by that purchased by Sergeant Greenwood. I never considered myself a responsible storekeeper. Greenwood bought the stores. I think it was a red single blanket, and I issued a single one. The account produced is not regular, it is not witnessed. There was a requisition issued for the urinal, I have not received any in its place. The record of the receipt on account of the Curator of Intestate Estates is not entered in the usual way. The file of requisitions represents all stores issued during the year (about 150).

Commissioner Shearman—All monies and correspondence coming into the office should be laid before me. The papers representing the payment of 15s. for the blanket I do not remember to have seen. Your endorsement with the money, if I was in the office should have been referred to me. I cannot say whether I was in the office or not. There appears to have been a letter written by me on the 21st June, the day recorded on the document, but I cannot say that I was present. The

voucher should be signed by me or some other responsible person, and it should be witnessed by the person who pays it. The amount should have been entered by the clerk and accountant in the Petty Cash Book. I have seen the papers about the urinal. This account should have been entered in like manner; sometimes, money so received is expended in the purchase of others of a like character, sometimes lodged in the Treasury. I don't remember an instance. The clerk would have authority to hold the money until the article was purchased. I remember his speaking to me about it, and I think I told him to make enquiries as to the cost of a smaller sized urinal. That was in July. If that urinal is not yet purchased, he would still be custodian of the money. It would be unusual for him not to attend sooner to his instructions, and it should have been entered in the book. There are no regulations to govern me in regard to departmental moneys, beyond what appears in the Manual of the police regulations (p. 11.) I directed the papers concerning the 14s. 8d., to be forwarded to the Curator of Intestate Estate, and Greenwood should have sent it at once with the enclosure. It should have been entered in the Petty Cash Book, or moneys received and disbursed. It is the duty of clerk to make out a receipt and have them signed by the responsible person—myself if present, and then forward it to the party concerned.

Walsh re-sworn—Sub-voucher for travelling allowance in July, 1867, shows that the Commissioner drew five allowances at 12s. I infer from this that he was absent on duty for five nights and drew 12s. for each, in accordance with the regulations from the returns as shown in the District Duty Book and Forage Books, and monthly returns, it would appear that the Commissioner was entitled to draw three allowances of 5s. each, and one of 12s., or £1 7s. in all. The sub-voucher shews £3 paid, but no daily allowance. In August the pay sheet shews six nights absence. The returns shew that he was entitled to one night and one day allowance, or 17s. in place of £3 12s. In September the pay sheet shews four nights at 12s. The returns shew that he was absent one night and one day, and was entitled to draw 17s., and drew £2 8s. In October the pay sheet shews six nights absence at 12s. This is correct, the Commissioner was then *en route* for Hokitika and back. In November the pay sheet shows six nights absence at 12s. The returns shew that he was entitled to three nights and two days allowance, amounting to £2 6s., and he drew £3 12s. In December, 1867, pay sheet missing. In January, 1868, the pay sheet shows travelling allowance for four days at 5s; the returns show an absence of only one day at 5s., and that he drew 20s. in place of 5s. In the Leithfield general monthly report for January, 1868, there is a record of a visit to the station on the 3rd February, 1868, but no such record in the Duty or Forage Book for either January or February. In February, 1868, the pay sheet return as drawn shows travelling allowance for two days at 5s.: this is correct. March pay sheet shows absence six days and four nights, drawing £3 18s.; returns show one day and two nights' absence, entitling him to £1 9s. April pay sheet shows absence for four days and five nights, drawing £4; returns shows three days' absence at 5s., making 15s. instead of £4; and the Leithfield monthly shows a visit of Inspector on 6th not recorded in books. May pay sheet shows four days' absence, drawing 20s.; the returns show one night and four days, entitling him to £1 12s. I go by the forage returns, the others only assist, and I do not infer from them that the Commissioner was out on the night of the 27th. June pay sheet shows two nights and four days, drawing £2 4s.; the returns show one night and one day, entitling him to 17s. July pay sheet shows six days at 5s., drawing £1 10s.; the returns show absence for two days, entitling him to receive 10s. August 1868 pay sheet shows four days at 5s., drawing £1; returns show no inspections, consequently drawn without authority. September pay sheet shows five days at 5s., and one night at 12s., drawing £1 17s.; returns shows three days and one night absence, amounting to £1 7s. October pay sheet shows four allowances at 5s., drawing 20s.; returns show 2 days at 5s., amounting to 10s. November pay sheet shows four days at 5s., drawing 20s.; the returns show this to be correct. December 1868 pay

sheet shows five days at 5s., drawing £1 5s.; the return shows this to be correct. From the vouchers which I have examined I have no doubt as to the correctness of my statement made on a former occasion as to the Commissioner drawing nightly allowance for daily absence. I don't see the voucher amongst those produced enabling me to fix a date for the commencement of the alteration. No daily allowance is to be found on either of the vouchers produced for 1867. When I asked the Commissioner for his travelling charges he used to ask me whether he was at Lyttelton, or Kaiapoi, or elsewhere, on certain days. I distinctly assert that the nightly charge was frequently made in 1867 in place of the daily one. I left the service about January, 1871. The Commissioner was in the habit of going to Lyttelton by one train and returning by the next up the time I left, and drew his daily travelling allowance upon each occasion. There was always a storekeeper before the alteration in 1868.

By Mr. Joynt—I was obliged to go to the Commissioner on all occasions for a record of his travelling expenses. I had no other way of finding it out. I made no objection to charge the 12s., as I had no means of knowing whether he had authority for the alteration. I have had several private conversations with the Inspector in reference to the travelling expenses. I have not had conversations with him prior to the enquiry. I gave no information before the enquiry to Mr. Pender as to the evidence I could give before the Auditor before I was first examined. I asked the Inspector if he knew whether the Commissioner was entitled to draw the nightly allowance, and he said no. I have told Mr. Pender that the Commissioner had been in the habit of drawing the nightly allowance, and I told him the instructions I had received. There is an entry in the Petty Cash Book under date August 29, 1868, of £4, handed to Mr Pender for special use. This was given to him in notes, and marked, and he was to have them posted for detective purposes in connection with the post offices. Mr. Pender was to have had it as a temporary loan, and was to return it when he had done with it. I understood it, but know nothing of my own knowledge. I may have handed it to him, but am not sure. There is no entry in that book of the return of the money. I know nothing of its return, and I have no knowledge of its application beyond the entry in the Cash Book. No book in the office should show how the money was applied by Mr. Pender, if it was returned I should have given a receipt for it. I know Mr. Pender was ill about the time of the issue of the money, and that Sergeant Pardy was on duty. I know no more of it than that it was for detective purposes. I know that Pardy assumed your duties for nearly twelve months; it would be the proper course for him to receive all monies during the Inspector's absence, and I know that Feast was engaged with the Inspector at the time. I don't know if the money was ever returned. There is a pile of correspondence in reference to the matter. The money was left in the office to the best of my belief, and was actually in use at the time. I left in consequence of illness. I believe it was used after I left by Pardy and Feast. When I returned, perhaps twelve months after, I enquired of McKnight and Feast what had become of it. Search was made, and it has never been found to my knowledge, or whether it was ever returned by Pardy. I don't know whether it was ever used for any other purpose than an attempt to detect robberies in the Post office. It was several times sent through the office under various directions. I don't know what became of it. I don't recollect the date of my leaving. The money was being used when I left. The money was not forthcoming when I asked about it; it was enclosed in an envelope, and a search was made, but it was never found. I don't recollect whether I ever reported the loss to the Commissioner. I was not satisfied when I ordered the search for it that it was not returned. I could not trace it. I have never had an application made to me for the refund of the money since my return until the present time, and it may have been returned for anything I know. I was not accountable in my absence. I don't recollect taking any receipt for the money; it was in use by Feast, who had more to do with it than I had. When I left on account of illness, the Commissioner took charge of everything in my absence.

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REPORTS

ON

THE CANTERBURY MUSEUM,

BY THE TRUSTEES AND DIRECTOR THEREOF,

FOR THE YEAR ENDING 30TH SEPTEMBER, 1871.

Canterbury Museum,

Christchurch, 12th December, 1871.

SIR,

By direction of the Trustees of the Canterbury Museum and School of Technical Science, I beg to enclose this Annual Report for the financial year 1870-71, with the necessary Appendices, for the information of his Honor the Superintendent and the Executive Council.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed)

JULIUS HAAST,

Hon. Secretary.

WALTER KENNAWAY, Esq.,

Provincial Secretary,

Christchurch.

LIST OF TRUSTEES.

OFFICIAL TRUSTEES.

HIS HONOR THE SUPERINTENDENT, WM. ROLLESTON, ESQ., M.A.

HIS HONOR THE JUDGE OF THE SUPREME COURT IN CHRISTCHURCH,
MR. JUSTICE GRESSON.

THE PROVINCIAL SECRETARY, WALTER KENNAWAY, ESQ.

THE PROVINCIAL SOLICITOR, W. P. COWLISHAW, ESQ., M.A.

THE SPEAKER OF THE PROVINCIAL COUNCIL, HENRY JOHN TANCRED, ESQ.

THE CHIEF SURVEYOR OF THE PROVINCE OF CANTERBURY,
SAMUEL HEWLINGS, ESQ.

LIFE OR ELECTED TRUSTEES.

THOMAS HENRY POTTS, ESQ., M.P.C.

ALFRED CHARLES BARKER, ESQ., M.R.C.S., E.

JULIUS HAAST, ESQ., P.H.D., F.R.S.

REV. CHARLES FRASER, M.A., F.G.S.

HENRY RICHARD WEBB, ESQ., M.P.C.

JOHN DAVIES ENYS, ESQ., M.P.C.

PRESIDENT.

HIS HONOR THE SUPERINTENDENT.

HON. TREASURER.

THE PROVINCIAL SECRETARY.

HON. SECRETARY.

JULIUS HAAST, ESQ., P.H.D., F.R.S.

Canterbury Museum,

Christchurch, 30th September, 1871.

ANNUAL REPORT OF THE TRUSTEES OF THE
CANTERBURY MUSEUM,

FOR THE FINANCIAL YEAR 1870-71.

THE Trustees of the Canterbury Museum and School of Technical Science in presenting the Annual Report of the Director for the past year, marked A, wish to render an account of the steps taken by them to make the Institution entrusted to their charge still of greater usefulness to the Province.

No means being at their disposal for the purpose of opening a School of Technical Science or Public Library, they were unfortunately unable to inaugurate either of them, and they wish to point out that unless the Institution in their trust is established on a firm and solid basis, so that the necessary funds for the payment of Professors, for the purchase of books, and for all other purposes connected therewith are assured to them by way of endowment, they will be unable to advance at all satisfactorily in the directions previously alluded to. However, not to lose any opportunity to make the Canterbury Museum also useful for teaching purposes, the Trustees have addressed themselves to the Chancellor of the University Council of New Zealand, when that eminent body met in Dunedin in May and June last, trying to obtain affiliation with the New Zealand University, as well as a portion of the public moneys appropriated by the Legislature of the Colony for the support of that Institution and its affiliated Colleges.

The paper marked B is a copy of the letter addressed to the Chancellor.

The Trustees were, however, informed that no Scholastic or Collegiate Institution in the Colony could be affiliated to the University of New Zealand, except under a series of conditions, of which one stipulation is that they have to provide teachers and lecturers in at least three of seven branches of education, of which Physical Science is only one.

Thus it became at once apparent that a School of Physical or Applied Science would be excluded from the desired affiliation, unless other arrangements could be made, by which two other branches of education were added.

The Trustees, under these circumstances, entered into negotiations with the Warden and Fellows of Christchurch College, and agreed to form a united teaching body, under the name of the Canterbury Collegiate Union.

Paper marked C gives the details of that Union, which offers all the necessary advantages of a higher liberal education, without excluding either the Christchurch College or the Canterbury School of Science from the advantages to be derived from an affiliation with the University of New Zealand.

The Canterbury Collegiate Union through its President, C. C. Bowen, Esq., has sent the required application to the Chancellor of the New Zealand University Council, now in Session at Wellington, and trust that their prayer will be favourably entertained. The Trustees hope that this step will receive the full and hearty approval of his Honor the Superintendent, the Executive and Provincial Councils.

The Trustees would once more point out the necessity, principally under the present aspect of Provincial Institutions, and in order to enable them to fulfil the trust which the Legislature has confided to them that some more steps are required to secure by endowment or otherwise the future of the Institution under their charge, which more than any other in the Province is calculated to advance the intellectual and material welfare of the country.

With the Committee of Overseers of Harwood College, Boston, United States of North America, they wish to affirm that—"To say that the cultivation of the Natural Sciences is eminently calculated to promote the prosperity and wealth and progress of our common country would be but the repetition of a truism, for it has been frequently and convincingly demonstrated that Trade, Manufacture, and, above all, Agriculture, can only be fairly and fully developed by the application of principles and practice derived from the study of the Natural Sciences."

For the Trustees,

(Signed) JULIUS HAAST,

Honorary Secretary.

(Signed) H. B. GRESSON,
Chairman.

REPORT
OF THE
DIRECTOR OF THE CANTERBURY MUSEUM,
FOR THE
FINANCIAL YEAR 1870-71.

APPENDIX A.

Canterbury Museum,

30th September, 1871.

TO THE TRUSTEES OF THE CANTERBURY MUSEUM AND LIBRARY,
CHRISTCHURCH.

GENTLEMEN,

In submitting to you my first Annual Report, I have all reason to congratulate you on the advancement of the Institution under my charge, which has received large and valuable additions during the past year.

The Museum has been open daily to the public from 12 till 4 p.m. every day, Sundays excepted, during the whole year, but for the future it is contemplated to keep it open from 12 till 5 p.m. from the 1st October to the 1st April, in order to allow persons in business or public offices to visit it.

On public holidays the Museum has been kept open from 11 a.m. till 5 p.m., and the hundreds of persons, who by their occupations on week-days are debarred from visiting the provincial collections, have testified by their presence, that it was a step in the right direction.

According to the visitors book more than 15,000 persons have entered their names during the year; but as this presents only a portion of the visitors, we may safely assume that at least 40,000 persons have entered the building to examine the collections.

Appendix No. 1 is an abstract of the receipts and payments of the Trustees through the Provincial Treasurer on behalf of the Museum, for the financial year ending 30th September, 1871.

Very extensive collections of Natural History have been received during the past year from various Museums and persons in other parts of the world, containing mostly valuable specimens of great interest, of which in Appendix No. 2 I beg to offer an abstract.

Dr. Otto Finsch, in Bremen, has continued to send us type specimens to illustrate the Avifauna of the whole earth, and will do so in future years until our collections have representatives at least of each genus.

To Dr. T. Kaup, the Director of the Museum of Darmstadt, we owe some fine specimens of the mammals and birds, mounted by Herr J. Kerz, the accomplished Sculpto-Taxidermist of that celebrated institution. Amongst the type collections, the Geological State Institute of Austria has sent us a magnificent series of specimens, representing the fossil flora and fauna, observed during the progress of the geological survey of the Austrian Empire, and a number of collections of North American fossils has been received with some other valuable additions, from the Museum of Comparative Zoology of Cambridge, Massachusetts, United States of North America.

It is needless for me to point out what great value such collections possess for scientific and educational purposes, and I may add that they would form an ornament to any Museum in the home country, however extensive and long established.

We owe also many valuable additions to the Colonial Museum in Wellington, whose Director is always ready to assist us to complete our New Zealand collections.

The donations, of which Appendix No. 3 gives a list, with the names of the donors, received during the year have been large and valuable, the public thus continuing to show the great interest they have taken in the advancement of this Institution from the very beginning, and I now beg to return once more my best thanks to the ladies and gentlemen who have been kind enough to make numerous gifts. Where so many have been ready to assist it would be almost invidious to particularize, but I cannot refrain from stating that our special thanks are due to E. J. Wakefield, Esq., M.H.R., for the munificent oil-painting of his father, Edward Gibbon Wakefield, one of the chief founders of this Colony of New Zealand, painted by J. C. Collins, and which now adorns our walls.

To G. H. Moore, Esq., Glenmark, who has not only presented again a large collection of Moa bones to the Museum, but has also allowed us to make extensive excavations on his grounds. To Thomas Cannon, Esq., Little Rakaia, from whom we have received a fine collection of Maori and Moa-hunter's implements, as well as for his permission to continue my researches over his property.

To the Philosophical Institute of Canterbury for the sum of £67 11s., contributed to our funds, and for a fine collection of Native grasses, collected by Messrs. Armstrong (father and son), and which I have been enabled to exhibit at once.

To Edward Sealy, Esq., district surveyor, for a fine collection of photographs taken by him in this Province, to complete the series formerly presented.

Also, to the Trustees of the British Museum our special thanks are due for presenting to the Library of the Museum a complete series of their Natural History Catalogues, so valuable as books of reference; as well as to Professor Th. Oldham, F.R.S., the Superintendent of the Geological Survey of India, for the fine series of publications in illustration of the progress of the Geological Survey of that vast Empire.

In Appendix No. 4 will be found a list of the various objects sent in exchange, together with the names of the institutions or persons to which they have been transmitted. I take great pleasure in acknowledging the zeal of Mr. F. R. Fuller, Taxidermist to the Museum, who has continued to give me efficient aid in augmenting the collections under my charge.

The following specimens have been preserved and mounted during the past financial year :—

- 3 Skeletons of *Dinornis*, viz. :
Dinornis Giganteus
 „ *Robustus*
 „ *Elephantopus*
 4 Skeletons of Mammals and Birds
 2 Skulls of Mammals not exhibited.

Mammals.	Total.	Exhibited.	Not exhibited.
<i>New Zealand</i>	2	2	—
Foreign Countries	42	7	35
Heads	5	—	5

Birds—

<i>New Zealand</i>	12	8	4
Foreign Countries	187	119	68

Before concluding this report, I wish to point out what new arrangements have been made, and in what direction new collections have been added during the year, in order to show the advance of the Museum.

The Geological Map of New Zealand received from Dr. Hector, F.R.S., has been framed and hung over a case which contains specimens arranged according to the colours of the geological formations repeated at the back of the case. By this means any visitor can at once follow and understand the whole structural characteristics of both Islands. A fine collection of rocks, minerals, and fossils from the Malvern Hills has been added to the collections, and the series of Coal and Shales from that district has been so large that I was enabled to devote a whole show-case for their exhibition.

Besides the three articulated specimens of *Dinornis*, bringing the series up to 10, a further addition has been made to our already extensive collection of

separate bones ; amongst them are further portions of *Dinornis maximus*, bones of *Dinornis giganteus*, jun., showing conclusively by their enormous size that this species, even when compared with *Dinornis robustus*, had a well defined specific character.

A few bones of a gigantic bird of prey, *Harpagornis Moorei*, also discovered in Glenmark, have formed a valuable addition. A fine set of casts of Samian remains, from the Amuri and Waipara, as well as three casts of Moa eggs, were received from the Colonial Museum.

T. H. Potts, Esq., and a few other friends of the Institution have continued to enrich the Museum with nests and eggs of Native birds.

The collection of New Zealand reptiles and fishes has also received welcome additions, of which I may name *Hathria punctata*, the Fringed-lizard of the Northern Island, presented by the Colonial Museum of Wellington.

Besides the small Botanical collection I made during my sojourn in the Malvern Hills, Messrs. Armstrong (father and son) have contributed largely to our New Zealand Herbarium.

We owe to His Excellency Governor Weld a fine collection of polished slabs of Western Australian timber.

Amongst the Ethnological collections, the already valuable series of arms has received numerous additions from different donors. Walter Buller, Esq., F.L.S., amongst others has contributed some fine objects of Maori workmanship, illustrating former and present times. Numerous donations of Ethnological objects from the Fijis, Santa Cruz, and Australia, have offered ample material to represent the weapons and tools of the aborigines of those countries.

The room at my disposal for the exhibition of the collections has become so filled up that the liberal vote of the Provincial Council for further additions to the present building must be hailed with grateful satisfaction ; as it will not only enable me to exhibit the many valuable and interesting specimens which of necessity are now stowed away, but also to separate from the general and popular collections the series to be devoted to educational purposes.

Moreover, ample accommodation for public lectures, and for the beginning of a public library will be provided, so that with the next year the further objects of the Canterbury Museum and Library Ordinance, which provides also for the establishment of a *School of Technical Science*, will not remain altogether a dead letter.

I have the honor to be,

Gentlemen,

Your obedient servant,

(Signed) JULIUS HAAST,

Director.

APPENDIX NO. 1.

CURRENT EXPENDITURE OF THE TRUSTEES OF THE CANTERBURY MUSEUM DURING THE FINANCIAL YEAR 1870-71.

1870.		£ s. d.		£ s. d.		£ s. d.
October	8	...	Cash Provincial Treasury	...	By Salaries	687 10 0
November	2	...	"	...	" Salary of Attendant	38 10 0
"	5	...	"	...	" Printing	1 12 6
"	16	...	"	...	" Requisites for Textidermist's department	33 1 10
December	3	...	"	...	" Carriage, freight	39 19 9
"	17	...	"	...	" Cabinets, Show-cases, &c.	116 12 3
"	28	...	"	...	" Stands, Ironwork	53 14 10
1871.					" Travelling Expenses	1 10 0
January	2	...	"	...	" Contingent Expenses	14 18 10
February	1	...	"	...		
"	8	...	"	...		
March	4	...	"	...		
April	1	...	"	...		
"	29	...	"	...		
May	3	...	"	...		
June	3	...	"	...		
July	3	...	"	...		
August	2	...	"	...		
"	16	...	"	...		
September	2	...	"	...		
				£987 10 0		£987 10 0

Vouchers in the Provincial Treasury.

Canterbury Museum, October 1st, 1871.

(Signed) JULIUS HAASL,
Director.

APPENDIX NO. 2.

LIST OF COLLECTIONS RECEIVED IN EXCHANGE DURING THE
FINANCIAL YEAR 1870-71, FROM OCT. 1, 1870, TO SEPT. 30, 1871.

FROM THE GRAND DUCAL MUSEUM OF NATURAL HISTORY AT DARMSTADT.

- 2 Mounted Specimens of Quadrupeds
 Felis Leo Barbarus
 Felis Leopardus (varius)
 Skull and portions of Skeleton of Felis Leo Barbarus
 4 New Zealand Birds, mounted
 5 Foreign " "
 13 Skins of Foreign Birds
 1 " " Mammal
 54 Bones of Megaceros hibernicus, including 2 Skulls (Irish Elk)

DR. OTTO FINSCH, OF BREMEN.

Mammals—

- 5 Specimens, set up
 10 " in ten species

Birds—

- 183 Specimens Exotic, in 154 species, of which 6 are mounted
 70 " European, in 58 " " 33 "
 6 " Foreign, 6 " " 6 "
 3 Eggs

ZOOLOGICAL MUSEUM, STOCKHOLM.

Swedish Mammals—

- 10 Specimens, 8 species

Swedish Birds—

- 103 Specimens, 89 species

Exotic Birds—

- 10 Specimens, 10 species

H. EDWARDS, SAN FRANCISCO.

- 237 Specimens, 152 species of Lepidoptera (American)

MUSEUM OF COMPARATIVE ZOOLOGY, CAMBRIDGE, MASSACHUSETTS, UNITED
STATES N.A.

- 207 Species of American Land and Freshwater Shells, many hundred
specimens

- Collection of American Fossils (type), not unpacked, from want of room

COLONIAL MUSEUM, VICTORIA, MELBOURNE.

50 Specimens of Australian Birds

18 " " Mammals

DR. FERD, SLOLIZKA, CALCUTTA.

155 Specimens, 103 species of East Indian Birds

Collection of East Indian Land and Freshwater Shells (not unpacked
from want of room) 157 species

BRITISH MUSEUM, LONDON.

154 Volumes Catalogues

MUSEUM, OXFORD, ENGLAND.

Collection of Casts

GEOLOGICAL STATE INSTITUTE OF AUSTRIA, VIENNA.

Large Type Collection of Austrian Fossils, representing all formations of
the Austrian Empire (not unpacked from want of room)

APPENDIX NO. 3.

**DONATIONS TO THE CANTERBURY MUSEUM, DURING THE YEAR
1870-71, FROM NOV., 1870, TO SEPT. 30, 1871.**

1870.

Aug. 11.

DR. L. POWELL, CHRISTCHURCH.

5 Drawings of New Zealand Fish

" 14.

MRS. ROBISON, CHRISTCHURCH.

8 Silver Coins, 1 Copper Coin

" 14.

MR. B. SIMPSON, CHRISTCHURCH.

1 Volume Museum Britannicum, with numerous engravings, 1778

" 15.

MR. J. CARDER, LYTTTELTON.

2 Shells from Lyttelton Harbour

2 Specimens of Dogfish (*Scyllium lima*)3 " Elephant Fish (*Callorhynchus antarcticus*)

" 21.

MASTER VESEY HAMILTON, CHRISTCHURCH.

2 Nests of New Zealand Birds

" 21.

COLONIAL MUSEUM, WELLINGTON.

Collection of Fossil Teeth, from the Amuri Bluff (cretaceous)

29 Casts of Saurian Bones, from the Amuri and Waipara District

" 26.

MR. JAMES FROST, RICCARTON.

1 *Lusus Naturæ* (Calf with two heads)

1870.
Aug. 26. MASTER D. T. C. INNIS, CHRISTCHURCH.
1 Egg of *Struthio Camelus* (Ostrich)
1 Ornament made from Whale's Teeth, from the South Sea Islands
- Nov. 3. MR. G. W. TIPPETS, CHRISTCHURCH.
1 Ghourka Shield
- „ 3. MR. E. REECE, CHRISTCHURCH.
1 Model of a Heathen Temple, made of cocoanut fibre; 1 Native Wig—
both from the Fiji Islands
- „ 4. MR. G. LAMBERT, SOUTHBRIDGE.
2 Turnstones (*Streptilas Interpres*)
- „ 8. MR. JOHN MACDONALD.
2 Skulls of the Albatros (*Diomedea Exulans*)
- „ 11. MR. T. L. LOCK, RAKAIA.
1 *Lusus Naturæ* (Young Turkey)
- „ 14. MR. R. MARTINDALE, LYTTELTON.
10 Specimens of Minerals, from the Moorhouse Tunnel
- „ 16. MR. T. KENT, CHRISTCHURCH.
1 Hairworm (*Filaria species*)
- „ 17. MR. JOHN CALDWELL, CHRISTCHURCH.
1 Fiji Island Club
- „ 20. MRS. W. S. MOORHOUSE, CHRISTCHURCH.
Wheelbarrow and Shovel, presented to Mrs. Moorhouse by the Contractors
of the Christchurch and Lyttelton Railway on turning the first sod
- „ 20. MR. JOS. BESWICK, KAIAPOI.
2 Nests and Eggs of the Housesparrow (*Fringilla Domestica*)
- „ 20. MR. HUGH BUCHANAN, LITTLE RIVER.
Skeleton of the right Southern Whale (*Balæna Antipodum*)
- „ 26. MR. ARTHUR F. NEALL, CHRISTCHURCH.
1 Avocet (*Recurvirostra Rubricollis*)
- „ 26. MR. CHIVERS, PAPANUI.
2 Eggs of the American Ostrich (*Rhea Americana*)
- „ 26. MR. EDW. JOLLIE, BEACHCROFT.
1 Maori Stone Adze
- „ 26. MESSRS. W. LENIE & NATHAN GRINROD, SELWYN COAL MINE.
1 Piece of Fossil Wood

1871.
March 21. REV. ROBT. S. JACKSON, CHRISTCHURCH.
Bread of the Polynesian Islands, made from the Breadfruit tree by the
Natives
1 Pair of Shell Armlets
- „ 23. MR. W. BULLER, F.L.S., WANGANUI.
4 Skins of New Zealand Birds
- „ 23. MR. G. LAMBERT, SOUTHBRIDGE.
1 Spotted Shag (*Graculus Punctatus*)
- „ 27. MR. WARRINGTON, LEESTON.
Specimen of Globular Iron-ore
- „ 27. COLONIAL MUSEUM, WELLINGTON.
1 Specimen of *Hatteria Punctata*, Fringed-lizard
4 Specimens of Coal from the North Island
- „ 27. MR. W. REEVES, CHRISTCHURCH.
3 Specimens of New Zealand Fishes
- „ 30. ACCLIMATISATION SOCIETY, CHRISTCHURCH.
1 Specimen King Lory (*Aprornictus scapulatus*)
- April 4. MR. THOMAS LOCKE, CHRISTCHURCH.
2 Specimens of New Zealand Birds
- „ 4. MR. SAMUEL BARKER, CHRISTCHURCH.
1 Specimen of Saddleback (*Creadion Carunculatus*)
- „ 4. MR. E. D. HEPWORTH, LEITHFIELD.
1 Longtailed Cuckoo (*Eudynamis Tahitiensis*)
- „ 6. MR. G. L. MELLISH, R.M., KAIAPOI.
1 Specimen of North Island Pumice-stone
- „ 11. MR. SNOSWELL, LYTTTELTON.
Specimen of Ambergris, taken from a Ling
- „ 12. MR. M. MURPHY, CHRISTCHURCH.
1 Specimen of Swamphen (*Porphyrio melanotus*), variegated plumage
- „ 13. DR. BARKER, CHRISTCHURCH.
Blubber Knife, made of flint, used by the Morioris (Chatham Islands)
- „ 13. MASTER W. EDGAR, CHRISTCHURCH.
1 Bird's Nest
- „ 14. MR. N. F. PATTISON, CHATHAM ISLANDS.
1 Moriori Stone Implement

1871.
April 14. MR. LANGLEY BELL, CHRISTCHURCH.
1 Stormy Petrel (*Procellaria Pelagica*)
2 Silver, 1 Copper Coins
- „ 15. MESSRS. G. COATES & CO., CHRISTCHURCH.
18 Copper Coins and Tokens
- „ 16. MR. JOHN F. ARMSTRONG, CHRISTCHURCH.
Specimen of Pea Iron-ore, from Hagley Park
- „ 17. MR. M. B. HART, CHRISTCHURCH.
2 Geological Specimens from the Malvern Hills
- „ 18. MR. ARCHIBALD HAMILL, CHRISTCHURCH.
2 Feral Guinea Pigs (Albinos)
- „ 18. MR. T. B. HILL, CHRISTCHURCH.
5 Specimens of *Neochana Apoda* (Mudfish), from Westland
- „ 20. MR. ALF. ISAACS, CHRISTCHURCH.
10 Specimens of different qualities of Kauri Gum from Auckland.
1 Weta (*Deinacrida Magacephala*)
- „ 20. HON. JOHN HALL, HORORATA.
4 Specimens New Zealand Birds
- „ 25. MR. T. C. MILES, CHRISTCHURCH.
Portions of Shells and Bullets from the Gate Pah. Iron Sand from the beach near Tauranga
- „ 26. MR. J. DEANS, RICCARTON.
1 Small Rail (*Ortygometra affinis*)
- „ 28. MASTER E. HAWKES, CHRISTCHURCH.
1 Maori Stone Adze
- „ 30. HIS HONOR THE SUPERINTENDENT.
5 Specimens of Ores and Minerals from Westland
- „ 25. MR. C. J. TRIPP, ORARI.
Specimen of Brown Coal from Blackbirch Creek
- May 1. MR. W. SMITH, CHRISTCHURCH.
2 Silver, 3 Copper Coins
- „ 2. MR. W. B. BULLER, CHRISTCHURCH.
1 Taraha Maori Spear
- „ 2. MRS. W. COWLISHAW, CHRISTCHURCH.
1 Boomerang, 1 Stone Adze of the Natives of Australia

1871.
May 3. CAPTAIN CLOGSTOUN, ORARI.
1 South American Landrail
- „ 6. MR. W. WALKER, MOUNT POSSESSION.
1 Photograph of Pigeon Letter from Paris
- „ 6. MR. R. W. FEREDAY, CHRISTCHURCH.
Freshwater Shells from Lake Guyon
- „ 22. MR. JAMES DRAPER, SNOWDON.
Collection of New Zealand Lizards. 1 Skull of feral Boar
- „ 26. MR. JOHN WILLIAMS, CHRISTCHURCH.
4 Eggs of the Californian Quail
- „ 26. MR. GEORGE REEVE, CHRISTCHURCH.
1 New Zealand Bittern (*Botaurus poicilopterus*)
- „ 26. MR. C. E. FOOKS, C.E., CHRISTCHURCH.
1 Fossil Echinoderm, from the Greta River
- „ 26. REV. J. T. H. WOHLERS, RUAPUKI.
1 Skin of Young Mutton Bird (*Procellaria Cookii*). 3 Eggs of do.
- „ 26. MR. JOS. DAY, SUMNER.
1 Thornbacked Skate (*Raia Nasut*)
- „ 26. PHILOSOPHICAL INSTITUTE OF CANTERBURY.
Collection of New Zealand Grasses
- „ 31. MR. THOMAS RANFT BRUNNERTON, GREY RIVER.
Collection of Rocks, Ores, and Minerals from that district
- „ 31. DR. BIRCH, E. I. ARMY.
Three Copper Coins. 2 Specimens of China Grass grown in India
- „ 31. E. J. WAKEFIELD, ESQ., CHRISTCHURCH.
Portrait of his Father, Edward Gibbon Wakefield, painted by J. E. Collins
- June 6. MR. J. D. ENYS, CASTLE HILL STATION.
17 Silver and 1 Gold Coins
- „ 6. GEOL. SURVEY OF N.Z., THROUGH DR. HAAST.
316 Geological Specimens, 280 Fossils from the Malvern Hills.
Kiwi Feather Mat from Lake Taupo—*Purchased*
- „ 6. MR. JOHN MEYKLE, CHRISTCHURCH.
1 Little Landrail (*Ortygometra affinis*)
- „ 6. MR. H. C. CAMERON, KOWAL.
Skull of Porpoise (*Phocœna Communis*)

1871.
June 6.

- MR. J. WHITE, CHRISTCHURCH.
1 Bronze Medal
- , 7. MR. J. G. HAWKES, CHRISTCHURCH.
Calcareous concretions, from the Weka Pass Creek ; Specimens of Rock Crystal
- „ 7. MR. H. ROSS, OXFORD.
1 Geko (Wood-lizard), *Naultinus Pacificus*
- „ 9. MR. W. B. BRAY, C.E, CHRISTCHURCH.
Woman's Dress, Devan Palm Nuts, Snail Shells, and Geological Specimens from Upper Egypt and Nubia
- „ 9. MR. W. BULLER, F.L.S., WANGANUI.
Pigeon Feather Mat, 5 Maori Implements in stone and wood, Carved Maori Figure, 5 Polynesian Implements and Ornaments, Collection of South African Ferns, 10 Specimens of Natural History of New Zealand
- „ 12. DR. NEDWILL, CHRISTCHURCH.
Fiji Spear
- „ 14. MR. T. BRADWELL, CHRISTCHURCH.
1 Swedish Silver Coin
- „ 14. MR. JAMES DAY, SUMNER.
Specimen of Large Black and White Shag (*Graculus Varius*), in variegated plumage
- „ 16. MR. THOMAS KENT, CHRISTCHURCH.
Armadillo (*Dasyopus sexcintus*)
- „ 19. MR. J. INGLIS, CHRISTCHURCH.
2 Vegetable Caterpillars (*Sphæria Robertsii*)
- „ 20. MR. E. H. DOBSON, PURAU.
Maori Stone Adze
- „ 21. MR. JAMES DAY, SUMNER.
Specimen of Uncinated Calamary (*Onychoteuthis* species)
- „ 23. MR. A. D. ALLAN, LITTLE RIVER.
Three Green Lizards (*Naultinus elegans*)
- „ 27. MR. H. PARSON, CHRISTCHURCH.
Chinese Picture, 2 Chinese Figures carved in stone
- „ 27. HIS HONOR THE SUPERINTENDENT.
Portions of two Moriori Skeletons, from the Chatham Islands

1871.
June 28. DR. BARKER, CHRISTCHURCH.
A Black Rail (*Ortygometra Tabunsis*)
- „ 29. COLONIAL MUSEUM, WELLINGTON.
Casts of three Moa Eggs, of a Large Greenstone Mere, and of two Heitikis
- „ 29. MR. THOMAS TESCHMAKER, OTAIO STATION.
2 Wetas (*Dainacrida Megacephala*)
- „ 30. MR. ALEXANDER SMYTH, BANKS' PENINSULA.
Deposits from a Cave in Long Bay, Banks' Peninsula
- „ 30. MR. B. WEYBURN, LYTTELTON.
A Copper Coin
- „ 30. MR. J. JACKSON, CHRISTCHURCH.
A Silver Coin
- „ 30. MR. G. LAMBERT, SOUTHBRIDGE.
An Avocet (*Recurvirostra rubricollis*)
- „ 30. MRS. B. W. FEREDAY, CHRISTCHURCH.
Collection of Tropical Lepidoptera, and Coleoptera
- July 3. MR. A. HAWDON, CHRISTCHURCH.
A Fossil Tooth of *Lanma*
- „ 4. MR. T. RAINE, SENR., CHRISTCHURCH.
A Jacobine Pigeon
- „ 6. MR. CHARLES NASH, ST. ALBANS.
Coleopterous Larvæ, in black pine
- „ 6. MR. W. BULLER, F.L.S., WANGANUI.
Egg of *Rallus Pectoralis* (New Zealand Landrail)
- „ 6. MR. JOHN SHAND, AVON LODGE.
Pottery conglomerate, taken from the great Timaru fire
- „ 6. HON. ERNEST GRAY, HOON HAY.
Pieces of Totara, from the Hoon Hay swamp, cut with stone adzes
- „ 7. MR. JOHN HART, TAI TAPU.
2 Starfishes, from Taranaki
- „ 8. MR. H. I. HEAD, BANKS' PENINSULA.
Prayer Book of the Armenian Patriarchs, in 24 languages
- „ 9. MR. R. J. S. HARMAN, CHRISTCHURCH.
A Silver Coin

1871.
July 11. DR. DONALD, LYTTELTON.
An Albatross (*Diomedea Exulans*)
- „ 13. MISS BARKER, CHRISTCHURCH.
Collection of Chatham Island Shells
- „ 13. MASTER TRIPHOOK, CHRISTCHURCH.
Ten Nests of New Zealand Birds
- „ 13. MR. W. MITCHELL, CHRISTCHURCH.
16 Lithographs of Quadrupeds and Birds
- „ 13. COLONIAL GOVERNMENT OF WESTERN AUSTRALIA.
9 Specimens of Polished West Australian Timber
- „ 14. MR. JAMES SOUTH, HALSWELL.
A little grebe (*Podiceps Rufipectus*)
- „ 14. MR. M. B. HART, CHRISTCHURCH.
Specimen of Woodopal (root of a tree) found in the Malvern Hills
- „ 21. MR. EDWIN BRITTAN, CHRISTCHURCH.
A Fiji Club
- „ 21. MR. R. WALTON, CHRISTCHURCH.
Three Geological Specimens from Australia and the North Island
- „ 21. MR. M. B. HART, CHRISTCHURCH.
Specimen of Limestone from the Malvern Hills
- „ 27. DR. DONALD, LYTTELTON.
A Filefish (*Monocanthus rudis*)
- „ 27. MR. ROBERT CARVER, WAIKARI.
2 Silver and 2 Copper Coins
- „ 27. MR. CHARLES E. DUDLEY, KAIAPOI.
Portion of Skeleton of a Maori
- „ 31. MR. B. WEYBURN, LYTTELTON.
4 Copper Coins
- „ 31. MR. READER, CHRISTCHURCH.
Artificially formed Crystals of Bismuth
- Aug. 1. MR. JOHN RADFORD, GEBBIE'S BAY.
A Saddleback (*Credeon carunculatus*)
- „ 3. MR. C. E. FOOKS, C.E., CHRISTCHURCH.
6 Moa Bones

1871.
Aug. 7. MR. JOHN INGLIS, CHRISTCHURCH.
A Tree-lizard of the Fijis
- „ 8. MR. C. G. TRIPP, ORARI.
Specimen of Lignite, Brown Coal, and Coal from the Orari Gorge
- „ 10. " LYTTTELTON TIMES," CHRISTCHURCH.
Geological Map of the Parish of Beechworth, Victoria
- „ 10. MR. T. CAMERON, SOUTHBRIDGE.
Collection of Maori and Moa-hunter's Implements
- „ 14. MR. C. W. TURNER, CHRISTCHURCH.
Collection of Corals from the Mauritius
- „ 14. MR. E. ALLEN, CHRISTCHURCH.
Newspaper of 1817 and Almanac for 1820, both from N.S. Wales
- „ 17. MR. H. H. HIND, CHRISTCHURCH.
Collection of English Fossil Shells
- „ 17. MR. W. WILSON, CHRISTCHURCH.
Specimen of Staniferous and Auriferous Ironsand, from the Grey District
- „ 21. DR. W. DONALD, LYTTTELTON.
A Giant Petrel (*Procellaria gigantea*)
- „ 30. MR. T. CAMERON, JUN., CHRISTCHURCH.
Large Block of Obsidian, from the Moa-hunter's Encampment at the Rakaia
- Sept. 4. MR. JAMES D. GARWOOD, AKAROA.
14 Pieces of Greenstone (Maori Implements), a large Stone Adze, Collection of Shells and Fungi
- „ 4. MISS WARD, CHRISTCHURCH.
A Lovebird (*Melopsitaccus undulatus*)
- „ 11. MR RICHARD GREEN, TIMARU.
Skeleton of *Larus Scopulinus* (silver-backed gull)
- „ 11. MR. H. P. HILL, MALVERN HILLS.
Specimen of Coal and Ironstone
- „ 11. MR. JAMES SHEATH, CHRISTCHURCH.
Specimen of Galena from the Isle of Man
- „ 12. MR. A. GEE, MELBOURNE.
A Human Skull (Australian), 1 Specimen of Timber

1871.
Sept. 19.

MR. EDWARD SEALY, CHRISTCHURCH.

44 Photographic Views taken by him in the Province of Canterbury

„ 19.

MR. RICHARD FRANKISH, ELLESMERE GRANGE.

A Landrail (*Ortygometra affinis*)

„ 20.

MR. CATHCART WASON, CORRAR.

Collection of Specimens from the Geysers in California, a Spider (*Mygale* species) from do

„ 20.

MR. JAMES SOUTH, TAI TAPU.

A Young Lamb (*lusus naturæ*)

„ 22.

MR. THOMPSON, PIGEON BAY.

A Copper Coin

„ 23.

MR. J. GORDON, CHRISTCHURCH.

A Tui (*Prothemadera Novæ Zelandiæ*)

„ 25.

MR. R. DUNNAGE, CHRISTCHURCH.

37 Copper Coins and Medals, and 3 Silver Coins

25.

MRS. GRAY, BRITISH MUSEUM, LONDON.

Collection of British Algæ named, and in a handsome volume

„ 26.

MR. J. V. ROSS, CHRISTCHURCH.

A Spider (*Mygale* species) from Wellington

„ 27.

MRS. M. HARRIS, CHRISTCHURCH.

A Thorn-backed Skate (*Raia* species)

„ 28.

MR. THOMAS TOMBS, CHRISTCHURCH.

Two pieces of Pottery, two Clubs, three Waddies, two Grass Aprons, from the Fijis.

„ 29.

MR. THOMAS ASHLEY, CHRISTCHURCH.

A Spear with Wamaroo, a Waddie, a Boomerang, and a Shield, from Australia

„ 29.

MR. C. M. WAKEFIELD, LONDON.

2 Cabinets, with artificially prepared Larvæ of English Lepidoptera

„ 29.

GEOLOGICAL SURVEY OF INDIA.

11 Volumes in IV. Memoires and Palæontologia indica

12

„ in oct.

„

„

„

APPENDIX NO. 3 A.

DEPOSTS IN THE CANTERBURY MUSEUM DURING THE YEAR 1870-71, FROM 1ST NOV., 1870, TO 30TH SEPT., 1871.

1871.
Jan. 6. MISS BARKER, CHRISTCHURCH.
6 Stone Implements, 1 Bone Needle, 2 Whale Teeth, used by the
Mories of the Chatham Islands
- Feb. 17. THE REV. J. STACK, KAIAPOI.
1 Whalebone Mere
- Aug. 6. E. SEALY, CHRISTCHURCH.
3 Water-colour Drawings of John Gully
- July 21. MR. R. WALTON, CHRISTCHURCH.
Ten Specimens of Auriferous Quartz from Auckland and Australia
- Aug. 4. SERGEANT RAMSAY, AKAROA.
Maori Skull, with lower jaw
- Sept. 25. MRS. EDW. SPENCER BELL, PAPANI.
A Head with horns of Poephagas Grunniens, wild yâk of Tibet; a skull
with horns of Cervus Wallachii, Cashmere Stag; a head with horns
of Capra Ibex of the Himalayan mountains; a head with horns of
Oves Aries, four-horned Sheep of Yackand, Central Asia; a head
with horns of Antelope bezoartica, Indian Antelope; a head with
horns of Pseudois Nahoor, Makhur of Tibet—all collected by the late
celebrated traveller, Heyward, during his memorable journey in
Central Asia

APPENDIX NO. 4.

LIST OF COLLECTIONS SENT IN EXCHANGE TO VARIOUS PERSONS AND INSTITUTIONS, DURING THE FINANCIAL YEAR 1870-71.

TO DR. OTTO FINCH, BREMEN.

New Zealand Birds—

137 Specimens, 50 species skins
8 Skeletons, 4 ,,
1 Egg

10 Parcels of Implements and Bones from the Moa-hunter's encampment,
Rakaia
Collection of Bones of Dinornis, 11 species

GRAND DUCAL MUSEUM, DARMSTADT.

31 Skins of New Zealand Birds, 10 species
1 Skeleton (Bird)
Collection of Moa Bones
" Implements and Bones from the Moa-hunter's encampment,
Rakaia

IMPERIAL MUSEUM, VIENNA.

18 Bird Skins, 9 species New Zealand
1 Bird Skeleton, New Zealand

COLONIAL MUSEUM, MELBOURNE, VICTORIA.

30 Specimens of New Zealand Birds, 20 species

PROFESSOR EHRENBERG, BERLIN.

9 Packages of Soils

ANATOMICAL MUSEUM, BERLIN.

9 Specimens of New Zealand Timber
10 Skeletons of New Zealand Birds
1 " " " Mammal
3 Skulls, human (Maori and Moriori)
1 " " Stenorhyncus leptornix
Collection of Bones of Dinornis, 9 species

MR. J. W. FLOWER, F.G.S., CROYDON, ENGLAND.

2 Skeletons of Apterix Owenii
Collection of Implements and Moa Bones from the Moa-hunter's encampment,
Little Rakaia

ASHMOLEAN MUSEUM, OXFORD.

2 Moriori Skulls, 2 Skins of Apterix Owenii
2 Skeletons of Apterix Owenii, collection of Moa Bones, 5 species
5 Skins of New Zealand Birds

PROFESSOR W. H. FLOWER, F.R.S., LONDON.

Skeleton complete of Berardius Arnuxii
2 Skeletons of New Zealand Birds
1 " " " Mammal

DR. FRED. STOLIZKA, CALCUTTA.

- 150 Species of New Zealand Shells (recent)
 Collection of Chatham Island Shells (recent)
 „ tertiary New Zealand Shells
 „ Moa Bones
 3 Skins of *Apterix Owenii*
 1 Skeleton „ „

ZOOLOGICAL MUSEUM, BERLIN.

New Zealand Birds—

- 62 Specimens, 35 species skins
 1 Skeleton
 2 Specimens of *Neochana Apoda*, in spirits of wine

CAV. G. BIAGI, MELBOURNE, CONSUL GENERAL OF ITALY.

- Small collection of Moa Bones
 15 Specimens New Zealand Birds, 10 species

DETAILS

OF

CANTERBURY COLLEGIATE UNION.

APPENDIX C.

WHEREAS it appears to the Wardens and Fellows of Christ College and to the Trustees of the Canterbury Museum and School of Science, that the adoption of a united course of action by their respective corporations will be productive of beneficial results, by promoting the cause of Education in the Province of Canterbury; and whereas it is expedient the bodies corporate so united should seek affiliation with the University of New Zealand, it is hereby agreed by the bodies corporate aforesaid, that an union be formed for the purposes aforesaid under the following conditions and rules :—

1. The name of the proposed united body to be “The Canterbury Collegiate Union.
2. A Board of Governors shall be and the same is hereby constituted as follows:—The Superintendent of the Province of Canterbury for the time being; the Speaker of the Provincial Council for the time being; the Provincial Secretary for the time being, together with six Members elected by and from the Governing Body of Christ College, and the six Life Members of the Canterbury Museum and School of Science Trust.
3. The Board of Governors shall appoint their own President and other Officers.
4. The duties of the Board of Governors shall be to superintend the formation and conduct of public classes under the charge of competent teachers; to conduct examinations, and generally to promote the cultivation of science, literature, and art.
5. The Board of Governors shall have power to make all laws necessary for the maintenance and good government of the Institution.
6. The Board of Governors shall have power to associate from time to time with the Institution any other educational body which may satisfy the requirements of the Union.
7. The foregoing rules shall not be understood to give any power to interfere with the constitution, government, or property of the several associated bodies.

LETTER

TO THE

UNIVERSITY COUNCIL.

APPENDIX B.

GENTLEMEN,

The Trustees of the Canterbury Museum and School of Science are desirous of ascertaining what steps are requisite on their part for having the Institution which is placed under their charge affiliated with the New Zealand University.

A copy of the Ordinance of the Canterbury Provincial Council under which the Trustees have been appointed accompanies this letter. That Ordinance evidently contemplates the gradual development of a complete system of scientific education as distinguished from ancient classical learning. In the preamble it declares it to be "expedient for the promotion of literature and science that a Public Library and a School of Technical Science should be established," in addition to the already existing very valuable Museum.

This limitation may be accounted for by the fact that Canterbury already possesses in its two Superior Schools the means of imparting such an amount of knowledge of the ancient classics as is necessary for the learned professions, and as is likely to be required for some time in the Colony. These schools have been in operation for many years, and continue to be supported by endowments, private subscriptions, and votes of the Provincial Council. A considerable body of young men has grown up under their training respectably qualified, so far, for the ordinary duties of life. But the want of any means of instruction for them in Philosophy, Literature, and Physical Science has been greatly felt, and it is this want which the Trustees are anxious to supply as far as lies in their power.

Their general scheme may be briefly stated as follows :—

They cannot hope to be able to present all at once, or even at a very early date, a fully equipped College or Staff of Professors ; but they feel called upon to provide without unnecessary delay such means of higher education as the resources at their disposal can afford, and the immediate requirements of the Colony seem to demand.

The valuable Museum which has been gradually formed during several years, and the special results of the Geological Survey of the Province, along with the advantages enjoyed in common with other Provinces from the Colonial Museum and Geological Survey, seem to indicate that the study of Natural History may be taken up first with the greatest prospect of success, and of general utility. To this branch of practical science the Trustees would endeavour to add, as soon as found practicable, and in an order to be determined upon, the departments of Chemistry, Mechanics and Physical Science, Mathematics, Engineering, Ethics and Political Economy.

The Trustees believe that from the assistance of several gentlemen in the Province qualified to give instruction in branches of study connected with their general pursuits, and by the erection of suitable lecture-rooms, which they hope to secure from the Provincial Council, they may be in a position very soon to inaugurate a system of Lectureships.

It is proposed that the appointment to these Lectureships should be for a definite term of years, that a moderate salary should be attached to each, and that a certain minimum number of Lectures should be delivered annually, with probably an equal space of time devoted to examinations.

The Trustees wish that, even in this embryo state, their Institution may be brought into the closest connection with the Council of the New Zealand University.

They hope thereby to make it progressively commensurate with the growing necessity and demand for scientific instruction.

They deprecate from the commencement any idea of imparting merely popular, vague information as distinguished from the inculcation of principles, and their rigid induction from facts; for however limited the range of instruction might be for a time, their aim would be to make it, so far as it extended, thorough and complete. They would also anticipate great benefit to the students in the several branches above named from the prospect of competitive examinations before the University Council or its Board of Examiners. The practice lately introduced into several European Universities of granting degrees for excellence in special departments of study, proves that students of science alone might reasonably aspire to the highest honors conferred by the New Zealand University.

The Trustees are further desirous of putting themselves in a position to benefit by the vote of Three Thousand pounds sterling made for Lectureships, Prizes, and other like purposes.

The very considerable sums of money expended in the Province of Canterbury, not merely for Elementary Schools, but for the erection of the Museum Buildings, for the extensive collection contained within them, for Scholarships, for the maintenance of the two Superior Schools already referred to—namely, Christ

College Grammar School, and the High School of Christchurch, and the reserves of Crown lands made for the purposes of the higher education—afford, according to the judgment of the Trustees, at once a claim for a liberal share of the University Vote, and a guarantee for its judicious and appropriate expenditure.

The Trustees will therefore be glad to learn what steps, in addition to this application, it is necessary for them to take in order to become affiliated with the New Zealand University, and to obtain a due proportion of the vote placed at the disposal of the Council for University purposes.

The Trustees hope, however, that no delay whatever may be necessary, as they are in a position to proceed at once with their educational arrangements.

Their collections of typical specimens, obtained from the principal scientific centres of Europe and America, are immediately available for the instruction of classes in various departments of Natural History, and are so extensive as at once require further accommodation.

They therefore trust that in any case a portion of the funds at the disposal of the Council for this year may be granted to them for that purpose.

Signed in name and by authority of the

TRUSTEES OF THE CANTERBURY MUSEUM,

WALTER KENNAWAY,

Hon. Secretary.

CHRISTCHURCH :

Printed under the authority of the Provincial Government of the Province of Canterbury, at the *Lyttelton Times* Office,
Gloucester Street, by WILLIAM REEVES, Official Printer for the time being to the said Government.

CORRESPONDENCE

RELATING TO THE

LEASING OF WAREHOUSE SITES

ON THE

RECLAIMED LAND AT LYTTELTON,

AND

COPY LEASE TO MESSRS. WOOD AND CUNNINGHAM.



New Zealand Loan and Mercantile
Agency Company, Limited,
Christchurch, August 15, 1871.

SIR,

On the 27th July, 1870, this Company, by its Managing Director, Mr. Murdoch, and myself, made application to the Provincial Government for the leasing of a portion of the reclaimed land in Lyttelton with a view of erecting stores thereon, on conditions similar to those accorded to Messrs. Wood and Cunningham. Mr. Marshman went over the ground with us, and promised to record our application (none other we were informed had been made), as it had not at that time been decided to deal with the land in question.

I observe that at the last Session of the Provincial Council resolutions bearing on the question passed that Assembly, and I have now the honour to renew in writing the application verbally made on the 27th July, 1870, and at various subsequent periods, and I apprehend that in the event the Government deciding to lease portions of the reclaimed land this Company will be considered entitled to priority of selection.

If this is conceded, and the conditions attached by the Government to the occupancy of the land be such as to afford reasonable prospect of success to private enterprise, it is proposed to erect extensive store accommodation, with dumping appliances capable of conducting the wool dumping business of the Province in whole or part as may be found necessary.

It may be mentioned that these arrangements are proposed to be carried into effect in concert with Messrs. Cameron Brothers, of Lyttelton, who at present conduct the lightering business of the Port in connection with the railway.

If further information is desired by the Government, it shall be most readily afforded.

Permit me to bespeak for this communication the early consideration of the Government, as the wool season is fast approaching, and it is desired to be in a perfect position to meet the requirements of the ensuing season if this application meets with the approbation of the Government.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) J. L. COSTER,

For the New Zealand Loan and Mercantile

Agency Company, Limited.

The Provincial Secretary,
Christchurch.

Christchurch,

30th August, 1871.

SIR,

We, the undersigned, being extensively engaged in the export trade, are of opinion that if arrangements were made by the Provincial Government for dumping wool at Lyttelton, the facilities offered to shippers would be greatly increased, and the expense could be considerably reduced as compared with any arrangements that could be made by any private firm or firms.

We therefore respectfully urge that for the good of the Port and the trade it is desirable and of importance that the Government should take the matter in hand.

We have the honor to remain,

Sir,

Your obedient servants,

(Signed)

MILES & CO.

DALGETY, NICHOLLS & CO.,

Per HENRY T. HENNAH.

If no tenders are received in
terms of resolutions of the
Provincial Council.

MATHESON'S AGENCY,

JOHN INGLIS,

Manager.

GEORGE GOULD.

To the Secretary for Public Works,
Christchurch.

Tender for the Leasing of a site on the reclaimed land at Lyttelton, for the erection of a warehouse, &c., as invited.

Rent, nominal—say one shilling per annum.

Charges for dumping and delivering wool, one shilling and tenpence per bale.

(Signed) CAMERON & CO.

Christchurch,

August 31st, 1871.

Public Works Office,

Christchurch, Canterbury, N.Z.,

1st September, 1871.

SIR,

I have the honour to request that you will be good enough to prepare a Lease, embodying the terms, covenants, and conditions set forth in the papers sent herewith, and quoted in the margin, for execution by Messrs. Cameron & Co., at your earliest convenience.

I have informed Messrs. Cameron & Co. that you have been instructed.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) WALTER KENNAWAY,
Secretary for Public Works.

The Provincial Solicitor.

Christchurch, New Zealand,

4th September, 1871.

DEAR SIR,

Our attention has been drawn by the Insurance Companies to the proposed erection of a store in Lyttelton, on the reclaimed land, in close proximity to ours, and that the same will materially affect insurances. As this would be a serious matter to us, we respectfully express a hope that the new store referred to will be erected at such a distance as will not affect our present and future policies of insurance.

We have the honour to remain,

Your obedient servants,

(Signed) WOOD & CUNNINGHAM.

The Provincial Secretary,
Christchurch.

Lyttelton,

4th September, 1871.

SIR,

With reference to our accepted tender for the erection of a shed and wool dumping on the reclaimed land at Lyttelton, we much regret to inform you that we find a serious impediment to the satisfactory carrying out thereof, in the fact of our being unable to cover the stores and their contents against the risk of fire. You will see by the enclosed letter that the Insurance Companies are unable to take any risk on the site selected, owing to its extreme contiguity to the stores occupied by Messrs. Wood & Cunningham, on which they have heavy risks.

Under these circumstances, we must ask the Government, in the interests of all concerned, to allow the stores to be erected on a site further removed from the risk in question—say, on the next adjoining site shown on the Government map.

We beg to assure the Government that we are desirous of carrying out our contract in the fullest and most liberal spirit, but the difficulty that has arisen must be regarded as absolutely fatal to the successful carrying out of the business desired by the Government.

The change in the site suggested—or, in fact, of any other that the Government may fix upon—will at once meet the question; and we trust that our suggestion may meet with a favourable consideration at the hands of the Government.

May we ask the favour of an immediate reply to this communication, as we are anxious to hurry forward our arrangements.

We have the honour to be,

Sir,

Your most obedient servants,

(Signed) CAMERON & CO.

To the Secretary for Public Works.

New Zealand Insurance Company,

Christchurch,

4th September, 1871.

DEAR SIRS,

With reference to our conversation the other day respecting Insurances on your proposed new store on the reclaimed ground, Lyttelton, I beg to put in writing what I stated to you verbally, that almost every office in Christchurch has already

as large a risk as it cares to take in the grain store of Messrs. Wood & Cunningham ; so that, if your premises are erected contiguous thereto, it will be quite impossible for you to get protected by Insurance.

Yours faithfully,

(Signed) DAVID CRAIG.

Messrs. Cameron & Co.,
Lyttelton.

Public Works Office,
Christchurch, Canterbury, N.Z.,
18th October, 1871.

GENTLEMEN,

I have the honour to acknowledge the receipt of your letter of the 4th instant, requesting, for reasons stated in your letter of the 4th September, that permission be granted to transfer your dumping plant to the site store now being erected by the New Zealand Loan and Mercantile Agency Company. In reply, I beg to inform you that the matter has been under the consideration of the Government, and they have decided to grant the permission in the terms of your letter, which provides that all the conditions of your dumping contract be carried out.

I have the honour to be,
Gentlemen,
Your obedient servant,

(Signed) WALTER KENNAWAY,
Secretary for Public Works.

Messrs. Cameron & Co.,
Lyttelton.

[Tender for Leasing Reclaimed Land at Lyttelton].

Lyttelton,
August 31, 1871.

SIR,

In terms of advertisement under the above heading, we beg to tender for the site on the reclaimed land, Lyttelton, as per condition of lease and plan of site exhibited at the Government Office, viz. :—

For the site as shown on plan, Thirty Pounds (£30). For double dumping wool, finding machinery, labour, receiving and delivering—the maximum price of 2s. 3d. per bale.

This Tender to be subject to the following alterations, viz. :—

The clause compelling us to erect a suitable building within a period of three months, as it would be impossible to procure cut timber and material in so short a time, but the Tenderers to use all possible dispatch.

That the time of occupation be extended to seven years instead of three years, previous to six months notice being given to surrender building and lease. The Government to guarantee the Lessees that no opposition will be offered by them, provided that the work is carried out to their satisfaction.

We have the honour to be,

Sir,

Your obedient servants,

(Signed) TALBOT & McCLUTCHIE.

Walter Kennaway, Esq.,
Provincial Secretary.

New Zealand Loan and Mercantile

Agency Company, Limited,

Christchurch, September 25, 1871.

SIR,

On behalf of the "New Zealand Loan and Mercantile Agency Company, Limited," I offer to lease the warehouse site at the Railway Station, Lyttelton, marked on the plan lying in your office as "No. 2," at a nominal rent of 20s. per annum.

Whilst quite prepared when occasion requires to comply with the condition for covering the whole of the site with buildings, its area is so large (29 feet by 60 feet) that I feel compelled to seek a modification of the clause which stipulates that this shall be done within six months from date of acceptance of tender. The Company will be prepared to at once assume possession of the whole area, fence it, &c., and erect extensive buildings, additions to which can be made as necessity dictates.

It is assumed that the clause reserving right to use walls for roofing purposes will not be exercised to the cost or detriment of the Lessee.

I have the honour to be,
Sir,
Your obedient servant,

(Signed) J. L. COSTER.

Secretary for Public Works,
Christchurch.

New Zealand Loan and Mercantile
Agency Company, Limited,
Christchurch, September 28, 1871.

SIR,

Referring to my offer of the 25th instant to lease a site at the Lyttelton Railway Station, lest any misapprehension may exist on the part of the Government as to the modification suggested in the time proposed to be granted for covering with buildings the site in question, I beg to state that such suggestion was not made with a view of evading the conditions under which offers were invited by the Government, and in the event of that made by me being accepted, the Company will be prepared to comply with the conditions referred to in the fullest extent, either at once or at any future period when desired by the Government.

I have the honor to be,
Sir,
Your most obedient servant,

(Signed) J. L. COSTER,
For the New Zealand Loan and Mercantile
Agency Company, Limited.

The Secretary for Public Works,
Christchurch.

Christchurch,
4th October, 1871.

SIR,

We beg to refer to our letter of 4th September, wherein we pointed out that serious impediments had arisen to the successful carrying out of our accepted tender for the erection of a shed and for wool dumping on the reclaimed lands at Lyttelton.

Looking at the various difficulties then enumerated, we have now the honour to request that in the event of our making satisfactory arrangements with the New Zealand Loan and Mercantile Agency Company for a portion of their store now to be erected, we may be permitted to transfer our dumping plant to that site, and there to carry out our dumping contract, subject to all the conditions of our tender originally accepted by the Government.

We have the honour to be,

Sir,

Your obedient servants,

(Signed) CAMERON & CO.

The Secretary for Public Works.

Conditions of Lease of Sites on the Reclaimed Land at Lyttelton.

1. Description plots marked on plan.
Dimensions.

2. *Time*—For twenty-one years, with right to Lessor to determine the lease at the end of the first three years, on giving six months' previous notice, in writing, of his intention to do so, and paying to the Lessees two-thirds of the cost of the building on the then estimated value, provided that such value does not exceed the sum of three thousand pounds.

Lessee—To erect, within six months of the acceptance of his tender, a warehouse covering the whole of the site leased.

Buildings—To be corrugated iron on wood framing. Floor to be 3ft. 6in. above rail level. Foundations to be of stone or brick; plan to be approved by Lessor. To keep buildings insured for their full value. Building to become the property of the Lessor at the termination of the lease of twenty-one years, without payment for the same. If Lessees double dumps wool, charge to be not more than one shilling and tenpence per bale, including receiving and delivering.

The Lessor will shunt railway waggons containing merchandise deliverable at the Lessees' warehouse to the railway line marked ; or, if that should be at the time occupied, to the line marked . The Lessees shall forthwith take delivery of, and give a receipt for the same, and shall pay to the Lessor one shilling per bale for wool and two shillings per ton for every other merchandise of which delivery shall not be so taken, and a further sum of sixpence per bale for wool and one shilling per ton for other merchandise, for every week after the first week during which such goods may remain in the possession of the Lessor. The Lessees shall unload and remove any goods of which delivery shall have been taken within six working hours after the waggons containing them shall have been shunted to either of the railway lines as aforesaid. [See penalty clause in Wood and Cunningham's lease, referring to delay in unloading waggons.]

Lessees to pay all rates, taxes, and outgoings whatsoever that may be imposed on the demised premises.

Right reserved to Lessor to use walls of Lessees' warehouse for roofing-in the space between it and the adjoining warehouse when erected. Clause to be inserted in lease providing for re-entry in case of breach of any of the covenants. In all other respects the lease to be subject to the covenants, conditions, &c., contained in a certain lease from the Superintendent to Messrs. Wood and Cunningham, dated February 16th, 1870.

Nothing herein contained to imply that the Government will not itself or through others erect warehouses for similar purposes.

Persons tendering to state what rent they are prepared to pay for either of the said sites, subject to the conditions stated herein.

(Signed) WALTER KENNAWAY,
Secretary for Public Works.

(Copy).

Lease to Messrs. Wood and Cunningham.

THIS DEED made the Sixteenth day of February one thousand eight hundred and seventy between William Rolleston Esquire Superintendent of the Province of Canterbury in New Zealand hereinafter designated the Lessor of the one part and William Derisley Wood and Peter Cunningham of Christchurch in the said Province Merchants hereinafter designated the Lessees of the other part Witnesseth that in consideration of the rents covenants conditions and agreements hereinafter reserved contained and implied and on the part of the said Lessees their executors administrators and assigns to be paid observed and performed He the said Lessor doth hereby demise and lease unto the said Lessees their executors administrators and assigns all that plot of land situated on Reserve 872 on the plan of the Chief Surveyor of the said Province setting out and describing the Town of Lyttelton containing by admeasurement one rood and four perches more or less commencing at a point which is one hundred and thirty-nine and a half links west of a point on the centre line of Canterbury Street produced and distant from the intersection of the centre of Canterbury Street with the centre of Norwich Quay three hundred and eleven links extending thence westerly and parallel to the centre of Norwich Quay three hundred and three links thence southerly ninety-one links thence easterly three hundred and three links and thence northerly to the commencing point in a rectangular block as the same is delineated in the plan hereon and therein coloured green Together with the appurtenances to the same belonging To hold the same unto the said Lessees their executors administrators and assigns for

the term of twenty-one years from the twenty-fifth day of November last rendering therefore the yearly rent of one pepper corn if demanded And the said Lessees do hereby for themselves their executors administrators and assigns covenant with the said Lessor his successors and assigns that they the said Lessees will within six months from the date hereof erect a good and substantial warehouse covering the whole described premises consisting of a wooden frame built on a brick or stone foundation and covered with galvanized iron the said warehouse not to exceed in value the sum of three thousand pounds so far as the Lessee may be affected and will during the said term keep the said building insured in the full insurable value thereof And the said Lessor doth hereby for himself his successors and assigns covenant with the said Lessees their executors administrators and assigns that he the said Lessor will forthwith lay down a railway line leading from the Lyttelton railway station to the said warehouse and during the said term keep and maintain the same in proper repair And that he will during the said term carry merchandise to and from the said warehouse at the current rates for the time being in force in the said Province That he will shunt all railway waggons containing merchandize consigned to the said Lessees their executors administrators and assigns to the siding marked C on the said plan the said Lessees their executors administrators or assigns thereupon removing and unloading the same within six working hours after the said waggons being so shunted on the said siding as aforesaid And in the event of the said waggons remaining beyond the said space of six working hours after having been put upon the said siding the said Lessees their executors administrators or assigns shall pay the sum of six shillings per day or fraction of a day until the said waggons shall be returned That he the said Lessor his successors or assigns will remove the empty waggons when placed back by the said Lessees their executors administrators or assigns upon the said siding Provided that the said Lessees their executors administrators or assigns shall arrange the said waggons as convenient for removal as the means at their disposal will admit That he the said Lessor his successors or assigns will supply railway waggons for the transit of goods over the railway and forward them over the said railway with reasonable dispatch the said Lessees their executors administrators or assigns giving him reasonable notice of their requirements That all merchandise arriving by sea at Lyttelton and which shall be consigned to the Lessees' warehouse shall be loaded on the wharf by the Lessor upon the Lessees' own trollies or waggons for the purpose of removal to the warehouse aforesaid but such removal to be subject to the convenience of working the line but to be done with all reasonable dispatch on every occasion The Lessees to pay wharfage on all goods liable to pay wharfage according to the tariff as "through goods" also on all goods liable to wharfage outwards. The Lessees shall pay according to the tariff when such goods are received from the warehouse for shipment The Lessor to find haulage for the trollies of the Lessees both to and from the warehouse to the wharf for shipment or warehousing and the Lessor to unload at the wharf goods sent thither for shipment And it is hereby also declared and agreed that in case the said Lessor his successors or assigns shall be desirous of putting an end to the tenancy hereby created it shall be lawful for him to do so at the expiration of the first three years of the said term or at the end of any subsequent period of

three years by giving twelve months notice in writing to the said Lessees their executors administrators or assigns of his intention so to do and upon payment to the said Lessees their executors administrators or assigns of the then value of the buildings then standing upon the said demised premises such value nevertheless so far as the Lessor's liability is concerned not to exceed the sum of three thousand pounds as aforesaid And all such buildings shall at such determination of the said term as aforesaid become the absolute property of the said Lessor his successors or assigns And it is hereby declared and agreed that in the Deed shall be implied all such covenants and powers as by "The Conveyancing Ordinance" now in force in New Zealand are directed to be implied in leases as well on behalf of the Lessor as Lessees so far as the same are consistent with this Deed and the conditions and provisoes herein contained.

In witness whereof the said Superintendent William Rolleston hath hereunto set his hand and caused the seal of the said Province to be hereunto affixed and the said William Derisley Wood and Peter Cunningham have hereunto set their hands and seals the day and year first above written.

Signed sealed and delivered by the said William Derisley Wood and Peter Cunningham in the pre- sence of	}	(Signed) W. D. WOOD.	L.S.
		(Signed) P. CUNNINGHAM.	L.S.

(Signed) W. WYNN WILLIAMS,
Provincial Solicitor,
Christchurch.

L E A S E

TO

**THE NEW ZEALAND LOAN AND MERCANTILE
AGENCY COMPANY**

OF A

**PORTION OF THE RECLAIMED LAND
AT LYTTELTON.**

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 309

PROBLEM SET 1

LEASE.

THIS DEED made the second of November in the year One Thousand Eight Hundred and Seventy-One BETWEEN WILLIAM ROLLESTON ESQUIRE the Superintendent of the Province of Canterbury in the Colony of New Zealand hereinafter called the said Lessor of the one part and THE NEW ZEALAND LOAN AND MERCANTILE AGENCY COMPANY (LIMITED) hereinafter called the said Lessees of the other part WITNESSETH that in consideration of the rents covenants conditions and agreements hereinafter reserved contained and implied and on the part of the said Lessees their successors and assigns to be paid performed and observed he the said Lessor doth hereby demise and lease unto the said Lessees their successors and assigns ALL THAT parcel of land part of Reserve No. 872 (in red) on the official plan of the Town of Lyttelton containing by admeasurement ONE ROOD TWENTY-FOUR PERCHES AND THREE-QUARTERS OF A PERCH more or less marked No. 2 on the plan hereon Commencing at a point being the extremity of a straight line one hundred and seventy-eight feet eight inches in length measured at an angle of ninety degrees from a point at the intersection of the centre lines of Canterbury Street and Norwich Quay Lyttelton and running thence in a westerly direction a distance of seventy feet three inches at right angles to same forming part of the southern boundary of this plot thence at right angles in a northerly direction a distance of sixty feet forming the western boundary thence at right angles and parallel to the centre line of Norwich Quay in an easterly direction a distance of two hundred and ninety-three feet seven inches forming the northern boundary thence at right angles in a southerly direction a distance of sixty feet forming the eastern boundary thence at right angles in a westerly direction a distance of two hundred and twenty-three feet four inches to the commencing point and forming remainder of the southern boundary as the same is delineated on the plan drawn on these presents and thereon coloured green together with all easements and appurtenances thereunto belonging and appertaining TO HAVE AND TO HOLD the said land and the premises intended to be hereby demised with the appurtenances unto and to the use of the said Lessees their successors and assigns for the full term of twenty-one years from the day of the date hereof RENDERING therefore yearly and every year during the said term the yearly rent of twenty shillings AND the said Lessees do hereby for themselves their successors and assigns covenant with the said Lessor his successors and assigns that they the said Lessees their successors or assigns will at their own expense within six calendar months from the date hereof cause to be built and erected on the said premises a good substantial warehouse covering the whole of the above described premises consisting of a wooden frame built on a brick or stone foundation and covered with galvanised iron and having the floor three feet six inches above the level of the rails now or shortly to be laid down according to such plans elevations sections conditions and specifications as shall be previously approved of in writing by and in all respects to the satisfaction

of the Provincial Engineer for the time being of the Province of Canterbury or other Engineer appointed for that purpose by the said Lessor his successors or assigns and that the said warehouse shall at the expiration of the said term of twenty-one years hereby granted become the absolute property of the said Lessor his successors or assigns without the payment of any sum or sums of money by way of purchase or compensation and that the said Lessees their successors or assigns shall and will insure and during the said term hereby granted keep insured the said warehouse and buildings with all additions and improvements thereto against loss or damage by fire in a competent sum to cover the full insurable value thereof and also will regularly pay all premiums duty and charges which shall become payable in respect of such insurance and whenever required so to do produce the policy of every such insurance and the receipt for the premiums and duty in respect of the current year to the said Lessor his successors or assigns And also will with all convenient speed expend all moneys which shall be received in respect of such insurance for or towards the rebuilding reinstating or making fit for occupation such parts of the said premises as shall have been burnt down or damaged by fire and if the same moneys shall be insufficient for completely re-building or reinstating the parts burnt down or damaged will provide out of their own moneys such further sums as may be required and will with all convenient speed expend the same for that purpose And also will during the said term hereby granted pay all existing and future taxes rates assessments and outgoings of every description for the time being payable either by landlord or tenant in respect of the said premises And also will throughout the said term hereby granted at their own expense without being thereunto required well and sufficiently repair maintain and keep the said premises and all buildings and additions which may be erected thereon during the said term in good and substantial repair and condition and particularly will paint with two coats of best oil colour and in a workmanlike way in every third year of the said term hereby granted all the external wood metal and other work in or about the said premises previously or usually painted and in every seventh year all the internal wood metal or other work in or about the said premises previously or usually painted And the said Lessor doth hereby for himself his successors and assigns covenant with the said Lessees their successors and assigns that he the said Lessor his successors or assigns shall and will at their own expense make and maintain for the purpose of carrying goods merchandise and other articles thereon a branch railway upon and along the land coloured Blue on the plan drawn on these presents and in the line direction and situation shown on the said plan by the dotted lines and so that the said railway shall be connected with the main line of railway of the said Lessor and will during the said term carry goods merchandise and other articles to and from the said warehouse at the current rates for the time being in force in the said Province PROVIDED that goods merchandise and articles arriving by sea or intended for shipment carried from the said warehouse to the wharf and from the wharf to the warehouse shall be charged wharfage only And also will shunt every railway waggon containing goods merchandise or other articles consigned to the said Lessees their successors or assigns to the siding marked A B or C respectively on the said plan And also shall and will remove the empty waggons when placed back by the said Lessees their

successors or assigns upon the said siding PROVIDED ALWAYS that the said Lessees their successors or assigns shall arrange the said waggons as conveniently for removal as the means at their disposal will permit And also shall and will supply waggons for the transit of goods over the said railway to any station with reasonable despatch the said Lessees their successors or assigns giving reasonable notice to the Railway Manager of their requirements And also shall and will load upon trollies or waggons provided by the Lessees their successors or assigns for the purpose of removal from the said wharf to the said warehouse or *vice versa* all goods merchandise or other articles belonging or consigned to the said Lessees their successors or assigns And shall and will on every occasion with all reasonable despatch having regard to the convenient working of the said main railway remove or shunt the same to the said warehouse And also shall and will at all reasonable times having regard to the convenient working of the said main railway provide haulage for and haul the trollies of the said Lessees their successors or assigns both to and from the warehouse to the wharf or Lyttelton Station and from the wharf or station to the said warehouse And shall and will with all reasonable despatch unload at the said wharf all goods sent by the Lessees their successors or assigns for shipment And the said Lessees do hereby for themselves their successors and assigns covenant with the said Lessor his successors and assigns that they the said Lessees their successors or assigns will forthwith take delivery of and remove or cause to be removed from the said sidings marked A B or C respectively every waggon containing goods merchandise or other articles consigned to them and shunted as aforesaid And will unload the same or cause the same to be unloaded within six working hours after the same shall have been put upon the said siding And shall and will when and so often as the said Lessees their successors or assigns shall fail neglect or refuse to unload any such waggon within six working hours as aforesaid pay or cause to be paid unto the said Lessor his successors or assigns the sum of six shillings for every day or fraction of a day beyond the said six working hours during which any such waggon shall not be completely unloaded And also shall and will pay or cause to be paid unto the said Lessor his successors or assigns all wharfage and haulage charges which shall or may from time to time be payable in respect of all goods consigned to or shipped by the said Lessees their successors or assigns or carried for them or on their account along the said main or branch railway according to the tariff or scale of charges for the time being in force relating to the wharves and railways of the Province of Canterbury And that in the event of and whenever and so often as the said Lessees their successors or assigns shall fail neglect or refuse to take delivery of any such waggons so shunted as aforesaid or the goods merchandise or other articles therein contained and give a receipt thereof it shall be lawful for the said Lessor his successors and assigns to remove all and every such waggons and to store the goods merchandise and other articles therein contained in any warehouse and to charge for the storage of such goods merchandise or other articles for the first week or part of a week one shilling for every bale of wool and two shillings for every ton or part of a ton of every other goods merchandise or articles and for every week or part of a week after the first week during which they shall remain

in the possession or custody of the Lessor his successors or assigns sixpence for every bale of wool and one shilling for every ton or part of a ton of other goods merchandise or other articles And they the said Lessees their successors or assigns shall and will pay such charges for storage as aforesaid And they the said Lessees their successors or assigns shall and will at the expiration or other sooner determination of the said term yield and deliver up to the said Lessor his successors or assigns the warehouse erected upon the said land in good order and condition. PROVIDED ALWAYS and it is hereby declared and agreed that if the Lessor or his successors or assigns shall be desirous of putting an end to the said term of Twenty-one years at the end of the first three years thereof or at the end of the sixth ninth twelfth fifteenth or eighteenth year of the said term of Twenty-one years hereby created and such desire shall give unto the said Lessees their successors or assigns SIX CALENDAR MONTHS previous notice in writing signed by the said Lessor his successors or assigns and shall at or before the expiration of the said six months pay or cause to be paid to the said Lessees their successors or assigns a sum of money equivalent to two-thirds of the original cost of the said warehouse or the then estimated value of the said warehouse or other the bulidings then erected and being on the said land (such sum of money not to exceed in the whole the sum of Three Thousand Pounds) and in case of dispute to be determined by arbitration under the provision hereinafter contained then these presents and every clause and thing herein contained shall at the expiration of the period of three years mentioned in such notice determine without prejudice nevertheless to any then existing remedy for the breach of any of the covenants or agreements by either party herein contained PROVIDED ALSO and it is hereby agreed that the said Lessor his successors or assigns shall not be bound to purchase any part of any machinery or fixtures which shall or may be affixed to or in the said warehouse for the purpose of carrying on any trade or business therein and the said Lessees their successors or assigns shall be entitled to remove and take away the same upon any determination of the said term PROVIDED ALSO and it is hereby agreed and declared by and between the said parties hereto that it shall be lawful for the said Lessor his successors or assigns at any time during the said term hereby granted to use the walls of the said warehouse for the purpose of supporting a roof or roofs covering in the space or spaces between the said warehouse and any adjoining warehouse or warehouses which may hereafter be erected and for that purpose with workmen and others to enter the said warehouse at all reasonable times in the day time for the purpose of erecting and building such roof or roots and doing all necessary acts and things and keeping and maintaining the same in repair the said Lessor his successors or assigns doing no unnecessary damage to the said warehouse and reinstating and making good any damage PROVIDED FURTHER that nothing herein contained shall be read or construed or taken as guaranteeing or giving to the said Leesses their successors or assigns any warehousing monopoly or to prevent the said Lessor his successors or assigns from erecting or causing to be erected other warehouses in the same or immediate neighbourhood or elsewhere for similar purposes or from leasing any site or sites for warehouses to any person or persons in similar

or other terms PROVIDED ALWAYS these presents are on this express condition that if and whenever any part of the said rent shall be in arrear for twenty-one days or if and whenever there shall be a breach of any of the covenants conditions and agreements by the said Lessees herein contained or implied the said Lessor his successors or assigns may re-enter upon any part of the said land and premises in the name of the whole and thereupon the said term of Twenty-one years shall absolutely determine PROVIDED ALSO and it is hereby declared and agreed that nothing herein contained shall confer any right or privilege upon the said Lessees their successors or assigns to have their goods merchandise or other articles carried upon or over or in any way to make use of the railways of the said Province or any part thereof except upon the same terms and conditions and at the times to which the public are entitled and which by law or by regulations shall or may from time be prescribed in that behalf PROVIDED FURTHER and it is hereby agreed and declared that if any dispute question difference or controversy shall arise between the said parties to these presents or their respective successors or assigns touching these presents or any clause or thing herein contained or the construction hereof or any matter in any way connected with these presents or the operation hereof or the rights duties or liabilities of either party in connection with the premises then and in such case or dispute the matter in dispute or difference shall be referred to two arbitrators or their umpire pursuant to and so as with regard to the mode and consequence of the reference and in all other respects to conform to the provisions in that behalf contained in the "Common Law Procedure Act 1854" or any then subsisting modification thereof PROVIDED LASTLY and it is hereby declared and agreed that if and whenever the said Lessees their successors or assigns shall carry on or cause or permit to be carried on in or upon the said premises the business of Dumping Wool they the said Lessees their successors or assigns their tenants under-Lessees agents or servants shall and will execute do and perform double dumping of all wool bales received by them for such purpose including the providing of all labour and material necessary for such purpose in a good proper and workmanlike manner at a maximum charge of one shilling and tenpence per bale for receiving double dumping and delivering such wool. In witness whereof the Official Seal of the said New Zealand Loan and Mercantile Agency Company Limited was hereunto affixed in the presence of

THOS. RUSSELL	}	Directors.	[L.S.]
G. R. OWEN			
D. D. MURDOCH			

I certify that the Official Seal of the New Zealand Loan and Mercantile Agency Company Limited was affixed to the above written deed by me the undersigned by order of the Colonial Board of Directors of the said Company at Auckland in the colony of New Zealand on the 14th day of November 1871.

D. D. MURDOCH,
Managing Director.

CORRESPONDENCE

REFERRING TO THE

COURSE OF INSTRUCTION

PURSUED AT

CHRIST'S COLLEGE GRAMMAR SCHOOL,

AND

THE HIGH SCHOOL.

CORRESPONDENCE.

[No. 24.]

Provincial Secretary's Office,

Christchurch, January 19, 1871.

MY LORD,—Referring to the resolution of the Provincial Council on the subject of the grant to Superior Schools, of which I enclose a copy, I have the honour to request that your Lordship will be good enough to furnish me with particulars as to the course of instruction pursued at the Christ's College Grammar School, for the information of his Honor the Superintendent and the Executive Council.

I have the honour to be, my Lord,

Your obedient servant,

(Signed) WALTER KENNAWAY,

Provincial Secretary.

The Right Reverend the Lord Bishop of Christchurch.

Bishop's Court, Christchurch,

January 23, 1871.

SIR,—In accordance with the request contained in your letter of the 19th instant, that I would furnish you with particulars as to the course of instruction pursued at the Christ's College Grammar School for the information of his Honor the Superintendent and the Executive Council, I beg to forward the enclosed papers and printed document which has been drawn up by the Head Master, the Rev. W. C. Harris.

I have the honour to be,

Yours very obediently,

(Signed) H. J. C. CHRISTCHURCH,

Warden of Christ's College.

To Walter Kennaway, Esq., Provincial Secretary.

CHRIST'S COLLEGE GRAMMAR SCHOOL, CANTERBURY, N.Z.

GOVERNING BODY :
THE WARDEN, SUB-WARDEN, AND FELLOWS OF CHRIST'S COLLEGE.

MASTERS :

HEAD MASTER—THE REV. W. C. HARRIS, M.A.

ASSISTANT MASTERS :

C. C. CORFE, B.A.

E. A. WORTHY, ESQ., B.A.

T. D. CONDELL, ESQ.

M. H. BERKELEY, ESQ.

DRILLING MASTER—SERGT.-MAJOR MORGAN.

SINGING MASTER—R. PARKER, ESQ.

Number of Boys attending the School during the Term ending December 16, 1870—108.

THE SCHOOL IS AT PRESENT DIVIDED INTO EIGHT CLASSICAL FORMS, AND NINE MATHEMATICAL DIVISIONS.

COURSE OF INSTRUCTION :

LATIN	is taught throughout the School	ANCIENT HISTORY is taught throughout VI., V., Upper and Lower IV., and Upper and Lower III. Forms.
SCRIPTURE HISTORY	" "	GREEK is taught throughout VI., V., Upper and Lower IV.
ENGLISH HISTORY	" "	FRENCH is taught throughout VI., V., Upper and Lower IV.
GEOGRAPHY	" "	
ENGLISH GRAMMAR	" "	
ARITHMETIC	" "	

ALGEBRA, TRIGONOMETRY, EUCLID—in the Upper Mathematical Divisions.

The School Hours of the Sixth Form (exclusive of preparation) are distributed as follows:—

Two Hours a Week are given to Divinity (Greek Testament, Scripture History, &c.)

Four Hours " " Latin

Four Hours " " Greek

Six Hours " " Mathematics

Two Hours a week are given to History

Two Hours " " English Language, &c.

Two Hours " " French.

In the Fifth and all Lower Forms Eight Hours a week are given to Mathematics; and in the Lower Forms between Two and Three Hours a week are spent in Writing and Dictation.

EXERCISES—(LATIN, GREEK, FRENCH, ENGLISH, OR MATHEMATICAL) are done every evening.

RELIGIOUS INSTRUCTION.—Divine Service is held in the Chapel daily; on Sundays at 11 a.m., and 6 p.m.; and on Week Days at 8.30 a.m. All Boarders in the Masters' houses are expected to attend.

SCHOOL TIMES.

The School Year is divided into three equal Terms of Thirteen Weeks. An Examination is held at the end of each Term on all work done during the term.

SCHOOL HOURS—From 9 to 12, and from 2 to 4. Wednesdays and Saturdays are Half Holidays.

HOLIDAYS—Six Weeks at Christmas, Three-and-a-half Weeks in May, and Three-and-half Weeks in September.

SCHOLARSHIPS.

- (1) SENIOR SOMES SCHOLARSHIPS—£40 per annum, tenable for four years.
- (2) JUNIOR SOMES SCHOLARSHIPS—£15 per annum, tenable for three years.
- (3) SONS OF THE CLERGY SCHOLARSHIPS—£15 per annum, tenable for three years.

As a rule, One Scholarship of each description is offered for competition every year, at Christmas.

TERMS.

UPPER SCHOOL—(VI., V., Upper and Lower IV. Forms)—Twelve Guineas per annum, to be paid each Term in advance.

LOWER SCHOOL—Ten Guineas. Extra charges are made for Drilling, Books, Stationery, &c.

BOARDERS are received by the Rev. W. C. HARRIS, Head Master, and the Rev. G. COTTERILL, late Second Master. Terms—FIFTY GUINEAS per annum, to be paid each Term, in advance. A Term's notice is required before the removal of a Boarder.

Further particulars may be obtained on application to the Head Master.

LIST OF WORK BROUGHT UP AT CHRISTMAS, 1870.

SIXTH FORM.—Seven Boys:—

Divinity—Greek Testament, St. John and Acts I.—XII.; Scripture History, Joshua to end of 1st Book of Samuel; Church Catechism, XXXIX. Articles and Harold Browne on Articles p.p. 1-28.

Classics—Latin, Levy Book XXI.; Virgil, Æneid IV.; Horace, Odes, Book IV., and Carmen Seculare; Juvenal Satires, i. and iii.; Public Schools, Latin Primer; Latin Prose, Composition.

Greek—Thucydides, Book VI., ch. 72 to end, and Book VII., ch. 1-45; Homer, Iliad IX. Sophocles, Philoctetes, 730 to end; Æschylus, Prometheus Vincetus 1-657; Wordsworth's Greek Grammar; Greek Prose, Composition.

English—Student's Rome, ch. xv.-xxiii.; Student's Greece, ch. xlii.-xliv.; Student's England, ch. xxvi.-xxx.; Shakespeare, Henry IV., parts i. and ii., and Henry V.

French—Grammaire des Grammaires, p.p. 1-145; Exercises, 1-93; Racine and Romaque, Acts i. and ii.; and Notes Sur la vie de R.

FIFTH FORM.—Sixteen Boys:—

Divinity—Greek Testament, St. John, ch. xi.-xv.; Scripture History, 1st Samuel, ch. xx. to 2nd Samuel, ch. xvi.; Articles, I.-XVI.; Church Catechism.

Classics—Latin, Virgil, Æneid III., 47-373; Livy, Bk. II., ch. xv.-xxii.; Latin Primer, and Arnold's Prose, Composition, Pt. I., Ex. 60 to 64.

Greek—Xenophon, Anabasis, Bk. V., ch. i.-iv.; Euripides, Alcestis, 1-141; Arnold's Greek Prose, Composition, Pt. I., Ex. 44-47; Dr. Smith's Greek Grammar; English, Dr. Smith's Smaller History of England, ch. viii.-ix.; Dr. Smith's Smaller History of Rome, ch. viii.; Dr. Smith's Smaller History of Greece, ch. viii.; Shakespeare, Henry V.; Cornwall's Geography, Africa.

French—*Grammar*, p.p. 1-39; 59-81; Ex. 1-25; 39-52; *Telemaque*, p. p. 8-19.

BOOKS NOW IN USE IN THE FOURTH AND LOWER FORMS:—

UPPER FOURTH FORM.—Fourteen Boys:—

Latin—Public School, Latin Primer; Principia Latina, Pt. II.; Eclogæ, Ovidianæ; Arnold's Latin Prose, Composition

Greek—Initia Graeca, Pt. I.

English—Church Catechism; and Scripture History; Dr. Smith's Smaller History of England, Rome, and Greece.

French—Grammar and Chambaud's Fables; Allen and Cornwall's English Grammar; Dr. Reed's Geography; Writing from Dictation.

LOWER FOURTH FORM.—Thirteen Boys :—

Latin—Public School, Latin Primer; Principia Latina, Pt. II.

LOWER FOURTH FORM.—

Greek—Initia Graeca, Pt. I.

English—Same books used as in Upper Fourth.

French—Grammaire des Grammaires, and Chambaud's Fables.

UPPER THIRD FORM.—Fifteen Boys :—

Latin—Latin Primer; Principia Latina, Pt. I.

English—Church Catechism; Scripture History; S.P.C.K.'s History of England; and Marks of Ancient History; Allen and Cornwall's English Grammar; Dr. Reed's Geography; Writing.

LOWER THIRD FORM.—Sixteen Boys :—

Same Books used as in Upper Third.

UPPER SECOND FORM.—Fifteen Boys :—

Latin Grammar, and Principia Latina.

English—Church Catechism, and Scripture History; S.P.C.K.'s History of England; Dr. Reed's Geography; Allen and Cornwall's English Grammar; Writing.

LOWER SECOND FORM.—Ten Boys :—

Same Books used as in Upper Second.

MATHEMATICS—

First Division—Arithmetic; Euclid, Bks. I., II., and III.; Algebra, Todhunter, ch. i.-xxi.; Trigonometry, Todhunter, ch. i.-iii.

Second Division and Third Division—Do. Arithmetic, Algebra, and Euclid; the remaining Six Divisions Arithmetic only.

EXTRA WORK—

Prizes were given at Christmas, 1870, for the following work done by boys out of School, and not compulsory :—

1. English Essay: The Wars of the Roses.
2. „ „ The Anglo Saxons.
3. Latin Prose Composition, Arnold's Rome, Vol. III., p.p. 62-67.
4. Recitation of English Poetry.
5. Mathematics.
6. Translation of Virgil, *Aeneid*, IV., 296-392, and 684-705, into Blank Verse.

Provincial Secretary's Office,

Christchurch, January 30, 1871.

VERY REVEREND SIR,—In reference to the grant voted by the Provincial Council at its last Session under certain conditions in aid of the Superior Schools of the Province, I am directed by His Honor the Superintendent to inform you that a voucher for the quarterly proportion due to Christ's College Grammar School has been forwarded to the Treasury for payment.

The Government desires, at the same time, to take the opportunity of bringing under the notice of the Governing Body the growing desire which it believes to exist for the teaching of the physical sciences.

I have the honour to be, Sir,

Your obedient servant,

(Signed) WALTER KENNAWAY,

Provincial Secretary.

The Sub-Warden, Christ's College.

Christchurch, March 21, 1871.

SIR,—I have the honour to acknowledge the receipt of your letter of January 30th, with reference to the portion of the public grant for Educational purposes, payable to the Governing Body of Christ's College.

The letter was opened during my absence in Dunedin, and I was not aware of the existence of it until Friday last. I trust you will accept this statement as a sufficient apology for the delay in answering it.

In that letter you state that the Government desires to take the opportunity of bringing under the notice of the Governing Body the growing desire which it believes to exist for the teaching of the physical sciences.

In reply, I have the honour to state that the Governing Body are giving their best attention to the subject, and according to the means at their disposal, are introducing the study of physical science into the course of instruction pursued in the Grammar School.

I have the honour to be, Sir,

Your obedient servant,

(Signed) HENRY JACOBS,

Sub-Warden of Christ's College, Canterbury.

The Provincial Secretary.

Provincial Secretary's Office,

Christchurch, April 3rd, 1871.

VERY REVEREND SIR,—In reference to my letter of the 30th January 1871, and to your reply thereto of the 21st ult., I have the honour to state that the Government, now that the quarterly grant has again become due, would be glad to be informed what steps have been taken in the direction of providing increased facilities for the teaching of the Physical Sciences at the Christ's College Grammar School.

I have the honour to be, Very Reverend Sir,

Your obedient servant,

WALTER KENNAWAY,

Provincial Secretary.

The Sub-Warden of Christ's College.

Christchurch, April 18th 1871.

SIR,—I have the honour to acknowledge the receipt of your letter of the 3rd instant, in which you state that the Government, now that the quarterly grant has again become due, would be glad to be informed what steps have been taken in the direction of providing increased facilities for the teaching, of the Physical Sciences at the Christ's College Grammar School.

In reply, I have the honour to inform you that on the 17th of March last, the Governing Body of the College adopted the following resolution:—"Resolved that the Governing Body desires to see the teaching of Elementary and Practical Mechanics introduced with the course pursued in the Grammar School and requests the Head Master to carry out this desire in the way which may seem to him most feasible.

In the course of the week following, the Mathematical Master, acting under the direction of the Head Master, began to give lectures in the School on Elementary Mechanics. I may add, that the Governing Body hope to be able to give more definite form to the instructions imparted on this subject so soon as they shall be able to obtain the proper text books, and that they are engaged making enquiries for the purpose of ascertaining what are the most suitable text books.

I have the honour to be Sir,

Your obedient servant,

(Signed)

HENRY JACOBS,

Sub-Warden of Christ's College.

The Provincial Secretary.

HIGH SCHOOL, CHRISTCHURCH.

[Letter similar to No. 24 (addressed to The Right Reverend the Bishop of Christchurch), forwarded to the Rev. Charles Fraser, Chairman of the Board of Directors, High School, 19th January, 1871.]

The Manse, Christchurch, 1st February, 1871.

SIR,—I beg to acknowledge receipt of your letter dated 19th January, making enquiry as to the course of instruction at the High School. Absence in the country has prevented me from replying sooner.

The general object of the course of instruction at the High School is to prepare the pupils for entering directly upon a University course. It is thought, however, that this is best accomplished by a thorough grounding in all branches of an English education, including not merely grammar, geography, history, and arithmetic, but a short course of English literature, mathematics, and natural science. The Greek, Latin, and French languages, and drawing, complete the list of branches usually taught.

In the Lower School no classics are taught, but only reading, writing, grammar, arithmetic, and the elements of history and geography.

The Upper School receives the pupils at ten or eleven years of age, according to their proficiency.

First Year—History of British Empire, Geography, Latin, Arithmetic, English Reading, Grammar, Composition, Writing.

Second Year—Roman History, Geography, Latin, &c.; also, Geometry and Algebra, and Book-keeping.

Third Year—Greek History, Geography, Latin, Greek, Algebra, Geometry, English Literature, Natural Science, Book-keeping.

Fourth Year—Same as Third, only more advanced.

The Religious instruction consists of Bible reading with examination every morning, at prayers.

I have the honour to be, Sir,

Your obedient servant,

(Signed)

CHARLES FRASER,

Chairman, Board of Directors, High School.

WALTER KENNAWAY, Esq., Provincial Secretary.

APPENDIX.

CHRIST'S COLLEGE GRAMMAR SCHOOL, CANTERBURY, N.Z.,
CHRISTMAS, 1871.

GOVERNING BODY:

THE WARDEN, SUB-WARDEN, AND FELLOWS OF CHRIST'S COLLEGE.

MASTERS:

HEAD MASTER—THE REV. W. C. HARRIS, M.A., OXFORD.

ASSISTANT MASTERS:

E. A. WORTHY, B.A. OXFORD.
C. C. CORFE, B.A., CAMBRIDGE.
T. D. CONDELL.M. H. BERKELEY.
F. G. BRITTAN, B.A., OXFORD.

DRAWING MASTER—R. MAINWARING, B.A., OXFORD.

SINGING MASTER—R. PARKER.

DRILLING MASTER—D. T. BRETT.

CLASSICS.

SIXTH FORM (Upper).

Bell I., Senior Somes and Government Scholar.	Cotterill I., Senior Somes and Government Scholar.
Bell II., Senior Somes and Government Scholar.	Stiffe, Govt. Scholar.

SIXTH FORM (Lower).

Bell III.	Caygill, Govt. Sch.
Atack, Govt. Scholar.	Reeves, I., Govt. Sch.
Hartland I., Govt. Sch.	Donald I., Exhibitioner.
Davie I.	Percival.
Gibson, Govt. Sch.	

FIFTH FORM.

Twentyman.	Bridge I.
Whitcombe I.	Templer I.
Merton I, Govt. Sch.	Douglas.
Gould.	Hamilton I.
Aldred.	Hawkes I.
Lee.	Lewis.
Willock.	

FOURTH FORM (Upper)

Jennings, Govt. Sch.	Bean I, Govt. Sch.
Triggs, Govt. Sch.	Chapman I.
McCardell.	Bean II., Govt. Sch.
Ollivier.	Gordon.
Hawkes II.	Stock.
Cotterill II.	Hadfield.
Herbert, Govt. Sch.	

FOURTH FORM (Lower).

Parson, Govt. Scholar.	Clayton.
Bell IV.	Marley. } equal.
Donald II.	Fearon. }
Merton II., Junior Somes and Government Scholar.	Prendergast.
Thomson II. } equal.	Nalder.
Deamer. }	Pavitt.
Whitcombe II.	Mathias I.

THIRD FORM (Upper).

Rhodes I. } equal.	Bridge II., Gov. Sch.
Ross }	Cargill.
Kirk }	Davie III.
Dann }	Hawley.
Thomson I. }	Westenra I.
Wilson, Sons of Clergy Sch.	

THIRD FORM (Lower).

Rhodes II.	Martin.
Willmer.	Veel.
Rutherford.	Cotterill III., Sons of the Clergy Scholar.
Raphael I.	Heywood.
Makeig.	
Jones.	

SECOND FORM (Upper).

Morgan.	Westenra II. } equal.
Hawkes III.	Sheath I. }
Brown I.	Reeves II. }
Wood.	Mathias III.
Gerard.	Haskins.
Hamilton II.	

SECOND FORM (Lower).

Davie II.	Barker.
Hartland II.	Miles.
Tosswill.	Mathias II.
Day.	Archer.
Woodhouse.	Templer II., <i>absent in Ex.</i>
Chapman III.	Smith.
Sheath II.	Wood II., <i>absent in Exam.</i>
Harman.	

FIRST FORM.

Winter.	Raphael II.
Wilkin I.	Scott II.
Scott I.	Neeve.
Field.	Grierson.
Wilkin II.	Spencer I.
Brown II.	Spencer II.

ENGLISH.

SIXTH FORM (Upper.)

Bell II.
Cotterill I.Bell I.
Stiffe.

SIXTH FORM (Lower.)

Reeves I.
Bell III.
Atack.
Hartland I.
Caygill.Gibson.
Donald I.
Davie I.
Percival.

FIFTH FORM.

Gould.
Templer.
Merton I.
Whitcombe I.
Aldred.
Twentyman.
Douglas.Willock.
Lee.
Hawkes I.
Bridge I.
Hamilton I.
Lewis.

FOURTH FORM (Upper.)

Hawkes II.
Jennings.
Herbert.
McCardell.
Bean I.
Ollivier.
Gordon.Cotterill II.
Triggs.
Bean II.
Chapman I.
Stock.
Hadfield.

FOURTH FORM (Lower.)

Nalder.
Parson.
Thomson II.
Fearon.
Merton II.
Deamer.
Pavitt.Bell IV.
Prendergast.
Donald II.
Whitcombe II.
Clayton.
Marley.
Mathias I.Ross.
Bridge II.
Wilson.
Cargill.
Thomson I.
Dann.Martin.
Willmer.
Rhodes II.
Makeig.
Heywood.Wood I.
Gerard.
Brown I.
Hawkes III.
Morgan.
Sheath I.Tosswill.
Davie II.
Woodhouse.
Barker.
Templer II.
Day
Sheath II. } equal.
Miles.Wilkin I.
Scott I.
Winter.
Scott II.
Brown II.
Wilkin II.

THIRD FORM (Upper.)

Hawley.
Kirk.
Rhodes I.
Davie III.
Westenra I.

THIRD FORM (Lower.)

Rutherford.
Jones.
Veel.
Cotterill III.
Raphael I.

SECOND FORM (Upper.)

Westenra II.
Reeves II.
Mathias III.
Hamilton II.
Haskins.

SECOND FORM (Lower.)

Smith.
Hartland II.
Chapman III.
Harman.
Mathias II.
Archer.
Wood II., *absent in Exam.*

FIRST FORM.

Neeve.
Grierson.
Field.
Raphael II.
Spencer I.
Spencer II.

FRENCH.

SIXTH FORM (Upper.)

Bell II.
Bell I.Cotterill I.
Stiffe.

SIXTH FORM (Lower.)

Hartland I.
Atack.
Davie I.
Bell III.
Donald I.Reeves I.
Gibson.
Percival.
Caygill.

FIFTH FORM.

Whitcombe I.
Templer I.
Gould.
Twentyman.
Merton I.
Lee.Hamilton I.
Hawkes I.
Lewis.
Willock.
Douglas.
Bridge I.

FOURTH FORM (Upper.)

McCardell.
Jennings.
Triggs.
Herbert.
Bean I.
Ollivier.
Hawkes II.Bean II.
Cotterill II.
Gordon.
Chapman I.
Stock.
Hadfield.

MATHEMATICS.

FIRST DIVISION.

Bell II.
Bell I.

Cotterill I.
Stiffe.

SECOND DIVISION.

Atack.
Hartland I.
Merton I.
Bell III.
Willock.
Whitcombe I.
Cotterill II.
Ollivier.
Gibson.

Donald I.
Caygill.
Aldred.
Gould.
Bridge I.
Chapman I.
Templer I.
Percival.

THIRD DIVISION.

Bean II.
Hawkes II. } equal.
Twentyman. }
Beau I.
Jennings.
McCardell.
Gordon.
Lee.
Hamilton I.

Reeves I.
Davie I.
Herbert.
Triggs.
Stock.
Hadfield.
Hawkes I.
Douglas.
Lewis.

DIVISION A.

Rhodes II.
Thomson I.
Thomson II. } equal.
Merton II. }
Cargill.

Rutherford. } equal.
Rhodes I. }
Donald II.
Parson.
Whitcombe II.
Marley.

DIVISION B.

Clayton.
Pavitt.
Dann.
Bell IV.
Tosswill.

Kirk.
Fearon.
Mathias I.
Nalder. } equal.
Cotterill III. }

DIVISION C.

Ross.
Wood I.
Jones.
Deamer.
Gerard.
Barker.

DIVISION D.

Davie III.
Woodhouse.
Prendergast.
Morgan.
Brown I.
Hartland II.

Sheath II.
Davie II. } equal.
Westenra II. }
Smith. }
Westenra I.
Bridge II.

DIVISION E.

Wilkin I.
Chapman III.
Scott. I.
Wilkin II.
Reeves II.
Winter.
Wilson.

Matthias III.
Hamilton.
Haskins.
Archer.
Hawkes III.
Harman.
Wood II., *absent in Exam.*

DIVISION F.

Raphael II. } equal.
Templer II. }
Miles.
Day.
Mathias II.
Scott II.
Veel.

Field.
Neeve.
Brown II.
Grierson.
Spencer I.
Spencer II.

CHRISTMAS EXAMINATION. 1871.

TRIGONOMETRY.

1. What are the French and English methods of estimating angles? from your statement deduce the formula by which the relation between the degrees and grades in the same angle may be determined.

Express $45^\circ 15' 20''$ in French grades, minutes and seconds.

2. What is meant by the complement of an angle?

Determine the value of the trigonometrical ratios for an angle of 60° , and for an angle of 30° .

If $\cot A = \frac{3}{4}$, find the value of $\sin A$, $\cos A$, $\operatorname{cosec} A$, $\operatorname{versin} A$, and $\operatorname{sec} A$.

3. Trace the changes in the sine of an angle as the angle increases from 0° to 360° .

Prove that $\sin(-A) = -\sin A$, $\cos(-A) = \cos A$.

From what considerations may we assume that this formula is *universally* true, whatever be the magnitude of A , positive or negative?

4. Prove that—

$$\sin(A + B) = \sin A \cos B + \cos A \sin B,$$

$$\text{And } \cos(A + B) = \cos A \cos B - \sin A \sin B.$$

$$\text{Shew that } \sin 3A = 3 \sin A - 4 \sin^3 A,$$

$$\text{And } \cos 3A = 4 \cos^3 A - 3 \cos A.$$

5. Find the numerical values of $\sin 15^\circ$ and $\cos 18^\circ$.

6. Express the cosine of an angle of a triangle in terms of the sides.

And assuming that s = half the sum of the sides (a, b, c) of a triangle, show that

$$\tan \frac{A}{2} = \sqrt{\left(\frac{(s-b)(s-c)}{s(s-a)} \right)}$$

ALGEBRA.

1. If $a=1, b=2, c=3, d=4$, shew that the numerical value of

$$d^2 - (2d-c)c + \left\{ 2(d-c)+b \right\} b - \left\{ 2(d-c+b)-a \right\} a \text{ equals that of } \left\{ (d-a)-(c-b) \right\}^2$$

2. From $3x^2 + 2xy - y^2$ take $-x^2 - 3xy + 3y^2$ and $3x^2 + 4xy - 5y^2$.

3. Reduce to its simplest form—

$$1 - \left\{ 1 - (-4x) \right\} + \left\{ 2x - (3-5x) \right\} - \left\{ 2 - (-4+5x) \right\}$$

4. Multiply $x^2 + 2ax + 3a^2$ by $x^2 - 2ax + a^2$; and divide $a^6 - 6a + 5$ by $a^2 - 2a + 1$.

5. Find the value of—

$$\frac{x+y}{y} - \frac{2x}{x+y} + \frac{x^2y-x^2}{x^2y-y^3}$$

And simplify—

$$\frac{2\frac{1}{3} - \frac{1}{2}(x-2)}{\frac{1}{3}(x+1) - 4\frac{1}{2}}$$

6. Find the G.C.M. of $6x^4 - x^3y - 3x^2y^2 + 3xy^3 - y^4$,

$$\text{And } 9x^4 - 3x^3y - 2x^2y^2 + 3xy^3 - y^4.$$

7. Solve the Equations—

$$(i.) \frac{1}{2}(3x-1) - \frac{2}{3}(x-1) = \frac{1}{4}(x-3) - \frac{1}{5}(x-5) + 5\frac{1}{3}.$$

$$(ii.) \frac{1}{2}x - \frac{1}{3}y = 1.$$

$$(iii.) x+7 = \sqrt{5x^2+19},$$

$$6(x+y) - 3(x-y) = 13(x-1).$$

$$(iv.) x^2 + y^2 = 13,$$

$$xy = b.$$

8. Two coaches start at the same time from York and London, a distance of 200 miles, travelling, one at $9\frac{1}{2}$ miles an hour, the other at $9\frac{1}{4}$; where will they meet, and in what time from starting?
9. Divide the numbers 80 and 90 into two such parts, so that the sum of one out of each pair may be 100, and the difference of the others 30.
10. A labourer dug two trenches, one 6 yards longer than the other, for £17 16s., and the digging of each cost as many shillings per yard as there were yards in the length. Find the length of each.
11. Find the square root of $38 - 12\sqrt{10}$.
12. A debt can be discharged in a year by paying one shilling the first week, three the second, five the third, &c. Required the last payment and the amount of the debt.
13. Insert the 3 G.M. between 2 and 32.
14. Prove that the number of variations of n different things, taken r together, is $n(n-1)(n-2)\dots(n-r+1)$.
15. How many different words may be made with all the letters of the expression a^3b^2c ?
16. Expand $\sqrt{1-4x}$ to five terms, and obtain the same by evolution.

ARITHMETIC.

1. (a) Divide 711003999375 by 9875.
 (b) What is the value of the quotient when a unit is worth three farthings?
 (c) Multiply 6809798 miles 42 yards 2 feet 9 inches by 96.
2. (a) What will it cost to give to each of 64 families 1 qr. 3 bus. 2 pks. of wheat at 5s 6d a bushel?
 (b) How much will 18lbs. 12oz. 10drs. cost at £12 16s 2d a lb. ? by Practice.
3. The value of a sheep being £1 17s 6d, what must be the price of an ox, so that by giving 40 sheep in exchange for six oxen I may gain £15?
4. How many paving stones, each of them a foot long and $\frac{1}{15}$ of a foot wide, will be required for paving a street 45 feet wide surrounding a square, the side of which is 225 feet?
5. Express in its simplest form—
 (a) $3\frac{1}{2} + 4\frac{5}{8} - \frac{7}{8} + \frac{1}{4} - \frac{3}{4}$ of $2\frac{1}{2}$.
 (b) Divide the result by $(4\frac{1}{2} - 3\frac{1}{8})$ of $(4\frac{1}{2} + 3\frac{1}{8})$.
6. (a) Find the amount of $\frac{1}{3}$ of £1 + $\frac{2}{3}$ of a guinea— $\frac{1}{3}$ of 15s.
 (b) Divide £400 16s 8d by $12\frac{1}{4}$.
7. (a) Add together 12.3059, .063001, and .00047.
 (b) Multiply .0089 by 1.07000, and divide .8006 by .04, and .001 by 50.
 Verify the last two by fractions.
8. (a) Bring 6s 8d to the decimal of £3;
 (b) and shew that 2.045 of 6cwt. 3qrs. 22lbs. = 14cwt. $23\frac{1}{10}$ lbs.
9. If 16 horses require 36 bushels of oats in 10 days, how long will 63 bushels keep 56 horses?
10. If 11 men can reap a field of 50 acres in 5 days of 13 hours, how long will 13 men take to reap a field of 45 acres, working 14 hours a day?
11. Find the interest on £420 3s 4d at $7\frac{1}{2}$ per cent. for eight months; and the discount on the same sum, due 18 months hence, at $3\frac{1}{2}$ per cent.

12. If the 3 per cents. are at 95, and Government offer to receive tenders for a loan of £5,000,000, the lender to receive five millions in the 3 per cents., together with a certain sum in the $3\frac{1}{2}$ per cents., what sum in the $3\frac{1}{2}$ per cents. ought the lender to accept?
13. Find (a) the square roots of 531441, (b) and 119550.669121, and (c) the cube root of 27054.036008.

EUCLID.

1. Define a plane superficies, a circle, parallel straight lines.
2. Describe an equilateral triangle upon a given finite straight line.
3. If two triangles have two sides of the one equal to two sides of the other, each to each; and have likewise the angles contained by those sides equal to each other; they shall likewise have their bases or third sides equal, and the two triangles shall be equal, and their other angles shall be equal, each to each, viz., those to which the equal sides are opposite.
4. Upon the same base, and on the same side of it, there cannot be two triangles that have their sides which are terminated in one extremity of the base, equal to one another, and likewise those which are terminated in the other extremity.
5. To draw a straight line perpendicular to a given straight line, of an unlimited length, from a given point without it.
6. The greater angle of every triangle is subtended by the greater side, or has the greater side opposite to it.
7. Parallelograms upon equal bases and between the same parallels are equal to one another.
8. In any right-angled triangle, the square which is described upon the side subtending the right angle, is equal to the square described upon the sides which contain the right angle.
9. If a straight line be divided into any two parts, the square of the whole line is equal to the square of the two parts, together with twice the rectangle contained by the parts.
10. If a straight line be divided into any two parts, the squares of the whole line and of one of the parts are equal to twice the rectangle contained by the whole and that part, together with the square of the other part.
11. To divide a given straight line into two parts, so that the rectangle contained by the whole and one of the parts shall be equal to the square of the other part.
12. If in a circle two straight lines cut one another, which do not pass through the centre, they do not bisect each other.
13. The opposite angles of any quadrilateral figure inscribed in a circle are together equal to two right angles.
14. If from any point without a circle two straight lines be drawn, one of which cuts the circle and the other touches it, the rectangle contained by the whole line which cuts the circle, and the part of it without the circle, shall be equal to the square of the line which touches it.
15. Inscribe a circle in a given triangle.
16. Inscribe an equilateral and equiangular pentagon in a given circle.
17. The sides about the equal angles of equiangular triangles are proportionals, and those which are opposite to the equal angles are homologous sides, that is, are the antecedents or consequents of the ratios.
18. Similar triangles are to one another in the duplicate ratio of their homologous sides.

MECHANICS AND HYDROSTATICS.

1. What is gravity? How is density measured?
2. If the adjacent sides of a parallelogram represent two component forces in direction and magnitude, the diagonal will represent the resultant force.
A string passing round a smooth peg is pulled at each extremity with a force equal to the strain upon the peg; find the angle between the directions of the two portions of the string.
3. If two forces acting perpendicularly at the extremities of the arms of any lever balance each other, they are inversely as the arms.
Weights equal to 7lbs. and 11lbs. balance each other when suspended from the ends of a lever whose length is 6 feet, find the position of the fulcrum, and the pressure upon it.
4. In a system of pulleys in which each hangs by a separate string, and the strings are all parallel, there is equilibrium when $P : W :: 1 : \text{to the power of } 2 \text{ whose index is the number of moveable pulleys.}$
5. The weight W being on an inclined plane, and the force P acting parallel to the plane, there is equilibrium when $P : W :: \text{the height of the plane} : \text{its length.}$
6. Find the centre of gravity of two heavy points; and shew that the pressure at the centre of gravity is equal to the sum of the weights in all positions.
7. Define Motion. When is Motion uniform? When are two bodies said to be relatively at rest, or relatively in motion?
Give illustrations.
8. What is The Second Law of Motion? Mention some experiments by which it may be proved.
9. Suppose a body moves for 10 seconds, describing uniformly 2 feet in the first second, 4 feet in the next, and so on; find the whole space described.
10. To what uses can the pendulum be applied? Upon what great principle does the value of the pendulum depend?
Explain the principle of the Escapement in a clock.
If a clock went too slow, what should be done to make it go quicker?
11. Define an elastic fluid, and mention any such fluids.
The surface of every fluid at rest is horizontal.
12. When a body is immersed in fluid, the weight lost : whole weight of the body :: the specific gravity of the fluid : the specific gravity of the body.
A body which weighs 6lbs. in air, weighs only 2lbs. when immersed in water; find its specific gravity.
13. Describe the common hydrometer, and shew how to compare the specific gravities of two fluids by means of it.
14. Describe the common Pump. What limit is there to the height to which water can be raised by it. How does this Pump differ from the Force Pump?

DISTRIBUTION OF THE GENERAL AND PROVINCIAL
GOVERNMENT ROAD BOARD GRANTS, 1872.

ROAD BOARDS.	PROVINCIAL GOVERNMENT.	GENERAL GOVERNMENT.	TOTAL.
	£	£	£
Akaroa and Wainui	700	610	1,310
Ashburton	150	150	300
Ashley	300	250	550
Avon	150	200	350
Courtenay	450	305	755
Cust	300	200	500
Ellesmere	825	610	1,435
Eyreton (including £50 for Bridge, near Coutts' Mill Race)	450	355	805
Halswell	200	200	400
Heathcote	225	250	475
Kowai	300	200	500
Lincoln	450	205	755
Little River (including £100 for Road by Lake Forsyth)	700	610	1,310
Malvern	75	330	405
Mandeville and Rangiora	400	305	705
Okain's Bay... .. .	150	250	400
Oxford	300	200	500
Pigeon Bay	200	200	400
Port Levy	75	50	125
Port Victoria	150	200	350
Rakaia	450	355	805
Riccarton	150	150	300
Spreydon	150	100	250
Springston	500	355	855
Templeton	250	200	450
Waipara	250	200	450
Mount Somers	75	75	150
West Eyreton	300	200	500
Upper Waimakariri	—	200	200
South Malvern	100	—	100
East Malvern	200	—	200
Lake Coleridge	50	—	50
Geraldine	500	250	750
Levels	400	305	705
Mount Cook	500	305	805
Mount Peel... .. .	75	100	175
Waimate	1,350	355	1,705
Raukapuka	400	200	600
	£12,250	£9,130	£21,380

TIMARU AND GLADSTONE DISTRICT.

REVENUE

AND

EXPENDITURE ACCOUNT,

IN ACCORDANCE WITH RESOLUTIONS OF THE PROVINCIAL
COUNCIL, OCTOBER, 1869.

ACCOUNTS FOR THE FINANCIAL YEAR,

ENDING SEPTEMBER 30, 1871.

TIMARU AND GLADSTONE DISTRICT.—REVENUE ACCOUNT.

FOR THE YEAR ENDING 30TH SEPTEMBER, 1871.

REVENUE.		EXPENDITURE.	
	£ s. d.		£ s. d.
Balance brought forward	144 18 10	Local Charges, as per account	11,957 12 2
Land Sales, total receipts	8394 14 6	25 per cent. of Land Sales per Receiver of	2223 13 7
Pasturage Rents, ditto	15,385 16 2	Land Revenue	11,000 0 0
Dog Collars, local receipts	455 0 0	Ditto Departmental Charges	5155 0 0
Sheep Rate	989 12 0	Ditto Immigration Expenditure	1844 0 0
Publicans' Licenses	633 0 0	Ditto Outstanding Liabilities, $\frac{1}{2}$ of £11,250	4017 0 0
Auctioneers' ditto	80 0 0	interest, and $\frac{1}{2}$ of £2140, Provincial Charges	36,237 5 9
Hospital Fees	44 12 6		
Rents	350 9 4		
Immigration	281 10 0		
Miscellaneous	4 5 0		
Sheep Fines	3 17 6		
Charitable Aid Refunds	8 0 0		
Harbour Fees	19 19 5		
Educational, local contributions	87 0 0		
Sinking Funds, $\frac{1}{2}$ of £2374 8s. 0d.	791 9 4		
Proportion of Consolidated Revenue	10,822 0 0		
Less proportion of Provincial charges	4591 12 7		
	6230 7 5		
	34,409 13 2		
Balance	34,554 12 0		
	1682 13 9		
	<u>36,237 5 9</u>		
		Balance brought down	<u>£36,237 5 9</u>
			<u>£1682 13 9</u>

TIMARU AND GLADSTONE DISTRICT.—CHARGES, &c.

FOR THE YEAR ENDING 30TH SEPTEMBER, 1871,

LOCAL SERVICES.				DEPARTMENTAL.			
PAYABLE OUT OF PROCEEDS OF WASTE LANDS.							
	£	s.	d.	£	s.	d.	
Waste Lands Department (Colonial Treasurer) ...	125	0	0	Cass Pension ...	400	0	0
Survey Department at Timaru ...	920	7	2	Provincial Executive ...	2700	2	8
Contract Surveys ...	1644	13	5	Printing Electoral Rolls ...	221	0	0
Buildings ...	474	1	3	Provincial Council Officers and Charges ...	437	6	0
School ditto ...	519	0	0	Supreme Court ...	98	14	5
Road Boards ...	1582	5	0	Central Gaols ...	3892	6	8
Main Roads ...	2655	10	0	Police ...	8610	4	4
	7920 16 10			Charitable Aid Administrator ...	45	16	8
PAYABLE OUT OF ORDINARY REVENUE.				Orphan Asylum ...	1563	3	9
Sub-Treasurer, Timaru...	50	0	0	Lunatic ditto ...	4316	4	6
Provincial Elections ...	4	4	0	Chief Inspector of Sheep ...	500	0	0
Expenses of Members of Provincial Council ...	518	6	0	Port Officer ...	400	0	0
District Gaol ...	489	0	5	Inspector of Weights and Measures ...	300	0	0
Charitable Aid ...	299	9	4	Pleuro-pneumonia ...	832	5	1
Children at Orphanage ...	62	8	0	Dog Collars ...	159	2	9
Timaru Hospital ...	826	17	4	Departmental, Miscellaneous ...	2819	4	9
Timaru Harbour ...	405	2	5	Revision of Rate-payers' Rolls ...	180	0	0
Inspector of Sheep, Waitangi Sheep Inspection ...	494	13	4	Honorarium, Mrs. Selfe ...	500	0	0
Inspection of Seaborne Sheep ...	25	0	0	Ditto, W. S. Moorhouse, Esq. ...	2500	0	0
Insurance ...	14	5	6	General Miscellaneous Contingencies ...	1578	16	0
Police Buildings, repairs ...	87	9	0	Education ...	2135	5	3
Timaru Domain ...	100	0	0	Waste Lands Board ...	500	0	0
Rangitata Ferry (half the charge) ...	75	0	0	Survey Department ...	850	0	0
Waitaki Ferry ...	75	0	0	Preparation of Crown Grants ...	826	1	8
Education, Maintenance of Schools ...	510	0	0	General Contingencies ...	1783	15	9
	4036 15 4				£38,149 10 3		
	£11,957 12 2						
				Distributed on basis of Population 7.4 of whole, =£5155.			

TIMARU AND GLADSTONE DISTRICT.

REVENUE

AND

EXPENDITURE ACCOUNT,

QUARTER ENDING DECEMBER 31, 1871.

TIMARU AND GLADSTONE DISTRICT.—REVENUE ACCOUNT.

FOR THE QUARTER ENDING 31st DECEMBER, 1871.

REVENUE.	£	s.	d.	EXPENDITURE.	£	s.	d.
Land Sales—Total Receipts	2,923	14	9	Balance brought forward	—		
Pasturage Rents	16	13	4	25 per cent. of Land Sales per Receiver of Land Revenue	730	18	8
Local Receipts—				Local Charges, as per account	1,826	9	6
Dog Collars			7 10 0	Proportion of Departmental Charges	1,175	0	0
Publicans' Licenses			7 10 0	Proportion of Loan charges (at £11,000 per annum)	2,750	0	0
Auctioneers' Licenses			40 0 0				
Hospital Fees			18 10 0				
Rents			140 8 3				
Miscellaneous			14 16 6				
Sheep Fines			0 15 0				
Charitable Aid Relief Fund			7 0 0				
Harbour Fees			4 8 8				
Educational—Local Contributions	379	5	1				
Capitation Grant, under payments to Provinces Act—6831 at 15 per cent. per annum	1,187	1	3				
Balance carried forward	—						
							6,482 8 2
							£8,165 1 11
							£8,165 1 11

LOCAL SERVICES.		£ s. d.	£ s. d.	DEPARTMENTAL.		£ s. d.	£ s. d.
PAYABLE OUT OF PROCEEDS OF WASTE LANDS.							
Waste Lands Department (Colonial Treasurer)		31 5 0		Cass Pension	...	100 0 0	0 0 0
Survey Department at Timaru		220 14 0		Provincial Executive	...	688 6 4	4 4 0
Contract Surveys		340 10 11		Electoral—Preparing Rolls, &c.	...	34 10 0	0 0 0
Buildings (exclusive of Schools)		113 2 0		Provincial Council Offices and Charges	...	48 11 0	0 0 0
School Buildings		245 0 0		Supreme Court	...	21 16 10	10 10 0
			950 11 11	Central Gaols	...	843 19 1	1 1 0
				Police	...	2,029 2 10	10 0 0
				Charitable Aid Administrator	...	12 10 0	0 0 0
				Orphan Asylum	...	457 6 1	1 1 0
				Lunatic Asylum	...	993 14 5	5 5 0
				Chief Inspector of Sheep	...	125 0 0	0 0 0
				Port Officer	...	100 0 0	0 0 0
				Pleuro-pneumonia	...	43 0 2	2 2 0
				Dog Collars	...	2 11 2	2 11 2
				Departmental Expenses	...	662 2 11	11 11 0
				Revision of Ratepayers' Rolls	...	180 0 0	0 0 0
				General Miscellaneous	...	129 6 10	10 10 0
				Education	...	575 18 3	3 3 0
				General Contingencies	...	469 0 0	0 0 0
				Survey Department	...	850 0 0	0 0 0
				Do. Preparation of Crown Grants	...	200 5 0	0 0 0
				Waste Lands Board	...	125 0 0	0 0 0
			875 17 7				
			£1,826 9 6				£8,692 0 11
PAYABLE OUT OF ORDINARY REVENUE.							
Sub-Treasurer at Timaru		12 10 0					
Expenses of Elections		8 0 6					
District Gaol, Timaru		94 17 2					
Charitable Aid		60 8 0					
Children at Orphanage		15 12 0					
Timaru Hospital		206 9 3					
Timaru Harbour		97 0 9					
Inspection of Sheep		120 5 3					
Insurance		5 5 0					
Rangitata Ferry (half the charge)		18 15 0					
Literary Institutes, &c.		25 0 0					
Agricultural Societies		75 0 0					
Education—Maintenance of Schools		116 14 8					
Removing Harbour-Office, Timaru		20 0 0					

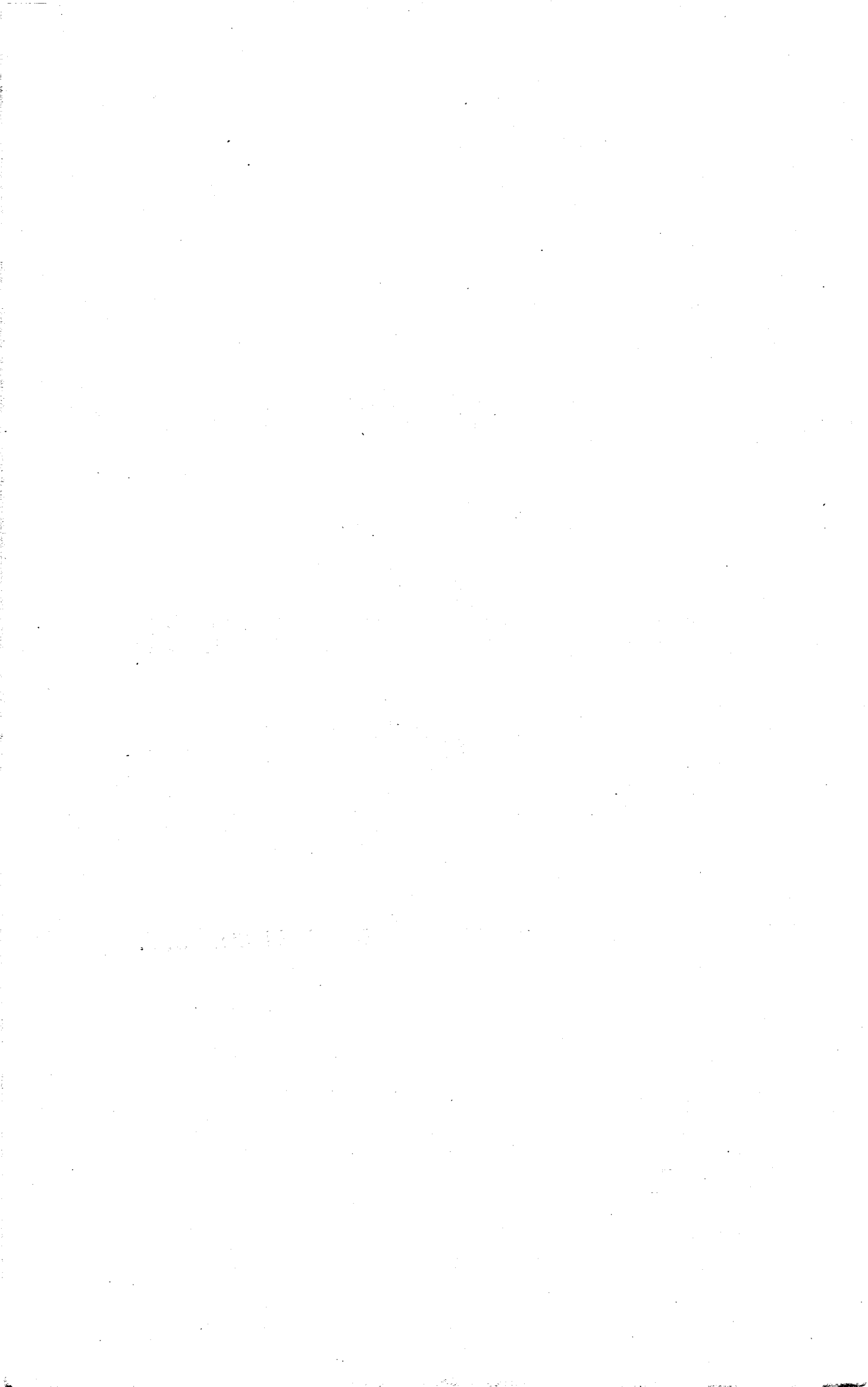
Distributed on basis of Population—7.4 of the whole—£1,175.

TIMARU AND GLADSTONE DISTRICT.

REVENUE AND EXPENDITURE

ACCOUNT.

ESTIMATE FOR NINE MONTHS ENDING SEPTEMBER 30, 1872.



TIMARU AND GLADSTONE DISTRICT.—REVENUE ACCOUNT.

ESTIMATE FOR NINE MONTHS ENDING 30TH SEPTEMBER, 1872.

REVENUE.	£	s.	d.	£	s.	d.	EXPENDITURE.	£	s.	d.	£	s.	d.
Land Sales—Total Receipts	...	...	...	7,125	0	0	Balance brought forward	—	—	—	3,658	7	6
Pasturage Rents	...	...	...	15,500	0	0	25 per cent. of Land Sales per Receiver of Land Revenue	1,781	5	0			
Local Revenue—							Local Charges—Schedule A	3,235	8	0			
Dog Collars	...	£450	0	0			" " B	4,860	0	0			
Sheep Rate	...	950	0	0			Proportion of Departmental Charges	3,866	0	0			
Publicans' Licenses	...	550	0	0			Proportion of Loan Charges	8,250	0	0			
Auctioneers' Licenses	...	80	0	0			Main Roads	875	0	0			
Hospital Fees	...	30	0	0							22,867	13	0
Rents	...	260	0	0									
Miscellaneous	...	3	3	0							26,526	0	6
Charitable Aid Refund	...	20	0	0							4,582	6	3
Harbour Fees	...	14	0	0			Balance for appropriation	—	—	—			
Educational — Local Contributions	...	65	0	0									
Capitation Grant under Payments to Provinces Act, 6381 at 15s. per annum	...				2,422	3							
Grant under Payment to Provinces Act	...				3,561	3							
Immigration—Refund from General Government	...				1,500	0							
	...				1,000	0					£31,108	6	9

LOCAL SERVICES.

PAYABLE OUT OF PROCEEDS OF WASTE LANDS.

	£	s.	d.		£	s.	d.
Waste Lands Department (Colonial Treasurer)	93	15	0				
Survey Department at Timaru	720	0	0				
Contract Surveys	1,000	0	0				
Buildings (exclusive of Schools)	2,105	0	0				
School Buildings	941	5	0				
					4,860	0	0

PAYABLE OUT OF ORDINARY REVENUE.

	£	s.	d.		£	s.	d.
Sub-Treasurer at Timaru	37	10	0				
Provincial Elections	3	3	0				
Expenses of Members of Provincial Council	390	0	0				
District Gaol, Timaru	440	0	0				
Charitable Aid	262	10	0				
Children at Orphanage	50	0	0				
Timaru Hospital	620	0	0				
Timaru Harbour	423	0	0				
Inspection of Sheep and Waitangi Sheep Inspector	350	0	0				
Inspector of Seaborne Sheep, Timaru	37	10	0				
Insurance	10	10	0				
Timaru Domain	100	0	0				
Bangitata Ferry (half the charges)	56	5	0				
Waitaki Ferry	75	0	0				
Education—Maintenance of Schools	380	0	0				
					3,235	8	0
					£8,095	8	0

ORDINANCES
OF THE
PROVINCE OF CANTERBURY,
NEW ZEALAND,
PASSED IN THE THIRTY-FIFTH YEAR OF THE REIGN
OF
HER MAJESTY QUEEN VICTORIA,
AND THE
THIRTY-SEVENTH SESSION
OF THE
PROVINCIAL COUNCIL,
1872.



CHRISTCHURCH:

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MDCCLXXII.



INDEX

TO

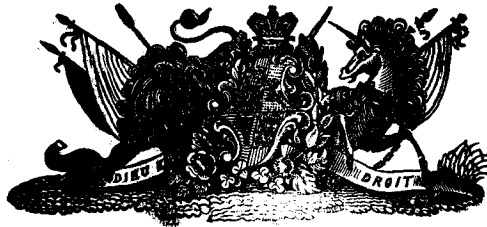
THE ORDINANCES

OF THE

PROVINCE OF CANTERBURY, NEW ZEALAND.

SESSION XXXVII., 1872.

No.	PAGE
1. The Municipal Council Ordinances Repeal Ordinance, 1872	1
2. The Christchurch City Council Ordinances Repeal Ordinance, 1872	3
3. The Hospital and Charitable Aid Ordinance, 1864, Repeal Ordinance, 1872	5
4. The Sheep Rating Ordinance, 1866, Amendment Ordinance, 1867, Repeal Ordinance, 1872	7
5. The Hackney Carriage Ordinance, 1864, Repeal Ordinance, 1872	9
6. The Canterbury Roads Ordinance, 1872	11
7. The Education Ordinance, 1871, Amendment Ordinance, 1872, No. 2	61
8. The Canterbury Fencing Ordinance, 1872	71
9. The Public House Ordinance, 1866, Amendment Ordinance, 1872	77
10. The Cathedral Square Ordinance, 1872	79
11. Reserve No. 330 Ordinance	83
12. The Educational Reserves Leasing Ordinance, 1872	85
13. The Canterbury Trespass of Cattle Ordinance, 1872	89
14. The Canterbury Sheep Ordinance, 1872	101
15. The Diversion of Roads Special Ordinance, No. 5, 1872	121
16. The Appropriation Ordinance, No. 2, 1872	125
The Lyttelton Reclaimed Land Ordinance, 1872	<i>(Disallowed.)</i>



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 1.

The Municipal Council Ordinances Repeal Ordinance 1872.

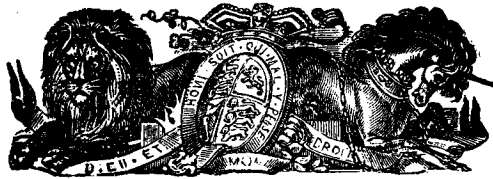
[June 19, 1872.]

WHEREAS it is expedient that “The Municipal Council Ordinance Preamble.
Session XIV. No. 2” and “The Municipal Council Ordinance
Amendment Ordinance 1866” should be repealed :

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows :

1. The said recited Ordinances shall be and the same are hereby Repealing clause.
repealed except so far as the same repeal any former Ordinance.

2. This Ordinance shall be intituled and may be cited as “The Title.
Municipal Council Ordinances Repeal Ordinance 1872.”



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 2.

The Christchurch City Council Ordinances Repeal
Ordinance, 1872.

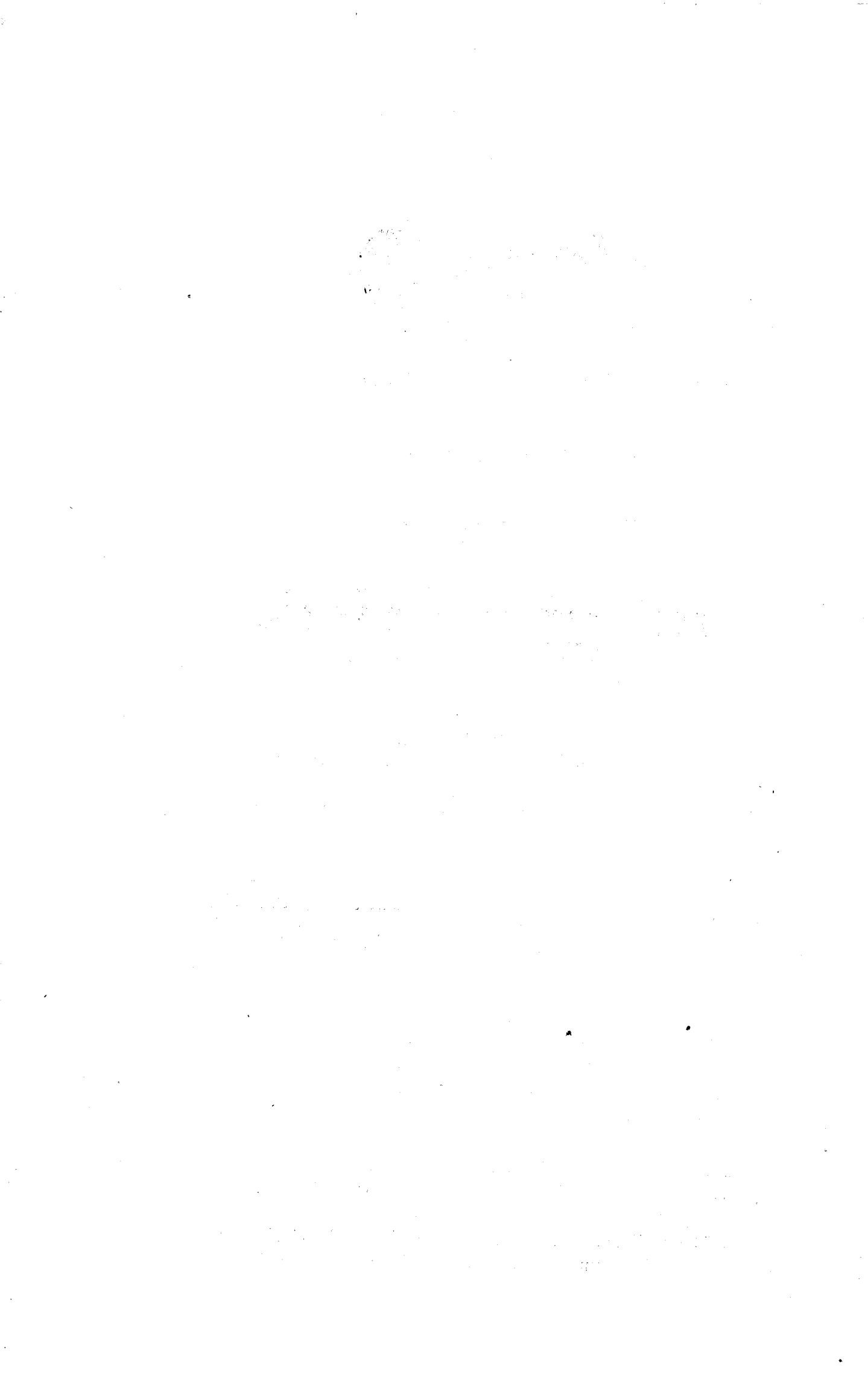
[June 19, 1872.]

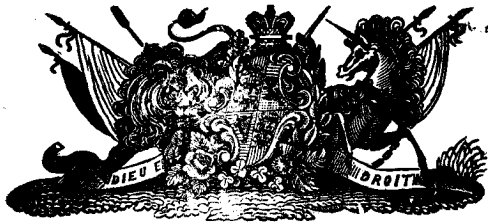
WHEREAS it is expedient that “The Christchurch City Council Preamble.
Ordinance 1862 ” “The Christchurch City Council Ordinance
1862 Amendment Ordinance 1865 ” and “The Christchurch City Council
Ordinance 1862 Amendment Ordinance 1867 ” should be repealed :

Be it therefore enacted by the Superintendent of the Province of
Canterbury by and with the advice and consent of the Provincial Council
thereof as follows :

1. The said recited Ordinances shall be and the same are hereby Repealing clause.
repealed except so far as the same repeal any former Ordinance.

2. This Ordinance shall be intituled and may be cited as “The title.
Christchurch City Council Ordinances Repeal Ordinance 1872.”





PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 3.

The Hospital and Charitable Aid Ordinance 1864
Repeal Ordinance 1872.

[June 19, 1872.]

WHEREAS it is expedient that “The Hospital and Charitable Aid Ordinance 1864” should be repealed: Preamble.

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows:

1. The said recited Ordinance shall be and the same is hereby Repealing clause. repealed except so far as it repeals any former Ordinance.

2. This Ordinance shall be intituled and may be cited as “The Title Hospital and Charitable Aid Ordinance 1864 Repeal Ordinance 1872.”



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 4.

The Sheep Rating Ordinance 1866 Amendment
Ordinance 1867 Repeal Ordinance 1872.

[June 19, 1872.]

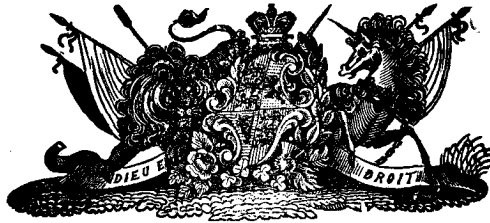
WHEREAS it is expedient that “The Sheep Rating Ordinance 1866 Preamble.
Amendment Ordinance 1867” should be repealed :

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows :

1. The said recited Ordinance shall be and the same is hereby Repealing clause.
repealed except so far as it repeals any former Ordinance.

2. This Ordinance shall be intituled and may be cited as “The Title.
Sheep Rating Ordinance 1866 Amendment Ordinance 1867 Repeal
Ordinance 1872.”





PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 5.

The Hackney Carriage Ordinance 1864 Repeal
Ordinance 1872.

[June 19, 1872.]

WHEREAS it is expedient that “The Hackney Carriage Ordinance Preamble.
1864” should be repealed :

Be it therefore enacted by the Superintendent of the Province of
Canterbury by and with the advice and consent of the Provincial Council
thereof as follows :

1. The said recited Ordinance shall be and the same is hereby Repealing Clause.
repealed except so far as it repeals any former Ordinance.

2. This Ordinance shall be intituled and may be cited as “The Title.
Hackney Carriage Ordinance 1864 Repeal Ordinance 1872.”





PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 6.

The Canterbury Roads Ordinance, 1872.

[June 19, 1872.]

ANALYSIS.

- Preamble.
1. Short Title.
 2. Repeal of former Ordinance.
 3. Interpretation.
- CONSTITUTION OF DISTRICTS.
4. Province divided into Districts.
 5. Boundaries.
 6. Union of Districts.
 7. Division and severance of Districts.
 8. Districts when severed, &c., to be deemed new Districts.
 9. Subdivision of Districts.
 10. Board to be Body Corporate.
- BOARDS.
11. Number, &c., of Members.
 12. Members to represent respective subdivisions.
 13. Members how assigned when district is sub-divided.
 14. Qualification of Member of Board.
 15. Members to retire in rotation.
 16. When the district is subdivided all the members to go out of office.
 17. Retirement of Members when District is subdivided.
 18. Members can be re-elected.
- ELECTORS.
19. Qualification.
 20. Qualification in sub-division.
 21. Joint occupiers.
- APPOINTMENTS, ELECTIONS, &c.
22. Appointment of first Board.
 23. First election in new District.
 24. Annual ordinary elections when there is no Ratepayers' Roll.
 25. Annual ordinary elections when Ratepayers' Roll is made.
 26. One vote allowed when there is no Ratepayers' Roll.
 27. Chairman to preside.
 28. Presiding Officer in sub-divisions.
 29. Manner and expenses of election.
- PROCEEDINGS OF THE BOARD.
30. Election of Chairman.

31. Mode of entering into contracts.

BYE-LAWS.

32. Board can make bye-laws affecting certain matters.

OFFICERS, &c.

33. Appointment, &c., of Officers.

34. Members of the Board may act.

35. Appropriation of revenue.

36. Bank account.

RATEABLE PROPERTY, RATES, &c.

37. Description and exceptions.

38. Power to levy rates.

39. Special rates.

40. Persons who are liable.

41. Times when rates may be made.

42. Rates may be retrospective.

43. Estimates to be prepared.

44. Notice of rate to be given.

45. Rate-roll to be prepared.

46. Notice to be sent to non-residents.

47. Rate may be inspected.

48. Ratepayers' Roll to be made.

49. Ratepayers' Roll for sub-divisions.

50. Owner to be described as owner when name is not known.

51. Rights of Owners under Leases made prior to this Ordinance.

52. Weekly tenants not to pay rates.

53. Owner to pay rates in default of occupier.

54. Penalty in case of occupier refusing to give name of owner.

55. Board can excuse payment in cases of poverty.

56. Valuation to be made.

57. Form of valuation.

58. Valuer empowered to enter on premises.

59. Empowered to make enquiries.

MAINTENANCE OF ROADS, &c.

60. Roads, &c., to be under care of Board.

61. Buildings, &c., to be vested in Board.

62. Boundary roads.

63. Boundary rivers.

64. Board can claim from adjoining Board part cost of maintaining boundary roads, &c.

65. Board to have control over water-courses.

66. Penalty for obstructing drains.

67. Penalty for emptying foul drains in rivers, &c.

68. Clearing rivers or streams of water-courses, &c.

69. Boundary bridges, &c., to be under control of that Board which Superintendent shall appoint.

70. Closing of roads temporarily.

71. Precautions to be taken.

72. Power to enter on private land.

73. Power to impound.

74. Obstructions.

75. Penalty in such cases.

76. Trees obstructing or injuring road.

77. Penalty for allowing live fence adjoining public highway to grow to a height exceeding eight feet.

78. Chairman of Road Board may give notice requiring any gorse or broom fence to be cut and trimmed.

79. Tram and Railways may be constructed.

80. Powers reserved by Government for making roads.

81. Board not to interfere with certain roads, &c.

TOLLS, &c.

82. Board may erect toll-gates on approval of Superintendent.

83. Table of fees to be maintained.

84. Penalty for taking more or less toll than authorised.

85. Penalty for forcing way through toll-gate or evading payment.

86. Board may farm out tolls subject to approval of Superintendent.

87. Tolls to be expended in making and maintaining roads and bridges.

88. If road upon which toll shall be payable pass through or into two or more districts, Superintendent to judge how tolls shall be shared.

89. Superintendent shall determine proportion of tolls payable to different districts through which the same road may pass.

90. Tolls paid on common toll road to be paid over to Provincial Treasurer.

ELECTION OF MEMBERS.

91. Notice of election. Declaration of election when uncontested.

92. Show of hands to be taken.

93. Polling-places in districts.

94. Polling-places in sub-divisions.

95. Returning Officer or Deputy to preside.

96. Contested election—notice, and time, and place of meeting.

- 97. Polling booths, &c.
 - 98. Power of Returning Officer and Deputies.
 - 99. Persons who may be present in polling booths.
 - 100. State of the poll not to be declared until close.
 - 101. Mode of conducting elections.
 - 102. Questions to be put to voters at elections if no Ratepayers' Roll.
 - 103. Questions to be put to voters at elections if Ratepayers' Roll in force.
 - 104. False answer, polling twice, and impersonation.
 - 105. Declaration of poll and casting vote.
 - 106. Returning Officer, if a ratepayer, may vote.
 - 107. Manner of proceeding if a person elected for more than one sub-division.
 - 108. Adjournment of election by reason of riot, &c.
 - 109. Adjournment when from some other cause no election on day appointed.
 - 110. Provision for total failure in filling up one or more vacancies.
 - 111. Mode of holding elections in sub-divisions.
 - 112. The like where district divided into sub-divisions.
 - 113. Misfeasance of Officers, &c.
- PROCEEDINGS OF THE BOARD.
- 114. Meetings.
 - 115. Place of meeting.
 - 116. Board may appoint office.
 - 117. Questions to be decided by voting.
 - 118. Quorum.
 - 119. Adjournment of meetings.
 - 120. Extraordinary business.
 - 121. Resolutions how altered or revoked.
 - 122. Special meetings.
 - 123. Special orders.
 - 124. Committees.
 - 125. Vacancy not to invalidate proceedings.

- 126. Nor want of capacity, &c., of any member.
- 127. Minutes of proceedings.
- 128. Officers not to accept fees.
- 129. Security to be taken from Officers trusted with moneys.
- 130. Collectors to pay moneys and make returns.
- 131. Appointment of Auditors.

ACCOUNTS.

- 132. Books to be kept.
- 133. Accounts to be balanced annually and audited.
- 134. Accounts to be produced at next meeting.
- 135. Publication and advertising.

GENERAL MISCELLANEOUS.

- 136. Penalty for obstructing Board or its Officers.
- 137. Penalties how to be recovered.
- 138. Co-operation of Boards.
- 139. In certain cases Superintendent may suspend Board, and may appoint a Commissioner for district.
- 140. Executive Council to advise the Superintendent.
- 141. Penalty for acting as a Member of a Board when incapacitated.
- 142. Misnomer not to prejudice.
- 143. Scrutiny of signatures.
- 144. Chairman to call public meeting of ratepayers upon requisition.
- 145. Rates due how apportioned.
- 146. All rights, of former Boards to attach to body corporate of district constituted under this Ordinance.
- 147. Property of former road districts to vest in body corporate under this Ordinance.

Preamble.

WHEREAS it is expedient to give extended powers to Road Boards to provide for the better management of local affairs without the limits of Boroughs and to amend the laws relating to the control and management of public roads within the Province of Canterbury :

BE IT THEREFORE ENACTED by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows :

Short title.

1. This Ordinance shall be entitled "The Canterbury Roads Ordinance 1872."

Repealing.

2. The Ordinance mentioned in the First Schedule hereto shall be repealed Provided that all proceedings matters and things lawfully had or done under or in pursuance of the said repealed Ordinance shall be of the same force and effect to all intents and purposes as if no such repeal had taken place.

Interpretation.

3. Save where there is something in the context repugnant thereto or inconsistent therewith the following words and expressions shall mean or include the matters following: The word "cattle" shall include horses asses mules sheep goats and swine The word "road" shall mean and include any public highway The word "river" shall mean and include any river creek stream drain or watercourse The word "district" shall mean any road district constituted under or by virtue of this Ordinance The word "Board" shall mean any district road board constituted under or by virtue of this Ordinance The word "ferry" shall include any punt or floating bridge The word "owner" where used with reference to any lands in respect to which any rate is to be paid or work is to be done shall mean the person for the time being entitled to receive or who if the land were let to a tenant at a rack rent would be entitled to receive the rack rent from the occupier thereof The words "public notice" publication of such shall mean the notice in some newspaper ordinarily circulated within the district or the posting of such notice in not less than six public places within the district for a space of not less than ten days prior to the event to which such notice refers a notice shall be deemed to be served when it shall have been served on the person on whom service is required either personally or by leaving the same at his ordinary abode or place of business within the district or if he shall have no such ordinary abode or place of business within the district then by affixing the same to some conspicuous place on the land in respect of which such person shall be liable to be rated or by delivering the same to his known agent The word "Superintendent" shall mean the Superintendent for the time being in the Province of Canterbury The word "Gazette" shall mean the Government Gazette of the Province of Canterbury The expression "rateable value" when used with reference

to rateable property shall mean the annual value of any such property appearing in a valuation for the time being in force under this Ordinance and on which value rates made by any board are to be made.

I. CONSTITUTION OF DISTRICTS.

4. There shall be in the Province of Canterbury Road Districts Province divided into districts. which shall be named and bounded as specified in the second schedule in the Ordinance annexed.

5. Whenever a road or river shall be described or defined as forming Boundaries. or have become the boundary of any part of a district a line along the centre of such road or river shall constitute such boundary for all purposes.

6. If the Boards of any two or more districts which shall adjoin Union of districts. each other and together form one continuous area and in each of which an annual election or first appointment of members of the Board shall have taken place under this Ordinance shall by petitions under the several common seals of such districts pray the Superintendent that such districts be constituted one united district it shall be lawful for the Superintendent if he shall deem fit so to do by proclamation to constitute such districts one district under this Ordinance by such name as shall in and by such proclamation be assigned to the same and they shall thereupon be such one district accordingly and with the like effect as upon the constitution of any district hereby or hereunder provided always that upon every such union of districts if either or any of the several districts so united shall be a single district and have been divided into sub-divisions every such sub-division shall be abolished and each of the several districts so united which shall be a single district and each sub-division of any one of such several districts previously having been a united district shall become and be by the name theretofore borne by the same respectively a sub-division of the district formed by such first-mentioned union.

7. If a majority of the Ratepayers of any portion or portions of Division and severance of districts. any district or two or more contiguous districts (such portions adjoining each other and together forming one continuous area) shall petition the Superintendent that such portion or portions shall be severed from its or their existing district or districts and formed into a separate Road district or annexed to an adjoining or contiguous district it shall be lawful for the Superintendent if he shall think fit so to do to refer any such petition to the Provincial Council of the Province of Canterbury for their consideration and the Provincial Council may by resolution decide that any such portion or portions shall be severed from its or their existing district or districts and constituted into a separate district or annexed to an adjoining or contiguous district as the case may be and thereupon the Superintendent shall by proclamation declare that such

portion or portions shall be severed from such district or districts and constituted into a new district under such name as shall seem fit or annexed to such adjoining or contiguous district from a date to be fixed in such proclamation.

Districts when severed, &c., to be deemed new districts.

8. Under the provisions of the two preceding sections in every such case of separation or union the districts affected or constituted thereby shall be deemed to be new districts under the provisions of this Ordinance and shall be proclaimed as aforesaid and all sub-divisions (if any) of the original district or districts shall cease to exist and the seats of the members of the Board of every such district shall thereupon become vacant and an election of the members of the Board of every such district shall thereupon be held and take place in manner and under and in pursuance of the provisions hereinafter contained for the first election of members of the Board of a district in which no Board has been in office.

Sub-division of districts

9. At any time after the first ordinary annual election or general election as the case may be of the Board for any district the Superintendent if he shall have received a petition to that effect from the Board of the said district or from one-fourth or more of the number of persons liable to be rated under this Ordinance in respect of rateable property in the said district may by proclamation within three months after the receipt of the same divide the district into two or more separate sub-divisions by such names as shall by such proclamation be assigned to the same and in and by such proclamation the boundaries of the sub-divisions shall be set forth Provided that no such division shall be made within three months before the day appointed for holding the annual election of members of the Board in or for such district.

Board to be body corporate.

10. The inhabitants of every district constituted hereunder shall be a body incorporated under the name of the "Road Board of the District" as the case may be and by that name shall have perpetual succession and a common seal and shall be capable in law by such name for the purposes and subject to the provisions of this Ordinance of doing and suffering all such acts and things as bodies corporate may by law do and suffer.

II. BOARDS.

Number, &c., of members.

11. There shall be in and for each district a Board consisting of five members who shall be elected in manner hereinafter provided.

Members to represent respective sub-divisions.

12. In every case in which a district shall be divided into sub-divisions the members of the Board shall not be elected in and for the district at large but the number of members to be elected for each subdivision shall be determined by the Superintendent and published in the proclamation fixing the boundaries of such subdivision.

13. The members of a Board who shall be in office in a district at a time when the same shall be divided into subdivisions shall be severally assigned by the Superintendent in the proclamation declaring such subdivision to each subdivision and shall for the purposes of this Ordinance be deemed the members for the same for the then current year.

Members how assigned when district is subdivided.

14. No person shall be eligible to be elected as a Member of the Board unless he shall be a Ratepayer of the District and shall have paid all rates which he shall have been liable to pay under the authority of this Ordinance at the time of such election. And if any member of the Board shall become insolvent or of unsound mind or shall have been convicted of any felony or shall be in arrear of any rates which he shall have become liable to pay under the authority of this Ordinance or shall accept or continue to hold any place of profit or emolument under the Board or shall have any pecuniary interest in any works of a value not exceeding ten pounds in the aggregate in any one year done under the authority of the Board other than as a shareholder in a public registered Company contracting therewith or shall have resigned his seat at the Board by writing under his hand addressed to the Chairman thereof or shall have been absent from four consecutive ordinary meetings of the Board without leave from the Board in writing first obtained his seat at the Board shall *ipso facto* become vacant and the Chairman of the Board or if there be no Chairman the Superintendent shall forthwith by public notice call a meeting of the Ratepayers of the District or subdivision as the case may be to elect a Member to fill such vacancy and the Member so elected shall continue in office so long only as the Member would have continued in whose place he shall have been elected. Such election shall be conducted in the manner hereinafter provided.

Qualification of Member of Board.

15. At the annual election in every year two members and three members alternately shall go out of office and the members who shall so go out of office shall always be the members who have been the longest time in office without re-election and if by reason of two or more members having become members at the same time it shall not be apparent under the foregoing part of this section which of such last-mentioned members ought at any time to go out of office then the Board shall itself determine by lot in what order and which of such members shall go out of office.

Members to retire in rotation.

16. Upon the division of any District into subdivisions all the Members of the Board shall go out of office at the then next annual election but shall be eligible for re-election.

When district subdivided all the members to go out of office.

17. At the first meeting of the new Board after any District shall have been divided into subdivisions the Members thereof shall determine among themselves by ballot which two of their number

Retirement of members when district is subdivided.

shall retire at the next annual election and the two Members of the Board so balloted shall hold office until such next annual election only in like manner as if they had respectively been in office for two years but shall be eligible for re-election but in case such ballot shall not be taken the Chairman shall decide by lot those Members who shall retire under the provisions herein contained and thereafter the provisions of section fifteen shall be applicable for the purpose of determining the members to go out of office at the annual elections.

Members can be re-elected.

18. Nothing herein contained shall prevent any person from being immediately or at any time re-elected a member of a Board if he shall for the time being be capable under the provisions hereof of being and continuing such member.

III.—ELECTORS.

Qualification.

19. Every person of the full age of twenty-one years whose name shall appear on the Ratepayers' Roll and who shall have paid all rates which he shall have been liable to pay under the authority of this Ordinance and who shall be of sound mind shall be entitled to take a part at all meetings of the ratepayers of the district and shall be entitled to vote thereat according to the following scale that is to say every person who shall appear on the Ratepayers' Roll as liable to be rated in respect of property of nett annual value not exceeding twenty-five pounds shall have one vote in respect of property exceeding the value of twenty-five pounds and not exceeding fifty pounds two votes exceeding fifty pounds and not exceeding one hundred pounds three votes exceeding one hundred pounds and not exceeding two hundred pounds four votes and exceeding two hundred pounds five votes Provided that if in any road district there are not six ratepayers on the ratepayers' roll or if no ratepayers' roll has been completed every person whose name shall appear on the electoral roll for the time being in force for the election of members for the electoral district or districts in which such road district is situated in respect of property situated within such road district and every householder resident within such road district shall be taken and deemed to be a ratepayer for the purposes of this Ordinance.

Qualification in sub-division.

20. Where any district shall be divided into sub-divisions every person who under the last preceding section would be entitled to vote as therein mentioned shall instead thereof be entitled to be enrolled upon the ratepayers' roll to be made as hereinafter provided for the sub-division or sub-divisions wherein any rateable property in respect of which he is so entitled is situated and being so enrolled to vote in all elections of members of the Board of the district to be held in and for such sub-division or sub-divisions as hereinafter provided and the said section and every provision thereof shall as to each

sub-division be read as applying thereto and not to the district at large.

21. Where any rateable property is jointly occupied or jointly owned by more persons than one each of such persons shall for the purposes of the two last preceding sections be deemed to be the occupier or owner of rateable property of equal annual value to that of the whole of such first-mentioned property divided by the number of such joint occupiers or owners thereof if such several annual values shall be not less than ten pounds but if such several annual values shall be less than ten pounds then a number of such joint occupiers or owners equal to the number of votes which could be exercised in respect of such property if the same were singly occupied or owned shall be deemed for the purposes aforesaid to be the occupiers or owners of the whole but those entitled to vote shall have only one vote each and such occupiers or owners so to be deemed occupiers or owners shall be those whose names shall stand first in order upon the rate then last made or if no rate has been made upon the valuation and return made as herein required. Joint occupiers.

IV. APPOINTMENTS, ELECTIONS, ETC.

22. It shall be lawful for the Superintendent by warrant under his hand to appoint fit and proper persons to be the first members of the respective Boards for the several districts specified in the second Schedule hereto who shall hold office until the first annual ordinary election when the whole number of members shall under the provisions herein contained go out of office. Appointment of first Board.

23. For the first election of members of the Board in every district in which no member of the Board shall have yet been in office those persons enrolled on any electoral roll which under the provisions of "The Registration of Electors Act 1866" shall for the time being be in force whose qualifications are in respect of lands and tenements situate within the district and those persons who are householders resident within the district and no other person shall on such day as the Superintendent shall appoint not being less than forty days after the same shall have become such district and in the manner hereinafter mentioned elect from the persons capable of being such members the whole number of members hereby assigned to such district. First election in new districts.

24. In every district in which members of the Board shall be in office hereunder if a ratepayers' roll shall not as yet be in force for such district ~~(or where such district is divided into sub-divisions for each sub-division thereof)~~ those persons enrolled on any electoral roll which under the provisions of the "Registration of Electors Act 1866" or any other Act for the like purpose shall for the time being be in force whose qualifications are in respect of lands and tenements situate within the district Annual ordinary elections when there is no Ratepayers' Roll.

if not divided into sub-divisions or if the district be divided into sub-divisions within any sub-division thereof for which no such ratepayers' roll shall be in force shall on the day that the Board shall appoint in the first week in the month of January in each year and in the manner hereinafter mentioned elect from the persons capable of being such members the number of members to be elected in the room of those who shall under the provisions herein contained go out of office by rotation in that year.

Annual ordinary elec-
tions when Rate-
payers' Roll is made.

25. In every district not divided into sub-divisions the ratepayers enrolled upon the ratepayers' roll for the time being in force for the district and in every district divided into sub-divisions the ratepayers enrolled upon the ratepayers' roll for the time being in force for each sub-division of such district shall on the day that the Board shall appoint in the first week in the month of January in each year and in the manner hereinafter mentioned elect from the persons capable of being members of the Board the whole number of members to be elected in the room of those who shall under the provisions herein contained go out of office by rotation in that year.

One vote allowed when
there is no Rate-
payers' Roll.

26. At all elections hereunder at which persons shall be entitled to vote by reason of their being enrolled on some electoral roll for the time being in force under "The Registration of Electors Act 1866" or by reason of their being householders such persons shall not be entitled to give more than one vote to each candidate whatever may be the value of the qualification of such persons.

Chairman to preside.

27. Every election of members of the Board of any district not divided into sub-divisions shall be held by and before the chairman of the Board and if at any time there be no such chairman or if the chairman be incapable of acting or refuse or neglect to act the Board of the district or in their default or if there be no such Board and at the first elections under this Ordinance the Superintendent may and shall appoint some person by and before whom such election shall be conducted or if such person shall refuse or neglect to act the ratepayers or electors present at the time and place appointed may and shall appoint some person before whom the election shall be conducted.

Presiding officer in sub-
divisions.

28. In every district divided into sub-divisions all elections of members of the Board for any sub-division shall be held by and before such one of the members for such sub-division or if there be no such member by and before such one of the other members of the Board as the Board shall from time to time have appointed for holding elections in and for such sub-division and if the Board have failed to make such appointment and in case of the first election under this Ordinance by and before such person as the Superintendent shall for the occasion appoint

n that behalf or if such person shall refuse or neglect to act then the voters present at the time and place appointed may and shall appoint some person before whom the election shall be conducted.

29. All elections shall be held and conducted in the manner herein-^{Manner and expenses of election.} after provided and all reasonable expenses of or incidental to any election incurred by the returning officer shall be repaid to him by the Board out of the district fund.

V. PROCEEDINGS OF THE BOARD.

30. At the first meeting of the Board in every district and subse-^{Election of Chairman.} quently at the first meeting of the Board next after the annual ordinary election the Board shall by the majority of votes of the members present elect one of their body to be chairman who shall hold office until the next annual ordinary election shall have been held and such chairman shall preside at all meetings of the Board at which he shall be present and if such chairman cease to be a member he shall be incapable of being or continuing chairman and in case the chairman die or by writing under his hand delivered to the Board at any meeting thereof or to the clerk of the Board resign his office or as aforesaid cease to be a member or be ousted of such his office by a rule or order of any competent court or a judge thereof the members present at the meeting next after the occurrence of such vacancy or at any meeting before there shall as yet have been a chairman shall choose some one of their body to be chairman and the chairman so elected shall continue in office until the next annual ordinary election shall have been held and if at any meeting of the Board the chairman be not present one of the members present shall be elected chairman of such meeting by the majority of the votes of the members present thereat and such chairman shall exercise the same powers at such meeting as the elected chairman Provided always that any chairman shall have the same powers in bringing any matter before the Board as are accorded to any other member of the Board.

31. The Board may enter into contracts with any person for the^{Contracts.} execution of any works directed or authorised by this Ordinance to be done by the Board or for furnishing materials or for any other things necessary for the purposes of this Ordinance and every such contract for the execution of any work shall be in writing and shall specify the work to be done and the materials to be furnished and the price to be paid for the same and the time or times within which the work is to be completed and the penalties to be suffered in case of non-performance thereof.

VI. BYE-LAWS.

32. The Board of any district may provide and from time to time^{Board can make bye-laws affecting certain matters.} make bye-laws for the following matters within such district or any

portion thereof so far as the same are not herein expressly provided for and may from time to time by other bye-laws alter or revoke any such bye-laws namely for—

- Regulating their own proceedings and the duties of their officers and servants and preserving order at the meetings of the Board.
- Preventing and extinguishing fires.
- Lighting with gas or otherwise.
- Suppressing nuisances houses of ill fame and gaming houses.
- Compelling residents to keep their premises free from offensive or unwholesome matters.
- Regulating markets market dues fairs and sales.
- Aligning curbing paving guttering gravelling and cleansing roads rivers and gutters as the case may be.
- Regulating the removal of soil from roads.
- Sewerage and drainage.
- Restraining noisome and offensive trades.
- Preventing or regulating the bathing or washing the person in any public water near a public thoroughfare.
- Preserving public decency.
- Causing vacant land not being Crown Lands to be enclosed where public safety is likely to be endangered.
- Keeping of swine and goats.
- Planting and preserving trees and shrubs.
- And generally maintaining the good rule and government of the district.

VII. OFFICERS, ETC.

Appointment, &c., of
officers.

34. The Board may from time to time appoint and employ a treasurer clerk engineer surveyor valuers collectors and all such other officers to assist in the execution of this Ordinance as they shall think proper and necessary and from time to time remove any of such officers and appoint others in the room of such as shall be so removed or as may die resign or discontinue their offices and may out of the district fund pay such salaries and allowances to the said officers respectively as the Board shall think reasonable and all such officers shall observe the provisions herein contained and any two or more of the said offices may be held by the same person.

34. Any member of the Board shall be capable of being or continuing clerk or treasurer or any other such officer of the district as in the last preceding section mentioned but shall not be paid any salary fees or other reward for services performed as such clerk treasurer or other officer. Members of the Board may act.

35. The Board shall expend all money paid to it under any Ordinance of the Superintendent and Provincial Council in accordance with the provisions of such Ordinance and shall expend all money arising from rates levied within the district and all other moneys received by it under the provisions of this Ordinance in the construction and maintenance of roads and upon the cleansing maintenance and repairing of any river within the district in the payment of the salaries of its officers and all other expenses incident to the proper transaction of the business of the Board and generally upon works of public utility to the district. Appropriation of revenue.

36. All moneys of the body corporate amounting to twenty pounds and upwards shall within thirty days after they shall have come to the hands of the proper officer of the Board be paid into such bank as the Board shall from time to time have appointed for that purpose and no such money shall be drawn out of such bank save by cheques signed in such manner as the Board may appoint. Bank account.

VIII. RATEABLE PROPERTY, RATES, ETC.

37. All lands tenements and hereditaments shall be rateable property within the meaning of this Ordinance save as is next hereinafter excepted that is to say except land the property of Her Majesty and land occupied or used for public purposes by the Crown or the Government of New Zealand or by the Province of Canterbury or by the Board of the district and hospitals benevolent institutions and buildings used exclusively for public charitable purposes churches chapels and other buildings used exclusively for public worship and buildings used as athenæums mechanics' institutes public schools or as residences of schoolmasters or schoolmistresses thereof provided they be inhabited only by the master or mistress of such schools or his or her family and burial grounds. Description and exceptions.

38. The Board of every district shall once at least in every year and may from time to time as they see fit in manner hereinafter mentioned make and levy rates to be called general rates equally upon all rateable property within such district and no such rates made in any one year shall exceed the amount of one shilling in the pound of the annual value Power to levy rates.

of such property and the Board of every district may also make and levy special rates for the purposes and subject to the provisions hereinafter expressed and contained.

Special rates.

39. When it appears to the Board that any work or improvement is for the special benefit of any particular portion of the district the Board may for defraying the expenses incurred in doing or executing such work by special order distinctly defining such portion and approved by the Superintendent make and levy a rate or rates to be called a "special" rate equally on all rateable property situated within such portion and no such rate or rates made in any one year shall exceed in the aggregate the amount of two shillings in the pound of the annual value of such property Provided always that public notice shall be given of the intention to levy such a rate at least one month before the same is levied and if within such time a protest be left at the office of the Board signed by at least one-half the ratepayers within such portion reckoned according to their votes then such rate shall not be levied and such special rate so levied shall be expended only for the purposes for which the same has been made anything herein contained to the contrary notwithstanding.

Persons liable.

40. Every rate whether general or special which the Board of any district is by this Ordinance authorized to make or levy shall be made and levied by them at such periods as they shall think fit upon every person who occupies or if there be no occupier then upon the owner of any rateable property whatsoever within such district according to the full net annual value of such property and the said rates shall be vested in the Board and shall be payable at such times either the whole or in such parts or instalments as they shall appoint.

Times when rates may be made.

41. Every rate made under this Ordinance shall be made for and in respect of such period after the making of such rate as the Board shall think fit and shall be named by the Board when making the same but this section shall not prevent the Board from making or levying during any such period another rate if they shall otherwise have power hereunder to make or levy the same.

Rates may be retrospective.

42. The Board may make any such rate in order to raise money to pay charges and expenses to be incurred or in order to raise money to pay charges and expenses already incurred.

Estimates to be prepared.

43. The Board from time to time before proceeding to make any general or special rate which they are by this Ordinance authorized to make or levy shall cause an estimate to be prepared of the money

required for the several purposes in respect of which they are authorized to expend or apply the district fund showing the several sums already available for such purposes the several sums required the rateable value of the property assessable and the rate on each pound of such value necessary to raise the money required which estimate after the same has been approved of by the Board shall be forthwith entered on the rate-book to be kept as hereinafter provided.

44. Public notice of the intention of making every rate authorized to be made under the provisions of this Ordinance and of the time at and the period in respect of which the same is intended to be made and of a place where a statement of the proposed rate is deposited for inspection by the ratepayers shall be given by the Board. Notice of rate to be given.

45. Every such rate shall be fairly transcribed in a book to be called the Book of Rates to be kept for that purpose and may be in the form given in the third schedule to this Ordinance or as near thereto as the circumstances of the case shall permit and every such rate shall contain an account of every particular set forth at the head of the respective columns so far as the same can be ascertained and shall be signed by the chairman or the clerk of the Board. Rate Roll to be prepared.

46. The Board shall fourteen days at the least before the making of any rate cause a notice in the form or to the effect in the fifth Schedule to this Ordinance to be sent through the post to any person or persons in the said Book of Rates who shall not be actually resident within the district addressed to his last known place of abode within the Province of Canterbury but not elsewhere. Notice to be sent to non-residents.

47. The statement of the proposed rate and the rate immediately after the same is made shall be open to the inspection of any person interested or rated at all reasonable times until one month at the least from the making of the rate and any such person may take copies or extracts from such statement or rate without paying anything for the same and any person having the custody of such statement or rate who shall refuse to permit any person so interested or rated as aforesaid or shall not on his request permit him to take copies or extracts from such statement or rate shall for every such offence be liable to a penalty not exceeding five pounds. Rate may be inspected.

RATEPAYERS' ROLL.

48. The Board of every district shall during the week ending on the Thirtieth day of September in each year make out according to the form in the fourth Schedule to this Ordinance from the last rate which shall by the Rate Book to be kept as herein provided appear to have been made for Ratepayers' Roll to be made.

the district or from the valuation and return to be made as herein provided if no rate shall as yet have been made a list to be called the Ratepayers' Roll of the names of all persons occupying property within the district liable to be rated according to the provisions of this Ordinance and also the names of the owners thereof And such Roll shall also contain the several particulars specified under each heading in the said form Provided that whenever the name of any owner liable to be rated or to be inserted in such Roll cannot after diligent enquiry be ascertained it shall be sufficient to designate such owner as the "owner" of the property rated without stating his name.

Ratepayers' Roll for
sub-divisions.

49. Where any district shall be divided into subdivisions the sections hereof relating to the formation and amendment of the Ratepayers' Roll shall be read with reference to such District in manner following that is to say instead of the Ratepayers' Roll for the District at large there shall be a separate Ratepayers' Roll for each subdivision of the District and the Ratepayers' Roll for each subdivision as amended from time to time and signed by the Chairman of the Board or not less than two members of the Board shall be the Ratepayers' Roll for the subdivision and shall continue in force for the said subdivision until another Ratepayers' Roll shall have duly come into force for the same and subject to the provisions herein contained shall take effect according to their tenor respectively for each separate subdivision of such district instead of the district at large.

Owner to be described
as owner when name
is not known.

50. Whenever the name of any owner liable to be rated under the provisions of this Ordinance is not known to the Board it shall be sufficient to rate such owner as the owner of the property to be rated by the designation of the owner without stating his name.

Rights of owners under
leases made prior to
this Ordinance.

51. When any owner is rated in respect of any rateable property in the occupation of any tenant under a lease or agreement made prior to the commencement of this Ordinance such tenant shall repay to the owner all sums paid by him during the continuance of such lease on account of any rates under this Ordinance payable by the occupier unless it shall have been agreed that the owner shall pay all rates in respect of such property and every sum so payable by the tenant to the owner may be recovered if not paid upon demand in any court of competent jurisdiction.

Weekly tenants not to
pay rates.

52. The owners of all rateable property which is let to weekly tenants shall be rated and pay the rates by this Ordinance directed to be made instead of the occupiers thereof who shall not in any such case be rated as such occupiers.

Owner to pay rates in
default of occupier.

53. When the occupier of any rateable property shall have quitted the same without having paid all the rates to which he shall have

become liable in respect thereof and then payable by him the Board may either recover such rates from the person so having quitted or may elect to recover the same from the owners of the property who shall thereupon be liable to pay the same.

54. If on the request of the Board of the district or any collector of the said rates duly authorised by them as such the occupier of any property refuses or wilfully omits to disclose or wilfully mis-states to the Board or Collector making such request the name of the owner of such property or of the person receiving or authorised to receive the rents of the same such occupier shall be liable to a penalty not exceeding five pounds.

Penalty in case of occupier refusing to give name of owner.

55. It shall be lawful for the Board if it shall be represented to them by any person liable to pay any rate that he is unable by reason of poverty to pay such rate and if the Board shall be satisfied of the truth of such representation to remit and excuse the payment of such rate or any part thereof.

Board can excuse payment in cases of poverty.

56. The Board of each district in which no valuation has been made under this Ordinance shall within three months after the constitution of the district cause to be made for such district and the Board of every district may from time to time afterwards as shall seem fit cause to be made for such district a valuation of all the rateable property within the district or such part as the case may be by competent persons to be called valuers in such manner and form and such valuers shall have such powers and duties as are hereunder prescribed and the rates made by the Board for the purposes of this Ordinance shall be made upon such valuation then last made and in every such valuation the property rateable shall be computed at its net annual value (that is to say) at the rent at which the same might reasonably be expected to let from year to year free of all usual tenants' rates and taxes and deducting therefrom the probable average annual cost of the repairs insurance and other expenses (if any) necessary to maintain such property in a state to command such rent Provided that all rateable property which shall not since the sale alienation or other disposition thereof by the Crown have been improved by building cultivation or enclosure or in other like manner shall be computed as of the net annual value of five per centum upon the fair capital value of the fee simple thereof.

Valuations to be made.

57. Every valuer appointed under this Ordinance shall make and return his valuation of rateable property in the district in the form contained in the seventh Schedule or to the like effect and shall also at the same time state in such return with regard to each rateable tenement or hereditament the several particulars shown in the respective columns of the said Schedule.

Form of valuation.

Valuer empowered to enter on premises.

58. Every valuer shall for the purpose of making the valuation and return as aforesaid have power to enter at all reasonable hours in the day time into and upon all rateable property within the district without being liable to any legal proceedings on account thereof.

Valuer empowered to make enquiries.

59. It shall be lawful for any valuer to put to any person in occupation or in charge of any rateable property which such valuer shall have been authorised under the provisions hereof to value questions upon all such matters as shall be necessary to enable such valuer to state correctly the several particulars herein required to be stated in his valuation and return with regard to the premises and if after being informed by such valuer of his purpose in putting such questions and of his authority under this Ordinance to put the same any such person in occupation or charge or any such owner shall refuse or wilfully omit to answer the same to the best of his knowledge and belief or shall wilfully make any false answer or statement in reply to any such question such person shall on conviction forfeit and pay for every such offence a penalty not exceeding five pounds.

IX. MAINTENANCE OF ROADS, ETC.

Boards, &c., to be under care of Board.

60. All roads and rivers not being private property within any district except roads and rivers of which the Provincial Government shall take upon themselves the maintenance and repair and all public bridges and ferries within any district or placed under the control of the Board thereof as herein provided and being upon such roads or connecting any part thereof within the district with any other part thereof within or without the same shall be under the care and management and subject to the direction of such Board and every such Board shall subject to the provisions hereof have full power to form construct improve repair and maintain all such roads bridges and ferries Nothing herein contained shall be deemed to restrict or limit or take away any powers which any Board of Conservators under the "Canterbury Rivers Act 1870" may have respecting the control or management of any river or rivers.

Buildings, &c., to be vested in Board.

61. The right interest and property of and in all toll-houses toll-gates and other erections and buildings lamps bars toll-boards direction-boards milestones posts rails chains fences and other things and all ferries which shall hereafter be placed erected or provided under this Ordinance in or for any district or be placed under the control of the Board thereof as herein provided with the several appurtenances thereof and the material of which the same shall consist and all the materials tools and implements which shall be provided for constructing repairing or maintaining the roads bridges or ferries within the district or such bridges or ferries as may be placed under the control of the Board under this Ordinance and the scrapings of all such roads shall be vested in the

Board of the district Provided always that nothing herein contained shall be deemed to vest in the Board of any district any right interest or property whatsoever in any toll-house toll-gate or other erection or building or in any lamp bar toll-bar direction-board milestone posts chains rails or other thing upon or near any road in any district of which road the Provincial Government shall have taken or shall take upon themselves the maintenance and repair.

62. If any part of a road shall lie along and upon or be adjoining Boundary roads. lengthways to the limits of any district but a portion of the breadth of such part shall lie outside such district within any limits of any other district within the said Province and if such road shall not as to such part theretofore have been drained formed macadamised or otherwise made good or shall be ruinous or out of repair the Board of either district may cause to be given to the Board of the other district a notice stating the desire of the Board giving the notice that such part of such road as aforesaid and described in such notice may be drained formed macadamised or otherwise made good or repaired and offering to treat and agree with the Board receiving the notice with respect to the performance by either party of the whole or part of such work and the future maintenance and repair of such part of the said road and such agreement may as to any or all of such matters be made accordingly and every such Board giving or receiving such notice shall for the purpose of carrying out any such agreement have power to perform any such work or any part thereof and to provide for such maintenance and repair.

63. If any part of a river shall lie along or upon or be adjoining Boundary rivers. lengthways to the limits of any district but a portion of the breadth of such part shall be outside such district and shall be adjoining to or within any limits of any other district and if such river shall at any time require cleansing scouring or clearing of weeds watercress or other matter the Board of either district may cause to be given to the Board of the other district a notice stating the desire of the Board giving the notice that such part of such river as aforesaid and described in such notice may be cleansed scoured or cleared of weeds watercress or other matter and offering to treat and agree with the Board receiving the notice with respect to the performance by either party of the whole or part of such work and the future cleansing scouring and keeping clear of such weeds watercress and other matter of such part of the said river and such agreement may as to any or all of such matters be made accordingly and every such Board giving or receiving such notice shall for the purpose of carrying out any such agreement have power to perform any such work or any part thereof and to provide for any such work for the future.

Board can claim from adjoining Board part cost of maintaining boundary roads, &c.

64. If one month after the receipt of any such notice mentioned in the two immediately preceding sections such Board receiving the same shall not treat and agree with the Board giving such notice as to the subject matter thereof it shall be lawful for the Board giving such notice to execute the whole or any part of the works mentioned in such notice and to recover from the Board so omitting to treat and agree in any Court of competent jurisdiction a proper proportionate part of the expenses of so doing according to the circumstances of the case provided that the Board so executing shall have executed so much of any such work as shall apply to such last-mentioned Board.

Board to have control over watercourses.

65. It shall be lawful for the Board to cleanse and clear all natural watercourses within the district from all accumulation of vegetable and other matter calculated to obstruct the flow of water therein whether such watercourses run through private property or not and for such purpose the Board by its officers may enter on all private property within the district upon giving twenty-four hours previous notice in writing to the occupier thereof Provided that if it shall appear to the Superintendent upon the certificate of the Provincial Engineer or officer acting in that capacity that any work being executed or proposed to be executed by the Board of any district in connection with any drain watercourse stream or ditch is likely injuriously to affect any adjoining district it shall be lawful for such Superintendent by writing under his hand to order such Board immediately to desist from the execution or further prosecution of such work and upon the receipt of such order such Board shall forthwith desist from the execution or further prosecution of such work as the case may be In the interpretation of this section the term "natural watercourse" shall include any ditch or drain which has in the opinion of the Board of any district become necessary as a drainage outlet for such district or any part thereof.

Penalty for obstructing drains.

66. Any person placing obstructions in any river or ditch within any district and not being within the jurisdiction of any Conservators appointed under the provisions of any Act in force for the time being for the conservation of rivers to the detriment of any public right shall be liable to a penalty not less than One Pound or more than Ten Pounds.

Penalty for emptying foul drains in rivers, &c.

67. If any body or bodies politic or corporate or any person or persons whomsoever shall at any time empty drain or convey or cause or suffer to be emptied drained or conveyed or to run or flow any washings or other waste liquids substances or things whatsoever which shall arise or be produced in any manner whatsoever into any river brook or running stream or into any ditch drain or sewer communicating with any of them or do or cause to be done any act or thing to the water contained in any such river creek or running stream whereby

the water contained therein or any part thereof shall or may be polluted fouled or corrupted then and in every such case any such body politic or corporate or person or persons so offending as aforesaid shall be liable to a penalty not exceeding fifty pounds.

68. If at any time hereafter the rivers creeks watercourses ditches or drains or the part or parts of any such rivers creeks watercourses ditches or drains in any district shall by reason of not being sufficiently cleansed or opened or kept free from watercresses weeds and other obstructions hinder and obstruct the free passage of the water from the same or any other rivers creeks watercourses ditches or drains or the part or parts thereof in any adjoining district and if the same shall not be perfectly cleansed and opened and cleared of watercresses weeds and other obstructions within one calendar month after notice in writing shall have been given thereof to be left at the place of abode of the Chairman of the Board of such first-mentioned district by or on behalf of the Board of the district in which any such hindrance or obstruction shall from time to time take place it shall then be lawful for any such Board giving or causing to be given any such notice as aforesaid from time to time as often as there shall be occasion to open cleanse and clear from watercresses weeds and other obstructions the said rivers creeks watercourses ditches or drains and the reasonable expenses thereof shall and may be recovered by any such Board from the Board to whom any such notice has been given and making default as aforesaid.

Clearing rivers or streams of watercress.

69. The Superintendent may by proclamation appoint that any bridge or ferry which may have been or may hereafter be placed or provided at the boundary of any district on or over any river or creek whereof the whole breadth and both banks shall not at the site of such bridge or ferry lie or be within such district shall with the approaches thereto be under the control of the Board of such district and the same shall be under their control accordingly Provided that half the reasonable expenses of maintaining any such bridge or ferry shall and may be recovered in a court of competent jurisdiction by any such Board from the Board of the adjoining district within which part of the breadth and one bank of any such river shall at the site of such bridge or ferry lie.

Boundary bridge, &c., to be under control of that Board which Superintendent shall appoint.

70 The Board may stop up any road and prevent the same from being used as a common thoroughfare for a reasonable time during the execution of any work authorised by this Ordinance.

Closing of roads temporarily.

71. The Board shall during the execution of any work or the stoppage of any road take proper precautions for guarding against accident and if any person shall without the authority or consent of the Board take down alter or remove any bar chain or other protection or extinguish

Precautions to be taken.

any light placed at or near to any bar chain or work for protection he shall for every such offence on conviction thereof before a court of competent jurisdiction be liable to a penalty not exceeding Five Pounds or to be imprisoned for any period not exceeding fourteen days.

Power to enter on private land.

72. It shall be lawful for the Board of every district by their engineer or surveyor or other person authorised by them after giving the owners or occupiers of the land not less than three or more than fourteen days' notice of the intention so to do to enter upon any land adjoining any road not being Crown lands or lands over which the native title shall not have been extinguished and not being the site where any house stands nor being a garden yard park planted walk or avenue to a house or any enclosed ground planted or set apart as an ornament or shelter to a house or planted or set apart as a nursery for trees or any part thereof respectively whereof the owner or occupier does not consent to such entry for the purpose of constructing altering or repairing any drains sewers culverts causeways or bridges of or on such road or of repairing such road and the Board shall make reasonable compensation to such owner or occupier for any damage sustained by him in consequence of such entry.

Power to impound.

73. It shall be lawful for the Board of any district by some person duly authorised by such Board in that behalf to impound any cattle that may be found straying on any road within the boundaries of such district contrary to the provisions of "The Canterbury Trespass of Cattle Ordinance 1872" or any law for the time being in force relating to the trespass of cattle.

Obstructions.

74. If any person shall without lawful authority make or cause to be made any dwelling-house or any other building or any hedge or other fence at the sides of or on or across any road in such a manner as to reduce the breadth or confine the limits thereof or to stop or obstruct the same or shall fill up or obstruct any ditch at the side thereof or make any drain gutter sink or watercourse across or otherwise break or injure the surface of such road or any part thereof or in any other manner obstruct the free passage of such road or of any bridge or shall unlawfully before the commencement of this Ordinance have done any such acts it shall be lawful for the Board of the district to cause such dwelling-house or other building hedge fence ditch drain gutter sink or watercourse breaking or injuring the surface or other obstruction to be taken down cleaned filled up made good or removed as the case may be and the expenses of so doing may be recovered from such person in any Court of competent jurisdiction.

Penalty in such cases.

75. Every person who shall commit any of the offences enumerated in the last-preceding section shall on conviction forfeit and pay for every such offence a penalty not exceeding twenty pounds.

76. If the Board shall be of opinion that any road within the district is in any manner prejudiced or any obstruction caused to such road by any tree growing or being on land adjoining thereto it shall be lawful for the Board and after notice duly served on the owner and occupier or upon the occupier only if the owner cannot be found of the land on which such tree may be to require the removal of such tree or any part thereof by such owner or occupier as may be injuring the said road or obstructing the same and in default of compliance with such requisition within eight days after a copy thereof shall be served personally on such owner or occupier such owner or occupier as the case may be shall on conviction forfeit and pay for such default a penalty not exceeding five pounds.

Trees obstructing or injuring road.

77. Every occupier of land fronting on any road of any district who shall suffer any live fence growing on such land and adjoining such road to grow to a height exceeding eight feet above the ordinary level of the adjoining land or to overhang such road shall be liable to a penalty of not less than ten shillings nor more than five pounds. Every twenty-four hours during which such occupier shall after being convicted under this section continue to allow his live fence to exceed eight feet in height or to overhang a road shall constitute a separate offence.

Penalty for allowing live fence adjoining public highway to grow to a height exceeding eight feet.

78. The chairman of the Board of any district shall from time to time as may be required give notice in writing to any occupier of land in any such district fenced with gorse or broom fronting on any road therein requiring him to cut and trim that side of the fence so fronting on such road and to keep one half the width of the road on which such land fronts clear of gorse or broom and in the event of such occupier failing to comply with such notice within a reasonable time to cause the same to be done and the amount of the cost of such cutting trimming and clearing with all costs shall be recoverable from the occupier of such land in the ordinary course of law.

Notice may be given requiring any gorse or broom fence to be cut and trimmed.

79. It shall be lawful for the Board of any district with the consent of two-thirds of the ratepayers in such district to make and construct a wooden or iron or other tramway or tramroad or any railway or railroad along or upon any road in such district in lieu of or in addition to any other sort of road or roads or to make arrangements with any company or private individuals for the formation of such tramway or railway and the provisions of this Ordinance shall so far as the same can be applied be made to extend to any such tramway or tramroad railway or railroad.

Tram and railways may be constructed.

80. Notwithstanding anything herein contained it shall be lawful for the Superintendent to cause to be made constructed maintained and

Powers reserved by Government for making roads.

repaired within any district all such roads and bridges as he shall think fit and also to cause to be constructed and maintained in or through any district any railway canal or any other work whatsoever which shall be authorised by law and for all such purposes as aforesaid such persons as the Superintendent shall appoint shall have all the powers which are hereby vested in the Board of such district in the like behalf for the construction maintenance or repair of roads or bridges or for the execution of any permanent work or undertaking.

Board not to interfere with certain roads, &c.

81. Nothing herein shall authorise the interference by any Board with any public road railway bridge ferry cemetery market wharf aqueduct public place or building whatsoever not formed constructed or erected by such Board which may be excepted from the jurisdiction of such Board by any proclamation made or to be made by the Superintendent or respecting which provision shall have been made or shall be made by any Act of the General Assembly or by the Legislature of the Province of Canterbury Provided that the Superintendent may by proclamation if the Board consent authorise the Board to take upon itself the charge of any such excepted public road railway bridge ferry cemetery market wharf aqueduct public place or building within the limits of the district and in actual use by the people of such district upon such conditions as shall be specified in such proclamation.

X. TOLLS, ETC.

Board may erect toll-gates on approval of Superintendent.

82. It shall be lawful for any Board subject to the approval of the Superintendent from time to time to erect toll-gates or bars and toll-houses upon or at the roads bridges and ferries within their respective districts at such places as may to them seem convenient and also with such approval as aforesaid to remove whenever they may think fit so to do such toll-gates or bars and toll-houses and to impose and levy tolls upon all animals and vehicles at a rate not exceeding the several sums set forth in the eighth schedule to this Ordinance Provided that volunteers on duty police constables on duty and prisoners in their charge shall be exempt from tolls Provided also that if the Superintendent shall be satisfied that any road or bridge or ferry at which such tolls are payable is in such a state of repair as to be dangerous it shall be lawful for him to direct that such tolls shall cease to be payable until the same has been effectually repaired and thereupon such tolls shall cease to be payable accordingly.

Table of fees to be maintained.

83. Before any toll shall be demanded at any toll-gate or toll-house to be erected as aforesaid the Board shall cause to be put up and maintained at such toll-gate or toll-house a table painted in legible black letters on a board with a white ground containing at the top the name of the gate or house distinguishing the several tolls together with the Christian name and surname of the toll-collector and also a list of the

several gates or houses (if any) which shall be cleared by the payment of toll at the toll-gate or house where such table of tolls shall be affixed and the said Board shall also where more than one gate or house shall be erected in the district provide tickets denoting the payment of toll and on such tickets shall be specified the name of the gate or house at which the same respectively shall be delivered and also the names of the several gates or houses freed by such payment one of which tickets shall be delivered gratis to the person paying the toll and on production of such ticket at any gate or gates house or houses therein mentioned as being cleared as aforesaid by payment of the toll at the gate or house where such ticket was delivered the person producing the same shall on the day of the issue thereof pass by the gate or gates house or houses therein mentioned as well as the gate at which the toll was paid without paying any further or additional toll for the same animal or vehicle.

84. Every toll collector appointed under the authority of this Ordinance who shall take more or less toll than authorised as aforesaid or who shall refuse to give his name to any person demanding the same after having paid the toll or who shall in any wise hinder any person from reading the inscriptions on such aforesaid table or who shall unnecessarily detain or wilfully obstruct or hinder any passenger from passing through any toll-gate or who shall use any abusive language to any traveller or passenger shall for every such offence forfeit and pay any sum not exceeding five pounds.

Penalty for taking more or less toll than authorised.

85. If any person shall with any horse cattle beast or carriage go off or pass from any road through or over any land near or adjoining thereto (not being a public road and such person not being the owner or occupier or servant or member of the family of the owner or occupier of such land) with intent to evade the payment of the tolls payable by virtue of this Ordinance or if any owner or occupier of any land shall knowingly or willingly permit or suffer any person except as aforesaid with any horse cattle beast or carriage whatsoever to go or pass through or over such land with intent to evade any such toll or if any person give or receive from any person other than the collector of the tolls or forge counterfeit or alter any note or ticket with intent to evade the payment of the tolls or any part thereof or if any person shall fraudulently or forcibly pass through any such toll gate with any horse beast or cattle or shall leave the same upon the said road by reason whereof the payment of any tolls shall be avoided and lessened or shall take or cause to be taken off any horse or other beast or cattle from any carriage either before or after having passed through any toll gate or having passed through any toll gate shall afterwards add or put any horse or other beast to any such carriage and draw therewith upon any part of any road so as to increase the number of horses or other beasts

Penalty for forcing way through toll-gate or evading payment.

drawing the said carriage after the same shall have passed through any toll gate whereby the payment of all or any of the tolls shall or may be evaded or if any person shall do any other act whatever in order or with intent to evade the payment of all or any of the tolls and whereby the same shall be evaded every such person shall for every such offence forfeit and pay any sum not exceeding five pounds.

Board may farm out tolls subject to approval of Superintendent.

86. It shall be lawful for any Board subject to the approval of the Superintendent from time to time to farm out for any term not exceeding three years all or any of the tolls authorised to be collected by this Ordinance together with any toll-bar toll-gate and house such farming out to be either by tender to be advertised for at least three consecutive weeks in the public newspapers and to be published in the *Gazette* or by public auction duly advertised in like manner and such security shall be taken by the said Board as they shall think fit for the due performance of the conditions of the lease of any tolls and any person to whom such tolls may be leased shall for the purposes of this Ordinance be deemed to be a collector thereof duly appointed under the powers of this Ordinance Provided that previously to so letting out the Board shall fix the maximum rate of toll which shall be demanded within the limits prescribed by the eighth schedule to this Ordinance and shall in no case decrease the amount of tolls without the consent in writing thereto of the lessee.

Tolls to be expended in making and maintaining roads and bridges.

87. All tolls levied under the authority of this Ordinance shall after deducting the expenses of collecting the same be expended in making and maintaining the roads or bridges whereon such tolls shall from time to time be collected The Board shall keep a separate account of the tolls received by it at each toll-gate toll-bar or bridge and also of all moneys expended upon the same and on the roads or bridges on which the same are placed respectively.

If road upon which toll is payable pass through or into two or more districts Superintendent to judge how tolls shall be shared.

88. If any road shall pass or extend through or into two or more districts and if tolls shall be payable thereunder upon such road to the Board of any such district and if such road be commonly used for direct traffic by persons passing with animals or vehicles along such road for a length thereof which shall extend not only through or into the district to the Board to which such tolls are payable but also through or into another or others of such districts and if the Board of any one or more of such last-mentioned district shall in writing under their common seal complain to the Superintendent that they ought by reason of such traffic being common to their own district with the district in which such tolls shall be payable or for other like cause to have a share of such tolls it shall be lawful for the Superintendent to proclaim if it shall seem fit such road for such length thereof as shall be as well within the district from which such complaint shall proceed and within the district in which such tolls are payable as also

between the boundaries of both to be a "common toll road" as well of such districts as of all districts lying between the same respectively and along the line of the said road.

89. In and by the last-mentioned Proclamation or by any other Proclamation or order it shall be lawful for the Superintendent from time to time to determine in what proportions the tolls payable at each and every toll-gate or toll-house upon such common toll-road shall after deducting all expenses of maintaining such toll-bar toll-gate or toll-house and of collecting such toll be distributed among the several Boards through or into whose districts such common toll-road shall extend and every order made under this or the last section shall take effect accordingly upon the publication thereof in the *Gazette*.

Superintendent shall determine proportion of tolls payable to different districts through which same road may pass.

90. If after the Proclamation of any common toll-road under this Act any moneys shall have been paid to the Board of any District for which such road has been proclaimed as and for tolls or rents of tolls levied on such road within such district such Board shall at once distribute the same as aforesaid but should such Board fail within twenty-one days to make such distribution the same shall forthwith be paid over to the Provincial Treasurer to be held and dealt with as aforesaid and if any such moneys shall not be so paid over the Superintendent may recover the same in a summary way in a court of competent jurisdiction and the Provincial Treasurer shall pay them over as such first-mentioned Board was bound to have done.

Tolls paid on common toll road to be paid over to Provincial Treasurer.

XI. ELECTION OF MEMBERS.

91. Fourteen clear days before any election the Chairman of the Board or other person duly appointed to hold the election hereinafter styled the returning officer shall give notice of such election by advertisement inserted in some newspaper generally circulating in the district or in some other manner in the district calculated to give in the opinion of the returning officer full publicity to the same specifying in such notice the day and hour on which the nomination shall take place and also the day on and the hours between which a poll if necessary shall be taken and on the day of nomination so fixed as aforesaid the returning officer shall preside at a meeting to be held at the time and place named in such notice and shall declare the purpose for which the meeting is held and every candidate shall be proposed by an elector duly qualified to vote at the election and seconded by another elector so qualified and if there be no more candidates proposed and seconded than the number of members then to be elected the returning officer shall declare such candidates to be duly elected and they shall be deemed to be then duly elected accordingly from the day

Notice of election. Declaration of election when uncontested.

appointed hereunder for the election Provided that nothing herein contained shall prevent the same day from being fixed in such notice for the day of nomination and for taking the poll.

Show of hands to be taken.

92. In the event of there being more candidates proposed and seconded than the number to be elected the returning officer shall call for a show of hands separately in favour of each candidate and after such show shall declare the persons in whose favour the show of hands shall appear to have been and if thereupon a poll be not demanded by one of the candidates or by not less than two electors the returning officer shall declare such persons to be duly elected.

Polling places in districts.

93. In and for each district not less than fifteen days before the first election of the Board thereof under this Ordinance the Superintendent shall in and for every district and he may at any time afterwards when occasion shall require appoint a sufficient number of polling places for such district at which the poll shall be taken at all elections held for the same and may from time to time on the like application alter and vary the same.

Polling places in sub-divisions.

94. In every district divided into sub-divisions the Superintendent shall within fifteen days after any sub-division of such district shall become such sub-division appoint in and for such sub-division one place to be the place of polling at all elections held in and for such sub-division and he may from time to time afterwards appoint in lieu thereof another such place within such sub-division.

Returning Officer or Deputy to preside.

95. The returning officer or a deputy returning officer to be appointed by writing under his hand shall preside at each polling booth for taking the poll within the district.

Contested election.

96. If a poll be demanded such poll shall be held and taken at the time and place or places and between the hours specified in such notice as aforesaid.

Polling booth &c.

97. At every such election the returning officer if it shall appear to him expedient for taking the poll may cause booths to be erected or rooms to be hired and used as such booths in the places appointed as aforesaid for taking the poll as occasion may require and the same shall be so divided and allotted into compartments as to the returning officer shall seem most convenient.

Power of Returning Officer and Deputies.

98. Every returning officer and deputy returning officer shall have power and authority to maintain and enforce order and keep the peace at any election or polling held by him and to cause any person to be

removed who shall obstruct the approaches to any polling booth or shall conduct himself in a disorderly manner and all constables and peace officers shall aid and assist such returning officer and deputy in the performance of his duty.

99. No other person except the returning officer or his deputy the necessary poll clerks and not exceeding one agent at each polling booth for each candidate to be appointed in writing by the candidate shall remain in any polling booth during the polling and no person whatever except the returning officer or deputy returning officer shall speak to any elector after he shall have entered the polling booth and before he shall have voted as hereinafter provided and any person offending against any of the provisions of this section shall be liable to a penalty not exceeding twenty pounds to be recovered in a summary way Provided always that no such poll clerk or agent shall be employed or be permitted to be present and remain in any polling booth during the polling unless he shall have made and subscribed in the presence of the returning officer or his deputy a declaration in the form in the sixth Schedule hereto.

Persons who may be present in polling booths.

100. The number of votes which may be given for any candidate at any such polling booth shall not be published or made known until after the close of the poll and every returning officer deputy returning officer poll clerk agent or constable who shall directly or indirectly by any means whatsoever publish or make known before the close of the poll the number of votes which may have been given for any candidate shall for every such offence be liable to a penalty of not exceeding fifty pounds to be recovered in a summary way.

State of poll not to be declared until close.

101. On the day of election the voting at each polling place shall be conducted in manner following :

Mode of conducting elections.

- (1) Every person entitled to vote at the election (herein called elector) may vote for any number of candidates not exceeding the number of the members of the Board then to be chosen.
- (2) When any elector tenders his vote the returning officer or deputy returning officer or poll clerk to whom the same is tendered shall state explicitly in alphabetical order the names of the several candidates and shall then enquire of the elector for which of the said candidates he intends to vote.
- (3) On such candidate or candidates being named by the elector the returning officer or the deputy returning officer or poll clerk shall enter the vote or votes to which such elector is entitled accordingly in a poll book to be kept for that purpose and the

elector shall affix his signature to the entry. Provided always that when the elector affixes his mark it shall be witnessed by the returning officer or poll clerk.

- (4) It shall be lawful for the elector at any time before he has affixed his signature as aforesaid to have the entry of the names of the candidate for whom he desires to record his vote or votes altered but no alteration shall be made after the entry is signed.
- (5) As soon as the elector has signed the entry he shall immediately leave the polling booth and on his refusal to do so shall be forthwith removed by order of the returning officer or deputy returning officer.

Questions to be put to voters at elections if no ratepayer's roll.

102. At every election of members of the Board of any district in which a ratepayers' roll shall not be in force the returning officer or his deputy as the case may be may and he shall if required by any candidate or his agent put to every person tendering his vote the questions following :

- (1) What is your name ?
- (2) Are you an elector enrolled on any electoral roll now in force under the provisions of "The Registration of Electors Act 1866" and is your qualification as such elector in respect of lands or tenements within this district or are you a householder resident within the district ?
- (3) What is the property in respect of which you are so enrolled and the name and situation thereof ?
- (4) Have you already voted at the present election ?

And no other question shall be put to any person tendering his vote and no person who shall refuse to answer any such questions or whose answers to the same shall not show his right to give such vote shall be permitted to vote.

Questions to be put to voters at elections if ratepayer's roll in force.

103. At all elections of members of the Board of any district in which a ratepayers' roll shall be in force the returning officer or his deputy may if he see fit or if required so to do by any candidate or his agent authorised in writing put to any person tendering his vote the questions following :

- (1) Are you the person whose name appears as (A.B.) in the ratepayers' roll now in force for this district being enrolled therein in respect of property described to be situated [*here specify the place described in the ratepayers' roll.*]

(2) Have you already voted at the present election?

And no other question shall be put to any person tendering his vote and no person who shall refuse to answer any of such questions or who shall not answer the first of such questions absolutely in the affirmative and the second of such questions absolutely in the negative shall be permitted to vote.

104. Every person who shall wilfully make a false answer to any of the questions aforesaid or who shall poll more than once or offer to poll more than once at the same election or who shall personate any other person for the purpose of polling at any election shall for every such offence be liable to a penalty not exceeding one hundred pounds.

False answer, polling twice, and impersonation.

105. Every deputy returning officer shall immediately upon the close of the poll forward the poll books to the returning officer and the returning officer shall after the close of the poll and the receipt of the poll books examine the poll books for the purpose of ascertaining the number of votes for each candidate and the returning officer shall as soon as conveniently may be on or after the day of the poll at some polling place of the district publicly declare the number of votes given to each candidate and shall declare the candidates not exceeding in number the number of vacancies to be filled up who have received at all the polling booths taken together the greatest number of votes to be duly elected as members of the Board of the district and if two or more candidates shall have received an equal number of votes the returning officer shall in each case have a casting vote.

Declaration of poll and casting vote.

106. Nothing herein contained shall prevent or be construed to prevent any chairman of the Board or any ratepayer who shall act as a returning officer at any election to be held under the provisions of this Ordinance from voting or recording his vote or votes at any such elections in the same way as such chairman or ratepayer would be entitled if he had not been acting or appointed such returning officer.

Returning officer if a ratepayer may vote.

107. If any person be elected a member in more than one subdivision he shall within seven days after notice thereof choose or in default thereof the Board at its next meeting shall declare for which one of the subdivisions such member shall serve and he shall thereupon be held to be elected in that subdivision only which he shall so choose or which the Board shall so declare and shall cease to be a member for any other subdivision.

Manner of proceeding if a person elected for more than one subdivision.

108. When the proceedings at any election under this Ordinance shall be interrupted or obstructed at any polling place by any riot or open violence the returning officer or deputy as the case may be shall

Adjournment of election by reason of riot, &c.

not finally close the poll but shall adjourn the taking of the poll at the polling place at which such interruption or obstruction shall have happened to the day following and if necessary such returning officer or deputy shall further adjourn such poll until such interruption or obstruction shall have ceased when such returning officer or deputy shall again proceed with the taking of the poll at the place at which the same may have been so interrupted or obstructed.

Adjournment when from some other cause no election on day appointed.

109. If from any cause not being such as in the last preceding section mentioned after a poll shall stand appointed for any election no such election shall take place on the day appointed for the same the election shall stand adjourned until the same day of the following week and the returning officer shall give not less than three days' previous notice thereof by advertisement or by placards affixed in public places in the district and in all such cases as in this and the said section mentioned the members of the Board for the district or sub-division as the case may be (if any) who would on the day appointed for the election have retired from office by rotation shall continue in office until the day to which such election or the polling at any booth for the same has been or stands adjourned.

Provision for total failure in election.

110. If at the first general election of the whole Board to be held as herein provided for any district after the first constitution thereof under this Ordinance no member or less number of members of the Board than hereby required shall have been elected it shall be lawful for the Superintendent to appoint a number of persons capable of being such members equal to the number so deficient to be members of such Board and such persons shall be members thereof accordingly to all intents and purposes as if elected as herein provided and if at any other election of members of the Board of any district whether the same be an annual ordinary election or be for supplying extraordinary vacancies in the Board no seats or vacancies or a number of seats or vacancies less than the whole number which should have been filled up at such election shall be filled up then the seats and vacancies which shall not be so filled up shall severally be deemed extraordinary vacancies and to have occurred on the day appointed for such election or to which the same may have been or may stand appointed adjourned as before provided and shall be filled up as hereinbefore provided for extraordinary vacancies.

Mode of holding elections in sub-divisions.

111. Where any district shall be divided into sub-divisions the preceding sections hereof relating to the election of members of the Board in districts shall be read as applying to elections of such members to be held in and for each sub-division instead of for the district at large and the polling for every such election shall be held at a polling place within each sub-division appointed as herein provided and in the questions

hereinbefore prescribed to be put to any person tendering his vote the word "sub-division" shall be substituted for "district" and to the last in each series of the said questions the following words shall be added that is to say "in this sub-division" and all the provisions of this part shall take effect in the cases of elections of members of Boards for sub-divisions accordingly.

112. Where any district shall be divided into sub-divisions the last section subject to the provisions hereinbefore made with regard to annual ordinary elections in and for sub-divisions shall be read as applying to each sub-division of the district instead of to the district at large and shall take effect accordingly. Mode of holding elections when district divided.

113. If the chairman of the Board of any district or if any person having been duly appointed hereunder to act as returning officer or deputy returning officer at any election and undertaken so to act shall be guilty of any wilful misfeasance or wilful act of commission or omission contrary to any of the provisions of this Ordinance relating to elections he shall upon conviction forfeit and pay for every such offence a penalty not exceeding fifty pounds to be recovered in a summary way. Misfeasance of officers, &c.

XII. PROCEEDINGS OF THE BOARD.

114. The Board of every district shall hold ordinary meetings for the transaction of general business which shall be held on such day and hour in each week month or stated space of time as the Board shall from time to time appoint and when any such appointment is made the clerk shall give notice thereof to each of the members and they shall afterwards until the time of such ordinary meeting is changed and notice of such change given to the members attend such ordinary meetings without notice. Meetings.

115. All meetings of the Board of any district in or for which there shall at the time be no office appointed as hereinafter provided shall be held at some convenient place within the district or within an area wholly surrounded thereby and all meetings of the Board of any district for which there shall at the time be an office appointed as hereafter provided shall be held at such office. Place of meeting.

116. The Board of every district may from time to time either by order appoint an office at any place within the district or within an area wholly surrounded thereby or by by-law appoint such office at any place within two miles outside the boundary of the district Provided that the Superintendent at any time if he shall have received a petition under the hands of not less than forty persons whose names shall appear on the ratepayers' roll for such district praying him to and if he shall see Board may appoint office.

fit so to do may after thirty days' notice thereof to the Board of the district annul such by-law and the same shall thereupon be wholly void.

Questions to be decided
by voting.

117. At all meetings of the Board all the members present shall vote save where it is herein otherwise provided and the questions then considered shall be decided by open voting and by the majority present and if there be an equal division of votes upon any question the chairman at such meeting shall in addition to his own vote as member have a second or casting vote Provided always that if at any such meeting there shall be an equality of votes in the election of the chairman it shall be decided by lot which of the members having an equal number of votes shall be the chairman Provided also that at every annual meeting the chairman (if any) going out of office at that meeting shall if present and willing to act be the chairman of such meeting.

Quorum.

118. All powers vested in the Board under this Ordinance may be exercised by any three or more of the members present at any meeting holden in pursuance of this Ordinance.

Adjournment of meet-
ings.

119. The members present at the first meeting or at any ordinary meeting or at any adjourned meeting may from time to time adjourn such meeting and if at any meeting of the Board there be not present within half-an-hour after the time appointed for such meeting the number of members hereby authorised to exercise the powers vested in the Board the members present or the major part of them or any one member if only one be present or the clerk of the Board if no member be present may adjourn such meeting to another day not earlier than three and not later than seven days from the date of such adjournment.

Extraordinary business

120. Where any business other than ordinary business is required or intended to be transacted at any ordinary meeting the clerk shall give notice thereof to each of the members of the Board and no such extraordinary business nor any new rules or regulations shall be transacted or adopted at the ordinary meetings unless due notice thereof has been given at a prior meeting and sent to each member in the manner required for special meetings.

Resolutions how altered
or revoked.

121. No resolution at any meeting of the Board shall be revoked or altered at any subsequent meeting unless notice of the intention to propose such revocation or alteration be given by the clerk to each of the members seven days at least before holding the meeting nor unless such revocation or alteration be determined upon by a majority of the members present at such subsequent meeting if the number of members present at such subsequent meeting be not greater

than the number present when such resolution was come to or by a majority if the number of members present at such subsequent meeting be greater than the number present at such former meeting.

122. The Board may hold special meetings and any three or more of Special meetings. the members may require a special meeting to be held but no such meeting shall be held unless four clear days' notice thereof at least be given.

123. Where by this Ordinance the Board are empowered to do Special orders. anything by special order only they shall not do such thing unless the resolution to do the same shall have been agreed to by the Board in some meeting whereof special notice has been given and shall have been confirmed in a subsequent meeting held not sooner than four weeks after the preceding meeting and notice of which subsequent meeting has been given to each of the members of the Board.

124. The Board may at any meeting from time to time appoint Committees. committees for any purposes which in the opinion of the Board would be better regulated and managed by means of such committee and it may fix the quorum of such committee and shall from time to time appoint one of the members thereof to be Chairman of such committee and may continue alter or discontinue such committee and from time to time remove such Chairman.

125. No proceedings of the Board or of any Committee shall be Vacancy not to invalidate proceedings. invalidated or be illegal in consequence only of there being any vacancy in the number of members at the time of such proceeding.

126. All proceedings of the Board or of a committee thereof or of any Defect in election or incapacity of member not to invalidate proceedings. person acting as a member shall notwithstanding it be afterwards discovered that there was some defect in the election or appointment of the members of the Board or persons acting as aforesaid or that they or any of them were incapable of being such members be as valid as if every such person had been duly elected or appointed and was capable of being a member of the Board.

127. The Board shall cause entries of all the proceedings of the Minutes of proceedings Board and of every committee appointed by them with the names of the members who shall attend each meeting to be duly made from time to time in books to be provided for the purpose which shall be kept by the Clerk under the superintendence of the Board and every such entry shall be signed at the meeting next succeeding the meeting at which such proceeding or attendance shall have taken place or such proceeding of a committee been reported by the Chairman of such succeeding meeting

and such books shall at reasonable times be open to the inspection of any of the members of the Board or of any ratepayer of the district or of any person appointed by the Superintendent for that purpose.

Officers not to accept fees.

128. Every officer employed by the Board who shall exact or accept on account of anything done by virtue of his office or in relation to the matters to be done under this Ordinance any fee or reward whatsoever other than the salary or allowance allowed by the Board or who shall be in anywise concerned or interested in any bargain or contract made by the Board shall be liable to a penalty of not exceeding fifty pounds.

Security to be taken from officers entrusted with moneys.

129. Before any paid officer entrusted by the Board with the custody or control of moneys by virtue of his office shall enter upon such office the Board shall take sufficient security from him for the faithful execution thereof.

Collectors to pay moneys and make returns.

130. Every collector appointed or employed by the Board by virtue of this Ordinance to collect any rates shall within seven days after he shall have received any moneys on account of any such rates pay over the same to the person appointed by the Board for that purpose to the account of the Board and the receipt of such person for the moneys so paid shall be a sufficient discharge to the collector and every such collector shall in such time and in such manner as the Board shall direct deliver to them true and perfect accounts in writing under his hand of all moneys received by him and of all moneys paid by him to the said person by virtue of this Ordinance and also a list of the names of all persons who have neglected or refused to pay any rate or money owing by them with a statement of the moneys due from them respectively and in respect of what several periods and rates the same are due respectively.

Appointment of auditors.

131. It shall be lawful for the Superintendent from time to time to nominate and appoint any one or more person or persons as he shall think fit to be an auditor or auditors for any district and such person or persons from time to time as he shall think fit to remove and on the death resignation or removal of any such auditor or auditors to appoint any other person or persons in place of any person or persons so dying resigning or removed.

XIII. ACCOUNTS.

Books to be kept.

132. The Board shall cause books to be provided and kept in such form as shall from time to time be appointed by the Superintendent on the recommendation of the auditor to be used in road districts and true and regular accounts to be entered therein of all sums of money received and paid for and on account of this Ordinance and of the

several purposes for which such sums of money shall have been received and paid which books shall at all reasonable times be open to the inspection of any of the members of the Board or ratepayers or of the auditor appointed under the preceding section without fee or reward and the members of the Board and persons aforesaid or any of them may take copies of or extracts from the said books without paying anything for the same.

133. The Board shall cause their accounts to be balanced up Accounts to be balanced annually and audited. to the first day of January in each year and shall cause a full and true statement and account to be drawn out of the amount of all rates or assessments made and of all moneys received and expended by virtue of this Ordinance during the preceding year and of all available assets and of all debts then owing by and all liabilities of the Board and such statement and account shall be laid before the auditor of the district who is hereby required to attend at the office of the Board or at such other place as may be agreed on by the Board and auditor within four months from the first day of January and who shall in the presence of the clerk of the Board if he desire to be present proceed to audit the accounts of the year preceding such balancing and the Board shall by their clerk produce and lay before the auditor the accounts so balanced as aforesaid together with the said statement and account accompanied with proper vouchers in support of the same and all books papers and writings in their custody or power relating thereto and any person interested in the said accounts either as a creditor of the body corporate or as a ratepayer may be present at the audit of the said accounts by himself or his agent and may make any objection to any part of such accounts and if the said accounts of the Board be found correct such auditor shall certify to the same and such certificate shall be laid before the next meeting of ratepayers and if upon examination of such accounts it shall be found that the certificate of the auditor had been withheld by reason of the non-production of proper vouchers or full abstracts of accounts it shall then be lawful for the Superintendent to withhold his warrant for the issue of any money voted by the Provincial Council for the service of such Board until the auditor shall have reported that he has issued his certificate.

134. The accounts of the Board so balanced as aforesaid and audited Accounts to be produced at next meeting. as aforesaid together with the said statement and account shall be produced at the next meeting of the Board or at some adjournment thereof at which meeting all creditors and ratepayers and other persons interested as aforesaid may be present and the accounts shall then be finally examined and settled by

the Board and if the same be found just and true they shall be allowed by the Board and certified accordingly under the hand of the chairman of such meeting and after such accounts have been so allowed and signed by such chairman and also by the auditor as hereinbefore provided the same shall be final in regard to all persons whomsoever.

Publication and advertising.

135. In all cases in which any matter or thing is hereby required to be published advertised or inserted by the Board in a newspaper generally circulating in the district the said newspaper shall be such newspaper as the Board shall from time to time by order have appointed in that behalf or in the *Gazette*.

XVII. GENERAL MISCELLANEOUS.

Penalty for obstructing Board or its officers.

136. Any person who shall obstruct or attempt to obstruct the Board or any person employed by them in the performance of anything which they are respectively empowered or required to do by this Ordinance or any other Ordinance shall upon conviction forfeit and pay for every such offence a penalty not exceeding ten pounds.

Penalties how to be recovered.

137. Every offence made punishable by imprisonment with or without hard labour or by a pecuniary penalty shall and may be prosecuted in a summary way before any two Justices of the Peace in the manner provided by the "Justices of the Peace Act 1866" so far as the same relates to summary convictions or by an Act repealing or amending the same or for like purposes.

Co-operation of Boards.

138. It shall be lawful for the Board of any district from time to time to contract upon such terms and conditions as they think fit with the Board of any other district or with any other body corporate or public body empowered in that behalf for or with respect to the doing and the control and management by either or both of the contracting parties of any matter or thing which the Board of the district and such other Board or body are by law empowered to do control and manage.

In certain cases Superintendent may suspend Board, and may appoint a Commissioner for district.

139. If at any time the persons qualified so to do shall refuse or neglect to elect members of the Board of any district or if the members of the Board of any district shall refuse or neglect to carry this Ordinance into operation the Superintendent shall by proclamation published in the *Gazette* declare the powers of such Board to be suspended and shall by such proclamation appoint a Commissioner for such district and all the powers rights privileges and duties of such Board or of the chairman of such Board shall from the date of such proclamation vest in and be exercised by such Commissioner on behalf of the Board or of the chairman of the same and the Superintendent shall cause such salary as he

shall think fit to be paid to such Commissioner out of any funds belonging to the Board and applicable to the use of the district under the provisions of this Ordinance. Provided that such Commissioner shall be guided in the performance of his duties by such instructions as he shall receive from the Superintendent in that behalf. Provided also that the appointment of such Commissioner together with all his powers shall cease and determine if at the next annual election or any following annual election the persons qualified so to do shall elect a Board as hereinbefore provided.

140. The Superintendent shall in doing any act matter or thing hereunder or exercising any power conferred on him hereby act by and with the advice and consent of his Executive Council.

Executive Council to advise the Superintendent.

141. Every person who acts as a member of a Board being incapacitated under the provisions hereof to be and continue such shall save in cases of incapacity proceeding from unsoundness of mind be liable for every such offence to a penalty not exceeding fifty pounds nevertheless all acts as a member of any person incapacitated as aforesaid done previously to the recovery of the penalty shall be as valid as if such person had been capable.

Penalty for acting as member of Board when incapacitated.

142. No misnomer or inaccurate description contained in this Ordinance or any proclamation made hereunder shall in anywise prevent or abridge the operation of this Ordinance with respect to the subject of such description provided the same shall have been designated so as to be understood.

Misnomer not to prejudice.

143. If it shall be credibly represented to the Superintendent where any petition has been presented to him that any of the signatures to such petition are not the signatures of the persons whose they purport to be or that any of the persons purporting to sign the same are not persons entitled to sign in that behalf or that in any other respect the provisions hereof with regard to such petition have not been complied with or if it shall seem expedient to ascertain the truth of any matter to which such petition shall refer it shall be lawful for the Superintendent to cause such enquiry to be made with respect to the particulars aforesaid as may seem necessary in that behalf and the consideration of the matter of said petition shall be adjourned.

Scrutiny of signatures.

144. Upon the requisition in writing of any persons representing not less than one-tenth of the votes to which all the persons qualified to vote in all elections of members of the Board of any district are entitled the chairman shall within fifteen days of the receipt of such requisition

Chairman to call public meeting of ratepayers upon requisition.

call a public meeting of the persons qualified to vote as aforesaid giving not less than fourteen days' public notice thereof and specifying the business to be transacted thereat.

Rates due how apportioned.

145. All rates which under the Ordinance specified in the first Schedule hereto shall at the time of the first election or first appointment of members of the Board of any district under this Ordinance be due or payable to or leviable by or for the Board of any road district affected by this Ordinance for or on account or on behalf of any such road district shall be vested in the body corporate of the district into which such first-mentioned road district shall be converted under this Ordinance and shall be paid to received levied and recovered by such body corporate in manner by this Ordinance provided for the receipt and recovery of rates or in like manner as the same might have been paid to received levied and recovered by the Board of the said road district or their collector if this Ordinance had not been passed according to the option of the Board and such rates when received shall be applied in or towards payments of the liabilities (if any) of the Board of the said first-mentioned road district and the surplus thereof after paying such liabilities shall be applied for the benefit of the district within which the property vested for payment of the same is situate and all penalties and forfeitures incurred or imposed before such first election or appointment of members as the case may be for any district under this Ordinance under the Ordinance specified in the said Schedule for or in respect of any act done or omitted within or in regard to the district converted into a district under this Ordinance shall and may be enforced as if this Ordinance had not been passed.

All rights of former Boards to attach to body corporate of district constituted under this Ordinance.

146. All rights liabilities contracts and engagements existing and all actions suits and proceedings pending of or by or against the Board of any road district constituted under the Ordinance specified in the first Schedule hereto for and on behalf of such road district at the time of the first election or first appointment of members under this Ordinance for any district constituted hereunder shall immediately after such first election or appointment vest in and attach to and be enforced carried on and prosecuted by or against the body corporate of the district into which such first-mentioned road district shall have been converted under this Ordinance instead of the Board of or for such road district and no such action suit or proceeding shall abate or be discontinued or prejudicially affected by the constitution of the area comprised in such first-mentioned road district into a district under this Ordinance.

Property of former road districts to vest in body corporate under this Ordinance.

147. All real and personal property and all right title or interest in or to any such property and all right of management or control over any such property or over any land place or thing vested in the Board of any

road district under the Ordinance specified in the first schedule or in the Superintendent for or on behalf of any district at the time of the first election or first appointment of members of the Board under this Ordinance for any district constituted hereunder shall immediately on such first election or appointment as the case may be vest in the body corporate of the district constituted hereunder into which such road district shall have been converted instead of the Board or Superintendent.

SCHEDULES.

FIRST SCHEDULE.

ORDINANCE REPEALED.

“The Roads Ordinance 1869.”

SECOND SCHEDULE.

ROAD DISTRICTS.

- | | |
|---------------------------------|----------------------------|
| 1. The Waipara. | 20. The Upper Waimakariri. |
| 2. The Ashley. | 21. The Ellesmere. |
| 3. The Kowai. | 22. The Lake Coleridge. |
| 4. The Mandeville and Rangiora. | 23. The Rakaia. |
| 5. The Eyreton. | 24. The Port Victoria. |
| 6. The Cust. | 25. The Port Levy. |
| 7. The West Eyreton. | 26. The Pigeon Bay. |
| 8. The Oxford. | 27. The Okain's Bay. |
| 9. The Avon. | 28. The Akaroa and Wainui. |
| 10. The Riccarton. | 29. The Little River. |
| 11. The Heathcote. | 30. The Ashburton. |
| 12. The Spreydon. | 31. The Mount Somers. |
| 13. The Halswell. | 32. The Temuka. |
| 14. The Lincoln. | 33. The Geraldine. |
| 15. The Springs. | 34. The Mount Peel. |
| 16. The Templeton. | 35. The Levels. |
| 17. The Courtenay. | 36. The Waimate. |
| 18. The Malvern. | 37. The Mount Cook. |
| 19. The East Malvern. | |

1. THE WAIPARA DISTRICT comprises that portion of the Province bounded on the North by the Province of Nelson on the East by the sea on the South by the River Waipara to the summit of the Pass north of Runs Nos. 165 166 168 and a line from thence to Ashley Head Esk Head Snowy Peak and the Teremakau Saddle.

2. THE ASHLEY DISTRICT comprises all that portion of the Province bounded on the South and West by the Ashley River from the road running between Sections 1684 and 2673 to its source on the East by the road forming the eastern boundary of Section 2163 thence by that road to where it crosses the western boundary of Run No. 11 thence by the latter boundary to the Makerikeri thence by that river and the eastern boundary of Run No. 194 to the summit of Mount Grey thence by the ridge to Mount Karetu thence by the eastern and northern boundaries of Runs 165 166 and 168 to the westernmost corner of Run No. 464 and also by the Waipara District.

3. THE KOWAI DISTRICT comprises that portion of the Province bounded on the North by the Waipara District on the East by the sea on the South by the River Ashley and on the West by the Ashley District.

4. THE MANDEVILLE AND RANGIORA DISTRICT comprises that portion of the Province bounded on the North by the Ashley on the East by the sea on the South by the River Waimakariri and the Town of Kaiapoi on the West by the Cust District and on the South-west by the Eyreton District.

5. THE EYRETON DISTRICT comprises all that portion of the Province bounded on the northward by the Oxford and Rangiora Road the Oxford and Kaiapoi Road and the centre of the Rangiora Main Drain as at present existing to the northern branch of the Waimakariri thence by that branch to a point in line with the western boundary of the Town of Kaiapoi thence by the western and southern boundary of the said Town to the Waimakariri thence by a straight line drawn to the westernmost corner of Section No. 669 on the West by the Cust District and on the South and East by the Waimakariri.

6. THE CUST DISTRICT comprises that portion of the Province bounded on the North by the Ashley District on the East by a true North and South line drawn through Trig. Pole c. 30 on the bank of the Waimakariri on the West by the boundary lines between Runs 29 class 3 and 164 class 2 and 34 class 3 and 203 class 2 and on the South by the West Eyreton District.

7. THE WEST EYRETON DISTRICT comprises all that portion of the Province bounded on the North by the Cust District on the East by a true North and South line drawn through Trig. Pole C 30 on the bank of the Waimakariri on the South by the Waimakariri and on the West by the boundary line between Runs 14 and 34 108 class 2 and 35 119 and 135.

8. THE OXFORD DISTRICT comprises that portion of the Province bounded on the North by the Waipara and Ashley Districts on the East by the Cust West Eyreton and Ashley Districts on the South by the Waimakariri and on the West by that River and the Waimakariri District.

9. THE AVON DISTRICT comprises that portion of the Province bounded on the North by the River Waimakariri from the sea to the western boundary of Section No. 5620 on the East by the sea on the South by the North boundary of the City of Christchurch and the River Avon to the sea on the West by the western boundaries of Section Nos. 6 52 105 133 142 299 135 151 and the northern boundary of Section No. 151 to the north-western boundary of the Papanui Church Reserve by the north-western boundary of that Reserve and by the eastern side of the Harewood Road by Papanui to the western boundary of Section No. 203 by that boundary and by the western boundaries of Sections Nos. 203 5 3 25 292 291 290 280 279 243 331 1471 and 5620.

10. THE RICcarton DISTRICT comprises that portion of the Province bounded on the North by the River Waimakariri on the East by the Avon District and the west boundary of the City of Christchurch on the South by the Lincoln Road to Archer's Bridge and the Lincoln and Riccarton Junction Road to its junction with the Great South Road the Great South Road to its junction with the Harewood Road by Riccarton the Harewood Road by Riccarton to a point in a line with the Prebbleton and Kaiapoi Junction Road on the West by the Prebbleton and Kaiapoi Junction Road to the Waimakariri at the north-east corner of Rural Section No. 2197.

11. THE HEATHCOTE DISTRICT comprises that portion of the Province bounded on the North by the Avon District and the City of Christchurch on the East by the sea on the

South by the ridge of the Port Hills and Lyttelton Harbour on the West by the Dyer's Pass Road and the continuation of Colombo Street South to the City of Christchurch.

12. THE SPREYDON DISTRICT comprises that portion of the Province bounded on the North by the City of Christchurch and the Riccarton and Templeton Districts on the East by the Heathcote District on the South by the River Heathcote to the south side of the Canal Reserve and the River Halswell to the old river bed and the west edge of the old river bed to the Great South Road.

13. THE HALSWELL DISTRICT comprises that portion of the Province bounded on the North by the Spreydon District on the East by the Heathcote District and the ridge of the Port Hills as far as the highest of Cooper's Knobs on the South by a stream rising on the western side of Cooper's Knobs and falling into the River Halswell and on the West by the River Halswell.

14. THE LINCOLN DISTRICT comprises that portion of the Province bounded on the North by the Spreydon and Templeton Districts and the Great South Road on the East by the Spreydon and Halswell Districts on the South by the South Bank of the Halswell and on the South-west by the road from the Thirteen-Mile Bridge to Trig. Pole L I and the Lincoln and Coal Tramway Road to its junction with the Weedon and Springs Road by the Weedon and Springs Road to its junction with the Great South Road.

15. THE SPRINGS DISTRICT comprises that portion of the Province bounded on the South-east by the edge of Lake Ellesmere on the South-west by the Selwyn on the North-east by the Lincoln District and the West Bank of the River Halswell and on the North-west by the Great Southern Railway from the Selwyn to where it is intersected by the southern side of the Great South Road and also by the Great South Road from such intersection to the Lincoln District.

16. THE TEMPLETON DISTRICT comprises that portion of the Province of Canterbury bounded on the North by the Waimakariri on the East by the Riccarton District to the Great South Road on the South by the Great South Road and on the West by the road forming the North-east boundary of Section 6363 and the continuation thereof to its junction with the road forming the north-west boundary of Section 5835 thence by the latter road to the road dividing Sections 5720 and 5721 thence by that road to its junction with other roads north of the northern boundary of Section 11581 thence by the road leading from the last-mentioned junctions in a northerly direction west of and about 16 chains from the western boundary of Section 5194 to the Waimakariri aforesaid.

17. THE COURTENAY DISTRICT comprises that portion of the Province bounded on the North by the Waimakariri on the East by the Templeton District on the South-east by the Lincoln and Springs Districts on the South-west by the River Selwyn and the Wakaepa branch of the Selwyn on the North-west by the South-east boundary of Run No. 41.

18. THE MALVERN DISTRICT comprises that portion of the Province bounded on the North by the Upper Waimakariri District on the North-eastward by the Waimakariri and also by the East Malvern District on the South-eastward by the Courtenay and East Malvern Road Districts on the Southward by the River Wakaepa branch of the Selwyn and on the Westward by a straight line drawn from the junction of the said branch with a creek running from the Thirteen Mile Bush to the southern end of Lake Lyndon.

19. THE EAST MALVERN DISTRICT comprises all that portion of the Province commencing at a point on the southern bank of the River Waimakariri the same being the easternmost corner of Run 41 thence South-westerly following the south-eastern boundary

of that run to the Auchenflower Road thence North-westerly following a straight line to a point on the western boundary of Section 3719 where it is intersected by the western boundary of the before-mentioned run thence following a straight line to the north-eastern corner of Section 18715 thence in a straight line to an angle in the Dalethorpe and Kowai Road situate thirty-three chains fifty links north of the southernmost corner of Section 14801 thence North-easterly following the eastern side of the said road to the North-west corner of Section 5177 thence easterly following the northern boundary of that section to the North-eastern corner thereof thence North-westerly following a straight line to the Southernmost corner of Section 5321 thence following the South-western the Western and the North-western boundaries of that section and the South-eastern boundary of Section 4573 to the Southernmost corner of Section 4803 thence following the South-western boundary of the latter section to the Westernmost corner thereof thence following a straight line to the westernmost corner of Section 4739 thence following the North-western boundary of that section to the River Waimakariri aforesaid and from thence returning along that river to the commencing point.

20. THE UPPER WAIMAKARIRI DISTRICT comprises all that portion of the Province bounded on the North by the Waipara District and the County of Westland on the South by Staircase Gully and the northern branch thereof to its source thence by a straight line to Mount Torlesse thence by a straight line in a South-westerly direction to the Easternmost branch of the stream which intersects the West Coast Road near the South-east corner of Section 9824 thence following the said branch and stream above-mentioned to the Southern side of the said road thence westerly following the Southern side thereof to the stream forming part of the Southern boundary of Section 9824 thence following up the latter stream to its source thence by a straight line to the Southernmost end of Lake Lyndon thence by a straight line to Red Hill on the West by the summit of the High Snowy Range from Red Hill and also by the Black Range to the head waters of the Waimakariri thence by an east and west line (true) to the County of Westland and on the Eastward by the summit of the range leading from Ashley Head the Puketerahi Range the northern boundary of Run No. 270 and the River Waimakariri.

21. THE ELLESMERE DISTRICT comprises that portion of the Province bounded on North by the Springs and Courtenay Districts on the East by Lake Ellesmere on the South by the sea and the Rakaia and on the North-west by the Great South Road.

22. THE LAKE COLERIDGE DISTRICT comprises that portion of the Province bounded on the North by the Upper Waimakariri District on the South-west by the River Rakaia to its southern-most source and a straight line therefrom due west true to the County of Westland on the North-west by that County and on the East by the Western boundary of Runs 67 and 96 and a continuation of that boundary to the North Bank of the Hororata thence by the North Bank of that River to its principal source thence by a straight line from said source to the head of the nearest stream running into the Wakaepa River thence by that stream and by the Malvern and Upper Waimakariri Districts.

23. THE RAKAIA DISTRICT comprises that portion of the Province bounded on the South-east by the Ellesmere District on the North-east by the Malvern and Courtenay Districts on the South-west by the River Rakaia and on the West by Lake Coleridge District above described

24. THE PORT VICTORIA DISTRICT comprises that portion of the Province bounded on the East by the North-east boundary of the Native Reserve at Raupaki a straight line from the South-east corner of the Native Reserve across the harbour to the Church Gully in Church Bay the Church Gully to the Mount Herbert Peak Road the West side of the

Mount Herbert Peak Road to a point where it is intersected by a straight line from Mount Herbert Peak to the Head of Little River on the South by a straight line from Mount Herbert Peak to Mount Herbert a straight line from Mount Herbert through L 1 to the ridge of the Port Hills and on the West by the ridge of the Port Hills.

25. THE PORT LEVY DISTRICT comprises that portion of the Province bounded on the North by the sea on the East by a line bearing S. 8 deg. 30 E. (magnetic) drawn from a point half-way between the East Head of Port Levy and the West Head of Pigeon Bay to the south side of the Purau and Akaroa Road on the South by the south side of the Purau and Akaroa Road and the Mount Herbert Peak Road and on the West by the Port Victoria District.

26. THE PIGEON BAY DISTRICT comprises that portion of the Province bounded on the North by the sea on the East by the ridge of the Spur between Decanter Bay and Little Akaroa to a point where it meets the highest ridge of the hills on the South by the highest ridge of the hills and the Akaroa and Purau Road and on the West by the Port Levy District.

27. THE OKAIN'S BAY DISTRICT comprises that portion of the Province bounded on the North and East by the sea on the South by the highest ridge of the hills and the spur leading to Putakolo Head and on the West by the Pigeon Bay District.

28. THE TOWN OF AKAROA AND WAINUI DISTRICT comprises that portion of the Province bounded on the North by the Port Levy Pigeon Bay and Okain Bay Districts on the East and South by the sea and on the West by the summit of the spur running down to the Eastern Head of Island Bay the main ridge of hills through Mount Bossu Carew's Peak Saddle Hill Kitson's Pole Wainui Peak French Hill Wooded Peak to Barry Pass the south side of the Barry Pass Road to the Little River Railway Reserve the south side of the Terawera Valley Road and continuation thereof to its junction with the north side of the Port Levy and Little River Road the north side of the Port Levy and Little River Road to its junction with the Purau and Akaroa Road.

29. THE LITTLE RIVER DISTRICT comprises that portion of the Province bounded on the North by the Lincoln and Halswell the Port Victoria the Port Levy and Akaroa and Wainui Districts on the East by the Akaroa and Wainui Districts on the South by the sea on the West by the east shore of Lake Ellesmere and the Springs Districts.

30. THE ASHBURTON DISTRICT comprises that portion of the Province bounded on the North-east by the Rakaia and Ellesmere Districts on the South-east by the sea on the South-west by the Rangitata and on the North-west by the Mount Somers District.

31. THE MOUNT SOMERS DISTRICT comprises that portion of the Province bounded on the North by the Lake Coleridge District on the North-east by the Rakaia and Lake Coleridge Districts on the South-east by the North boundary of Run No. 499 and a line in continuation thereof to the River Hinds thence following down that River to the North-western boundary of Run No. 59 thence following the latter boundary to the River Ashburton thence following a straight line by the northern end of the Island to the Northern branch of the River Ashburton thence following down the same to the North-western boundary of Run 124 and from thence following that boundary and the North-western boundary of Run No. 116 and a line in continuation thereof to the River Rakaia on the South-west by the Rivers Rangitata and Clyde to the source of the latter and a true West line and on the North-west by the County of Westland.

32. THE TEMUKA DISTRICT comprises that portion of the Province bounded on the North-east by the Ashburton District on the South-east by the sea on the Southward by the River Opihi on the North-west by the Geraldine District.

33. THE GERALDINE DISTRICT comprises that portion of the Province bounded on the North by the Ashburton District on the West by the Mount Peel District on the South by the Opihi River and on the East by the Main South Road to Section 5961 thence following the Northern boundary line of 5961 and 11526 and a line in continuation of the same to the Eastern boundary of Section 9031 thence following the Eastern and North-Western boundaries of the latter section to the Geraldine Road thence following that road South-easterly to the road running through Section 7319 thence following the latter road by Trig. Pole 5 and through Section 3275 to the North-eastern corner of Section 7462 thence following the Eastern boundary of Section 7462 to the South-east corner thereof thence following a straight line to the south-west corner of Section 13741 and from thence following the road forming the Western boundary of that section to the River Opihi before mentioned.

34. THE MOUNT PEEL DISTRICT comprises that portion of the Province bounded on the North and North-eastward by Mount Somers District on the Eastward by the Ashburton District and by a road leading from the Rangitata River within Reserve No. 1237 (in red) to Tripp's Cutting on the high bank of the Orari River following the continuation of that road to its junction with the road passing through section 9548 thence South-easterly following the latter road to the road running through section 9010 thence South-westerly following that road to the eastern boundary of Run 546 thence Westerly and Southerly following that boundary to the stream running from the south-eastern corner of Run 546 thence following down that stream to its confluence with the Southern branch of the River Hae Hae-te-moana following up the said branch to the Western boundary of Run 548 thence following that boundary and the River Opuha to a point in line with the South-eastern boundary of Run 416 thence following that line to the River Opihi before mentioned on the South by the River Opihi from the Easternmost corner of Run No. 416 to a point in line with the eastern boundary of Run 254 a branch of the River Opuha forming the Northern boundary of Runs 254 and 357 and an East and West line forming part of the Northern boundary of Run No. 357 continued to the ridge on the West by the east boundary of Run 254 and the ridge of the hills dividing the waters of the Opihi and the Rangitata from the waters of the Tekapo.

35. THE LEVELS DISTRICT comprises that portion of the Province not included in the Town of Timaru and bounded on the North by the Temuka District on the East by the sea on the South by the Pareora on the West by Section No. 6192 on the River Opihi following the watercourse therefrom and the stream following into the Tengawai the River Tengawai to a point opposite Section No. 5209 crossing the river and following down a small stream to the River Pareora.

36. THE WAIMATE DISTRICT comprises that portion of the Province bounded on the North by the Levels District the Pareora to its Westernmost source and an East and West line from thence to the Hakateramea on the East by the sea on the South by the Province of Otago on the West by the Hakateramea.

37. THE MOUNT COOK DISTRICT comprises that portion of the Province bounded on the North and West by the County of Westland on the East by the Mount Peel Levels and Waimate Districts on the South by the Province of Otago.

FIFTH SCHEDULE.

NOTICE TO PAY RATE.

Road District of

To Mr.

I hereby give you notice that at a Meeting of the Road Board for the District above-mentioned held on the _____ day of _____ at _____ a Rate of _____ in the pound on the rateable property in the District was ordered to be made and levied. The sum which you are liable to pay under this order is _____ which sum you are required to pay to me either on the service of this notice or within _____ after such service at my residence at _____ If the said Rate is not paid within the time above specified it will be recovered by legal process.

Collector of Rates for the _____ District.

SIXTH SCHEDULE.

I A.B. do hereby solemnly declare that I will not either directly or indirectly by any means whatever publish or make known before the close of the poll the number of votes which may be given for any candidate at the present election.

(Signed) A.B.

SEVENTH SCHEDULE.

FORM OF A VALUATION AND RETURN.

District of

VALUATION by me _____ a valuer for the above District of the under-mentioned rateable properties therein situated.

Sub-division of District.	Christian Name of Occupier.	Surname of Occupier.	Occupier's trade or Occupation.	Owner.			Trade or Occupation.	Description and situation of Rateable Property.	If let for what term and in what manner.	Gross Annual Value.	Full Net Annual Value.
				Surname.	Christian Name.	Residence.					

Returned this _____ day of _____ A.D. 18

(Signed) A.B.

Valuer.

EIGHTH SCHEDULE

MAXIMUM RATE OF TOLLS

For every horse ass or mule	...	...	...	...	Sixpence.
For every beast carrying a burden	...	...	...	...	Sixpence.
For all horned or neat cattle per head	...	...	...	...	Fourpence.
For every wheeled vehicle drawn by one horse or other beast	...	...	...	...	One Shilling.
For every additional horse or beast drawing such vehicle	...	...	...	...	Sixpence.
For every sheep lamb goat or pig in one drove not exceeding 100	...	...	...	...	One Penny.
For every additional sheep lamb goat or pig	...	...	...	...	Halfpenny.

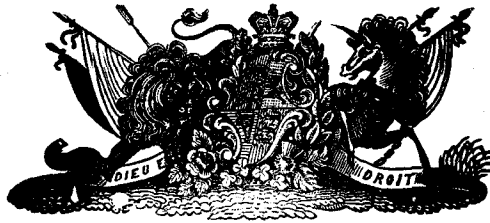
NINTH SCHEDULE

Take notice that your name appears as a Ratepayer on the Roll of the District.

(A. B.) Chairman of the Board.

Name of Ratepayer	Description of Property	Value of Property	Amount of Rating	Remarks

H.A. (Chairman)



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 7.

The Education Ordinance 1871 Amendment
Ordinance 1872, No. 2.

[June 19, 1872.]

WHEREAS it is expedient to amend an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury intituled "The Education Ordinance 1871:" Preamble.

Be it therefore enacted by the Superintendent of the said Province by and with the advice and consent of the Provincial Council thereof as follows :

1. "The Education Ordinance Amendment Ordinance 1872" shall be and the same is hereby repealed. Repealing. Provided that such repeal shall not affect the existing right of any person under the said repealed Ordinance or any proceedings or directions already taken commenced or given under the same.

I. THE BOARD.

Absence of member
from Board.

2. Section 14 of "The Education Ordinance 1871" hereinafter referred to as the said Ordinance is hereby repealed and the following provision is made in lieu thereof If any member shall absent himself from the Board for three consecutive ordinary meetings without the leave of the Board his seat on the Board shall become vacant.

Questions how decided.

3. Section 17 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof All questions coming before the Board shall be decided by a majority of the members present and there shall be no meeting of the Board unless at least three members be present.

Conduct of business.

4. Section 18 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof It shall be lawful for the Board from time to time to make and to revoke and alter such regulations as they may think fit for the conduct of the business of the Board.

Distribution of funds.

5. Section 23 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof It shall be lawful for the Board to frame regulations for the distribution of the funds appropriated annually by the Provincial Council for the maintenance of schools in the Province which regulations shall be published in the *Provincial Government Gazette*.

II. CONSTITUTION OF DISTRICTS.

Districts may be
altered, divided,
or combined.

6. It shall be lawful for the Superintendent on the recommendation of the Board to alter the limits of any Educational District and to divide any Educational District into two or more Educational Districts or parts of Districts or to combine two or more Educational Districts or parts of Districts into one or to add portions of any Educational District to any adjoining Educational District or to add any locality not being or forming part of an Educational District to an adjoining Educational District and in every such case the District or Districts constituted or affected thereby shall be deemed to be and shall be proclaimed as provided in the said Ordinance as newly constituted Educational District or Districts and all proceedings connected therewith shall be taken and conducted in like manner as provided for Educational Districts constituted under Section 39 of the said Ordinance or on like recommendation to abolish any Educational District and thereupon such Educational District shall to all intents and purposes cease to exist as if the same had never been constituted.

7. Section 32 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof Upon the receipt of a memorial from any considerable number of persons qualified to vote in any locality within the province praying for the formation of such locality into a separate Educational District and if it shall appear to the Board that there exists in such locality a necessity for provision being made for public Education therein the Board shall call by advertisement a public meeting of persons qualified to vote in such locality and it shall be the duty of the Chairman of the Board or some person appointed by the Board in that behalf to attend at such meeting and afford information regarding the provisions of this Ordinance and the proceedings proper to be taken under the same. Formation of district.

8. Section 38 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof:—At the meeting so called the question shall be put by the Chairman thereof:—That this meeting is willing that the locality described in the advertisement calling the meeting shall be formed into an Educational District and the Chairman of the meeting shall call for a show of hands of the persons qualified to vote and shall thereupon declare that the question is decided in the affirmative or that it is negatived and the decision shall be as stated by the Chairman Provided that in case not less than five persons qualified to vote immediately demand a poll—a poll shall be taken (by ballot) then and there if the Chairman of the meeting so decide and if from any cause the poll be not then taken it shall be lawful for the Superintendent to appoint a time and place and make such regulations for taking the poll as he may think fit and in the event of the majority of the persons voting declaring their willingness that such locality shall be formed into an Educational District the Board shall report the same to the Superintendent and the Superintendent shall as provided in the said Ordinance declare such locality to be an Educational District under the said Ordinance by such name and with such boundaries as shall by proclamation be assigned to the same. Proceedings at meeting.

9. If at any meeting so called in any locality the persons qualified shall from any cause fail to declare whether they are willing or unwilling that such locality shall be formed into an Educational District or having so declared their willingness shall fail to elect a District School Committee the Board may call by advertisement another meeting of persons qualified as aforesaid in such locality who shall proceed in either case as provided in the preceding section. In case of failure another meeting may be called.

III. SCHOOL COMMITTEES, ETC.

10. Section 34 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof:—If at any meeting so called Election of Committee.

the majority of the persons voting shall declare their willingness that the locality shall be formed into an Educational District the persons qualified to vote thereat shall immediately proceed to elect a Committee (to be called the District School Committee) of not less than three nor more than nine persons and shall also elect two persons who shall not be members of the District School Committee to act as Auditors of the accounts of the said Committee before the same shall be presented to the next annual meeting and such elections shall be conducted in such manner and in accordance with such regulations as the Superintendent may from time to time by order prescribe The persons so elected shall hold office until the election of their successors in manner hereinafter mentioned and if from any cause the elections of the Committee and Auditors or either of them shall at the meeting aforesaid not take place it shall be lawful for the Superintendent to appoint a time and place and make such regulations for such elections or either of them as he may think fit.

Appointment of Audi-
tors.

11. If in any School District the persons qualified shall from any cause fail to appoint at the time and place appointed two auditors as provided in the said Ordinance it shall be lawful for the Superintendent to appoint one or more person or persons as he shall think fit to be an auditor or auditors for any such district who shall exercise for the time being all the powers rights and duties as if appointed under the provisions of the said Ordinance.

Election of School Com-
mittees in Muni-
cipalities.

12. The provisions of Section 10 of this Ordinance and of Section 35 of the said Ordinance with respect to the mode and time of election of School Committees shall not extend to any Educational District any portion of which shall be comprised in the city of Christchurch or the towns of Timaru Kaiapoi or Lyttelton respectively or any other Municipality within the Province and with respect to a School Committee or School Committees for any district comprised within or including any part of the city of Christchurch or the said towns of Timaru Kaiapoi or Lyttelton or any other Municipality the following provisions shall have effect namely for the first election of a School Committee under the said Ordinance in any district comprised in or including any part of the said city and town the candidates shall be nominated at the first meeting of the householders convened and held under and in pursuance of the provisions of Sections 7 and 8 of this Ordinance and for every subsequent and annual election of the School Committee of any such district the candidates shall be nominated at the public meeting convened and held under the provisions of the said Ordinance And any householder may at such meeting nominate any number of persons being such householders as aforesaid not exceeding the number of persons to be elected and if at any such first or annual meeting there be no more

candidates proposed than the number of members of the School Committee to be elected the Chairman of the meeting shall publicly declare the candidates then duly proposed to be duly elected and in the event of there being more candidates proposed than the number of members to be elected the Chairman shall call for a show of hands separately in favour of each candidate and after such show shall declare the persons in whose favour the show of hands shall appear to have been and if thereupon a poll be not demanded by one of the candidates or by not less than five electors the Chairman shall declare such persons to be duly elected.

13. If a poll be demanded as aforesaid under the provisions of If poll demanded. Section 12 the Chairman shall then declare the day on which the same shall be held such day being a day not sooner than three days and not later than ten days from the day of such meeting and the poll shall thereupon stand appointed for such day and shall be opened and taken at such place in such manner and in accordance with such regulations as the Superintendent may from time to time by order prescribe and the Board may from time to time by order appoint or direct the appointment of any officers requisite for the purpose of any such election and do all other necessary things preliminary or incidental to any such election.

14. Section 43 of the said Ordinance is hereby repealed and the follow- Vacancies how caused. ing provision is made in lieu thereof If any member of any District School committee shall cease to be a householder in the district for which he has been elected or shall signify in writing to the chairman of the Committee his desire to resign his seat he shall thereupon cease to be a member of the School Committee.

15. Section 44 of the said Ordinance is hereby repealed.

Repealing.

16. Section 45 of the said Ordinance is hereby repealed and the follow- Proceedings of School Committee. ing provision is made in lieu thereof. The proceedings of every District School Committee shall be transacted at meetings the time and place for which shall have been previously fixed by such Committee or at meetings to be convened by the Chairman of such Committee and it shall be the duty of the Chairman to convene such meeting whenever he shall be requested in writing so to do by two or more members of such Committee or in event of there being no Chairman or until the election of the Chairman any two members of the Committee may convene a meeting of the Committee to be held at the time and place and for the purpose specified in a written notice to be sent to the residence of each member of the Committee.

IV. ESTABLISHMENT AND MAINTENANCE OF SCHOOLS.

17. Section 50 of the said Ordinance is hereby repealed and the follow- Rate may be levied. ing provision is made in lieu thereof If in any Educational District con-

stituted under the provisions of this Ordinance the owners and occupiers of land and householders shall fail within the time limited for that purpose by the Board to contribute and pay to the Provincial Treasurer the amount which shall be fixed by the Board as the contribution of such District to the cost of the school buildings and of the acquisition of a suitable site together with the sum required as hereinafter mentioned for the purchase of books, apparatus and fittings for the school or of additions or repairs to any school buildings it shall be lawful for the Superintendent by proclamation in the *Provincial Government Gazette* to declare an uniform rate to be leviable upon the amount of the annual value of the property comprised within such district as stated in the Ratepayers Roll of the Municipality or Road district or districts which are or shall be included either wholly or in part within the boundaries of such Educational District to be paid by the persons liable to pay rates in respect to such property for Municipal or Road Board purposes provided that such rates shall not exceed in any one year 6d. in the pound of the amount of such annual value.

Appointment of teacher.

18. Section 57 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof: No appointment of any teacher shall be valid until such teacher shall have produced to the Board a certificate of qualification from her Majesty's Committee of Privy Council on Education or such other certificates of fitness as shall be required by any regulations of the Board and every appointment or dismissal of any teacher or any reduction made in his salary after being once fixed shall be subject to the sanction of the Board.

Board may make grant towards cost of site or buildings.

19. Section 60 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof: It shall be lawful for the Board on receiving a memorial from any District School Committee or a report from any Commissioner appointed as provided in the said Ordinance praying for or recommending the establishment of a school in any district constituted under the said Ordinance to grant to such Committee or Commissioner any sum not exceeding five-sixths of the estimated cost of the buildings required and the land required for a site or sites or the estimated cost of repairing or adding to any buildings that may already exist on the school site or the cost of increasing the area of the school site.

Grants to be made under certain conditions.

20. Section 61 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof: No aid shall be granted by the Board for the establishment of a new school unless

(1st) The plan of the buildings shall first have been approved of by the Board.

(2nd) The site or sites outside the limits of a town shall be at least one acre in extent. The site or sites within the limits of a town shall be such as may be approved of by the Board Provided that the school-house may on the approval of the Board be placed on a site separate from the site of the master's house.

(3rd) The site or sites shall have been previously vested in the Superintendent for the purposes of a school either by a grant in fee or by lease at a nominal rent for a term of not less than twenty-one years.

(4th) There shall have been deposited in the Provincial Treasury a sum equal to one-sixth of the estimated cost of the buildings and site or the estimated cost of repairing or adding to any building that may already exist on the school site or the cost of increasing the area of the school site together with a sum of at least Twenty Pounds for the purchase of books apparatus and fittings for the school Provided that any building that may exist on the proposed school site and which may be deemed by the Board suitable for the purposes of a school may be accepted by them at an estimated value by way of payment or part payment of the contribution aforesaid.

21. Section 65 of the said Ordinance is hereby repealed and the following provision made in lieu thereof: Payment of annual rate. The said annual sum shall be paid by the persons liable to the payment thereof to some person or persons from time to time appointed by the Superintendent for that purpose at such time in each year and at such place within each Educational District respectively as shall be fixed by the Superintendent by public notice in some newspaper published and generally circulated within the province not less than twenty-one days before the time appointed and every such person shall hold office during the Superintendent's pleasure and if the said sums or any part thereof respectively shall not be paid on or before such time the same may be recovered as a debt at the suit of the Superintendent Provided always that it shall be lawful for the Superintendent on the recommendation of the District School Committee to excuse any person from the payment of such sums of money who may be deemed unable through poverty to pay the same.

22. Section 68 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof: School fees.—Any child over the age of five years may attend any school which may be under the control of any District School Committee on payment in advance of such school fees as the Board of Education may by regulation determine not exceeding five

shillings per quarter but nothing in this Section shall be construed as imposing any liability for school fees in respect of children between the ages of six and thirteen of any householder liable to pay or who shall have paid rates or fees under the provisions of Sections 64 and 68 of the said Ordinance.

Condition of special grant.

23. Section 74 of the said Ordinance is hereby repealed and the following provision is made in lieu thereof: The promoters or managers of such School shall contribute by children's payments an amount equal at least to such special grant from the Board to be applied to the payment of the Teacher or Teachers. Provided that any further sums contributed for the use of the School beyond this equivalent may be appropriated by such promoters or managers as they shall think fit. Provided also that if at any time the sum contributed by such promoters and managers shall fall short of the sum contributed by the Board the Board shall either withdraw its grant altogether or reduce the same to the amount contributed by such promoters and managers as it shall think fit.

Board may make grant in aid of private efforts for promotion of education.

24. It shall be lawful for the Board notwithstanding anything hereinbefore or hereinafter provided to grant any sum or sums of money in aid of the efforts made by private individuals or associations for the promotion of education in localities in which from the smallness or scattered position or the unsettled nature of the population no School District shall have been constituted.

Provision for military drill.

25. In any of the schools subject to the provisions of this Act as the Board of Education shall from time to time direct provision shall be made for physical training and instruction in military drill. The training and drill shall be such and be conducted and taught in such manner as shall from time to time be prescribed in regulations to be made by the Board.

V MISCELLANEOUS.

Expulsion of children.

26. It shall be lawful for the teacher of any school established or maintained under the provisions of this Ordinance to expel or forbid the attendance of any child for want of cleanliness or who may be likely to communicate any contagious disease or who from gross misconduct or incorrigible disobedience may be considered an injurious or dangerous example to the other scholars the parent or guardian of such child having a right of appeal first to the School Committee and finally to the Board.

Householder.

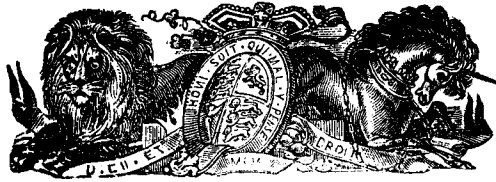
27. The term householder in this Ordinance and in the said Ordinance shall mean every person who occupies uses or resides in any dwelling-house warehouse office shop or other building in any Educational district and who in respect thereof shall under the provisions of any Act of the

General Assembly of New Zealand or any Ordinance of the Provincial Council of the Province of Canterbury be rated for Municipal or Road Board purposes And every person who is the tenant lessee or occupier of any dwelling house in any Educational District which may be exempted from being rateable property for Municipal purposes Provided that nothing herein contained shall be deemed in any way to affect any dwelling house the property of Her Majesty or in the occupation of the Crown or Government of the Colony.

28. This Ordinance shall be read and construed as part of "The Education Ordinance 1871." This Ordinance part of "Education Ordinance, 1871."

General Assembly of the Board of Education, as provided in the
 Council of the Board of Education, as provided in the
 Board of Education, as provided in the
 dwelling houses in any Educational District which
 being municipal property for Educational purposes. The
 herein contained shall be deemed to have been
 the property of the Board of Education, as provided in the
 Government of the District.

Education Ordinance 1971



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 8.

The Canterbury Fencing Ordinance, 1872.

[June 19, 1872.]

ANALYSIS.

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| <p>Preamble.</p> <ol style="list-style-type: none">1. Repealing clause.2. Occupier of land to give notice to owner or occupier of adjoining land of intention to erect dividing fence.3. Serving of notice.4. In case of refusal or neglect to make half fence when notice given.5. Position of fence as regards adjoining land.6. Occupier of land to pay moiety of value of dividing fence towards erection of which no assistance has been given.7. Dividing fence to be cut, trimmed, or repaired at joint expense of owners or occupiers.8. Occupier may enter upon land of adjoining occupier for purpose of making, repairing, or for trimming fence. | <ol style="list-style-type: none">9. Occupier of land under pasturage license may require occupier of any adjoining land granted by the Crown to make or repair fence.10. This Ordinance not to affect subsisting covenants or agreements.11. Ordinance not to affect waste lands of the Crown except as provided.12. Sufficient fence.13. Ordinance to apply to all cities and towns as well as lands referred to in Section 2.14. In case of stream or ditch which does not form a sufficient fence dividing two properties.15. Title. |
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Preamble.

WHEREAS it is expedient to amend the law regulating the erection and maintenance of Dividing Fences within the Province of Canterbury :

BE IT THEREFORE ENACTED by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows :

Repealing clause.

1. The Fencing Ordinance 1869 shall be and the same is hereby repealed except so far as it repeals any former Ordinance Provided that such repeal shall not affect the existing rights of any person under the said Ordinance or any proceedings or directions already taken commenced or given under the said Ordinance.

Occupier of land to give notice to owner or occupier of adjoining land of intention to erect dividing fence.

2. Before any person being an occupier lessee for years or owner of land shall erect or make a sufficient fence dividing his land from land not being Waste Lands of the Crown held under any depasturing license adjoining thereto such person is hereby required to give to the occupier or if there be no occupier to the owner or lessee for years of such adjoining land a notice in writing in the form or to the effect of that contained in Schedule A hereunto annexed of such person's intention to erect or make such sufficient fence as described in such notice and if such person shall erect such fence without giving notice as aforesaid the occupier lessee for years or owner as the case may be of such adjoining land shall not be liable to pay any portion of the value of such fence.

Serving of notice.

3. Every such notice may be served upon such occupier lessee for years or owner either personally or by leaving the same with some adult inmate at his usual residence or if such owner or lessee for years shall be absent from the Province then by delivering the same to or leaving the same at the residence of his known agent in the same manner and if there shall be no such agent resident in the Province then it shall be sufficient to insert such notice at least three consecutive times in the *Government Gazette* of the Province.

In case of refusal or neglect to make half fence when notice given.

4. If after any notice has been given in accordance with the provisions of the preceding sections the occupier lessee for years or owner or his attorney or agent shall refuse or neglect for the space of one calendar month to make or cause to be made one half of the fence or fences mentioned in the said notice or one half of such sufficient fence as may be mutually agreed upon it shall be lawful for the person giving such notice as aforesaid thereupon or within six months thereafter to make a fence of the kind or description mentioned in the said notice or at his discretion to make any other sufficient fence within the meaning of this Ordinance and may thereupon recover in a court of competent jurisdiction from the person receiving such notice one half of the cost of making such fence.

5. The owner or occupier or lessee for years of any land not being within the limits of any town may in making a fence as is described in clause 7 of Schedule B dividing his land from the land thereto adjoining make either the bank or ditch on such adjoining land and use the soil taken from the ditch towards the making of the bank. Provided always that it shall not be lawful to make any ditch or bank upon any such adjoining land in any case where a hedge of live thorns gorse or broom or other live fence may have been planted and kept in good and thriving condition thereon so as to disturb or injure such hedge or other live fence without the consent of the owner or occupier or lessee for years of such land first obtained. And where a dividing fence is made of the descriptions Nos. 1 2 and 3 of Schedule B the posts of such fence shall be placed on the boundary line.

Position of fence as regards adjoining land.

6. If any occupier lessee for years or owner of such land shall at any time after the passing of this Ordinance make use of or avail himself of any sufficient dividing fence erected or made before the passing of this Ordinance towards the erection or making of which no assistance equal to one moiety of the original cost of such fence shall have been given by such person or any former occupier lessee for years or owner he shall be liable to pay one moiety of the then value thereof or of so much thereof as shall be available as a fence for his land to the occupier lessee for years or owner of the land divided by such fence from his land less the value of the assistance originally given towards the construction of such fence.

Occupier of land to pay moiety of value of dividing fence towards erection of which no assistance has been given.

7. When any sufficient dividing fence shall require cutting trimming cleansing or repairs or shall become insufficient the same shall be cut trimmed cleansed and repaired at the joint expense of the owners or occupiers or lessees for years of the land adjoining such fence and any owner or occupier or lessee for years of land adjoining such fence (having given notice in writing to the other owner occupier or lessee for years of the land divided by such fence or to his or her agent in the said Province) may on refusal or neglect of such last mentioned person for the space of two weeks to contribute one-half of such expense cause the same to be cut trimmed cleansed or repaired and made a sufficient fence and shall thereupon be entitled to recover from such adjoining owner or occupier or lessee for years one-half of the cost of so cutting trimming cleansing or repairing such fence.

Dividing fence to be cut, trimmed, or repaired at joint expense of owners or occupiers.

8. For the purpose of making or repairing any fence or for trimming any fence under the provisions of this Ordinance it shall be lawful for the occupier lessee for years or owner of any land or any person duly authorised by him from time to time to enter upon that of the adjoining occupier lessee for years or owner and no action shall accrue to such adjoining occupier lessee for years or owner by reason of such entry or entries.

Occupier may enter upon land of adjoining occupier for purpose of making, repairing, or trimming fence.

Occupier of land under pasturage license may require occupier of any adjoining land granted by the Crown to make or repair fence.

9. Any person occupying land under any pasturage license held under the Crown may require any occupier of any adjoining land granted by the Crown to make or repair a fence between the land in their respective occupation and all the provisions of this Ordinance shall apply to such case as if both such occupiers held land which had been granted by the Crown but an occupier of land granted by the Crown abutting on land occupied under such license as aforesaid shall not be entitled to require the person occupying such last mentioned land to make a fence between the lands occupied by them respectively.

This Ordinance not to affect subsisting covenants or agreements.

10. Nothing in this Ordinance contained shall make void or affect the liability of any person or persons under any now subsisting covenant or agreement relative to Fencing or to any covenant or agreement which shall be hereafter entered into between adjoining occupiers or owners landlord and tenant or any other person or persons whomsoever.

Ordinance not to affect waste lands of the Crown except as provided.

11. Nothing in this Ordinance shall be deemed to affect waste lands of the Crown except as herein especially provided.

Sufficient fence.

12. In the construction of this Ordinance the term "sufficient fence" shall be taken to include any fence of the description set forth in Schedule B hereto annexed Provided always that no person shall be entitled to erect any such fence as is described in Clause No. 7 of Schedule B within the limits of a town And provided also that where a fence has already been erected sufficient under the provisions of the Ordinance hereby repealed it shall not be necessary that any such fence should until its re-erection be made a sufficient fence within the meaning of this Ordinance.

Ordinance to apply to all cities and towns as well as lands referred to in Section 2.

13. The provisions of this Ordinance shall apply as well to lands in the City of Christchurch and to all other Cities and Towns in the Province of Canterbury as to lands referred to in Section 2 of this Ordinance.

In case of stream or ditch which does not form a sufficient fence dividing two properties.

14. When any stream or ditch which does not form a sufficient fence shall divide two properties and the owner of the land on one side of the stream or ditch shall after having given the requisite notice to the owner of the land on the other side of the stream or ditch have erected a sufficient fence on his own land for half the distance between the said properties and the owner of the land on the opposite side shall have refused or neglected to complete a dividing fence by erecting a sufficient fence on his own land for the other half of such distance then it shall be lawful for the owner of the land who shall have given such notice and erected such fence as aforesaid and his workmen to enter upon the land on the opposite side of the stream or ditch and erect or cause to be

erected thereon a sufficient fence in continuation of the fence he shall have erected on his own land for the remainder of the distance between his land on the opposite side of the stream or ditch and connect the said fences in such a way as occasion may require and he may deem most advisable and he shall be entitled to recover one-half of the entire cost of such fence from the owner of the land on the opposite side of such stream or ditch.

15. This Ordinance shall be intituled "The Canterbury Fencing ^{Title.} Ordinance 1872."

SCHEDULE A.

NOTICE TO MAKE FENCE.

To _____ Occupier (or Owner or Lessee
or Agent as the case may be) of (describing adjoining land.)

Take notice that I desire that a boundary or dividing fence between (describing
the lands) be made immediately (on or before the _____ day of _____ 18 ____)
and that such fence shall be a (describe the fence).

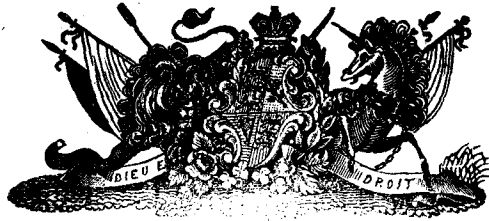
Dated this _____ day of _____ 18 ____ .

A. B.,
Occupier (or Owner or Lessee or Agent of &c.)

SCHEDULE. B

DESCRIPTION OF SUFFICIENT FENCE.

1. A Post and Rail fence at least four feet in height of substantial material firmly erected with no greater distance between the rails or between the rails and the ground than nine inches and the posts not more than eight feet six inches asunder.
2. A substantial upright paling at least three feet six inches in height with no greater distance between the palings than four inches.
3. A substantial wire fence at the least three feet six inches in height having not less than six wires tightly stretched with no greater distance between each of the three bottom wires or the bottom wire and the ground than six inches and the posts or standards or binding wires of which are not further than nine feet from each other.
4. A bank or wall of substantial materials at the least five feet in height of which the slope is not more than one foot from the perpendicular.
5. A close and sufficient live fence at least four feet in height.
6. A combination of the above kind of fences at the least four feet in height.
7. A ditch not less than five feet broad with a bank or any fence or combination of the above sorts of fences on either side thereof the top of which shall be at least five feet six inches from the bottom of the ditch and three feet six inches above the level of the ground and where the slope of the bank on the ditch side thereof is not more than one in three and the slope of the ditch on the bank side not more than one in two.
8. A ditch not less than four feet in width and two in depth with a bank and wires not less than three feet six inches in height the wires to be tightly strained with not more than eight inches between the wires and six inches between the bottom wire and the bank and the standards or binding wires to be not more than nine feet apart.
9. A natural stream ditch or watercourse not less than seven feet broad at the top and four feet broad at the bottom not less than three feet six inches deep with a stream of water running in it and with a bank with a slope of not more than one in three or any fence or combination of the above sorts of fences on either side thereof being not more than nine inches from the edge of the ditch the top of which shall not be less than two feet above the level of the ground.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 9.

The Public House Ordinance, 1866, Amendment
Ordinance, 1872.

[June 19, 1872.]

WHEREAS an Ordinance was passed by the Superintendent of the Preamble.
Province of Canterbury with the advice and consent of the
Provincial Council entitled "The Public-House Ordinance 1866" and
whereas two Ordinances were passed in the Twenty-sixth and Twenty-
seventh Sessions respectively of the said Provincial Council for the
purpose of amending the said Ordinance :

And whereas it is desirable further to amend the said Ordinance :

Be it therefore enacted by the Superintendent of the said Province
with the advice and consent of the Provincial Council thereof as
follows :—

1. Section 13 of the said Ordinance is hereby repealed.

Repealing.

If quorum of Justices not present at annual or quarterly licensing meeting said meeting may be adjourned for two weeks.

2. Whenever at any annual or quarterly licensing meeting to be holden under the provisions of the said Ordinance a quorum of Justices shall not be present by one of the clock of the day at the Court House appointed for the meeting it shall be lawful for any one Justice being present to adjourn the said meeting for two weeks and to cause notice of such adjournment to be given to all the other Justices resident in the district.

If quorum of Justices not present at adjourned meeting R.M. shall signify same to Superintendent, who shall then with advice and consent of Executive Council do and perform all acts which Justices are by said Ordinance empowered to do and perform at such meetings.

3. At such adjourned meeting it shall be lawful for the Justices then present if constituting a quorum under the provisions of the said Ordinance to take into consideration every application for a license and to hear inquire into and determine all objections thereto and to grant or refuse such license to every such persons as shall in their discretion be approved of by the majority of such Justices in the form and manner and subject to the terms and conditions provided by the said Ordinance Provided that if at such adjourned meeting there shall not be present a quorum of Justices the Resident Magistrate shall forthwith signify the fact to the Superintendent and it shall then be lawful for the Superintendent with the advice and consent of his Executive Council to do and perform all such acts which the Justices are by the said Ordinance empowered to do and perform at such meetings.

Words "chief officer of police" who to mean.

4. The words "Chief Officer of Police" in Section 32 of the said "Public House Ordinance 1866" shall mean and be interpreted as meaning the Chief Officer of Police other than the Commissioner residing or stationed nearest to the Public House in respect of which any complaint under the said Section may have been made.

Holder of license to have lamp burning outside house between certain hours under penalty.

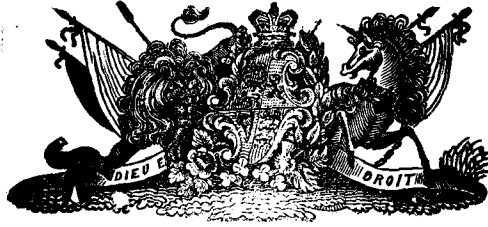
5. If any holder of a license shall neglect or refuse to have a lamp giving a good and sufficient light affixed over the front or principal door of his house or to keep the same burning from sunset till eleven o'clock he shall be liable to a penalty not exceeding Ten Pounds for every offence.

Repealing.

6. Section 8 of "The Public House Ordinance 1866 Amendment Ordinance 1867" is hereby repealed.

Title.

7. This Ordinance shall be read with and form part of "The Public House Ordinance 1866" and be intituled "The Public House Ordinance 1866 Amendment Ordinance 1872."



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 10.

The Cathedral Square Ordinance, 1872.

[July 23, 1872.]

WHEREAS by “The Cathedral Square Ordinance 1864” Section 4 Preamble.
certain portions of a section of land situate in the City of Christchurch mentioned in a certain Ordinance of the Superintendent and Provincial Council of the Province of Canterbury Session X. No. 5 were directed to be held by the Superintendent of the said Province of Canterbury and his successors upon trust for the public service of the Province aforesaid as an open square or for plantations And whereas it is expedient that the portions of the lands so to be held by the Superintendent of the said Province of Canterbury and his successors upon trust as aforesaid which are described in Schedule A to this Ordinance shall be vested in the Trustees of the Cathedral site named in the Schedule B to this Ordinance :

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows :

Repealing clause.

1. The 4th Section of "The Cathedral Square Ordinance 1864" is hereby repealed.

Portions of land described in Schedule A to be held in trust as site for Cathedral.

2. Those portions of the said section of land which are described in the Schedule A to this Ordinance shall be held by the Superintendent of the Province for the time being and his successors as a site for the erection of a Cathedral in connection with the United Church of England and Ireland in New Zealand and upon trust to convey the fee simple and inheritance in the same by deed to the persons named in Schedule B to this Ordinance their successors and assigns in trust for the purpose aforesaid subject to the condition that no buildings be erected thereon save as hereinafter mentioned.

Trustees may erect Chapter House.

3. Provided that in case at any time hereafter the said Trustees shall deem it desirable to erect a Chapter House on any portion of such land not lying at a greater distance than twelve feet from the lands heretofore conveyed to the Lord Bishop of Christchurch as a site for such Cathedral as aforesaid it shall be lawful for the said Trustees so to do.

When land described in Schedule A has been conveyed land described in Schedule C may be taken and used for a roadway.

4. When and so soon as the said portions of the said sections of land described in Schedule A to this Ordinance shall have been conveyed by the Superintendent in pursuance hereof it shall be lawful for the Mayor Councillors and Citizens of the City of Christchurch under any powers or authorities in any way enabling them in that behalf to take and use for a roadway the piece of land described in Schedule C to this Ordinance and for the Superintendent to stop up so much of the land at present used as a public highway along the western side of the Cathedral site as is not included in the said Schedule C.

Remainder of land to be held in trust as public recreation ground.

5. The remaining portion of the said sections of land shall be held by the Superintendent upon trust as a public recreation ground or garden.

SCHEDULE A.

1. All that piece or parcel of land containing by admeasurement 17 perches more or less being part of the land reserved as a site for the Cathedral and numbered 1 in red on the map of the Chief Surveyor setting out and describing the Town of Christchurch commencing at the North-eastern corner of the said reserve thence Southerly following the Eastern boundary thereof a distance of 1 chain 15 links thence Westerly at a right angle a distance of 96 links thence at right angles due North a distance of one chain 15 links and from thence returning along the Northern boundary of the said reserve a distance of 96 links to the commencing point.

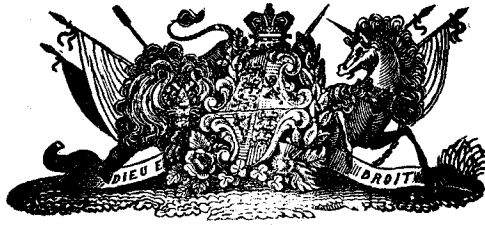
2. Also all that piece or parcel of land containing by admeasurement 17 perches more or less being part of the land reserved as a site for the Cathedral and numbered 1 in red on the map of the Chief Surveyor setting out and describing the Town of Christchurch commencing at the South-eastern corner of the said reserve thence Northerly following the Eastern boundary thereof a distance of 1 chain 15 links thence Westerly at a right angle a distance of 96 links thence at right angles due South a distance of 1 chain 15 links and from thence returning along the Southern boundary of the said reserve a distance of 96 links to the commencing point.

 SCHEDULE B.

The Right Reverend Henry John Chitty, Lord Bishop of Christchurch
 The Very Reverend Henry Jacobs, Dean of Christchurch
 The Venerable James Wilson, Archdeacon of Christchurch
 The Reverend George John Cholmondeley
 The Reverend William Wellington Willock
 George Gordon, Esquire
 Thomas William Maude, Esquire
 George Hart, Esquire
 William Donald, Esquire

 SCHEDULE C.

All that parcel of land bounded on the East by a line commencing on the South side of Cathedral Square 54 links due West of the Southern boundary of the piece of land secondly described in Schedule A of this Ordinance and continuing Northerly in a curved line (at the same radius as shown on plan of Cathedral site such line forming the Western boundary of the said site and also the Western boundary of the two reserves set apart as sites for tanks) to a point on the Northern boundary of the land reserved as a site for the Cathedral situate 54 links distant from and due West of the Northern boundary of the piece of land first described in Schedule A of this Ordinance and bounded on the Westward by a line parallel to and 86 feet distant from the Eastern boundary of the land hereinbefore described and commencing at a point due West from the Southern boundary of the piece of land secondly described in Schedule A of this Ordinance and terminating at a point due West from the Northern boundary of the piece of land first described in Schedule A to this Ordinance.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 11.

Reserve No. 330 Ordinance.

[July 23, 1872.]

WHEREAS by a Grant from the Crown bearing date the Twenty-^{Preamble.} first day of February One thousand eight hundred and seventy all that piece or parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Christchurch District and containing by admeasurement *thirty-four acres* more or less commencing at a point on the south-western boundary of Section No. 4382 the said point being the easternmost corner of section No. 9199 thence south-westerly along the south-eastern boundary line of the said Section No. 9199 and of Section No. 13501 a distance of thirty-five chains sixty-seven links thence south-easterly along the north-eastern boundary of Section No. 1983 to the road reserved along the north-western side of the Southern Railway thence north-easterly along the said road to the south-western boundary of Section No. 4382 before mentioned and from

thence returning north-westerly along the same to the commencing point and numbered 330 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Christchurch District aforesaid was granted unto the Superintendent of the Province of Canterbury and his successors in trust for a Gravel pit reserve :

And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of the said land comprised in the said recited grant:

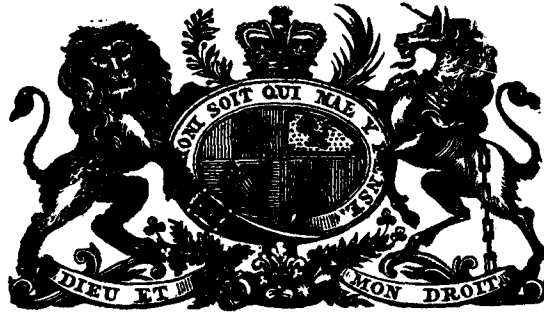
Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council of the said Province as follows:—

Superintendent may sell or demise land comprised in grant.

1. It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of that parcel of land comprised in the said recited grant.

Title.

2. This Ordinance shall be intituled and may be cited as "The Reserve No. 330 Ordinance."



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 12.

The Educational Reserves Leasing Ordinance, 1872.

[July 23, 1872.]

WHEREAS by several Crown Grants bearing the dates respectively Preamble.
as contained in the Schedule hereto all those parcels of land described in the said Crown Grants and delineated in the plans drawn in the margin of the said Crown Grants with all the rights and appurtenances thereto belonging were granted unto the Superintendent of the Province of Canterbury and his successors in trust for Educational purposes :

And whereas it is expedient that the said Superintendent of the said Province of Canterbury and his successors should have power to demise and lease the said parcels of land :

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows :

Superintendent may demise and lease reserves described in schedule.

1. It shall be lawful for the Superintendent in Council from time to time to demise and lease after public tender for any term or terms not exceeding twenty-one years all or any part of the Reserves described in the Schedule to this Ordinance upon such terms and conditions and at such rent or rents as to the Superintendent in Council may seem proper.

Title.

2. This Ordinance shall be intituled and may be cited as "The Educational Reserves Leasing Ordinance 1872."

SCHEDULE.

Number of Reserve, as delineated in red on the Map of the Chief Surveyor of the Province of Canterbury.	District.	Acreage.			Date of Crown Grant.
		A.	R.	P.	
928	Oxford - - -	510	0	0	10th October, 1871.
1108	Ashburton - - -	444	0	0	10th October, 1871.
1109	Ditto - - -	905	0	0	10th October, 1871.
1134	Oxford - - -	240	0	0	10th October, 1871.
1135	Ditto - - -	120	0	0	10th October, 1871.
1136	Ditto - - -	120	0	0	10th October, 1871.
1137	Ditto - - -	72	0	0	10th October, 1871.
1138	Ditto - - -	75	0	0	10th October, 1871.
1157	Lincoln - - -	187	0	0	10th October, 1871.
1158	Ditto - - -	50	0	0	10th October, 1871.
1159	Ditto - - -	83	0	0	10th October, 1871.
1176	Ditto - - -	189	0	0	10th October, 1871.
1180	Ellesmere - - -	54	0	0	10th October, 1871.
1181	Ditto - - -	57	0	0	10th October, 1871.
1182	Ditto - - -	8	0	0	10th October, 1871.
1187	Oxford - - -	81	0	0	10th October, 1871.
1188	Ditto - - -	24	0	0	10th October, 1871.
1189	Ditto - - -	20	0	0	10th October, 1871.
1190	Timaru - - -	1050	0	0	10th October, 1871.
1191	Ditto - - -	959	0	0	10th October, 1871.
1211	Ditto - - -	412	0	0	10th October, 1871.





PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 13.

The Canterbury Trespass of Cattle Ordinance, 1872.

[June 19, 1872.]

ANALYSIS.

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| <p>Preamble.</p> <ol style="list-style-type: none">1. Repealing clause.2. Interpretation clause.3. Cattle to be impounded only under provisions of this Ordinance.4. Cattle straying in streets or thoroughfares.5. Cattle trespassing upon any land.6. Entire animals wandering at large.7. Damages how recoverable.8. Cattle trespassing upon fenced land.9. Pigs or goats found trespassing.10. Pounds to be erected and maintained.11. Poundkeepers to be appointed.12. Poundkeepers to give security.13. Duties of Poundkeeper.14. Poundkeeper may demand fees, &c.15. Poundkeeper to erect and maintain board with table of fees.16. Penalty for demanding or taking greater sum than authorised.17. Poundkeeper to keep copy of Ordinance, register of brands, and poundbook.18. Poundkeeper neglecting to produce Ordinance or poundbook.19. Poundkeeper liable for loss or damage to cattle impounded. | <ol style="list-style-type: none">20. Damages claimed shall be demanded from person taking delivery.21. Impounded cattle not claimed within twenty-four hours.22. Impounded cattle not released after notice has been served or posted.23. Proceeds of sale how to be applied.24. Penalty for rescue of cattle.25. No penalty to exceed one hundred pounds.26. Pounds at present established to be deemed to be pounds under this Ordinance.27. Control and management of pound may be handed over to Borough Council and Road Boards.28. Penalty for wilfully removing or driving cattle on to other person's land, or on to public road, if from land not owned or occupied by person so doing.29. Superintendent to act with advice of Executive Council.30. Offences how to be dealt with.31. Title. |
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Preamble.

WHEREAS it is expedient to amend the law relating to the Trespass of Cattle within the Province of Canterbury :

BE IT THEREFORE ENACTED by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows :

Repealing clause.

1. "The Trespass of Cattle Ordinance 1869" is hereby repealed except as to any proceedings already commenced or taken or matters done or liabilities or penalties incurred under the said Ordinance.

Interpretation clause.

2. In the interpretation of this Ordinance the word "Cattle" unless otherwise specially defined shall be deemed to include all horned and neat cattle horses mules asses sheep goats and swine of all ages and of either sex and the words "Owner of Cattle" shall be taken to mean the person having the lawful charge control and management of such cattle and the term "Sufficient Fence" shall be taken to mean any fence of the several kinds described in the Schedule A to this Ordinance the smallest part in which shall be of not less dimensions than those set forth in the same Schedule The term "Fenced Land" shall mean land enclosed by a sufficient fence within the meaning of this Ordinance and the term "Ordinary Damages" shall be deemed to be the amount of damages in every case respectively according to the scale set forth in the Schedule B to this Ordinance and the words "Special Damages" shall be deemed to be the amount of actual damage to the occupier which it shall be proved to the satisfaction of the Court has been caused by the trespass of any cattle and the word "Residence" of the owner of any cattle shall be taken to mean the nearest known residence or home-stead in use by the owner of such cattle and the word "Occupier" of any land shall be taken to mean the person having the use or occupation of such land or holding a license from the Crown for the depasturing of cattle thereupon or the agent bailiff or servant of any such person and the words "the nearest Public Pound" shall be taken to mean such public pound as any Court before whom any question arising under this Ordinance shall be heard shall deem the most convenient for the purpose having regard to the circumstances of each case.

Cattle to be impounded only under provisions of this Ordinance.

3. From and after the passing of this Ordinance no cattle shall be impounded except only under the authority and in accordance with the provisions of this Ordinance.

Cattle straying in streets or thoroughfares.

4. If any cattle shall be at any time found straying in or lying about any street thoroughfare highway or other public place or across any part thereof or shall be found tethered in any street thoroughfare highway or other public place or so immediately adjoining to such street

thoroughfare or other public place as to obstruct the same it shall be lawful for any person to drive the same to the nearest Pound and the owner thereof shall be liable to a penalty not exceeding forty shillings This section shall not apply to cattle owned by any licensee of Crown Lands if such cattle are depasturing on roads over which he has a right of pasturage.

5. If any cattle shall be found trespassing upon any land it shall be lawful for the occupier of such land or of the pasturage thereof thereupon to take such cattle and either to drive them to the residence of the owner or to the nearest public Pound or to detain them on his own land at some convenient place and immediately thereupon to give notice of such detention at the residence of the owner thereof and such occupier shall be entitled to recover from the owner of such cattle ordinary damages and charges for driving the same or for giving notice of the detention of the same according to the scale respectively set forth in Schedules B and C to this Ordinance Provided also that such occupier may demand the payment of such ordinary damages before restitution of such cattle but if such occupier shall claim special damages then such cattle shall not be detained if application be made by the owner for their restitution Provided also that no owner or occupier of any unfenced freehold land shall be entitled to demand or recover any damages whatever by reason of the trespass thereon of any cattle or any fees for driving or for giving notice of the detention of such cattle.

Cattle trespassing upon any land.

6. If any bull ram boar entire horse ass or mule shall be found wandering at large on land not being in the lawful occupation of the owner of such animal or upon any street thoroughfare highway or other public place it shall be lawful for any person thereupon to impound the same and the owner thereof shall be further liable to a penalty not exceeding ten pounds.

Entire animals wandering at large.

7. Any person entitled to claim ordinary damages for any trespass done by cattle not having impounded such cattle may recover such damages in the ordinary course of law and if he shall have impounded such cattle such damages shall be paid to him by the Poundkeeper as hereinafter provided.

Damages how recoverable.

8. If any cattle shall be found trespassing upon any fenced land the occupier thereof shall be entitled to recover from the owner of such cattle either ordinary damages or special damages as he shall think fit and such occupier may recover the same in the due course of law.

Cattle trespassing upon fenced land.

9. If any pigs or goats shall be found trespassing on any land whether fenced or unfenced the occupier or owner of such land may recover from the owner of such pigs or goats damages at the rate of one

Pigs or goats found trespassing.

shilling per head and if any pigs or goats the property of the same owner shall trespass on such land within the space of three months after the first trespass such occupier may recover from such owner damages at the rate of two shillings per head for every pig or goat so trespassing Provided that such occupier may either drive such pigs or goats or cause them to be conveyed to the residence of the owner or to the nearest public Pound and may recover from the owner the reasonable expenses of so doing or such occupier may give notice to the owner of such pigs or goats that they are so trespassing and if such owner shall not forthwith remove such pigs or goats he shall pay to such occupier damages at the rate of three shillings per head for every pig or goat so trespassing.

Pounds to be erected and maintained.

10. It shall be lawful for the Superintendent to cause public Pounds to be erected and maintained within the province and from time to time abolish or remove the same and all such Pounds shall be situate immediately adjoining some public highway and a notification of every such establishment abolition or removal of a public Pound shall appear in the *Government Gazette* of the province setting forth fully the situation of such Pound or the situation to which it is removed as the case may be together with the day being not less than ten clear days after the issue of such Gazette from and after which such establishment abolition or removal shall take effect.

Poundkeepers to be appointed.

11. It shall be lawful for the Superintendent by writing under his hand to appoint fit and proper persons to be Poundkeepers and from time to time to remove the same and to appoint others in their stead and every such appointment or removal shall take effect from the day upon which the same shall be notified in the public Gazette of the province.

Poundkeepers to give security.

12. Every Poundkeeper shall give security for the due performance of the duties of his office by bond to the amount of fifty pounds by himself and two sureties being substantial householders of the province.

Duties of Poundkeeper.

13. It shall be the duty of the Poundkeeper to keep the Pound under his charge clean and in good order and the fences thereof in proper repair and every day or part of a day not being less than six hours during which any cattle shall be in the Pound to supply such cattle with a sufficient quantity of wholesome food and water and for every offence either by wilful act or by neglect against the provisions of this clause the Poundkeeper shall be liable to a penalty not exceeding five pounds and not less than one pound.

Poundkeeper may demand fees, &c.

14. It shall be lawful for the Poundkeeper to demand and receive from the owner of any cattle impounded all such fees and charges as are set forth in the Schedule D to this Ordinance on account of the

several services therein described and the Poundkeeper shall until the Superintendent shall notify his intention to hand over the control of the Pound to the Road Board or Municipality within the jurisdiction of which any Pound may be situate account for all such fees and charges to the Provincial Treasurer or to any Sub-Treasurer as the Superintendent may from time to time direct once in every quarter on the first days of January April July and October respectively and all such fees and charges shall be first applied in payment of the salary or remuneration of the Poundkeeper and any surplus after the payment of such salary or remuneration shall be paid to the public account of the province.

15. The Poundkeeper shall erect and maintain in some conspicuous part of the Pound under his charge a white board having painted thereon in legible black letters a table of all the fees and charges which he is authorised by this Ordinance to demand and receive and if he shall fail to maintain the same or shall permit any false statement to appear thereon he shall be liable to a fine of five shillings for every day during which any false statement shall appear thereon.

Poundkeeper to erect and maintain board with table of fees.

16. If any Poundkeeper shall demand or take any greater sum for any act or service than he is hereby authorised to demand and take or shall fail duly to account for the fees and charges received by him in the manner hereinbefore provided such Poundkeeper shall be liable to a penalty not exceeding five pounds nor less than one Pound for every such offence.

Penalty for demanding or taking greater sum than authorised.

17. The Poundkeeper shall keep at or near the Pound a copy of this Ordinance and a copy of the Register of Brands required to be kept under the provisions of the Sheep Ordinance which shall be supplied by the Government free of cost and also a Pound-book in the form set forth in Schedule E to this Ordinance and he shall enter into such book every particular required to be entered therein according to the said form and all such entries shall be made at the time the acts were done to which they refer respectively and every entry respecting the time of impounding any cattle and the cause for which they were impounded and the amount of damages claimed shall be entered in the presence of the person impounding such cattle and shall be signed by such person and the Poundkeeper shall produce the copy of this Ordinance and the Pound-book and all orders and other papers relating to the impounding of any cattle at all reasonable times to any person desiring to inspect the same and may demand and receive the sum of sixpence for every such inspection and the Poundkeeper shall if required grant certified extracts from such books and papers and may demand and receive the sum of one shilling for every

Poundkeeper to keep copy of Ordinance, Register of Brands, and Pound-book.

such extract not comprising more than one hundred words and for every subsequent number of words not exceeding one hundred the sum of sixpence.

Poundkeeper neglecting
to produce Ordinance
or Pound-book.

18. If the Poundkeeper shall neglect or refuse to produce a copy of this Ordinance or the Pound-book or any paper in his possession relating to the impounding of any cattle or shall refuse to permit any one having first tendered the charge hereby authorised to be demanded to make such inspection as aforesaid or shall refuse to furnish extracts from such books or papers as hereinbefore provided or if he shall have neglected to make any entry in the Pound-book which he is hereby required to make he shall for every such offence or default be liable to a penalty not exceeding five pounds and if such Poundkeeper shall wilfully delay making such entry or shall knowingly make any false entry in the Pound-book or shall wrongfully erase or destroy any previous entry therein he shall be liable for every such offence to a penalty not exceeding ten pounds.

Poundkeeper liable or
loss or damage to
cattle impounded.

19. All cattle impounded shall be in the lawful custody of the Poundkeeper and if any loss or damage shall occur to such cattle through the wilful act or neglect of the Poundkeeper or his servant the owner thereof may recover compensation for the same in a summary way and the Poundkeeper shall not release such cattle from the Pound unless upon the payment of all lawful fees charges and damages which he is herein entitled to demand and receive and except upon the written authority of the person impounding the same and payment of such lawful fees and charges and it shall be his duty immediately upon such payment or upon such authority together with such payment as aforesaid to release and deliver up such cattle and if the Poundkeeper shall at any time release cattle from the Pound except as herein provided or refuse to deliver up and release such cattle as he is lawfully required so to do he shall be liable to a penalty not exceeding five pounds.

Damages claimed shall
be demanded from
person taking deli-
very.

20. If the person impounding any cattle shall state to the Poundkeeper that he claims "ordinary damages" or "charges for driving cattle" or "charges for giving notice of the detention of cattle" as set forth in Schedules B and C respectively hereto annexed in satisfaction of the trespass for which such cattle are impounded and shall state the amount of such damages or charges and shall certify to the same in the Pound-book the Poundkeeper shall demand and he is hereby empowered to demand and receive such amount in addition to all other lawful fees and charges from the person taking delivery of such cattle and the Poundkeeper shall pay over such amount on demand to the person having claimed the same The person impounding any cattle shall state in writing to the Poundkeeper the place where the cattle were found and the name of the owner thereof if such name be known to him.

21. If any impounded cattle shall not be claimed within twenty-four hours after such impounding the Poundkeeper shall immediately send notice in writing to the owner thereof together with an extract from the Pound-book containing all the particulars of the impounding of such cattle and the amount of "ordinary damages" claimed if any and shall further state the day upon which such cattle will be sold if not sooner released and such notice shall be delivered personally to the owner or shall be given to some adult person at his usual place of abode Provided that if such owner shall live at a greater distance than twenty miles from the Pound such notice shall be given to any one being his known agent living within such distance and if neither the owner nor his agent shall be living within such distance or if the owner shall not be known to the Poundkeeper then the Poundkeeper shall post such notice at the Pound and at some other place of public resort in the neighbourhood and shall advertise the same in one or more public newspapers of the nearest town and shall cause such advertisement to appear twice at least before the day of sale of such cattle in such advertisement the place where the cattle were found by the person impounding the same and the name of the owner if known shall be stated Provided that if such cattle shall not be more than two in number it shall not be necessary to give any other notice of such impounding than by posting such notice as aforesaid on the Pound and at some other place of public resort in the neighbourhood and for giving such notices the Poundkeeper shall be entitled to receive the fees set forth in Schedule F hereto annexed together with the full cost of inserting such advertisements in the newspapers.

Impounded cattle not claimed within twenty-four hours.

22. If any impounded cattle shall not be released from the Pound within seven clear days after notice shall have been served as aforesaid or within fourteen clear days after such notice shall have been posted as aforesaid the Poundkeeper shall forthwith proceed to sell the said cattle and every such sale shall take place at the Pound and shall commence at the hour of noon and each animal shall be put up in a separate lot and shall be sold to the highest bidder (provided that any sucklings may be put up in the same lot with the mother thereof) and the Poundkeeper notwithstanding he shall not be duly licensed is hereby empowered to act as auctioneer at such sale Provided that it shall not be lawful for the Poundkeeper or the person impounding such cattle either directly or indirectly to purchase any animal at such sale And every purchase made by such persons shall be absolutely null and void and the persons offending against the provisions of this section shall be liable to a penalty of five pounds over and above the restitution of the animal or animals so purchased.

Impounded cattle not released after notice has been served or posted.

23. The Poundkeeper shall receive the price of all impounded cattle sold as herein provided immediately after the sale thereof and shall

Proceeds of sale how to be applied.

apply the same first in the payment of all lawful fees and charges due to himself and secondly in payment of the damages "charges for driving cattle" and "charges for giving notice of the detention of cattle" (if any) claimed by the person impounding the cattle and he shall pay the residue to the owner of such cattle or to his agent upon the same being demanded and if no such demand shall be made within thirty days after such sale he shall pay over such residue to the Provincial Treasurer and the receipt of the Provincial Treasurer shall be a legal discharge to the Poundkeeper for the amount named therein.

Penalty for rescue of cattle.

24. If any person shall rescue or attempt to rescue any cattle which shall have been lawfully seized for the purpose of being impounded or shall break down injure or destroy any Pound legally erected whether any cattle shall be impounded therein or not or shall commit any Pound breach or rescue whereby any cattle of any description shall escape or be enlarged from any such Pound every such person shall upon conviction of such offence be liable to a penalty not less than five nor exceeding twenty pounds.

No penalty to exceed one hundred pounds.

25. No penalty to be imposed in any one conviction under the provisions of this Ordinance shall exceed the sum of one hundred pounds.

Pounds at present established to be deemed to be Pounds under this Ordinance.

26. Until further proceedings in that behalf in pursuance of this Ordinance as hereinbefore provided the public Pounds at present by law established shall be taken and deemed to be public Pounds and the Poundkeepers thereof to be Poundkeepers within the meaning and under the authority of this Ordinance.

Control and management of Pounds may be handed over to Borough Councils and Road Boards.

27. It shall be lawful for the Superintendent by writing under his hand to notify to the Mayor of any City or Borough or to the chairman of any Road Board his intention to hand over the control and management of any Pound which shall be situated within the limits of any City Borough or Road District to the Council of such City or Borough or to such Road Board and from and after a day to be named in such notification the powers hereby given to the Superintendent shall be held and enjoyed by such City or Borough Council or Road Board respectively and the Poundkeeper shall account for all fees and charges received by him in such manner as may be directed by the Council of such City or Borough or any such Road Board.

Penalty for wilfully removing or driving cattle on to other person's land or on to public road if from land not owned or occupied by person's doing.

28. If any person shall wilfully remove or drive any cattle from any land of which he shall not be the owner or occupier on to the lands of any other person or on to any public road he shall on conviction be liable to a penalty not exceeding five pounds for every such offence.

29. Every act which the Superintendent is hereby authorised or required to perform he shall perform solely in accordance with the advice and consent of his Executive Council and such advice shall be recorded on the minutes of the Council.

Superintendent to act
with advice of Executive Council.

30. Every offence by this Ordinance made punishable by a pecuniary penalty shall and may be prosecuted in a summary way before any two Justices of the Peace in the manner provided by the Justices of the Peace Act 1866 so far as the same relates to summary conviction or by an Act repealing or amending the same or for like purposes.

Offences how to be dealt
with.

31. This Ordinance shall be intituled and may be cited as "The Canterbury Tresspass of Cattle Ordinance 1872."

Title.

SCHEDULES.

SCHEDULE A.

DESCRIPTION OF SUFFICIENT FENCE.

1. A post and rail fence at least four feet in height of substantial material firmly erected with no greater distance between the rails or between the rails and the ground than nine inches and the posts not more than eight feet six inches asunder.
2. A substantial upright paling at least three feet six inches in height with no greater distance between the palings than four inches.
3. A substantial wire fence at the least three feet six inches in height having not less than six wires tightly stretched with no greater distance between each of the three bottom wires or the bottom wire and the ground than six inches and the posts or standards or binding wires of which are not further than nine feet from each other.
4. A bank or wall of substantial materials at least five feet in height of which the slope is not more than one foot from the perpendicular.
5. A close and sufficient live fence at least four feet in height.
6. A combination of the above kind of fences at the least four feet in height.
7. A ditch not less than five feet broad with a bank or any fence or combination of the above sorts of fences on either side thereof the top of which shall be at least five feet six inches from the bottom of the ditch and three feet six inches above the level of the ground and where the slope of the bank on the ditch side thereof is not more than one in three and the slope of the ditch on the bank side not more than one in two.
8. Any fence erected previous to the passing of this Ordinance which shall be of the description contained in Schedule B to the Trespass of Cattle Ordinance Session XIV. No. 1 or in Schedule A to the Trespass of Cattle Ordinance 1869.
9. A ditch not less than four feet in width and two in depth with a bank and wires not less than three feet six inches in height the wires to be tightly strained with not more than eight inches between the wires and six inches between the bottom wire and the bank and the standards or binding wires to be not more than nine feet apart.
10. A natural stream ditch or watercourse not less than seven feet broad at the top and four feet broad at the bottom not less than three feet six inches deep with a stream of water running in it and with a bank with a slope of not more than one in three or any fence or combination of the above sorts of fences on either side thereof being not more than nine inches from the edge of the ditch the top of which shall not be less than two feet above the level of the ground.

SCHEDULE B.

SCALE OF ORDINARY DAMAGES.

Within the district hereinafter defined as the Agricultural District :—

For every head of horses asses mules horned or neat cattle the sum of One Shilling and for every head of sheep or goats the sum of Threepence.

Within the portion of the Province not included in the Agricultural District or in the Towns as hereinafter specified :—

For every head of horses asses mules horned or neat cattle the sum of Threepence and for every sheep or goat One Penny.

Provided that in no case shall the sum to be charged for ordinary damages for trespass by cattle upon any one occasion exceed the sum of Two Pounds.

The Agricultural District shall comprise all that portion of the Province contained within the Avon the Heathcote the Kaiapoi and the Port Victoria Electoral Districts as set forth and described in the Provincial Council Extension Ordinance Sess. VIII. No. 8 and any other portions of the Province which shall have been or shall from time to time by Proclamation of the Superintendent in-pursuance of a recommendation to that effect from the Provincial Council be declared to be included in such agricultural district.

SCHEDULE C.

CHARGES FOR DRIVING CATTLE.

For any number of cattle of any sort whatsoever not exceeding twenty-five in number One Shilling for every mile or fractional part of a mile from the residence of the person driving such cattle to the residence of the owner of the same or to the Pound.

For any number exceeding twenty-five Two Shillings per mile.

For giving notice of the detention of cattle :—

For every mile or part of a mile exceeding one furlong from the residence of the person giving such notice to the residence of the owner of the cattle One Shilling Provided that in no case shall the charge for so driving or for giving notice exceed the sum of Two Pounds.

SCHEDULE D.

POUND FEES.

				s.	D.
For each entire horse above the age of twelve months	...	...	...	2	6
" mare gelding colt filly foal mule ass goat or pig	...	...	...	1	0
" bull above the age of twelve months	...	...	...	2	6
" ox cow steer heifer or calf (first ten)	...	...	...	0	6
" " " (above ten)	...	...	...	0	4
" " " (above thirty)	...	...	...	0	3
" " " (above fifty)	...	...	...	0	2
" ram above the age of nine months	...	...	...	0	6
" ewe wether or lamb (first twenty)	...	...	...	0	2

For every ewe wether or lamb (above twenty) s. d.
 0 1
 " " " (above one hundred) 0 0½
 The above fees to be paid for each day or part of a day during which the animal is kept in the Pound.

CHARGES FOR FOOD.

For every horse mare gelding mule ass colt filly foal or bull cow steer heifer or calf 1 0
 „ sheep or lamb... .. 0 1
 „ goat... .. 0 2
 „ boar sow or pig 0 6
 The above charges to be paid for each day or part of a day during which the animal is supplied with food and water by the Poundkeeper.

SCHEDULE E.

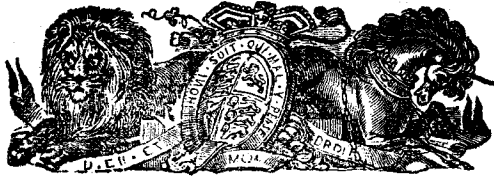
FORM OF POUNDKEEPER'S BOOK.

Date.	Time.	Particulars of cattle impounded.	Brand marks.	Owner.	By whom impounded.	For what cause impounded.	Place where cattle were found trespassing.	Time and mode of giving notice.	How disposed of.	Time when released or sold.	Particulars of release or sale.

SCHEDULE F.

POUNDKEEPER'S FEES FOR GIVING NOTICE OF CATTLE IMPOUNDED.

For giving notice to any owner agent or bailiff within twenty miles of the Pound:—
 For every mile or part of a mile exceeding one furlong from the Pound to the residence of the owner of the cattle s. d.
 1 0
 For posting a notice where the owner may be not known or lives at a greater distance than twenty miles from the Pound and has no agent or bailiff within that distance 1 0



PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 14.

The Canterbury Sheep Ordinance, 1872.

[June 19, 1872.]

ANALYSIS.

Preamble.

1. Repealing clause.

BRANDING, ETC., OF SHEEP.

2. All sheep to be branded.
3. Registrar of Brands to be appointed.
4. Sheep brands to be registered.
5. Registering or using brand of another person.
6. Branding sheep without leave of owner.
7. No person to cut off more than one-third part of sheep's ear.

INSPECTORS OF SHEEP.

8. Inspectors of Sheep to be appointed.
9. False report or certificate by Inspector.
10. Power of Inspector to enter on lands.
11. Penalty for obstructing inspection.
12. Inspector may require declaration.
13. List of diseased flocks to be published monthly.

RATE UPON SHEEP.

14. Return of sheep to be furnished annually to Inspector.
15. Rate to be struck.
16. Yearly rate to be paid by owner of sheep.

POSSESSION OF INFECTED SHEEP.

17. Possession of scabby sheep.
18. Penalty if reasonable exertions not made to clean sheep.
19. Inspector may order infected sheep to be herded and yarded.
20. Owner having several flocks depasturing on same run and one is infected.
21. If six months after conviction sheep not clean rams to be separated from ewes.
22. Owners of infected sheep to give notice of disease.
23. Scabby sheep to be branded S.
24. Infected sheep to be kept certain distance from boundaries of run.
25. Penalty for abandoning infected sheep.

IMPORTATION OF SHEEP.

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| <p>26. Landing sheep without certificate or landing infested sheep.</p> <p>27. Declaration of owner before landing sheep.</p> <p>28. Penalty on master of vessel for allowing sheep to be landed without certificate.</p> <p>29. Introducing by land diseased sheep or introducing sheep without certificate.</p> <p>30. Declaration of owner before introducing sheep by land.</p> <p>31. Imported sheep to be dressed within certain limits.</p> <p>32. Sheep introduced by land to be dressed within certain limits.</p> <p>33. Sheep introduced by land from Provinces of Otago or Nelson.</p> <p>34. Penalty for infringement of provisions of preceding section.</p> <p>35. Sheep examined for importation to be branded with Inspector's brand.</p> | <p>39. Separate informations for every run, &c., crossed.</p> <p>40. Notice to be given before driving sheep across run.</p> <p>41. Infected sheep trespassing and not removed may be destroyed.</p> <p>42. Occupier may, without warrant, inspect sheep on his run.</p> <p>43. Sheep dying of catarrh not to be thrown into ponds, &c.</p> <p>44. Sheep dying of catarrh to be burnt or buried.</p> <p>45. Recovery of strayed sheep.</p> <p>46. Unauthorised removal of sheep.</p> <p>47. Notice to be given before mustering sheep.</p> <p>48. Wilfully communicating scab or catarrh.</p> <p>49. Saving other remedies at law to persons suffering damage.</p> <p>50. Payment for inspection of sheep introduced by land or sea.</p> |
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MISCELLANEOUS.

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| <p>36. Power of Inspector to call for evidence corroborative of declaration made.</p> <p>37. Penalty for refusal by persons in charge of sheep to give evidence.</p> <p>38. Driving, &c., of infested sheep.</p> | <p>51. Maximum penalty.</p> <p>52. Superintendent to exercise powers by and with advice and consent of Executive Council.</p> <p>53. Offences prosecuted summarily.</p> <p>54. Interpretation.</p> <p>55. Title.</p> |
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Preamble.

WHEREAS certain Ordinances were passed by the Superintendent and Provincial Council of the Province of Canterbury intituled "The Sheep Ordinance 1864" and "The Sheep Ordinance 1864 Amendment Ordinance 1869" And whereas it is expedient that the said recited Ordinances should be repealed and that other provision should be made in lieu thereof :

Be it therefore enacted by the Superintendent of the said Province by and with the advice and consent of the Provincial Council thereof as follows:—

Repealing clause.

1. From and after the passing of this Ordinance the above recited Ordinances shall be and the same are hereby repealed except in so far as the same extend to repealing any previous Ordinances All legal proceedings in execution of the said Ordinances taken before the coming into operation of this Ordinance shall be as valid to all intents and purposes and may be continued executed and enforced after this Ordinance shall come into operation in the same manner as if this Ordinance had not been passed.

BRANDING, ETC., OF SHEEP.

2. All sheep and lambs above the age of four months within the Province of Canterbury shall be branded on the wool thereof with the registered brand of the owner which brand shall from time to time be renewed as occasion may require so that the same shall always be distinct and legible and every owner of any such sheep or lambs not so branded shall be liable to a penalty not exceeding twenty pounds and if the said sheep not being so branded shall exceed four hundred in number such owner shall be liable to a further penalty of not less than twopence nor more than sixpence for every such sheep or lamb not being so branded as aforesaid. All sheep to be branded.

3. It shall be lawful for the Superintendent from time to time to appoint some fit person to be Registrar of Brands and from time to time to remove any person so appointed and to make alter amend or repeal rules and regulations for the management of the office of such Registrar and to fix a scale of fees which shall be payable to such Registrar and all such rules and regulations and tables of fees shall be published in the *Provincial Government Gazette* and shall thereupon be binding upon all persons whom they may concern and shall have the force of law. Provided always that the present Registrar of Brands shall be deemed to have been duly appointed under this Ordinance and all such rules regulations and tables of fees as aforesaid as are now in force shall be deemed to have been duly made and fixed under this Ordinance. Registrar of Brands to be appointed.

4. Every owner of sheep shall cause his sheep brand to be registered in the office of the Registrar of Brands and any owner neglecting so to register such brand as aforesaid shall be liable to a penalty not exceeding Five Pounds Provided always that any brand already registered under the provisions of "The Scab and Catarrh Ordinance" Session III. No. 2 or of "The Sheep Ordinance" Session X. No. 9 or of "The Sheep Ordinance 1864" shall be deemed to have been registered under this Ordinance. Sheep brands to be registered.

5. After any person shall have registered a brand it shall not be lawful for any other person to register or to brand any sheep with the same brand or one so nearly similar as in the opinion of the Registrar of Brands to be not readily distinguishable therefrom or to make or cause to be made any branding-iron bearing the same or nearly similar brand as aforesaid and any person offending against the provisions of this section shall be liable to a penalty not exceeding Ten Pounds and every day during which after any person shall have been convicted under the provisions of this section his sheep shall continue to be branded with the registered brand of another person shall be deemed a Registering or using brand of another person.

separate offence against the provisions of this section. Provided always that any person having duly registered a brand may by writing addressed to the Registrar of Brands relinquish his right to the said brand and upon the due receipt of such writing by such Registrar he shall forthwith cause the registry of such brand in his "Register of Brands" to be cancelled and thenceforth it shall be lawful for any other person to register such brand in his own name in the office of the Registrar of Brands and to cause his sheep to be branded therewith as if such brand had not been previously registered.

Branding sheep without leave of owner.

6. If any person shall brand any sheep without the authority of the owner thereof or shall deface or efface any brand or other distinguishing mark upon any sheep without such authority in writing he shall be liable to a penalty of not less than Five nor exceeding One Hundred Pounds.

No person to cut off more than one-third part of sheep's ear.

7. If any person shall cut off more than one-third part of the ear of any sheep he shall be liable to a penalty of not more than Five Pounds for each sheep in respect of which such offence has been committed.

INSPECTORS OF SHEEP.

Inspectors of sheep to be appointed.

8. It shall be lawful for the Superintendent from time to time to appoint a Chief Inspector of Sheep and Inspectors of Sheep and from time to time to remove the same and to appoint others in their stead and it shall be lawful for the Superintendent from time to time to make alter or amend such Regulations as he may think fit for the guidance of such Chief Inspector and Inspectors in the execution of their duty and for the carrying this Ordinance into effect. Provided always that no such Regulations shall have any force until after they shall have been published in the *Provincial Government Gazette*. Provided further that any Inspectors already appointed and any such Regulations as aforesaid as are now in force under "The Sheep Ordinance" Session X. No. 9 or "The Sheep Ordinance 1864" shall be deemed to have been duly appointed and made under this Ordinance.

False report or certificate by Inspector.

9. If any Inspector of Sheep to be appointed as hereinbefore provided shall wilfully make any false report or deliver any false certificate as to the condition of any sheep examined by him he shall be liable to a penalty of not less than Twenty Pounds nor exceeding One Hundred Pounds or to be imprisoned for any term not exceeding six

calendar months If any Inspector of Sheep shall under colour of his office or employment exact or accept any fee or reward whatsoever other than his authorised salary or allowance his office shall on his conviction of such offence become *ipso facto* vacant and he shall be liable to a penalty of Fifty Pounds.

10. It shall be lawful for any Inspector of Sheep at such times as he may think fit to inspect any sheep within the Province of Canterbury and for the purposes of such inspection or for the purpose of inspecting and examining any dipping apparatus or for doing any other act which he is authorised or empowered to do by this Ordinance it shall be lawful for any Inspector of Sheep at all reasonable times to have free ingress egress and regress through over and upon any lands or tenements whatsoever in the Province of Canterbury.

Power of Inspector to enter on lands.

11. Every owner of any sheep or other person who shall refuse to allow such inspection to be made by any Inspector of Sheep or shall obstruct or shall refuse or neglect to muster his sheep for the purpose of such inspection with all convenient speed or to afford all reasonable facilities for making such inspection to such Inspector shall be subject to a fine not exceeding one hundred pounds.

Penalty for obstructing inspection.

12. It shall be lawful for any Inspector of Sheep when it shall appear to him to be necessary for the purpose of enabling him to decide satisfactorily upon the condition of any sheep to call upon the owner of such sheep to make a declaration in the form or to the effect specified in Schedule A to this Ordinance and if any such Owner shall refuse or neglect to make such declaration when so called upon he shall be liable to a penalty not exceeding fifty pounds and if any person shall make any such declaration knowing the same to be false he shall be liable to a penalty of One Hundred Pounds or to be imprisoned for any term not exceeding six calendar months.

Inspector may require declaration.

13. There shall be published once in every month in one or more newspapers within the Province a list certified by the Chief Inspector of all stations on which there are at that time any sheep infected with scab or catarrh.

List of diseased flocks to be published monthly.

RATE UPON SHEEP.

14. Every owner of sheep shall in the month of January in every year deliver or cause to be delivered to the Chief Inspector of Sheep a written return of the number of sheep of each sex above six months old owned by him or under his charge specifying in such return the

Return of sheep to be furnished annually to Inspector.

brands upon such sheep. Every person refusing or neglecting to deliver or cause to be delivered such return as aforesaid or wilfully making a false return shall be liable to a penalty not exceeding Twenty Pounds.

Rate to be struck.

15. The Chief Inspector of Sheep shall in the month of March in every year transmit to the Superintendent a statement compiled from the returns furnished in pursuance of the preceding section of the whole number of sheep within the Province and the Superintendent shall thereupon strike a rate to be paid for every five hundred sheep of sufficient amount to pay the whole expenses of the department of the Inspector of Sheep for the then current financial year and shall cause notice of such rate having been struck to be given in the *Provincial Government Gazette*. In determining the amount of the rate to be struck the Superintendent shall deduct from the expenses aforesaid, the amount of any fines and penalties paid to the Provincial Account under authority of "The Diseased Sheep Fines Appropriation Act 1867" during the then preceding financial year.

Yearly rate to be paid by owner of sheep.

16. Every owner of sheep shall on or before the first day of May in every year pay to the Provincial Treasurer or to such other person as may be authorised by the Superintendent to receive the same the rate struck as above provided for every five hundred sheep owned by him on the first day of January preceding and specified in the return furnished by him as provided in the preceding section. All and every such yearly sum or sums of money payable as aforesaid shall in case the same be not paid on or before the said first day of May be a debt owing by the owner of such sheep to the Superintendent and may be sued for and recovered in any Court of competent jurisdiction. No person owning less than five hundred sheep shall be liable to pay such rate but he shall nevertheless furnish the return specified in Section 15.

POSSESSION OF INFECTED SHEEP.

Possession of scabby sheep.

17. If any Inspector of Sheep shall be satisfied that any sheep are infected with scab it shall be lawful for him to give the owner of such sheep an order in writing directing him effectually to clean such sheep within six months from the date of such order and if at the expiration of such period of six months such sheep shall not in the opinion of the Inspector be free from scab or if during such period of six months such owner shall not in the opinion of the Inspector make reasonable exertions to clean such sheep he shall be liable to a penalty of not less than Sixpence nor exceeding Five Shillings for every such infected sheep. A separate information under this section may be laid in regard to every separate flock in the possession of one owner and if any one such flock shall exceed three thousand sheep in number a separate information may be laid for every additional three thousand sheep or fractional part of such number contained in such flock.

18. If any owner of sheep who shall have been convicted under the last preceding section shall not make reasonable exertions to clean the sheep on account of which he shall have been so convicted or if it shall appear that the said sheep are infected with scab at the end of six months from the said conviction he shall be liable to a penalty of not less than One Shilling nor exceeding Five Shillings for every such infected sheep Provided nevertheless that he shall be liable to a penalty of not less than One Shilling nor exceeding Five Shillings for every such infected sheep for every six months during which the said sheep remain infected with scab.

Penalty if reasonable exertions not made to clean sheep.

19. If it shall appear to any Inspector of Sheep upon his own view that any sheep are infected with scab or catarrh and that such sheep may if suffered to run at large cause damage to the owners of neighbouring flocks it shall be lawful for such Inspector by warrant under his hand in the form or to the effect set forth in Schedule B to this Ordinance to order the owner of such sheep to cause them to be constantly herded by day and to be kept by night within a sheep-proof inclosure until it shall appear upon the certificate of an Inspector of Sheep that such sheep are entirely free from the said diseases and for each day upon which such owner shall neglect to have such sheep herded as aforesaid and likewise for each night upon which such owner shall neglect to have such sheep enclosed as aforesaid he shall be subject to a penalty not exceeding Twenty-five Pounds.

Inspector may order infected sheep to be herded and yarded.

20. When any owner of sheep shall have several flocks of sheep depasturing upon the same or adjoining runs or farms and one of these flocks shall be infected with scab it shall not be lawful for the said owner to remove any of the sheep of any such flocks from off the said run or runs farm or farms until he shall have obtained from an Inspector of Sheep a certificate that all the flocks in his possession depasturing upon the same or adjoining runs farm or farms are entirely free from the said disease and no sheep shall be removed from the said run or runs farm or farms for six months from the date of such certificate unless the said flocks shall have been mustered and found free from disease and the sheep required to be removed shall be dipped under the supervision and to the satisfaction of an Inspector of Sheep and any person offending against the provision of this section shall be liable to a penalty of Fifty Pounds.

Owner having several flocks depasturing on same run and one is infected.

21. When any owner of sheep shall have been convicted under the provisions of this Ordinance of having in his possession any sheep infected with the scab and such sheep shall not within six months from the date of such conviction have been certified by an Inspector of Sheep to be entirely free from the said disease the owner of such sheep shall imme-

If six months after conviction sheep not clean rams to be separated from ewes.

diately on the expiration of such period of six months cause all rams to be separated from any ewes in his possession which may be so infected and shall cause such rams to be kept separate from such ewes until they shall be certified by an Inspector of Sheep to be entirely free from scab and for every day during which such rams shall not be kept separate from such ewes such owner shall be liable to a penalty of Ten Pounds in respect of each ram which shall not be kept separate as aforesaid.

Owners of infected sheep to give notice of disease.

22. Whenever the owner of any sheep shall become aware or shall have reasonable grounds to suspect that the same are infected with either scab or catarrh he shall within forty-eight hours thereafter give notice thereof in writing to the adjoining sheep-owners in the manner prescribed for the delivery of notices by section forty of this Ordinance and shall also within ten days thereof give a like notice to the Inspector of Sheep acting for the district in which such sheep are either by delivering the same to him personally or by leaving the same at his office or his usual place of abode and every person offending against the provisions of this section shall for every case in which he shall fail to give such notice be subject to a penalty not exceeding Fifty Pounds and to a separate penalty not exceeding Ten Pounds for every twenty-four hours for which he shall fail to give such notice after such periods of forty-eight hours and ten days respectively All sheep shall for the purposes of this section be deemed to be infected with scab or catarrh which shall be known by the owner thereof to have mixed with other sheep so infected within three months previously.

Scabby sheep to be branded S.

23. Every owner of any sheep infected with the scab shall cause the same to be distinctly wool-branded on the back thereof with the letter S such letter not being less than four inches in length and such brand shall from time to time be renewed as occasion may require so that the same shall always be distinct and legible and every such owner shall be liable to a fine of not less than Sixpence nor more than Five Shillings for every such sheep not being so branded as aforesaid.

Infected sheep to be kept certain distance from boundaries of run.

24. If any sheep infected with scab or catarrh shall be found not being at the time herded by a shepherd within half-a-mile of the boundary of run to which they belong or upon which they shall be lawfully depastured such boundary not being a natural sheep proof boundary nor guarded by a sheep proof fence the owner of such sheep shall be subject to a penalty of not less than Sixpence nor more than Five Shillings for every sheep so found within half-a-mile of such boundary aforesaid The boundary of the run referred to in this section shall be the boundary as described in the depasturing license under which such run is held.

Penalty for abandoning infected sheep.

25. If any person shall wilfully abandon any sheep infected with scab or catarrh upon or along any public road or upon any land what-

ever not being in the actual occupation of such person he shall be liable to a penalty of Fifty Pounds or to be imprisoned for any period not exceeding six calendar months Provided that it shall be lawful for any Inspector of Sheep to seize or destroy such sheep or to cause the same to be seized or destroyed.

IMPORTATION OF SHEEP.

26. If any person shall himself or by means of any agent or servant land or cause to be landed from any ship boat or other vessel any sheep infected with scab or catarrh or which shall within three months previously have been mixed with any sheep so infected or have undergone any dressing for the cure of the scab or any sheep whatever unless they shall within seven days previous to such landing have been inspected by an Inspector of Sheep and unless such person shall have received from such Inspector of Sheep a certificate in the form or to the effect specified in Schedule C to the said Ordinance he shall be liable to a penalty of One Hundred Pounds and for every day during which such sheep so landed in contravention of the provisions of this section shall be driven depastured or suffered to stray within the Province of Canterbury the owner thereof shall be liable to a penalty not exceeding One Hundred Pounds and the before-mentioned certificate shall at any time within six months after the date thereof be produced by the owner of such sheep to any person demanding the same under a penalty of Five Pounds.

Landing sheep without certificate or landing infected sheep.

27. It shall not be lawful for any Inspector of Sheep to grant the certificate mentioned in the preceding section until the owner of the sheep for which such certificate is required shall have made before such Inspector a declaration in the form or to the effect specified in Schedule D to this Ordinance and shall have produced satisfactory evidence that the said sheep have not been infected with scab or catarrh nor mixed with sheep so infected nor had any scab-destroying preparation applied to them within the three months then last preceding and if any person shall make any such declaration knowing the same to be false he shall be liable to a penalty of One Hundred Pounds or to be imprisoned for a period not exceeding six calendar months.

Declaration of owner before landing sheep.

28. Any master owner or supercargo of any ship boat or other vessel who shall permit any sheep to be landed therefrom before they shall have been inspected by an Inspector of Sheep and before the certificate mentioned in section twenty-six of this Ordinance shall have been given shall be liable to a penalty of not exceeding One Hundred Pounds.

Penalty on master of vessel for allowing sheep to be landed without certificate.

Introducing by land
diseased sheep, or in-
troducing sheep with-
out certificate.

29. If any person shall himself or by means of any agent or servant introduce or cause to be introduced into the Province of Canterbury by land any sheep infected with scab or catarrh or which shall within three months previously have been mixed with any sheep so infected or which have within three months previously been subject to any dressing for the cure of the scab or any sheep whatever unless they shall within fourteen days previously to such introduction have been inspected by an Inspector of Sheep and unless such person shall have received from such Inspector a certificate in the form or to the effect specified in Schedule C to this Ordinance that such sheep are entirely free from scab or catarrh he shall be liable for every sheep so introduced to a penalty of not less than One Shilling nor more than One Pound Provided that if the number of sheep so introduced be less than one hundred he shall nevertheless be liable to a penalty of One Hundred Pounds and for every day during which such sheep so introduced in contravention of the provisions of this section shall be driven depastured or suffered to stray within the Province of Canterbury the owner thereof shall be liable to a penalty not exceeding One Hundred Pounds and the before-mentioned certificate shall at any time within six months after the date thereof be produced by the owner of such sheep to any person demanding the same under a penalty of Five Pounds.

Declaration of owner
before introducing
sheep by land.

30. It shall not be lawful for any Inspector of Sheep to grant the certificate mentioned in the preceding clause until the owner of the sheep for which such certificate is required shall have made before such Inspector a declaration in the form or to the effect specified in Schedule D to this Ordinance and if any person shall make any such declaration knowing the same to be false he shall be liable to a penalty of One Hundred Pounds or to be imprisoned for a period not exceeding six calendar months.

Imported sheep to be
dressed within certain
limits.

31. When any sheep shall have been introduced by sea into the Province of Canterbury it shall not be lawful for such sheep to be driven depastured or suffered to stray to or at a greater distance within the said Province than three miles from the part of the boundary of the Province at which such sheep shall have been introduced until such sheep shall have been effectually dressed at least twice within fourteen days from the date of their being so introduced to the satisfaction of an Inspector of Sheep with some reputed effective scab-destroying preparation and until the owner of such sheep shall have received from such Inspector a certificate to that effect and for the better and more effectual dressing of any sheep so introduced it shall be lawful for such Inspector if he shall think fit to order the same to be shorn previously to such dressing and for every day during which any sheep shall be driven depastured or suffered to stray in contravention of the provisions

of this section the owner of such sheep shall be liable to a penalty not exceeding One Hundred Pounds and the before-mentioned certificate shall at any time within six months after the date thereof be produced by the owner of such sheep to any person demanding the same under a penalty of Five Pounds Provided always that it shall be lawful for such Inspector to authorise the omission of the second dressing herein required in any case in which he shall certify in writing that such second dressing is unnecessary Provided also that it shall be lawful for sheep landed at the port of Lyttelton to be driven to a distance not exceeding twenty miles from the said port before being dressed as above provided if they shall be so driven for the purpose of being dressed at some place specially appointed for the purpose by the Superintendent by notice in the *Provincial Government Gazette* and if they shall be so dressed within ten days after being so landed.

32. When any sheep shall have been introduced by land into the Province of Canterbury it shall not be lawful for such sheep to be driven depastured or suffered to stray to or at a greater distance within the said Province than three miles from that part of the boundary of the Province at which such sheep shall have been introduced until such sheep shall have been effectually dressed at least twice within fourteen days from the date of their being so introduced to the satisfaction of an Inspector of Sheep with some reputed effective scab-destroying preparation and until the owner of such sheep shall have received from such Inspector a certificate to that effect and for the better and more effectual dressing any sheep so introduced it shall be lawful for such Inspector if he shall think fit to order the same to be shorn previously to such dressing and for every day during which any sheep shall be driven depastured or suffered to stray in contravention of the provisions of this section the owner of such sheep shall be liable to a penalty not exceeding One Hundred Pounds and the before-mentioned certificate shall at any time within six months after the date thereof be produced by the owner of such sheep to any person demanding the same under a penalty of Five Pounds Provided always that it shall be lawful for such Inspector to authorise the omission of the second dressing herein required in any case in which he shall certify in writing that such second dressing is unnecessary Provided also that in the case of sheep from the Province of Otago and of sheep that have been depasturing in the country south of the River Waiau-ua in the Province of Nelson for a period of not less than twelve months previously it shall be lawful for such Inspector upon the production of a Certificate from some legally appointed Inspector or Inspectors of Sheep in the district or districts from or through which sheep have been driven to the effect that the said sheep are entirely free from scab and as regards sheep that have been depastured south of the River Waiau-ua aforesaid that they have been so depastur-

Sheep introduced by land to be dressed within certain limits.

ing for a period of not less than twelve months previously and have not so far as could be ascertained been mixed with infected sheep or travelled through infected country for a period of at least six months if he shall himself be satisfied after careful inspection that the sheep are free from scab to authorise the omission of both the dressings provided for in this section. Provided always that in all cases under this section not less than seven days notice in writing shall be given to the Inspector at his office of his being required for the purpose of inspection.

Sheep introduced by land from Provinces of Otago or Nelson.

33. It shall be lawful for the Superintendent from time to time by Proclamation published in the *Provincial Government Gazette* to order that all Sheep introduced by land from the Province of Otago or from the Province of Nelson shall be dressed to the satisfaction of the Inspector of Sheep for the Province of Canterbury with some reputed effective scab-destroying preparation to be named in such Proclamation before such Sheep shall be driven or depastured at a greater distance within the said Province of Canterbury than three miles from that part of the boundary at which such Sheep shall have been introduced and the said Superintendent may from time to time revoke any such Proclamation.

Penalty for infringement of the provisions of preceding section.

34. If the owner of any sheep introduced from the Provinces of Otago or Nelson into the Province of Canterbury shall whilst any such proclamation as in the last preceding section is mentioned shall be in force and unrevoked drive such sheep or shall suffer them to be driven or depastured or to stray to or at a greater distance than three miles from that part of the boundary at which such sheep shall have been introduced before such sheep shall have been dressed with the reputed effective scab-destroying preparation named in such proclamation, and before such owner shall have obtained from the Inspector of Sheep for the said Province of Canterbury a certificate to that effect such owner shall notwithstanding the proviso in Section 32 of this Ordinance be liable to pay a penalty not exceeding One Hundred Pounds to be recovered in a summary way.

Sheep examined for importation to be branded with Inspector's brand.

35. When any Inspector of Sheep shall have examined any sheep with a view to their importation into the Province of Canterbury either by sea or land and shall be prepared to grant a certificate in the form of Schedule C to this Ordinance he shall before granting such certificate cause such sheep to be distinctly wool-branded on the back thereof at the cost and charges of the owner of such sheep with a brand which shall have been registered in the office of the Registrar of Brands as the special brand of such Inspector. If any person

shall without authority use the brand of any Inspector of Sheep registered as above or one so similar as not to be readily distinguishable therefrom he shall be liable on conviction to a penalty of not less than Twenty-five nor more than One Hundred Pounds.

MISCELLANEOUS.

36. It shall be lawful for any Inspector of Sheep before whom any of the declarations referred to in the preceding sections shall have been made in any case in which he shall deem it necessary so to do to call upon the person making such declaration to furnish to such Inspector evidence corroborative of the truth of the statements made in such declaration and unless such evidence shall be produced as shall be satisfactory to such Inspector and also unless such Inspector shall be satisfied that such sheep are entirely free from scab or catarrh he shall refuse to grant the certificates or to make the report referred to in sections 20 26 and 29 respectively of this Ordinance.

Power of Inspector to call for evidence corroborative of declaration made.

37. It shall be lawful for any Inspector of Sheep to call upon all persons concerned in the charge control or management of any sheep to give evidence before him as to the facts within their knowledge relating to such sheep and if any person after being so called upon shall refuse or neglect to give such evidence or shall refuse or neglect to answer any inquiries put to him by such Inspector under the authority of this Ordinance he shall be liable to a penalty not exceeding Twenty Pounds and if any person in giving such evidence or in answering such enquiries or in giving evidence under the preceding section of this Ordinance shall make any statement knowing the same to be false he shall be liable to a penalty of One Hundred Pounds or to be imprisoned for a period not exceeding six calendar months Provided always that nothing herein contained shall be construed to require any person to give any evidence or answer any enquiry which would render him liable to any criminal prosecution.

Penalty for refusal by persons in charge of sheep to give evidence.

38. If any person shall by himself his agent or servant drive depasture or suffer to stray any sheep infected with scab or catarrh or which shall within three months previously have been mixed with any sheep so infected or have undergone any dressing for the cure of the scab across or upon any land not being the property of nor being rented by such person and not being land of which he shall have the right of pasturage or upon or along any public highway such highway not being within the boundaries of the run occupied by the owner of such sheep he shall for every day during which such sheep shall be so driven depastured or suffered to stray be subject to a penalty of not less than

Driving, &c., of infected sheep.

Twenty-five Pounds nor more than One Hundred Pounds Provided always that nothing contained in this Ordinance shall prevent the occupier of any land or run upon which shall be found trespassing any sheep infected as aforesaid and owned by the occupier of adjoining land or an adjoining run from driving such sheep to the residence of such owner on such adjoining land or run.

Separate informations for every run, &c., crossed.

39. Nothing herein contained shall prevent separate informations being laid by every occupier of land upon which such infected sheep as aforesaid shall have been driven depastured or suffered to stray or by every occupier of land through or adjacent to which any public highway shall lie upon or along which public highway any such infected sheep shall have been driven depastured or suffered to stray. Every Inspector of Sheep shall have the same power of laying separate informations which is hereby given to every occupier.

Notice to be given before driving sheep across run.

40. Any person about to drive any sheep across any lawfully occupied land or run in the Province of Canterbury shall give to the occupier thereof at least twenty-four hours' previous notice in writing of the day upon which he intends to drive such sheep across such land or run as well as of the point or place at which it is intended that such sheep shall enter upon such land or run and of the direction it is intended they shall cross such land or run and stating in such notice the brand with which such sheep are branded and such notice shall be left with some adult inmate of the principal house or station thereon or if no such inmate can be found such notice shall be affixed to some conspicuous part of such house or station and such notice shall be renewed unless the sheep shall be so driven within three days after the time specified therein and every person offending against the provisions of this section shall be liable to a penalty of not less than Sixpence nor more than One Shilling for every sheep so driven.

Infected sheep trespassing and not removed may be destroyed.

41. If any sheep infected with scab or catarrh shall be found on any land or run not in the lawful occupation of the owner of such sheep and such owner shall not remove the same within forty-eight hours after he shall have been served in the manner prescribed for the service of notices by section 40 of this Ordinance with written notice that they are so trespassing or if such owner cannot after reasonable enquiry be discovered it shall be lawful for the occupier of such land or run forthwith to destroy such sheep. If after such owner shall have been twice served with such notice within the space of fourteen days the sheep of such owner or any of them infected as aforesaid shall afterwards within the space of one week from the service of the last notice be again found trespassing on the same land or run it shall be lawful

for the occupier of such land or run forthwith and without any further notice to destroy such sheep so trespassing if they shall be less than one hundred in number but not otherwise Provided always that the nature of such reasonable enquiry together with the number and brands of the sheep so found and destroyed shall by the occupier aforesaid be certified in writing to the Inspector of the district within fourteen days of the destruction of such sheep and every person offending against the provisions of this section shall be liable to a penalty of not less than Five Pounds nor more than Twenty-five Pounds.

42. Every occupier of land or of a run may without warrant or other authority inspect or cause to be inspected any sheep which shall be found upon such land or run or upon any land or run immediately adjoining thereto or upon any part of a highway passing through or lying adjacent to the land or run in his occupation and any owner of sheep or other person who shall refuse to allow such inspection to be made by such occupier or shall refuse or neglect to afford all reasonable facilities for the same or shall in any way obstruct such inspection shall be liable to a penalty of Fifty Pounds.

Occupier may without warrant inspect sheep on his run.

43. If any person by himself his servant or agent shall cast or cause to be cast the carcase of any sheep infected with catarrh at the time of its death into any stream or pond or other water he shall be liable to a penalty of not less than Five Pounds nor more than Twenty Pounds.

Sheep dying of catarrh not to be thrown into ponds, &c.

44. The owner of any sheep infected with the disease called catarrh at the time of its death who shall fail to consume the carcase by fire or to bury it at least three feet under the ground within twelve hours after death shall be liable to a penalty of not less than Ten Shillings nor more than Five Pounds for each carcase not so buried or destroyed.

Sheep dying of catarrh to be burnt or buried.

45. Any Inspector of Sheep may if he think fit upon the application of any owner of sheep who has reason to believe that any of his sheep have strayed to and upon land or a run occupied by any other person by notice in writing under his hand require such occupier to muster his sheep in a pen at some time within three months after the receipt of such notice in writing for the purpose of delivering over such stray sheep to the owner thereof and at least seven days' previous notice shall be given by such occupier to the owner of such stray sheep of the time at which such muster shall be made and every such occupier who shall refuse or neglect to comply with any such notice in writing or to give such previous notice shall be subject to a penalty not exceeding Twenty Pounds Provided always that such occupier shall be entitled to recover from such owner any reasonable expense of mustering or

Recovery of strayed sheep.

delivering such sheep as well as any unavoidable damage which may be incurred in so doing Provided further that it shall be lawful for such Inspector if he shall think fit upon the application of such occupier to postpone the time fixed for the mustering and delivering of such sheep.

Unauthorised removal
of sheep.

46. Every person who shall except as hereinbefore provided drive or remove any sheep from any land or run not in his own occupation without the consent of the owner of such land or run shall be liable to a penalty not exceeding Fifty Pounds.

Notice to be given be-
fore mustering sheep.

47. Every occupier of any sheep station or run who shall muster his flock or flocks shall twenty-four hours at least before yarding the same give notice to the occupiers of all the adjoining runs or stations of his intention so to yard his sheep such notice being given in the manner prescribed for the service of notices by section 40 of this Ordinance and every person neglecting to give such notice to any such owner or occupier shall be liable to a penalty not exceeding Twenty Pounds In the interpretation of this section the word "muster" shall mean the gathering of any flock or flocks for the purpose of docking or ear-marking or dipping for the cure of the scab or of shearing.

Wilfully communica-
ting scab or catarrh.

48. If any person shall wilfully communicate or cause to be communicated to any sheep the diseases called scab or catarrh he shall on conviction thereof by summary procedure be imprisoned for a term of six calendar months.

Saving other remedies
at law to persons
suffering damage.

49. Nothing in this Ordinance shall be construed to limit or deprive any person suffering loss or damage from the driving depasturing or suffering to stray of any sheep infected with the scab or catarrh of any remedy which he might have had at law or otherwise for recovering the same provided this Ordinance had not been passed.

Payment for inspection
of sheep introduced
by land or sea.

50. Every person requiring an Inspector to inspect sheep about to be introduced into the Province by land shall pay for such inspection the sum of Two Pounds and every person requiring an Inspector to inspect sheep about to be introduced into the Province by sea shall pay for such inspection the sum of One Pound Such sum of One Pound or Two Pounds as the case may be shall be paid to the Inspector before the delivery of any certificate to be given by him and shall by such Inspector be paid over to the Provincial Treasury.

Maximum penalty.

51. No penalty to be imposed on any one conviction under the provisions of this Ordinance shall exceed the sum of One Hundred Pounds.

52. All powers by this Ordinance given to the Superintendent shall be exercised by him by and with the advice and consent of the Executive Council and not otherwise. Superintendent to exercise powers by & with advice and consent of Executive Council.

53. Every offence by this Ordinance made punishable by imprisonment with or without hard labour or by a pecuniary penalty shall and may be prosecuted in a summary way before any two Justices of the Peace in the manner provided by "The Justices of the Peace Act 1866" so far as the same relates to summary conviction or by any Act repealing or amending the same or for like purpose. Offences prosecuted summarily.

54. In the Interpretation of this Ordinance the words "owner of any sheep" shall mean the person having the charge control or management of such sheep and the word "sheep" shall unless otherwise specially provided be taken to mean all sheep of any age and of either sex the term "Inspector of Sheep" shall mean the Chief Inspector or any Inspector appointed by the Superintendent under the provisions of this Ordinance the term "Highway" shall mean any land laid down as a public road on the map of the Chief Surveyor of the Province of Canterbury the term "herded" shall mean constantly followed and kept in sight The words "infected sheep" shall mean any sheep suffering from or affected with disease or any sheep which have formed part of a flock containing any sheep so suffering from or affected with disease or any sheep which have been in direct or indirect contact with or have been depastured on the same ground or have been placed in the same yard or on board the same ship boat or other vessel as such infected sheep within the next preceding three months unless such sheep are immediately thereafter properly dipped or any sheep which have been dressed or dipped within the same period for the cure of scab and all infected sheep within any such definitions until declared clean. Every sheep belonging to any flock or on board any ship boat or other vessel or which may have been placed in any yard or enclosure in which there shall have been at any time within two months previously one sheep infected with scab or catarrh respectively shall be deemed to be infected with scab or catarrh within the meaning of this Ordinance unless in the case of scab such yard or enclosure shall in the meantime have been effectually scoured with some reputed effective scab-destroying preparation. Interpretation clause.

55. This Ordinance shall be intituled and may be cited as "The Canterbury Sheep Ordinance 1872." Title.

SCHEDULES.

SCHEDULE A.

DECLARATION TO BE MADE BEFORE INSPECTOR AS TO SHEEP EXAMINED BY HIM.

I _____ of _____ do hereby solemnly declare that [I have made to the best of my belief a complete muster of all the sheep in my charge and that*] my sheep branded _____ being _____ in number now being at _____ have not within† _____ had applied to any of them any reputed scab-destroying preparation nor within† _____ been mixed with any sheep infected with the scab or catarrh and I make this solemn declaration conscientiously believing the same to be true.

Declared before me at _____ this _____ day of _____
 18 _____
 C _____ D _____
 Inspector of Sheep.

* May be omitted when not required by the Inspector. † State period.

SCHEDULE B.

WARRANT FOR HERDING OR YARDING SHEEP.

Province of Canterbury New Zealand } To _____ and all others whom it
 to wit. } may concern.

Whereas it appears to me _____ Inspector of Sheep upon my own view that certain sheep are depastured upon land situated at _____ being in the occupation of _____ of _____ in the said Province and that such sheep are infected with the disease called _____ and that there is danger lest such sheep being suffered to run at large should cause damage to the Owners of sheep in the neighbourhood thereof These are therefore in the name of our Lady the Queen and in pursuance of the provisions of an Ordinance passed by the Superintendent and Provincial Council of the said Province in the 35th year of the reign of Her Majesty intituled "The Canterbury Sheep Ordinance 1872" to require you that you do cause the said sheep to be constantly herded by day and to be kept by night within a sheep-proof enclosure and I do hereby require all persons having or being concerned in the charge control or management of such sheep to aid and assist you in causing the same to be constantly herded and enclosed according to the provisions of the above recited Ordinance in that behalf made.

Given under my hand at _____ in the said Province
 this _____ day of _____ in the year of our Lord
 One thousand eight hundred and _____
 Inspector of Sheep.

SCHEDULE C.

CERTIFICATE OF INSPECTOR.

I A. B. Inspector of Sheep hereby certify that I have carefully examined sheep branded _____ the property of C. D. now being depastured at [on board the _____ at _____] and that I find such sheep to be entirely free from scab or catarrh.

Given under my hand at _____ this _____ day of _____ 18 _____

A _____ B _____
Inspector of Sheep.

SCHEDULE D.

DECLARATION AS TO IMPORTED SHEEP.

I _____ of _____ do hereby solemnly declare that the sheep _____ in number marked _____ now being depastured by me at [on board of the vessel _____ commander now lying at _____ in the said Province] have not within three months last past had applied to any of them any reputed scab-destroying preparation nor been mixed with any sheep infected with scab or catarrh and I make this solemn declaration conscientiously believing the same to be true.

Declared before me at _____ this _____ day of _____ 18 _____

A _____ B _____
C _____ D _____
Inspector of Sheep.

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PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 15.

The Diversion of Roads Special Ordinance,
No. 5, 1872.

[June 19, 1872.]

WHEREAS by an Act of the General Assembly of New Zealand Preamble.
intituled “The Highways and Watercourses Diversion Act 1858”
it is enacted that it shall be lawful for the Superintendent of any
Province with the advice and consent of the Provincial Council thereof
by any Law or Ordinance to be made or ordained for that purpose to
authorise and empower the Superintendent to divert or stop up any
public street road highway or thoroughfare in any such Province and
also to exchange the land over which any such public street road high-
way or thoroughfare was laid out or passed And also that it should be
lawful for the Governor in the name and on behalf of Her Majesty to
make and execute Crown Grants of any land which should be so sold
exchanged or disposed of:

And whereas by an Act of the General Assembly of New Zealand
intituled “The Provincial Council Powers Extension Act 1865” it is
enacted that it shall be lawful for the Superintendent and Provincial

Council of any Province and notwithstanding the restriction contained in the Tenth Sub-Section of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare :

And whereas it is for the public benefit that the parcel of land mentioned and described in the Schedule A to this Ordinance should become a public highway in lieu of the parcel of land mentioned and described in the Schedule B to this Ordinance and that the said last-mentioned parcel of land should cease to be a public road and should be granted in exchange for the first-mentioned parcel of land in manner hereinafter mentioned :

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows :—

Land described in Schedule A to be public highway, and public road described in Schedule B to be stopped up.

1. When and so soon as the parcel of land mentioned and described in the Schedule A hereto shall have been conveyed to the Superintendent and his successors for a public road the same shall be and remain for ever a public highway and the public road passing over the parcel of land mentioned and described in the Schedule B hereto shall be stopped up.

Land described in Schedule B shall be granted to person conveying land described in Schedule A.

2. When and so soon as the parcel of land mentioned and described in the Schedule A hereto has been so conveyed the parcel of land mentioned and described in the Schedule B hereto shall be granted in fee to the person conveying the said first-mentioned parcel of land in exchange for the land conveyed by him.

Title.

3. This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 5 1872."

SCHEDULES.

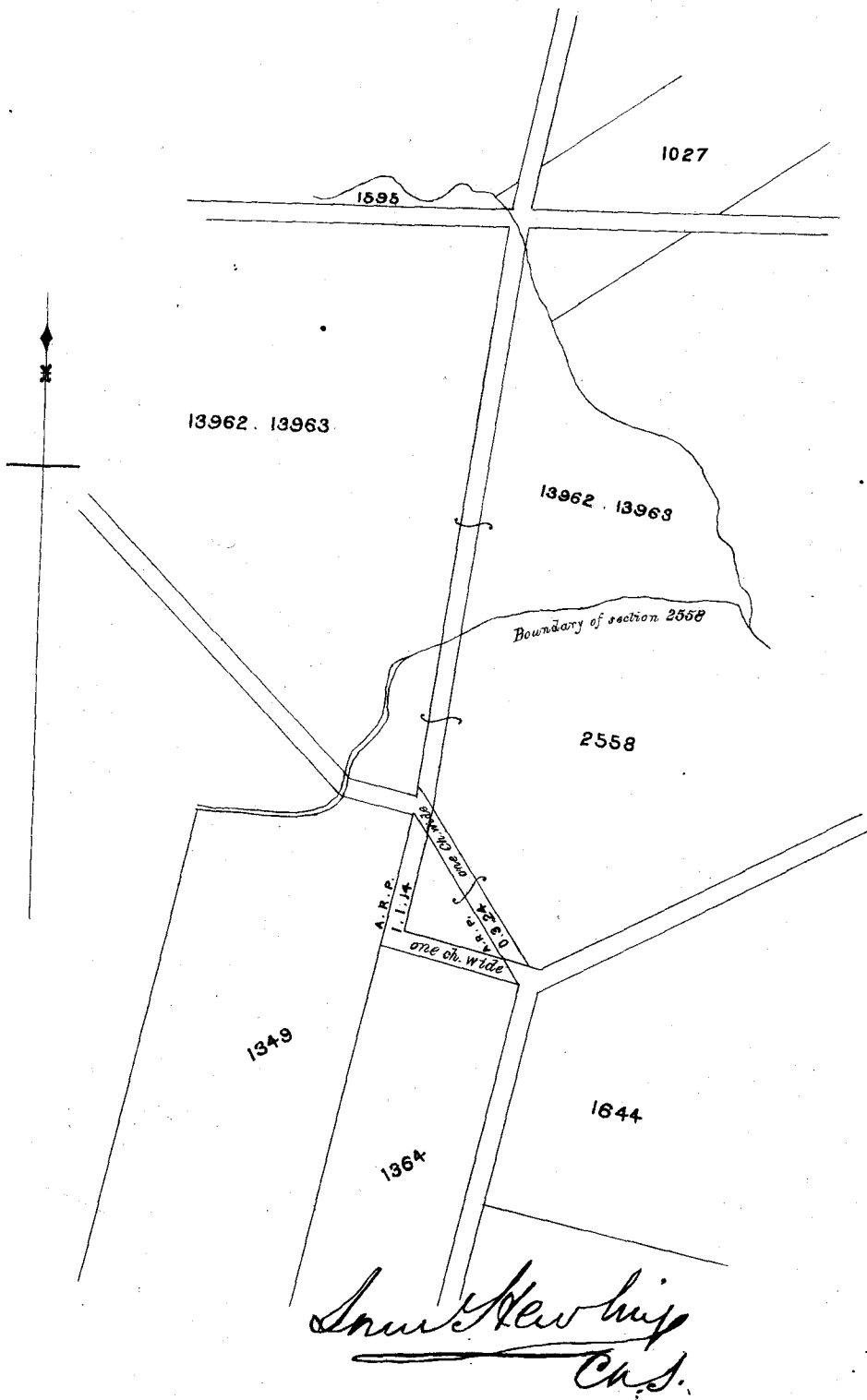
SCHEDULE A.

All that piece or parcel of land one chain wide containing by admeasurement three roods and twenty-four perches (more or less) extending from the road passing through section 2558 to the road on the north side of section 1364 and bounded on the south-westward by a straight line drawn from the north-eastern corner of section 1349 to the north-eastern corner of section 1364 and on the north-eastward by a line parallel to the south-west boundary and one chain distant therefrom as the same is more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.

SCHEDULE B.

All that piece or parcel of land containing by admeasurement one acre one rood and fourteen perches (more or less) being that portion of the road one chain wide running along the northern boundary of section 1364 and part of the eastern boundary of section 1349 the northern and eastern ends of the said portion of road being bounded by a right line drawn from the north-east corner of section 1349 to the north-east corner of section 1364 as the same is more particularly delineated and described by the plan hereunto annexed and coloured green thereon.





Scale
10 Ch = 1 in.





PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

SESSION XXXVII.—No. 16.

The Appropriation Ordinance No. 2, 1872.

[June 19, 1872.]

BE IT ENACTED by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows:

1. Out of the public revenues of the said Province there may be issued and applied for the public service of the Province and for defraying the charge of the Government thereof up to the Thirtieth day of September One thousand eight hundred and seventy-two in manner set forth in Schedules A B and C to this Ordinance any sum or sums of money not exceeding the sums in such Schedules specified amounting in the whole to the sum of One Hundred and Twenty-three Thousand and Three Pounds Eight Shillings and One Penny.

Sums of money specified in Schedules A B and C may be issued and applied for the public service of the Province.

If session of Provincial Council not convened until after 30th September, 1872, sums of money may be issued and applied for defraying charges of Government for a period of three months, and defraying costs of public works and buildings specified in Schedules A, B, and C.

2. If in the opinion of the Superintendent the interests of the Public Service will be promoted by not convening a session of the Provincial Council until after the thirtieth day of September One thousand eight hundred and seventy-two there may be issued and applied out of the revenues of the said Province subject to appropriation by the Provincial Council any sum or sums of money for the purpose of defraying the charges of the Government of the said Province during a period of not exceeding three months from the said 30th day of September 1872 not exceeding in the whole such sum or sums respectively as shall be in proportion for such period of three months to the sum or sums appropriated for the like payments during the nine months ending on the 30th day of September aforesaid And there may also be issued and applied out of the revenues of the said Province any sum or sums of money for the purpose of defraying the costs and expenses of the public works and buildings specified and mentioned in Schedules A B and C of "The Appropriation Ordinance 1872" and in Schedules A B and C of this Ordinance during a period not exceeding three months from the Thirtieth of September One thousand eight hundred and seventy-two not exceeding for each of the said public works or buildings the unexpended balance of the sum or sums of money respectively appropriated in the said Ordinances for such public works or buildings.

Title.

3. This Ordinance shall be intituled and may be cited as "The Appropriation Ordinance No. 2 1872."

SCHEDULE A.

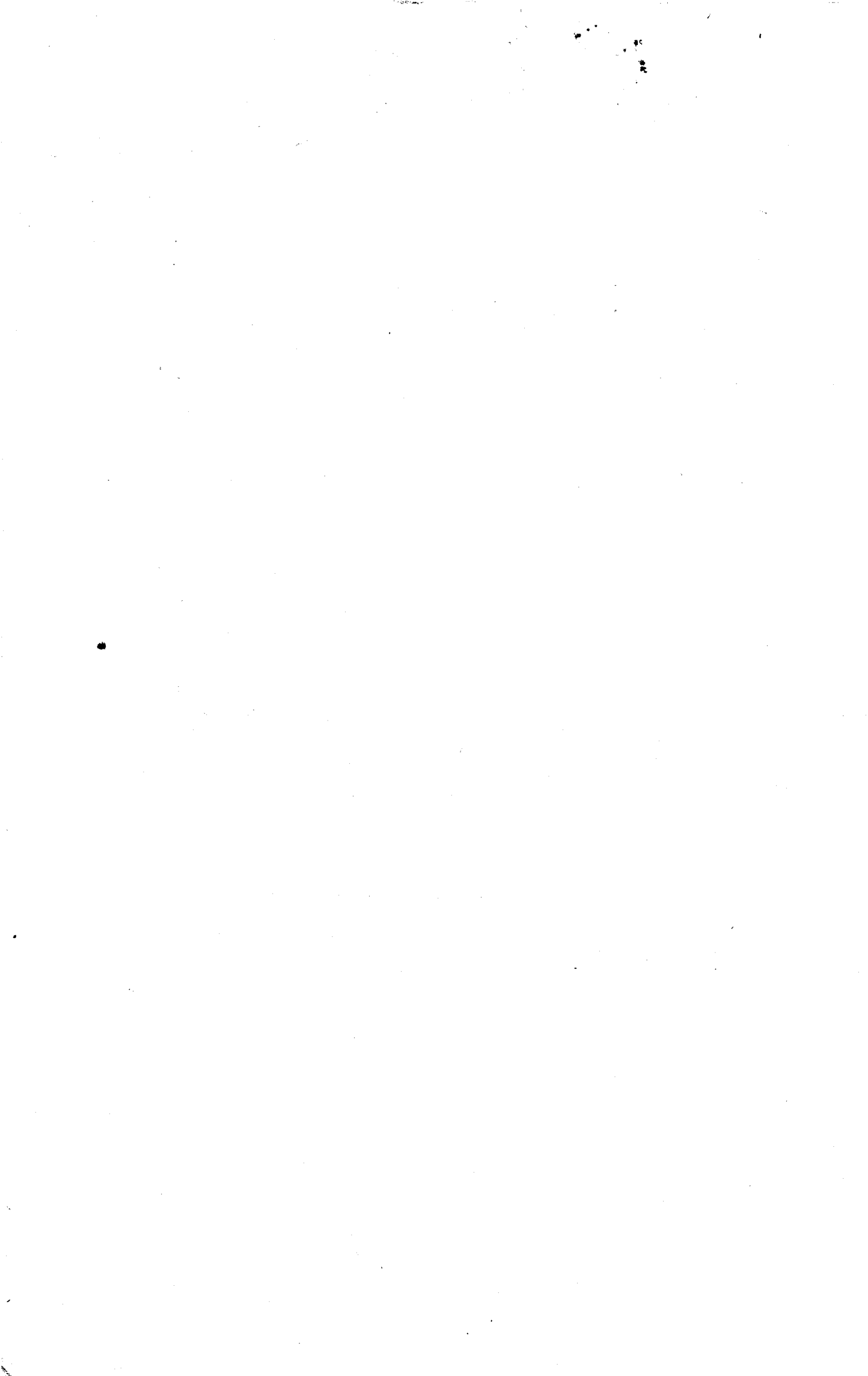
CLASS IV.—LEGISLATIVE.		£	s.	d.	
Expenses of Members	...	800	0	0	
Clerk to the Council and Librarian	...	37	10	0	
					837 10 0
CLASS V.—POLICE.					
Salaries	...	500	0	0	
Contingencies	...	150	0	0	
					650 0 0
CLASS VII.—HOSPITALS.					
Drugs	...				50 0 0
CLASS XI.—HARBOUR.					
Harbour	...				150 0 0
CLASS XIII.—DEPARTMENTAL MISCELLANEOUS.					
Printing and Expenses of Select Committees, &c.	...	900	0	0	
Dog Collars	...	50	0	0	
					950 0 0
CLASS XV.—					
Lyttelton and Christchurch and Great Southern Railways	...				1000 0 0
CLASS XVI.—PROVINCIAL GOVERNMENT WORKS.					
Roads	...				400 0 0
CLASS XVII.—PUBLIC PLANTATIONS.					
Temuka Domain	...	100	0	0	
Timaru Domain	...	100	0	0	
					200 0 0
CLASS XVIII.—GENERAL MISCELLANEOUS.					
Refund of Pasturage Rent	...	133	1	10	
Refund of Pasturage Rent	...	83	0	6	
South Waimakariri Rate	...	66	7	5	
Collegiate Union	...	350	0	0	
Fencing, &c., of Cemeteries	...	400	0	0	
Public Libraries and Institutes	...	200	0	0	
Volunteer Entertainment	...	83	0	6	
Acclimatisation Society	...	500	0	0	
Agricultural Societies	...	200	0	0	
Gratuity (Mrs. Brodrick)	...	130	0	0	
Corn Exchange (as per resolution)	...	500	0	0	
					2645 10 3
CLASS XIX.—EDUCATION.					
Superior Schools	...	187	10	0	
Drill Instructor	...	50	0	0	
Contingencies	...	75	0	0	
					312 10 0
CLASS XX.—CONTINGENCIES.					
General Contingencies	...				500 0 0
SPECIAL.					
Legal Expenses	...	500	0	0	
Rails to Peacock's Wharf	...	586	7	10	
Refund of Rent Griffiths' Stores...	...	712	10	0	
Waimakariri Bridge	...	655	0	0	
					2453 17 10
					10,149 8 1

SCHEDULE B.

CLASS III.—BUILDINGS AND WORKS.		£	s.	d.	£	s.	d.
Lyttelton Gaol	...	200	0	0			
Lyttelton Gaol—Gaoler's Quarters	...	400	0	0			
Timaru Gaol—additions	...	500	0	0			
Addington Gaol—additions	...	400	0	0			
Lunatic Asylum—additions	...	600	0	0			
Reformatory—additions	...	1000	0	0			
Hospital—additions	...	800	0	0			
Orphanage—additions	...	600	0	0			
Orphanage—Infirmary and Fencing	...	200	0	0			
Lunatic Asylum—Water Supply...	...	200	0	0			
Telegraph Wire between Lunatic Asylum and Police Depôt	...	80	0	0			
Museum—Show Cases and Work Room	...	500	0	0			
Police Station, Courtenay	...	300	0	0			
Dangerous Goods Shed	...	100	0	0			
Building for Time Ball	...	200	0	0			
Public Buildings (grant in aid)	...	3000	0	0			
School Buildings	...	4500	0	0			
Municipal School, Timaru	...	500	0	0			
Accommodation House, Bealey	...	50	0	0			
Ashley Bridge	...	1000	0	0			
Opihi Bridge	...	700	0	0			
Saltwater Creek Bridge	...	200	0	0			
Temuka Bridge	...	1000	0	0			
Pareora Bridge	...	5000	0	0			
Waihou Bridge	...	5000	0	0			
Kaiapoi Island Bridge	...	250	0	0			
Waimakariri Gorge Ferry	...	250	0	0			
Malvern Hills Coal road	...	50	0	0			
Little Akaloa road	...	100	0	0			
Le Bon's Bay road	...	100	0	0			
Selwyn Bridge road	...	75	0	0			
Burke's Pass road	...	300	0	0			
Christchurch and Akaroa road	...	500	0	0			
Hurunui road to West Coast, repairs	...	50	0	0			
Hurunui road to West Coast (grant in aid)	...	250	0	0			
Ditto ditto—Additional (grant in aid)	...	250	0	0			
Ditto ditto	...	500	0	0			
West Coast Road (Malvern District)	...	100	0	0			
Road and Bridge, River Hawkins (grant in aid)	...	100	0	0			
Planting Trees Railway Reserves	...	200	0	0			
Purchase of Land—Orphanage	...	100	0	0			
Orari Conservators District	...	300	0	0			
Timaru Water Supply (grant in aid)	...	3000	0	0			
Overflow North Rakaia (grant in aid)	...	400	0	0			
Overflow Rangiora Swamp (grant in aid)	...	300	0	0			
Overflow River Eyre (grant in aid)	...	250	0	0			
Drainage Leithfield District (grant in aid)	...	50	0	0			
Drainage Heathcote and Spreydon District (grant in aid)	...	500	0	0			
Drainage Avon District (grant in aid)	...	250	0	0			
Clearing River Halswell (grant in aid)	...	300	0	0			
Kaiapoi Steam Fire Engine (grant in aid)	...	100	0	0			
Timaru Steam Fire Engine (grant in aid)	...	200	0	0			
Erection of Church for German Residents (grant in aid)	...	250	0	0			
Templeton Wind Pump	...	100	0	0			
Diversion of Rangitata	...	300	0	0			
Purchase of Sections, Waimate—Trustees Church of England...	...	24	0	0			
Governor's Bay and Sumner Roads	...	125	0	0			
					36,654	0	0

SCHEDULE C.

			£	s.	d.
Locomotive and Cranes	..	...	1700	0	0
Northern Railway	...	...	6000	0	0
Selwyn Railway Bridge	...	...	1000	0	0
Ditto ditto	...	...	9000	0	0
Branch Railways	..	...	48,000	0	0
Branch Railway, Racecourse to Springston (purchase of land)		...	1000	0	0
Harbour Works—Compensation, Costs, &c., Claims for Water Frontage...			1000	0	0
Prison Labour	...	...	2500	0	0
Material for Jetty Accommodation as per Resolution		...	6000	0	0
			<hr/>		
			£76,200	0	0





PROVINCE OF CANTERBURY.

ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

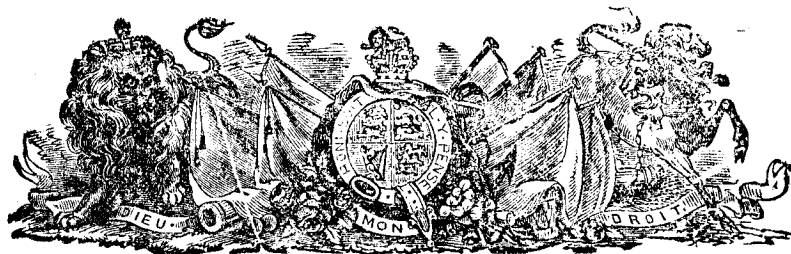
SESSION XXXVII.

The Lyttelton Reclaimed Land Ordinance, 1872.

[This Ordinance was disallowed.]



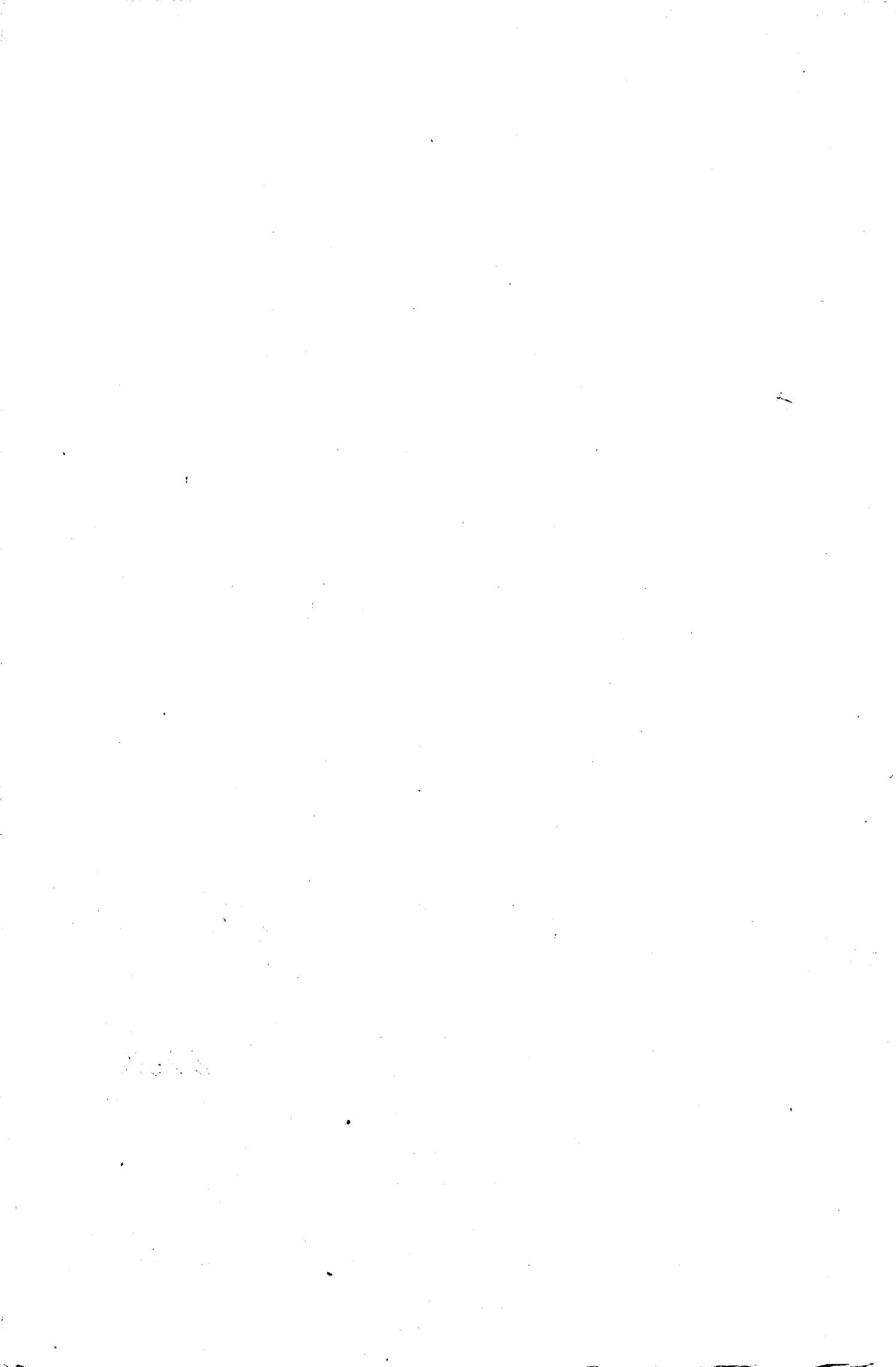
ORDINANCES
OF THE
PROVINCE OF CANTERBURY,
NEW ZEALAND,
PASSED IN THE THIRTY-SIXTH YEAR OF THE REIGN
OF
HER MAJESTY QUEEN VICTORIA,
AND THE
THIRTY-EIGHTH SESSION
OF THE
PROVINCIAL COUNCIL,
1872.



CHRISTCHURCH :

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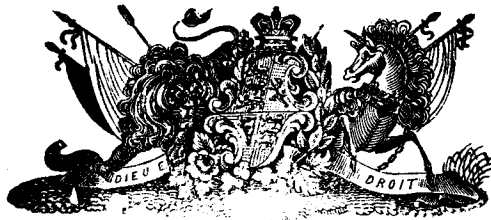
MDCCLXXIII.



INDEX
TO
THE ORDINANCES
OF THE
PROVINCE OF CANTERBURY, NEW ZEALAND.

SESSION XXXVIII., 1872.

No.	PAGE
1. The Diversion of Roads Special Ordinance, No. 6, 1872	1
2. The Public Domains Ordinance, 1872	5
3. The Canterbury Roads Ordinance Amendment Ordinance, 1872	9
4. The Reserve No. 424 Ordinance	<i>Disallowed</i>
5. The Appropriation Ordinance, 1872-73	19



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXVIII.—No. 1.

The Diversion of Roads Special Ordinance,
No. 6, 1872.

[December 24, 1872.]

WHEREAS by an Act of the General Assembly of New Zealand ^{Preamble.} intituled "The Highways and Watercourses Diversion Act 1858" it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any Law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed And also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so exchanged.

And whereas by an Act of the General Assembly of New Zealand intituled "The Provincial Council Powers Extension Act 1865" it is

enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and notwithstanding the restriction contained in the tenth sub-section of the nineteenth section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land described in the first column of the Schedule A hereto and coloured pink on the Plan hereto annexed should become a public highway in lieu of the parcels of land described in the second column of the said Schedule and coloured green on the Plan hereto annexed and that the last mentioned parcels of land should cease to be a public road and should be granted in exchange for the first mentioned parcels of land in manner hereinafter mentioned.

And whereas it is for the public benefit that the parcel of land described in the Schedule B hereto and coloured green on the Plan hereto annexed should cease to be a public road :

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows :

Land conveyed to become highway and old road to be stopped up.

1. When and so soon as all the parcels of land described in the first column of the Schedule A hereto shall have been conveyed to the Superintendent and his successors for a public road the same shall be and remain for ever a public highway and the public highway passing over the parcels of land described in the second column of the said Schedule A and the parcel of land described in Schedule B hereto shall be stopped up.

Land over which old road passed to be granted in exchange for land conveyed.

2. When and so soon as all the parcels of land described in the first column of the Schedule A hereto have been so conveyed each parcel of land described in the second column of the said Schedule shall be granted in fee to the person or persons conveying the parcel of land standing opposite to it in the first column in exchange for the land conveyed by them.

Title.

3. This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 6 1872."

LOCALITY—MALVERN DISTRICT, NEAR RUSSELL'S FLAT.

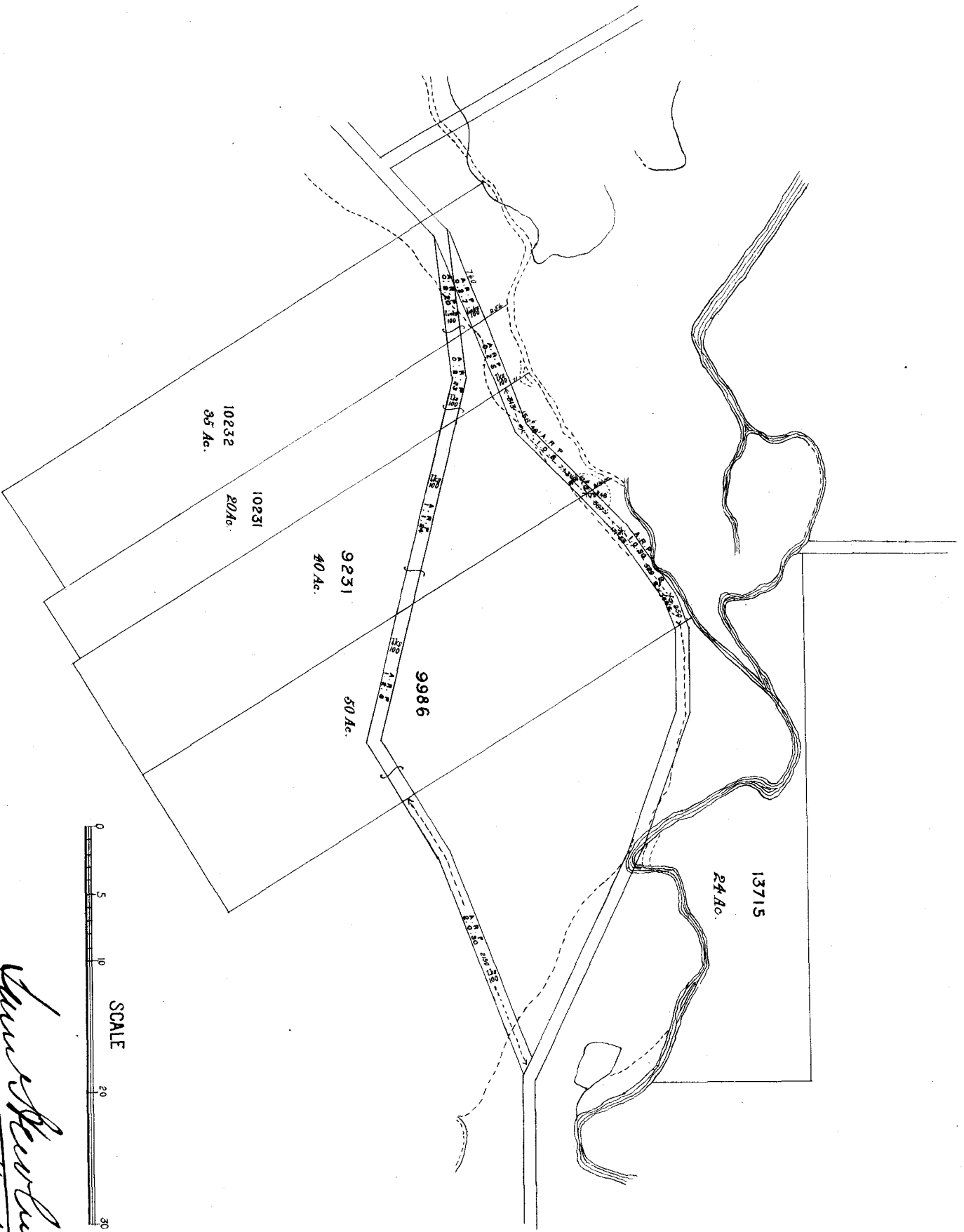
SCHEDULE A.

1ST COLUMN.	2ND COLUMN.
<p>All that piece or parcel of land one chain wide being part of rural section 9986 containing by admeasurement one acre and thirty perches more or less the centre line of which commences at a point on the north-eastern boundary of section 9231 situate 2 chains 14 links from the north-eastern corner thereof thence north-easterly following a line at an angle of 78 deg. 48 min. with the said north-eastern boundary a distance of 3 chains, 67 links thence north-easterly at an angle of 171 deg. 53 min. a distance of 5 chains, 69 links thence south-easterly at an angle of 164 deg. 6 min. a distance of about 2 chains 50 links bounded on the north-westward and south-eastward by lines respectively parallel to and 50 links distant from the centre line above described on the south-westward by section 9231 and on the north-eastward by the north-eastern boundary of section 9986 and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.</p>	<p>All that piece or parcel of land one chain wide containing by admeasurement one acre two roods and three perches more or less being that portion of the road originally surveyed and situate within rural section 9986 and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.</p>
<p>All that piece or parcel of land one chain wide being part of rural section 9231 containing by admeasurement one acre and eight perches more or less the centre line of which commences at a point on the north-eastern boundary of the said section situate 2 chains 14 links from the north-eastern corner thereof thence south-westerly at an angle of 101 deg. 12 min. with the said north eastern boundary a distance of 7 chains 43 links thence again south-westerly at an angle of 156 deg. 48 min a distance of 3 chains 13 links bounded on the north-westward and south-eastward by lines respectively parallel to and 50 links distant from the centre line above described on the south-westward by section 10231 and on the north-eastward by section 9986 and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.</p>	<p>All that piece or parcel of land one chain wide containing by admeasurement one acre one rood and twenty-four perches more or less being that portion of the road originally surveyed and situate within rural section 9231 and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.</p>
<p>All that piece or parcel of land one chain wide being part of rural section 10231 containing by admeasurement two roods five perches more or less bounded on the south-westward by section 10232 on the north eastward by section 9231 on the north-westward by a straight line drawn from a point on the north-eastern boundary of section 10231 seventy-one links distant from the north-eastern</p>	<p>All that piece or parcel of land one chain wide containing by admeasurement two roods twenty-three perches more or less being that portion of the road originally surveyed and situate within rural section 10231 and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.</p>

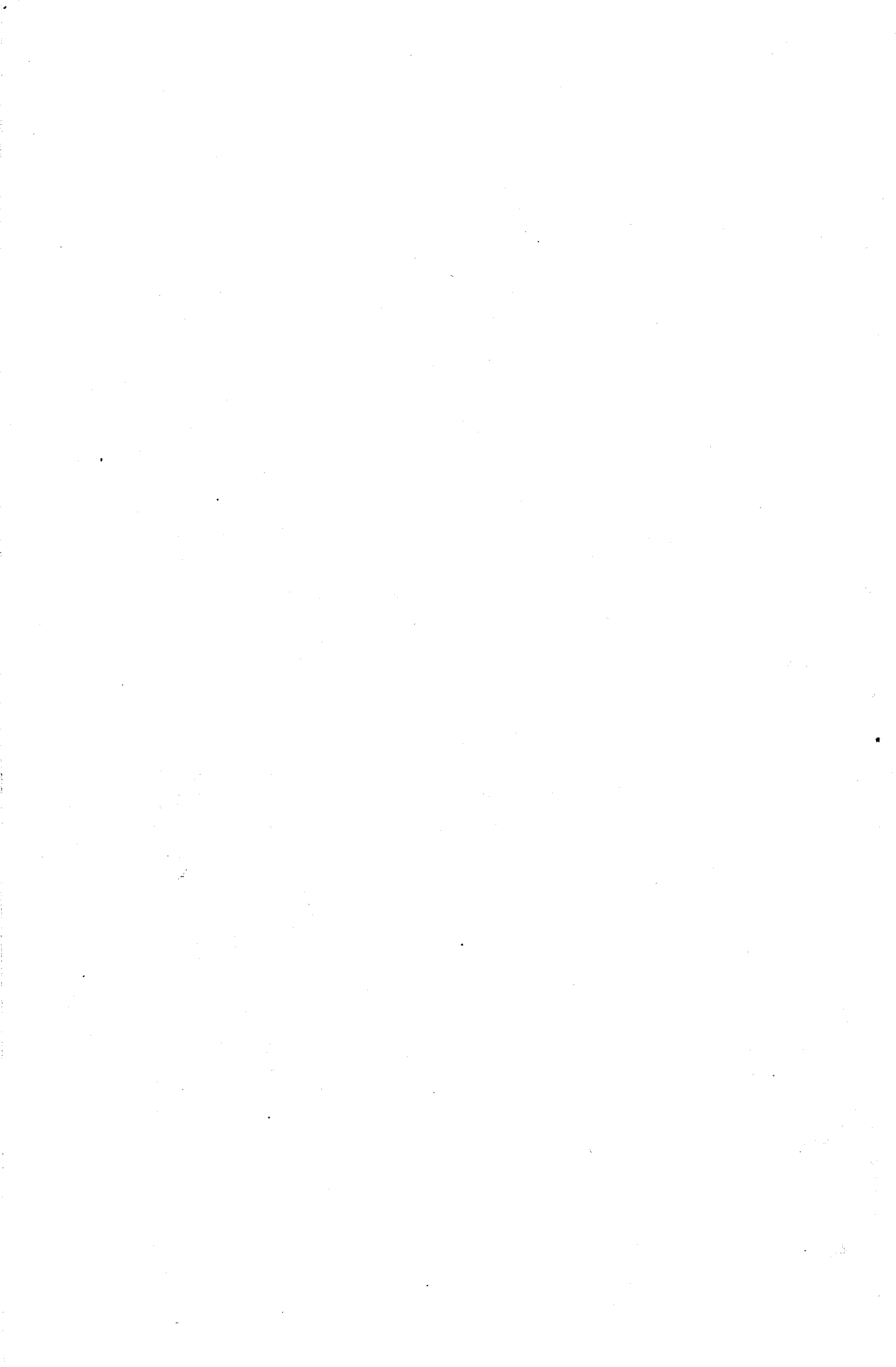
1ST COLUMN.	2ND COLUMN.
<p>corner thereof to a point on the south-western boundary of the same section situate 2 chains 54 links from its north-west corner and on the south-eastward by a line parallel to and one chain distant from the last described boundary and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.</p> <p>All that piece or parcel of land one chain wide being part of rural section 10232 containing by admeasurement two roods seven perches more or less bounded on the northward by a line 7 chains 40 links in length drawn from the northern angle of the road as originally surveyed within the above-mentioned section to a point on the north-eastern boundary of the said section situate 2 chains 54 links from the north-eastern corner thereof on the north-eastward by section 10231 and on the southward by the northern side of the aforesaid road and by a line parallel to and one chain distant from the first described boundary and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.</p>	<p>All that piece or parcel of land one chain wide containing by admeasurement two roods and twenty perches more or less being that portion of the road originally surveyed and situate within rural section 10232 extending from the north-eastern boundary of the above-mentioned section 10232 to its junction with the southern side of the proposed road deviation and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.</p>

SCHEDULE B.

All that piece or parcel of land one chain wide containing by admeasurement two acres and thirty perches more or less being that portion of the road extending from the north-eastern boundary of section 9986 in an easterly direction a distance on the average of about 21 chains 90 links to the proposed road deviation and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.



Wm. Westbury
Chief Surveyor





PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXVIII.—No. 2.

The Public Domains Ordinance, 1872.

[December 24, 1872.]

WHEREAS by an Act of the General Assembly of New Zealand in Preamble.
Parliament assembled intituled "The Canterbury Public Domains Act 1872" after reciting that certain lands within the Province of Canterbury more particularly described in the schedule to the said Act are vested in the Superintendent of the said Province in trust for the public uses of the said province under and subject to the provisions of "The Canterbury Association's Ordinance Session IV, No. 6" and of "The Canterbury Association's Reserves Ordinance, Session V, No. 2" and more especially for the purposes of public domains gardens plantations and pleasure grounds It is enacted that the Superintendent and Provincial Council of Canterbury may by Ordinance to be passed in that behalf declare that the said lands named in the schedule to the said Act or any of them shall from and after a date to be determined by such Ordinance be held to be under the operation of the said Act and may

from time to time by Ordinance as aforesaid declare that any lands which have been or may hereafter be vested in the said Superintendent for the purposes of public domains gardens or recreation grounds shall in like manner be subject to the provisions of the said Act and that from and after the date fixed in any such Ordinance the lands specified therein shall be subject to the provisions of the said Act :

And whereas the lands particularly described in the schedule to this Ordinance are vested in the said Superintendent for the purposes aforesaid or some of them :

And whereas it is expedient to bring the said Act into operation as to the said lands described in the schedule to the said Act and also as to the lands described in the schedule to this Ordinance :

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council as follows :

Title.

1. This Ordinance shall be entitled and may be cited as "The Public Domains Ordinance 1872"

Lands described in
Schedule to be held to
be under operation of
Act.

2. It is hereby declared that the lands described in the schedule to the said Act and the lands described in the schedule to this Ordinance shall from and after the first day of January A.D. 1873 be held to be under the operation and subject to the provisions of the said Act of the General Assembly of New Zealand.

SCHEDULE.

Description of reserve 262 (in red) being a site for a public garden and pleasure ground in the town of Timaru: Twelve acres three roods thirty-seven perches more or less bounded on the northward by Brown street a distance of seven chains twenty-one links on the eastward by Ross street a distance of eighteen chains seventeen links on the southward by Catherine street a distance of six chains ninety-seven links and on the westward by rural section No 707 a distance of eighteen chains twenty links. Subject nevertheless to the reserve for a boulevard two chains wide on the western boundary of the town for which reserve no allowance is made in the acreage, and numbered 262 (in red).

Description of reserve 344 (in red) being reserve for a public park &c in the town of Timaru: Fifty-six acres more or less situate in the town of Timaru bounded on the northward by Queen street on the eastward by High street on the southward by the boulevard two chains wide and on the westward by the continuation of King street.

Description of reserve 307 (in red) being a reserve for a public garden and recreation ground in the township of Arowhenua: One hundred and thirty-three acres in the township of Arowhenua bounded on north by High street and by reserve No 277 (in red) on west by the said reserve and also by the reserve for railway on east by Taumatahahu creek on south by the bank of river Tumuku.

Ten acres situate at Rangiora north of and adjoining rural section 1197 having ten chains frontage on a road leading to the Ashley and back easterly adjoining section 1197 ten chains and numbered 132 in red on the maps in the Land Office Christchurch for purposes of public recreation as described in a notification of His Honor the Superintendent of the 13th December 1858 and published in the *Provincial Government Gazette* of the 31st December 1858.

Description of Reserve 251 (in red) being site for a racecourse in the Timaru District.

One hundred and ninety-seven acres more or less commencing at a point on the western side of the South road the same being the first bend or turn in the road north of the north-eastern corner of section 3789 following the said road in a northerly direction a distance of forty-one chains thence westerly at a right angle a distance of thirty-five chains fifty links thence again at a right angle southerly a distance of thirty-nine chains ninety-eight links to the north-eastern boundary of section 7457 following south-easterly along that boundary a distance of twenty-nine chains eighty links to the north-western corner of the before-mentioned section 3789 following easterly along the northern boundary thereof a distance of twenty-one chains eighteen links to the road above mentioned and from thence returning along that road to the commencing point and numbered 251 (in red).



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXVIII.—No. 3.

The Canterbury Roads Ordinance Amendment
Ordinance, 1872.

[December 24, 1872.]

ANALYSIS.

- | | |
|---|---|
| Preamble. | 14. Power to Levy Rates. |
| 1. Repealing Sections 32, &c. | 15. Special Rates. |
| 2. Adoption of Ratepayers' Roll Revision Act. | 16. Time when Rates may be made. |
| 3. Coming into operation of following Sections. | 17. Rates may be Retrospective. |
| 4. Repeal of Bating Sections in Ordinance 1872. | 18. List to be Prepared before Levying Rate. |
| 5. Description of Rateable Property. | 19. Notice to Pay Rate to be Served. |
| 6. Ratepayers' Roll to be made. | 20. Persons Liable. |
| 7. Ratepayers' Roll for subdivision. | 21. Rates how Payable, when Property is Jointly Occupied. |
| 8. Valuation to be made. | 22. Weekly Tenants not to Pay Rates. |
| 9. Valuer Empowered to Enter on Premises. | 23. Non-payment of Rates in case of Poverty. |
| 10. Valuer Empowered to make Enquiries. | 24. Penalty when Occupier Refuses to give Name of Owner. |
| 11. Board to cause Roll to be Corrected. | 25. Ratepayers' Roll of Ordinance, 1872, to remain in Force until new Roll is prepared. |
| 12. Roll to be open for Inspection. | 26. Short Title. |
| 13. Notice to be sent to non-resident Ratepayers. | |

Preamble.

WHEREAS it is expedient to adopt an Act of the General Assembly of New Zealand intituled "The Canterbury Ratepayers' Rolls Revision Act 1872" and it is also expedient to amend "The Canterbury Roads Ordinance 1872.

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice of the Provincial Council thereof as follows :

Repealing sections 32 and 79.

1. Sections numbered 32 and 79 of "The Canterbury Roads Ordinance 1872" shall be and the same are hereby repealed. The description of the Cust District in the second Schedule to the said Ordinance shall be and the same is hereby repealed and the said Cust District shall be bounded as described in Schedule D to this Ordinance.

Adoption of Ratepayers' Roll Revision Act.

2. The said Act of the General Assembly of New Zealand is hereby adopted and shall come into force in the Province of Canterbury on the First day of June in the year of our Lord One thousand eight hundred and seventy-three.

Coming into operation of following sections.

3. The following sections of this Ordinance shall come into operation on the First day of June in the year of our Lord One thousand eight hundred and seventy-three.

Repeal of Rating sections.

4. Sections of the said "Canterbury Roads Ordinance 1872" numbered from 37 to 59 both inclusive with the Schedules therein mentioned shall be and the same are hereby repealed.

Rateable property.

5. All lands tenements and hereditaments shall be rateable property within the meaning of this Ordinance save as is next hereinafter excepted that is to say except land the property of Her Majesty and land occupied or used for public purposes by the Crown or the Government of New Zealand or by the Province of Canterbury or by the Board of the district and hospitals benevolent institutions and buildings used exclusively for public charitable purposes churches chapels and other buildings used exclusively for public worship and buildings used as athenæums mechanics' institutes public schools or as residences of schoolmasters or schoolmistresses thereof provided they be inhabited only by the master or mistress of such schools or his or her family and burial grounds.

Ratepayers' Roll to be made.

6. The Board of each District shall cause to be made a Ratepayers' Roll according to the form given in Schedule A to this Ordinance which Roll shall contain the names in alphabetical order of all persons occupying property within the District liable to be rated according to the pro-

visions of this Ordinance and also the names of the owners thereof And such Roll shall also contain the several particulars specified under each heading in the said form Provided that whenever the name of any owner liable to be rated or to be inserted in such roll cannot after diligent enquiry be ascertained it shall be sufficient to designate such owner as the " Owner " of the property rated without stating his name.

7. Where any district shall be divided into subdivisions the sections hereof relating to the formation and amendment of the Ratepayers' Roll shall be read with reference to such District in manner following that is to say instead of the Ratepayers' Roll for the District at large there shall be a separate Ratepayers' Roll for each subdivision of the District and the Ratepayers' Roll for each subdivision as amended and revised from time to time and signed by the Chairman of the Board or not less than two members of the Board shall be the Ratepayers' Roll for the subdivision and shall continue in force for the said subdivision until another Ratepayers' Roll shall have duly come into force for the same and subject to the provisions herein contained shall take effect according to their tenor respectively for each separate subdivision of such district instead of the district at large.

Ratepayers' Roll for sub-division.

8. The Board of each district shall annually within two months after the thirtieth day of June in each year cause to be made for such district a valuation of all the rateable property within the district by competent persons to be called valuers and such valuers shall have such powers and duties as are hereinafter prescribed and the rates to be made by any Board of a district for the purpose of this Ordinance shall be made upon the valuation contained in the Ratepayers' Roll for the time being in force for such district and in every such valuation the property rateable shall be computed at its net annual value (that is to say) at the rent at which the same might reasonably be expected to let from year to year free of all usual tenants' rates and taxes and deducting therefrom the probable average annual cost of the repairs insurance and other expenses (if any) necessary to maintain such property in a state to command such rent Provided that all rateable property which shall not since the sale alienation or other disposition thereof by the Crown have been improved by building cultivation or enclosure or in other like manner shall be computed as of the net annual value of five per centum upon the fair capital value of the fee simple thereof.

Valuation to be made.

9. Every valuer shall for the purpose of making the valuation and return as aforesaid have power to enter at all reasonable hours in the day time into and upon all rateable property within the district without being liable to any legal proceedings on account thereof.

Valuer empowered to enter on premises.

Valuer empowered to
make enquiries.

10. It shall be lawful for any valuer to put to any person in occupation or in charge of any rateable property which such valuer shall have been authorised under the provisions hereof to value questions upon all such matters as shall be necessary to enable such valuer to state correctly the several particulars herein required to be stated in his valuation and return with regard to the premises and if after being informed by such valuer of his purpose in putting such questions and of his authority under this Ordinance to put the same any such person in occupation or charge or any such owner shall refuse or wilfully omit to answer the same to the best of his knowledge and belief or shall wilfully make any false answer or statement in reply to any such question such person shall on conviction forfeit and pay for every such offence a penalty not exceeding Five Pounds.

Board to cause Roll to
be corrected.

11. The Board shall on or before the first Tuesday in the month of September in each year cause the Ratepayers' Roll to be corrected both in respect to the names of the persons liable to be rated and in respect to the description of the rateable property entered therein and shall also cause the annual value of such property as assessed to be entered on such Roll.

Roll to be open for in-
spection.

12. The Board shall cause copies of the Ratepayers' Roll to be left for inspection at one or more places within the District and each Board shall exhibit one copy of the Roll at the office of the Secretary for Public Works Christchurch and shall on or before the said first Tuesday in September give public notice of the places where such corrected Roll and copies may be inspected and such Roll shall be open to the inspection of all Ratepayers and of all persons claiming to be affected thereby or of any person authorised by them in writing at all reasonable hours on every day not being a Sunday or public holiday until the first Tuesday in the month of October next following.

Notice to be sent to non
resident Ratepayers.

13. The Board shall within fourteen days after the completion of the Roll for each year cause a notice in the form or to the effect in the Schedule B to this Ordinance to be sent through the post to any person or persons on the said Roll who shall not be actually resident within the district addressed to his last known place of abode within the Province of Canterbury but not elsewhere and in no case shall a person residing out of the district be liable for rates unless a notice has been posted to him at his residence or last known place of abode within the Province of Canterbury and copies of the Ratepayers' Roll of the district have been exhibited in accordance with the provisions of this Ordinance.

Power to levy rates.

14. The Board of every district shall once at least in every year and may from time to time as they see fit in manner hereinafter mentioned make and levy rates to be called general rates equally upon all rateable

property within such district and no such rates made in any one year shall exceed the amount of one shilling in the pound of the annual value of such property and the Board of every district may also make and levy special rates for the purposes and subject to the provisions hereinafter expressed and contained.

15. When it appears to the Board that any work or improvement is for the special benefit of any particular portion of the district the Board may for defraying the expenses incurred in doing or executing such work by special order distinctly defining such portion and approved by the Superintendent make and levy a rate or rates to be called a "special" rate equally on all rateable property situated within such portion and no rate or rates made in any one year shall exceed in the aggregate the amount of two shillings in the pound of the annual value of such property. Provided always that public notice shall be given of the intention to levy such a rate at least one month before the same is levied and if within such time a protest be left at the office of the Board signed by at least one-half the ratepayers within such portion reckoned according to their votes then such rate shall not be levied and such special rate so levied shall be expended only for the purposes for which the same has been made anything herein contained to the contrary notwithstanding.

Special rates.

16. Every rate made under this Ordinance shall be made for and in respect of such period after the making of such rate as the Board shall think fit and shall be named by the Board when making the same but this section shall not prevent the Board from making or levying during any such period another rate if they shall otherwise have power hereunder to make or levy the same.

Time when rates may be made.

17. The Board may make any such rate in order to raise money to pay charges and expenses to be incurred or in order to raise money to pay charges and expenses already incurred.

Rates may be retrospective.

18. Previously to making or levying any rate the Board shall cause a list to be prepared setting forth the amount of rate proposed to be made the names of the persons liable to the payment thereof the sum payable by each of such persons the property in respect whereof each such sum shall be payable and the time at which such rate shall be paid and when such list shall have been completed and approved by the Board the Board shall if it think fit order the rate therein described to be made and levied and the list to be signed by the Chairman thereof.

List to be prepared before levying rate.

19. When any rate shall become due the Board shall cause a notice in the form set forth in the Schedule C hereunto annexed to be served by a Collector duly authorised to receive the same upon every person liable

Notice to pay Rate to be served.

to pay such rate and if such rate be not paid on the service of such notice it shall be paid at the place named therein within thirty days after the service thereof and if not paid within thirty days it shall be forthwith recovered according to law.

Persons liable.

20. Every rate whether general or special which the Board of any district is by this Ordinance authorized to make or levy shall be made and levied by them at such periods as they shall think fit upon every person who occupies or if there be no occupier then upon the owner of any rateable property whatsoever within such district according to the full net annual value of such property and the said rates shall be vested in the Board and shall be payable at such times either the whole or in such parts or instalments as they shall appoint.

Rates how payable when property is jointly occupied.

21. When any rateable property is jointly occupied or if unoccupied is jointly owned by more persons than one each of such persons shall be deemed to be the occupier or owner of rateable property of equal annual value to that of the whole of such first-mentioned property divided by the number of such joint occupiers or owners thereof.

Weekly tenants not to pay rates.

22. The owners of all rateable property which is let to weekly tenants shall be rated and pay the rates by this Ordinance directed to be made instead of the occupiers thereof who shall not in any such case be rated as such occupiers.

Non-payment of rates in case of poverty.

23. It shall be lawful for the Board if it shall be represented to them by any person liable to pay any rate that he is unable by reason of poverty to pay such rate and if the Board shall be satisfied of the truth of such representation to remit and excuse the payment of such rate or any part thereof.

Penalty when occupier refuses to give name of owner.

24. If on the request of the Board of the district or any collector of the said rates duly authorised by them as such the occupier of any property refuses or wilfully omits to disclose or wilfully mis-states to the Board or Collector making such request the name of the owner of such property or of the person receiving or authorised to receive the rents of the same such occupier shall be liable to a penalty not exceeding Five Pounds.

Roll of Ordinance 1872 to remain in force until new Roll is prepared.

25. The Ratepayers' Roll and valuation and Rate Books in force on the thirtieth of May in the year of our Lord one thousand eight hundred and seventy three under the provisions of "The Canterbury Roads Ordinance 1872" shall continue in force until a new valuation and Ratepayers' Roll shall have been made under the provisions of this Ordinance.

Short title.

26. This Ordinance shall be read and construed as part of "The Canterbury Roads Ordinance 1872" and shall be intituled and may be cited as "The Canterbury Roads Ordinance Amendment Ordinance 1872."

SCHEDULE A.

RATEPAYERS' ROLL OF THE DISTRICT (OR OF THE SUB-DIVISION OF THE DISTRICT).

Number of Rural Section.	Surname of Occupier in alphabetical order.	Christian name of Occupier.	Occupier's trade or Occupation.	OWNER.				DESCRIPTION & SITUATION OF RATEABLE PROPERTY.	If let for what term or in what manner.	NET ANNUAL VALUE.		
				Surname.	Christian Name.	Residence.	Trade or Occupation.			£	s.	d.

SCHEDULE B.

Take notice that your name appears as a Ratepayer on the Roll of the District.

(A. B.) Chairman of the Board.

SCHEDULE C.

NOTICE TO PAY RATE.

Road District of

To Mr.

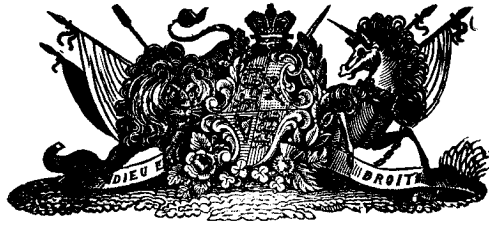
I hereby give you notice that at a Meeting of the Road Board for the District above-mentioned held on the _____ day of _____ at _____ a Rate of _____ in the pound on the rateable property in the District was ordered to be made and levied. The sum which you are liable to pay under this order is _____ which sum you are required to pay to me either on the service of this notice or within _____ after such service at my residence at _____ If the said rate is not paid within the time above specified it will be recovered by legal process.

Collector of Rates for the _____ District.

SCHEDULE D.

DESCRIPTION OF CUST DISTRICT.

The Cust District comprises that portion of the Province bounded on the north by the Ashley District on the east by a true north and south line drawn through trig. pole C. 30 on the bank of the Waimakariri on the west by the boundary lines between Runs 29 Class 3 and 164 Class 2 and 34 Class 3 and 208 Class 2 and on the south by the Oxford Tram road the Oxford and Ohoka road to the western boundary of section 4525 by part of the eastern boundary of section 4286 and by the road separating sections 4525 and 4528 and a line in continuation of the northern side thereof to the eastern boundary of this District.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXVIII.—No. 5.

The Appropriation Ordinance, 1872-73.

[December 24, 1872.]

BE IT ENACTED by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows :

1. Out of the public revenues of the said Province there may be issued and applied for the public service of the Province, and for defraying the charge of the Government thereof for the period commencing on the First day of October One thousand eight hundred and seventy-two and ending on the Thirtieth day of September One thousand eight hundred and seventy-three in manner set forth in Schedules A B and C to this Ordinance any sum or sums of money not exceeding the sums in such Schedules specified amounting in the whole to the sum of Five hundred and seventy-three thousand four hundred and thirty-five pounds three shillings.

2. This Ordinance shall be intituled and may be cited as "The Appropriation Ordinance, 1872-73."

SUMMARY.

SERVICE OF THE YEAR 1872-73.

SCHEDULE A.

CLASS	£	s.	d.
1. Permanent Charges	15,659	4	2
2. Administrative	2887	10	0
3. Provincial Council	2925	0	0
4. Gaols	4960	15	5
5. Police	10,955	7	7
6. Hospitals	4762	15	0
7. Lunatic Asylum...	6216	8	4
8. Charitable Aid	4585	0	0
9. Reformatory	1000	0	0
10. Orphan Asylum...	2658	0	0
11. Inspection of Sheep	1900	0	0
12. Harbour	2913	4	10
13. Subsidies to Ferries	393	15	0
14. Miscellaneous	13,591	2	6
15. Public Plantations	1050	17	0
16. Museum	1200	0	0
17. Education	15,238	6	0
18. Public Works Department	2506	10	0
19. Provincial Government Works	4050	0	0
20. Railways and Wharves	51,704	18	2
21. Lighterage and Cartage	5000	0	0
Total Schedule A	£156,158	14	0

SCHEDULE B.

1. Waste Lands Board	567	10	0
2. Surveys	14,934	15	0
3. Buildings and Works	184,619	4	0
4. Road Boards	55,000	0	0
Total Schedule B	£255,121	9	0

SCHEDULE C.

Railways	136,705	0	0
Harbour Works	25,450	0	0
Total Schedule C	£162,155	0	0
TOTAL APPROPRIATION, 1872-3	£573,435	3	0

SCHEDULE A.

CLASS 1—PERMANENT CHARGES.	£	s.	d.	£	s.	d.	£	s.	d.
Estimated amount of Sinking Fund, due to 30th June, 1872—									
Railway Loan... ..	5500	0	0						
Canterbury Loan, 1862	500	0	0						
				6000	0	0			
Balance due to Colonial Treasurer, 30th September, 1872	36	6	0						
Estimated Debit Balance on 30th June, 1873 (including Payment of Interest, &c., on Provincial Loans)	5722	18	2						
				5759	4	2			
Charged for Interest in respect of Railways				3500	0	0			
Cass Pension Ordinance				400	0	0			
Total, Permanent Charges							15,659	4	2
CLASS 2—ADMINISTRATIVE.									
Superintendent	800	0	0						
Provincial Secretary	500	0	0						
Assistant Secretary	300	0	0						
Two Clerks	418	15	0						
Provincial Treasurer	200	0	0						
Sub-Treasurer	218	15	0						
Sub-Treasurer at Timaru	50	0	0						
Provincial Solicitor	250	0	0						
Travelling Expenses	150	0	0						
Total Class 2, Administrative							2887	10	0
CLASS 3—PROVINCIAL COUNCIL.									
Speaker	100	0	0						
Chairman of Committees	50	0	0						
Clerk and Librarian	200	0	0						
Messenger	25	0	0						
Expenses of Members (20 sitting days)	600	0	0						
Printing and Expenses Select Committees	700	0	0						
Books and Periodicals £50									
Binding Periodicals £50	150	0	0						
Sundries (Gas, Furniture, &c.)									
Expenses of Elections, including Printing of Rolls... ..	1100	0	0						
Total Class 3, Provincial Council...							2925	0	0
CLASS 4—GAOLS.									
LYTTELTON.									
Salaries—									
Surgeon	100	0	0						
Gaoler	275	0	0						
Matron	25	0	0						

CLASS 4—GAOLS—LYTTELTON—cont.	£	s.	d.	£	s.	d.	£	s.	d.
Salaries—									
Chief Warder, at 8s. per diem ...	146	0	0						
Eight Warders, at 7s. ditto ...	1022	0	0						
Overseer, Hard Labour Gang, at 10s. ditto ...	182	10	0						
							1750	10	0
Contingencies—									
Rations ...	723	9	0						
Clothing ...	188	13	0						
Bedding, &c. ...	42	9	0						
Fuel ...	80	0	0						
Miscellaneous ...	168	18	0						
							1203	9	0
CHRISTCHURCH.									
Salaries—									
Surgeon Contagious Diseases Act and Gaol (salary dating from 15th April, 1872) ...	150	0	0						
Chief Warder ...	150	0	0						
Matron ...	25	0	0						
Warder, at 7s. per diem ...	127	15	0						
							452	15	0
Contingencies—									
Rations ...	360	0	0						
Bedding and Clothing ...	159	15	11						
Fuel and Lighting ...	96	13	0						
Miscellaneous ...	93	0	0						
							709	8	11
TIMARU DISTRICT.									
Salaries—									
Chief Warder, at 8s. 6d. per diem ...	155	2	6						
Matron ...	15	0	0						
Warder, at 7s. per diem ...	127	15	0						
							297	17	6
Contingencies—									
Travelling Expenses ...	50	0	0						
Rations ...	246	7	6						
Fuel and Lighting ...	50	0	0						
Clothing and Bedding ...	128	17	6						
Miscellaneous ...	71	10	0						
							546	15	0
Total Class 4, Gaols ...									4960 15 5
CLASS 5—POLICE.									
Salaries—									
Commissioner (to include travelling expenses, clothing, quarters, and forage) ...	500	0	0						
Inspector (2nd Class) ...	250	0	0						
Inspector (3rd Class) ...	235	0	0						
Accountant ...	240	0	0						
Storekeeper ...	164	8	0						
Sergeant-Major, at 12s. per diem ...	219	0	0						
Nine Sergeants (1st Class), at 9s. per diem (including Inspectors of Weights and Measures) ...	1478	5	0						
Two Sergeants (2nd Class), 8s. 6d. per diem ...	310	5	0						
One Sergeant (3rd Class) 8s. per diem ...	146	0	0						
Detective ...	214	8	0						
Seven Mounted Constables, 7s. per diem ...	894	5	0						
Sixteen Foot Constables (1st Class), 7s. per diem ...	2044	0	0						

CLASS 5—POLICE— <i>continued.</i>	£ s. d.	£ s. d.	£ s. d.
Salaries—			
Six Foot Constables (2nd. Class), 6s. 6d. per diem	711 15 0		
Two Foot Constables (3rd Class), 6s. per diem	219 0 0		
One Sergeant (1st Class), Bealey, 13s. per diem	237 8 3		
		7863 14 3	
Contingencies—			
Paddock Accommodation	26 0 0		
Forage	430 0 0		
Travelling Expenses	443 6 8		
Shoeing and Farriery	128 13 4		
Rations for Prisoners	38 6 8		
Uniform Clothing	341 0 0		
Fuel and Light	266 13 4		
Printing and Stationery	244 0 0		
House Rent	292 0 0		
Saddlery	59 0 0		
Furniture	25 0 0		
Incidental Expenses	230 0 0		
Transport of Prisoners	92 0 0		
Telegrams	39 0 0		
Transport of Stores	13 6 8		
Special Service	13 6 8		
Purchase of Horses	140 0 0		
Female Searcher	20 0 0		
Weights and Measures	100 0 0		
Railway Fares	150 0 0		
		3091 13 4	
Total Class 5, Police			10,955 7 7
 CLASS 6—HOSPITALS:			
CHRISTCHURCH.			
Salaries—			
Surgeon	237 10 0		
Dispenser	125 0 0		
Matron	50 0 0		
Cook	40 0 0		
Laundress	40 0 0		
Five Nurses	210 0 0		
Housemaid	25 0 0		
Night Nurses	131 5 0		
Porter	50 0 0		
Kitchen Maid	20 0 0		
		928 15 0	
Contingencies—			
Provisions	1080 0 0		
Wines, Spirits, &c.	350 0 0		
Undertaker	50 0 0		
Fuel	189 0 0		
Drugs	500 0 0		
Surgical Appliances	40 0 0		
Miscellaneous	355 0 0		
		2564 0 0	
 TIMARU.			
Salaries—			
Surgeon (to include Gaol and Police)	200 0 0		
Steward and Matron	100 0 0		
Two Nurses	70 0 0		
		370 0 0	

CLASS 6—HOSPITALS— <i>continued.</i>		£	s.	d.	£	s.	d.	£	s.	d.
Contingencies—										
Rations, Fuel, &c.	...	600	0	0						
Drugs, &c.	...	100	0	0						
Furniture	...	100	0	0						
Miscellaneous	...	100	0	0						
					900	0	0			
Total Class 6, Hospitals	...							4762	15	0
CLASS 7—LUNATIC ASYLUM.										
Salaries—										
Inspector	...	63	0	0						
Surgeon	...	200	0	0						
Steward	...	250	0	0						
Matron	...	66	13	4						
Chief Attendant, at 8s. per day	...	146	0	0						
Seven Attendants, at 7s. per day	...	894	5	0						
Three Female Attendants, at 4s. per day	...	219	0	0						
Cook, at 6s. per day	...	109	10	0						
Kitchen Lad	...	19	10	0						
					1967	18	4			
Contingencies—										
Rations	...	1948	10	0						
Clothing, Bedding, &c.	...	600	0	0						
Fuel, Repairs, &c.	...	600	0	0						
Library, Recreation, &c.	...	150	0	0						
Drugs, Medical Comforts, &c.	...	200	0	0						
Miscellaneous	...	200	0	0						
Furniture for New Building	...	500	0	0						
Railway Fares	...	50	0	0						
					4248	10	0			
Total Class 7, Lunatic Asylum	...							6216	8	4
CLASS 8—CHARITABLE AID.										
Salaries—										
Administrator	...	230	0	0						
Clerk	...	120	0	0						
					350	0	0			
Contingencies—										
Relief of Destitute Persons	...	1760	0	0						
Maintenance of Children	...	700	0	0						
Rations	...	700	0	0						
Medical Comforts, &c.	...	150	0	0						
Travelling Expenses	...	50	0	0						
Miscellaneous	...	55	0	0						
Wages	...	800	0	0						
Railway fares	...	20	0	0						
					4235	0	0			
Total Class 8, Charitable Aid	...							4585	0	0
CLASS 9—REFORMATORY.										
Salaries—										
Master, for 6 months	...	100	0	0						
Matron	...	30	0	0						
Cook	...	20	0	0						

	£	s.	d.	£	s.	d.	£	s.	d.
CLASS 9, REFORMATORY—continued.									
Contingencies—									
Provisions ...	250	0	0						
Fuel, Lighting, &c. ...	100	0	0						
Clothing and Bedding ...	300	0	0						
Miscellaneous ...	200	0	0						
Total Class 9, Reformatory ...							1000	0	0
CLASS 10—ORPHAN ASYLUM.									
Salaries—									
Surgeon ...	100	0	0						
Master ...	150	0	0						
Matron ...	100	0	0						
Under Master ...	70	0	0						
Nurse ...	30	0	0						
Under Nurse ...	25	0	0						
Cook ...	78	0	0				553	0	0
Contingencies—									
Provisions ...	1100	0	0						
Fuel, Lighting, &c. ...	105	0	0						
Clothing and Bedding ...	650	0	0						
Miscellaneous ...	200	0	0						
Railway fares ...	50	0	0				2105	0	0
Total Class 10, Orphan Asylum ...							2658	0	0
CLASS 11—INSPECTION OF SHEEP.									
Salaries—									
Chief Inspector ...	500	0	0						
Inspector, Northern District ...	400	0	0						
Do. Southern do. ...	400	0	0						
Do. Central do. ...	400	0	0						
Do. Sea-borne Sheep, Timaru ...	50	0	0				1750	0	0
Subsidy, Riccarton Dip ...	50	0	0						
Inspection, Waitaki ...	50	0	0						
Miscellaneous ...	50	0	0				150	0	0
Total Class 11, Inspection of Sheep ...							1900	0	0
CLASS 12—HARBOUR.									
Salaries—									
Chief Harbour Master ...	400	0	0						
Harbour Pilot ...	218	15	0						
Boat's Crew (three men, 3 months, at 6s; coxswain, at 8s; two men at 7s, for 9 months) ...	383	2	0						
Inward Pilot ...	198	15	0						
Boat's Crew (four men) ...	492	12	0						
Signal Boy, at 2s 6d per diem ...	45	12	6				1738	16	6
Contingencies—									
Office and Travelling Expenses ...	50	0	0						
Repairs to Boats ...	137	10	0				187	10	0

CLASS 12, HARBOUR—continued.			
TIMARU, &c.			
Salaries—	£	s.	d.
Harbour Master, 3 months at £200			
9 months at £225	218	15	0
Life Boats' Crew	144	0	0
Contingencies—			
Maintenance of Light	50	0	0
Maintenance of Rocket Apparatus,			
Repairs, &c.	100	0	0
Rent of Land for Lighthouse	20	0	0
Miscellaneous	50	0	0
Salaries—			
Signal Man (Sumner)	110	0	0
Signal Man (Kaiapoi)	120	0	0
			812 15 0
Contingencies—			
Maintenance of Boats, Signals	26	13	4
Clearing Channel, Saltwater Creek	187	10	0
Maintenance of Buoy (Akaroa)	10	0	0
			174 3 4
Total Class 12, Harbour			2913 4 10
CLASS 13—SUBSIDIES TO FERRIES.			
Rangitata Ferry	150	0	0
Waitaki, 5 quarters, at £75 per annum	93	15	0
Bealey	50	0	0
Waimakariri Gorge	100	0	0
Total Class 13, Subsidies to Ferries			393 15 0
CLASS 14—MISCELLANEOUS.			
Expenses Provincial Auditor's Office	190	0	0
Fuel, Light, &c., Government Buildings	150	0	0
Printing, Advertising, and Stationery	1400	0	0
Registration of Deeds, &c.	100	0	0
Postage, Cartage, &c.	160	0	0
Cleaning, &c.	100	0	0
Housekeeper's Department	175	0	0
Insurance	430	0	0
Messengers	175	0	0
Dog Collars	275	0	0
Health Officer	20	0	0
Maintenance Fire Engine	50	0	0
Rent of Warehouse, Lyttelton	120	0	0
Rent of Land at Addington	11	2	6
Collectors—Immigration Debt	400	0	0
Steward of Reserves, and Travelling			
Expenses	250	0	0
Public Libraries and Institutes	850	0	0
Expenses Witnesses R. M. Court	50	0	0
Educational and Road District			
Maps, &c.	200	0	0
Exhibition of Vienna Exhibits	600	0	0
Exhibition of Flax Machinery	100	0	0
Agricultural Societies	300	0	0
Gratuity to Mrs Brodriek	50	0	0
Fencing, &c., of Cemeteries	250	0	0
General Contingencies	2500	0	0
Agricultural and Pastoral Association	500	0	0
Collegiate Union	350	0	0
Volunteer Encampment	150	0	0
Reception—His Excellency the Governor	150	0	0
Collection of Educational Rates	250	0	0
Bonus, Flax Manufacture	2000	0	0
Ditto, Fire Bricks, &c.	250	0	0
Ditto, Cement	250	0	0
Acclimatisation Society	500	0	0
Akaroa Regatta	25	0	0
Revising Officer, Ratepayers Rolls	150	0	0
Honorarium to G. Thornton, Esq., C.E.	200	0	0
Total Class 14, Miscellaneous			18,591 2 6

CLASS 15—PUBLIC PLANTATIONS.			
Salaries—	£	s.	d.
Head Gardener ...	150	0	0
Three Under-gardeners, 3 months at 5s 6d, 9 months at 6s ...	275	17	0
			425 17 0
Contingencies—	£	s.	d.
Planting, Fencing, &c. ...	225	0	0
Timaru Domain ...	300	0	0
Temuka Domain ...	100	0	0
			625 0 0
Total Class 15, Public Plantations			1050 17 0
CLASS 16—MUSEUM.			
Director (including travelling expenses)	600	0	0
Taxidermist ...	200	0	0
Working Expenses ...	400	0	0
Total Class 16, Museum			1200 0 0
CLASS 17—EDUCATION.			
Salaries—	£	s.	d.
Inspector of Schools ...	387	10	0
Secretary ...	218	15	0
Clerks ...	150	0	0
Drill Instructor ...	200	0	0
			956 5 0
Contingencies—	£	s.	d.
High Schools ...	500	0	0
Maintenance of Schools ...	8634	0	0
Special Grants to Denominational Schools ...	1288	0	0
Scholarships, &c. ...	1000	0	0
Augmentation Grants to Teachers ...	700	0	0
Travelling Expenses ...	150	0	0
Forage—Inspector ...	50	0	0
Ditto—Drill Instructor ...	100	0	0
Miscellaneous ...	250	0	0
Purchase of Books ...	1000	0	0
Normal School ...	500	0	0
Schoolmaster, Saltwater Creek ...	23	19	0
Ditto, Stoke ...	6	2	0
Inspector School Buildings and Travelling Expenses ...	80	0	0
			14282 1 0
Total Class 17, Education			15238 6 0
CLASS 18—PUBLIC WORKS DEPARTMENT.			
Salaries—	£	s.	d.
Provincial Engineer ...	600	0	0
Clerk of Works ...	300	0	0
Ditto and Tunnel Inspector ...	318	15	0
Draftsman ...	208	0	0
Clerk, 3 months at £275, 9 at £300 ...	293	15	0
Clerk and Messenger ...	130	0	0
Toll Collector, Waimakariri Bridge ...	156	0	0
Contingencies—	£	s.	d.
Forage and Travelling Expenses ...	150	0	0
Office Expenses, Drawing Materials ...	200	0	0
Miscellaneous ...	150	0	0
Total Class 18, Public Works Department			2506 10 0

CLASS 19—PROVINCIAL GOVERNMENT WORKS.	£	s.	d.	£	s.	d.	£	s.	d.
Roads—Maintenance ...	1500	0	0						
Bridges and Ferries—do. ...	900	0	0						
Buildings—do., Safes, Footpaths, &c. ...	1300	0	0						
Clearing River Avon ...	50	0	0						
Miscellaneous ...	300	0	0						
Total Class 19, Provincial Government Works ...							4050	0	0
CLASS 20—RAILWAYS AND WHARVES.									
SUBDIVISION 1.									
General Manager ...	500	0	0						
Engineer for 6 months ...	400	0	0						
Clerk, Stationary, and Ticket Office ...	200	0	0						
Accountant, 8 mths at £300, 9 at £350	337	10	0						
Ledger Keeper, 3 months at £150, 9 at £200	187	10	0						
Clerk, 3 months at £150, 9 at £175	168	15	0						
Clerk, 3 months at £100, 9 at £120	115	0	0						
Clerk ...	60	0	0						
Collector, 3 months at £250, 9 at £275	268	15	0						
Cashier ...	268	15	0						
Clerk ...	60	0	0						
Messenger ...	52	0	0						
Printing, Advertising and Stationery ...	850	0	0				3468	5	0
SUBDIVISION 2.									
<i>Passenger Department—Lyttelton and Christchurch Line.</i>									
Christchurch—Station Master, three months at £300, nine at £350	337	10	0						
Booking Clerk ...	100	0	0						
Ditto second ...	60	0	0						
Head Porter ...	164	5	0						
Three Porters at 7s. a day	383	5	0						
Guard, at 10s. a day	182	10	0						
Heathcote—Station Master, 3 months at £150, 9 at £175	168	15	0						
Porter at 7s. a day	127	15	0						
Lyttelton—Station Master, 3 months at £300, 9 at £325	318	15	0						
Booking Clerk ...	80	0	0						
Porter, at 50s. per week	130	7	0						
Miscellaneous ...	200	0	0				2253	2	0
SUBDIVISION 3.									
<i>Passenger Department—South Line.</i>									
Templeton—Station Master	160	0	0						
Rolleston— ditto	160	0	0						
Porter at 7s. a day	109	11	0						
Burnham—Station Master	160	0	0						
Selwyn— ditto	180	0	0						
Two Porters at 7s. per day	219	2	0						
Addington—Station Master, at £140	136	5	0						
Porter, at 7s. per day	109	11	0						
(Half to South Line.)									
One Guard at 9s. per day	164	5	0						
Miscellaneous ...	200	0	0				1598	14	0

SUBDIVISION 4.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Passenger Department—North Line.</i>									
Addington—Station Master, &c. (half as above charged to this Line) ...									
Riccarton—Station Master ...	120	0	0						
Papanui— ditto ...	120	0	0						
Styx— ditto ...	120	0	0						
Kaiapoi ditto ...	180	0	0						
Booking Clerk ...	60	0	0						
Porter, at 7s. per day ...	109	11	0						
Rangiora—Station Master, &c. ...	300	0	0						
One Guard	164	5	0						
Miscellaneous ...	200	0	0						
							1373	16	0
SUBDIVISION 5.									
<i>Locomotive Department—All the Lines.</i>									
Locomotive Foreman ...	300	0	0						
Three Drivers, at 13s. 6d. per day ...	1177	2	6						
Two ditto, at 12s. ditto ...									
One ditto, 6 months, at 12s. ditto ...	109	10	0						
Three Firemen, at 10s. ditto ...	876	0	0						
Two ditto, at 9s. ditto ...									
One ditto, 6 months at 9s. ditto ...	82	2	6						
Five Cleaners at 8s. ditto ...	688	12	0						
One Cleaner, 6 months, at 8s. ditto ...									
One Shunter, at 9s. ditto ...	456	5	0						
Two Pointsmen at 8s. ditto ...									
Three Labourers at 8s. ditto ...									
Two ditto, at 7s. ditto ...	657	6	0						
One ditto, at 4s. ditto ...									
Storekeeper ...	150	0	0						
Stores—									
Coals (1600 tons) at 35s. per ton ...	2800	0	0						
Lubricants and other Stores ...	700	0	0						
Repairs of Locomotives, Machinery, and Rolling Stock ...									
Inside Foreman ...	219	2	0						
Three Fitters, at 10s. per day ...	469	10	0						
Head Carpenter ...	187	15	0						
Two Carpenters, at 10s. per day ...	313	0	0						
Painter, at 11s. ditto ...	172	3	0						
One Smith, at 11s. ditto ...									
One ditto, at 10s. ditto ...	328	13	0						
Two Helpers, at 8s. ditto ...									
Four Labourers, at 7s. ditto ...	688	12	0						
Re-turning Wheels, and Materials generally ...	900	0	0						
							11,275	13	0
SUBDIVISION 6.									
<i>Maintenance Lyttelton and Christchurch Line, including Terminal Stations.</i>									
Inspector Permanent Way (proportion of Salary ...	125	0	0						
Foreman, at 11s. per day ...									
Ditto, at 10s. ditto ...	328	13	0						
Eight Platelayers, at 7s. ditto ...	876	8	0						
Tools, Sleepers, and Materials other than Metals ...	800	0	0						
Gates, Fencing, and Station Premises—									
Head Carpenter ...	187	16	0						
Four ditto, at 10s. per day ...	626	0	0						
Eight Labourers, at 7s. ditto ...	876	8	0						

CLASS 20—RAILWAYS— <i>continued.</i>	£	s.	d.	£	s.	d.	£	s.	d.
One Smith, at 12s. ditto	422	11	0						
One Helper, at 8s. ditto									
One ditto, at 7s. ditto									
(Proportion charged to L. and C. Line, £900) ...									
Materials, Tools, &c. ...	700	0	0						
4942 16 0									
SUBDIVISION 7.									
<i>Maintenance, South Line.</i>									
Inspector Permanent Way (proportion of Salary) ...	125	0	0						
Foreman, at 10s. per day	579	1	0						
Three Foremen at 9s. ditto									
Fourteen Labourers, at 7s. ditto	1533	14	0						
Tools, Sleepers, and Materials other than Metals ...	1000	0	0						
Gates, Fencing and Station Premises—(Proportion of Carpenters, &c., as above, £900) ...									
Replanting Fences ...	400	0	0						
Tools and Materials ...	600	0	0						
4237 15 0									
SUBDIVISION 8.									
<i>Maintenance North Line.</i>									
Addington to Rangiora ...	3080	0	0						
3080 0 0									
SUBDIVISION 9.									
<i>Goods Department—Lyttelton and Christchurch Line, including Christchurch Station.</i>									
Lyttelton—									
Clerk ...	140	0	0						
Three Clerks, at £120 ...	360	0	0						
Clerk ...	100	0	0						
Warehouseman ...	120	0	0						
Storeman (Export) at 8s. per day	453	17	0						
Three ditto, ditto, at 7s. ditto									
Head Storeman (Import), at 10s. ditto	156	10	0						
Storeman, at 8s. ditto ...	125	4	0						
Foreman of Yard ...	180	0	0						
Shunter ...	120	0	0						
Horse Driver, at 50s. per week	130	7	0						
Horse Feed... ..	100	0	0						
Insurance and Miscellaneous ...	250	0	0						
Extra Labour, Wool and Grain Season	700	0	0						
Christchurch—									
Goods Manager (Inside) ...	318	15	0						
Clerk ...	200	0	0						
Clerk ...	175	0	0						
Clerk ...	150	0	0						
Clerk ...	130	0	0						
Clerk ...	120	0	0						
Head Storeman, at 9s. per day	266	1	0						
Ditto, at 8s. ditto									
Bond Storeman, at 8s. ditto	125	4	0						
Four Storemen (Import), at 7s. ditto	876	8	0						
Four ditto (Export), at 7s. ditto									

CLASS 20—RAILWAYS— <i>continued.</i>	£	s.	d.	£	s.	d.	£	s.	d.	
Goods Manager (Outside) ...	275	0	0							
Clerk and Weigher ...	148	15	0							
Gatekeeper, at 6s. per day ...	93	18	0							
Foreman, at 9s. per day ...	250	8	0							
Sailmaker at 7s. per day ...										
Shunter, at 55s. per week ...	273	15	0							
Horse Driver, at 50s. ditto ...										
Six Labourers, at 7s. per day ...	657	6	0							
Horse Feed ...	80	0	0							
Insurance and Miscellaneous ...	300	0	0							
Labour, Timber, Coals, and in Wool and Grain Season ...	2500	0	0							
New Tarpaulins ...	200	0	0							
				10,076	8	0				
SUBDIVISION 10.										
<i>Goods Department—South Line.</i>										
Extra Labour, Wool and Grain Season	600	0	0	600	0	0				
SUBDIVISION 11.										
<i>Goods Department—North Line.</i>										
Two Storemen at Kaiapoi and Rangiora, at 8s. a day, part of the year ...	220	0	0							
Extra Labour ...	400	0	0							
				620	0	0				
SUBDIVISION 12.										
<i>Gatekeepers—Lyttelton and Christ- church Line.</i>										
Three Gatekeepers, at 5s. per day ...	273	15	0							
Two Policemen, at 7s. per day ...	255	10	0							
				529	5	0				
SUBDIVISION 13.										
<i>Gatekeepers—South Line.</i>										
Four Gatekeepers, at 30s. per week ...	665	2	6							
Three ditto, at 20s. ditto ...										
Five ditto, at 15s. ditto ...										
				665	2	6				
SUBDIVISION 14.										
<i>Gatekeepers—North Line.</i>										
Gatekeeper, at 30s. per week ...	520	16	8							
Seven ditto, at 20s. per week ...										
Two ditto, at 15s. ditto ...										
				520	16	8				
SUBDIVISION 15.										
<i>Wharves and Jetties.</i>										
Tally Clerk at 10s. per day ...	156	10	0							
Three Steam Crane Drivers, at 10s. per day ...	751	4	0							
Two ditto ditto, at 9s. ditto ...										
Two Horse Drivers, at 48s. per week ...	250	8	0							

CLASS 20—RAILWAYS— <i>continued.</i>				£	s.	d.	£	s.	d.	£	s.	d.
Head Porter, at 8s. per day		}		672	19	0						
Five Porters, at 7s. ditto												
Watchman, at 8s. ditto	...			125	4	0						
Coals and Stores	...			250	0	0						
Repairs	...			625	0	0						
Extra Labour...	...			200	0	0						
							3031	5	0			
SUBDIVISION 16.												
Railway Renewal Fund	...			2857	0	0						
Lyttelton Regatta	...			50	0	0						
Kaiapoi ditto	...			25	0	0						
Contingencies...	...			500	0	0						
							3432	0	0			
Total Class 20, Railways and Wharves										51,704	15	0
Lighterage and Cartage	...			5000	0	0				5000	0	0
Total Schedule A										<u>£156,158</u>	<u>14</u>	<u>0</u>

SCHEDULE B.

CLASS 1—WASTE LANDS BOARD.	£	s.	d.	£	s.	d.	£	s.	d.
Chief Clerk	287	10	0						
Assistant do.	180	0	0						
Messenger	100	0	0						
Total Class 1, Waste Lands Board							567	10	0
CLASS 2—SURVEYS.									
Salaries—									
Chief Surveyor	500	0	0						
Surveyor, Plotting, &c. ...	400	0	0						
Do. Timaru, 3 months at £350,									
9 at £400	387	10	0						
Three Surveyors, 3 months at £300,									
9 at £350	1012	10	0						
Three ditto, 3 months at £275, 9 at									
£300	881	5	0						
One do. (for nine months, at £300)	225	0	0						
Seven Labourers, at 7s per diem } One do. for nine months } Eleven do. at 6s per diem } Thirteen do. for nine months }	849	2	0						
Chief Draftsman, Timaru Agent ...	387	10	0						
Draftsman, Timaru Office	295	0	0						
Two Draftsmen	472	10	0						
One do.	191	5	0						
Preparation of Crown Grants									
One Surveyor	400	0	0						
Draftsman									
Clerk									
Clerk									
Contingencies									
Forage Allowances, seven Surveyors									
for three months, at £50 each; nine									
Surveyors for nine months	425	0	0						
Allowances for Camp Equipments, at									
£50 each, seven Surveyors for three									
months, eight for nine months ...	387	10	0						
Forage and Travelling Allowance, Chief									
Surveyor	200	0	0						
Contract Surveys	1787	10	0						
Miscellaneous	400	0	0						
Contingencies	2500	0	0						
J. C. Boys	400	0	0						
Survey of Otago boundary	475	0	0						
Total Class 2, Surveys							14,934	15	0
CLASS 3—BUILDINGS AND WORKS.									
Buildings—									
Lunatic Asylum—									
Completion of new Buildings ...	2500	0	0						

CLASS 3—BUILDINGS, &c.— <i>continued.</i>	£	s.	d.	£	s.	d.	£	s.	d.
Lunatic Asylum—<i>continued.</i>									
Wash House	300	0	0						
Water Supply	350	0	0						
Extension of Building	3000	0	0						
Telegraph to Police Depôt	150	0	0						
				6300	0	0			
Gaol, Lyttelton—									
Gaoler's House	450	0	0						
New Building	1250	0	0						
				1700	0	0			
Gaol, Addington—									
Wash House	150	0	0						
New Buildings for Men	1450	0	0						
				1800	0	0			
Gaol, Timaru	500	0	0						
Hospital, Christchurch	4500	0	0						
Ditto, Timaru (fever ward)	350	0	0						
Orphan Asylum	1400	0	0						
Drunkards' Asylum... ..	500	0	0						
				7250	0	0			
Police Depôt	2000	0	0						
House, Railway	350	0	0						
Station, Courtenay	350	0	0						
Ditto, Kaiapoi	160	0	0						
Ditto, Killinchy Crossing	150	0	0						
				3010	0	0			
School Buildings	20,000	0	0						
Municipal Schools	12,000	0	0						
Training School	3000	0	0						
Purchase of Cathedral Site	10,000	0	0						
Reformatory	1500	0	0						
Cottage, Timaru Domain	200	0	0						
Supreme Court	2500	0	0						
Public Buildings	3000	0	0						
Museum	800	0	0						
Pilot's House, Sumner	160	0	0						
Accommodation House, Bealey	50	0	0						
Powder Magazine, Timaru	150	0	0						
				53,360	0	0			
Bridges—				73,220	0	0			
Hurunui	1000	0	0						
Lower Selwyn	400	0	0						
Kaiapoi Island	250	0	0						
Waimakariri (foot bridge)	500	0	0						
Eyreton	250	0	0						
Ashley	1000	0	0						
Saltwater Creek	200	0	0						
Pareora	13,200	0	0						
Temuka	4600	0	0						
Opihi	3000	0	0						
Waihou	11,500	0	0						
Avon (Domain)	150	0	0						
Rakaia	19,000	0	0						
Ashburton	9000	0	0						
Otaio	4000	0	0						
Lower Opihi	2500	0	0						
Te Ngawai	2500	0	0						
Orari	2000	0	0						
Waipara	5000	0	0						
Styx	200	0	0						
				80,250	0	0			
Roads—									
Rangitata Bridge Approaches	1500	0	0						
Christchurch and Akaroa	500	0	0						
Little River (subject to sales of Reserves)	400	0	0						

	£	s.	d.	£	s.	d.	£	s.	d.
BUILDINGS AND WORKS—continued.									
Malvern Hills Coal Road ...	400	0	0						
Main Roads south of Rangitata ...	62	10	0						
Ditto north of Saltwater Creek ...	130	14	0						
Lake Forsyth Road—Drainage ...	1000	0	0						
Hurunui ditto ...	1000	0	0						
Selwyn Bridge ditto ...	75	0	0						
				5068	1	0			
<i>Grants in Aid—</i>									
Drainage, Leithfield ...	50	0	0						
Do. Heathcote and Spreydon ...	1500	0	0						
Do. Avon ...	136	0	0						
Overflow, Rangiora Swamp ...	500	0	0						
Do. River Eyre ...	250	0	0						
Do. Orari ...	500	0	0						
Clearing River Halawell ...	300	0	0						
Fire Engine, Kaiapoi ...	250	0	0						
Do. Timaru ...	250	0	0						
Do. Temuka ...	250	0	0						
Clearing River Avon ...	300	0	0						
Leithfield Protective Works (grant in aid) ...	50	0	0						
Pigeon Bay Mail Service (grant in aid) ...	150	0	0						
Protective Works, South bank Opihi ...	250	0	0						
				4736	0	0			
<i>Miscellaneous—</i>									
Templeton Wind Pump ...	160	0	0						
Planting Trees ...	500	0	0						
Purchase Land Orphanage ...	300	0	0						
Timaru Water Supply ...	4000	0	0						
Waimakariri Gorge Ferry ...	150	0	0						
Moorings, Timaru ...	400	0	0						
Akaroa Jetty Extension ...	200	0	0						
Barry Bay ditto and Road ...	400	0	0						
Immigration (Refund to General Government) ...	415	0	0						
Water Supply—Malvern to Rolleston ...	10,000	0	0						
Orari Overflow ...	400	0	0						
Sites for Cemeteries—Christchurch and Kaiapoi ...	1000	0	0						
Drainage—Riccarton, Avon District, and Northern Railway ...	200	0	0						
Time Ball, Machinery and Building ...	750	0	0						
Buildings—Otira Gorge Accommodation House ...	370	0	0						
Water Supply, Lyttelton—Survey ...	100	0	0						
Contingencies ...	2000	0	0						
				21345	0	0			
Total Class 3, Buildings and Works							184,619	4	0
CLASS 4—ROAD BOARDS.									
Akaroa and Wainui (including French Farm road £350, £50 for Little River and Pigeon Bay road, £100 LeBon's Bay, £50 Little Akaloa)	1000	0	0						
Ashburton ...	2000	0	0						
Ashley ...	750	0	0						
Avon (including Clearing River Avon) ...	750	0	0						
Courtenay ...	1600	0	0						
Cust ...	750	0	0						
Ellesmere ...	2750	0	0						
Eyreton ...	1000	0	0						
Ditto (West) ...	750	0	0						
Geraldine ...	1250	0	0						

ROAD BOARDS— <i>continued.</i>	£	s.	d.	s.	d.	£	s.	d.
Halswell (including £400 for Metal- ling Main road to Akaroa) ...	650	0	0					
Heathcote (including Clearing River Avon) ...	900	0	0					
Kowai ...	1200	0	0					
Lake Coleridge ...	150	0	0					
Levels ...	1750	0	0					
Lincoln ...	1600	0	0					
Little River ...	1000	0	0					
Malvern (including South Malvern) Ditto (East) ...	1000	0	0					
Mandeville and Rangiora ...	1000	0	0					
Mount Cook ...	500	0	0					
Ditto Peel ...	500	0	0					
Ditto Somers ...	300	0	0					
Okain's Bay (including £200 for Le Bon's, Laverick, and Okain's Bay roads; £100 for Le Bon's Bay; and £50 for Little Akaloa) ...	600	0	0					
Oxford ...	1000	0	0					
Pigeon Bay ...	400	0	0					
Port Levy ...	300	0	0					
Port Victoria ...	300	0	0					
Rakaia ...	600	0	0					
Riccarton ...	500	0	0					
Spreydon ...	500	0	0					
Springs ...	1600	0	0					
Templeton ...	800	0	0					
Temuka ...	1500	0	0					
Waimate ...	2000	0	0					
Waipara ...	750	0	0					
				35,000	0	0		
(Contingent on excess of receipts over estimate, to be distributed in the same proportion as the grant of £35,000) ...				20,000	0	0		
Total Class 4—Road Boards ...						55,000	0	0
Total Schedule B ...						£255,121	9	0

SCHEDULE C.

RAILWAYS.	£	s.	d.	£	s.	d.	£	s.	d.
Branch Railways ...				49,000	0	0			
Timaru and Temuka ...				7000	0	0			
Washdyke to the Point ...				17,600	0	0			
Selwyn Bridge ...				1000	0	0			
Locomotives and Cranes ...				5500	0	0			
New Station, Lyttelton ...				850	0	0			
Engine Shed, Christchurch ...				400	0	0			
Sidings, Materials, and Labour ...				4000	0	0			
Railway to Officers Point ...				830	0	0			
Weighbridge, Lyttelton ...				250	0	0			
Work Shops and Plant ...				3000	0	0			
Tunnel Work ...				4000	0	0			
Northern and Southern Railways ...				1500	0	0			
Contingencies ...				1000	0	0			
Platform, Lyttelton ...				275	0	0			
Covering in ditto ...				500	0	0			
Extra cost of Broad-Gauge, Ashley to Kowai ...				13,000	0	0			
Conversion of Line, Addington to Rakaia ...				8000	0	0			
Railway Wagons ...				4000	0	0			
Rolling stock for Railway extensions				15,000	0	0			
Harbour Works ...							136,705	0	0
							25,450	0	0
Total Schedule C ...							£ 162,155	0	0

1941

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1941	0 0 00700	0 0 00800	0 0 00900	0 0 01000	0 0 01100	0 0 01200	0 0 01300	0 0 01400	0 0 01500	0 0 01600	0 0 01700	0 0 01800

ORDINANCES

OF THE

PROVINCE OF CANTERBURY,

NEW ZEALAND,

PASSED IN THE THIRTY-SIXTH YEAR OF THE REIGN

OF

HER MAJESTY QUEEN VICTORIA,

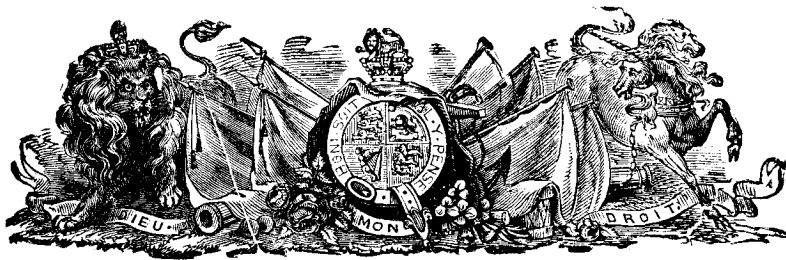
AND THE

THIRTY-NINTH SESSION

OF

THE PROVINCIAL COUNCIL

1873.



CHRISTCHURCH :

PRINTED UNDER THE AUTHORITY OF THE PROVINCIAL GOVERNMENT OF THE PROVINCE OF CANTERBURY, BY THE
"PRESS" COMPANY (LIMITED), AT THEIR OFFICE, CASHEL STREET.

MDCCCLXXIII.

INDEX

TO

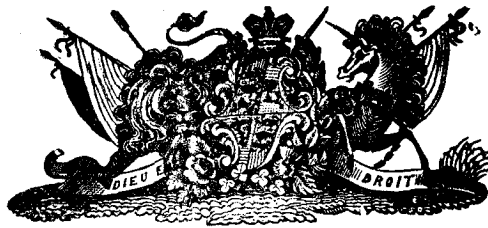
THE ORDINANCES

OF THE

PROVINCE OF CANTERBURY, NEW ZEALAND.

SESSION XXXIX, 1873.

No.		PAGE.
1.	The Lyttelton Corporation Waterworks Ordinance	1
2.	The Timaru Corporation Waterworks Ordinance	3
3.	The District Roads Compulsory Land-taking Ordinance, 1873... ..	5
4.	The Canterbury College Ordinance, 1873	11
5.	The Canterbury Museum and Library Ordinance, Amendment Ordinance, 1873	17
6.	The Educational Reserves Leasing Ordinance, 1873	19
7.	The Diversion of Roads Special Ordinance, No. 1, 1873... ..	21
8.	The Reserve No. 74 Ordinance, 1873	25
9.	The Education Ordinance, 1873	27
10.	The Canterbury Sheep Ordinance, Amendment Ordinance, 1873	43
11.	The Public Domains Ordinance, 1873	45
12.	The Canterbury Roads Amendment Ordinance, 1873	47
13.	The Reserve No. 304 Ordinance, 1873	49
14.	The Diversion of Roads Special Ordinance, No. 2, 1873	51
15.	The Reserve No. 424 Ordinance	55
16.	The Appropriation Ordinance, 1873	57



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 1.

The Lyttelton Corporation Waterworks Ordinance
1873.

Published by Authority.

[June 13, 1873.]

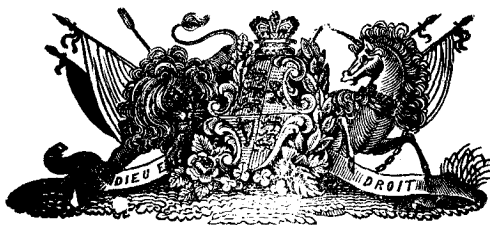
WHEREAS it is expedient that an Act of the General Assembly of Preamble.
New Zealand intituled “The Municipal Corporations Water-
works Act, 1872,” shall be brought into operation in and for the borough
of Lyttelton in the Province of Canterbury :

Be it therefore enacted by the Superintendent of the Province of
Canterbury by and with the advice and consent of the Provincial Coun-
cil thereof as follows :

1. This Ordinance shall be intituled “The Lyttelton Corporation Title.
Waterworks Ordinance.”

2. The said Act of the General Assembly of New Zealand is hereby
brought into operation in and for the borough of Lyttelton and shall take
effect in and for such borough on and from the first day of June One
Thousand Eight Hundred and Seventy-Three. Act of General As-
sembly brought into
operation in Borough
of Lyttelton.





PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 2.

The Timaru Corporation Waterworks Ordinance,
1873.

Published by Authority.

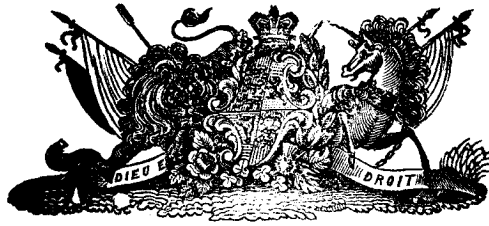
[June 13, 1873.]

WHEREAS it is expedient that an Act of the General Assembly of Preamble.
New Zealand intituled "The Municipal Corporations Water-
works Act, 1872," shall be brought into operation in and for the borough
of Timaru in the Province of Canterbury :

Be it therefore enacted by the Superintendent of the Province of
Canterbury by and with the advice and consent of the Provincial Coun-
cil thereof as follows :

1. This Ordinance shall be intituled "The Timaru Corporation Title.
Waterworks Ordinance."

2. The said Act of the General Assembly of New Zealand is hereby Act of General As-
sembly brought into
operation in Borough
of Timaru.
brought into operation in and for the borough of Timaru and shall take
effect in and for such borough on and from the first day of June One
Thousand Eight Hundred and Seventy-Three.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 3.

The District Roads Compulsory Land-taking
Ordinance, 1873.

Published by Authority.

WHEREAS by “The Provincial Compulsory Land-taking Act, ^{Preamble.} 1866” it was enacted (*inter alia*) that it should be lawful for the Superintendent and Provincial Council of every Province then or thereafter to be established in New Zealand from time to time to make or ordain any Law or Ordinance authorising the compulsory purchase of any land granted by the Crown within such Province for any work or undertaking of a public nature Provided that no land should be taken compulsorily under any Act or Ordinance of any Provincial Legislature except in conformity with the provisions of an Act of the General Assembly of New Zealand intituled “The Lands Clauses Consolidation Act, 1863” And whereas the public interests require that the lands specified and described in the Schedule hereto should be taken compulsorily for the several purposes in this Ordinance particularly mentioned with relation thereto respectively :

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows :

- Title. 1. This Ordinance may be cited and referred to as "The District Roads Compulsory Land-taking Ordinance 1873."
- Superintendent may hold lands described in Schedule. 2. It shall be lawful for the Superintendent of the Province of Canterbury to take and hold the lands specified and described in the Schedule hereto for the purpose of opening and constructing a public road in the Mount Peel Road District of the Province of Canterbury aforesaid.
- Compensation to owners of land. 3. All persons being owners of or having any less estate or interest in the said lands specified or described in the said Schedule hereto or any part or parts thereof respectively shall be entitled to receive compensation for the same the amount of which compensation shall be ascertained in the manner set forth in the Act of the General Assembly of New Zealand intituled "The Lands Clauses Consolidation Act 1863."
- "The Land Clauses Consolidation Act, 1863" to apply to this Ordinance. 4. "The Lands Clauses Consolidation Act 1863" and all the clauses and provisions thereof shall apply to this Ordinance and the lands compulsorily taken in pursuance hereof and so far as the same shall be applicable shall form part of this Ordinance and be construed herewith.
- Power of Superintendent to purchase compulsorily the lands specified in the Schedule. 5. The powers hereby conferred on the Superintendent to take and purchase compulsorily the lands specified in the said Schedule hereto shall not be exercisable after the expiration of three years from the time of the Governor's assent hereto.
-

SCHEDULE.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTIONS NOS. 1345
1346 AND 1347.

All that piece or parcel of land being part of Rural Sections Nos. 1345 1346 and 1347 containing by admeasurement four acres and twenty perches more or less commencing at the North-east corner of Section 1347 the same being the North-west corner of Section 1372 thence Westerly following the Northern boundary of Section 1347 a distance of one chain thence Southerly at a right angle a distance of about 41 chains 31 links to the Southern boundary of Section 1345 thence Easterly following the latter boundary to the South-east corner of Section 1345 and from thence returning along the Eastern boundaries of the aforesaid Sections 1345 1346 and 1347 to the commencing point and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 3309.

All that piece or parcel of land one chain wide being part of Rural Section No. 3309 containing by admeasurement three acres sixteen perches more or less bounded on the North-westward by a straight line drawn from a point on the Southern boundary of the said section situate about sixty links from the South-west corner thereof to a point on the Northern boundary of the same section distant about twenty-one chains twenty links from its North-west corner on the South-east by a line parallel to the North-west boundary and one chain distant therefrom on the North-eastward by Section 1415 and on the South-westward by the Southern boundary of Section 3309 aforesaid and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 1415.

All that piece or parcel of land one chain wide containing by admeasurement one acre two roods sixteen perches more or less being part of Rural Section 1415 the Western boundary of the said piece of land commencing at a point on the Southern boundary of the said section situate about twenty-one chains twenty links East of the North-west corner of Section 3309 and running North-westerly and North-easterly to a point on the Northern boundary of Section 1415 distant about three chains thirty links from the North-eastern corner thereof bounded on the Eastward by lines parallel to and one chain distant from the Western boundary on the Southward by Section 3309 and on the Northward by the Northern boundary of Section 1415 above mentioned and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTIONS OF LAND FOR PROPOSED ROAD THROUGH SECTION 1972.

All that piece or parcel of land containing by admeasurement twenty-six perches more or less being part of Rural Section 1972 the Western boundary of the said piece of land commencing on the road forming the Southern boundary of that section at a point distant about eighteen chains from the South-west corner of said section thence Easterly following said road a distance of about one chain sixty links thence Northerly along the same road about one chain seventy links thence South-westerly following straight lines to the commencing point as indicated on the annexed plan and which said piece or parcel of land is colored thereon red.

Also—All that piece or parcel of land containing by admeasurement one rood thirty perches more or less being part of Rural Section 1972 the Eastern boundary commencing at a point on the Northern boundary of the said section situate about nineteen chains eighty links from the North-eastern corner thereof and running in a Southerly direction to a point on the Southern boundary of the aforesaid Section 1972 distant about twenty chains thirty links from its South-east corner bounded on the Westward by lines parallel to and one chain distant from the Eastern boundary on the Northward by Section 3208 on the Southward by the road forming the Southern boundary of Section 1972 which said piece or parcel of land is more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 3208.

All that piece or parcel of land containing by admeasurement 3 roods 18 perches more or less being part of Rural Section 3208 the Eastern boundary of the said piece of land commencing on the Southern boundary of the said section situate about 19 chains 80 links from the South-eastern corner thereof and running in a North-easterly direction to a point on the Northern boundary of the same section situate about 14 chains from its North-east corner bounded on the Westward by lines parallel to the Eastern boundary and distant therefrom one chain on the Southward by Section 1972 and on the Northward by the Northern boundary of the above mentioned Section 3208 and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 4035.

All that piece or parcel of land containing by admeasurement 2 acres and 12 perches more or less being part of Rural Section No. 4035 the Eastern boundary of the said piece of land commencing at the South-west corner of the said section and running in a North-easterly and Northerly direction to a point on the Southern boundary of Section 2713 situate about two chains sixty links from the South-eastern corner thereof bounded on the Westward by straight lines one chain distant from and parallel to the Eastern boundary on the Northward by the aforesaid Section 2713 and on the South-westward by the Western boundary of Section 4035 before mentioned and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 2713.

All that piece or parcel of land containing by admeasurement two roods more or less being part of Rural Section 2713 the Eastern boundary of the said piece of land commencing at a point on the Southern boundary of said section distant about two chains sixty links from the South-eastern corner thereof and running in a Northerly direction to a point on the Southern boundary of Section 2680 situate about five chains from the South-eastern corner thereof bounded on the Westward by a line parallel to and one chain distant from the Eastern boundary on the Northward by Section 2680 and on the Southward by Section 4035 and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 2680.

All that piece or parcel of land containing by admeasurement two roods more or less being part of Rural Section 2680 the Eastern boundary of the said piece of land commencing at a point on the Southern boundary of the said section situate about five chains from the South-eastern corner thereof and running in a Northerly direction to a point on the Southern boundary of Section 3683 distant about 8 chains from the South-eastern corner thereof bounded on the Westward by a line parallel to and one chain distant from the Eastern boundary on the Northward by the aforesaid Section 3683 and on the Southward by Section 2713 and more particularly delineated and described by the plan hereunto annexed and colored red thereon.

 DESCRIPTION OF PROPOSED ROAD THROUGH SECTION 3683.

All that piece or parcel of land containing by admeasurement two acres and thirty-five perches more or less being part of Rural Section numbered 3683 the Eastern boundary of the said piece of land commencing at a point on the Southern boundary of the said section distant about eight chains from the South-east corner thereof and running in a Northerly direction to a point on the Northern boundary of the same section situate about sixty links from its North-eastern corner bounded on the Westward by lines parallel to and one chain distant from the Eastern boundary on the Southward by Section 2680 and on the Northward by the Northern boundary of the above-mentioned Section No. 3683 and more particularly delineated and described by the plan hereunto annexed and colored red thereon.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 4.

The Canterbury College Ordinance, 1873.

Published by Authority.

[June 16, 1873.]

WHEREAS it is deemed expedient to make provision for enabling Preamble.
all classes and denominations of Her Majesty's subjects resident
in the Province of Canterbury and elsewhere in the Colony of New Zealand
to pursue a regular and liberal course of Education and with that
intent to establish and incorporate a College within the said Province :

Be it therefore enacted by the Superintendent of the Province of
Canterbury with the advice and consent of the Provincial Council thereof
as follows :

1. The Short Title of this Ordinance shall be "The Canterbury Col- Title.
lege Ordinance, 1873."

2. A Board of Governors composed as hereinafter mentioned shall Constitution of Board
of Governors.
be and is hereby constituted a body politic and corporate by the name of
"The Canterbury College" by which name such body corporate shall

have perpetual succession, and shall have a Common Seal, and shall sue and be sued or otherwise appear and answer and be answered and may take and hold to them and their successors by grant will or otherwise in perpetuity or for any term of life or years as well chattels and other personal property as lands buildings and other hereditaments and the same or any part thereof may alien or otherwise dispose of or demise and also shall or may do all other things incident or appertaining to a Body Politic and Corporate.

Board of Governors not to alienate land, &c. held in trust, except as hereinafter mentioned.

3. Provided always That it shall not be lawful for the said Corporation or any persons or person seized of or entitled to lands in trust for the Corporation or for the purposes of the said College to alienate mortgage or charge any lands or hereditaments granted to or in trust for the Corporation or for College purposes except by way of lease as hereinafter mentioned unless with the approval of the Superintendent and Provincial Council of the Province of Canterbury.

Board of Governors.

4. The said Body Corporate shall consist of William Rolleston, The Right Reverend Henry John Chitty Harper, Henry John Tancred, the Reverend William James Habens, Thomas William Maude, Walter Kennaway, Charles Christopher Bowen, the Reverend James Buller, Arthur Charles Knight, John Studholme, James Somerville Turnbull, William Montgomery, George Gould, Henry Richard Webb, the Reverend Charles Fraser, William Patten Cowlshaw, Thomas Henry Potts, John Davies Enys, Joshua Strange Williams, John Inglis, Henry Barnes Gresson, John Hall, the Reverend William Wellington Willock.

Superintendent Visitor of the College.

5. The Superintendent for the time being of the Province of Canterbury shall be Visitor of the College with all such powers as usually appertain to the office of Visitor of a College.

Resignation of Governor or Governors.

6. If any of the said Governors shall die or by writing under his hand resign his office or cease for six calendar months to reside in the Province of Canterbury or become bankrupt or make any arrangement or composition with his creditors under the provisions of any law for the time being in force relating to bankruptcy or insolvency or be convicted of any treason felony or indictable misdemeanour he shall immediately cease to be a Governor Provided that if any such Governor shall be resident out of the Province of Canterbury with the previous permission in writing of the Board of Governors then any period for which such permission is expressed to be granted shall not be included in the computation of the said period of six calendar months and fresh permissions may be granted from time to time.

How vacancies may be filled up until there shall be 30 graduates.

7. Until there shall be thirty members of the said College who are graduates of the University of New Zealand continuing on the books of the College all vacancies which shall occur among the Board of

Governors of the said College shall be filled up as they may occur by the election of such other fit and proper persons as the remaining members of the said Board shall at meetings to be duly convened for that purpose from time to time elect to fill up such vacancies.

8. The said Governors shall meet for the first time at such time and place as the said Superintendent shall appoint and shall forthwith proceed to elect out of their own body by a majority of votes present a Chairman who shall hold office for one year from the day of his election and until other provision shall be made by the said Governors he shall have the custody of the Common Seal.

First Meeting of Board of Governors.

9. Every Chairman shall hold office for one year from the day of his election and the said Governors on some day annually before or after the expiration of the tenure of the said office of which due notice shall be given elect the Chairman or in case of the death resignation or other avoidance of any such Chairman before the expiration of his year of office shall at a meeting to be holden by them for that purpose as soon as conveniently may be of which due notice shall be given elect some other fit and proper person to be Chairman for the remainder of the year in which such death or resignation or other avoidance shall happen every such Chairman to be chosen from among themselves by the major part of the Governors present at such meeting.

Appointment of Chairman.

10. The said Governors shall keep exact minutes of all their proceedings in fit books and full and accurate accounts of all their receipts disbursements liabilities and engagements and shall in the month of January in every year submit the same with all necessary vouchers to be audited by the Provincial Auditor of the Province of Canterbury and shall once in every year transmit a full account of the whole income and expenditure of the said College to the Superintendent of the Province of Canterbury for the purpose of being submitted to the Provincial Council of the said Province.

Minutes of Proceedings and accounts to be kept.

11. The rents income and annual proceeds of all real and personal estate which shall be granted devised bequeathed conveyed or given to the said Governors or any person or persons in trust for them for the benefit of the said College with a declaration of trust or as endowment for the promotion of any particular branch or branches of science or education shall be strictly applied by the said Governors for the objects for which such real and personal estate shall have been so granted devised bequeathed conveyed or given.

Proceeds of rents, &c. may be set apart by Board of Governors for particular branches of education.

12. The said Board of Governors shall have power with respect to all lands which may be vested in them to manage and deal with the same as they may think fit and from time to time to let the same or any part thereof for any term not exceeding twenty-one years from the time

Management of estate.

when such lease shall be made at such rent and on such terms and conditions as they shall think fit but so that no fine premium or foregift be taken.

Proceeds of rents, &c.
how to be applied.

13. The rents profits and annual income of all real and personal estate which may be vested in the said Board of Governors shall be applied by them for the maintenance of the College and the payment of salaries and expenses connected therewith and for prizes exhibitions scholarships and other rewards for the students therein Provided that the said Governors shall have power if they think fit to set apart out of the said rents profits and annual income such part as they shall think fit either as an addition to the capital fund which shall then be invested in manner hereinafter mentioned and dealt with as part of such capital or as a reserve fund to meet extraordinary expenses which shall be invested and dealt with in such manner as the said Governors shall direct.

Moneys, &c. bequeathed
how to be invested.

14. With respect to any moneys bequeathed or given to the said Governors for such College or being rents profits or annual income set apart under the preceding section the said Governors shall invest the same from time to time in the purchase of land in New Zealand or in stocks funds bonds bills or debentures of the Government of the Colony of New Zealand or of the Province of Canterbury or of any Municipal Corporation established or to be established within such Province.

Power of Board of Go-
vernors to appoint or
dismiss officers of the
College.

15. The said Board of Governors shall have full power to appoint and dismiss all professors tutors officers and servants belonging to the said College and also the entire management of and superintendence over the affairs concerns and property of the said College and in all cases unprovided for by this Ordinance it shall be lawful for the said Governors to act in such manner as shall appear to them to be best calculated to promote the purposes intended by the said College and the said Governors shall have full power from time to time to make and also to alter add to suspend or revoke any statutes bye laws and regulations (so as the same be not repugnant to any existing law or to the general objects and provisions of this Ordinance) for defining the course of Education in the said College the examinations to be held the discipline of the said College the examinations for scholarships the conditions under which students shall be admitted therein the fees to be paid and for determining the mode and time of convening the meetings of the said Board of Governors and for the conduct of business at these meetings and in general touching for all other purposes and matters whatsoever regarding the said College.

Questions, how decided.

16. All questions which shall come before the said Governors shall be decided by the majority of the members present and the Chairman at any such meeting shall have a vote and in case of an equality of votes a second or casting vote and no question shall be decided at any meeting

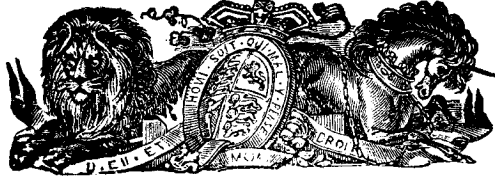
unless eight Governors at the least shall be present at the time of such decision and at every meeting of such Governors the Chairman shall preside or in his absence a Chairman for such meeting shall be chosen by the members present or the major part of them.

17. The Governors of the said College may take the necessary steps and do and perform every act matter and thing that may be requisite or necessary for the purpose of having the College affiliated to or connected with the University of New Zealand or any University outside the Colony of New Zealand having the power of conferring degrees by charter from Her Majesty or by Act of the Imperial Parliament.

Power of Board of Governors to take steps to have College affiliated to any University.

18. Whenever there shall be not fewer than thirty members of the College who are graduates of the University of New Zealand continuing on the books of the College All vacancies thereafter occurring in the number of the Governors shall be from time to time filled up by the majority of such graduates present at a meeting duly convened for that purpose by the Board of Governors.

How vacancies shall be filled up when there are not fewer than 30 graduates.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 5.

The Canterbury Museum and Library Ordinance
Amendment Ordinance, 1873.

Published by Authority.

[June 16, 1873.]

WHEREAS by an Ordinance of the Superintendent and Provincial ^{Preamble.} Council of the Province of Canterbury intituled “The Canterbury Museum and Library Ordinance 1870” a body of Trustees was constituted a body politic and corporate by the name of “The Trustees of the Canterbury Museum and Library” for the promotion of literature and science and other objects therein mentioned: And whereas divers specimens of natural history statuary coins pictures articles of *vertu* books apparatus models furniture and other personal property now deposited within the precincts of the Canterbury Museum are now vested in the said Trustees: And whereas the said Trustees expect to receive from divers persons other specimens of natural history statuary and other personal property in exchange for specimens forwarded or promised by them: And whereas by an Ordinance of the said Superintendent and Provincial Council passed in this present session intituled “The Canterbury College Ordinance 1873” provision is made for the establishment and incorporation of a College within the said Province by the name of “The

Canterbury College” for the purpose of enabling all classes and denominations resident within the Colony of New Zealand to pursue a regular and liberal course of education: And whereas it is considered desirable that the management of the said two institutions should be amalgamated and the said Trustees are willing that all the said specimens of natural history statuary coins pictures articles of *vertu* models furniture and other personal property now deposited as aforesaid or which may be received by them and all the functions powers and authorities conferred by the said firstly mentioned Ordinance shall be transferred to and vested in the said Canterbury College:

Be it therefore enacted by His Honor the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows:

Trustees of Canterbury Museum empowered to transfer specimens, statuary, &c. to the Canterbury College.

1. The Trustees of the Canterbury Museum and Library are hereby empowered to transfer and the Canterbury College is hereby empowered to accept all the aforesaid specimens statuary coins pictures articles of *vertu* models furniture and other personal property now deposited in the said Canterbury Museum or which the said Trustees may at any time hereafter receive and an assignment of the said property duly executed by the said Trustees shall be held and deemed to vest in the said Canterbury College a valid and absolute title in and to the same to all intents and purposes.

Specimens, statuary, &c. to be held in trust by Canterbury College.

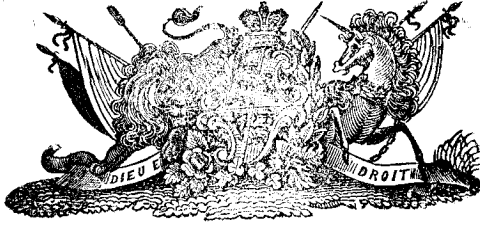
2. All specimens of natural history statuary coins pictures articles of *vertu* models furniture and other personal property when so assigned shall be held by the said College upon the trusts and for the specific purposes contemplated and intended by the Canterbury Museum and Library Ordinance 1870 and all endowments made for the purposes of the said Canterbury Museum Library and School of Technical Science or any of them and the rents issues and profits arising therefrom shall be held received and applied by the said Canterbury College for the specific object or objects for which such endowments were originally granted or given.

Powers vested in Canterbury College.

3. From and after the due execution of the said assignment all the functions powers and authorities now vested in or which may be lawfully exercised by the Trustees of the Canterbury Museum and Library shall be and the same are hereby declared to be vested in and may be lawfully exercised by the Canterbury College.

Title.

4. This Ordinance shall be intituled and may be cited as “The Canterbury Museum and Library Ordinance Amendment Ordinance 1873.”



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 6.

“The Educational Reserve Leasing Ordinance,
1873.”

[June 16, 1873.]

Published by Authority.

WHEREAS by several Crown Grants bearing the dates respectively ^{reamble.} as contained in the Schedule hereto all those parcels of land described in the said Crown Grants and delineated in the plans drawn in the margin of the said Crown Grants with all the rights and appurtenances thereto belonging were granted unto the Superintendent of the Province of Canterbury and his successors in trust for Educational purposes.

And whereas it is expedient that the said Superintendent of the said Province of Canterbury and his successors should have power to demise and lease the said parcels of land.

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows:—

Superintendent may demise and lease the Reserves mentioned in the Schedule.

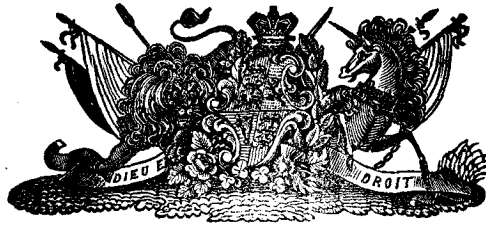
1. It shall be lawful for the Superintendent in Council from time to time to demise and lease for any term or terms not exceeding twenty-one years all or any part of the Reserves described in the Schedule to this Ordinance upon such terms and conditions and at such rent or rents as to the Superintendent in Council may deem proper.

Title.

2. This Ordinance shall be intituled and may be cited as "The Educational Reserves Leasing Ordinance, 1873."

SCHEDULE.

Number of Reserve, as delineated in red on the Map of the Chief Sur- veyor of the Pro- vince of Canter- bury.	District.	Acreage.	Date of Crown Grant.
1114	Ashburton	432	27th February, 1873
1221	Akaroa, Banks' Peninsula	150	27th February, 1873
1308	Timaru	20	27th February, 1873
1309	Timaru	20	27th February, 1873
1248	Malvern	88	27th February, 1873
1254	Timaru	25	27th February, 1873
1295	Mandeville	44	27th February, 1873



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 7.

The Diversion of Roads Special Ordinance,
No. 1, 1873.

Published by Authority.

[June 16, 1873.]

WHEREAS by an Act of the General Assembly of New Zealand Preamble.
intituled "The Highways and Watercourses Diversion Act,
1858" it is enacted that it shall be lawful for the Superintendent of any
Province with the advice and consent of the Provincial Council thereof
by any law or Ordinance to be made or ordained for that purpose to
authorise and empower the Superintendent to divert or stop up any
public street road highway or thoroughfare in any such Province and
also to exchange the land over which any such public street road high-
way or thoroughfare was laid out or passed And also that it should be
lawful for the Governor in the name and on behalf of Her Majesty to
make and execute Crown Grants of any land which should be so
exchanged.

And whereas by an Act of the General Assembly of New Zealand
intituled "The Provincial Council Powers Extension Act 1865" it is
enacted that it shall be lawful for the Superintendent and Provincial
Council of any Province and notwithstanding the restriction contained

in the Tenth Sub-section of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land described in the Schedule A hereto should become a public highway in lieu of the parcels of land described in the Schedule B hereto and that the last mentioned parcels of land should cease to be a public road.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows :

When land described in Schedule A is conveyed to Superintendent for public highway, the road described in Schedule B to be stopped up.

1. When and so soon as the parcel of land described in the Schedule A hereto and numbered One therein shall have been conveyed to the Superintendent and his successors for a public road the same shall be and remain for ever a public highway and the public highway passing over the parcels of land described in the Schedule B hereto shall be stopped up.

Title.

2. This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 1, 1873."

GERALDINE ROAD BOARD—SOUTH OF RIVER ORARI.

 SCHEDULE A.

1. All that piece or parcel of land one chain wide or thereabouts containing by admeasurement 3 acres 1 rood (more or less) commencing on the western side of the South Road where it is crossed by the proposed embankment in connection with the protective works of the southern bank of the Orari river and running in a north-westerly direction through sections 3163 and 4233 and parallel to the embankment above mentioned a distance of 33 chains 40 links being bounded on the westward by a line in continuation of the north-western boundary of section No. 4233 and on the eastward by the South Road save and except that portion of the Orari and Pleasant Valley Road which crosses the above described land for which road allowance has been made in the acreage.

 SCHEDULE B.

- All that piece or parcel of land 1 chain wide containing by admeasurement 3 acres and 36 perches (more or less) being that portion of the road south of the Orari leading from the south Road in a north-westerly direction by trig. pole No. 12 extending from the north-western boundary of section 4233 north-westerly a distance on the average of about 32 chains 30 links to the proposed new road running through sections 3163 and 4233.
- All that piece or parcel of land 1 chain wide containing by admeasurement 2 acres 2 roods and 33 perches (more or less) being that portion of the road passing through section No. 3163 bounded on the westward by a line in continuation of the south-eastern boundary of 4233 and on the eastward by the South Road.
- All that piece or parcel of land 1 chain wide containing by admeasurement 2 roods and 24 perches (more or less) being that portion of the road passing through section 4233 and running in a north-westerly direction by trig. station No. 12 bounded on the north-westward by a line in continuation of the north-western boundary of said section 4233 and on the eastward by a line in continuation of the north-western boundary of section 3163.
- All that piece or parcel of land 1 chain wide containing by admeasurement 38 perches (more or less) being that portion of the Orari and Pleasant Valley Road within the boundaries of section 4233 and extending from the proposed new road through that section to the road leading from the South Road in a north-westerly direction by trig. pole No. 12.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 8.

The Reserve No. 74 Ordinance, 1873.

Published by Authority.

WHEREAS by Crown Grant bearing date the twenty-eighth ^{Preamble.} day of May One thousand eight hundred and seventy three all that parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Mandeville district near Kaiapoi containing fifteen acres and thirty-two perches more or less commencing at a point on the North Road the same being the north-western corner of section No. 338E following along the said road in a northerly direction a distance of nineteen chains and running back easterly a distance of eight chains in a rectangular block and numbered 74 in red on the map of the Chief Surveyor of the said Province setting out and describing the rural land in the Mandeville district aforesaid as the same is delineated on the plan drawn in the margin thereof with all the rights and appurtenances thereunto belonging was granted unto the Superintendent of the said Province of Canterbury and his successors in trust as a site for a Church Cemetery Market Place, and other purposes of public utility And whereas by the "Public Reserve Act 1854" under and by virtue of which the aforesaid grant was made it is enacted that the specific pur-

poses for which any lands granted under the said Act within any Province should be held might be changed and the same lands might be appropriated to other and different purposes of public utility for the public service of such province And whereas it has become necessary to alter the purposes for which the aforesaid land is held as hereinafter described.

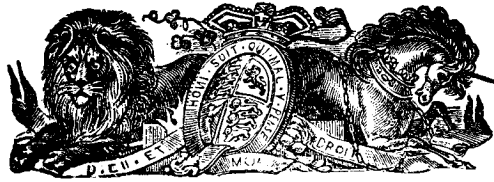
Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows :

Lands described in the schedule to be held by Superintendent in trust for public recreation purposes.

1. The specific purposes of public utility for which the lands hereinbefore described are held shall be and are hereby changed and such lands shall be henceforth held by the Superintendent of the said Province and his successors in trust for and for the purposes of a public recreation ground.

Title.

2. This Ordinance shall be intituled and may be cited as "The Reserve No. 74 Ordinance 1873."



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 9.

“The Education Ordinance, 1873.”

[June 16, 1873.]

Published by Authority.

ANALYSIS.

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| Preamble. | 11. Board—Election of Chairman. |
| 1. Title. | 12. „ Chairman or any member of the Board removable by Superintendent. |
| 2. Repeal of Ordinances. | 13. „ Absence of any Member. |
| 3. Superintendent to act with advice of Executive Council. | 14. „ Resignations and Vacancies. |
| 4. Board to be constituted. | 15. „ Term of office of member appointed to fill vacancy. |
| 5. „ How to be constituted. | 16. „ Questions how decided. |
| 6. „ Two members to resign yearly, and vacancies to be filled by Superintendent. | 17. „ Regulations for conduct of business. |
| 7. „ Members retiring for first three years to be chosen by lot; afterwards to retire by rotation. | 18. „ Applications for Grants. |
| 8. „ First appointment of Board. | 19. „ Examination of Teachers. |
| 9. „ Appointment to be Gazetted. | 20. „ Classification of Teachers. |
| 10. „ Time and place of Meetings. | 21. „ Regulations for Administration of Funds. |

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| <p>22. Board—Annual Report.</p> <p>23. Inspector—Appointment of Inspector.</p> <p>24. „ Duty of Inspector.</p> <p>25. Educational Districts—Formation of Districts.</p> <p>26. „ Boundaries of Districts.</p> <p>27. „ Districts may be altered, divided, or combined.</p> <p>28. „ Election of Committee and Auditors.</p> <p>29. „ Neglect or refusal to elect Committee.</p> <p>30. „ Neglect or refusal to elect Auditors.</p> <p>31. „ Annual meeting for election of Committee.</p> <p>32. „ Neglect to elect Committee or Auditors.</p> <p>33. District School Committee—Inability or unwillingness of Committee to carry on duties.</p> <p>34. „ Regulations for the election or re-election of Committee to be prescribed by the Superintendent.</p> <p>35. „ Vacancies in Committee how to be filled.</p> <p>36. „ Vacancy how caused.</p> <p>37. „ Proceedings of School Committee</p> <p>38. „ Election of Chairman.</p> <p>39. „ Chairman to be removable.</p> <p>40. „ Chairman ceasing to be member.</p> <p>41. „ Questions how to be decided.</p> <p>42. Rates may be levied for erection of School buildings.</p> <p>43. „ How payable and recoverable.</p> <p>44. „ Road Board to supply copy of Rate Roll of District.</p> <p>45. District School Committee—Expenditure of Funds.</p> <p>46. „ Auditing of Accounts.</p> <p>47. „ Transfer of moneys to succeeding Committee.</p> | <p>48. Establishment of Schools—Teachers—Appointments and Salaries.</p> <p>49. „ Qualification of Teachers.</p> <p>50. „ Pupil Teachers.</p> <p>51. Buildings and other expenses—Grants in Aid.</p> <p>52. „ Conditions upon which Grants may be made.</p> <p>53. „ Insurance of School Buildings.</p> <p>54. Committee to have control of School-room.</p> <p>55. Maintenance of School—Yearly payment to be made.</p> <p>56. „ When and how payable.</p> <p>57. „ Sums to be paid to Chairman of Committee.</p> <p>58. „ Proceeds of Annual Rate, how to be applied.</p> <p>59. „ School Fees to be paid in certain cases.</p> <p>60. „ Board to pay sums for maintenance of School to Chairman of Committee.</p> <p>61. Teacher only to instruct, except as hereinafter provided.</p> <p>62. „ Religious instruction.</p> <p>63. Special Grants to certain Schools.</p> <p>64. Provision for physical training and military drill.</p> <p>65. Miscellaneous—Quarterly Returns to be made.</p> <p>66. „ Inspection of Schools.</p> <p>67. „ Expulsion of Children.</p> <p>68. „ Branches of Instruction.</p> <p>69. „ Withdrawal of Grant.</p> <p>70. „ Depôt of Books to be kept.</p> <p>71. „ Accounts to be audited.</p> <p>72. „ Rates recoverable at suit of Superintendent.</p> <p>73. „ Rates, &c., payable prior to passing of this Ordinance recoverable at suit of Superintendent.</p> <p>74. „ Householder.</p> <p>75. „ Commencement of Ordinance.</p> |
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Preamble.

WHEREAS it is expedient to consolidate and amend the Law relating to Public Education and the Formation and Management of Schools in the Province of Canterbury :

BE IT THEREFORE ENACTED by the Superintendent of the said Province by and with the advice and consent of the Provincial Council thereof as follows :

1. The short title of this Ordinance shall be "The Education Ordinance 1873." Title

2. The Education Ordinance 1871 and the Education Ordinance 1871 Amendment Ordinance 1872 are hereby repealed. Provided always that nothing in this section contained shall invalidate or be deemed taken or construed to invalidate or affect any proceeding matter or thing already taken or done by virtue in pursuance of or under the authority or in pursuance of the said Ordinances or any or either of them. Repeal of Ordinances.

3. Every act which the Superintendent is hereby authorised or required to perform he shall perform solely in accordance with the advice and consent of his Executive Council and such advice shall be recorded on the minutes of the Council. Superintendent to act with advice of Executive Council.

4. There shall be constituted a Board under the name of the Board of Education and hereinafter called the Board. Board to be constituted

5. The Board shall be appointed by the Superintendent and shall consist of eight members to be appointed and removeable by the Superintendent. How to be constituted.

6. Two members of the Board shall go out of office each year and the vacancies shall be filled by appointment by the Superintendent. Two members to resign yearly, and vacancies to be filled by Superintendent.

7. The two members who are to retire for the three first years respectively from the appointment of the first Board shall be chosen by lot at the first meeting of the Board and after the said three years they shall retire by rotation two in each year according to length of service—the two who have served the longest retiring in each year. Members retiring for first three years to be chosen by lot; afterwards to retire by rotation.

8. The first appointment of Members shall take place on a day to be fixed by the Superintendent such day to be as early as possible with convenience after this Ordinance shall come into operation and the date of such day shall thereafter be the date on which the two members shall annually retire and two new members shall be appointed in their stead unless such date shall fall on a Sunday or public holiday and in that case the day following shall be the day instead. Provided always that the retiring members shall be eligible for re-appointment and shall hold office until the appointment of their successors shall take effect. First appointment of Board.

9. Every appointment of a member or members of the Board shall be notified in the *Provincial Government Gazette* and shall take effect from the date of such notification. Appointment to be Gazetted.

10. The first meeting of the Board shall be held at such time and place as shall be determined by the Superintendent and notified by proclamation in the *Provincial Government Gazette* and all subsequent Time and place of meetings.

meetings shall be held at such times and places as the Board may by any regulation in that behalf determine Provided that at least one meeting shall be held in every month after such first meeting.

Election of Chairman. 11. The Board shall at its first meeting elect one of its members to be Chairman thereof who shall preside at the meetings of the Board and shall have an original and where the number of votes are equal also a casting vote thereat Provided that if the Chairman shall be absent from any meeting the members present shall elect one of their number to preside in his stead at such meeting and such Presiding Member shall have the same power at such meeting as the Chairman.

Chairman, or any member of the Board removable by Superintendent. 12. The Chairman or any member of the Board shall be removable by the Superintendent on a requisition to that effect signed by at least four members of the Board being presented to him praying for such removal.

Absence of any member. 13. If any member shall absent himself from the Board for three consecutive ordinary meetings without the leave of the Board his seat on the Board shall become vacant.

Resignations and vacancies. 14. Any member of the Board may resign his seat thereat by signifying in writing to the Superintendent his desire so to do and any vacancy caused by the resignation death removal or absence of any member shall be filled up by appointment as aforesaid. Provided that all acts of the Board done during the existence of such vacancy shall be as valid as if such vacancy had not occurred.

Term of office of member appointed to fill vacancy. 15. The member appointed to fill up any casual vacancy shall retain his office so long only as the vacating member would have retained the same if no such casual vacancy had occurred.

Questions, how decided. 16. All questions coming before the Board shall be decided by a majority of the members present and there shall be no meeting of the Board unless at least three members be present.

Regulations for conduct of business. 17. It shall be lawful for the Board from time to time to make and to revoke and alter such regulations as they may think fit for the conduct of the business of the Board.

Applications for grants 18. The Board shall entertain and decide upon all questions for the distribution of public money appropriated by the Provincial Council for establishing or aiding the establishment and maintenance of new schools and for aiding existing district schools.

Examination of teachers. 19. It shall be lawful for the Board to enquire as to the knowledge and qualifications of any person who may be desirous of becoming a Teacher or Master in any school and for that purpose from time to time to appoint a fit person to examine candidates and it shall be lawful for the

Board to make such regulations respecting the subjects comprised and the general conduct of such examinations as it shall from time to time think fit.

20. The Board shall make regulations for the classification of Classification of teachers. Teachers employed in Schools receiving pecuniary assistance from the Board and for the issue of certificates showing the class in which by their knowledge and qualifications such teachers may be entitled to be placed.

21. It shall be lawful for the Board to frame regulations for the distribution of the funds appropriated annually by the Provincial Council Regulations for distribution of funds. for the maintenance of schools in the Province which regulations shall be published in the *Provincial Government Gazette*.

22. The Board shall before the thirty-first day of December in each Annual report. year render to the Superintendent a full report of all things done by it by virtue of this Ordinance during the year ending the fifteenth day of October preceding such report.

23. There shall be an Inspector or Inspectors of Schools who shall be Appointment of Inspectors. appointed and be removable by the Superintendent on the recommendation of the Board.

24. It shall be the duty of the Inspector or Inspectors from time to Duty of Inspectors. time as the Board shall direct to inspect all schools receiving aid from the Board to furnish all such reports as the Board may require and generally to be guided in the performance of their duties by such instructions as they may receive from the Chairman of the Board.

25. All localities formed into Educational Districts under the provisions of any Ordinance hereby repealed shall be held to be Educational Formation of Districts Districts for the purposes of this Ordinance and the persons in office at the time of the coming into operation of this Ordinance as District School Committees of any such districts shall continue in office until their successors are elected under this Ordinance.

26. The Superintendent may declare any portion of the Province not Boundaries of Districts. comprised within the limits of any Educational District to be an Educational District by proclamation to be published in the *Provincial Government Gazette* and in one of the newspapers published and circulated in the Province and he shall therein set forth the boundaries and name of every such District and from and after such publication every such portion shall become and be an Educational District under and subject to the provisions of this Ordinance provided that it shall not be lawful for the Superintendent to declare any part of the Province an Educational District unless or until it has not less than twenty-five children between the ages of five and thirteen years residing within such portion.

Districts may be altered,
divided, or combined.

27. It shall be lawful for the Superintendent to alter boundaries of any Educational District and to divide any Educational District into two or more Districts or parts of Districts or to combine two or more Districts or parts of Districts into one or to add portions of any District to any adjoining District or to add any locality not being or forming part of a District to an Educational District and in every such case the District or Districts constituted or affected thereby shall be deemed to be and shall be proclaimed as provided in the said Ordinance as newly constituted Educational District or Districts and all proceedings connected therewith shall be taken and conducted in like manner as provided for Educational Districts constituted under this Ordinance or to abolish any District and thereupon such District shall to all intents and purposes cease to exist as if the same had never been constituted.

Election of committee
and auditors.

28. Whenever any portion of the Province shall be proclaimed an Educational District the Board shall forthwith convene a meeting of the householders of such District for the purpose of electing a Committee (to be called the District School Committee) of not less than three nor more than nine persons being householders of the district and of electing two persons who shall not be members of the District School Committee to act as Auditors of the accounts of the said Committee before the same shall be presented to the next annual meeting and such elections shall be conducted in such manner and in accordance with such regulations as the Superintendent may from time to time by order prescribe. The persons so elected shall hold office until the election of their successors in manner hereinafter mentioned and if from any cause the elections of the Committee and Auditors or either of them shall at a meeting aforesaid not take place it shall be lawful for the Board to appoint another time and the same or a different place for such elections or either of them to be conducted under such regulations as aforesaid.

Neglect or refusal to
elect Committee.

29. If and whenever the householders of any Educational District shall refuse or neglect to elect a District School Committee under the provisions of the preceding Section or under the provisions of Section 33 the Superintendent immediately on being satisfied of such refusal or neglect shall by Proclamation published in the *Provincial Government Gazette* appoint a Commissioner for such district who shall hold office until the second Monday in the month of October next following his appointment and all the powers rights privileges and duties of a District School Committee shall from the date of such Proclamation vest in and be exercised by such Commissioner and the Superintendent shall cause such reasonable salary as he shall think fit to be paid to such Commissioner out of any funds applicable to the purposes of the Educational District under the provisions of this Ordinance Provided that such Commissioner shall be guided in the performance of his duties by such instructions as he

shall receive from the Board in that behalf and all acts by this section required to be performed by the Superintendent shall be performed only on a report of the circumstances from the Chairman of the Board.

30. If and whenever the householders of any Educational District shall refuse or fail to appoint at the time and place appointed two auditors it shall be lawful for the Superintendent to appoint one or more person or persons as he shall think fit to be an auditor or auditors for any district who shall exercise for the time being all the powers rights and duties as if elected under the provisions of this Ordinance. Neglect or refusal to elect Auditors.

31. On the second Monday in the month of October in each year a public meeting of householders in every Educational District shall be held at a time and place within each district respectively to be fixed by the Chairman of the Board and notified by public advertisement and at such meeting the District School Committee for the preceding year or portion of the year as the case may be shall give a full report of its proceedings during that period and a statement of its accounts and thereupon the householders as aforesaid shall proceed to elect a new District School Committee for the ensuing year of not less than three or more than nine persons being householders as aforesaid and shall also elect two persons who shall not be members of the District School Committee to act as auditors of the accounts of the said Committee before the same shall be presented to the next annual meeting and such elections shall be conducted in such manner and in accordance with such regulations as the Superintendent may from time to time by order prescribe. Annual meeting for election of Committee

32. If and whenever the householders of any Educational District shall from any cause whatever fail to elect a District School Committee or auditors upon any annual day of meeting as hereinbefore provided the Board shall fix another day for the election of a District School Committee or auditors as the case may be for such district and notice of such meeting shall be given and the same proceedings taken thereat as are hereinbefore prescribed for ordinary annual meetings held for the purpose of electing District School Committees and auditors. Neglect to elect Committee or Auditors.

33. If from any cause a District School committee shall be unable or if they shall be unwilling to carry on the duties of such Committee or if there shall be at any time no existing Committee in any Educational District under this Ordinance the Superintendent shall except when otherwise provided on the recommendation of the Board by Proclamation in the *Provincial Government Gazette* declare that no School Committee exists in such district and shall immediately thereupon call together a meeting of the householders in such Educational District and thereupon such proceedings shall be taken for the election of a Committee or in default of such election for the appointment of a Commissioner as are hereinbefore provided. Inability or unwillingness of Committee to carry on duties.

Regulations for the election or the re-election of Committee to be prescribed by the Superintendent.

34. It shall be lawful for the Superintendent in and by any regulations he may be authorised by order to prescribe for the conduct of any elections of District School Committees to provide that if at any meeting convened for the election or re-election of a District School Committee a poll be demanded by six householders that such poll shall be taken on a subsequent day at such place and between such hours of the day as may be prescribed in such regulations on that behalf and to make all necessary provisions to carry the same into effect.

Vacancies in Committee how to be filled.

35. If any vacancy or vacancies shall occur by death removal from the district resignation or otherwise in any District School Committee the remaining members of such Committee shall forthwith elect a qualified person or persons to fill such vacancy or vacancies.

Vacancies, how caused.

36. If any member of any District School Committee shall cease to be a householder in the district for which he has been elected or shall signify in writing to the Chairman of the Committee his desire to resign his seat or if he shall be absent for three consecutive meetings without leave of the Committee or shall become insolvent or of unsound mind or shall have been convicted of felony or shall be in arrears of any rates which he shall become liable to pay under the authority of this Ordinance or shall accept or continue to hold any place of profit or emolument under the Board or Committee of such District or shall have any pecuniary interest in any work of a value not exceeding £20 in the aggregate in any one year done in such district under the authority of the Board or Committee other than as a shareholder in a public registered company contracting therewith he shall thereupon cease to be a member of the School Committee.

Proceedings of School Committee.

37. The proceedings of every District School Committee shall be transacted at meetings the time and place for which shall have been previously fixed by such Committee or at meetings to be convened by the Chairman of such Committee and it shall be the duty of the Chairman to convene such meeting whenever he shall be requested in writing so to do by two or more members of such Committee or in the event of there being no Chairman or until the election of the Chairman or should the Chairman decline to convene the meeting as requested any two members of the Committee may convene a meeting of the Committee to be held at the time and place and for the purpose specified in a written notice to be sent to the residence of each member of the Committee.

Election of Chairman.

38. Every District School Committee shall at its first meeting elect one of its members to be Chairman thereof who shall preside at the meetings of the Committee and shall have an original and when the number of votes shall be equal also a casting vote thereat and such Chairman shall forthwith notify his election and his usual address to the Board Provided that if the aforesaid Chairman shall be absent from any

meeting the members present shall elect one of their number to preside in his stead at such meeting and such presiding member shall have the same power at such meeting as the Chairman.

39. The Chairman of any District School Committee shall be removable by the Superintendent on the recommendation of the Board on a requisition to that effect signed by at least three-fourths of the members of such Committee being presented to him praying for such removal. Chairman to be removable.

40. If the Chairman shall cease to be a member of the District School Committee or shall by writing under his hand addressed to such Committee vacate the office of Chairman or shall be removed by the Superintendent the Committee shall at its next meeting thereafter elect another member to be Chairman in his stead. Chairman ceasing to be member.

41. All questions coming before the District School Committee shall be decided by a majority of the votes of the members present and there shall be no meeting of such Committee unless at least three members be present. Questions, how to be decided.

42. If and whenever in any Educational District constituted under the provisions of this Ordinance the owners and occupiers of land and householders shall fail within a time to be limited for that purpose by the Board to contribute and pay to the Provincial Treasurer the amount which shall be fixed by the Board as the contribution of such District to the cost of the school buildings and of the acquisition of a suitable site together with the sum required as hereinafter mentioned for the purchase of books apparatus and fittings for the school or if and whenever it shall appear to the Board that additions or repairs to any school building in any Educational District are required and the owners occupiers of land and householders of such district shall fail within a time to be limited for that purpose by the Board to pay to the Provincial Treasurer the estimated cost of such additions or repairs a such proportion as the Board may direct to be paid by such owners occupiers of land and householders it shall be lawful for the Superintendent by proclamation in the *Provincial Government Gazette* to declare an uniform rate to be leviable upon the amount of the annual value of the property comprised within such district as stated in the Ratepayers Roll or Rolls of the Municipality or Road district or districts for the time being in force which are or shall be included either wholly or in part within the boundaries of such Educational District to be paid by the persons liable to pay rates in respect to such property for Municipal or Road Board purposes provided that such rates shall not exceed in any one year one shilling in the pound of the amount of such annual value. Rates may be levied for erection of School Buildings.

43. The said rates shall be paid to the Superintendent or to such person or persons as he shall appoint within six weeks after the date of Rates, how payable and recoverable.

such proclamation and if the amount of such rate or any part thereof shall not be paid as aforesaid within the time prescribed the same shall be recovered as a debt at the suit of the Superintendent. Provided always that it shall be lawful for the Superintendent to excuse from the payment of such rate any person whom he may deem unable through poverty to pay the same. The amount of such rate when collected or recovered as aforesaid shall be paid into the Provincial Treasury and shall be applied in the first place in defraying the expenses of collecting such rate and subject thereto towards the erection of school buildings or additions or repairs to any school buildings the acquisition of a site for a school and for the purchase of books apparatus and fittings for such school.

Road Board to supply copy of Ratepayers' Roll of District.

44. The Chairman of any Road Board within the Province shall on receiving a request to that effect in writing from the Superintendent supply the person or persons appointed under the foregoing clauses with a certified copy of the Ratepayer's Roll then in force in any such Road District or of such portion of the said Roll as may be required on receiving payment of the cost of preparing the same.

Expenditure of funds by Committee.

45. Every District School Committee shall expend all money paid to it under any Ordinance of the Superintendent and Provincial Council in accordance with the provisions of such Ordinance and shall expend all money received by it arising from rates to be levied within the district and all other moneys received by it under this Ordinance in the maintenance and support of the school or Schools under its control and in accordance with such regulations as shall be framed by the Board for that purpose.

Auditing of accounts.

46. Every District School Committee shall on or before the twenty-first day of October in each year submit its accounts made up to the 30th September in each preceding year to the two Auditors appointed by the preceding public meeting of persons qualified to vote in the district and it shall be the duty of the said Auditors to audit the same and their certificate shall be laid before the next annual meeting and a certified copy of such statement of accounts and certificate shall be transmitted by such Auditors to the Chairman of the Board.

Transfer of moneys to succeeding Committee

47. Any moneys in the hands or under the control of any District School Committee at the expiration of its term of office shall be paid over by such Committee to its successor immediately after its election.

Establishment of schools, appointment of teachers and teachers' salaries.

48. In every Educational District it shall be lawful for the District School Committee with the sanction of the Board and subject to the conditions hereinafter mentioned to establish one or more schools and to fix and determine the salary of the teacher or teachers and to appoint or dismiss the teacher or teachers of such school or schools and generally

to have the management of such school or schools within the district Provided that the salary of male teachers in any schools of twenty children or upwards in average daily attendance not being assistant or pupil teachers shall be not less than £130 per annum and of female teachers not being pupil teachers not less than £60 per annum in all schools included in any Educational District.

49. No appointment of any teacher shall be valid until such teacher Qualification of teachers shall have produced to the Board a certificate of qualification from Her Majesty's Committee of Privy Council on Education or from an Inspector of Schools appointed under the provisions of this Ordinance or from any Examiner or Examiners to be appointed by the Board and such other certificates of fitness as shall be required by any regulations of the Board and every appointment or dismissal of any teacher or any reduction made in his salary after being once fixed shall be subject to the sanction of the Board.

50. It shall be lawful for the Board to make and from time to time As to pupil teachers. to alter rules and regulations for the examination training and employment of pupil teachers and to grant any moderate sum or sums of money in aid of the maintenance and education of such pupil teachers and the District School Committee may from time to time engage and employ one or more of such pupil teachers on such terms as the Board shall think fit.

51. It shall be lawful for the Board to grant to any District Grants in aid for school buildings. School Committee or Commissioner appointed in accordance with the provisions of this Ordinance any sum not exceeding five-sixths of the estimated cost of the buildings fittings and apparatus required and the land required for a site or sites for the establishment of a school or schools in any district constituted under this Ordinance or the estimated cost of repairing or adding to any buildings fittings or apparatus that may already exist on the school site or the cost of increasing the area of the school site.

52 No aid shall be granted by the Board for the establishment of a Conditions upon which grants may be made. new school unless

(1st) The site and plan of the buildings shall first have been approved of by the Board.

(2nd) The site or sites outside the limits of a town shall be at least one acre in extent The site or sites within the limits of a town shall be such as shall be approved of by the Board Provided that the school-buildings in any educational district may on the approval of the Board be placed on a site separate from the site of the master's house.

(3rd) The site or sites be previously vested in the Superintendent for the purposes of a school by a grant in fee.

(4th) There shall have been deposited in the Provincial Treasury a sum equal to one-sixth of the estimated cost of the buildings and site or the estimated cost of repairing or adding to any building that may already exist on the school site or the Superintendent shall have taken steps to levy the amount fixed by the Board in accordance with section 42 Provided that the proposed site and any building that may exist thereon and which may be deemed by the Board suitable for the purposes of a school may be accepted by them at an estimated value by way of payment or part payment of the contribution aforesaid.

Insurance of school buildings.

53. The Board shall out of any moneys appropriated or to be appropriated by the Provincial Council for the purpose of education effect insurances on all school buildings erected on land vested in the Superintendent.

Committee to have control of schoolroom.

54. The District School Committee shall have absolute control over the schoolroom and shall determine the purposes for which it may be used at any time except in school hours.

Householders in district to make yearly payment towards maintenance of school

55. Except as hereinafter provided no school fees shall be charged in any school in any Educational District receiving aid from the Board on account of any children receiving instruction therein but in lieu thereof there shall be paid yearly by every householder residing within a radius of three miles from the school in each such district a sum of Twenty Shillings and a further sum of Five Shillings for every child of such householder between the ages of six and thirteen years Provided always that no person shall be liable to pay in respect of his children a greater annual sum than Twenty Shillings nor for any child attending a school not receiving aid or receiving efficient instruction in some other manner to the satisfaction of the District School Committee Provided that such child be not incapacitated from receiving such instruction through any mental or physical infirmity and provided that proof of such infirmity be adduced to the satisfaction of the District School Committee.

When and how payable.

56. The said annual sum shall be paid by every such householder to some person or persons from time to time appointed by the Superintendent to receive the same at such time in each year and at such place within each Educational District respectively as shall be fixed by the Superintendent by public notice in some newspaper published and generally circulated within the Province not less than twenty-one days before the time appointed and every such person shall hold office during the Superintendent's pleasure and if the said sums or any part

thereof respectively shall not be paid on or before such time the same may be recovered as a debt at the suit of the Superintendent Provided always that it shall be lawful for the Superintendent on the recommendation of the District School Committee to excuse any person from the payment of such sums of money who may be deemed unable through poverty to pay the same.

57. The person or persons so appointed to collect the sums of money shall after deducting such reasonable charge for collecting as may be authorised by the Superintendent pay over to the Chairman of the District School Committee the moneys collected or recovered by him. Moneys collected payable to Chairman of Committee.

58. After providing for the salary or salaries of the teacher or assistant teacher or teachers the sums received by the Committee shall be applicable to the purchase of books apparatus fittings the repair of buildings the fencing of the land annexed thereto and other incidental expenses. Proceeds of annual rate, how to be applied.

59. Any child over the age of five years may attend any school which may be under the control of any District School Committee on payment in advance of such school fees as the Board of Education may by regulation determine not exceeding five shillings per quarter but nothing in this Section shall be construed as imposing any liability for school fees in respect of children between the ages of six and thirteen of any householder liable to pay or who shall have paid rates or fees under the provisions of Section 55 of this Ordinance. Fees to be paid in certain cases.

60. All sums payable by the Board for the maintenance of any school shall be paid to the Chairman of the Committee of the district in which such school shall be situate or his order. Board to pay sums for maintenance of school to Chairman of Committee.

61. No person other than the teacher or teachers except as herein-after provided shall be allowed to give instruction in any school. Teacher only to instruct

62. The Committee of any school may set apart either one whole school day or two half school days in every week during which any Minister or Ministers of religion or person or persons appointed by them and approved by the Local Committee may impart religious instruction to such of the children on the books of the school as may belong to his or their religious denominations Provided that no child or children shall be allowed to attend at such instruction except on a written request to that effect addressed to the teacher by the parents or guardians of such child or children. Religious instruction permitted.

63. It shall be lawful for the Board notwithstanding anything hereinbefore or herein after provided to grant any sum or sums of money in aid of the efforts made by private individuals or associations for the promotion of education in localities in which from the smallness or Board may make special grants to certain school.

scattered position or the unsettled nature of the population no Educational District shall have been constituted.

Provision for physical training and military drill.

64. In any of the schools subject to the provisions of this Ordinance as the Board of Education shall from time to time direct provision shall be made for physical training and instruction in military drill. The training and drill shall be such and be conducted and taught in such manner as shall from time to time be prescribed in regulations to be made by the Board.

Quarterly returns to be made.

65. It shall be the duty of the Chairman of every Committee of any school district to transmit to the Chairman of the Board within one week from the termination of every quarter returns according to forms to be supplied by the Board of the number of children on the books of the respective schools the average attendance the amount of fees if any paid and due the scale of such fees and such other particulars with regard to the condition of the school as the Board shall require.

Inspection of schools.

66. It shall be lawful for the Board or any member or members thereof or any officer of the Board or any other person authorised by the Board to enter any school receiving aid during school hours for the purposes of inspection or otherwise.

Expulsion of children

67. It shall be lawful for the teacher in any school established or maintained under the provisions of this Ordinance to expel or forbid the attendance of any child for want of cleanliness or who may be likely to communicate any contagious disease or who from gross misconduct or incorrigible disobedience may be considered an injurious or dangerous example to the other scholars the parent or guardian of such child having a right of appeal first to the School Committee and finally to the Board.

Branches of instruction.

68. In all Schools aided by the Board the system of elementary education shall comprise reading writing spelling arithmetic geography history sacred and profane and English grammar. Provided that no child shall be compelled to be present at the teaching of history whose parents or guardians shall object thereto. Provided also that instruction in any other subjects may be given in any such schools and fees may be charged for the same in accordance with the regulations to be framed by the Board such fees to be payable to the District School Committee.

In case of provisions of Ordinance being contravened in respect to any school, or incompetency or negligence of any teacher, Board may carry out provisions and deduct from monies payable to such school monies expended by it in so doing.

69. In any case where it shall appear to the Board that any of the provisions of this Ordinance have been contravened in respect to any school established under the provisions of this Ordinance or where the site buildings or premises of such school are insufficient or otherwise unsuitable or where the school apparatus is defective or where the school is generally inefficiently conducted it shall be lawful for the Board to take all measures and do all acts which shall be necessary to carry out

the provisions of this Ordinance and to remedy all such defects as aforesaid in such school.

70. There shall be a depôt of school books and apparatus under the charge of the Chairman of the Board and the Committee of every school aided by the Board shall purchase at the said depôt the books and apparatus required for the use of such schools at such prices as shall be fixed by the Board and the proceeds of such sales shall from time to time after payment of the expenses connected with the said depôt be expended in the purchase of supplies of such books and apparatus.

Depôt of books and apparatus.

71. All accounts of the Board and of any Commissioner appointed under the provisions of this Ordinance shall be audited yearly by the Provincial Auditor.

Accounts to be audited.

72. All rates and other sums of money made payable by this Ordinance shall be recoverable at the suit of the Superintendent.

Rates, &c. recoverable at suit of Superintendent.

73. All rates and other sums of money made payable under the authority or provisions of the Ordinances hereby repealed shall be paid received and recovered in like manner as the same might have been paid received and recovered if this Ordinance had not been passed.

Rates, &c., payable prior to passing of this Ordinance recoverable at suit of Superintendent.

74. The term *Householder* in this Ordinance shall mean every person who as owner tenant lessee or occupier occupies uses or resides in any dwelling-house warehouse shop or other building in any Educational District or every parent or guardian who is liable to maintain or has the actual custody of any child Provided that nothing herein contained shall be deemed in any way to affect any dwelling-house the property of Her Majesty or in the occupation of the Crown or Government of the Colony.

Householder.

75. This Ordinance shall come into operation upon and after the first day of July one thousand eight hundred and seventy-three.

Commencement of Ordinance.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 10.

The Canterbury Sheep Ordinance Amendment
Ordinance, 1873.

Published by Authority.

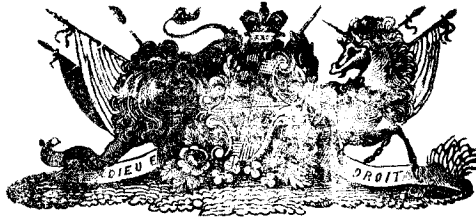
[June 16, 1873.]

WHEREAS it is expedient to amend "The Canterbury Sheep Preamble.
Ordinance, 1872."

Be it therefore enacted by the Superintendent of the Province of
Canterbury with the advice and consent of the Provincial Council thereof:

1. Section 50 of the said recited Ordinance shall be and is hereby Repealing Clause.
repealed.

2. This Ordinance shall be intituled and may be cited as "The Title.
Canterbury Sheep Ordinance Amendment Ordinance 1873."



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 11.

The Public Domains Ordinance, 1873.

Published by Authority.

[June 16, 1873.]

WHEREAS by an Act of the General Assembly of New Zealand in Preamble.
Parliament assembled intituled "The Canterbury Public Domains Act 1872" It is enacted that the Superintendent and Provincial Council of Canterbury may from time to time by Ordinance to be passed in that behalf declare (*inter alia*) that any lands which have been or may hereafter be vested in the said Superintendent for the purposes of public domains gardens or recreation grounds shall from and after a date to be determined by such Ordinance be held to be under the operation of the said Act and after the date fixed in any such Ordinance the lands specified therein shall be subject to the provisions of the said Act And whereas the lands particularly described in the schedule to this Ordinance are vested in the said Superintendent for the purposes aforesaid or some of them: And whereas it is expedient to bring the said Act into operation as to the said lands:

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council as follows:

Lands described in Schedule to be held to be under operation of Act on and after 1st July, 1873.

1. It is hereby declared that the lands described in the schedule to this ordinance shall from and after the first day of July 1873 be held to be under the operation and subject to the provisions of the said Act of the General Assembly of New Zealand.

Title.

2. This Ordinance shall be entitled and may be cited as "The Public Domains Ordinance 1873"

SCHEDULE.

Description of reserve No. 74 (in red), being a site for a Public Recreation Ground:—

All that parcel of land situate in the Mandeville, in the Province of Canterbury, containing 15 acres and 32 perches, more or less, commencing at a point on the North Road, the same being the north-west corner of section No. 338 E., following along the said road in a northerly direction a distance of 19 chains, and running back easterly a distance of 8 chains in a rectangular block, and numbered 74 in red on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Mandeville district aforesaid.

Description of reserve No. 1252 (in red), being a site for a Public Recreation Ground and Racecourse:—

All that parcel of land in the Province of Canterbury, in the Colony of New Zealand, situate in the Malvern district, containing by admeasurement one hundred acres, more or less, commencing at a point on the north-eastern side of the Coal Tramway Reserve, the said point being the westernmost corner of section 14381; thence north-westerly following the said reserve a distance of eleven chains sixty links; thence northerly following the road forming the eastern boundary of Reserve No. 1248 (in red) thirty-four chains eleven links; thence easterly along the southern boundary of section No. 9256, a distance of twenty-seven chains seventy-five links to the high bank of an old river bed; thence south-easterly following the said high bank to a point in line with the north-western boundary of the said section No. 14381, and from thence returning south-westerly along the said line and boundary forty-two chains ten links to the commencing point, and numbered 1252 (in red) on the map of the Chief Surveyor of the Province of Canterbury, setting out and describing the rural land in the Malvern district aforesaid.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 12.

The Canterbury Roads Amendment Ordinance,
1873.

Published by Authority.

[June 18, 1873.]

WHEREAS it is expedient to amend “The Canterbury Roads Ordinance 1872” Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the consent of the Povincial Council as follows :

1. Whenever any person declared elected to be member of the Board of any district has been adjudged by any Resident Magistrates Court under “The Highway Boards Empowering Act 1871” to be ousted of his office as such member the Chairman of the Board or if there be no Chairman the Superintendent shall forthwith by public notice call a meeting of the ratepayers of the district or subdivision as the case may be to elect a member to fill the vacancy in the Board caused by such ouster and the member so elected shall continue in office so long only as the member would have continued in whose place he shall have been so elected Every such election shall be conducted in the manner provided by the said Ordinance.

Vacancies caused by members of Board being ousted from office by judgment of R. M. Court, how to be filled.

2. This Ordinance shall be read and construed as part of the “Canterbury Roads Ordinance 1872” and be intituled “The Canterbury Roads Amendment Ordinance 1873.”



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 13.

The Reserve No. 304 Ordinance, 1873.

Published by Authority.

WHEREAS by a Grant from the Crown bearing date the twenty-^{Preamble.}
fourth day of July 1865 the parcel of land described in Schedule
to this Ordinance annexed was *inter alia* conveyed and assured unto and
to the use of the Superintendent of the Province of Canterbury his
successors and assigns for ever subject to the provisions of "The Public
Reserves Act 1854" in trust as a gravel pit. And whereas it is expedient
that provision should be made for the sale of the said land :

Be it therefore enacted by the Superintendent of the Province of
Canterbury with the advice and consent of the Provincial Council
thereof as follows :

1. The Superintendent of Canterbury may sell the fee simple of
the said parcel of land described in the schedule hereto freed and
discharged of the said recited grant and all trusts upon which the same
was immediately before the passing of this Ordinance held by him and
may grant and convey the same to the purchaser or purchasers thereof.
Superintendent may
sell the land describ-
ed in the annexed
Schedule.

Title. 2. This Ordinance shall be intituled and may be cited as "The Reserve No. 304 Ordinance 1873."

SCHEDULE

All that piece or parcel of land being part of Reserve No. 304 (in red) containing by admeasurement eighteen acres two roods more or less commencing at the northernmost corner of Reserve No. 314 (in red) thence north-easterly following a line in continuation of the north-eastern boundary of the latter reserve to its intersection by the reserve for the Rolleston and Southbridge Railway thence north-easterly following that reserve to the north-eastern boundary of reserve No. 304 above mentioned and from thence returning along the north-eastern north-western and south-western boundaries thereof to the commencing point.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 14.

The Diversion of Roads Special Ordinance,
No. 2, 1873.

Published by Authority.

[June 18, 1873.]

WHEREAS by an Act of the General Assembly of New Zealand Preamble.
intituled "The Highways and Watercourses Diversion Act,
1858" it is enacted that it shall be lawful for the Superintendent of any
Province with the advice and consent of the Provincial Council thereof
by any law or Ordinance to be made or ordained for that purpose to
authorise and empower the Superintendent to divert or stop up any
public street road highway or thoroughfare in any such Province and
also to exchange the land over which any such public street road high-
way or thoroughfare was laid out or passed And also that it should be
lawful for the Governor in the name and on behalf of Her Majesty to
make and execute Crown Grants of any land which should be so
exchanged.

And whereas by an Act of the General Assembly of New Zealand
intituled "The Provincial Council Powers Extension Act 1865" it is
enacted that it shall be lawful for the Superintendent and Provincial
Council of any Province and notwithstanding the restriction contained

in the Tenth Sub-section of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land described in the first column of the Schedule hereto should become a public highway in lieu of the parcels of land described in the second column of the said Schedule and that the last-mentioned parcels of land should cease to be a public road and should be granted in exchange for the first-mentioned parcels of land in manner hereinafter mentioned :

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows :

Public road passing over parcels of land described in second column of Schedule shall be stopped up.

1. When and so soon as all the parcels of land described in the first column of the Schedule hereto shall have been conveyed to the Superintendent and his successors for a public road the same shall be and remain for ever a public highway and a public highway passing over the parcels of land described in the second column of the said Schedule shall be stopped up.

Parcels of land described in second column of Schedule shall be granted to persons conveying parcels of land described in first column.

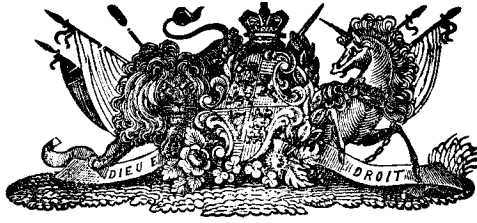
2. When and so soon as all the parcels of land described in the first column of the Schedule have been so conveyed each parcel of land described in the second column of the said Schedule shall be granted in fee to the person or persons severally conveying the parcels of land in the first column in exchange for the land conveyed by them.

Title.

3. This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 2 1873."

SCHEDULE.

1ST COLUMN.	2ND COLUMN.
<p>All that piece or parcel of land 1 chain wide containing by admeasurement 37 acres 2 roods (more or less) commencing at a point on the Rakaia Road south situate about 7 chains west of the south-eastern corner of section 15380 and running in a north-westerly direction partly through sections 14808 7314 7325 14576 7324 and 7245 a distance of about 4 miles 56 chains and more particularly delineated and described on the plan hereunto annexed and coloured red thereon.</p>	<p>All that piece or parcel of land 1 chain wide being that portion of the Rakaia Road south containing by admeasurement 55 acres 3 roods (more or less) commencing at a point on the southern boundary of section 15380 situate about 7 chains west of the south-eastern corner thereof and running in a north-westerly direction a distance of about 6 miles 78 chains to a point about 30 chains west of the intersection of the above-mentioned road by the continuation of the road dividing sections 15580 and 15582 save and except that portion of the latter road which crosses the above-described land and leads to the River Rakaia.</p>
<p>Also all that piece or parcel of land 1 chain wide containing by admeasurement 18 acres 2 roods (more or less) commencing at the termination of the road above described within section 7245 and running in a westerly direction partly through sections 7245 and 7244 a distance of about 2 miles 26 chains to a point on the Rakaia Road south situate about 30 chains west of the intersection of that road by the continuation of the road separating sections 15580 and 15582 and more particularly delineated and described on the plan hereunto annexed and coloured blue thereon.</p>	<p>All that piece or parcel of land 1 chain wide containing by admeasurement 2 acres 2 roods (more or less) being that portion of the road within H.P.R. on Run No. 116 branching from the Rakaia Road south and running in a south-westerly direction a distance of about 26 chains to the proposed diversion of road running through section 7324 which said roads proposed to be abandoned and more particularly delineated and described on the plan hereunto annexed and coloured yellow thereon.</p>



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 15.

The Reserve No. 424 Ordinance, 1873.

Published by Authority.

WHEREAS by grant from the Crown bearing date the Fourth day Preamble.
of December One thousand eight hundred and seventy-two all
that piece or parcel of land in the Province of Canterbury in the Colony
of New Zealand situate in the Malvern District and containing by
admeasurement four hundred and forty-seven acres more or less being
Reserve numbered 424 (in red) on the Map of the Chief Surveyor of the
Province of Canterbury setting out and describing the rural land in the
Malvern District aforesaid was granted unto the Superintendent of the
Province of Canterbury and his successors in trust for the uses of the
Provincial Government and particularly as a Dépôt for Police purposes :
And whereas it is expedient to appropriate or set apart that portion
of the said Reserve described in the Schedule hereto as a site for a
telegraph office and for other purposes of public utility connected with
the administration of the General Government of New Zealand.

Be it therefore enacted by the Superintendent of the Province of
Cantarbury with the advice and consent of the Provincial Council of the
said Province as follows :

Power given to Superintendent to surrender to the Crown the parcel of land comprised in the annexed Schedule.

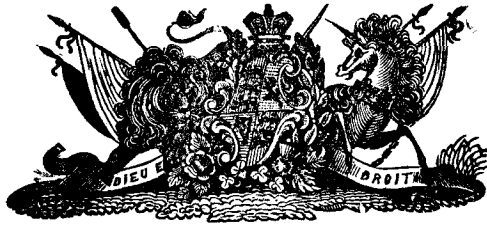
1. The specific purposes of public utility for which all that parcel of land described in the Schedule hereto are held shall be and the same are hereby changed and such land shall be appropriated as a site for a telegraph office and for other purposes of public utility connected with the administration of the General Government of New Zealand and it shall be lawful for the Superintendent to surrender such land to the Crown.

Title.

2. This Ordinance shall be intituled and may be cited as "The Reserve No. 424 Ordinance."

SCHEDULE.

Ten acres (more or less) situate in the Malvern District being part of Reserve No. 424 (in red) commencing at the northernmost corner of the said Reserve thence south-easterly following the Coal Tramway Reserve a distance of nine chains eighty five links thence south-westerly at a right angle a distance of ten chains thence again at a right angle north-westerly following a straight line to the road forming the north-western boundary of the Reserve above-mentioned and from thence returning along the said road to the commencing point.



PROVINCE OF CANTERBURY.

ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

SESSION XXXIX.—No. 16.

The Appropriation Ordinance, 1873.

Published by Authority.

[June 18, 1873.]

BE IT ENACTED by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows : Preamble.

1. Out of the public revenues of the said Province there may be issued and applied for the public service of the Province and for defraying the charge of the Government thereof for the year ending on the Thirtieth day of September One thousand eight hundred and seventy-three in manner set forth in Schedules A B and C to this Ordinance any sum or sums of money not exceeding the sums in such Schedules specified amounting in the whole to the sum of Four hundred and twenty-six thousand six hundred and sixty pounds seven shillings and one penny. Sums of money may be issued and applied for the Public Service of the Province in manner set forth in Schedules A B and C.

If session of Provincial Council not convened until after 30th September, 1873, sums of money may be issued and applied for defraying charges of Government for a period of three months, and defraying cost of grants in aid, public works and buildings specified in Schedules A B and C.

2. If in the opinion of the Superintendent the interests of the Public Service will be promoted by not convening a session of the Provincial Council until after the thirtieth day of September One thousand eight hundred and seventy-three there may be issued and applied out of the revenues of the said Province subject to appropriation by the Provincial Council any sum or sums of money for the purpose of defraying the charges of the Government of the said Province during a period of not exceeding three months from the said 30th day of September 1873 not exceeding in the whole such sum or sums respectively as shall be in proportion for such period of three months to the sum or sums appropriated for the like payments during the twelve months ending the 30th day of September aforesaid And there may also be issued and applied out the revenues of the said Province any sum or sums of money for the purpose of defraying the expenditure under grants in aid and on the public works and buildings specified and mentioned in Schedules A B and C of "The Appropriation Ordinance, 1872-73" and in Schedules A B and C of this Ordinance during a period not exceeding three months from the Thirtieth of September One thousand eight hundred and seventy-three not exceeding for each of the said grants in aid public works or buildings the unexpended balance of the sum or sums of money respectively appropriated for such grants in aid public works or buildings.

Title.

3. This Ordinance shall be intituled and may be cited as "The Appropriation Ordinance, 1873."

SCHEDULE A.

	£	s.	d.	£	s.	d.	£	s.	d.
CLASS III.—PROVINCIAL COUNCIL.									
Expenses of Members ...	250	0	0						
Printing, &c., &c. ...	300	0	0						
				550	0	0			
CLASS V.—POLICE.									
Salaries ...				200	0	0			
CLASS VI.—HOSPITALS.									
Surgical appliances ...				200	0	0			
CLASS VII.—LUNATIC ASYLUM.									
Drunkard's Ward—Maintenance ...				100	0	0			
CLASS IX.—REFORMATORY.									
Miscellaneous ...				150	0	0			
CLASS XI.—INSPECTION OF SHEEP.									
Hurunui Sheep Yards ...				100	0	0			
CLASS XII.—HARBOUR.									
Additional Pilot, at £200 per annum...	50	0	0						
Repairs, &c., to Beacons, &c. ...	150	0	0						
				200	0	0			
CLASS XIV.—MISCELLANEOUS.									
Printing Superintendent's Roll ...	500	0	0						
Exhibition—Flax Machinery ...	150	0	0						
Bonus—Wool Manufactory ...	2000	0	0						
Refunds—Pasturage Rents ...	73	18	10						
Avon and Eyreton Road Boards (Wai- makariri Bridge Tolls) ...	500	0	0						
Legal Expenses ...	250	0	0						
Postage ...	50	0	0						
Hand Book ...	100	0	0						
Grant to John Conway ...	365	0	0						
Local Analysts ...	800	0	0						
Exhibition of Vienna Exhibits (un- authorised) ...	260	0	0						
Sheep ex Cissy (unauthorised) ...	1120	8	3						
High Schools ...	250	0	0						
Schools—Grants in Aid ...	500	0	0						
Carried forward ...				6419	7	1			

	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward ...									
CLASS XV.—PUBLIC PLANTATIONS.									
Gardener—Railway, &c., Plantations...	46	0	0						
Timaru Domain ...	275	0	0						
Temuka Domain ...	200	0	0						
				521	0	0			
CLASS XVII.—EDUCATION.									
<i>Salaries—</i>									
District Inspector ...	100	0	0						
<i>Contingencies—</i>									
Maintenance of Schools ...	2000	0	0						
Outfit—Drill Inspector ...	100	0	0						
Printing ...	100	0	0						
Railway Fares ...	50	0	0						
				2350	0	0			
CLASS XIX.—PROVINCIAL GOVERNMENT WORKS.									
Roads ...	650	0	0						
Council Chamber Repairs, &c. ...	200	0	0						
Safes, &c. ...	300	0	0						
				1150	0	0			
CLASS XX.—RAILWAYS AND WHARVES.									
Working Expenses ...	1500	0	0						
Fifty Tons Rails—Maintenance ...	1000	0	0						
				2500	0	0			
Total Schedule A. ...									
							14,440	7	1

	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward ...									
<i>Miscellaneous—</i>									
Water Supply—Malvern District ...	5000	0	0						
Planting—School Sites ...	1000	0	0						
Drainage—Reserves ...	1000	0	0						
Ditto—Cust and Oxford districts (grant in aid) ...	300	0	0						
Ditto—Rangiora Swamp (grant in aid)	550	0	0						
Fire Engine, Lyttelton ditto ...	250	0	0						
Water Supply, do. ...	120	0	0						
Jetty, Head of the Bay, Akaroa ...	200	0	0						
Steam Fire Engine, Rangiora (grant in aid) ...	250	0	0						
Ditto—Akaroa ...	250	0	0						
Compensation to Maories (to be paid in land) ...	400	0	0						
Subsidy—Steam Service to the Bays	100	0	0						
Public Libraries—Country Districts	5000	0	0						
Contingencies ...	500	0	0						
				14920	0	0			
CLASS IV.—ROAD BOARDS.									
Outstanding Liabilities ...				175	0	0			
CLASS V.—IMMIGRATION.									
				20,000	0	0			
Total Schedule B. ...							159,620	0	0

SCHEDULE C.

	£	s.	d.	£	s.	d.	£	s.	d.
RAILWAYS.									
Goods Shed—Christchurch Station ...	3500	0	0						
Northern and Southern Railways ...	1000	0	0						
Platform, Lyttelton ...	600	0	0						
Rolling Stock, 3ft. 6in. gauge ...	7500	0	0						
Washdyke to the Point ...	5500	0	0						
Timaru to Otaio (subject to refund) ...	50,000	0	0						
Railway Material (Ashburton Branch Line) ...	10,000	0	0						
Rails Lyttelton and Christchurch Rail- way, 3ft. 6in. gauge ...	10,000	0	0						
Rolling Stock ...	10,000	0	0						
				98,100	0	0			
Harbour Works—Breakwaters, wharves, dredging plant, &c., Lyttelton ...	150,000	0	0						
Steam Cranes ...	2500	0	0						
Timaru—Harbour Survey ...	2000	0	0						
				154,500	0	0			
Total Schedule C ...							252,600	0	0