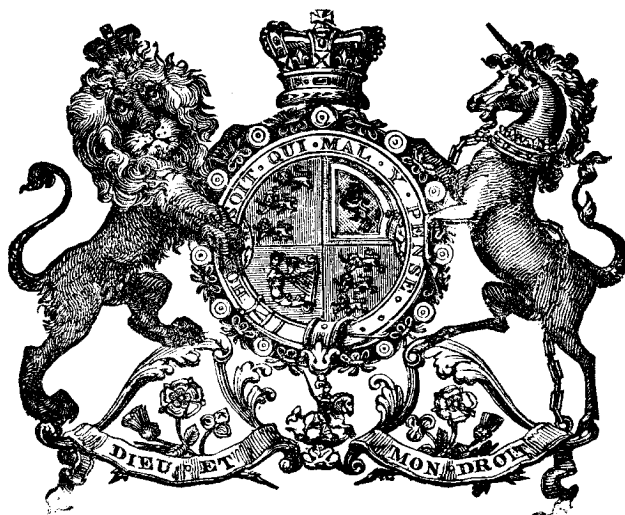


# Province of Hawke's Bay.



## PAPAKURA & HIKUTOTO LEASING BILL.\*

IN THE TWENTY-NINTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION X., No. 1.

### ANALYSIS.

<p>Title</p> <p>Preamble</p> <p>1. Superintendent empowered to Lease Lands by Auction</p> <p>2. Lands not leased at Auction open to Lease for six months at upset price; simultaneous applications how to be dealt with</p> <p>3. After six months Superintendent can put up Lands again to Auction</p>	<p>4. Two shillings per acre to be given for five years for purposes of forming Roads.</p> <p>5. If Superintendent purchases the Land, lessee how to proceed to purchase from Superintendent</p> <p>6. Valuers &amp;c. to be appointed</p> <p>7. In the event of Lease being forfeited by the non-payment of rent, pre-emptive right void</p> <p>8. Power to Superintendent to reserve Land from Lease</p> <p>9. Monies payable to Provincial Treasurer Schedule</p>
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AN ACT to enable the Superintendent to manage and administer certain Lands by granting Leases thereof. Title

[Assented to 24th August, 1866.]

WHEREAS under and by virtue of certain Deeds of Lease made between certain Aboriginal Natives, the owners of the one part, and Donald McLean, Superintendent of the Province of Hawke's Bay, of the other part, the Lands described in the first and second Schedules hereto annexed, and demised to the said Superintendent and his successors for the respective terms of twenty-one years and twenty-two years respectively. Preamble

\* Now called the "Meanee South and West Clive."

AND WHEREAS it is expedient to make provision for the management of the said parcels of Land by granting leases thereof.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay, by and with the advice and consent of the Provincial Council thereof, as follows:—

Superintendent empowered to lease Lands by Auction

I. The Superintendent of Hawke's Bay, by and with the consent of his Executive Council shall have full power to demise and lease all or any part of the Lands described in the first and second Schedules hereto annexed for any term or term of years not exceeding 19 and 20 years respectively, to take effect in possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for granting of the same, subject to proper conditions of sale or lease. Provided that all Lands proposed to be demised or leased by this Act shall be put up in lots by public auction, and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot, shall be declared the purchaser or purchasers thereof; but no such auction shall take place unless one calendar month's notice shall have been given by advertisement in the Provincial *Government Gazette* of Hawke's Bay of the intention of the Superintendent to put up any of the said Lands by auction, with particulars of the respective portions of the said Lands proposed to be put up at any such sale or sales.

Lands not leased at Auction open to lease for six months at upset price, simultaneous applications how to be dealt with

II. In case any of the Lands comprised in the Schedules to this Act shall not be demised or leased at the auction or auctions to be held in manner by this Act directed, at the upset price then fixed, any person or persons shall, for a period of six months, to be computed from the respective days of sale, be at liberty to become the lessee or lessees of any such Lands, at the upset price put upon the same at such auction; but should there be any simultaneous applications for the Lands lastly mentioned, then such Lands shall be submitted to competition between such applicants only.

After six months Superintendent can put up Lands again to Auction

III. After the expiration of the period of six months from any sale, it shall be lawful for the said Superintendent to put such Lands again for lease by public auction, at such rent or rents as the said Superintendent, by and with the advice and consent of his Executive Council, shall think proper.

Two shillings per acre to be paid for five years for purposes of forming roads

IV. Every Lease under this Act shall contain covenants for the payment of rent, and also for the payment, during the first five years of the term, of a sum of two shillings per acre for all Lands comprised in the said Lease. Such last named sum to be laid out, under the direction of the Superintendent, by and with the advice and consent of his Executive Council, in the formation of roads within the particular block in which the said Land shall be situate.

If Superintendent purchases the Land lessee how to proceed to purchase from Superintendent

V. In every such Lease shall be contained a proviso whereby it shall be provided and declared that if at any time during the continuance of the term granted by the said Lease the Superintendent for the time being of the said Province of Hawke's Bay shall become possessed of or entitled to the freehold and inheritance of the Parcel of Land comprised in any such Lease that then and at any time thereafter during the said term if the Lessee shall be desirous of becoming the purchaser of the said Parcel of Land demised by the said Lease at a price to be fixed in the mode provided for by the sixth clause and shall give six calendar months' notice in writing of his desire of becoming such purchaser by leaving the same at the office of the said Superintendent in Napier the said lessee by giving such notice shall be entitled to become the purchaser of the same parcel of land at such price as before mentioned and in case he shall pay or tender unto the said Superintendent the amount of such price as the purchase money at or before the expiration of six calendar months next after the date of such notice then the said Superintendent for the time being shall at the expense of the said lessee convey to him or as he shall direct the said parcel of land comprised in such lease and the freehold and inheritance thereof.

Valuators &c. to be appointed

VI. Every valuation to be made as directed by the fifth clause shall be made by two indifferent persons, one to be named by the Superintendent and one by the lessee, or by an umpire to be named by such two persons, in case

of difference between them; and the award to be made by such two valuers or arbitrators or their umpire shall be final. Such valuers or their umpire, however, in fixing the amount of such valuation, shall not fix a less sum than the amount actually paid by the said Superintendent as the purchase money for the said parcel of Land, together with the amount of interest thereon at ten per cent. per annum; nor shall such valuers or their umpire include in such valuation the value of any improvement that may have been effected by the tenant during the term of his lease.

VII. In the event of any lease becoming forfeited on account of non-payment of rent or for non-performance of any covenant or proviso therein or thereby contained or implied the right of pre-emption given by the said lease shall be absolutely forfeited and void.

In the event of lease being forfeited by non-payment of rent pre-emptive right void

VIII. The Superintendent, with the consent of his Executive Council, shall have power to reserve from lease any of the said parcels of Land comprised in the Schedules to this Act.

Power to Superintendent to reserve Land from lease

IX. All monies to be received by way of rent under and by virtue of the powers in this Act contained shall be received by the Treasurer of the Province, and shall be applied as portion of the General Revenue of the said Province.

Monies payable to Provincial Treasurer

X. The Short Title of the Act shall be "The Papakura and Hikutoto Leasing Bill."

## SCHEDULES.

Schedule

### HIKUTOTO BLOCK.

ALL that piece and parcel of land known as portion of the Hikutoto Block in the Ahuriri District Province of Hawke's Bay containing by admeasurement 1020 acres more or less as per plan annexed commencing at the junction of Grey-street with the Clive-road in the Township of Clive and bounded to the North and North-west by Clive-road to the boundary Creek 5858 links following the boundary Creek to its junction with the Muddy Creek by the muddy Creek and by Government Lands to the Ngaruroro River 2800 links to the West by the Ngaruroro River to Otanenui Aorangi to the South-west by Native Lands 7800 links to the South-east by Native Lands 5904 and 7748 links to the starting point at the junction of Grey-street with the Clive-road in the Township of Clive.

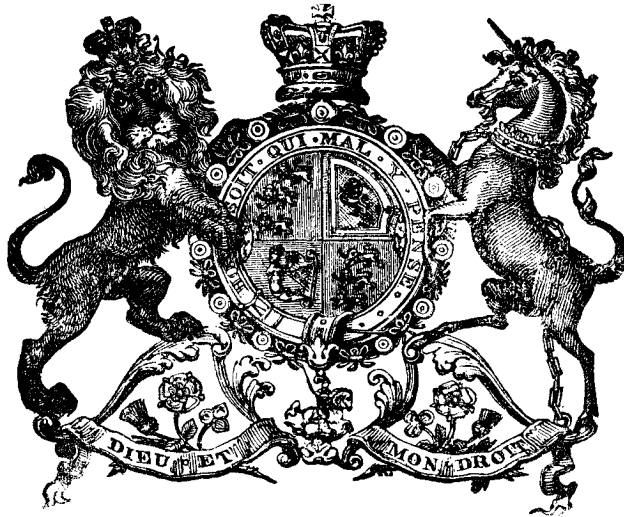
### PAPAKURA BLOCK.

ALL that piece and parcel of land known as the Papakura Block in the Ahuriri District Province of Hawke's Bay as per plan annexed containing by admeasurement 3269 acres more or less commencing at the Bridge over the Waitangi Creek on the Taupo Road and bounded to the North and North-west by the Taupo Road 355 1424 451 939 and 98 links by the Meanee River and Native Land 1072 2876 1553 3250 and 7800 links to the West and South by Native Lands 1004 682 608 links and by the Tutaekuri Waimata to the South-east by the Tutaekuri Waimata and by Native Lands 7211 1029 1397 and 3699 links and by the Totara Creek to its junction with the Waitangi Creek to the North-east by the Waitangi Creek to the starting point at the Bridge at the Taupo Road always excepting all that piece of land being a Native Reserve known as Waitaroa containing by admeasurement 94 acres more or less starting at a point 600 links to the East of the angle formed by the lines 3250 and 7800 links on the North-western boundary to the North and North-west by the Papakura Block 3000 and 2000 links to the North-east by the same 438 and 467 links to the East and South-east by the same 1178 516 2136 and 539 links to the South by the same 2182 links to the starting point.

C. LAMBERT,  
Speaker.



# Province of Hawke's Bay.



## REPRESENTATION.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN  
VICTORIA.

SESSION XI., No. 1.

### ANALYSIS.

Title	3. Names of Electoral Districts and number of members to be returned by each District respectively
Preamble	4. Superintendent to cause Electoral Map to be deposited in office of Clerk of Council
1. Provincial Council shall consist of 18 Members.	5. Short Title.
2. Province shall be divided into Electoral Districts as set forth in Schedule	Schedule

AN ACT to amend the Representation of the Province in the Provincial Council of Hawke's Bay. Title

[Assented to 10th January, 1867.]

WHEREAS it is expedient to readjust the Representation of the Province in the Provincial Council. Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows :—

I. After the dissolution of the present Provincial Council the Provincial Council shall consist of Eighteen Members. Provincial Council shall consist of 18 Members

II. For the purposes of the election of members of the said Council the Province shall be divided into Electoral Districts as the same are respectively defined and set forth in the Schedule to this Act. Province shall be divided into Electoral Districts as set forth in Schedule

Names of Electoral Districts and number of members to be returned by each District respectively

III. The names of such Electoral Districts and the number of Members to be returned by each district respectively shall be as follows:—

Napier Town .....	5 Members
Napier Country .....	2    "
Petane .....	1    "
Wairoa .....	1    "
Mohaka .....	1    "
Clive .....	1    "
Havelock .....	1    "
Te Aute .....	2    "
Waimarama .....	1    "
Porangahau .....	1    "
Hampden .....	1    "
Waipukurau .....	1    "

Superintendent to cause Electoral Map to be deposited in office of Clerk of Council

IV. The Superintendent shall cause properly authenticated maps of the said Electoral Districts to be deposited in the office of the Clerk of the said Council.

Short Title

V. The Short Title of this Act shall be "The Representation Act of the Province of Hawke's Bay 1866."

Schedule

#### SCHEDULE.

##### Wairoa District.

Commencing at the Sea Coast at the 39th degree of South latitude; following the Sea Coast in an easterly and Southerly direction to the mouth of the Waihua; then up the Waihua until it strikes the Northern boundary of the Province, and along that boundary to the starting point at the Sea Coast.

##### Mohaka District.

Commencing at the Sea Coast on the mouth of the Waihua River; following that River to the Northern boundary of the Province; thence in a westerly direction along that boundary to the western boundary of the Province; and thence in a straight line to the source of the Waikari, and down that river to its mouth into the sea; thence along the coast in a northerly direction to the starting point at the mouth of the Waihua river.

##### Petane.

Commencing at the Sea Coast at Waikari, following the Sea Coast to the Northern side of Alfred-street, Meanee Spit, Town of Napier, following that street in a Westerly direction into the Ahuriri Harbour, and crossing the Ahuriri Harbour to Waikokopu, being the Southern boundary of Capt. Carter's, Run; thence in a straight line bearing West to the Mangaone; following up the Mangaone to the mouth of the Manga-rangiora; thence up that creek to the South-eastern boundary of the Pakiaka Block; thence following in a straight line in a westerly direction along the Southern boundary of the Pakiaka Block to the Waipuna Stream; up that Stream to the Pohue Bush; thence along the Eastern boundary of that Bush to the Taupo Bridle track, and along that track, to the Mohaka River; crossing the Mohaka River, and thence in a Westerly direction by a straight line until it strikes the Western boundary of the Province; along the Western and the Northern boundary of the Province to the Southern boundary of the Wairoa and Mohaka Districts; thence along that boundary to the starting point at the mouth of the Waikari at the Sea Coast.

##### Napier Country.

Commencing at Waikokopu, the boundary of the Petane District on the Ahuriri Harbour; crossing in a straight line along the Southern boundary of that District to the Northern side of Alfred-street, Meanee Spit in the Town of Napier; then across the Ahuriri Harbour to the mouth of the Tutae-kuri or Meanee, following up that River to that point in its course where it intersects the Western boundary of the Province; thence along that boundary in a Northerly direction to the Southern boundary of the Petane District; and thence along that boundary to the Sea Coast at the starting point.

### Town of Napier.

The boundary commences at the Northern side of Alfred-street, Meanee Spit in the Town of Napier, and crosses Ahuriri Harbour to the mouth of the River Meanee or Tutaekuri, and follows the bank of the said River to Awatoto; thence by a due East line to the Sea Coast, and along the Sea Coast in a Northerly direction to the point opposite the Northern side of sections sixty-eight and sixty nine Meanee Spit.

### Havelock.

Commencing at the Sea Coast at the Southern boundary of the Town of Napier, following the Sea Coast Southerly to the mouth of the Ngaruroro; following up the Ngaruroro to the Suburban Sections of Havelock, including the Town and Suburban lands of Havelock; crosses the Ngaruroro at the Southern boundary of Havelock, following the Northern bank of that River up to Omaomakui crossing the Ngaruroro at this point; following along the Eastern boundary of the Maraekakaho Block to where it strikes the Manga-o-nuku River; following up the Manga-o-nuku to the S.E. boundary of the Kereru Bush; following along the Southern boundary of the Kereru Bush and thence in a Westerly direction by a straight line to the Western boundary of the Province at the crest of the Ruahine Mountains at Pohatuhaha; thence following the Western boundary in a Northerly direction to the source of the Tutaekuri River at the boundary of the Napier Country District; following along the Southern boundary of that District to the Sea Coast; and thence in a Southerly direction along the Sea Coast to the starting point on the mouth of the Ngaruroro.

### Clive.

Commencing at the Sea Coast at the mouth of the Ngaruroro near Waitangi; following the Sea Coast in a Southerly direction to the mouth of the Maraetotara at Awanga; following the Western bank of that River to the Native path leading from Kohinurakau to Waimarama; from thence keeping that path to the Mangarara, down that Stream to the Tuki-Tuki or Alma; crossing that River, and thence along the Southern and Western boundary of the Te Mata Block, along the Northern boundary of the Havelock Suburban Lands to the Ngaruroro River, and down that River to its mouth at the starting point.

### Waimarama.

Commencing at the mouth of the Maraetotara at Awanga; following the Sea Coast to Blackhead; then proceeding along the Southern boundary of the Hapuku Block to Hua-toki-toki; following up that stream to its source; then proceeding Northerly to the source of the Manga-mahaki; down that Stream to the River Tukituki, and following it to the Mangarara; proceeding up that Stream to the Native path to Waimarama, following that path in an Easterly direction to the Maraetotara; then down the Maraetotara to the Sea Coast.

### Porangahau.

Commencing at the Sea Coast at Blackhead, proceeding Westerly along the South boundary of the Hapuku Block to Hua-toki-toki; following down that Stream to Taurakaitae; up that Stream to its source in a Bush hill called Rikatea; thence following the Bush to the extreme South-western corner of the Rua Taniwha Plains; thence in a line due South to the Southern boundary of the Province; thence along that boundary to the mouth of the Waimata and thence by the Sea Coast to Blackhead.

### Waipukurau.

Commencing at the South-Western point of the boundary of the Porangahau District; following the Southern boundary of the Province to the Manawatu Gorge at the Western boundary of the Province; following along that boundary to Taumata-o-Makura; thence in a straight line in an Easterly direction to the mouth of the Mangatauri, then down the River Tuki-Tuki or Alma to the mouth of the Manga-mahaki, up that Stream to its source; thence along the Western boundary of the Waimarama District to the source of the Hua-toki-toki, and thence along the Northern and Western boundary of the Porangahau District to the starting point.

### Hampden.

Commencing at the junction of the Waipawa and Tuki Tuki Rivers; following up the Tuki Tuki along the Northern boundary of the Waipukurau District to Taumata-o-Makura at the Western boundary of the Province, along the Western boundary of the Province to Pohatuhaha, the South-western boundary of the Havelock District; following along the Southern boundary of the Havelock District to the Manga-o-Nuku; down that Stream to its junction with the Waipawa, and down that River to its junction with the Tuki Tuki at the starting point.

### Te Aute.

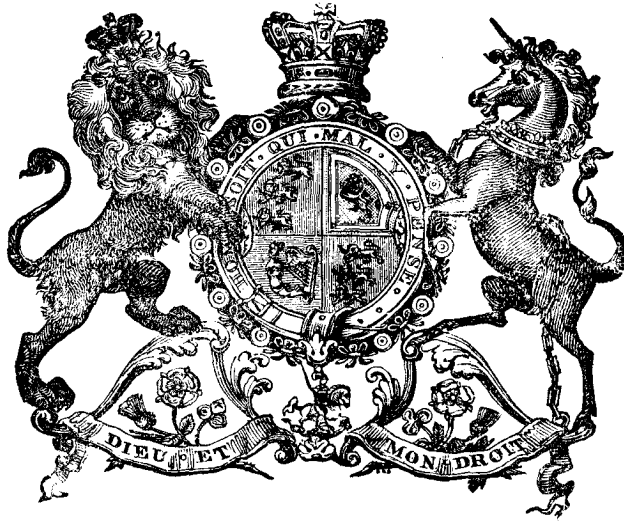
Commencing at the Manga-o-Nuku River at the S.E. boundary of the Havelock District; following down that Stream to its junction with the Waipawa; down that River to its junction

with the Tuki Tuki; down that River to the Southern boundary of Clive District; thence along the South Western and Western boundary of the Clive District to the South Western boundary of the Havelock Suburban land; along the South Western boundary of the Havelock Suburban land to the Ngaruroro; thence up that River to Omaomakui at the North Eastern boundary of the Havelock District; thence in a Southerly direction along the Eastern boundary of the Havelock District to the starting point at the River Manga-o-Nuku.

CHARLES LAMBERT,  
Speaker.



# Province of Hawke's Bay.



## RACECOURSE.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XI., No. 2.

### ANALYSIS.

<p>Title Preamble 1. Lawful for Superintendent to lease Land described in Schedule to Trustees upon trust for a Racecourse 2. How to act in case of death resignation &amp;c. of Trustees</p>	<p>3. Lawful for Trustees to let the said Land—Mode of applying the Rents received 4. Lawful for the said Trustees to charge for admission of the public to the Race ground as they shall think proper</p> <p>Schedule</p>
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AN ACT to provide for the management of the land reserved at Meance South as a Racecourse. Title

WHEREAS by an Act of the Superintendent and Provincial Council of Hawke's Bay No. 1 of Session No. 10 intituled "The Papakura and Hikutoto Leasing Bill" it was enacted that it should be lawful for the Superintendent to reserve from Lease any of the parcels of land comprised in the Schedule to the said Act. AND WHEREAS an association hath been formed called "The Hawke's Bay Jockey Club" for the purpose of holding public race meetings within the said Province and funds have been raised for the said purpose. AND WHEREAS it is expedient to make provision for the management of the said parcel of Land so reserved as a Racecourse by granting a Lease thereof to Trustees to be nominated as hereinafter provided for. Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows:—

I. It shall be lawful for the Superintendent of the said province to demise and Lease the said parcel of Land described in the Schedule to this Act annexed to trustees viz. to Joseph Rhodes George Edward Gordon Richardson Lawful for Superintendent to lease land described in Schedule to Trustees upon trust for a Racecourse

James Watt John Davies Ormond Cartwright Browne Esquires for a term not exceeding the term of years for which the same is rented by the Provincial Government at the annual rent of Twenty Seven Pounds Twelve Shillings To hold the said parcel of land unto the said trustees and their successors upon trust for the purposes of a Racecourse.

How to act in case of death resignation &c. of Trustees

II. Upon the death resignation bankruptcy or absence from the province for the space of six successive calendar months of any such trustee or trustees it shall be lawful for the remaining or surviving trustee or trustees or the executors or administrators of the surviving trustee from time to time to appoint some other person or persons being electors resident within the said province to be a trustee or trustees in the place of such person or persons so dying being absent from the said province becoming bankrupt or resigning as aforesaid.

Lawful for Trustees to let the said land—Mode of applying the Rents received

III. It shall be lawful for the said trustees to let from time to time for any period not exceeding the term of years for which the same is rented by the Provincial Government all or any portion of the said land and to fence in the same and to do all such acts as may be necessary for the management improvement and regulations thereof and to apply all rents received from such land to the following purposes viz. 1st. To paying to the Provincial Government the annual rental for the same as provided by this Act. 2nd. To paying the expenditure incurred in fencing in and fitting for the purposes of racing the said piece of land and 3rd. To giving the residue if any as a prize to be run for at the annual races to be held on the said Racecourse.

Lawful for the said Trustees to charge for admission of the public to the Race ground as they shall think proper

IV. It shall be lawful for the said Trustees upon days appointed and advertised by them for the holding of races to charge such sums for the admission into the said land of passengers on foot or on horseback or with vehicles as the said Trustees shall think proper and will provide and it shall also be lawful for the said Trustees to make such charges as they shall think proper for liberty to be granted by them to erect booths for the sale of refreshments to be kept on such days by persons duly licensed for such purposes.

Short Title

V. The short title of this Act shall be "The Hawke's Bay Race Course Act 1866."

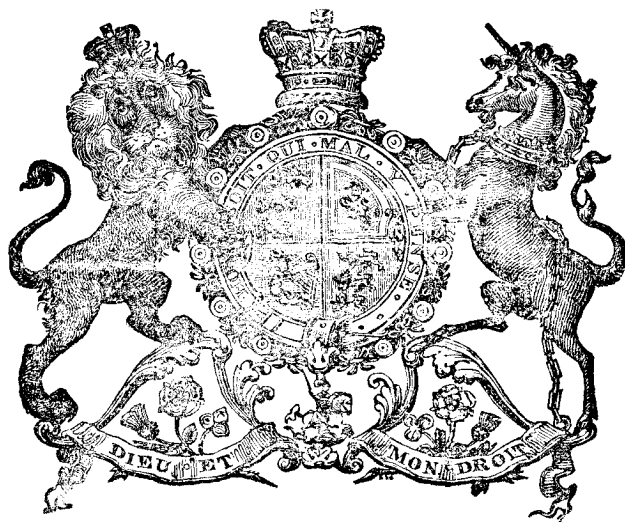
#### SCHEDULE.

Schedule

All that parcel of Land containing by admeasurement 92 acres (more or less) being Section No. 2 of Meanee South bounded to the North-east by Sections Nos. 1 and 6 respectively 1300 and 2940 links to the South-east by Section 9 2500 links to the South-west by Section No. 4 3500 links and to the North-west by a Public Road respectively 1000 882 and 839 links.

CHARLES LAMBERT,  
Speaker.

# Province of Hawke's Bay.



## HAWKE'S BAY AGRICULTURAL SOCIETY.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION X., No. 3.

### ANALYSIS.

- |  |  |
|--|--|
| Title<br>Preamble<br>1. Lawful for Superintendent to lease certain Lands to Trustees for the purpose of holding shows and exhibitions of Stock and Agricultural Produce and Implements &c. | 2. How to act in case of resignation &c. of Trustees<br>3. Lawful for Trustees to lease the said Land<br>4. Management of said parcel of Land vested in Trustees<br>5. Short Title |
|--|--|

AN ACT to enable the Superintendent to demise a parcel of Land situate in Meanee South to Trustees for the purposes of the Hawke's Bay Agricultural Society.

WHEREAS by an Act of the Superintendent and Provincial Council of Hawke's Bay No. 1 of Session No. 10 intituled "The Papakura and Hikutoto Leasing Bill" it was enacted that it should be lawful for the Superintendent to reserve from lease any of the parcels of land comprised in the Schedule to the said Act. AND WHEREAS an association hath been formed and established in the said Province of Hawke's Bay called the Hawke's Bay Agricultural Society for the purpose of having periodical shows or exhibitions of Stock and Agricultural Produce and Implements within the said Province. AND WHEREAS it is desirable that the parcel of land hereinafter described should be reserved for the purposes of the said Hawke's Bay Agricultural Society. AND WHEREAS it is expedient that the Superintendent should demise the said parcel of land to trustees at a nominal rent for the term of years for which the same is leased by the Provincial Government to trustees for the purposes of the said association.

BE IT ENACTED by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof.

Lawful for Superintendent to lease certain Land to Trustees for the purpose of holding shows and exhibitions of Stock and Agricultural Produce and Implements &c.

I. That it shall be lawful for the Superintendent of the said province with the advice of his Executive Council to demise and lease all that parcel of land situated at Meanee South in the said province as described in the Schedule to this Act annexed to Trustees viz. Joseph Rhodes Henry Stokes Tiffen John Davies Ormond John Heslop James Nelson Williams and George Stoddart Whitmore to hold the same upon trust as a site for the purpose of holding shows and exhibitions of Stock and Agricultural Produce and Implements and for the general purposes of the association.

How to act in case of resignation &c. of Trustees

II. On the death or absence from the said province for the period of eighteen months bankruptcy or resignation of any such trustee or trustees it shall be lawful for the surviving or remaining trustee or trustees from time to time to appoint some other person or persons being electors resident within the said province to be a trustee or trustees in the place of such person or persons so dying being absent from the said province becoming bankrupt or resigning as aforesaid.

Lawful for Trustees to lease the said Land

III. It shall be lawful for the trustees for the time being to demise or lease all or any part of the said land for any term not exceeding the term of years for which the same is leased by the Provincial Government and to apply all rents received in respect of such leasing towards the purposes of the said Society.

Management of said parcel of Land vested in Trustees

IV. The management of the said parcel of land shall be vested in the trustees for the time being and they shall have power to do all such acts as they may deem necessary for the improvement and cultivation of the said Land.

Short Title

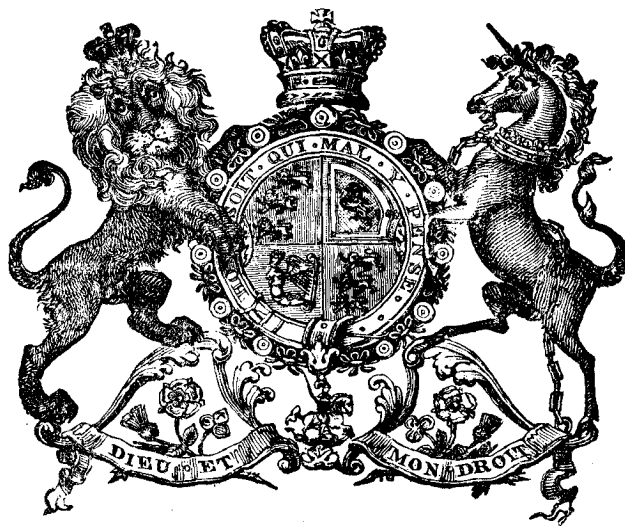
V. The short title of this Act shall be "The Hawke's Bay Agricultural Society Act 1866."

#### SCHEDULE.

All that portion of Land containing by admeasurement Fourteen Acres (more or less) being portion of Section No. 20 Meanee South bounded towards the South-east by a Public Road 2600 links towards the South-west by other portion of Block 20 900 links and towards the North-west by the Tutaekuri river.

CHARLES LAMBERT,  
Speaker.

# Province of Hawke's Bay.



## PUBLIC PARK & BOTANICAL GARDEN.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XI., No. 4.

### ANALYSIS.

Title	
Preamble	
1. Lawful for Superintendent to lease certain lands to Trustees	3. How to act in case of resignation &c. of Trustees
2. The said land vested in Trustees for the purposes of a Public Park, &c.	4. Lawful for Trustees to lease the said land for ten years for certain purposes
	5. Management of said parcel of land vested in Trustees
	6. Short Title Schedule

AN ACT to provide for the management of the Land at Meance South set apart as a Public Park and Botanical Garden. Title

WHEREAS by an Act of the Superintendent and Provincial Council of Hawke's Bay No. I of Session No. 10 intituled "The Papakura and Hikutoto Leasing Bill" it was enacted that it should be lawful for the Superintendent to reserve from lease any of the parcels of land comprised in the Schedule to the said Act. AND WHEREAS it is desirable that the parcel of land hereinafter described should be set apart as a Public Park and a Botanical Garden and leased to Trustees at a nominal rent for a term of years for the purpose of the said Association. AND WHEREAS it is expedient to make provisions for the management of the said land. Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows

I. It shall be lawful for the Superintendent with the advice of his Executive Council to demise and lease to Trustees viz. Donald M'Lean George Lawful for Superintendent to lease certain lands to Trustees

Stoddart Whitmore Henry Stokes Tiffen Charles Herman Weber John Wilkinson and their successors all that parcel of land described in the Schedule hereunto annexed for a term not exceeding the term of years for which the same is leased by the Provincial Government at a nominal rent.

The said land vested in Trustees for purposes of a Public Park, &c.

II. The said parcel of land shall be vested in the said Trustees and their successors upon trust for the purpose of a Public Park and Botanical Garden.

How to act in case of resignation &c. of Trustees

III. On the death or absence from the said Province for a period of eighteen months Bankruptcy or resignation of any such Trustee or Trustees it shall be lawful for the surviving or remaining Trustees or Trustee or the heirs executors or administrators of the surviving Trustee to appoint some other person or persons being electors resident within the said Province to be a Trustee or Trustees in the place of such person or persons so dying being absent from the Province becoming Bankrupt or resigning as aforesaid.

Lawful for Trustees to lease the said land for ten years for certain purposes

IV. It shall be lawful for the Trustees for the time being to lease or demise any portion of the said parcel of land for any term not exceeding ten years and to apply the rents arising therefrom towards the purposes of any Botanical Garden or Park within the Province.

Management of said parcel of land vested in Trustees

V. The management of the said parcel of land shall be vested in the Trustees for the time being and they shall have power to do all such acts as they may deem necessary for the improvement and management of the said land.

Short Title

VI. The short title of this Act shall be "The Public Park and Botanical Garden Act."

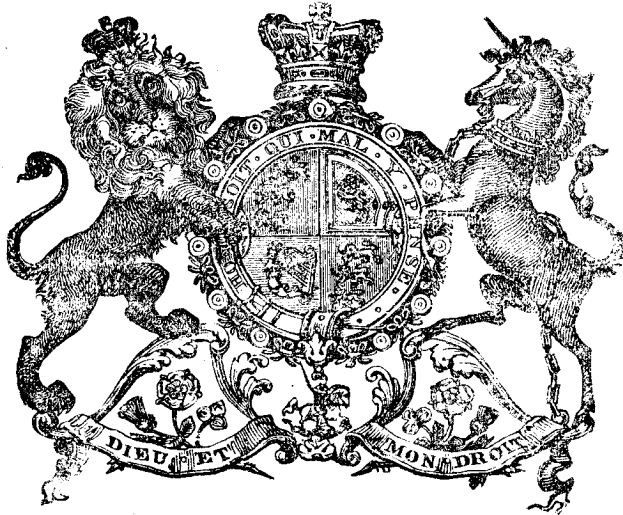
Schedule

#### SCHEDULE.

All that Parcel of Land containing by admeasurement 39 acres and 2 roods more or less being Section No. 19 and portion of Section No. 20 Meanee South bounded towards the North-east by other portion of Section No. 20 900 links towards the South-east by Public Road 4163 links towards the South-west and North-west by the Tutaekuri River.

CHARLES LAMBERT,  
Speaker.

# Province of Hawke's Bay.



## HARBOUR RESERVES.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XI., No. 5.

### ANALYSIS.

Title	by Public Auction—three months' notice to be given prior to such sale in the Provincial Gazette.
Preamble	2. Lawful for Superintendent to reserve for public purposes any part of the said land.
1. Lawful for Superintendent to demise and lease certain Land for 21 years—such Lands to be leased	3. Short Title Schedule.

AN ACT to enable the Superintendent of the Province of Hawke's Bay to manage and administer by Sale or Lease, certain Public Reserves known as Harbour Reserves. Title

WHEREAS in pursuance of the "Public Reserves Act 1854" the Governor of the Colony hath by a Grant dated the 1st day of February 1861 sealed with the Public Seal of the Colony granted to the Superintendent of the Province of Hawke's Bay and his successors the parcel of Land in the said Grant and in the Schedule to this Act particularly described in trust for Harbor Improvements. AND WHEREAS it is expedient to make provision for the management and administration of the said parcel of Land by Lease or Sale thereof: Preamble

BE IT THEREFORE ENACTED by the Superintendent and Provincial Council of Hawke's Bay as follows :

I. The Superintendent of Hawke's Bay by and with the consent of his Executive Council shall have full power to demise and lease all or any part of Lawful for Superintendent to demise and lease certain land for 21

years—such lands to be leased by public auction—three months' notice to be given prior to such sale in the Provincial Gazette.

the lands comprised in the said Grant for any term or terms of years not exceeding twenty-one years to take effect in possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for the granting of the same and subject to such terms and conditions as to the said Superintendent shall seem fit. All lands proposed to be demised or leased by virtue of this Act shall be put up in lots by Public Auction and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot shall be declared the purchaser or purchasers thereof. Three months' notice shall be given by advertisement in the *Provincial Gazette* of Hawke's Bay of the intention of the Superintendent to put up any of the said lands by auction with particulars of the respective portions of the said lands proposed to be put up at any such sale or sales.

Lawful for Superintendent to reserve for public purposes any part of the said land

II. The Superintendent with the advice of his Executive Council shall have power to reserve for public purposes all or any part of the said parcel of land.

Short Title

III. The Short Title of this Act shall be "The Harbour Reserves Act 1866."

Schedule

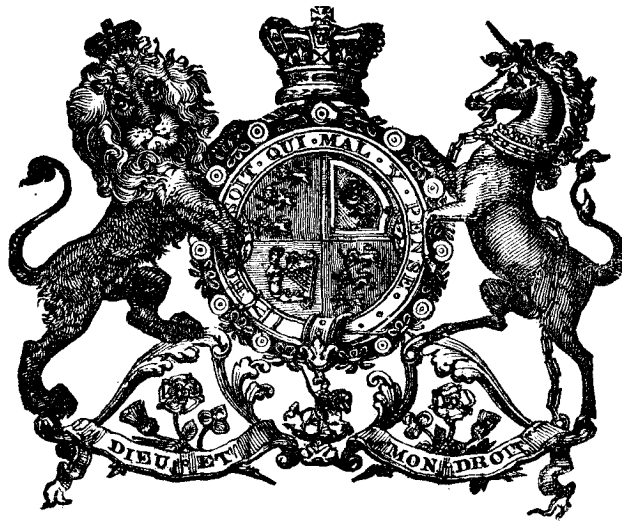
#### SCHEDULE TO WHICH THE FOREGOING ACT REFERS.

Section in the Town of Napier containing by admeasurement 13 acres 2 roods more or less bounded towards the North-east by the Suburban Section No. 46 on the Plan of the said Town of Napier 1048 links towards the South-east by the Suburban Sections Nos. 47 and 48 respectively by the termination of the Burns Road and by the Suburban Section No. 24 1300 links towards the South-west by the Suburban Section No. 23 1016 links and towards the North-west by the Chaucer Road 150 links and 40 links and by the Battery Road 1150 links.

CHARLES LAMBERT,  
Speaker.



# Province of Hawke's Bay.



## PUBLIC RESERVES.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XI., No. 6.

### ANALYSIS.

<p>Title</p> <p>Preamble</p> <p>1. Lawful for Superintendent to lease Lands comprised in said grant for 21 years by Public Auction three months' notice of the intention of leasing such land to be published in the Provincial Gazette.</p> <p>2. Power to Superintendent to sell and absolutely dis-</p>	<p>pose of sections described in fifth paragraph of Schedule.</p> <p>3. All sales to take place by Public Auction and three months' notice of the sale to be given in the Provincial Government Gazette</p> <p>4. Lawful for Superintendent to reserve all or any part of said parcels of land for Public purposes</p> <p>5. Short Title</p> <p>Schedule.</p>
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AN ACT to enable the Superintendent of the Province of Hawke's Bay to manage and administer, by Sale or Lease, certain Public Reserves. Title

WHEREAS in pursuance of "the Public Reserves Act 1854" the Governor of the Colony hath by certain Deeds of Grant sealed with the Public Seal of the Colony granted to the Superintendent of the Province of Hawke's Bay and his successors all those parcels of Land in the said Deeds of Grant and in the Schedule to this Act particularly described in trust for purposes of public utility. AND WHEREAS it is expedient to make provision for the management and administration of the said parcels of Land by Lease or Sale thereof. Preamble

BE IT THEREFORE ENACTED by the Superintendent and Provincial Council of Hawke's Bay as follows :—

Lawful for Superintendent to lease lands comprised in said grant for 21 years by public auction—three months' notice of the intention of leasing such land to be published in the Provincial Gazette

I. The Superintendent of the Province of Hawke's Bay by and with the consent of his Executive Council shall have full power to demise and lease all or any part of the Lands comprised in the said grant for any term of years not exceeding twenty-one years to take effect in possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for the granting of the same and subject to such terms and conditions as to the said Superintendent shall seem fit. All Lands proposed to be demised or leased by virtue of this Act shall be put up in lots by public auction and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot shall be declared the purchaser or purchasers thereof. Three months' notice shall be given by advertisement in the Provincial *Gazette* of Hawke's Bay of the intention of the Superintendent to put up any of the said Lands by auction with particulars of the respective portions of the said Lands proposed to be put up at any such sale or sales.

Power to Superintendent to sell and absolutely dispose of section described in paragraph 5 of Schedule

II. The Superintendent by and with the consent of the Executive Council shall have power to sell and absolutely dispose of the parcel of Land contained in the Section described in the fifth paragraph of the Schedule hereunto annexed.

All sales to take place by public auction, 3 month's notice of any such sale to be given in Provincial Government Gazette

III. All sales to be made by virtue of this Act shall take place by public auction and absolutely and three calendar months' notice of any sale or sales shall be given by advertisement in the Provincial Government *Gazette* previous to any such sale or sales.

Lawful for Superintendent to reserve all or any part of said parcels of land for public purposes

IV. The Superintendent with the advice of his Executive Council shall have power to reserve for public purposes all or any part of the said parcels of Land.

Short Title

V. The Short Title of this Act shall be "Public Reserves Administration Act 1866."

Schedule

#### SCHEDULE TO WHICH THE FOREGOING ACT REFERS.

SECTION numbered 66 Town of Napier containing by admeasurement 39 perches more or less bounded towards the east by Faraday-street 150 links towards the south by section No. 65 163 links towards the west by section No. 37 150 links and towards the north by section No. 67 163 links.

Section No. 70 Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 71 250 links towards the south-east by Carlyle-street 140 links towards the south-west by Faraday-street 260 links and towards the north-west by section No. 39 60 links.

Section at corner of Hyderabad-road and Main-street Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 7 100 links towards the south-east by Main-street 250 links towards the south-west by Hyderabad-road 100 links and towards the north-west by section No. 6 250 links.

Section bounded by Tennyson Emerson and Hastings streets Town of Napier containing by admeasurement 2 roods 20 perches more or less bounded towards the north-east by Hastings-street 250 links towards the south-east by Emerson-street 250 links towards the south-west by section No. 171 250 links and towards the north-west by Tennyson-street 250 links.

Section in the corner of Beach-road Herschell and Browning streets in the Town of Napier containing by admeasurement 2 acres 2 roods 8 perches more or less bounded towards the north by the Lock-up Reserve 300 links towards the east by Beach-road 570 links towards the south-east by Browning-street 290 links towards the south-west by Herschell-street 550 links and towards the north-west by suburban section 89 210 links and town section 155 40 links.

Sections 106 and 107 in the Town of Napier containing by admeasurement 2 roods more or less bounded towards the north-east by Milton-road 200 links towards the south-east by Tennyson-street 250 links towards the south-west by section No. 105 200 links and towards the north-west by section No. 108 250 links.

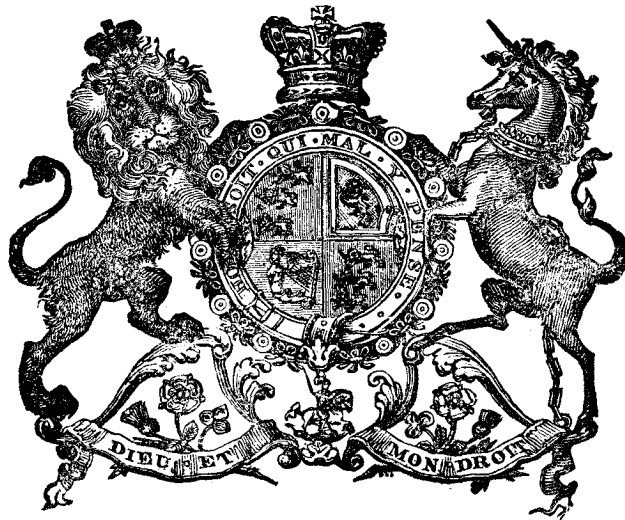
Section 111 in the Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 112 200 links towards the south-east by Tennyson-street 125 links towards the south-west by Milton-road 200 links and towards the north-west by section No. 110 125 links.

Section in the Town of Napier containing by admeasurement 1 acre 2 roods more or less bounded towards the north-east by sections Nos. 357 361 365 and 368 700 links towards the south-west by Malcolm-street 300 links and 550 links respectively and toward the north-west by sections Nos. 350 351 and 352 475 links.

CHARLES LAMBERT,  
Speaker.



# Province of Hawke's Bay.



## DEVIATION OF ROAD.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XI., No. 7.

### ANALYSIS.

- |   |   |  |
|---|---|--|
| Title<br>Preamble<br>1. Lawful for Superintendent to stop so much of a road<br>as described herein. | } | 2. Lawful for Superintendent to dispose of the land over<br>which the road stopped up previously passed<br>3. Short Title<br>Schedule. |
|---|---|--|

AN ACT to authorise the Superintendent to stop up a portion of a  
certain Road in Napier, in the Province of Hawke's Bay, and  
to dispose of the land over which such Road was laid out. Title

WHEREAS by an act of the General Assembly of New Zealand intituled Preamble  
"The Highways and Water Courses Diversion Act 1858" it is amongst  
other things 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 to sell exchange or otherwise dispose of the land over which such public street road highway or thoroughfare was laid out or passed. AND WHEREAS that portion of a certain Road laid out as leading from Tennyson-street into suburban section number forty-three is not required for the public convenience and it is expedient that the same should be stopped up and that the Superintendent should have power to dispose of the land over which the said Road was laid out.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :

Lawful for Superintendent to stop so much of a public road as described herein.

I. It shall be lawful for the Superintendent to stop up so much of the public road laid out as leading from Tennyson-street in the Township of Napier into suburban section number forty-three as commences from the north-west corner of town section number one hundred. The course and direction of the road intended to be stopped up are described in the Schedule and shown on the plan drawn at the foot hereof marked A to B the part stopped up being colored pink.

Lawful for Superintendent to dispose of the land over which the road stopped up previously passed.

II. It shall be lawful for the Superintendent to dispose of the land over which the road now stopped up previously passed.

Short Title

III. The short Title of this Act shall be "The diversion of Roads Act, 1866."

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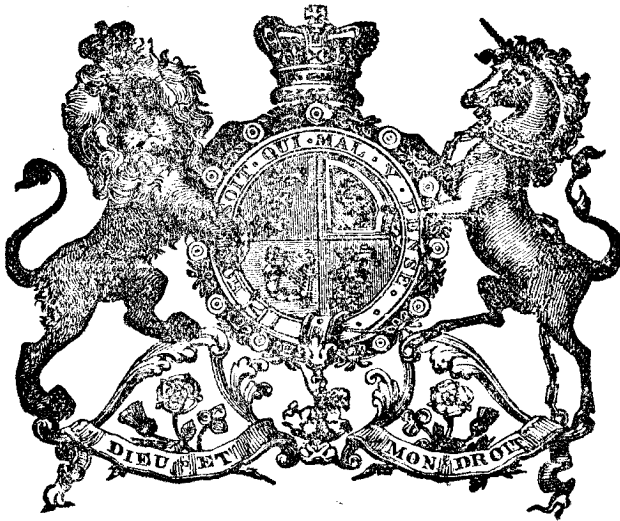
SCHEDULE.

Schedule

The portion of the Road intended to be stopped up commences at the North Western corner of Town Section Number one hundred and is of the length of 275 links by an uniform width of 50 links. The Road intended to be stopped up leads only into suburban section forty three Napier which with the adjoining sections numbers forty-two and forty-four are the property of one individual.

CHARLES LAMBERT,  
Speaker.

# Province of Hawke's Bay.



## GRAMMAR SCHOOL.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XL, No. 8.

### ANALYSIS.

Title	tion No. 90 to Trustees upon trust for a Grammar School
Preamble	2. How to act in case of resignation &c. of Trustees
1. Lawful for Superintendent to convey Suburban Sec-	3. Short Title Schedule

AN ACT to enable the Superintendent to convey a certain Educa-  
tional Reserve as the site for a Grammar School. Title

WHEREAS by an Act of the Superintendent and Provincial Council of  
Hawke's Bay No. 1 of Session No. 10 intituled "An Act to enable the  
Superintendent to manage and administer certain reserves by granting leases  
thereof" it was enacted that it should be lawful for the Superintendent with  
the advice of his Executive Council to demise and lease amongst other lands  
the parcel of land hereinafter described in manner hereinafter provided for.  
AND WHEREAS it is expedient that the said parcel of land should be conveyed  
to trustees as the site for a Public School. 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 fol-  
lows:—

I. It shall be lawful for the Superintendent of the said province with the  
advice of his Executive Council for a nominal consideration to convey and  
Lawful for Superintendent to convey Suburban Section No. 90 to Trustees upon trust for a Grammar School.

assure unto trustees viz. Joseph Rhodes Thomas Kennedy Newton Charles Lambert Alexander Alexander Donald Gollan William Colenso :

All that parcel of land being portion of Suburban Section No. 90 in the Township of Napier as described in the Schedule to this Act annexed. To hold the same upon trust as the site for a Grammar School.

How to act in case of  
resignation &c. of Trust-  
tees

II. On the death or absence from the province for a period of eighteen months bankruptcy or resignation of any such trustee or trustees it shall be lawful for the surviving or remaining trustee or trustees from time to time to appoint some other person or persons so dying being absent from the said province becoming bankrupt or resigning as aforesaid.

Short Title

III. The Short Title of this Act shall be "The Hawke's Bay Grammar School Act.

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SCHEDULE.

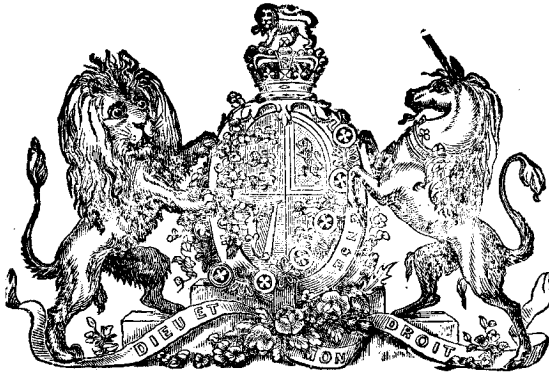
Schedule

All that Parcel of Land consisting of 2 acres 2 roods and 23 perches the same being part of Suburban Section No. 90 Scinde Island now in the occupation of Alexander Kennedy and bounded towards the North by a Public Road measuring 60 links towards the North-east by Suburban Section No. 85 measuring 744 links towards the South and South-west by Clyde Road measuring 375 links and 386 links respectively towards the West by Lot 4 measuring 265 links and towards the North-west by Town Sections No. 439 and 441 measuring 400 links.

CHARLES LAMBERT,  
Speaker.



# Province of Hawke's Bay.



## APPROPRIATION.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XI., No. 9.

### ANALYSIS.

Title.	
Preamble.	the purposes herein specified on warrant of Superintendent.
1. Appropriation of the sum of £35,249 12s. 7d. to defray the charges of the Government of the Province for the year 1866-67. Specification of charges.	3. Superintendent indemnified for the issue of warrants for a certain sum. Schedule of supplementary Estimates No. 1.
2. Power to Treasurer to make such payments for	4. Treasurer to be allowed credit in his accounts for certain sums of money paid under the warrant of the Superintendent. Schedule of supplementary Estimates No. 2.

**AN ACT** to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day of July, 1866, and ending the 30th day of June, 1867. Title.

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :— Preamble.

I. That out of the Revenue of the Province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1866 and ending the 30th day of June 1867 the sum of £35,249 12s. 7d. in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say— Appropriation of the sum of £35,249 12s. 7d. to defray the charges of the Government of the Province for the year 1866-67. Specification of charges.

<i>Ordinary Expenditure—</i>				£	s.	d.
Superintendent's Department	...	...	...	950	0	0
Audit Department	...	...	...	180	0	0
Law Officers' Department	...	...	...	153	0	0
Provincial Council	...	...	...	260	0	0
Supreme and District Courts	...	...	...	150	0	0
Sheriff's Department	...	...	...	1205	0	0
Coroner's Department	...	...	...	10	0	0
Police Department	...	...	...	1978	1	8
Hospital	...	...	...	675	0	0
Education	...	...	...	1035	0	0
Harbour	...	...	...	1133	5	0
Inspectors of Sheep Department	...	...	...	500	0	0
Receiver of Land Revenue	...	...	...	10	0	0
Returning Officer's Department	...	...	...	100	0	0
Meteorological Department	...	...	...	56	0	0
Ferries	...	...	...	100	0	0
Government Offices—Firewood, Coal and Contingencies	...	...	...	50	0	0
Miscellaneous	...	...	...	2249	2	6
Liabilities	...	...	...	5849	2	3
Crown Lands and Treasury	...	...	...	770	0	0
<i>Public Works and Undertakings—</i>						
Survey Department	...	...	...	3107	3	4
Provincial Engineer's Department	...	...	...	750	0	0
Roads, Bridges, &c.	...	...	...	10062	0	0
Public Works and Undertakings	...	...	...	3266	17	10
						34599 12 7
ADDITIONAL ESTIMATES.						
Waitaha Bridge	...	...	...	75	0	0
Grammar School, Grant in aid	...	...	...	100	0	0
Road from Waipawa to Waipukurau	...	...	...	125	0	0
Steamer Huntress, expense of taking away for sale	...	...	...	150	0	0
Council Chamber Furniture	...	...	...	50	0	0
Expenses of Mr. Balfour	...	...	...	100	0	0
Puketapu to Petane	...	...	...	50	0	0
						550 0 0
						£35249 12 7

Power to Treasurer to make such payments for the purposes herein specified on warrant of Superintendent.

II. The Treasurer of the Province shall issue from time to time any sum or sums of money not exceeding in the whole the sums respectively specified and provided as referred to such persons and in such portions as the Superintendent shall by any warrant issued by him from time to time direct. And such Treasurer shall in his accounts be allowed credit for all sums paid in pursuance of such warrants upon the receipt of the persons to whom such sums shall have been made.

Superintendent indemnified for the issue of Warrants for a certain sum. Schedule of Supplementary Estimates No. 1

III. And whereas the actual expenditure of the Civil Government and Public Works and Undertakings has exceeded in some instances the sums authorised by the Appropriation Act for the twelve months from the 1st July 1865 to the 30th June 1866 by the sum of £13,350 15s. 2d. according to the items enumerated in the Schedule hereunto annexed. And whereas the said expenditure was reasonable and necessary therefore the Superintendent is hereby indemnified for the issue of his warrant for the said sum of thirteen thousand three hundred and fifty pounds fifteen shillings and twopence.

#### SCHEDULE REFERRED TO.

#### SUPPLEMENTARY ESTIMATES, No. 1.

	£	s.	d.
Colonial Defence Force, No. 2 account	...	5	19 8
Native Land Purchases	...	8745	8 3
Surveys of Native Land Purchases	...	230	17 3
Harbour Purposes	...	115	5 10
Mohaka Harbour	...	31	6 0
Registrar of Dogs Department	...	4	12 6

	£	s.	d.
Extra advertising Wairoa Lands, &c. ...	433	8	6
Cook-house, Gore Browne Barracks ...	34	8	6
Public Water Closet ... ..	8	0	0
Deputy-Pilot's House ... ..	177	12	6
Maintenance Huntress ... ..	422	2	1
Repairing St. Kilda ... ..	30	13	4
Interest and Sinking Fund Loan Allocation Act ... ..	109	2	3
Penitentiary ... ..	36	6	9
Planting Government Reserve ... ..	9	15	6

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£10399 18 11

Provincial Council Department ...	10	12	6
Sheriff's (Gaol) Department ... ..	222	10	0
Hospital Department ... ..	62	6	1
Education (Schools) Department ...	241	7	9
Receiver of Land Revenue Department	5	17	0
General Printing Department ... ..	169	2	6
Immigration Department ... ..	577	4	6
Miscellaneous Contingencies ... ..	282	17	8
Crown Lands and Treasury ... ..	18	10	10
Fireproof Rooms for Survey Office ...	3	16	0
Fencing Gaol Reserve ... ..	46	17	9
Aviary Imported Birds ... ..	1	10	2
Repairing and Refitting Huntress ...	975	1	9
Te Aute road ... ..	46	13	2
Tareha's Bridge to Puketapu road ...	42	16	9
Town roads ... ..	133	18	10
Omahu to Aorangi road ... ..	13	8	6
Meanee Embankment ... ..	7	11	6
Road Contingencies ... ..	82	12	9
Taipo road ... ..	6	0	6

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£13350 15 2

IV. And also whereas the Treasurer of the Province has issued upon warrants of the Superintendent certain sums of money whereof £3874 6s. 5d. have been expended for the period from the 1st April to the 30th June 1866 upon Public Works and Undertakings as stated in the undermentioned Schedule such Treasurer shall in his accounts be allowed credit for the said sum of three thousand eight hundred and seventy-four pounds six shillings and five pence paid in pursuance of such warrants upon the receipt of the persons to whom such sums have been paid.

Treasurer to be allowed credit in his accounts for certain sums of money paid under the Warrant of the Superintendent.

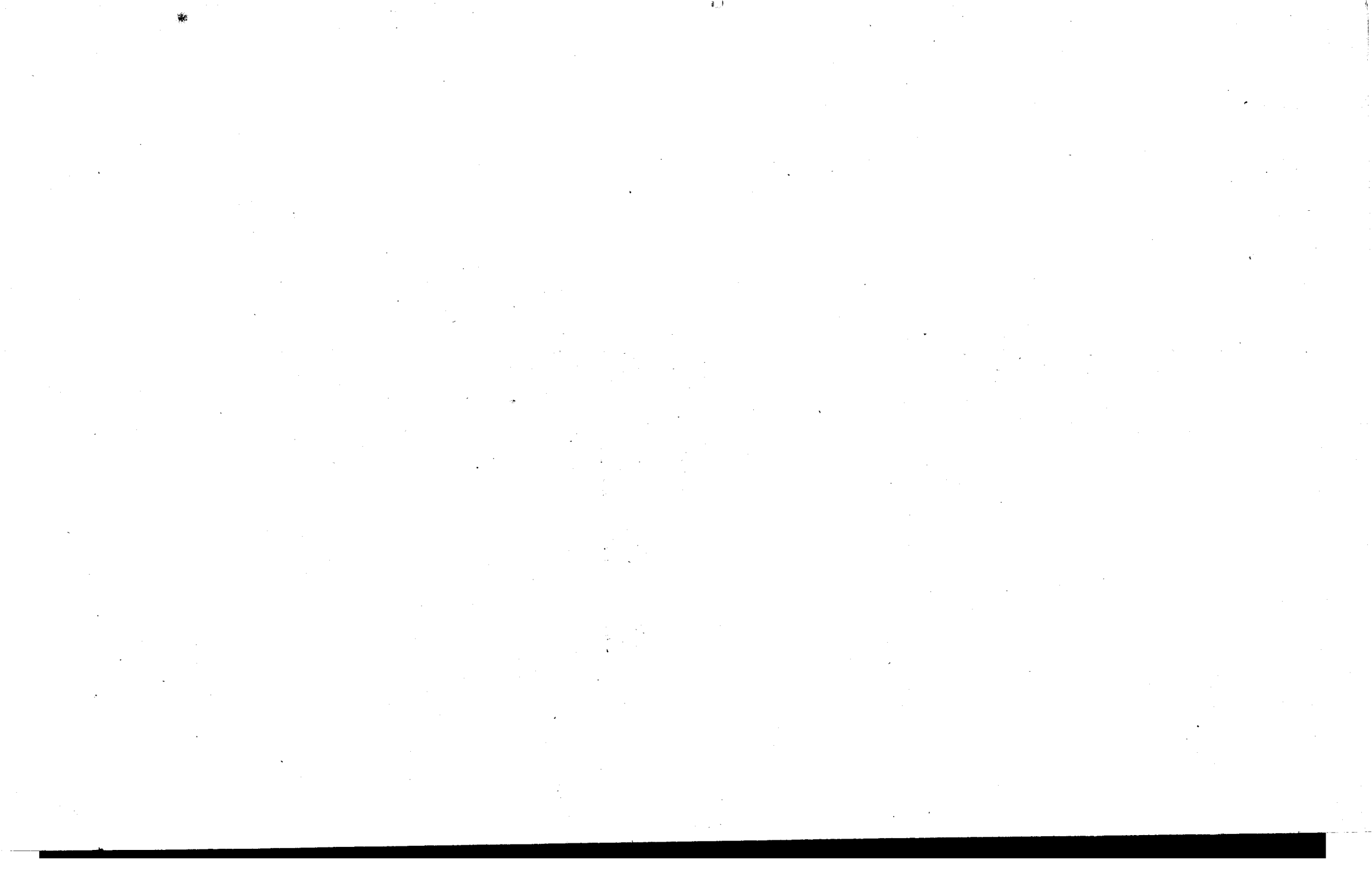
Te Aute road ... ..	372	1	7
Middle road ... ..	102	15	0
Road through 40-mile Bush ... ..	881	6	10
Material &c. for Ngaruroro Bridge ...	68	12	8
Road by Waitangi &c. to Havelock ...	579	11	9
Tareha's Bridge to Puketapu ... ..	140	17	9
Town roads ... ..	140	19	9
Porangahau road ... ..	93	5	4
Waipawa to Ruataniwha ... ..	19	2	0
Omahu to Aorangi ... ..	12	2	2
To and by Hampden to Aorangi ... ..	189	1	5
Kereru road ... ..	191	8	2
Petane road ... ..	195	19	0
Bridle Track to Mohaka ... ..	32	7	0
Wairoa District Roads ... ..	114	4	6
Road Contingencies ... ..	96	3	7
Grant in aid of Roads ... ..	203	9	2
Opening mouth Wairoa River ... ..	39	6	0
Planting Government Reserve ... ..	23	14	3
Repairing and extending Wharf ...	130	14	10
Public Wells ... ..	3	10	0
Surveys ... ..	243	13	8

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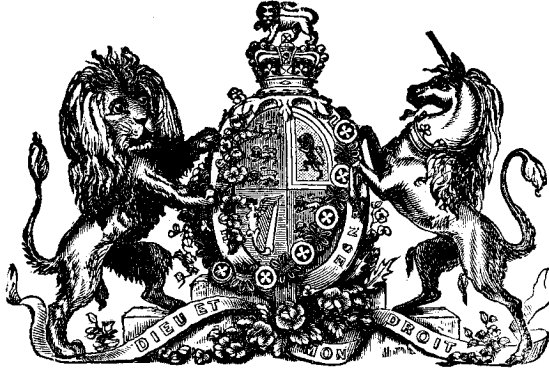
£3874 6 5

CHARLES LAMBERT,

Speaker.



# Province of Hawke's Bay.



## APPROPRIATION.

IN THE THIRTY-FIRST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XII., No. 3.

### ANALYSIS.

- |   |  |
|---|--|
| Title   |  |
| Preamble  |  |
| 1. Appropriation of the sum of £8970 to defray the charges of the Government of the Province for the period from the 1st July, 1867, to the 31st October, 1867. Specification of charges. | 3. Superintendent indemnified for the issue of warrants for a certain sum. Schedule of Supplementary Estimates No. 1   |
| 2. Power to Treasurer to make such payments for the purposes herein specified, on Warrant of Superintendent.  | 4. Treasurer to be allowed credit in his accounts for certain sums of money paid under the warrant of the Superintendent. Schedule of Supplementary Estimates No. 2. |

*An Act to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day of July, 1867, and ending the 31st day of October, 1867.* Title

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof, as follows:— Preamble

I. That out of the Revenue of the Province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of four months commencing on the 1st day of July, 1867, and ending the 31st day of October, 1867, the sum of £8970, in any sums not exceeding the several sums for the several purposes hereinafter particularly specified, that is to say— Appropriation of the sum of £8970 to defray the charges of the Government of the Province for the period from 1st July, 1867, to 31st October, 1867. Specification of charges.

## ORDINARY EXPENDITURE.

	£	s.	d.
Superintendent's Department...	283	6	8
Audit Department ...	60	0	0
Law Offices Department ...	51	0	0
Provincial Council Department ...	203	6	8
Supreme and District Courts...	20	0	0
Sheriff's Department ...	415	0	0
Coroner's Department...	3	6	8
Police Department ...	450	0	0
Hospital Department ...	248	6	8
Education Department ...	500	0	0
Harbour Department ...	288	0	0
Inspectors of Sheep Department ...	156	13	4
Receiver of Land Revenue's Department ...	2	0	0
Returning Officers' Department ...	13	6	8
Meteorological Department ...	18	13	4
Ferries ...	18	6	8
Government Offices ...	16	13	4
Miscellaneous ...	307	13	4
Crown Lands and Treasury ...	250	0	0
	330		

*Public Works and Undertakings—*

Survey Department ...	692	13	4
Provincial Engineer's Department ...	249	6	8
Roads and Bridges ...	4722	6	8
	5664 6 8		
	£8970 0 0		

Power to Treasurer to make such payments for the purpose herein specified on Warrant of Superintendent.

II. The Treasurer of the Province shall issue from time to time any sum or sums of money not exceeding in the whole the sums respectively specified and provided as referred to, such persons and in such portions as the Superintendent shall by any Warrant issued by him from time to time direct; and such Treasurer shall, in his account, be allowed credit for all sums paid in pursuance of such Warrant upon the receipt of the persons to whom such sums shall have been made.

Superintendent indemnified for the issue of Warrants for a certain sum. Schedule of Supplementary Estimates, No. 1.

III. And whereas the actual expenditure of the Provincial Government and Public Works and Undertakings has exceeded in some instances the sums authorised by the Appropriation Act for the twelve months from the 1st of July, 1866, to the 30th of June, 1867, by the sum of £1,724 6s. 10d., according to the items enumerated in the Schedule hereunto annexed. And whereas the said expenditure was reasonable and necessary, therefore the Superintendent is hereby indemnified for the issue of his Warrant for the said sum of £1,724 6s. 10d.

## SCHEDULE REFERRED TO.

## SUPPLEMENTARY ESTIMATES, No. 1

*Unauthorised Expenditure—*

Wellington Provincial Government ...	25	0	0
Maintenance of steamer Huntress ...	8	16	0
Steamer Huntress ...	21	19	6
Boat-shed, Mohaka ...	26	9	4
South Meanee (or Papakura) Roads ...	238	6	0
Boat for Waikari Ferry ...	3	0	0
Lock-up, Meanee ...	95	0	0
	418 10 10		

Brought forward ... .. £418 10 10

*Over Expenditure—*

Planting Government Reserve ... ..	14	5	0
Printing Acts of Hawke's Bay ... ..	9	15	0
Public Fences ... ..	22	11	6
Fencing Police Station, Clive ... ..	1	1	0
Middle Road ... ..	116	11	7
Kereru Koad ... ..	39	19	7
Road through 40-mile Bush ... ..	425	7	9
Taupo Road ... ..	24	2	0
Grants in aid of Roads ... ..	133	0	0
Road Contingencies ... ..	47	16	1
Mohaka Bridle Track ... ..	77	19	2
Clive Road ... ..	74	11	3
Miscellaneous Contingencies ... ..	136	13	10
Opening mouth of Wairoa River ... ..	35	8	10
Hospital Department ... ..	138	14	11
Registration of Dogs Contingencies... ..	1	18	3
Penitentiary ... ..	6	0	3
	<hr/>		
	1305	16	0
	<hr/>		
	£1724	6	10

IV. And also whereas certain services, as well as Public Works and Undertakings, have been performed on account of the Provincial Government, as stated in the undermentioned Schedule under the respective heads of Ordinary, Miscellaneous, Public Works and Undertakings, up to the 30th June, 1867, amounting to £6886 10s. 3d., the Treasurer of the Province is hereby authorised to issue upon the Warrant of the Superintendent the said sum of six thousand eight hundred and eighty-six pounds, ten shillings and three pence.

Treasurer to be allowed credit in his accounts for certain sums of money paid under the Warrant of the Superintendent. Schedule of Supplementary Estimates, No. 2.

SCHEDULE REFERRED TO No. 2.

*Ordinary—*

	£	s.	d.
Superintendent's Department... ..	83	14	9
Audit Department ... ..	12	10	0
Provincial Solicitor's Department ... ..	12	10	0
Provincial Council ... ..	27	6	10
Gaol ... ..	246	15	0
Coroner's Department... ..	0	3	0
Police Department ... ..	168	16	9
Hospital Department ... ..	73	3	0
Charitable Aid ... ..	200	8	3
Schools ... ..	362	1	11
Harbour Department ... ..	79	14	2
Inspectors of Sheep Department ... ..	128	13	11
Receiver of Land Revenue's Department ... ..	1	5	6
Returning Officers' Department ... ..	18	11	9
Meteorological Department ... ..	4	3	4
Ferries ... ..	40	0	0
Government Offices ... ..	5	7	0
	<hr/>		
Total Ordinary ... ..	1465	5	2

*Miscellaneous—*

General Printing ... ..	15	17	0
General Advertising ... ..	240	12	8
Immigration, assisted... ..	2516	0	0
Immigration Contingencies ... ..	267	7	2
Expenses of Native Visitors ... ..	18	0	6
Miscellaneous Contingencies... ..	278	13	4
	<hr/>		
	3336	10	8
Crown Lands and Treasury ... ..	62	18	1
Total Crown Lands ... ..	<hr/>		
	62	18	1
Brought forward ... ..	£4864	13	17

Brought forward ... .. £4864 13 11

*Public Works and Undertakings—*

Provincial Engineer's Department ... ..	58 6 8
Survey ... ..	133 12 11
Repairing and Maintenance of Public Buildings ... ..	8 7 6
Public Fences ... ..	27 0 11
Harbour Purposes ... ..	83 17 4
Steamer Huntress ... ..	71 14 1
Mohaka Harbour ... ..	4 0 0
Leasing Land from Natives ... ..	649 16 5
Opening mouth of Wairoa River ... ..	32 15 6
Town Post Office ... ..	18 15 2
	<hr/>
	1088 6 6

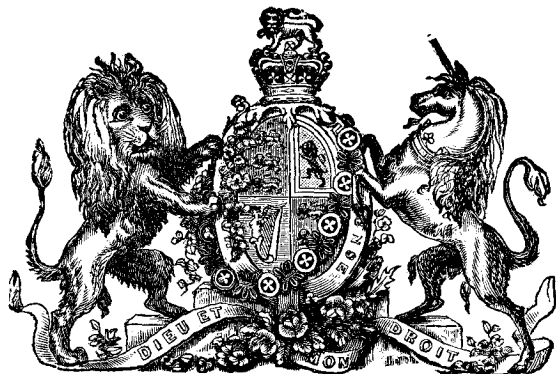
*Roads and Bridges—*

Te Aute ... ..	120 0 0
Middle ... ..	56 0 0
Town ... ..	10 0 0
Havelock ... ..	160 0 0
Porangahau ... ..	70 0 0
Puketapu to Petane ... ..	55 0 0
Mohaka ... ..	20 0 0
Tareha's Bridge to Puketapu ... ..	70 0 0
Wairoa District ... ..	75 0 0
Ngaruroro Bridge ... ..	57 2 4
Arlington to Mangupoaka ... ..	15 0 0
Hampden ... ..	60 0 0
Grants in aid ... ..	10 0 0
Road Contingencies ... ..	55 17 6
Line of Road through 40-mile Bush (cutting) ... ..	79 10 0
Petane ... ..	20 0 0
	<hr/>
	933 9 10

£6886 10 3



# Province of Hawke's Bay.



## HAWKE'S BAY CEMETERIES MANAGEMENT ACT.

IN THE THIRTY-FIRST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XII., No. 4.

### ANALYSIS.

- |  |   |
|--|---|
| <p>Title.<br/>Preamble.</p> <ol style="list-style-type: none"><li>1. Lands reserved for public Cemeteries to continue to be vested in Superintendent.</li><li>2. Managers of Cemeteries to be appointed.</li><li>3. Money to be appropriated and lent or paid for the establishment and management of Cemeteries.</li><li>4. Powers of Managers to enclose lay out and ornament Cemeteries and maintain them in good condition.</li><li>5. Managers to make rules and regulations.</li><li>6. Managers not to interfere with any religious ceremonies at burials.</li><li>7. Private graves, vaults, monuments, and tombstones to be made or permitted on payment of fees. A register of private graves to be kept.</li><li>8. The fees are to be approved by the Superintendent, and published in <i>Gazette</i>. Proviso as to poor persons.</li></ol> | <ol style="list-style-type: none"><li>9. Private or family burial places.</li><li>10. Monuments, &amp;c., erected without permission may be removed.</li><li>11. Managers may set apart portions of reserves for different religious denominations and may allow Mortuary Chapels to be built.</li><li>12. Meetings of managers.</li><li>13. Managers may appoint gravediggers and servants.</li><li>14. Accounts to be kept and verified copies yearly rendered to Superintendent.</li><li>15. Penalty and compensation for injuries done to monuments, &amp;c., in Cemeteries. Penalty for indecent conduct in Cemeteries.</li><li>16. Proceedings to be in a summary way.</li><li>17. Short title.</li></ol> |
|--|---|

AN ACT for the Establishment and Manage-<sup>Title</sup>  
ment of Public Cemeteries in the Province  
of Hawke's Bay on certain lands appro-  
priated to the use of the public for the  
interment of the dead.

WHEREAS it is expedient to make provision for the management of Preamble  
Public Cemeteries,—

BE IT THEREFORE ENACTED by the Superintendent of the Province of  
Hawke's Bay by and with the advice and consent of the Provincial Council  
thereof, as follows :—

Lands reserved for Public Cemeteries to continue to be vested in Superintendent

I. All lands reserved or that may hereafter be reserved and set apart as Public Cemeteries shall be vested in the Superintendent of the said Province in trust for the public interment of the dead after a Crown Grant or Crown Grants of the same have been obtained by the Superintendent and shall not vest in the Managers hereby authorised to be appointed anything herein to the contrary notwithstanding.

Managers of Cemeteries to be appointed

II. It shall be lawful for the Superintendent with the advice of the Executive Council from time to time to appoint so many persons as he may think fit to be Managers of any reserve set aside for the purposes of a Public Cemetery as aforesaid and to remove from the said management any person so appointed as and when it shall be deemed proper and upon the death resignation or removal of any Manager to appoint another in his stead and every such appointment and removal shall be published in the *Provincial Government Gazette*.

Money to be appropriated and lent or paid for the establishment and management of Cemeteries

III. It shall be lawful for the Superintendent with the advice of the Executive Council out of any part of the public Revenues of the Province appropriated or to be appropriated by an Ordinance of the Provincial Council for the establishment of Cemeteries to direct such sums of money as he shall think fit to be paid to any Managers to be appointed as aforesaid and to their successors in trust for the establishment and management of such Cemeteries and every such sum shall in the discretion of the Superintendent and Executive Council be either lent to such Managers to be repaid out of the fees as hereinafter mentioned or where from the situation of the Cemetery or any other circumstance it shall seem improbable that such fees will be sufficient to defray any such loan such sum shall in such discretion as aforesaid be paid to such Managers in trust for the establishment and management of the Cemetery: Provided that in case of any sum being so lent as aforesaid it shall be lawful for the Superintendent with the advice aforesaid to require such security over the fees hereinafter mentioned as may be expedient, but no such security shall involve any of the said Managers in any personal liability.

Power of Managers to enclose lay out and ornament Cemeteries and maintain them in good condition

IV. The Managers of any such Reserve and Cemetery shall have power to enclose the whole or any part of the land reserved or set apart for such purposes as aforesaid with proper and sufficient walls rails fences or palisades and to erect suitable gates and entrances and to lay out and ornament such Cemetery in such manner as may be most convenient and suitable for the burial of the dead and to embellish the same in such manner as may to them seem fitting and proper and to preserve maintain and keep in a cleanly and orderly state and condition and cause to be so maintained and kept the whole of any such Cemetery and its walls fences and all monuments tomb-stones enclosures buildings and erections therein and belonging thereto and shall lay out and expend subject to the directions of the Superintendent with the advice aforesaid the monies in their hands from time to time to be received by them under this Ordinance in and about the matters aforesaid and in the burial of poor persons.

Managers to make rules and regulations

V. The Managers of any such Cemetery shall have power and authority to make such rules and regulations and to do and perform all such acts matters and things as may be necessary and proper for any of the purposes aforesaid for directing the positions of all graves vaults monuments and tomb-stones to be made erected and placed in the said Cemetery the depths of graves the construction of coffins to be admitted into vaults and the covering of vaults so as to prevent the escape of any noxious exhalation or evaporation in the said Cemetery and for protecting the buildings monuments plantations and enclosures therein and thereof from destruction or damage and for prosecuting all persons who shall or may at any time do or cause to be done any damage to any such buildings monuments tomb-stones plantations or enclosures: Provided that no such rule or regulation shall be in force until the same has been submitted to the Superintendent and Executive Council and published in the *Provincial Government Gazette*.

Managers not to interfere with any religious ceremony at burials

VI. The said Managers shall not by any rule or regulation or any act matter or thing at any time interfere directly or indirectly with the performance of any religious ceremony in the burial of the dead according to the usage of the communion to which the deceased may have belonged or with the distribution of the said reserved lands made or intended to be made to and

amongst separate and distinct religious denominations and communions : And it shall be lawful for any Minister of any denomination for which any portion of such Cemeteries shall be specially set apart to have free access and admission to such portion of the said Cemeteries at all times as they respectively shall think fit and freely to exercise their spiritual functions therein without any hindrance or disturbance from the Managers of any such Cemetery or any person whatever.

VII. It shall be lawful for the Managers of any such Cemetery to permit any grave or vault to be dug and made in such Cemetery and any monument or tomb-stone to be erected or placed in any parts of such Cemetery as they may think proper upon payment to them by the person desiring to dig and make such grave or vault and to erect or place such monument or tomb-stone of such fees as shall from time to time be established by the said Managers and any person so digging making erecting or placing such grave vault monument or tomb-stone by and with such permission and upon payment of the fees as aforesaid shall be entitled to have such grave vault monument or tomb-stone reserved maintained and kept up according to the terms of such permission to and for the sole and separate use of such person and his representatives for ever : Provided that a plan of every monument proposed to be erected and placed shall be exhibited to the said Managers before such permission is given and that the said Managers shall be at liberty to withhold such permission and to prevent the erection of any monument or tomb-stone which shall appear to them to be inappropriate or unbecoming and shall determine and fix the position of any monument or tomb-stone which may be proposed to be erected or placed according to the description size and character thereof having reference to the general plan for ornamenting the said Cemetery in an appropriate manner. A Register of such permissions and of the terms and conditions thereof shall be kept by the Managers and within fourteen days after any such permission has been given an entry of the date thereof and of the parties thereto and a proper description of the ground set apart for such grave or vault so as the situation thereof may be ascertained shall be made in the said Register by the Managers or their clerk for making which entry a fee not exceeding two shillings and sixpence may be charged to the person receiving such permission and the said Register may be perused by any person at all reasonable times upon payment to the Managers of a fee of one shilling.

Graves vaults monuments and tomb-stones to be made or permitted on payment of fees

VIII. The fees to be established by the Managers of any such Cemetery and paid by the person desiring to dig and make any grave or vault or to erect or place any tomb-stone or monument in the said Cemetery as aforesaid shall be according to a scale of all such fees to be made by the said Managers with the consent of the Superintendent and Executive Council and published in the *Provincial Government Gazette* : Provided that nothing herein contained shall be deemed to prevent the said Managers from allowing the burial of any poor person in such Cemetery free from any charge whatsoever.

The fees to be approved by the Superintendent and published in the *Gazette*. Proviso as to poor persons

IX. Before any corpse shall be permitted to be interred in any vault brick-grave or in any place of burial the exclusive right of burial or interment where-in shall have been granted by the said Managers as a family or private burial-place it shall be lawful for the said Managers or any officer employed by them to require and they or he shall be entitled to have produced to them or him satisfactory evidence that the person for the time entitled as owner to the exclusive right of burial or interment in such vault brick-grave or other burial place has consented or would not object to such interment taking place therein.

Private or family burial places

X. It shall be lawful for the said Managers to take down and remove any tomb-stones monuments or other erections which shall have been placed erected or built contrary to the terms and conditions upon which permission to place erect or construct the same was granted or in case such terms and conditions as well as the regulations of the said Cemetery shall not have been complied with.

Monuments &c. erected without permission may be removed

XI. It shall be lawful for the Managers of any such Reserve on the application of members of any religious denomination to set apart a portion of the said Reserve for the burial of the dead according to the rites of such denomination : Provided that a portion of not less than one-sixth of the whole extent

Managers may set apart portions of Reserves for different religious bodies Managers may allow Mortuary Chapels to be built

shall always remain open as a common burial ground and the Managers shall permit such portion so set aside to be consecrated according to the rites of the particular denomination and the part which is so consecrated shall be used only for burials according to the rites of the particular denomination: And the Managers shall define by suitable marks the portions so set aside or consecrated: Provided that if the Managers shall be of opinion that the members of the religious denomination residing in the Town or District for the use of which Town or District the Cemetery is set apart are inconsiderable in number it shall be lawful for the Managers to refuse the application and the members so applying as aforesaid may thereupon appeal to the Superintendent against the decision of the Managers and the Superintendent with the advice of his Executive Council shall consider the appeal and make such order thereupon as shall seem to meet the justice of the case: And the Managers of any such Cemetery may allow the members of any religious denomination at their own expense to erect and build within such part of the said Cemetery as shall be specially set apart for that denomination a suitable Mortuary Chapel for the performance of the rites and ceremonies in the burial of the dead according to the usage of such denomination: Provided that the plans specifications elevations and models thereof with lodges and other buildings and conveniences thereto shall be first submitted for the approval of the said Managers and shall be approved by them.

Meetings of Managers

XII. All meetings of the Managers of any such Cemetery shall be convened according to the rules to be adopted by them for such purpose and all questions matters and things which shall be discussed or considered at any such meeting shall be decided and determined by the majority in number of the Managers then present: Provided that the said Managers being three or more in number shall not be competent to proceed to business unless there be at least three of them present and all such Managers shall have power to make such rules and regulations as may be necessary for their own guidance and management.

Managers may appoint gravediggers and servants

XIII. The Managers may appoint grave-diggers and other servants necessary for the care and use of the Cemetery and may pay them such wages and allowance as they think fit out of the fees and other monies received by the Managers under this Ordinance and may remove them or any of them at their pleasure.

Accounts to be kept and verified copies yearly rendered to Superintendent

XIV. The Managers of every such Cemetery shall on or before the 20th day of January in every year forward to the Superintendent a full and particular account of all monies received and expended by them such accounts to be made up in the first year from the date of their appointment to the 31st day of December of such first year and from the 1st day of January to the 31st day of December in each subsequent year and the said Managers shall along with such accounts forward to the Superintendent a statement of the condition of each such Cemetery and suggestions as to any repairs or alterations that may be necessary.

Penalty and compensation for injuries done to monuments &c. in Cemeteries

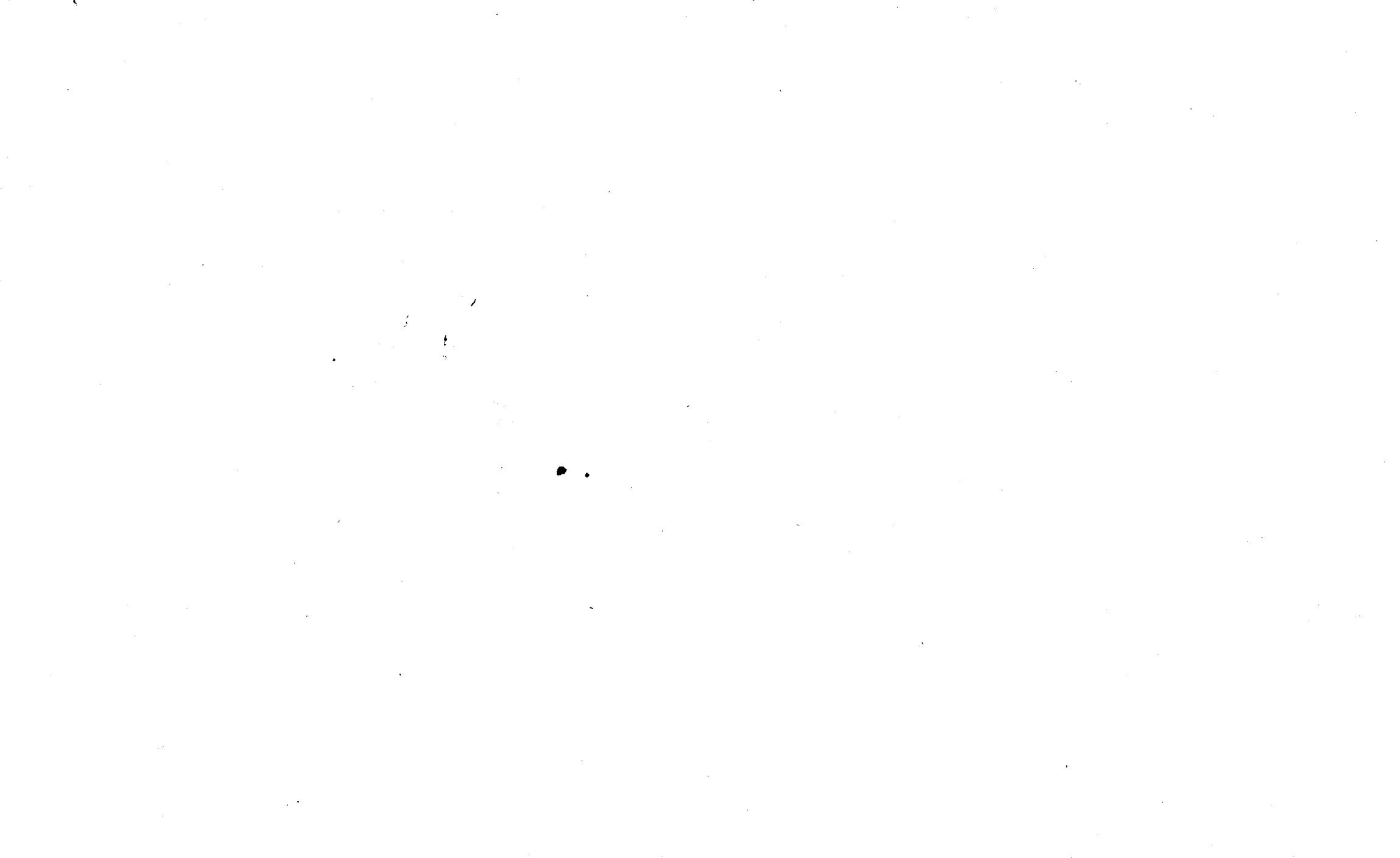
XV. If any person shall wantonly or wilfully destroy or do or cause to be done any damage to any monument vault tomb-stone building erection railing fence tree plant or thing in any Cemetery established on any land so reserved as aforesaid or put up any bill thereon on any wall thereof he shall upon complaint made by the said Managers or by any officer or servant employed by them in the said Cemetery or by any person to whom the vault or other burial place may belong and upon conviction before any Resident Magistrate or two or more Justices of the Peace be liable for every such offence to a penalty not exceeding twenty pounds and any person who shall do or cause to be done any injury to any such monument vault tomb-stone building erection railing tree plant or thing whether the same shall have been done wantonly or wilfully or otherwise howsoever shall be liable to pay a reasonable sum of money by way of damages and compensation therefor which said sum of money shall be recoverable in any Court of competent jurisdiction by the Managers of any such Cemetery or any person injured by such damage and every person who shall play at any game or sport or discharge fire-arms save at a military or naval funeral in the Cemetery or shall wilfully and unlawfully disturb any persons assembled in the Cemetery for the purpose

of burying any dead body therein, or who shall commit any nuisance within the Cemetery shall forfeit and pay for every such offence a sum not exceeding five pounds.

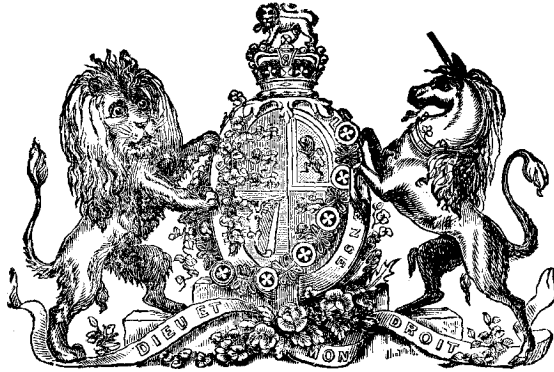
XVI. All proceedings under this Ordinance shall be had and taken and all fines and penalties shall be recovered in a summary way in the manner directed by the "Justices of the Peace Act 1858" and the Act of the Imperial Legislature intituled the "Summary Convictions Act 1848." Proceedings to be in a summary way

XVII. Short title, Hawke's Bay Cemetery Act, 1867.

Short Title



# Province of Hawke's Bay.



## SLAUGHTER HOUSE ACT.

IN THE THIRTY-FIRST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XII., No. 5.

### ANALYSIS.

- |   |  |
|---|--|
| Title.  |  |
| Preamble.   |  |
| 1. Unlawful for any person to slaughter Cattle within the district comprised in Schedule 1, except at the Public Slaughter House. Penalty for so doing. | 5. Regulations in regard of hides &c.  |
| 2. Time at which Slaughter License already granted to cease.  | 6. Lawful for Inspector to license persons to slaughter Cattle at place described in such license. |
| 3. Lawful for Superintendent to erect Slaughter House &c. and to collect fees.  | 7. Persons using yard to assist in cleaning the same. Penalty for non-compliance.                  |
| 4. Slaughter House &c. under control of Inspector,  | 8. Act to be part of Slaughter House Ordinance, Session 8 No. 5.                                   |
|   | Schedule 1.  |
|   | Schedule 2.  |

### AN ACT *to alter and extend the provisions of the Slaughter House Ordinance, Session VIII. No. 5.* Title.

**W**HEREAS by an Ordinance made by the Lieutenant-Governor of New Zealand with the advice and consent of the Legislative Council thereof intituled "The Slaughter House Ordinance" Session VIII. No. 5 various provisions are enacted for the purpose of regulating the slaughtering of Cattle in certain places: And whereas it is expedient that the said provisions should be altered and extended in manner hereinafter provided: Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows:—

I. After the 1st day of January in the year of our Lord 1868 it shall not be lawful for any person to slaughter any Cattle within the District comprised in the first Schedule to this Act annexed excepting at the Public Slaughter House to be erected as hereinafter provided for. And any person who shall slaughter Cattle contrary to the provisions of this clause unless such person shall have previously obtained the license in writing from the Inspector as provided for by clause No. VI. shall forfeit and pay the sum of £5 for every head of Cattle so slaughtered.

Unlawful for any person to slaughter Cattle within the district comprised in Schedule 1, except at the Public Slaughter House. Penalty for so doing.

II. Every license granted by Justices of the Peace authorising the slaughtering of Cattle within the District described in the said Schedule shall be void after the said 1st day of January 1868.

Time at which Slaughter License already granted to cease.

Lawful for Superintendent to erect Slaughter House &c. and to collect fees.

III. It shall be lawful for the Superintendent by and with the advice of his Executive Council to erect and build upon land to be reserved for the purpose a Slaughter House and Yard for the use of all persons requiring the same and to collect and recover for such accommodation the fees enumerated in the second Schedule to this Act.

Slaughter House &c. under control of Inspector, who shall collect fees and render quarterly report.

IV. The said Public Slaughter House and Yard shall be under the control of the Inspector appointed by virtue of the Slaughter Ordinance before referred to who shall once in every three months report to the Superintendent as to the state and condition of the said Slaughter House and Yard and who shall collect the fees made payable under the second Schedule attached to this Act.

Regulations in regard of hides &c.

V. Every person slaughtering Cattle at the said Public Slaughter House shall keep and preserve the skins and hides in and upon the said Slaughter House for a period of three days unless he shall obtain an authority in writing from the said Inspector to remove the said skins and hides before the time last mentioned.

Lawful for Inspector to license persons to slaughter Cattle at place described in such License.

VI. It shall be lawful for the Inspector by license or writing under his hand to permit persons to slaughter Cattle at such places as shall be named in such license.

Persons using yard to assist in cleaning the same. Penalty for non-compliance.

VII. It shall be lawful for the said Inspector to direct any person using the said Public Slaughter House and Yard to cleanse or assist in cleansing the same and to remove or assist in removing all offal therefrom and any persons who shall refuse or neglect to comply with such directions within a reasonable time shall upon conviction forfeit or pay for every such offence any sum not exceeding £5.

Act to be part of Slaughter House Ordinance, Session 8 No. 5

VIII. This Act shall be interpreted as and be considered part of the said Slaughter House Ordinance Session VIII. No. 5.

#### Schedule 1.

#### SCHEDULE I.

All that District, being portion of the Province of Hawke's Bay, commencing at the mouth of Ahuriri Harbour, and following the sea coast in an Easterly and Southerly direction to the mouth of the Tukituki; up the Tukituki to a point due East from Te Mata; along the Te Mata ridge to the South-eastern point of the Havelock suburban land; from thence following the Southern boundary of the said suburban land to Louisa Creek; from Louisa Creek in a straight line to the Tutaekuri at Pawhakaairo; up the Tutaekuri to Puketapu, following the Puketapu road to the South-eastern point of Wharerangi reserve; thence to the South-west point of the said reserve; and from that point to the Western boundary of the suburban land at Wairoa-iti; follow that line to the river Esk, or Waiohinganga; then down that river to the sea, and along the sea coast to the mouth of the Harbour.

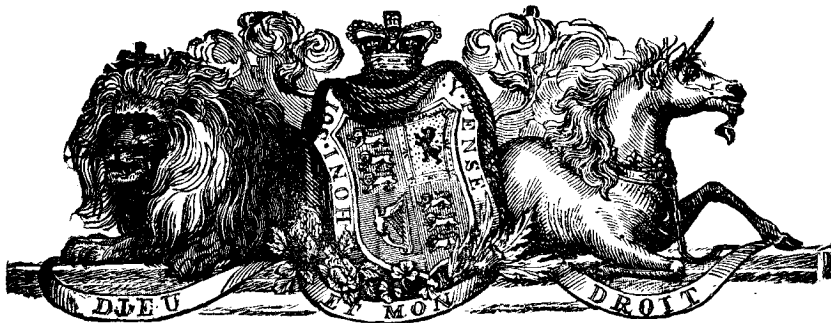
#### Schedule 2.

#### SCHEDULE II.

	s.	d.
For every Bull, Cow, Heifer, or Steer ... ..	3	0
For every Calf or Pig ... ..	0	6
For every Sheep, Lamb, or Goat ... ..	0	3



## Province of Hawke's Bay.



# APPROPRIATION ACT.

IN THE THIRTY-FIRST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XII., No. 6.

### ANALYSIS.

- |   |  |
|---|--|
| <p>Title.<br/>Preamble.<br/>1. Appropriation of the sum of £24,298 15s., to defray the charges of the Government of the Province, for the period from the 1st November, 1867, to 30th June, 1868. Specification of charges.</p> | <p>2. Sums appropriated to be issued and paid in accordance with the provisions of the "Provincial Audit Act, 1866."<br/>3. Treasurer to be allowed credit in his accounts for certain sums of money paid under warrant of the Superintendent.</p> |
|---|--|

*AN ACT to appropriate the Revenue of the Province of Hawke's Bay, for the period commencing from 1st day of November, 1867, and ending 30th June, 1868.* Title.

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:— Preamble.

I. That out of the Revenue of the Province there may be issued and applied for defraying the charge of the Government of Hawke's Bay for the term of eight months commencing on the 1st day of November 1867 and ending 30th day of June 1868 the sum of Twenty-four thousand two hundred and Appropriation of the sum of £24,298 15s to defray the charges of the Government of the Province for the period from 1st November 1867

to 30th June 1868. Specification of charges ninety-eight pounds and fifteen shillings in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say—

## ORDINARY EXPENDITURE—

	£	s	d
Superintendent's Department ... ..	566	13	4
Audit Department ... ..	120	0	0
Law Officer's Department ... ..	102	0	0
Provincial Council Department ... ..	506	13	4
Supreme and District Courts ... ..	40	0	0
Sheriff's Department ... ..	756	13	4
Coroner's Department ... ..	6	13	4
Police Department ... ..	974	13	4
Hospital Department ... ..	496	13	4
Harbour Department ... ..	576	0	0
Inspectors of Sheep Department... ..	323	6	8
Receiver of Land Revenue Department ... ..	4	0	0
Returning Officer's Department ... ..	26	13	4
Meteorological Department ... ..	4	0	0
Ferries ... ..	41	13	4
Government Offices ... ..	33	6	8
Miscellaneous ... ..	1475	0	0
Permanent Charges ... ..	6590	6	8
Crown Lands and Treasury ... ..	366	13	4
Education ... ..	1000	0	0
Survey Department ... ..	1218	13	4
Provincial Engineer's Department ... ..	498	13	4

## PUBLIC WORKS AND UNDERTAKINGS—

Public Works, &c., &c. ... ..	1546	8	4
Roads and Bridges ... ..	5660	0	0
	—————		22934 15 0

## SUPPLEMENTARY ESTIMATES—

Rent for Land leased at Hikutoto ... ..	209	0	0
Bonus to Ferryman at Wairoa ... ..	15	0	0
Printing Electoral Rolls... ..	10	0	0
Expenses connected with Weights and Measures of			
Province ... ..	30	0	0
Reward for a Payable Gold-Field ... ..	1000	0	0
Gratuity to Mr. H. E. Webb ... ..	100	0	0
	—————		1364 0 0
			24298 15 0

Sums appropriated to be issued and paid in accordance with the "Provincial Audit Act 1866."

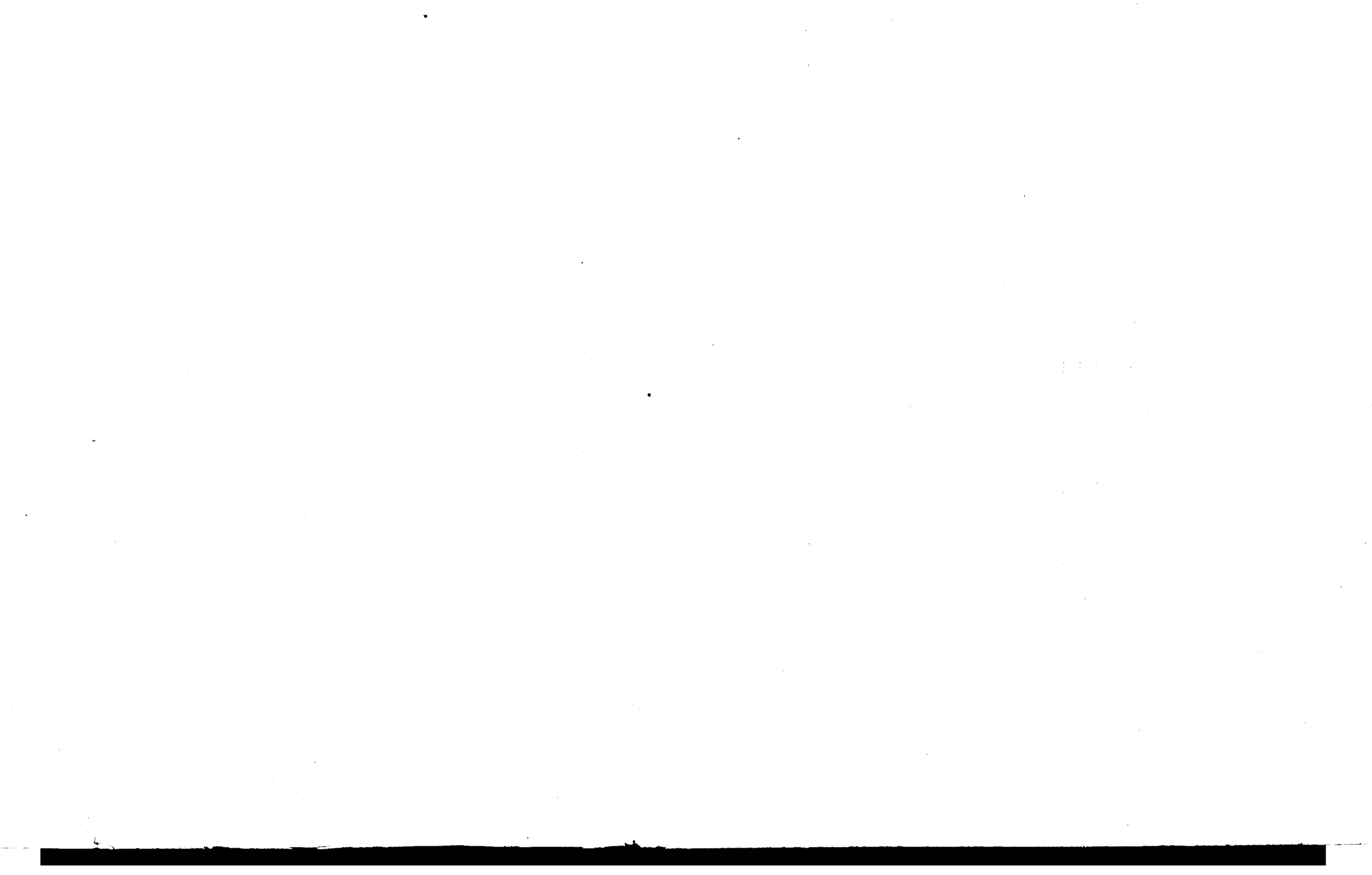
II. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by the "Provincial Audit Act 1866."

Treasurer to be allowed credit in his account for certain sums of money paid under warrant of the Superintendent

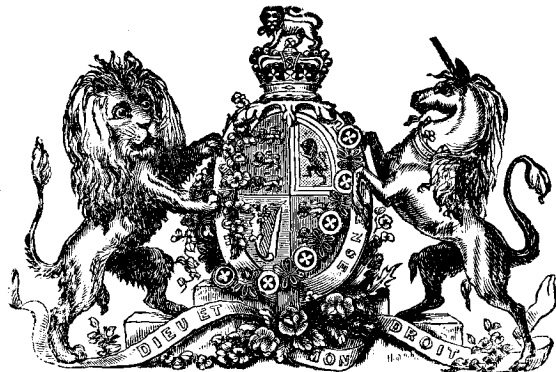
III. And whereas the Treasurer of the Province has issued upon the Warrants of the Superintendent certified in the manner directed by the "Provincial Audit Act 1866" certain sums of money whereof £266 19s. 11d. has been expended during the financial year 1866-67 upon Public Works and Undertakings as stated in the undermentioned Schedule such Treasurer shall in his accounts be allowed credit for the said sum of Two hundred and sixty-six pounds nineteen shillings and eleven pence.

## SCHEDULE.

Te Aute Road	...	...	...	...	...	£ 24 8 6
Ngaruroro Bridge to Havelock	...	...	...	...	...	54 19 0
Surveys	...	...	...	...	...	150 5 0
Harbour Purposes	...	...	...	...	...	30 13 11
Wairoa District Roads	...	...	...	...	...	2 8 2
Town Roads	...	...	...	...	...	4 5 4
						<hr/> £266 19 11



# Province of Hawke's Bay.



## TOLL-GATE ACT, 1867.

IN THE THIRTY-FIRST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XII., No. 7.

### ANALYSIS.

<p>Title. Preamble.</p> <p>1. Superintendent authorised to erect a Toll Bar within a certain district, to appoint and remove keepers, and issue regulations for same. Tolls to be at rates set forth in Schedule.</p> <p>2 &amp; 3. Persons exempted from Toll.</p> <p>4. Duty of tollkeeper, and directions as regards the issue of tickets.</p> <p>5. Time within which ticket available.</p> <p>6. Superintendent may lease Toll-gate. Proviso.</p> <p>7. Collector to give security.</p> <p>8. Lawful for Superintendent to erect a Weigh-</p>	<p>bridge in conjunction with Toll-gate. Regulations in regard of same.</p> <p>9. Scale of charges in regard to vehicles weighing over two tons.</p> <p>10. Superintendent may compound for payment of tolls. Period and rate of such compounding.</p> <p>11. In certain cases collector subject to penalty.</p> <p>12. Penalty for evading Toll.</p> <p>13. Provincial Treasurer to keep Toll Account. Application of money collected.</p> <p>14. Interpretation of word "Superintendent."</p> <p>15. Short title.</p> <p>Schedule.</p>
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*AN ACT to empower the Superintendent to* Title  
*erect a Toll-gate.*

**W**HEREAS it is necessary to provide means for keeping in repair certain Preamble  
roads through the Province :

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows :—

I. The Superintendent with the advice of the Executive Council is hereby authorised to erect a Toll Bar and other works necessary thereto at a convenient place between the Southern Boundary of the Town of Napier and Tareha's Bridge and from time to time to appoint and remove keepers for the same and issue regulations for their guidance and to fix by proclamation in the *Hawke's Bay Government Gazette* the day on and after which Tolls shall be levied at such Toll-bar and such Tolls shall be at the rates set forth in the schedule to this Act attached.

Superintendent authorised to erect a Toll bar within a certain district, to appoint and remove keepers, and issue regulations for same. Tolls to be at rates set forth in schedule.

- Persons exempted from toll      II. No Toll shall be taken for any horse or carriage belonging to or under hire to any officer of the General or Provincial Government when travelling on the public service nor for any animal or vehicle employed in the conveyance of her Majesty's mails nor in respect of animals or vehicles used by policemen on duty for the conveyance of themselves and prisoners in their charge.
- Persons exempted from toll      III. All officers and soldiers of the Queen's service and of the Militia and Volunteer forces of the colony being on duty and their horses and all carriages and horses belonging to her Majesty or employed in her service shall be exempt from the payment of any Tolls made payable by this Act.
- Duty of tollkeeper, and directions as regards the issue of tickets      IV. The Keeper or Collector shall put up and continue at the Toll-gate a table to be printed or painted in distinct black colors and figures with a white ground of all Tolls there payable and shall renew such table whenever any letters or figures thereof shall be defaced and the said collector shall also provide tickets denoting the payment of Toll and on such tickets shall be specified the date on which the same ticket shall be delivered one of which tickets shall be delivered gratis to the person paying Toll and on production of such ticket at such Toll-gate the person to whom the same was delivered on producing the same shall during the day of the date of such ticket pass through the said gate without paying any further or additional Toll.
- Time within which ticket available.      V. The driver of any dray cart vehicle horse or cattle who shall have paid Toll at the Toll-gate authorised by this Act and who shall produce a ticket as provided by Clause IV. shall not be liable to pay any further toll in respect of the same dray cart vehicle horse or cattle within the same day on which such Toll was originally paid.
- Superintendent may lease Toll-gate. Proviso      VI. The Superintendent may at any time lease the tolls by public auction or tender for any period not exceeding one year at one time, subject to such conditions and regulations as he may think fit: Provided they are not repugnant to the provisions of this Act and the person to whom such Tolls may be leased shall be deemed to be a Collector appointed by virtue of this Act except as hereinafter provided.
- Collector to give security      VII. The Collector shall give to the Provincial Treasurer security for duly accounting for and paying over the money received by him.
- Lawful for Superintendent to erect a weigh-bridge in conjunction with Toll-gate. Regulations in regard of same      VIII. It shall be lawful for the Superintendent to order and cause to be built fixed and erected at the said toll-gates or at such distance therefrom as he shall think expedient a Weighbridge with a suitable house or other buildings thereto proper for the weighing of waggons or carriages conveying any goods or merchandize whatsoever and by notice on a board for that purpose to be put up at every such Weighing Machine to order and direct all and every such waggons or carriages demanding to pass through such Toll-gate shall at the request of the keeper or collector be weighed together with the loading thereof.
- Scale of charges in regard to vehicles weighing over two tons      IX. All wagons and other vehicles which with their loadings shall be ascertained to weigh more than two tons shall pay double the rates of tolls enumerated in the said Schedule and more than three-and-a-half tons treble the amount.
- Superintendent may compound for payment of tolls. Period and rate of such compounding.      X. The Superintendent may on application compound with any person or persons for any term not exceeding one year nor less than six months at any one time for the Tolls payable in respect of one horse and one cart or other vehicle drawn by one horse passing through the said Toll-gate for the said periods of one year or six months as the case may be for the sums hereinafter mentioned that is to say for one year ten pounds and for six months five pounds: Provided always that such horse and cart or other vehicle shall be the *bona fide* property of the person so compounding.
- In certain cases collector subject to penalty.      XI. If any Collector shall not place such board as aforesaid and keep the same there during the time he shall be Collector or shall demand a greater or less toll from any person than he shall be authorised to do by virtue of this Act or shall refuse to permit or shall in any wise hinder any person from reading the inscription on the Toll-board or shall refuse to tell his name to any person who shall demand the same or shall give a false name or on the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any passenger from passing through the Toll-gate or make use of any

scurrilous language to any passenger or other person then in every such case the Toll Collector shall forfeit for every such offence any sum not exceeding Ten Pounds.

XII. If any person shall evade or attempt to evade the payment of any of the Tolls by this Act imposed every such person shall for every such offence forfeit and pay any sum not exceeding Five Pounds in addition to the Toll evaded to be recovered in a summary way. Penalty for evading toll

XIII. All moneys to be collected by virtue of this Act after deducting the charges of collection shall be carried by the Provincial Treasurer to a separate account to be called the Tolls Account and be applied as found necessary by the Superintendent towards the maintenance and repairs of the public road leading from Napier to Havelock and also the road extending from Tareha's Bridge to Puketapu. Provincial Treasurer to keep Toll Account. Application of money collected.

XIV. For the purposes of this Act the word Superintendent shall mean the Superintendent acting with the advice of the Executive Council. Interpretation of word "Superintendent"

XV. The short title of this Act shall be "The Toll Gate Act 1867." Short title

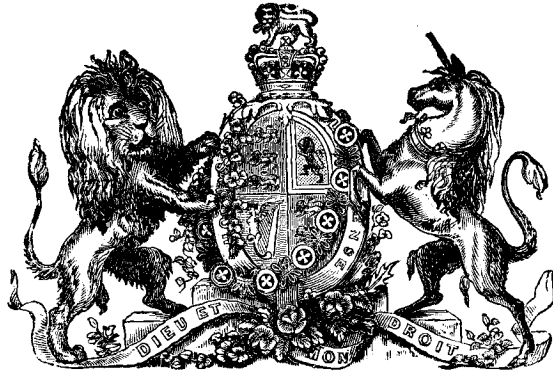
#### SCHEDULE.

	s.	d.	
For every Dray drawn by Bullocks	2	6	Schedule
For every Dray Cart or other vehicle drawn by more than one horse	1	6	
For every Dray Cart or other vehicle drawn by one horse	1	0	
For every Horse Ass or Mule	0	6	
For every Horned or neat Cattle per head	0	1½	
For every Sheep Goat or Pig	0	0½	





# Province of Hawke's Bay.



## CREDIT ACT.

IN THE THIRTY-FIRST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XII., No. 8.

### ANALYSIS.

Title. | 1. Credit to be allowed Provincial Treasurer for  
Preamble. | certain charges.

## AN ACT *to Credit the Provincial Treasurer for certain charges.* Title.

**WHEREAS** the Treasurer of the Province of Hawke's Bay hath under Preamble.  
Warrants under the hand of the Superintendent made certain payments  
in excess of the sums authorized by the "Hawke's Bay Appropriation Act  
1866" to the amount set forth in the schedule hereto annexed :—

And whereas in manner directed by the "Provincial Audit Act 1866" a  
resolution was duly passed by an absolute majority of the entire number of the  
members of the said Provincial Council requesting the Superintendent to grant  
the sum of £571 14s. 1d. being the amount of such unauthorized expenditure  
as aforesaid.

And whereas an address in the terms of the resolution lastly recited and  
signed by the Speaker of the Council hath been presented to the Superinten-  
dent :—

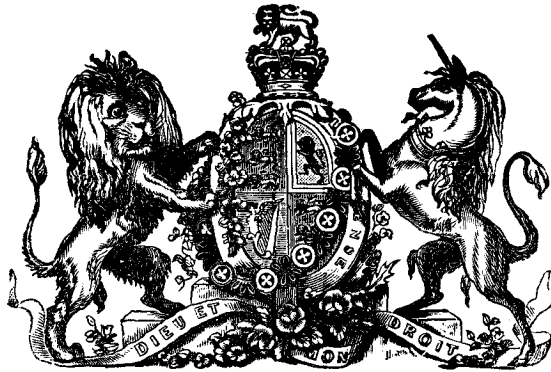
BE IT THEREFORE ENACTED by the Superintendent of the Province of  
Hawke's Bay by and with the advice and consent of the Provincial Council  
thereof as follows :—

I. The Treasurer of the Province shall in his accounts be allowed credit  
for the said sum of Five hundred and seventy-one Pounds fourteen shillings  
and one penny being the amount expended upon the public works and under-  
takings as specified in the schedule of this Act. 1. Credit to be allowed  
Provincial Treasurer for  
certain charges.

## SCHEDULE.

				£	s.	d.
Wairoa District Roads	...	...	...	126	6	4
Town Roads...	...	...	...	94	0	2
Harbour Purposes	...	...	...	9	15	4
40-mile Bush Road...	...	...	...	64	16	0
Middle Road...	...	...	...	64	16	3
Mohaka Bridle Track	...	...	...	29	11	0
Taupo Road ...	...	...	...	39	5	0
Road Contingencies...	...	...	...	8	5	6
Opening Mouth Wairoa River	...	...	...	14	14	0
Papakura or South Meanee Road	...	...	...	103	13	0
Hikutoto Road	...	...	...	16	11	6
				<hr/>		
				571	14	1

Province of Hawke's Bay.



ARTESIAN WELL BILL.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIV., No. 3.

ANALYSIS.

- |  |   |
|--|---|
| Title.   | 1 3. Superintendent may lease tolls.                      |
| Preamble.  | 4. Superintendent power to compound for payment of tolls. |
| 1. Superintendent may fence in Well and appoint person to collect tolls. | 5. Application of tolls.                                  |
| 2. Superintendent may make Regulations and fix scale of charges.         | 6. Operation of Act.                                      |
|  | 7. Short Title.   |

*AN ACT to enable the Superintendent to levy a Rate from persons using the water from the Artesian Well at Napier.* Title

**W**HEREAS it is expedient that the Superintendent should have power to manage a certain Well erected in Edwards-street in the Township of Napier and that certain tolls should be collected by persons making use of the same the area proposed to be enclosed not to exceed three feet square. Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows.—

I. It shall be lawful for the Superintendent to fence in the Artesian Well and appoint a proper person to manage and protect the same and to collect the Tolls hereinafter imposed. Superintendent may fence in Well and appoint person to collect tolls

Superintendent may  
make Regulations and  
fix scale of charges

II. It shall also be lawful for the said Superintendent to make proper regulations for the use of the said Well and fix a scale of charges and the same regulations shall be published in the Provincial Government *Gazette* and shall be submitted for the sanction of the Provincial Council within seven days of its next meeting.

Superintendent may  
lease tolls

III. The Superintendent may at any time lease the tolls to be taken at the said Well by public auction or tender subject to such regulations and scale of charges as aforesaid and to such further conditions as he shall think proper and may if he think fit provide that the person leasing the same may divert the water therefrom by pipes into private premises Provided that means of access for any person desiring to use the water shall be provided which shall in the opinion of the Superintendent be equally convenient as the present arrangement.

Superintendent power  
to compound for pay-  
ment of tolls

IV. The Superintendent shall have power to compound with any person or persons for any term not exceeding one year at any one time for the rates or tolls payable in respect of the use of the said Well.

Application of tolls

V. All tolls payable under this Act shall be carried by the Provincial Treasurer to a separate account to be called the Artesian Wells Account and shall be applied first to payment of the expenses of collecting the said tolls secondly to payment of the expenses of sinking the said Well and maintaining the same in proper condition thirdly towards the expense of sinking other public Wells within the Town of Napier.

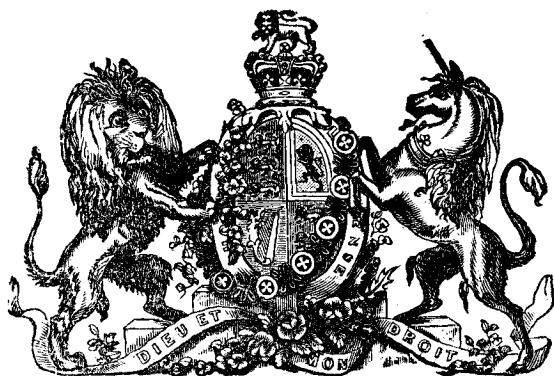
Operation of Act

VI. This Act shall continue in force for two years from the date of the Governor's assent thereto.

Short Title

VII. Short title "The Artesian Well Act 1869."

# Province of Hawke's Bay.



## LIGHTHOUSE RESERVE ACT.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIV., No. 4.

### ANALYSIS.

Title	5. Liberty to remove fences, buildings, &c., on portion reserved.
Preamble.	6. Superintendent not required to contribute towards fencing.
1. Superintendent may lease land.	7. Distribution of moneys received under the Act.
2. Land shall be leased by public auction.	8. Short Title.
3. Superintendent may reserve one acre as a site for a Lighthouse Station.	8. Schedule.
4. Lessee entitled to a right of road to public road.	

*AN ACT to enable the Superintendent to manage a certain Reserve called the Lighthouse Reserve by granting leases thereof.* Title

[Assented to 27th July, 1869.]

**WHEREAS** under and by virtue of the "Public Reserves Act 1854" the Governor of the Colony has by a Grant sealed with the Public Seal of the Colony and dated the first day of February 1861 granted to the Superintendent of the Province of Hawke's Bay a certain parcel of Land in the said Grant and also to the Schedule to this Act set forth and described to hold unto the said Superintendent and his successors in trust as a site for a Lighthouse and Signal Station. Preamble

**AND WHEREAS** it is expedient to make provision for the management and administration of the said parcel of Land by granting leases thereof.

**BE IT THEREFORE ENACTED** by the Superintendent and Provincial Council of Hawke's Bay as follows.

1. The Superintendent of Hawke's Bay may demise all or any part of the Land comprised in the said Grant for any term or terms of years not exceeding Superintendent  
lease Land may

seven years to take effect in possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for the granting the same and subject to such terms and conditions as to the said Superintendent shall seem fit.

Land shall be leased by public auction

2. The lands proposed to be demised by virtue of this Act shall be put up in two or more lots by public auction and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot shall be declared the lessee or lessees thereof Three months' notice shall be given by advertisement in the Provincial Government *Gazette* of Hawke's Bay of the intention of the Superintendent to put up any of the said land by auction with particulars of the respective portions of the said land proposed to be put up at any such sale or sales.

Superintendent may reserve one acre as a site for a Lighthouse Station

3. It shall be lawful for the Superintendent at any time during the terms of any leases to be granted by virtue of this Act upon giving three calendar months' notice to the tenant or tenants to reserve and take possession of a parcel of Land not exceeding one acre in extent from the lands demised by such deeds of lease as the site of a Lighthouse or Signal station and on the expiration of the said notice the said deeds of lease shall cease and determine as to so much land as shall be included therein and thereupon the annual rent reserved by the said deeds of lease shall be diminished in the proportion that the land so reserved and included in the said notice shall bear to the total acreage of the lands comprised in the said deeds of lease.

Lessee entitled to a right of road to public road

4. The Superintendent and all persons authorised by him to occupy the reserve mentioned in the last clause shall upon the expiration of the notice therein mentioned be entitled to a right of road thirty links wide through any Land demised by virtue of this Act to the nearest public road.

Liberty to remove fences buildings, &c., on portion reserved

5. Any person or persons who shall erect any Buildings or Fences upon any portion of the land to be demised by virtue of this Act in respect of which land the notice mentioned in the 3rd clause of this Act shall be given shall during the currency of such notice be at liberty to remove any buildings or fences erected on land so demised as aforesaid.

Superintendent not required to contribute towards fencing

6. No person or persons leasing Land by virtue of this Act shall be entitled by virtue of any law now or hereafter to be in force to require the Superintendent or his successors to contribute towards the erecting or repairing any fences joining the boundary of any Land to be demised by virtue of this Act and any Land adjoining the property of or occupied by the said Superintendent or his successor.

Distribution of moneys received under the Act

7. All monies to be received by way of rent under and by virtue of the powers of leasing in this Act shall be applied towards the maintenance of Harbour Lights in the Port of Napier.

Short Title

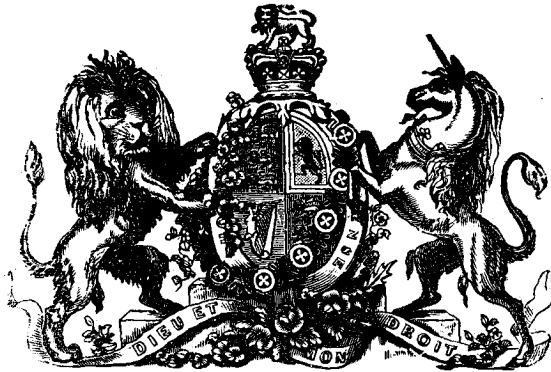
8. The short title of this Act shall be "The Lighthouse Reserve Leasing Act, 1869."

Schedule

#### SCHEDULE TO WHICH THE FOREGOING ACT REFERS.

ALL THAT parcel of land in the Province of Hawke's Bay in the Colony of New Zealand situated in the town of Napier containing by admeasurement fourteen acres more or less and being the Reserve originally set apart for a Lighthouse and Signal Station bounded towards the north and east by Hawke's Bay towards the south by section number 82 430 links by section number 71 and part of section number 72 1080 links and by sections number 69 and 70 800 links towards the south-west by section number 72 and a public road 850 links and towards the north-west by section number 68 535 links.

# Province of Hawke's Bay.



## IMMIGRATION BOARD ACT 1869.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIV., No. 5.

### ANALYSIS.

- |   |   |
|---|---|
| Title.  | 6. Payments, &c., made by warrant.  |
| Preamble.   | 7. Securities to be taken in name of Superintendent.  |
| 1. Immigration Board constituted.   | 8. Board shall hold Meetings and alter Regulations as it may think fit.                       |
| 2. Number of Members.   | 9. Board shall keep minutes and furnish Report to Superintendent, to be afterwards published. |
| 3. Members nominated.   | 10. Short Title.  |
| 4. Superintendent may appoint Members of Board in case of death or otherwise. |   |
| 5. Board shall have entire management of Funds.                               |   |

*AN ACT to institute a Board for the management of funds appropriated for Immigration purposes.*

Title

**WHEREAS** it is expedient to institute a Board for the management of funds hereafter to be appropriated by vote of the Council for the promotion of Immigration into the Province of Hawke's Bay.

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:—

I. There is hereby constituted a Board to be called the "Immigration Board."

Immigration Board constituted

II. The Board shall consist of not less than five members and not more than seven members the Superintendent being ex-officio a member of the Board.

Number of Members

Members nominated

III. The Superintendent and Messrs. John Chambers Thomas Tanner James Gillespie Gordon Henry Robert Russell George Stoddart Whitmore Joseph Rhodes are hereby appointed members of the Board.

Superintendent may appoint Members of Board in case of death or otherwise

IV. As often as any of the members of the Board shall die resign be declared bankrupt become incapable of acting or remain absent from the Province for the period of twelve months the said Superintendent shall have power to appoint by proclamation another or other fit and proper person or persons in the place of members so dying resigning being declared bankrupt becoming incapable of acting or remaining absent as aforesaid.

Board shall have entire management of Funds

V. The Board shall have the entire management of all funds appropriated by this Council for purposes of Immigration.

Payments, &c., made by warrant

VI. All payments and advances ordered by the said Board shall be paid by warrants drawn by the Superintendent and countersigned by at least two Members of the Board.

Securities to be taken in name of Superintendent

VII. All securities to be taken for securing the repayment of monies advanced for purposes of Immigration shall be made in the name of the Superintendent.

Board shall hold Meetings and alter Regulations as it may think fit

VIII. The Board shall hold Meetings at such times as the Board shall appoint and shall have power to make and revoke and alter such Regulations as it may think fit for the conduct of the business of the Board.

Board shall keep minutes and furnish Report to Superintendent, to be afterwards published

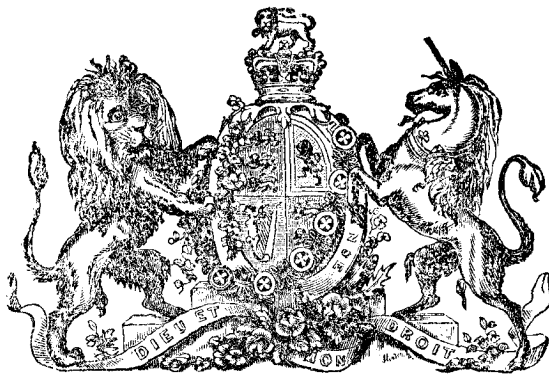
IX. The Board shall keep proper minutes of its proceedings and shall in the month of May in every year render to the Superintendent a full Report of all things done by them by virtue of this Ordinance with an abstract of all Receipts and Payments made by them during the year preceding such Report which shall be published in the *Government Gazette*.

Short Title

X. The Short Title of this Act shall be "The Immigration Board Act 1869."



# Province of Hawke's Bay.



## EXECUTIVE ACT 1869.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XV., No. 1.

### ANALYSIS.

Title.	
Preamble.	3. Executive Act Amendment Act, Session IV., No. 4, repealed.
1. Repealing certain Clauses of Executive Act, Session I., No. 1.	4. Superintendent shall act alone.
2. Amending certain Clauses of Executive Act, Ses-	5. Short title.
	sion I., No. 1.

## AN ACT to amend the *Executive Act Session I. No. 1* and to repeal the *Executive Act Session IV. No. 4.* Title

[Assented to 19th November, 1869.]

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay, with the advice and consent of the Provincial Council thereof, as follows :— Preamble

1. That the Clauses numbered 10, 11, and 14 of the Executive Act, Session 1, No. 1, shall be and are hereby repealed. Repealing certain clauses of Executive Act, Session I., No. 1

2. That the Clause numbered 2 in the same Act shall be and is hereby amended by the omission therefrom of the words following, namely—" acting by and with an Executive Council. Amending certain clauses of Executive Act, Session I., No. 1

3. That the Executive Act Amendment Act, Session 4, No. 4, is hereby wholly repealed. Executive Act Amendment Act, Session IV., No. 4, repealed

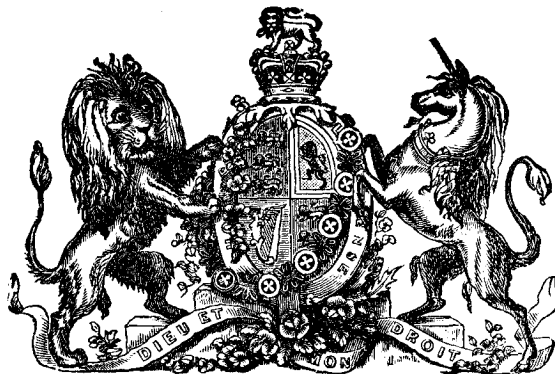
Superintendent shall  
act alone

4. That in all cases whereby at present it is required by any act of the Superintendent and Provincial Council of Hawke's Bay that the said Superintendent shall act by and with the advice of the Executive Council, the Superintendent shall henceforth be empowered to act alone.

Short Title

5. The Short Title of this Act shall be "The Executive Act, 1869."

# Province of Hawke's Bay.



## CATTLE TRESPASS AMENDMENT ACT 1869.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XV., No. 2.

### ANALYSIS.

- |   |   |
|---|---|
| Title.<br>Preamble.<br>1. Cattle trespassing in Towns or public thoroughfares, &c., may be impounded. | 2. This Act part of Cattle Trespass Act, 1867.<br>3. Short Title. |
|---|---|

### *AN ACT to restrict the Trespass of Cattle.*

Title

[Assented to 19th November, 1869.]

**W**HEREAS it is expedient that the trespass of Cattle upon Roads and Crown Lands within the Province of Hawke's Bay should be prevented.

Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows:—

1. If any Cattle shall be found wandering at large within the limits of any Town or on public thoroughfares or Crown Lands outside such Town or lands the property of the Superintendent it shall be lawful for any person thereupon to impound such Cattle.

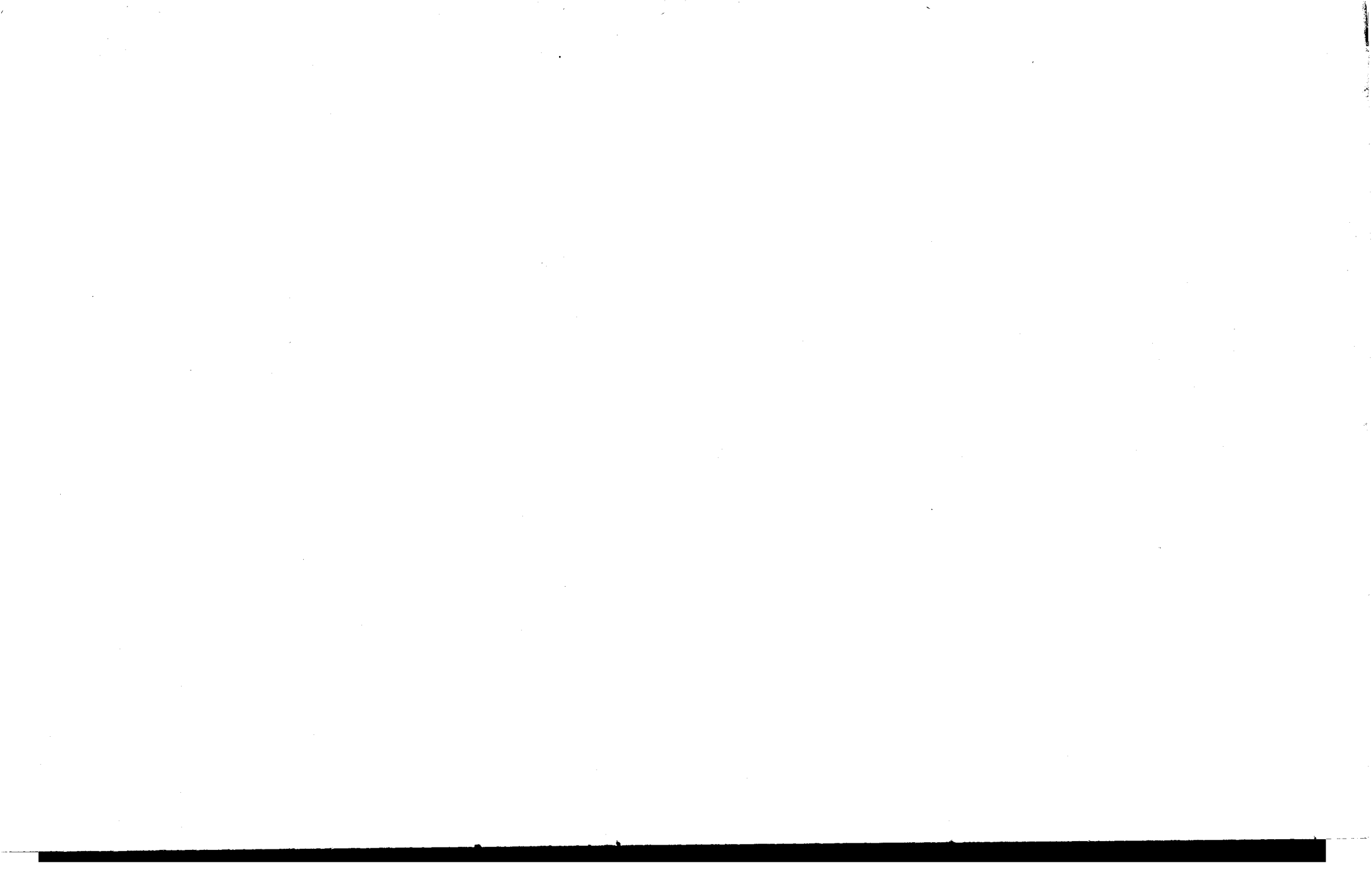
Cattle trespassing in Towns or public thoroughfares, &c., may be impounded.

2. This Act shall be considered part of the Act before mentioned intituled "The Cattle Trespass and Impounding Act, 1867."

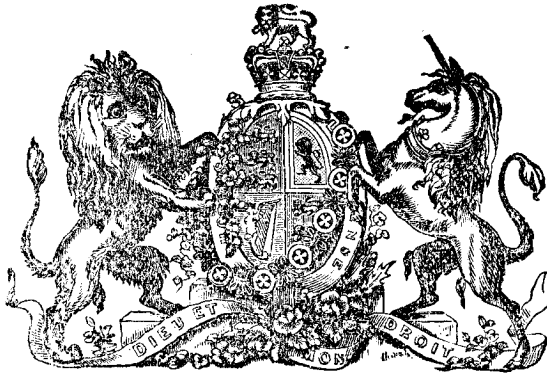
This Act part of Cattle Trespass Act, 1867

3. The short title of this Act shall be "The Cattle Trespass and Impounding Amendment Act, 1869."

Short Title



# Province of Hawke's Bay.



## NAPIER COMMON SCHOOL SITE ACT 1869.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XV., No. 3.

### ANALYSIS.

Title.	2. Short title.
Preamble	
1. Appropriation site Common School House.	Schedule.

*AN ACT to appropriate a Grant of Land as a* Title  
*Site for a Common School House.*

[Assented to 19th November, 1869.]

**W**HEREAS under and by virtue of "The Public Reserves Act 1854" Preamble  
the Governor of the Colony of New Zealand has by a Grant sealed  
with the Public Seal of the Colony and dated the twenty-fifth day of  
February 1863 granted to the Superintendent of the Province of Hawke's  
Bay amongst other land a certain parcel of land in the Schedule to this  
Act set forth and described to hold unto the said Superintendent and his  
successors in trust for purposes of public utility.

AND WHEREAS it is expedient that the said parcel of land should be  
appropriated as the site of a Common School being a purpose of public  
utility.

BE IT THEREFORE ENACTED by the Superintendent of the Province  
of Hawke's Bay by and with the advice and consent of the Provincial  
Council thereof as follows:—

1. The said parcel of land as described in the Schedule hereunto Appropriation site Com-  
mon School.

annexed shall henceforth be appropriated as the site for a Common School House.

Short Title

2. Short title "Napier Common School Site."

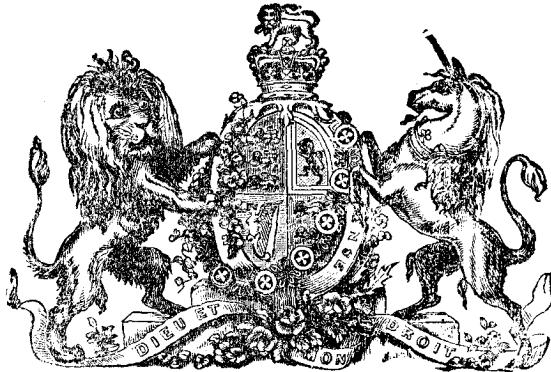
Schedule.

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SCHEDULE.

All that parcel of land situate in the said Province of Hawke's Bay containing by ad-measurement 1 rood being town section No. 106 on the map or plan of the town of Napier bounded towards the North-East by Town Section No. 107 200 links towards the South-East by Tennyson street 125 links towards the South-West by Section No. 105 200 links and towards the North-West by Section No. 108, 125 links.

# Province of Hawke's Bay.



## APPROPRIATION ACT 1869 NO. 2.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XV., No. 4.

### ANALYSIS.

<p>Title Preamble 1. Appropriation of the sum of £1470 to defray the charges of the Government of the Pro-</p>	<p>vince for the period from the 1st July, 1869, to 30th June, 1870. Specification of charges. 2. Sums appropriated to be issued and paid in accordance with the "Provincial Audit Act 1866 and 1868."</p>
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**AN ACT** to further appropriate the Revenue of the Province of Hawke's Bay for the period commencing from 1st day of July 1869 and ending 30th June 1870.

[Assented to 19th November, 1869.]

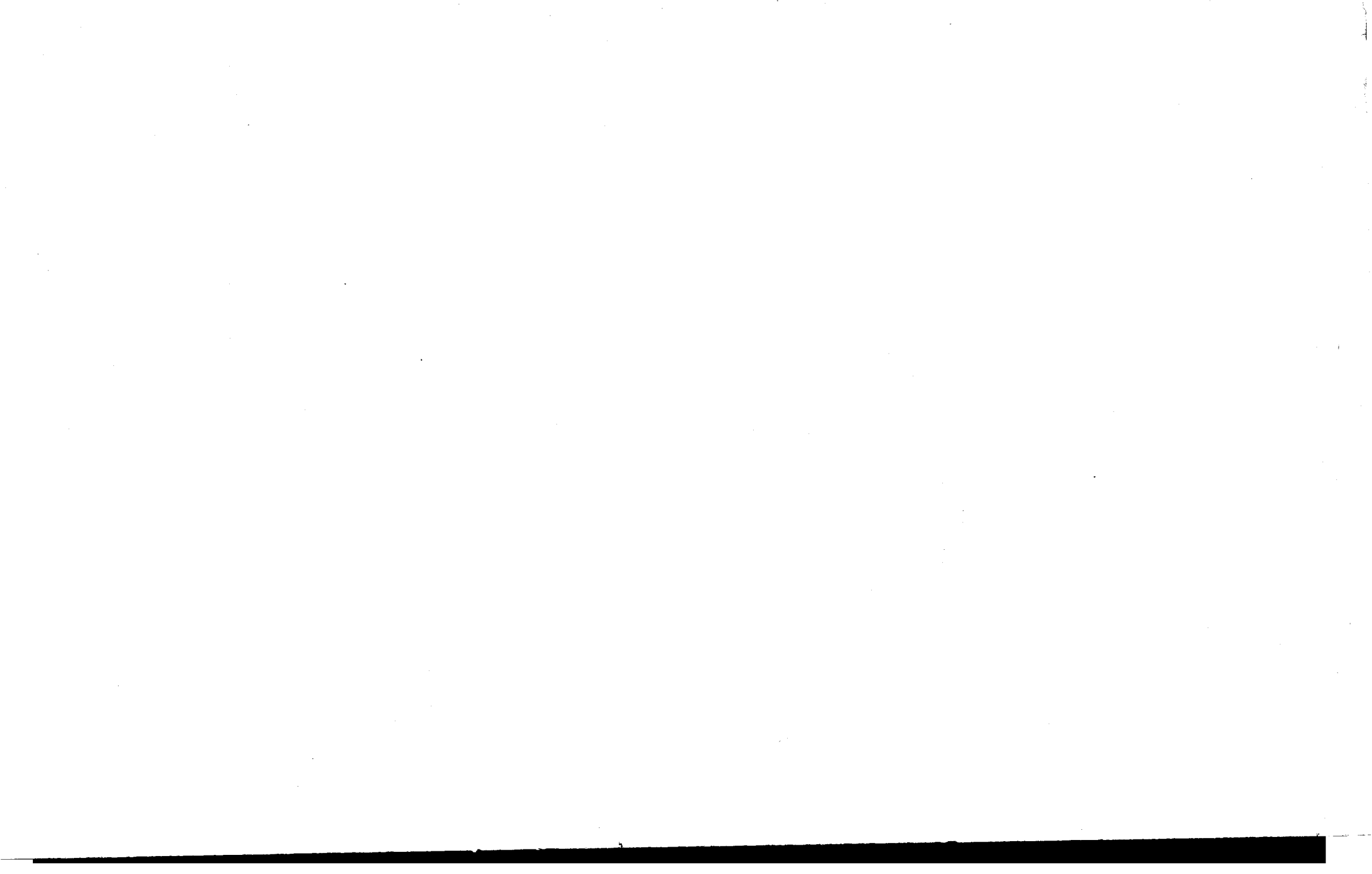
**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

I. That out of the Revenue of the Province there may be issued and applied for defraying the charges of the Government of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1869 and ending 30th day of June 1870 the sum of One thousand four hundred and seventy pounds in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say—

Reward for payable Goldfield ... ..	£500
Opening Road to Goldfield ... ..	500
Repair of Main South Road—Havelock to boundary of Province ... ..	400
Road from Waipawa to Waipawamate Stockade ... ..	70

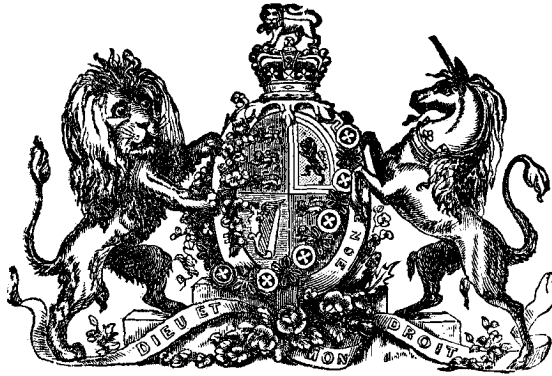
£1470

II. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by the "Provincial Audit Act 1866" and "Audit Provincial Act Amendment Act 1868."





# Province of Hawke's Bay.



## RATIFICATION OF LOAN EXPENDITURE ACT 1869.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XV., No. 5.

### ANALYSIS.

Title.	1. Ratifying expenditure of £3862 6s. 9d., proceeds of loan.
Preamble.	2. Short Title.

## AN ACT to ratify the Expenditure of £3,862 6s. 9d., portion of Loan. Title

[Assented to 19th November, 1869.]

**WHEREAS** certain sums of money amounting to the sum of £3862 6s. 9d., raised by virtue of the Loan Act, No. 1, of Session No. 6, have been devoted to other purposes than those specified in the Act lastly mentioned, in the Amendment Act, No. 1, of Session No. 7, and the appropriation of the said Loan Act, No. 4, of Session No. 8; and whereas the said sum of £3862 6s. 9d. was devoted to and applied towards Public Works and Undertakings during the year 1867-68; and whereas it is expedient to legalise and ratify the expenditure of the said sum of £3862 6s. 9d. Preamble

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay, with the advice and consent of the Provincial Council thereof, as follows:—

1. The said sum of £3862 6s. 9d. expended out of the proceeds of the said Loan is hereby declared to have been expended in the execution of Public Works of this Province, and such expenditure is hereby declared to have been as legally made as if an Act of the Superintendent Ratifying expenditure of £3862 6s. 9d., proceeds of loan.

and Council of this Province had been previously obtained authorising the said expenditure.

Short Title

2. The Short Title of this Act shall be "The Ratification of Loan Expenditure Act 1869."

# Province of Hawke's Bay.



## DIVERSION OF ROADS BILL.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 2.

### ANALYSIS.

Title.  
Preamble.  
1. To Aute Road diverted.

2. Lawful for Superintendent to purchase land, pur-  
pose deviation.  
3. Lawful for Superintendent to sell present road-  
way.

*AN ACT to authorise the Superintendent to make  
certain Deviations in Roads in the Province  
of Hawke's Bay and for other purposes.*

Title

**W**HEREAS by an Act of the General Assembly of New Zealand intituled "The Highways and Water-courses 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 authorize and empower the Superintendent to divert or stop up any public Street Road Highway or Thoroughfare in any such Province and also to divert or stop up any River Stream or Creek in any such Province and to build bridges dams wharves and other erections on the banks or on the beds of any such river stream or creek and also to sell exchange or otherwise dispose of the land on which any such street road highway or thoroughfare was laid out or passed or the bed of any river stream or creek so diverted or stopped up.

Preamble

**AND** WHEREAS by an Act of the General Assembly of New Zealand intituled "The Provincial Councils' Power Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province 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 so contained in the said sub-section

might have been ordained or passed by such Superintendent and Council affecting any part of the waste lands of the Crown within such Province which now is or hereafter shall be a public street road highway or thoroughfare or a drain for the outfall of water or which is the bed of any creek stream river pond or lake

AND WHEREAS it is expedient for the public convenience to divert the direction of a portion of the Te Ante Road situate in the said Province and to dispose of the land over which such portion of the said public road proposed to be diverted formerly passed.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

Te Ante Road diverted

I. The direction of the Te Ante Road situate in the Pukahu Block shall be diverted and the said Road shall after the passing of this Act with the consent of the owner or owners of the land required pass in the direction shown on the plan hereunto annexed and marked A the proposed deviation being colored pink on the said plan.

Lawful for Superintendent to purchase land, purpose deviation

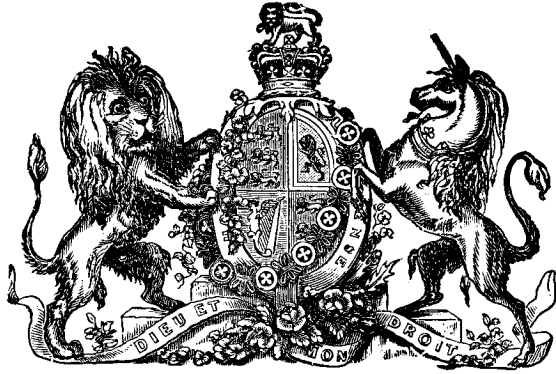
II. It shall be lawful for the Superintendent to purchase of the owner or owners thereof the land required for the purpose of making the deviation proposed by this Act and such land shall be conveyed to the Superintendent and his successors upon trust that the same be held as a public road.

Lawful for Superintendent to sell present road-way

III. It shall be lawful for the Superintendent to sell exchange or otherwise dispose free of any right of road thereover of the land over which the Road now proposed to be diverted formerly passed.

[Assented to 25th day of July, 1870.]

# Province of Hawke's Bay.



## HAWKE'S BAY SHEEP ACT 1870.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 3.

### ANALYSIS.

- |   |  |
|---|--|
| 1. Short Title                          | 15. Ear-mark                                   |
| 2. Repeal Clause                        | 16. Driving Notice                             |
| 3. Interpretation Clause                | 17. Travelling Clause                          |
| 4. Appointment of Inspectors            | 18. Intermixture of Travelling Sheep           |
| 5. Duties of Inspectors                 | 19. Trespass of Rams                           |
| 6. Compulsory Registration of Ear-mark  | 20. Harbouring Diseased Sheep                  |
| 7. Annual Return of Sheep               | 21. Custody of Diseased Sheep                  |
| 8. Annual Assessment                    | 22. Quarantine Ground                          |
| 9. Importation by sea limited to Napier | 23. Branding Shorn Sheep                       |
| 10. Notice of Landing Sheep             | 24. Penalties                                  |
| 11. Notice of Importing Sheep overland  | 25. Fees                                       |
| 12. Removal without Certificate         | 26. Penalties to be paid into separate account |
| 13. Biennial Mustering                  | 27. Commencement of Act.                       |
| 14. Notice of Draftings                 |  |

[Assented to July 29, 1870.]

## *A BILL to repeal various Acts relating to Sheep and to make other provisions in respect thereof.*

1. **T**HE Short Title of this Act shall be "The Hawke's Bay Sheep Act 1870." Short Title
2. The Acts specified in the Schedule A to this Act are hereby repealed. Repeal Clause
3. The meaning of the terms and words occurring in the context of this Act shall be governed by the following interpretations when not otherwise specially limited. Interpretation Clause
  - (a) "Province" shall mean the Province of Hawke's Bay.
  - (b) "Station" shall mean any land upon which sheep are harboured or depastured.
  - (c) "Sheep owner" shall mean the proprietor of a Station or any bailee

of Sheep and when such owner or bailee is not resident on his Station shall include manager overseer head-shepherd or other person ostensibly in charge of the Station.

- (d) "Brand" shall mean a distinguishing mark or marks for sheep registered at the principal office at Napier.
- (e) "Diseased Sheep" shall mean Sheep infected by either of the diseases known as Scab, Foot Rot, or Catarrh. Also Sheep which have been dressed for scab within 40 days. Also any Sheep driven from or through a station not possessing a certificate from an Inspector in form No. 1 in Schedule B to this Act. Also Sheep imported by sea or overland without a certificate from an Inspector in form No. 2 in said Schedule B.

**Appointment of Inspectors**

4. The Superintendent may from time to time by Proclamation in the Hawke's Bay *Gazette* appoint an Inspector or Inspectors of Sheep for the purposes of this Act as he may think fit. And may at any time annul such appointments and make others. And may proclaim a principal office in Napier for such Inspector or Inspectors. Provided always that the salaries of such Officers shall be voted by the Provincial Council.

**Duties of Inspector**

5. The duties of Inspector shall be as follows :—

- (a) To keep in a Registry Book at the principal office an Annual Return of the number of Sheep above six months old which are to the best of his information in the Province. Such return shall show the number of Sheep registered by each separate Sheep owner with their respective earmarks and brands. Such return to be forthwith published in the Hawke's Bay *Gazette*. Such Registry Book shall be compiled in the form No. 3 in Schedule B to this Act and shall be open at all office hours for inspection by any person applying to examine the same upon payment of one shilling.
- (b) To collect in the month of August or so soon after as reasonably may be in every year the Assessments to be made under Clause 8 of this Act and to forthwith as the same may be collected pay the amount into the Provincial Treasury.
- (c) To visit every Provincial Electoral District at least once a year and to visit every Station so often as may be expedient and at least once a year to report to the Superintendent the condition of the several flocks.
- (d) To take all lawful measures for preventing the importation by land or sea of diseased Sheep and to cause the same wherever found in the Province whether imported or not to be tar-branded with the letter D and further to cause all imported Sheep to be drafted into a separate close or paddock appointed or approved by him for the purpose of keeping them perfectly isolated from contact with any other Sheep.
- (e) Generally to do all such acts as are intended to come within his scope under the provisions of this Act.

**Compulsory Registration of Ear-mark**

6. Every Sheep owner not having an ear mark and brand registered before the passing of this Act may within one month after the proclamation of the Governor's assent to this Act on payment of the fee of ten shillings register at the principal office in Napier the earmarks and brands which he proposes to use. Provided that it shall not henceforth be lawful for any person to register any earmark and brand already registered by another Sheep owner.

**Annual return**

7. Every Sheep owner shall in the month of May in every year send a written return to the Inspector at Napier of the number of Sheep above six months old in his possession or charge on the first day of May in every year specifying the different ear-marks and brands pertaining thereto and distinguishing their sexes.

**Annual assessment**

8. Every Sheep owner shall in the month of August in every year pay to the Inspector on demand an assessment at the rate of one penny for every 4 Sheep above six months old as returnable by such owner or bailee under Clause 7 of this Act.

**Importation by sea limited to Napier**

9. It shall not be lawful to import any Sheep into the Province by sea unless the same be landed at the Port of Napier.

10. Every person landing Sheep at the Port of Napier shall previously give notice to an Inspector who shall forthwith inspect such Sheep and shall cause them with all convenient speed to be efficiently dipped in such place as he may deem to be most convenient at the expense of the Importer. Notice of landing
11. Every Sheep owner or drover of Sheep shall before importing overland any Sheep into the Province give at least 21 days' written notice thereof to the Inspector by leaving the same at his office in Napier. Such notice shall state the number and sexes of the Sheep intended to be imported and shall state where such Sheep shall have been originally purchased and whence driven. And also the time and place adjacent to the Boundary of the Province when and whereat such Sheep will be mustered for examination by an Inspector under this Act. And such Sheep shall not be permitted to continue their journey before an Inspector shall have furnished the drover thereof with a certificate in the form No. 2 in Schedule B to this Act. Notice of importing overland
12. No Sheep owner shall permit any Sheep to be removed from his station without possessing a certificate in the form No. 1 in Schedule B to this Act : Provided that the Inspector may at any time grant a driving certificate on being satisfied that any Sheep proposed to be removed are free from disease. Removal without Certificate
13. Every Sheep owner shall muster the Sheep in his possession or charge before docking the same and before shearing the same and shall give twenty-four hours' notice in writing or by advertisement in a Provincial newspaper thrice inserted of such mustering to the abutting Sheep owners. And every Sheep owner shall furthermore forthwith muster his flock before an Inspector who shall be entitled to call for a special muster by virtue of an order signed by any two Justices of the Peace who are hereby authorised to make such order upon sufficient cause being shown. Biennial musterings
14. Every Sheep owner so often as he may draft Sheep for the purpose of sale or removal from his station shall before yarding the same give at least twenty-four hours' notice thereof to the abutting Sheep owners. Provided that this Clause shall not apply to Sheep depastured in securely fenced paddocks nor in cases where river floods may prevent such notice being given. Notice of draftings
15. It shall not be lawful for any person to remove more than one-third of the ear of any Sheep. Ear-mark
16. Every drover or his employer shall give at least 24 hours' notice in writing of the precise day whereon he proposes to drive sheep through another person's land by delivering such notice at the homestead or principal residence of the persons through whose land he proposes to drive except where such land abuts on a public road fenced on both sides. Driving notice
17. Every drover of Sheep travelling through land not belonging to the owner or bailee of such Sheep shall weather permitting drive such Sheep a distance of not less than ten miles in every twenty-four hours. Travelling clause
18. Every drover or person in charge of travelling Sheep shall so often as and at every place where any portion of the Sheep in his charge may get intermixed with other Sheep give immediate notice thereof to the owner overseer or shepherd of the Station where such intermixing occurred with whose consent the Sheep so intermixed shall be driven to the Station or nearest yard for the purpose of drafting. Intermixture of travelling Sheep
19. Whenever any Ram or Rams shall be found trespassing the owner or person in charge of the land trespassed upon may castrate such Ram or Rams without being liable for any deaths or injuries except where ordinary care and skill have not been used : Provided that if the owner of the trespassing Ram or Rams be known he shall be entitled to receive twenty-four hours' notice in writing of the trespass before castration shall be resorted to. Trespass of Rams
20. Whenever an Inspector shall have reason to suppose that diseased Sheep are being harboured in or driven through any part of the Province he may lay information or make complaint thereof before any two Justices of the Peace who after hearing such information or complaint may authorise an Inspector to take such measures as may in his discretion be sufficient to meet the case. Harbouring diseased Sheep

- Custody of diseased Sheep** 21. Wherever any Sheep owner fails to take fit and proper measures for the cure of diseased sheep whether isolated or not from other sheep it shall be lawful for an Inspector to enter by himself or agents upon the station of such Sheep-owner as any two Justices of the Peace may direct by an order signed by them and any Court consisting of not less than three Justices of the Peace one of whom shall be a Resident Magistrate or Chairman of Petty Sessions is hereby authorized to give such directions and make such order as the majority of such Court may think fit upon sufficient cause being shown by an Inspector laying an information or making a complaint in the matter.
- Quarantine Ground** 22. Every close or paddock set apart for diseased Sheep by an Inspector shall be deemed to be quarantine and infected ground until a certificate shall be given by an Inspector declaring the Sheep paddocked therein to be clean.
- Branding shorn Sheep** 23. Every Sheep owner shall cause to be distinctly branded with a registered brand or distinctly marked with raddle or other pigment all Sheep shorn in his yards or premises previously to such Sheep being discharged therefrom.
- Penalties** 24. The damages and penalties hereinafter authorised or required to be imposed by this Act shall be recovered or enforced in a summary way before any two or more Justices of the Peace in the manner provided by the "Justices of the Peace Act 1866": Provided that nothing in this Act shall be construed to limit or abridge the right of any person to recover before the ordinary tribunals of law redress or compensation from the owners of the diseased Sheep or of trespassing rams for any loss damages or expenses suffered or occasioned by the travelling or trespass of diseased Sheep or by the trespass of rams.
- Obstructing Inspector** (1.) Any person obstructing or interfering with an Inspector in the execution of his duty shall be liable to a penalty for every such offence not exceeding £50 and costs.
- Pirating ear-mark** (2.) Any person after the passing of this Act usurping or pirating the registered ear-mark or brand of another person shall be liable to a penalty not exceeding £10 for each offence and such penalty may be cumulative from month to month until the cause of action be finally removed.
- Annual return** (3.) Any person neglecting in any material point to make the return provided for in Clause 7 shall be liable to a penalty not exceeding £20 and costs.
- Importation by sea** (4.) Any person importing by sea Sheep into the Province except at the Port of Napier shall be liable to a penalty of £100.
- Notice of importation by sea** (5.) Any person not giving the notice provided in Clause 10 shall be liable to a penalty of not less than £5 or not more than £25.
- Importation overland** (6.) Any Sheep owner or person driving Sheep overland into the Province without previously giving the notice and observing and performing the conditions provided in Clause 11 shall be liable to a penalty of £100.
- Removal without certificate** (7.) Any person removing or permitting the removal of Sheep from a station not possessing a certificate in form of Schedule B No. 1 to this Act shall be liable to a penalty not exceeding £100.
- Notices of musterings and draftings** (8.) Every Sheep owner neglecting to deliver or cause to be delivered any of the notices required by Clauses 13 and 14 shall be liable to a penalty not exceeding £10.
- Removing more than one-third of ear** (9.) Any person removing more than a third of the ear of any Sheep shall be liable to a penalty not exceeding £1 for each offence.
- Driving Notice** (10.) Every drover or his employer neglecting to give or cause to be given the notice provided in Clause 16 shall be liable to a penalty not exceeding £10.
- Travelling clause** (11.) Every drover or his employer neglecting to comply with the conditions provided in Clause 17 shall be liable to a penalty not exceeding £5.
- Intermixing clause** (12.) Every drover or his employer neglecting to comply with the conditions of Clause 18 shall be liable to a penalty not exceeding £20.
- Marking shorn Sheep** (13.) Every Sheep owner neglecting to comply with the conditions for marking shorn Sheep provided in Clause 23 shall be liable to a penalty of 5s. for each Sheep.
- Neglecting to carry out instructions** (14.) Every Sheep owner neglecting to carry out the instructions of the Inspector and all proper measures for the eradication of disease in his flock shall be liable to a penalty not exceeding £100 such penalty shall be cumulative from month to month upon a fresh information by an Inspector and further conviction.
- Quarantine clause** (15.) Every person removing Sheep from quarantine or infected ground without written permit from an Inspector, shall be liable to a penalty not exceeding £100.
- Sale of diseased meat** (16.) Every person who shall sell or expose for sale the carcase or any portion



of a Sheep infected with Scab or Catarrh shall be liable to a penalty of not less than 10s. nor more than £5 for each offence.

25. The Scale of Fees mentioned in Form No. 4 of Schedule B to this Act may be summarily recovered or enforced by an Inspector suing for the same before a Resident Magistrate or Court of Petty Sessions in the manner provided by the 'Resident Magistrates' Act 1867."

Fees

26. All penalties fees and assessments recovered under this Act shall be paid into the Provincial Treasury to a separate account to be exclusively appropriated to the payment of the salaries of the Inspectors and the expenses caused by Inspectors in the execution of their duties under this Act.

Penalties to be paid into separate account

27. This Act shall come into operation one month after notification of the Governor's assent thereto in the *New Zealand Gazette*.

Commencement of Act

SCHEDULE A.

- An Act of the Provincial Council of Hawke's Bay Session VI No. 2 entitled "An Act to Repeal the various Acts relating to Sheep and the disease in Sheep called Scab and to make other provision in behalf of the same."
- An Act of the Provincial Council of Hawke's Bay Session VIII No. 2 entitled "An Act to amend an Act of the Provincial Council of Hawke's Bay No. 2 Session No. 6" intituled "An Act to Repeal the various Acts relating to Sheep and the diseases in Sheep called Scab and to make other provision in behalf of the same."
- An Act of the Provincial Council of Hawke's Bay entitled "The Sheep and Scab Amendment Act, 1865."
- An Act of the Provincial Council of Hawke's Bay validated by the "The Provincial Acts Validation Act 1867" entitled "The Sheep and Scab Amendment Act 1867."

Repealed Acts

SCHEDULE B.

[Form No. 1.]

Napier, 187

I hereby certify that the Sheep now depasturing on the Station known as and at present in charge or in possession of are free from any infectious disease incident to Sheep and that the said Station is a clean Station within the purview of the "Hawke's Bay Sheep Act 1870."

Clause 3 (e)

L. S.

Inspector of Sheep for the Province of Hawke's Bay.

[Form No. 2.]

Napier, 187

I hereby certify that the Sheep owned by or in charge of who desires to import the same into the Province are free from any infectious disease and are tar branded as undermentioned.

Clauses 3 (e) and 11

Number.	Description.	Brands or Marks.

(L. S.)

Inspector of Sheep for the Province of Hawke's Bay.

Clause 5 (a)

[Form No. 3.]

Owner's Name & Address.	Ear marks and brands	Ewes.	Wethers.	Rams.	When Return received.
	Total ... ..				

Clause 25

[Form No. 4.]

SCALE of dipping fees for Sheep landed at the Port of Napier.

For any number not exceeding 25.			For any number not exceeding 50.			For any number exceeding 50.		
	s.	d.		s.	d.		s.	d.
per head	2	6	per head	1	6	per head	1	0

Province of Hawke's Bay.



CATTLE TRESPASS AMENDMENT ACT.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 5.

ANALYSIS.

<p>Title. Preamble 1. Paragraph 2 Section 17 Cattle Trespass Act 1867 repealed. 2. Lawful to destroy entire horses. 3. Repeal of Schedules A and B in Impounding Act Session 12 No. 1.</p>	<p>4. Two Justices can order cattle to be destroyed when of insufficient value to pay impoundage fees. 5. Lawful to kill pigs or goats trespassing on private property. 6. Short Title.</p>
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[Assented to July 29, 1870.]

*AN ACT to amend the Cattle Trespass Act by making further provisions.* Title

**W**HEREAS it is expedient to repeal Paragraph 2 of Section 17 of the Cattle Trespass Act Session 12 No. 1 and to make further provisions. Preamble

BE IT THEREFORE ENACTED by the Superintendent and Provincial Council of Hawke's Bay as follows :—

I. Paragraph 2 of Section 17 of "The Cattle Trespass and Impounding Act 1867" is hereby repealed. Paragraph 2 Section 17 Cattle Trespass Act 1867 repealed

II. That it shall be lawful for any person on whose land (whether enclosed or not and held either on tenancy only or otherwise) an entire horse shall be found trespassing to destroy the animal : Provided that before proceeding to destroy he obtains the attendance of two of his abutting neighbours and takes in their presence a memorandum of the brands and other distinguishing marks on the beast and transmits it by the first post to the Registrar of Brands Napier for record : And Provided that the owner of the animal if known shall receive notice and have power to withdraw the same on payment of £5. Lawful to destroy entire horses

III. Schedules A and B in "The Cattle Trespass and Impounding Act" Repeal of Schedule

and B of Impounding Act Session 12 No. 1. Session 12 No. 1 " are hereby repealed and the schedules annexed to this Act are substituted in lieu thereof.

Justices can order cattle to be destroyed when of insufficient value to pay impoundage fees

IV. If it shall appear to any two Justices of the Peace upon view that the value for sale of any animal impounded will be insufficient to pay the pound fees and expenses of sale the said Justices shall have power by writing under their hand to order the said cattle to be destroyed unless the same be released and all pound fees paid by the owner within seven days after an advertisement containing a description of the said cattle shall have been inserted in a newspaper in manner directed by the former Act. The owner of the cattle destroyed shall have no claim for compensation.

Lawful to kill pigs or goats trespassing on private property

V. It shall be lawful for any person to kill any goats or pigs trespassing on any private premises and the owner of the goats or pigs destroyed shall have no claim for compensation.

Short Title

VI. That the short title of this Act shall be "The Cattle Trespass and Impounding Act Amendment Act 1870."

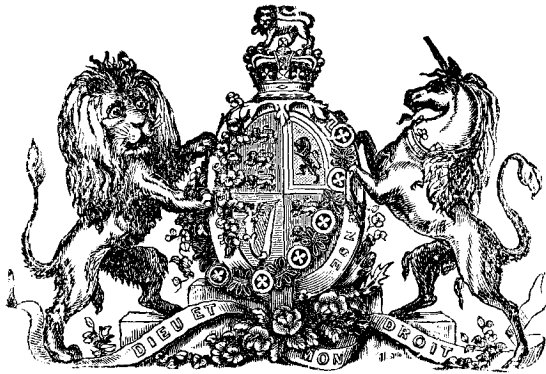
#### SCHEDULE A.

			On land fenced.	On land unfenced.
Great Cattle, per head	...	...	2s.	1s.
Do., if entire "	...	...	20s.	10s.
Small Cattle other than pigs and goats	...	...	1d.	$\frac{1}{2}$ d.
Pigs and Goats	...	...	6d.	3d.

#### SCHEDULE B.

			Admission.	Keep per diem.	Delivery.
Great Cattle, per head	...	...	1s.	1s.	1s.
Do., if entire "	...	...	5s.	2s.	5s.
Small Cattle other than pigs and goats	...	...	$\frac{1}{2}$ d.	$\frac{1}{2}$ d.	$\frac{1}{2}$ d.
Pigs and Goats	...	...	6d.	6d.	6d.

# Province of Hawke's Bay.



## HAWKE'S BAY POLICE AMENDMENT ACT, 1870.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 6.

### ANALYSIS.

Title	4. Penalty for Vehicle carrying projecting timber &c.
Preamble	5. Penalty for name not legibly printed on Vehicle
1. Short Title	6. Interpretation of word Vehicle
2. Penalty for refusing admission to Constable	7. How penalties recoverable
3. Penalty for drunkenness	8. When Act to come into operation

### AN ACT *to amend the Hawke's Bay Police Act by making further provisions.* Title

WHEREAS it is expedient to amend the Hawke's Bay Police Act by making further provisions: Preamble

BE IT ENACTED by the Superintendent of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows:—

I. The short title of this Act shall be "The Hawke's Bay Police Act Amendment Act 1870." Short Title

II. Any Constable may demand admittance for the purpose of preventing or repressing disorderly conduct into any house or shop or place of public resort wherever provisions liquors or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere) and any unnecessary delay in giving admission to the said Constable shall subject the party to a penalty not exceeding five pounds. Penalty for refusing admission to Constable

III. If any person shall be convicted of drunkenness before any Justice of the Peace he shall forfeit and pay a sum of not less than five shillings nor Penalty for drunkenness

more than twenty shillings and in default thereof shall be imprisoned for any period not exceeding forty-eight hours. If any person shall have been so convicted three times within the space of six calendar months he shall upon such third conviction forfeit and pay such sum as aforesaid and be imprisoned for the term of seven days with hard labor at the discretion of the convicting Justice.

Penalty for Vehicle carrying projecting timber &c.

IV. The owner of every vehicle carrying any timber frame or outrigger projecting more than 12 inches from the axle thereof except where houses have to be removed so as to cause danger to any other vehicle shall be liable to a penalty not exceeding twenty shillings for every such offence.

Penalty for name not legibly printed on Vehicle

V. Every owner of a vehicle passing any public road without the initials of his Christian name and his surname at full length being legibly painted in characters of not less than two inches in length in some conspicuous part on the off side thereof shall be liable to a penalty not exceeding £5.

Interpretation of word Vehicle

VI. The term vehicle shall for the purposes of the two preceding clauses mean any wain wagon dray cart or carriage without springs drawn by any animal.

How penalties recoverable

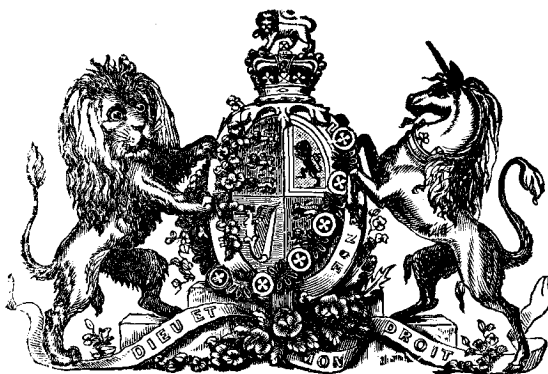
VII. All penalties imposed by this Act shall be recovered summarily in the manner provided by the Justice of Peace Act 1866.

When Act to come into operation

VIII. This Act shall come into operation one month after the publication of the Governor's assent thereto in the Provincial Government Gazette.

[Assented to 25th day of July, 1870.]

# Province of Hawke's Bay.



## CREDIT ACT 1870.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 7.

### ANALYSIS.

Title	2. Credit to be allowed Provincial Treasurer for
Preamble	£934 2s. 9d. raised on authority of Loan Act, No.
1. Credit to be allowed Provincial Treasurer for certain charges	1 of Session No. 6

### *AN ACT to credit the Provincial Treasurer for certain charges.*

Title

**W**HEREAS the Treasurer of the Province of Hawke's Bay hath under warrants under the hand of the Superintendent made certain payments from the 1st July 1869 to the 30th April 1870 in excess of the sums authorized by the "Appropriation Act 1869" and "Loan Appropriation Act Amendment Act 1868" to the amount set forth in the schedules hereto.

Preamble

AND WHEREAS in manner directed by the "Provincial Audit Act 1866" and "Provincial Audit Act Amendment Act 1868" resolutions were duly passed by an absolute majority of the entire number of the members of the Provincial Council requesting the Superintendent to grant the two sums of Two Hundred and Fifteen Pounds Seventeen Shillings and Nine Pence and Nine Hundred and Thirty-four Pounds Two Shillings and Nine Pence being the amount of such unauthorized expenditure as aforesaid.

AND WHEREAS an address in the terms of the resolution lastly recited and signed by the Speaker of the Council has been presented to the Superintendent.

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

I. The Treasurer of the Province shall in his accounts be allowed credit for the said sum of Two Hundred and Fifteen Pounds Seventeen Shillings and

Credit to be allowed Provincial Treasurer for certain charges

Nine Pence being the amount expended on certain services as hereinafter specified.

Harbour Department	...	...	...	...	...	£118	12	7
Survey Department	...	...	...	...	...	62	5	2
Police	...	...	...	...	...	5	0	0
Charitable Aid	...	...	...	...	...	30	0	0
						<hr/>		
						£215	17	9

Credit to be allowed  
Provincial Treasurer for  
£334 2s. 9d. raised on  
authority of Loan Act  
No. 1 of Session No. 6

II. And whereas the Treasurer of the Province has issued upon the warrants of the Superintendent certified in the manner directed by the "Provincial Audit Act 1866" and "Provincial Audit Act Amendment Act 1868" certain sums of money amounting to the sum of Nine Hundred and Thirty-four Pounds Two Shillings and Nine Pence raised by virtue of the "Loan Act" No. 1 session No. 6 and devoted to other purposes than those specified in the "Loan Appropriation Amendment Act 1868" session xiii. No. 5 and whereas the said sum of Nine Hundred and Thirty-four Pounds Two Shillings and Nine Pence was applied towards Public Works and Undertakings during the year 1869-70 as hereinafter stated such Treasurer shall in his accounts be allowed credit for the said sum of Nine Hundred and Thirty-four Pounds Two Shillings and Nine Pence.

#### NATIVE LAND PURCHASES.

Whare-o-Maranui Block	..	...	..	..	...	£395	10	0
Waipureku Block	...	...	...	...	..	40	0	0
ROADS—								
Waitangi to Porangahau	...	...	...	...	...	471	14	1
Middle Road	...	...	..	...	...	26	18	8
						<hr/>		
						£934	2	9

Short Title

III. The Short Title of this Act shall be the Credit Act 1870.

[Assented to 25th day of July, 1870.]



# Province of Hawke's Bay.



## LICENSED VICTUALLERS' ACT.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 8.

### ANALYSIS.

Title	20. Transfer in case of vacancy
Preamble	21. Transfer to lawful owner
1. Short Title	22. Transfer on death of Licensee
2. Repeal Clause	23. Hours of business
3. Interpretation Clause	24. Sunday clause
4. Constitution of Licensing Court	25. Police clause
5. Notice of Annual Meeting	26. Lamp clause
6. Adjournment of Court	27. Provision against pawns
7. Conditions of Application	28. Measure clause
8. Applications to be posted	29. Proceeding in case of complaint
9. Court may grant Certificates	30. Selling less than two gallons
10. Court may impose conditions	31. Hawking clause
11. Recognizances to be taken	32. Gambling clause
12. Disqualification clause	33. Smugglers not to be licensed
13. Personal attendance at Court	34. Misdemeanours
14. Notices to Provincial Treasurer	35. Bush Licenses
15. License Fees	36. Penalties
16. Opposed Licenses	37. Summary proceeding
17. Form of License	38. Operation clause
18. Transfer of License	39. Schedules
19. Transfer to other premises	

*AN ACT to repeal the existing Laws regulating  
the Licenses to Publicans and to make other  
provisions in respect thereof.* Title

[Assented to July 29, 1870.]

**B**E IT ENACTED by the Superintendent of the Province of Hawke's Bay Preamble  
with the advice and consent of the Provincial Council thereof as  
follows :—

I. The Short Title of this Act shall be "The Licensed Victuallers' Act Short Title  
1870."

II. The Ordinances and Acts specified in Schedule A to this Act shall be Repeal clause

hereby repealed so far as concerns the Province of Hawke's Bay from the date of this Act coming into operation.

Interpretation clause

III. The interpretation of the following terms occurring in this Act shall be as follows :—

A "Court" where not otherwise defined shall mean any Bench composed of not less than five Justices of the Peace or of three Justices of the Peace if one of them shall be a Resident Magistrate or Chairman of a Petty Sessions District in the Province.

The "Clerk" shall mean the Clerk of any Resident Magistrate's Court or Petty Sessions Court of the District to which he is attached and in the absence or non-appointment of any such Clerk shall mean the Head Constable of any such District.

The term "Certificate" shall mean a Certificate granted by any Court as before defined recommending to the Superintendent of the Province the grant of a License to any person for the sale of Spirituous Liquors Wine Ale or Beer within defined premises.

"Licensed Victuallers" shall mean any person holding a License from the Superintendent to sell Spirituous Liquors Wine Ale or Beer under the terms and conditions of this Act.

Constitution of licensing court

IV. For the purpose of taking into consideration applications for Publicans' Licenses a Court shall in every District assigned to a Resident Magistrate or to a Petty Sessions be annually holden on the third Thursday of April with powers of adjourning the hearing of any application or complaint or information under this Act to a certain time and place to be communicated at least forty-eight hours before the time appointed for any such adjourned hearing to the several parties concerned : Provided that no Justice of the Peace being a brewer maltster or distiller or an importer of or dealer in any Spirituous Liquors Wine Ale or Beer or being interested directly or indirectly in any house or premises already licensed or in respect whereof an application for a License is about to be made shall act at any such meeting under a penalty of £100 the half of which shall be given to the Informer.

Notice of annual meeting

V. The Clerk shall cause a notice of every annual licensing meeting to be inserted at least one calendar month before the holding thereof in one of the newspapers of the Province.

Adjournment of court

VI. If at any time duly appointed for the sittings of a Court under this Act a sufficiently constituted Court shall not have assembled it shall be lawful for any one Justice of the Peace or in the absence of any Justice for the Clerk to adjourn the Court to such day as he may deem most convenient.

Conditions of application

VII. Every applicant for a License under this Act shall on or before the first Thursday in the month of April in every year cause to be delivered to the Clerk of the Court for the district in which it is proposed to exercise such License a notice in writing signed by him and in the form in Schedule B to this Act and when such applicant shall not already hold a License such notice shall be accompanied by a certificate in the form Schedule D to this Act signed by at least three substantial householders residing within such district.

Applications to be posted

VIII. The Clerk shall cause a list of the names and additions of all such applicants to be posted on or before the second Thursday in the said month of April on the door of the Court in which such applications are intended to be heard there to remain for the space of one week.

Court may grant certificates

IX. It shall be lawful for the majority of Justices assembled at such Court to grant certificates in form Schedule E to this Act recommending to the Superintendent of the Province the granting of Licenses in the form in Schedule F to this Act and to attach to any certificate a memorandum that the License is not to operate within a given time and shall be subject to such conditions as may be appended thereto.

Court may impose conditions

X. The Court shall be at liberty to insert in any certificate as hereinbefore mentioned any of the conditions mentioned in Schedule I to this Act.

Recognizances to be taken

XI. The Court shall not have power to grant any certificate unless the applicant for the same shall have entered into a recognizance with two sureties of Fifty Pounds each in the form and with the conditions in Schedule C to this Act : Provided always that no Constable Licensed Victualler shall be accepted on a surety.

XII. No License shall be granted or transferred to any Constable or Officer of Police nor shall any License be granted or transferred in respect of any premises of which any such person shall be owner or wherein any such person shall be directly or indirectly interested. Disqualification clause

XIII. If any applicant for such certificate shall be hindered by sickness infirmity or any other reasonable cause from attending in person at any such meeting it shall be lawful for the Court to certify in favour of such person upon three sufficient sureties entering into the required recognizances: Provided that no notice of any complaint or objection in regard to the applicant shall have been given to him by any informant. Personal attendance at Court

XIV. The Chairman or Clerk of the Court shall within fourteen days after every licensing meeting transmit to the Provincial Treasurer a list signed by two of the Justices present thereat of the persons to whom such certificates as aforesaid shall have been granted and of their respective sureties and shall also transmit to the Provincial Treasurer the recognizances entered into. Notices to Provincial Treasurer.

XV. The fees payable in respect of every License shall be Twenty-five Pounds and Forty Pounds according as the license is granted for keeping open until the hour of 10 or of 12 o'clock at night. License fees

XVI. The Court shall in every case where they propose to refuse to grant a certificate or to suspend as hereinafter empowered any existing License disclose to the applicant the information charges or evidence on which they propose such refusal so as to afford him an opportunity of defence in the matter. Opposed Licenses

XVII. On receipt of such certificate when endorsed by the Superintendent and on payment of the said Fees the Provincial Treasurer shall issue and register in his office a License in the form prescribed in Schedule F to this Act. Form of License

XVIII. A Court of the District within which such house is situate may transfer a License granted under this Act to the appointee of the holder of such License by an endorsement on the License in form in Schedule G subject to such conditions as may have been required in respect of the original License. Transfer of License

XIX. In case any Licensed Victualler should be desirous of removing his business from the house named in such License to any other house it shall be lawful for a Court of the district within which such other house shall be situated to authorize such removal or transfer by an indorsement upon the original License in the form in Schedule G to this Act: Provided always that no such indorsement shall be made until the applicant shall have entered into a new recognizance to the same amount and subject to the same regulations as the original recognizance. Transfer to other premises

XX. Whenever a person to whom a Court shall have granted a certificate shall refuse or neglect to take up his License under the conditions required by this Act or shall die then a Court may upon the application in writing of the person legally entitled to the occupation of the house to which such License refers grant to such person a certificate authorising such License to be issued to him upon his entering into the recognizances required by this Act and such certificate shall be transmitted to the Provincial Treasurer who on receipt thereof and payment of the sum required by this Act or a proportionate part thereof according to the time such License may have to run shall issue a License in the form hereinbefore prescribed in Schedule F to this Act. Transfer in case of vacancy

XXI. Whenever any Licensed Victualler shall have deserted or been legally ejected from a licensed house or shall refuse or neglect to transfer such License on the request of the person legally entitled to the occupation of such house a Court may if they shall think fit make an order under their hands for the transfer of the License to any other person entering into similar recognizances and under the same conditions as if the License had been originally granted to him. Transfer to lawful owner

XXII. In case of the death of any person holding a License his Executors or Administrators may carry on the business of such person and act under the authority of his License during the residue of the term for which such License shall have to run from the day of his decease the person so carrying on the business shall when required so to do enter into a recognizance before the Resident Magistrate or Chairman of Petty Sessions of the District to the same Transfer on death of Licensee

amount and subject to the same regulations as the person to whom the License was originally granted.

- Hours of business**                   XXIII. A public house may only be kept open between the hours of 6 in the morning and 12 at night: Provided that a Resident Magistrate or Chairman of Petty Sessions of the district may if he shall see reasonable cause by an order under his hand permit an extension of such hours on any special occasion.
- Sunday clause**                    XXIV. No public house shall be kept open on Sundays Good Friday or Christmas Day for any purpose of business before one o'clock in the afternoon or after two o'clock in the afternoon except for the accommodation of lodgers or *bona fide* travellers.
- Police clause**                    XXV. Any Constable may demand entrance into any licensed house at any hour upon information that this Act is contravened and any unnecessary delay in giving admission to said Constables may upon hearing of the case by any two Justices subject the parties to the penalties herein contained.
- Lamp clause**                     XXVI. Every Licensed Victualler shall keep his name painted in legible characters not less than three inches in length with the words "Licensed Victualler" on some conspicuous part of the house and shall have a lamp affixed over the front or principal door of his house and shall keep such lamp burning from sunset to midnight.
- Provision against pawns**        XXVII. No Licensed Victualler shall take anything whatever in pledge for any liquor sold or supplied nor take in payment for the same anything except metallic or paper currency or written order for payment of money.
- Measure clause**                 XXVIII. If any Licensed Victualler shall sell or otherwise dispose of any liquors except in quantities less than half-a-pint or in bottle in vessels not sized to full imperial measure according to the standard for the time being legally established in this colony or shall not if required by any guest or customer purchasing such liquor retail the same in a vessel sized according to such legal standard or shall not supply oats and grain for horse feed in vessels sized to full imperial measure according to such standard he shall for every such offence be liable to a penalty not exceeding five pounds.
- Proceeding in case of Complaint**    XXIX. Every complaint which may be made against a Licensed Victualler in the conduct of his business shall be by way of summons before two Justices of the Peace who may if they think fit instead of inflicting a penalty recommend the Superintendent to suspend or cancel the License of the person complained of.
- Selling less than two gallons**    XXX. If any person not being a Licensed Victualler or Licensed Auctioneer acting at a public auction shall sell any quantity less than two gallons of Spirituous Liquor Wine Ale or Beer or shall permit to be removed from his premises any less quantity than two gallons of liquor at one time which may have been sold by him he shall be liable to a penalty of Fifty Pounds for every such offence one half of such penalty to be given to the informer Provided that nothing herein contained shall in any way affect the regulations or privileges of military canteens or of any person Licensed under the provisions of an Act to enable Lodging and Boarding-house keepers in the town of Napier to sell Ale or Beer.
- Hawking clause**                 XXXI. All liquors the sale of which would require a License under this or any other Act may if hawked about or exposed for sale in any unlicensed place be seized by any constable and shall be forfeited to Her Majesty: Provided that the Superintendent or any two Justices of the Peace may authorise by an order under his or their hands any Licensed Victualler to exercise his trade at any other place on special occasions such as Races or Balls.
- Gambling clause**                 XXXII. That if any person holding a License shall permit any game of chance or skill to be played by persons under sixteen years of age or to be played for money or money's worth by persons above that age upon the premises to which such License shall extend he and the parties engaged in such game shall severally be liable to a penalty not exceeding Five Pounds and the holder of such License shall on a second conviction forfeit his License and be incapable of holding another within the Province for six months after such conviction.

XXXIII. That it shall not be lawful for the Magistrates to grant any certificate authorising the issue of a License or the removal of a License to any person who shall at any time have been convicted within the Colony of smuggling. Smugglers not to be licensed

XXXIV. Any person charged with riotous or indecent behaviour or intoxication within a licensed house and refusing to quit the same when ordered to do so by the Licensee may by him be given into custody and upon a conviction before a Justice of the Peace be liable to a penalty not exceeding forty shillings or in default thereof to be imprisoned for any period not exceeding forty-eight hours. Misdemeanours

XXXV. It shall be lawful for the Court by their certificates to recommend the Superintendent to issue a License upon payment of a smaller sum not less than £10 than the fees hereinbefore required in case the Court shall be of opinion that the house is established mainly for the accommodation of travellers and that the custom from residents in the neighborhood will be inconsiderable and thereupon it shall be lawful for the Superintendent to issue a License upon payment to the Provincial Treasurer of such smaller sum not less than £10 : Provided that no such License shall be issued in respect of any house situated within ten miles of any house in respect of which the full License fee is paid. Bush licenses

XXXVI. Any person offending against the provisions of this Act shall in the absence of any special penalty under this Act be liable to a penalty of not less than Two Pounds nor more than Twenty Pounds for every offence. Penalties

XXXVII. All penalties under this Act may be summarily recovered before a Resident Magistrate or a Court of Petty Sessions under the Justice of Peace Act 1866. Summary proceeding

XXXVIII. This Act shall come into operation one month after the Governor's assent to the same shall have appeared in the Government *Gazette* but shall not apply to any Licenses already existing until the termination of the period for which such Licenses shall have been issued it shall be lawful for the Superintendent to renew special Licenses already granted under the Licensing Amendment Ordinance 1844 for the period to elapse from the date of their respective expiring until the 30th day of June following such expiring. Operation clause

#### SCHEDULE A.

Schedules

(Repealed Acts.)

The Licensing Ordinance Session 2 No. 12  
 The Licensing Amendment Ordinance Session 3 No. 21  
 The Licensing Amendment Ordinance Session 11 No. 16  
 The Publicans' Licenses Act Session 2 No. 11  
 The Licensing Amendment Act Session 1 No. 25  
 The Publicans' Licensing Amendment Act Session 4 No. 3

#### SCHEDULE B.

##### FORM OF APPLICATION FOR LICENSE.

To the Justices of the Peace acting in and for the District of  
 in New Zealand.  
 (State the trade or occupation.)

I A. B. now  
 residing at hereby  
 give notice that I shall apply at the next Licensing Meeting for this District for a  
 License for the sale of Spirituous Liquors Wine Ale and Beer in the house and pre-  
 mises thereunto belonging situated at  
 (Here describe the house proposed to be Licensed, specifying the situation of it and the  
 present occupier.)  
 I propose C. D. of and  
 E. F. of as my sureties to enter with me into the required  
 recognizance.  
 Dated this day of One thousand  
 eight hundred and A. B.

FORM OF RECOGNIZANCE BY AN APPLICANT FOR A LICENSE.

COLONY OF NEW ZEALAND, }  
PROVINCE OF HAWKE'S BAY, }  
TO WIT.

WHEREAS A. B. is to be licensed pursuant to "The Licensed Victuallers' Act 1870" to sell Spirituous Liquors Wine Ale or Beer in a house being the sign of situated at in the district or township of for twelve months commencing on the first day of July One Thousand Eight Hundred and

The undersigned A. B. of principal party to this Recognizance hereby binds himself to perform the following Obligation (that is to say) to keep the law in selling such liquors as aforesaid in his or her said house and to observe the conditions attached to his license. And the said principal party and

of and of whose names are hereunto subscribed as sureties hereby severally acknowledge themselves bound to forfeit to the Crown the sums following (that is to say) the said principal party the sum of Fifty Pounds and the said sureties the sum of Fifty Pounds each in case the said principal party fails to perform the above obligation.

} Principal party.  
} Sureties.

TAKEN before me this 187 at Justice of the Peace for

SCHEDULE D.

FORM OF HOUSEHOLDERS' CERTIFICATE.

WE the undersigned householders residing within the town (or district) of do hereby certify that A. B. of is a person of good character and qualified to hold a Publicans' License. Dated this day of One thousand eight hundred and

SCHEDULE E.

FORM OF CERTIFICATE AUTHORISING THE GRANT OF A LICENSE

PROVINCE OF HAWKE'S BAY, }  
TO WIT.

At a Licensing Court held at Justices of the Peace acting in and for the District of before the undersigned at on the day of One thousand eight hundred and pursuant to the Licensed Victuallers' Act 1870 for the purpose of considering applications made to us for licenses pursuant to the said Act We being the majority of the Justices assembled at such Court do hereby recommend the Superintendent to grant to A.B. of

a license under the said Act (Here state the hour sign district or other particulars) the year commencing from the first day of July next and we do hereby certify that we are satisfied the said A. B. is a person of good character and qualified to be licensed as aforesaid and also that we have taken from the said A B and his sureties C D of and EF of a recognizance in the sum of Fifty Pounds each according to the form prescribed in the said Act.

Dated at the day of G. H. J.P. J. K. J.P.

SCHEDULE F.

FORM OF LICENSE.

PROVINCE OF HAWKE'S BAY, }  
TO WIT.

WHEREAS A.B. of hath deposited in the office of

the Provincial Treasurer a certificate dated the \_\_\_\_\_ day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_ the issue to the said A.B. \_\_\_\_\_ of a license for the house known (or to be known) by the sign of \_\_\_\_\_ situated at \_\_\_\_\_

AND WHEREAS the said A. B. \_\_\_\_\_ has paid to the said Treasurer's office the sum of \_\_\_\_\_ pounds as the duty of such License. Now I the Superintendent of the Province of Hawke's Bay in virtue of the powers vested in me by the "Licensed Victuallers' Act 1870" do hereby license the said A. B. \_\_\_\_\_ to sell any Spirituous Liquors Wine Ale or Beer in any quantity in this house aforesaid and in the premises thereunto belonging but not elsewhere and this license shall commence on the first day of July next and continue in force until the thirtieth day of June next then ensuing both days inclusive subject to the conditions of any endorsed on this license.

Given under my hand at \_\_\_\_\_ this day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_

.....  
Superintendent.

—————  
SCHEDULE G.

FORM OF ENDORSEMENT ON LICENSE TO AUTHORISE A TRANSFER THEREOF.

Be it remembered that we the undersigned being the majority of the Justices present at a Court held at \_\_\_\_\_ for the purpose of transferring Licenses do hereby upon the application of the within-named \_\_\_\_\_ transfer the right and privileges of the within license to G. H. for the residue of the term for which the same has now to run the said G. H. having first exhibited the certificate and entered into the recognizance required by law.

..... J.P.  
..... J.P.

—————  
SCHEDULE H.

FORM OF ENDORSEMENT ON LICENSE TO AUTHORISE A CHANGE OF HOUSE AND PREMISES.

MEMORANDUM—We the undersigned being the majority of this meeting at a Court held at \_\_\_\_\_ do hereby declare that the within license shall henceforth cease to apply to the house and premises therein described and shall apply instead thereof to the house and premises situate (describe as in original license).

..... J.P.  
..... J.P.

—————  
SCHEDULE I.

CONDITIONS WHICH MAY BE ATTACHED TO ANY LICENSE.

1. The hereinafter named conditions or any of them may be attached to any license as may be recommended by the Court of Justices.

2. That the said \_\_\_\_\_

shall at all times provide proper lodging and entertainment for travellers and their horses; and also a suitable bed-room for the accommodation of a lady and gentleman; shall keep either a good stable or a well fenced paddock; and shall have a good supply of oats or Indian corn always on hand. That no Spirituous Liquors shall be directly or indirectly supplied to minors under the age of fifteen nor any drunkenness or disorderly conduct or gambling be permitted in the house.

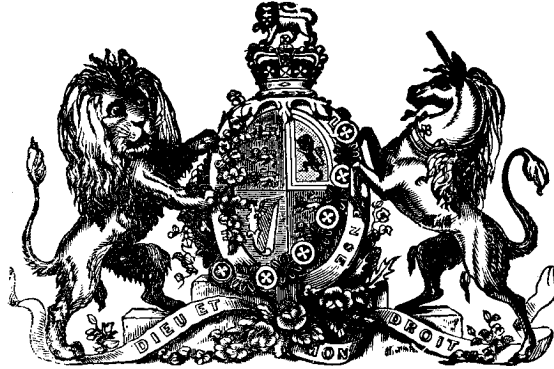
3. That the said \_\_\_\_\_ shall keep the Ferry at \_\_\_\_\_ on such conditions as shall be from time to time provided in that behalf.

4. That the stables be furnished with hay-racks constructed on the same level as the manger.





# Province of Hawke's Bay.



## LICENSED VICTUALLERS' ACT AMENDMENT ACT, 1871.

SIXTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 1.

### ANALYSIS.

- |   |   |
|---|---|
| Title.  | 5. Notice to be given of such application in newspapers.              |
| Preamble.   | 6. Advertising charges to be borne by applicant.                      |
| 1. Short Title.   | 7. Delivery of application.   |
| 2. Clauses 7 and 24 Licensed Victuallers' Act 1870 repealed.                                    | 8. Restriction in license.  |
| 3. Lawful to make application for License according to Schedule.                                | 9. This Act to be taken as portion of Licensed Victuallers' Act 1870. |
| 4. Applicants must obtain signatures of 10 substantial householders to application for license. |   |

AN ACT to amend an Act of the Provincial Council of Hawke's Bay intituled "The Licensed Victuallers' Act 1870." Title.

[Assented to July 3, 1871.]

WHEREAS by Section 7 of the "Licensed Victuallers' Act 1870" it is enacted that "Every applicant for a license under this Act shall on or before the first Thursday in the month of April in every year cause to be delivered to the Clerk of the Court for the District in which it is proposed to exercise such license a notice in writing signed by him and in the form in Schedule B' to this Act and when such applicant shall not already hold a license such notice shall be accompanied by a certificate in the form Schedule D to that Act annexed signed by at least three substantial householders within such district." Preamble

AND WHEREAS it is expedient and necessary for the convenience of the public to amend such section of the before mentioned Act for the purpose of giving power to the Court in cases of special character to hear and determine application for licenses made at any time before or after the day and month prescribed in the aforesaid section for delivering notices of application.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows :—

Short Title.

1. The short title of this Act shall be the "Licensed Victuallers Act Amendment Act 1871."

Clause 7 and 24 Licensed Victuallers' Act 1870 repealed.

2. That clauses No. 7 and 24 of the "Licensed Victuallers' Act 1870" are hereby repealed.

Lawful to make application for License according to Schedule.

3. It shall and may be lawful for any person to make application for a license under this Act upon giving such notice as is hereinafter mentioned. Provided that it shall be in the discretion or power of the said Court to refuse such application.

Applicants must obtain signatures of 10 substantial householders to application for license.

4. Every applicant for a license under this Act shall before making such application deliver or cause to be delivered to the Clerk of the Court for the District in which it is proposed to exercise such license a notice in writing signed by him and in the form prescribed in the Schedule to this Act and shall be accompanied by a certificate in the form D to the "Licensed Victuallers' Act 1870" signed by at least (10) ten substantial householders residing within such district.

Notice to be given of such application in newspaper.

5. The Clerk shall immediately after receiving any application under this Act cause a separate notice of every such application to be inserted in one of the newspapers of the province at least ten days before the hearing thereof in which notice shall be stated the name and address of the applicant also description of the house proposed to be licensed and the situation of it.

Advertising charges to be borne by applicant.

6. The charges for advertising every such notice under this Act shall be borne and paid by the applicant.

Delivery of application.

7. Every applicant for a license under the "Licensed Victuallers' Act 1870" shall on or before the first Thursday in April in every year cause to be delivered to the Clerk of the Court for the district in which it is proposed to exercise such license a notice in writing signed by him and in the form of Schedule B to "Licensed Victuallers' Act 1870" and when such applicant shall not already hold a license such notice shall be accompanied by a certificate in the form Schedule D to the "Licensed Victuallers' Act 1870" signed by at least three substantial householders residing within such district. Provided that when the same district shall be at the same time a Resident Magistrate's District and Petty Sessions District application shall be made to the Petty Sessions Court.

Restriction in license.

8. No public-house shall be kept open on Sundays for any purpose of business except for the accommodation of lodgers boarders and *bona fide* travellers.

This Act to be taken as portion of Licensed Victuallers' Act 1870.

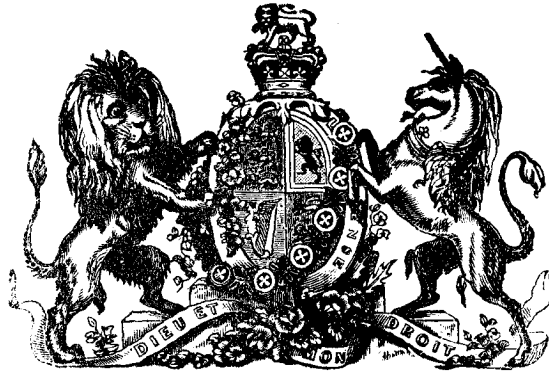
9. This Act shall be taken read and interpreted as part of and incorporated with the "Licensed Victuallers' Act 1870."

#### SCHEDULE.

##### Form of application for a License under this Act.

To the Justices of the Peace acting in and for the  
 district of in New Zealand.  
 I A. B. (state the trade or occupation) now residing at hereby  
 give notice that I shall on the day of  
 apply to you at the Licensing Meeting for this District for a license for the sale  
 of Spirituous Liquors Wine Ale and Beer in the house and premises thereunto  
 belonging situated at (here describe the house proposed  
 to be licensed specifying the situation of its present occupier and also the special  
 circumstances under which application is made.)  
 I propose C. D. of and G. F. of  
 as my sureties to enter with me into the required recognizance.  
 Dated this day of 18 A. B.

# Province of Hawke's Bay.



## VOLUNTEER SHED BILL.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 2.

### ANALYSIS.

Title.	2. Short title.
Preamble.	
1. Lawful for Superintendent to lease certain lands as a site for a Volunteer Drill-shed.	Schedule.

## *AN ACT to appropriate a certain parcel of Land as a site for "The Volunteer Drill-shed."*

Title.

[Assented to July 3, 1871.]

**W**HEREAS under and by virtue of "The Public Reserves Act 1854" the Governor of the Colony of New Zealand did by a Deed of Grant sealed with the Public Seal of the Colony and dated the first day of February 1861 grant to the Superintendent of the Province of Hawke's Bay amongst other lands a certain parcel described in the Schedule to this Act to hold unto the said Superintendent and his successors in trust for purposes of public utility.

Preamble

**AND WHEREAS** it is expedient that the Superintendent should have power to lease a moiety of the said parcel of land as the site for a Volunteer Drill-shed.

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the consent of the Provincial Council thereof as follows :—

1. It shall be lawful for the Superintendent to lease the parcel of land described in the Schedule by private contract for ten years for the yearly rental of one pound per annum and to lease the same to the lessees as the site for a Volunteer Drill-shed.

Lawful for Superintendent to lease certain land as a site for a Volunteer Drill-shed.

2. The short title of this Act shall be "The Volunteer Shed Bill."

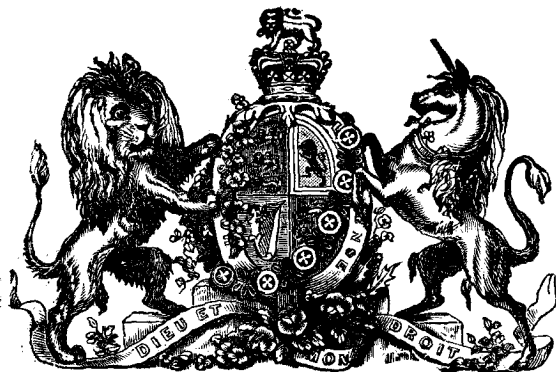
Short Title.

Schedule.

SCHEDULE.

All that parcel of land situate in the town of Napier containing by admeasurement one rood more or less and being portion of town section No. 289 on the Government plan of the town of Napier bounded on the North by Raffles-street 125 links on the East by part of town section No. 289 200 links on the South by town section No. 291 125 links and on the West by town section No. 376 200 links.

# Province of Hawke's Bay.



## THE NAPIER SCHOOL ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 3.

### ANALYSIS.

- |  |  |
|--|--|
| Title.   |  |
| Preamble.  |  |
| 1. Short Title.  |  |
| 2. Repeal of "Hawke's Bay Grammar School Act."                   |  |
| 3. Parcel of land to be sold and conveyed to Trustees.           |  |
| 4. Land not to be conveyed till Trustees are lawfully appointed. |  |
| 5. Limit of time for grant.                                      |  |
| 6. Land to be for a site for and maintenance of a Common School. |  |

## *AN ACT to appropriate a certain parcel of Land as a site for "The Napier School."*

[Assented to July 12, 1871.]

**W**HEREAS under and by virtue of "The Public Reserves Act 1854" the Governor of the Colony of New Zealand did by a Deed of Grant sealed with the Public Seal of the Colony grant to the Superintendent of the Province of Hawke's Bay amongst other lands a certain parcel described in the Schedule to this Act to hold unto the said Superintendent and his successors in trust for purposes of public utility.

**AND WHEREAS** some time since funds were collected for the establishment of a Common School in the town of Napier to be called "The Napier School" and it is intended that the said School shall forthwith be established.

**AND WHEREAS** it is expedient that the Superintendent should have power to sell and convey the said parcel of land as the site for the said School.

**BE IT THEREFORE** enacted by the Superintendent of the Province of Hawke's Bay by and with the consent of the Provincial Council thereof as follows:—

1. The Short Title of this Act shall be the "Napier School Act 1871."
2. The "Hawke's Bay Grammar School Act Session XI. No. 8" is hereby repealed.

- Parcel of land to be sold and conveyed to Trustees. 3. It shall be lawful for the Superintendent to sell and convey in consideration of the sum of £5 the parcel of land described in Schedule A to the Trustees of the Napier School Trust.
- Land not to be conveyed till Trustees are lawfully appointed. 4. The said grant shall not be granted until the said Trustees shall be lawfully appointed and confirmed by the Supreme Court.
- Limit of time for grant. 5. The said grant shall be made before the expiration of eighteen months from the passing of this Act.
- Land to be for a site for and maintenance of a Common School. 6. The said land shall be granted as a site for and for the maintenance of a Common School within the meaning of the "Education Act" of Hawke's Bay and in conformity with the provisions of the said Act.

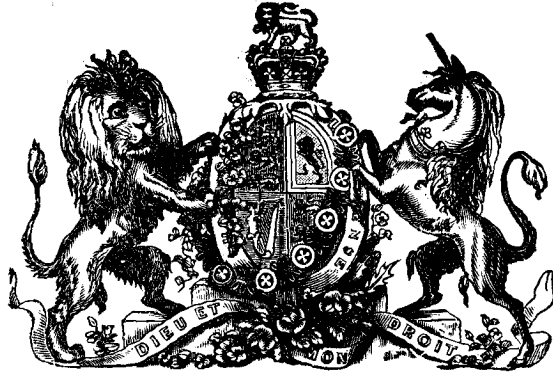
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SCHEDULE A.

Schedule.

All that parcel of land containing 2 acres 2 roods and 23 perches being part of suburban section No. 90 Scinde Island now in the occupation of Alexander Kennedy and bounded towards the North by a public road measuring 60 links towards the North East by suburban section 85 measuring 744 links towards the South and South West by Clyde Road measuring 375 links and 386 links respectively towards the West by lot 4 measuring 265 links and towards the North West by town sections Nos. 439 and 441 measuring 400 links.

# Province of Hawke's Bay.



## ODDFELLOWS' HALL ACT.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 4.

### ANALYSIS.

Title	2. Short Title
Preamble	
1. Lawful for Superintendent to dispose of certain land to Trustees N.L.I.O.O.F.M.U.	Schedule

### *AN ACT to grant a parcel of Land to Trustees for the purposes of an Oddfellows' Hall.*

[Assented to July 3, 1871.]

**WHEREAS** by a resolution of the Provincial Council of Hawke's Bay dated the 13th day of April 1863 it was resolved that the land hereinafter mentioned should be set aside as a site for the Oddfellows' Hall. And whereas in pursuance thereof the Superintendent admitted the Napier Lodge Independent Order of Oddfellows' Manchester Unity to the possession of the land hereinafter mentioned and the said Lodge has erected a Hall thereon but no conveyance of the said land has been executed. And whereas it is expedient that the said land should be sold to the Trustees of the said Lodge hereinafter named for the sum of £5 to be held by them as the site of a Hall for the said Lodge.

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

1. It shall be lawful for the Superintendent to sell the parcel of land hereinafter described by private contract for the sum of £5 to William Miller of Napier gaoler Charles Mogridge of Napier builder and Benjamin William Warnes of Napier lighterman Trustees of the Napier Lodge Independent Order of Oddfellows' Manchester Unity and their successors Trustees for the time being of the said Lodge all that said parcel of land being Town Section No. 112 Napier and particularly described in the Schedule hereto as a site for the Hall of the said Lodge and to execute a proper Deed of Conveyance of the said parcel of Land to the said Trustees and their Successors upon the Trust aforesaid.

Lawful for Superintendent to dispose of certain land to Trustees N.L.I.O.O.F.M.U.

Short Title

2. The Short Title of this Act shall be "The Oddfellows' Hall Act."

Schedule.

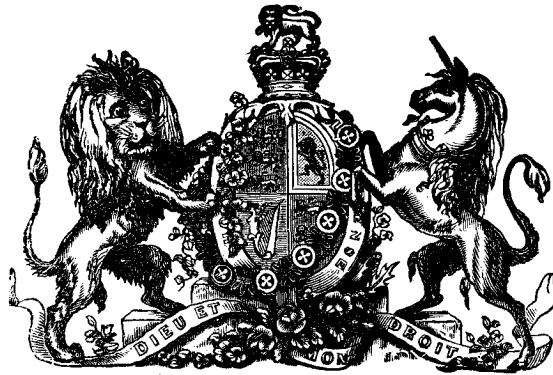
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SCHEDULE.

All that parcel of land containing one rood more or less being Town Section No. 112 on the Government Map of the Township of Napier bounded towards the North-east by Town Section No. 113 200 links towards the South-east by Tennyson-street 125 links towards the South-west by Section No. 111 200 links and towards the North-west by Section No. 110 125 links.



# Province of Hawke's Bay.



## DOG NUISANCE ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 5.

### ANALYSIS.

- |  |  |
|--|--|
| Title.   | 6. Penalty for any person having in his possession counterfeit badges.                     |
| Preamble.  | 7. Penalty for not registering.  |
| 1. Repealing Act No. 18. of Session IV. Province of Wellington.                        | 8. Dogs when at large not registered may be destroyed.                                     |
| 2. Power to Superintendent to appoint Registrars and assign districts.                 | 9. Dogs found worrying sheep may be destroyed.   |
| 3. Every owner of dog to register.   | 10. Not necessary to prove ownership of dogs.  |
| 4. Registration fee for collar. Registrar number to be determined by Napier Registrar. | 11. Fees collected under this Act to be paid into Provincial Treasury to separate account. |
| 5. Registrar to keep books which are open for inspection on payment of sixpence.       | 12. Fines fees &c. recoverable in a summary way.   |
|  | 13. Short Title.   |

*AN ACT to repeal the Dog Nuisance Act Session IV. No. 18 of the Provincial Council of Wellington.* Title

**W**HEREAS it is expedient to amend the Law relating to Dogs. Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows:—

I. The Act of the Provincial Council of Wellington Session 4 No. 18 in force in this Province is hereby repealed. Repealing Act No. 18 of Session IV. Province of Wellington

II. The Superintendent may appoint persons to be Registrars of Dogs and assign to them respectively such districts as he may think fit. Power to Superintendent to appoint Registrars and assign districts

Every owner of dog to register

III. Every owner of a dog or dogs shall register his dog or dogs yearly with the Registrar of the dogs for the district in which he may reside and after the first registration such registration shall be made in the month of January in every succeeding year.

Registration fee for collar Register number to be determined by Napier Registrar

IV. For the registration of every dog the sum of 5s shall be paid to the Registrar who shall supply to each owner a register badge upon which the register number for the year shall be stamped and which badge shall be attached to a collar to be worn upon the neck of the dog so registered the register number to be determined by the Registrar of dogs at the town of Napier.

Registrar to keep books which are open for inspection on payment of sixpence

V. Every Registrar shall enter in a book to be kept for the purpose the name address and calling of the owner the name and description of the dog so registered with him the number of the badge and date of registration which book shall be open to inspection at each office during the usual office hours on payment of a fee of sixpence.

Penalty for any person having in their possession counterfeit badges

VI. If any person shall falsely make or counterfeit or knowing the same to be false or counterfeit purchase use or have in his possession any badge resembling the badge provided under the fourth clause of this Act he shall forfeit and pay for every such offence a sum not exceeding Ten Pounds nor less than Five Pounds.

Penalty for not registering

VII. Any person owning maintaining or having charge of a dog six months old unregistered shall be liable to a penalty of not exceeding One Pound for every dog so owned maintained or being in his charge.

Dogs when at large not registered may be destroyed.

VIII. Any dog or dogs not having attached to a collar the badge for the current year shall be deemed unregistered and may be destroyed if found at large.

Dogs found worrying sheep may be destroyed

IX. All registered or unregistered dogs wheresoever found worrying cattle sheep pigs or other live stock whether such dogs at the time at which they may be so found shall be or shall not be in charge of any person may be destroyed.

Not necessary to prove ownership of dogs

X. In all cases where damages for injury done by a dog are sought to be recovered from the owner it shall not be necessary for the plaintiff to prove that the owner knew of the dog's propensity to commit the injury complained of but the defendant may bring evidence to show that he had no reason to believe that his dog was likely to commit such injury and such evidence may go in mitigation of damages.

Fees collected under this Act to be paid into Provincial Treasury to separate account.

XI. All fees accruing under this Act shall be paid into the Provincial Treasury to a separate account to be appropriated to the payment of the expenses of carrying this Act into effect.

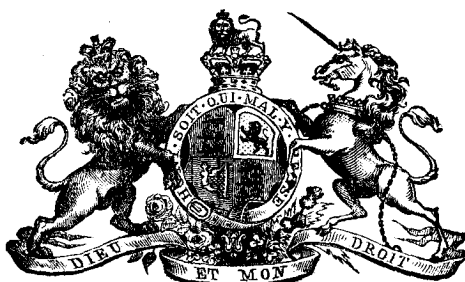
Fines fees &c. recoverable in a summary way

XII. All fees fines and penalties levied under this Act shall be recoverable in a summary way.

Short Title

XIII. This Act shall be intituled and may be cited as "The Dog Nuisance Act 1871."

# Province of Hawke's Bay.



## HAWKE'S BAY SHEEP ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII, No. 6.

### ANALYSIS.

Title.	Peace, who are authorized to grant same upon sufficient cause being shown
Preamble.	14. Notice of draftings
1. Short Title	15. Earmark
2. Repeal Clause	16. Driving notice
3. Interpretation Clause	17. Travelling clause
4. Appointment of Inspectors	18. Intermixture of travelling sheep
5. Duties of Inspector	19. Trespass of rams
6. Compulsory Registration of Earmark	20. Harboring diseased sheep
7. Annual Return	21. Sheepowner on discovering disease in his flock to give notice to Inspector and adjoining sheepowners
8. Annual Assessment	22. Custody of diseased sheep
9. Importation by sea limited to Napier	23. Quarantine Ground
10. Notice of landing	24. Penalties
11. Notice of importing overland	25. Fees
12. Removal without certificate. Proviso made for driving where foot-rot alone exists	26. Penalties to be paid into separate account
13. Biennial musterings. Inspector can call muster of flocks under order signed by two Justices of the	27. Commencement of Act

AN ACT to Repeal an Act of the Provincial Council of Hawke's Bay intituled "The Hawke's Bay Sheep Act 1870" (Session XVI No. 3.) (Assented to August 4, 1871.)

WHEREAS it is expedient to repeal "The Hawke's Bay Sheep Act 1870" and to make other provisions in lieu thereof

Be it enacted as follows

1. The Short Title of this Act shall be "The Hawke's Bay Sheep Act 1871."
2. "The Hawke's Bay Sheep Act 1870" Session XVI No. 3 is hereby repealed.

## Interpretation Clause

3. The meaning of the terms and words occurring in the context of this Act shall be governed by the following interpretations when not otherwise specially limited

- (a) "Province" shall mean the Province of Hawke's Bay
- (b) "Station" shall mean any land upon which sheep are harbored or depastured
- (c) "Sheep owner" shall mean the proprietor of a station or any bailee of sheep and when such owner or bailee is not resident on his station shall include manager overseer head shepherd or other person ostensibly in charge of the station
- (d) "Brand" shall mean a distinguishing mark or marks for sheep registered at the principal office at Napier
- (e) "Diseased Sheep" shall mean sheep infected by either of the diseases known as Scab Foot-rot or Catarrh Also sheep which have been dressed for scab within forty days Also any sheep driven from or through a station not possessing a certificate from an Inspector in form No. 1 in Schedule A to this Act Also sheep imported by sea or overland without a certificate from an Inspector in form No. 2 in said Schedule A.

## Appointment of Inspectors

4. The Superintendent may from time to time by Proclamation in the Hawke's Bay Gazette appoint an Inspector or Inspectors of sheep for the purposes of this Act as he may think fit And may at any time annul such appointments and make others And may proclaim a principal office in Napier for such Inspector or Inspectors Provided always that the salaries of such Officers shall be voted by the Provincial Council.

## Duties of Inspector

5. The duties of Inspector shall be as follows

- (a) To keep in a Registry Book at the principal office an Annual Return of the number of sheep above six months old which are to the best of his information in the Province Such Return shall show the number of sheep registered by each separate sheepowner with their respective earmarks and brands Such Return to be forthwith published in the Hawke's Bay Gazette Such Registry Book shall be compiled in the form No. 3 in Schedule A to this Act and shall be open at all office hours for inspection by any person applying to examine the same upon payment of of one shilling
- (b) To collect in the month of August or so soon after as reasonably may be in every year the Assessments to be made under clause 8 of this Act and to forthwith as the same may be collected pay the amount into the Provincial Treasury.
- (c) To visit every Provincial Electoral District at least once a year, and to visit every Station so often as may be expedient and at least once a year to report to the Superintendent the condition of the several flocks.
- (d) To take all lawful measures for preventing the importation by land or sea of diseased Sheep and further to cause all imported Sheep to be drafted into a separate close or paddock appointed or approved by him for the purpose of keeping them perfectly isolated from contact with any other sheep.
- (e) Generally to do all such acts as are intended to come within his scope under the provisions of this Act.

## Compulsory Registration of earmark

6. Every Sheep owner not having an earmark and brand registered before the passing of this Act may within one month after the proclamation of the Governor's assent to this Act on payment of the fee of ten shillings register at the principal office in Napier the earmarks and brands which he proposes to use Provided that it shall not henceforth be lawful for any person to register any earmark and brand already registered by another Sheep owner.

## Annual return

7. Every Sheep owner shall in the month of May in every year send a written return to the Inspector at Napier of the number of Sheep above six months old in his possession or charge on the first day of May in every year distinguishing their sexes.

8. Every Sheep owner shall in the month of August in every year pay to the Inspector on demand an assessment at the rate of one penny for every 4 Sheep above six months old as returnable by such owner or bailee under Clause 7 of this Act. Annual assessment
9. It shall not be lawful to import any Sheep into the Province by sea unless the same be landed at the Port of Napier. Importation by sea limited to Napier
10. Every person landing Sheep at the Port of Napier shall previously give notice to an Inspector who shall forthwith inspect such Sheep and shall cause them with all convenient speed to be efficiently dipped in such place as he may deem to be most convenient at the expense of the Importer. Notice of landing
11. Every Sheep owner or drover of Sheep shall before importing overland any Sheep into the Province give at least 21 days' written notice thereof to the Inspector by leaving the same at his office in Napier. Such notice shall state the number and sexes of the Sheep intended to be imported and shall state where such Sheep shall have been originally purchased and whence driven. And also the time and place adjacent to the Boundary of the Province when and whereat such Sheep will be mustered for examination by an Inspector under this Act. And such Sheep shall not be permitted to continue their journey before an Inspector shall have furnished the drover thereof with a certificate in the form No. 2 in Schedule A to this Act. Notice of importing overland
12. No Sheep owner shall permit any Sheep to be removed from his station without possessing a certificate in the form No. 1 in Schedule A to this Act. Provided that in the case of stations whereon foot root only is known to exist the Inspector shall after examination grant a driving certificate for such sheep proposed to be removed as show no symptoms of disease such sheep immediately before removal and immediately after arrival at their destination to be dressed with a disinfecting solution to the satisfaction of the Inspector and further that any Sheep which shall have been driven through an infected station shall be dressed with a disinfecting solution to the satisfaction of the Inspector immediately after their arrival at their destination. Provided that in case of contiguous stations which are alike infected Sheep may be removed from one to the other without certificate. Removal without certificate. Proviso made for driving where foot-root alone exists
13. Every Sheep owner shall muster the Sheep in his possession or charge before docking the same and within three months after shearing the same and shall give twenty-four hours' notice in writing or by advertisement in a Provincial newspaper thrice inserted of such musters to the abutting Sheep owners. And every Sheep owner shall furthermore forthwith muster his flock before an Inspector who shall be entitled to call for a special muster. Biennial musters. Inspector can call muster of flocks under order signed by two Justices of the Peace, who are authorized to grant same upon sufficient cause being shown
14. Every Sheep owner so often as he may draft Sheep for the purpose of sale or removal from his Station shall before yarding the same give at least twelve hours notice thereof to the abutting Sheep owners. Provided that this Clause shall not apply to Sheep depastured in securely fenced paddocks nor in cases where river floods may prevent such notice being given. Notice of draftings
15. It shall not be lawful for any person to remove more than one-third of the ear of any Sheep. Earmark
16. Every drover or his employer shall give at least 24 hours' notice verbally or in writing of the precise day whereon he proposes to drive Sheep through another person's land by delivering such notice at the homestead or principal residence of the persons through whose land he proposes to drive except where such land abuts on a public road fenced on both sides or is situate within the districts described in Schedule B to this Act where two hours' notice shall be sufficient. Driving notice
17. Every drover of Sheep travelling through land not belonging to the owner or bailee of such Sheep shall weather permitting drive such Sheep a distance of not less than ten miles in every twenty-four hours. Travelling clause
18. Every drover or person in charge of travelling Sheep shall so often as and at every place where any portion of the Sheep in his charge may get inter- Intermixture of travelling sheep

mixed with other Sheep give immediate notice thereof to the owner overseer or shepherd of the Station where such intermixing occurred with whose consent the Sheep so intermixed shall be driven to the Station or nearest yard for the purpose of drafting.

**Trespass of rams**

19. Whenever any Ram or Rams shall be found trespassing the owner or person in charge of the land trespassed upon may castrate such Ram or Rams without being liable for any deaths or injuries except where ordinary care and skill have not been used. Provided that if the owner of the trespassing Ram or Rams be known he shall be entitled to receive twenty-four hours' notice in writing of the trespass before castration shall be resorted to.

**Harboring diseased sheep**

20. Whenever an Inspector shall have reason to suppose that diseased Sheep are being harboured in or driven through any part of the Province he may lay information or make complaint thereof before any two Justices of the Peace who after hearing such information or complaint may authorize an Inspector to take such measures as may in his discretion be sufficient to meet the case.

**Sheepowner on discovering disease in his flock to give notice to Inspector and adjoining sheep-owners**

21. It shall be incumbent upon every Sheepowner on discovery of disease in his flock to give immediate notice in writing thereof to the Inspector and adjoining Sheepowners.

**Custody of diseased sheep**

22. Whenever any Sheepowner fails to take fit and proper measures for the cure of diseased sheep whether isolated or not from other sheep it shall be lawful for an Inspector to enter by himself or agents upon the Station of such Sheepowner as any two Justices of the Peace may direct by an order signed by them and any Court consisting of not less than three Justices of the Peace one of whom shall be a Resident Magistrate or Chairman of Petty Sessions is hereby authorized to give such directions and make such order as the majority of such Court may think fit upon sufficient cause being shown by an Inspector laying an information or making a complaint in the matter.

**Quarantine ground**

23. Every close or paddock set apart for diseased sheep by an Inspector shall be deemed to be quarantine and infected ground until a certificate shall be given by an Inspector declaring the Sheep paddocked therein to be clean.

**Penalties**

24. The damages and penalties hereinafter authorised or required to be imposed by this Act shall when within the jurisdiction of Resident Magistrates' or Petty Sessions Courts be recovered or enforced in a summary way.

- (1.) Any person obstructing or interfering with an Inspector in the execution of his duty shall be liable to a penalty for every such offence not exceeding £20 and costs.
- (2.) Any person neglecting in any material point to make the return provided for in Clause 7 shall be liable to a penalty not exceeding £20 and costs.
- (3.) Any person importing by sea Sheep into the Province except at the Port of Napier shall be liable to a penalty of £100.
- (4.) Any person not giving the notice provided in Clause 10 shall be liable to a penalty of not less than £5 or not more than £20.
- (5.) Any Sheep owner neglecting or refusing to muster his flock when called upon to do so by an inspector shall be liable to a penalty of not less than £5 and not more than £50.
- (6.) Any Sheep owner or person driving Sheep overland into the Province without previously giving the notice and observing and performing the conditions provided in Clause 11 shall be liable to a penalty of £100.
- (7.) Any person removing or permitting the removal of Sheep from a Station not possessing a certificate in form of Schedule A No. 1 to this Act shall be liable to a penalty not exceeding £100.

- (8.) Every Sheep owner neglecting to deliver or cause to be delivered any of the notices required by Clauses 13 and 14 shall be liable to a penalty not exceeding £10.
- (9.) Any person removing more than a third of the ear of any Sheep shall be liable to a penalty not exceeding £1 for each offence.
- (10.) Every drover or his employer neglecting to give or cause to be given the notice provided in Clause 16 shall be liable to a penalty not exceeding £10.
- (11.) Every drover or his employer neglecting to comply with the conditions provided in Clause 17 shall be liable to a penalty not exceeding £5.
- (12.) Every drover or his employer neglecting to comply with the conditions of Clause 18 shall be liable to a penalty not exceeding £20.
- (13.) Every Sheep owner neglecting to take all proper measures for the eradication of disease in his flock shall be liable to a penalty not exceeding £100. Such penalty shall be cumulative from month to month upon a fresh information by an Inspector and further conviction.
- (14.) Every person removing Sheep from quarantine or infected ground without written permit from an Inspector shall be liable to a penalty not exceeding £100.
- (15.) Every person who shall sell or expose for sale the carcase or any portion of a sheep infected with Scab or Catarrh shall be liable to a penalty of not less than ten shillings nor more than five pounds for each offence.

25. The Scale of Fees mentioned in Form No. 4 of Schedule A to this Act <sup>Fees</sup> may be summarily recovered or enforced by an Inspector suing for the same before a Resident Magistrate or Court of Petty Sessions in the manner provided by the "Resident Magistrates' Act 1867."

26. All penalties fees and assessments recovered under this Act shall be paid into the Provincial Treasury to a separate account to be exclusively appropriated to the payment of the salaries of the Inspectors and the expenses caused by Inspectors in the execution of their duties under this Act. <sup>Penalties to be paid into separate account</sup>

27. This Act shall come into operation on the expiration or repeal of the Provincial Acts Validation Act 1870 and after notification of the Governor's assent thereto in the *New Zealand Gazette*. <sup>Commencement of Act</sup>

## SCHEDULE A.

[Form No. 1.]

Napier,

187

I hereby certify that the Sheep now depasturing on the Station known as \_\_\_\_\_ and at present in charge or in possession of \_\_\_\_\_ are free from any infectious or contagious disease incident to Sheep and that the said Station is a clean Station within the purview of the "Hawke's Bay Sheep Act 1871."

L. S.

Inspector of Sheep for the Province of Hawke's Bay.

[Form No. 2.]

Napier, 187

I hereby certify that the Sheep owned by or in the charge of  
 who desires to import the same into the Province are free from  
 any infectious or contagious disease and are marked as undermentioned.

Number.	Description.	Brands or Marks.

(L. S.)

Inspector of Sheep for the Province of Hawke's Bay.

[Form No. 3.]

Owner's Name and Address.	Ewes.	Wethers.	Rams.	When Return received.

[Form No. 4.]

SCALE of Dipping Fees for Sheep landed at the Port of Napier.

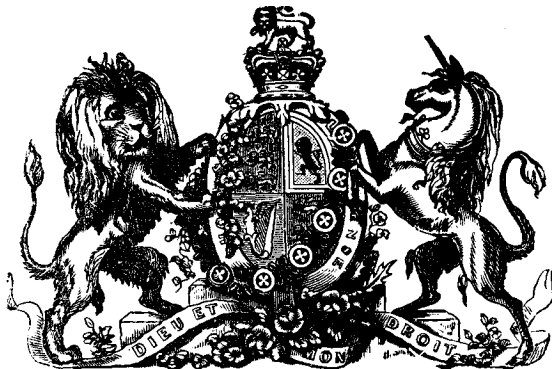
For any number not exceeding 25.			For any number not exceeding 50.			For any number exceeding 50.		
Per head	s.	d.	Per head	s.	d.	Per head	s.	d.
	2	6		1	6		1	0

## SCHEDULE B.

Starting from the Southern boundary of the Town of Napier at the Sea beach and proceeding in a Westerly direction to the mouth of the Tutaekuri river thence to Park's Island thence proceeding Southerly along the Western boundary of Meanee Suburban land and Block 1 Puketapu (Taipo) to Tutaekuri river, from thence due south to the Omaha road following that road crossing the Waitiho and Ngaruroro to the N.E. point of Te Popo (Roy's Hill) thence a straight line to Pakipaki Bridge from which proceeding in a straight line to the Middle Road at Mr Foster's House to the South West Corner of Lot 10 Block 1 Kidnapper district thence by the Tukituki river to the Sea and thence by the Sea to the starting point.



# Province of Hawke's Bay.



## THE HAWKE'S BAY GRAMMAR SCHOOL ACT REPEAL ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 7.

### ANALYSIS.

Title.  
Preamble.

1. Repeal of Act Session XI No. 8.  
2. Short Title.

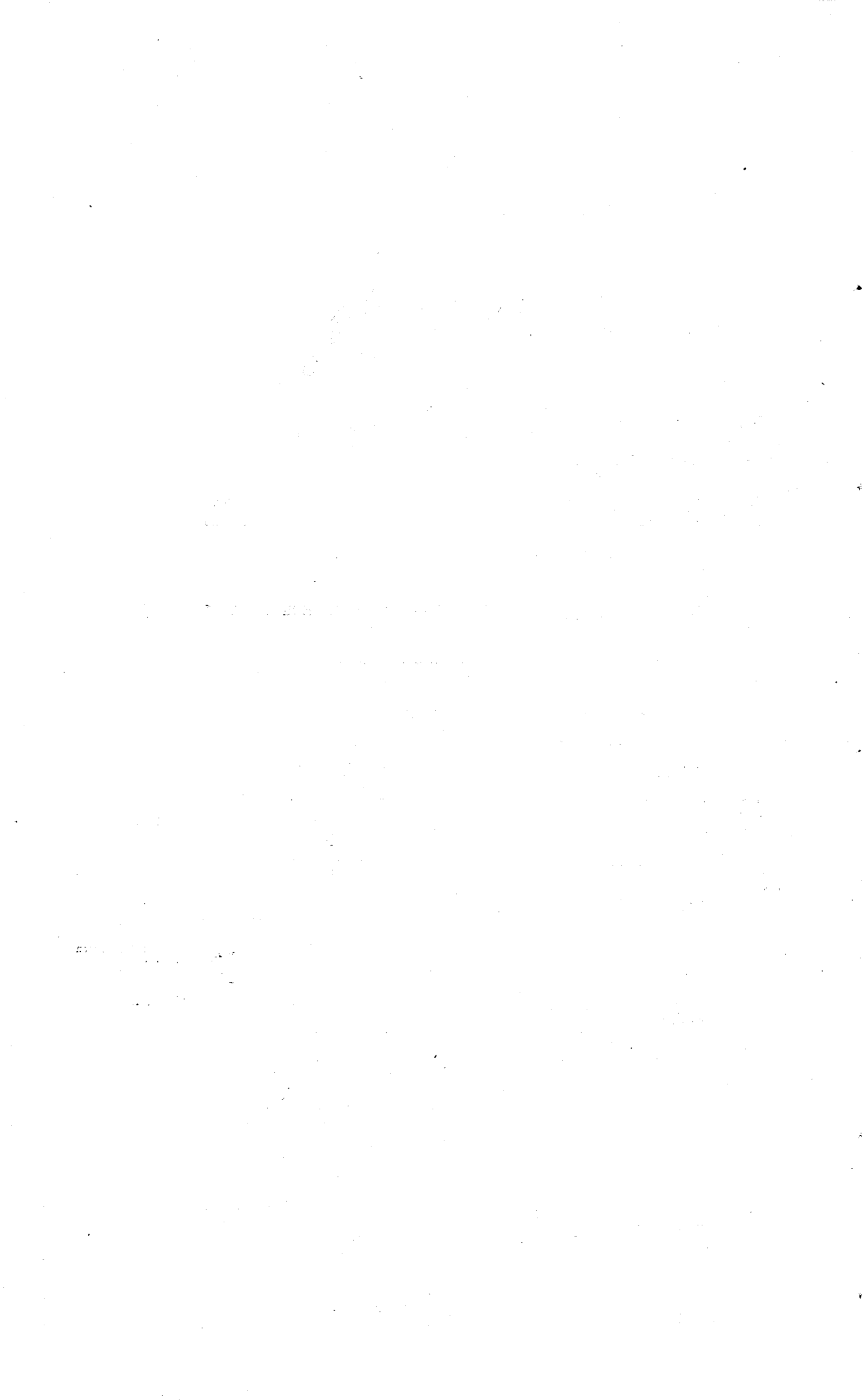
*AN ACT to repeal "The Hawke's Bay Grammar School Act Session XI. No. 8."* Short Title.

[Assented to July 12, 1871.]

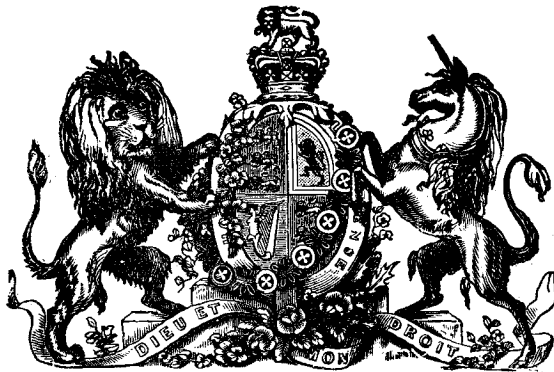
**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay Preamble.  
by and with the consent of the Provincial Council thereof as follows :—

1. The Short Title of this Act shall be "The Hawke's Bay Grammar School Act Repeal Act 1871." Repeal of Act Session XI. No. 8.

2. "The Hawke's Bay Grammar School Act Session XI. No. 8" is hereby Short Title.  
repealed.



# Province of Hawke's Bay.



## WHOLESALE DEALERS IN SPIRITUOUS LIQUORS LICENSING ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 8.

### ANALYSIS.

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| <p><b>Title.</b><br/><b>Preamble.</b></p> <ol style="list-style-type: none"><li>1. Wholesale License to be taken out, save by auctioneers and brewers.</li><li>2. All dealers, commercial travellers, &amp;c., if selling under 20 gallons, to take out License.</li></ol> | <ol style="list-style-type: none"><li>3. Penalty for infringement of preceding clause.</li><li>4. No contravention of "The Distillation Act, 1868."</li><li>5. Time for coming into operation.</li><li>6. Short Title.</li></ol> |
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*AN ACT to regulate the Wholesale Dealing in  
Spirituous Liquors Wines Ale and Beer  
and to License the Dealers in the same.*

[Assented to July 12, 1871.]

**WHEREAS** it is expedient for the better order and regulating of the Sale of  
Spirituous Liquors within the Province of Hawke's Bay that an Annual  
License be imposed upon all Wholesale Dealers in the same.

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of  
Hawke's Bay with the advice and consent of the Provincial Council thereof as  
follows :—

1. It shall not be lawful for any person not holding a Publican's License (excepting at *bona fide* sales by auction by Licensed Auctioneers and also excepting as to ale and beer all sales of such in quantities of two gallons and upwards by Brewers at their respective breweries in the said Province) to sell Spirituous Liquors Wine Ale or Beer in quantities of two gallons and upwards unless he shall have first obtained a License under the hand of the Provincial Treasurer in the form prescribed in the Schedule to this Act such License shall be called a Wholesale License and shall be issued to any person applying on payment of the Annual License Fee of £10 to be used and applied as part of the Ordinary Revenue of the said Province of Hawke's Bay and shall continue in force for the term of one year from the date thereof.

Wholesale License to be taken out, save by auctioneers and brewers.

All dealers, commercial travellers, &c., if selling under 20 gallons to take out a License.

2. All Dealers Commercial Travellers their Agents or others travelling in or staying within the Province of Hawke's Bay and selling in quantities of less than twenty gallons of any one sort of Spirituous Liquor Wines Ale or Beer or taking orders for the sale of Spirituous Liquors Wine Ale or Beer with or without samples and either on their own account or on account of their employers or principals shall be taken and deemed Wholesale Dealers within the meaning of this Act.

Penalty for infringement of preceding clause.

3. Any person offending against the provisions of the foregoing clause shall be liable to a penalty not exceeding £50 to be recovered in a summary way.

No contravention of "The Distillation Act, 1868."

4. None of the provisions in this Act contained shall in any way be deemed to repeal or contravene any of the provisions contained in "The Distillation Act 1868."

Time for coming into operation.

5. This Act shall come into force one month after the Governor's assent thereto being advertised in the Hawke's Bay *Provincial Government Gazette*.

Short Title.

6. The Short Title of this Act shall be "The Wholesale Spirit Dealers License Act 1871."

Schedule.

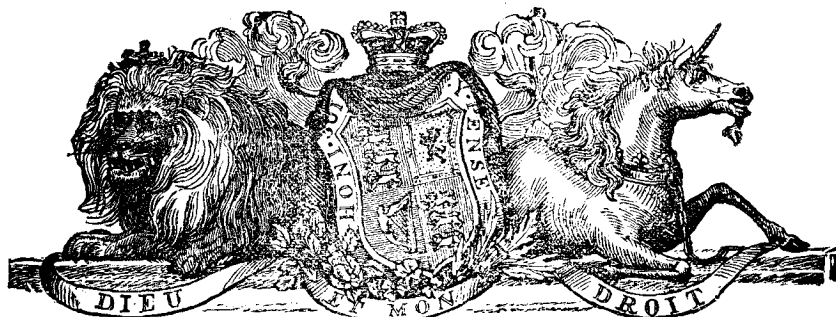
#### SCHEDULE.

Whereas No. of hath paid into my office the sum of £10 I Provincial Treasurer of the Province of Hawke's Bay do hereby License the said to sell Spirituous Liquors Wines Ale and Beer in quantities of not less than two gallons (within the premises situate in and occupied by the said ) till the 31st December.

Dated this day of 18 Provincial Treasurer.

NOTE.—The premises shall be the usual place or places of business of the applicant,

# Province of Hawke's Bay.



## HIGHWAYS ACT, 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 9.

### ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Repeal "District Highways Act 1856."<br/>3. Provisions of old Act and appointments and rates fixed thereunder to remain in force.<br/>4. Provinces to be divided into Districts<br/>5. Act to be brought into operation on requisition to Superintendent of five voters. First meeting.<br/>6. Mode of procedure at and duty of first meeting of ratepayers.<br/>7. District Board to be appointed.<br/>8. Voters qualification.<br/>9. District Board and Auditors to be elected at annual meeting to be held in month of July.<br/>10. Adjournment of annual meeting.<br/>11. District Board to elect Chairman.<br/>12. Vacancies in District Board how to be filled.<br/>13. Chairman to report to Superintendent names of persons elected at annual meeting.<br/>14. Acts and resolutions of majority of Board.<br/>15. Appointment and removal of officers and payment of their salaries and allowances.<br/>16. No salary fee or reward to be paid to any member of Board serving as an officer of the district<br/>17. Delivery back of property belonging to Board on order under penalty for neglect.<br/>18. Minute Book and accounts to be kept and to be left open to inspection of ratepayers.<br/>19. Annual account and balance sheet to be prepared and after verification by Auditors to be forwarded to Superintendent to be laid before Provincial Council.<br/>20. What roads and public works are to be subject to the care and management of District Boards.<br/>21. Power to District Boards to open or make new roads and to repair maintain and continue all roads bridges and ferries within their control.<br/>22. Superintendent to appoint by proclamation that a bridge or ferry at boundary of district shall be under control of District Board.<br/>23. Power to District Board to drain form and metal such part of the breadth of any public highway as may lie outside their limits but not within the limits of any other districts.<br/>24. Power to Boards on notice mutually to agree as to repair contentious roads being in a ruinous state or out of repair.<br/>25. Power to Boards to cut drains and water courses through lands contiguous to roads on compensation to owners.</p> | <p>26. Contracts to be in Chairman's name.<br/>27. Lighting of roads and provision for laying posts and other necessary works.<br/>28. Power to levy rate for lighting not exceeding one fourth of highway rate.<br/>29. Power to Board to impound cattle.<br/>30. Occupiers or where there are road owners of lands to be rated. Exemption of certain specified classes of lands and buildings.<br/>31. Rate to be levied on lands not comprised in first Schedule not to exceed one shilling on the annual rental value. Rate on lands within any township already declared or hereafter declared not to exceed two shillings on annual rental value.<br/>32. Rate to be levied on lands comprised in first Schedule not to exceed one shilling per acre<br/>33. Rates to be levied on occupier. If none then on owner or mortgagee.<br/>34. List of ratepayers to be prepared every year and the number of acres or nett annual value each person liable for to be stated therein. Notice of time and place where objections can be heard to be given and list to be open for inspection at some public place.<br/>35. Board to hear and decide on objections and may amend assessment list.<br/>36. On notice to Chairman party aggrieved may appeal to Resident Magistrate or Court of Petty Sessions.<br/>37. Costs of appeal may be awarded.<br/>38. Right of entry by Board to view for purposes of assessment.<br/>39. Assessment list as finally settled to be open to inspection and to be conclusive evidence as to validity of rate and liability of parties named therein to be assessed.<br/>40. Rates payable on demand. When omitted to be paid to be recoverable by action in any Court of competent jurisdiction.<br/>41. Penalty on any member of a Board directly or indirectly interested in contracts or holding any offices in gift of Board.<br/>42. No personal liability of members of Board.<br/>43. Power to Boards to contract for matters or things without the boundaries of their districts subject to approval of Superintendent.<br/>44. Bye-laws may be framed. Proviso for their approval and publication.<br/>45. Ratepayers to have cumulative votes according to defined amount of rates.<br/>46. On failure of ratepayers to elect a Board Superintendent may appoint.</p> |
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| <p>47. On failure of Board to levy rate Superintendent may levy one.</p> <p>48. Power to Superintendent to commit to Board expenditure authorised for roads &amp;c. by the Provincial Council.</p> <p>49. Contribution by Provincial Council of amount not exceeding rates leviable within district.</p> <p>50. Erection of swing gates across roads on conditions.</p> <p>51. Penalty on disqualified persons voting or taking part in any proceedings.</p> | <p>52. Penalty breach of bye-laws.</p> <p>53. Penalty for injury or destruction of roads drains &amp;c. or for obstruction of free passage.</p> <p>54. Penalties recoverable at suit of any ratepayer.</p> <p>55. No Resident Magistrate or Justice of Peace disqualified acting under Act by reason of being a ratepayer.</p> <p>56. Time when Act shall come into operation.</p> |
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Title

*A BILL to consolidate and amend the law relating to the making and repairing of Highways within the Province of Hawke's Bay.*

[Assented to August 4, 1871.]

Preamble.

**B**E IT ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows :—

Short Title.

1. The Short Title of this Act shall be "The Highways Act 1871."

Repeal "District Highways Act 1856."

2. "The District Highways Act 1856" Session 3 No. 4 is hereby repealed.

Provisions of old Act and appointments and rates fixed thereunder to remain in force.

3. All districts existing under the provisions of the said Highways Act 1856 at the time of this Act coming into operation shall be deemed to be districts duly created under this Act and all existing Trustees for such districts notwithstanding any defects in their appointment shall be deemed to have been regularly appointed for such districts under this Act and shall hold office until the first meeting of ratepayers under the provisions of this Act for the election of the District Board And all assessments or rates which might have been recovered under any of the provisions of the District Highways Act 1856 shall be recoverable as if such assessments or rates had been made under the provisions of this Act And any memorial registered or continued under any of the provisions of the said District Highways Act 1856 shall be of the same force and effect as if the said Act were not repealed.

Province to be divided into districts

4. It shall be lawful for the Superintendent from time to time by notification in the *Provincial Government Gazette* to divide such portions of the said Province as he may think fit into districts for the purpose of this Act with distinctive names and define the boundaries thereof and in like manner to alter or amend the names and boundaries of or abolish any districts and to create new districts.

Act to be brought into operation on requisition to Superintendent of five voters. First meeting.

5. The Superintendent may from time to time on the requisition of five voters by notification in the *Provincial Government Gazette* bring this Act into operation in any of the said districts and thereupon but not previously this Act shall come into and remain in full operation therein and in such notification the day hour and place of meeting for the first meeting of ratepayers for such district shall be appointed Provided that existing districts as hereinbefore mentioned shall immediately from and after the passing of this Act come under its operation without any notification by the Superintendent.

Mode of procedure at and duty of first meeting of ratepayers.

6. The ratepayers present at the first meeting held in any district created under this Act shall as the first business elect a Chairman and it shall be lawful for him if called upon so to do and for the purposes of the first meeting only or any adjournment thereof himself to determine who are the persons entitled to vote thereat under the provisions of clause 46 of this Act Provided that any ratepayer whose right to vote may be questioned shall be deemed qualified on tender of the minimum annual amount of rate fixed by this Act as a voter's qualification The Chair-

man shall cause the meeting to be conducted in such a manner as he shall see most convenient and shall have a casting vote but no deliberative vote and shall report in writing to the Superintendent the names of the persons elected as members of the District Board at the said meeting or at any adjournment thereof within ten days thereafter He shall also appoint some day within one month of such first meeting for the next meeting by which time it shall be the duty of the Board to prepare a list of the persons entitled to fix the Highway rate for the current year the annual rental value of the rateable property of each person so entitled and shall propose to the meeting a rate as provided in clauses 31 and 32 of this Act and the persons entitled shall have one or more votes according to the amounts of the yearly sum which he would have to pay under the proposed rate The number of such votes to be determined by the scale contained in clause 45 of this Act.

7. For every district in which this Act shall come into operation there shall be a Board to be called "The (insert name of district) District Board" consisting of five persons who shall severally be qualified and appointed or elected in manner hereinafter provided.

District Board to be appointed.

8. Every person of the age of twenty-one years who on the thirtieth day of June in any year shall be in occupation or be the owner of rateable property within any district and shall on that day be liable to be or have been rated under this Act for such property as such occupier or owner respectively shall be qualified to vote at the election of the District Board and to be elected a member thereof Provided that no person shall be entitled to vote at any meeting of the electors in any district in respect of any rateable property unless he shall on or before the said thirtieth day of June have paid all such rates as shall under the provisions hereof become payable by him in respect of such property and provided also that no female bankrupt or insolvent who has not obtained his final order of discharge no person attainted of treason or convicted of felony perjury or infamous crime and no person of unsound mind shall be capable of being or continuing a member of the Board of any district.

Voter's qualification

9. At the time and place appointed by the Superintendent for the holding of the first meeting not less than five persons qualified as aforesaid being present the majority of the persons qualified as aforesaid and present in person or by proxy appointed in writing from any resident ratepayer within the province shall in like manner elect the members of the District Board and on some day during the month of July in every year to be notified at least two weeks previously in one of the newspapers published in the Province and circulated within the district a meeting of the persons qualified as aforesaid shall be held at a time and place to be publicly notified by the District Board and the persons present thereat and qualified as aforesaid shall if they think fit fix the nature and amount of the rate for the then current year and thereafter elect the District Board in like manner as provided for the first meeting and also two auditors to audit the accounts of the Board for the then current year and the members of the Board and auditors so elected at such first or annual meeting shall hold office until the election of their successors Provided that if the first or annual meeting shall not have fixed the nature and amount of the rate the District Board shall as soon as conveniently may be thereafter fix the rate to be levied within the district for the current year.

District Board and Auditors to be elected at annual meeting to be held in month of July.

10. If at the first or any annual meeting five persons qualified as aforesaid shall not be present within one hour after the time appointed for holding the meeting the electors present at the expiration of such hour may adjourn the meeting and from time to time and for such times not exceeding twenty-one days in the whole as they shall think fit.

Adjournment of annual meeting.

11. The District Board for every district shall hold its first meeting as soon as conveniently may be after the election of the members thereof and at such meeting the Board by a majority of the members present

District Board to elect Chairman

shall elect one of their number to be Chairman until the next annual meeting who shall have a deliberative and a casting vote and may make such regulations as to holding meetings thereafter as to them may seem fit.

Vacancies in District Board how to be filled.

12. If any member of a District Board shall die or resign or shall be absent from four consecutive ordinary meetings of the Board or shall become disqualified by any of the causes hereinbefore provided then the office of such member shall become vacant and every such vacancy shall be supplied by a duly qualified elector appointed by the Board who shall hold office until the next annual meeting.

Chairman to report to Superintendent names of persons elected at annual meeting.

13. The Chairman of the Board shall as soon as conveniently may be report in writing to the Superintendent the names of the persons elected as members of the Board at every annual meeting the names of any members vacating office and the names of the persons appointed to supply the vacancies.

Acts and resolutions of majority of Board.

14. The acts and resolutions of a majority of the members of the Board who shall be present at any meeting shall be binding and shall not be altered or rescinded except by a majority of the whole number of members of the Board.

Appointment and removal of officers and payment of their salaries and allowances.

15. The Board of every district may from time to time appoint and employ treasurers clerks engineers surveyors valuers collectors and all such other officers as the Board shall think necessary and from time to time remove at pleasure 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 office and may out of the moneys at the disposal of the Board pay such salaries and allowances to the said officers respectively as the Board shall think reasonable.

No salary fee or reward to be paid to any member of Board serving as an officer of the district.

16. Any member of the District Board shall be capable of being or continuing clerk or any other officer of the district as in the last preceding section mentioned but shall not receive or be paid any salary fees or other reward for services performed as such clerk treasurer or other officer.

Delivery back of property belonging to Board on order under penalty for neglect.

17. Every officer of the Board member and ex-member thereof in whose hands or control there shall be any books papers moneys chattels or things belonging or relating to his office or the matters thereof shall on the order in writing of a majority of the members of the Board deliver the same to such person as the Board by such order shall appoint and every person who shall refuse or wilfully neglect so to deliver as aforesaid shall so long as he shall so refuse or neglect be liable to a penalty not exceeding twenty pounds for each and every week he shall so fail to deliver to be recoverable from time to time in a summary way on the complaint of any member of the Board provided that the whole amount to be recovered hereunder shall not exceed the sum of one hundred pounds and such penalty shall be in addition to any other rights or remedies against such persons for recovery of such goods chattels or moneys.

Minute Book and accounts to be kept and to be left open to inspection of ratepayers.

18. The Board shall cause a minute-book to be kept in which shall be entered minutes of all orders and proceedings of the Board signed by the Chairman and shall cause to be kept books and true and regular accounts to be entered therein of all sums of money received and paid for and on account of the Board which minute and account books shall at all meetings of the Board be open to the inspection of any ratepayers.

Annual Account and Balance Sheet to be prepared and after verifications by Auditors to be forwarded to Superintendent to be laid before Provincial Council.

19. The Board shall cause an annual account and balance sheet to be prepared showing the total receipts and expenditure of all funds levied collected and received within the district by virtue of this Act for the year ending the thirtieth day of April in each year under the distinct heads of receipt and expenditure as provided in schedule 2 to this Act



and such account duly audited by the auditors appointed for that purpose and signed by them and also by the Chairman of the Board shall be laid before the ratepayers at the annual meeting and the Chairman of the succeeding Board shall within one month after such annual meeting forward a copy of such account and balance sheet to the Superintendent who shall cause the same to be forwarded to the Provincial Council within ten days after the commencement of the session next following.

20. All roads within any district (except such main roads as the Provincial Council shall provide for the maintenance of) and all public bridges wharves not being wharves within the limits of any proclaimed port and ferries within any district or placed under the control of the Board thereof as hereinafter provided and being on such roads or connecting any 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 subject to the provisions hereof shall have full power to form construct improve repair and maintain all such roads bridges wharves and ferries.

What roads and public works are to be subject to the care and management of District Boards

21. The Board of every district may from time to time open or make new roads or cause to be raised or lowered the ground or soil of any road under their care and management within the district and shall have power to repair maintain and continue in good repair all roads and parts thereof within the district and all bridges and ferries thereupon or connecting any parts of the same with other parts thereof within the district and also all such bridges ferries and wharves not being wharves within the limits of any proclaimed port on or connecting main roads as shall under the provisions of this Act have been duly placed under the control of the Board.

Power to District Boards to open or make new roads and to repair maintain and continue all roads bridges and ferries within their control.

22. 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 the control of the Board accordingly.

Superintendent to appoint by proclamation that a bridge or ferry at boundary of District shall be under control of District Boards.

23. If any part of a public highway shall lie along and upon or be adjoined lengthways to the boundary of any district but a portion of such part shall lie outside such district and if such part shall not as to the portion of the breadth so lying outside such district be adjoining or be within the limits of any other district borough or town under the control of any local authority the Board of such first-mentioned district shall have power to drain form and metal and otherwise make good and to repair and maintain such part of such public highway in like manner as any road within the district.

Power to District Board to drain form and metal such part of the breadth of any public highway as may lie outside their limits but not within the limits of any other district.

24. If any part of a highway as lastly before mentioned shall as to the breadth of such part so lying outside the district be adjoining to or within the boundary of any other district or any borough or town under the control of a local authority and if such public highway shall not as to such part thereof have been drained formed metalled or otherwise made good or shall be ruinous or out of repair the Board of such first mentioned district may cause to be given to the Board of such other district or to the local authority of such borough or town a notice stating the desire of the Board giving the notice that such part of such public highway as aforesaid and described in such notice may be drained formed metalled or otherwise made good or repaired and offering to treat and agree with the Board or local authority 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 highway and such agreement may as to any or all of such matters be made accordingly and every such Board or local authority 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 repairs.

Power to Boards on notice mutually to agree as to repair of contiguous roads being in a ruinous state or out of repair.

Power to Boards to cut drains and water-courses through lands contiguous to roads on compensation to owners.

25. It shall be lawful for the Board of every district to cut make and maintain drains and watercourses upon or through any lands lying contiguous to any road making reasonable compensation to be determined by arbitration to the owners or occupiers of such lands for any damage they may sustain thereby.

Contracts to be in Chairman's name.

26. All contracts shall be made in the name of the Chairman of the Board.

Lighting of roads and provision for layers posts and other necessary works

27. It shall be lawful for the ratepayers in any district by resolution of the majority present at a meeting specially convened for the purpose and of which and the object thereof fourteen days' notice shall have been given in a newspaper generally circulating in the district to empower the District Board from time to time to contract with any company or person for the lighting of any public roads in the district and to provide lamps lamp-posts and other works as the Board may think necessary for lighting such roads.

Power to levy rate for lighting not to exceed one-fourth of Highway rate.

28. For the purpose of raising the means for carrying into effect the powers given to the Board by such resolution as aforesaid and for defraying all expenses to be incurred thereof the Board shall have power to levy and raise in addition to any rates authorised by this Act to be levied and raised for the formation maintenance and repair of the highways within the district a special annual rate not exceeding one-fourth of the ordinary highway rate hereinafter authorised.

Power to Board to impound cattle.

29. It shall be lawful for the Board of any district by some person authorised in that behalf by the Board to impound any cattle that may be found straying on any road.

Occupiers or where there are road owners of lands to be rated. Exemption of certain specified classes of land and buildings.

30. The occupiers of all lands tenements and hereditaments within any district or if such lands tenements and hereditaments be unoccupied then the owners thereof shall be liable to be rated in respect of such lands tenements and hereditaments so occupied or owned by them provided that no rates shall be levied in respect of any lands tenements or hereditaments in the occupation of the Colonial or Provincial Governments lands over which the native title is not extinguished unoccupied waste lands of the Crown lands or buildings used exclusively for the purposes of public worship education charitable institutions or burial grounds.

Rate to be levied on lands not comprised in first Schedule not to exceed one shilling on the annual rental value. Rate on lands within any township already declared or hereafter declared not to exceed two shillings on annual rental value.

31. In and for every district within which this Act shall have come or has been brought into operation (excepting town) there shall for the formation maintenance and repair of the roads therein be levied and raised in manner hereinafter mentioned an annual general rate according to the scale hereinafter expressed. All lands situate within the province and not comprised in the first Schedule when already forming districts or when such lands shall be formed into districts excepting towns shall be liable to be rated at a yearly sum not exceeding one shilling in the pound on the annual rental value of such lands. All lands comprised within the limits of any township whether already declared townships or hereafter to be declared townships by proclamation under the hand of the Superintendent and published in the *Provincial Government Gazette* shall be liable to be rated at a rate not exceeding two shillings in the pound on the annual rental value of such lands.

Rate to be levied on lands comprised in first Schedule not to exceed one shilling per acre.

32. All lands comprised within the area set forth in the first Schedule (excepting towns) whether already forming districts or wherever such lands shall be formed into districts shall be liable to be rated at a yearly sum not exceeding one shilling per acre.

Rates to be levied on occupier. If none then on owner or mortgagee.

33. Every rate which the Board of any district is by this Act authorised to make or levy shall be made and levied upon the person who occupies or if there be no occupier then upon the owner or mortgagee in possession of any rateable property within the district.

34. The Board of every district shall in every year cause a list to be prepared setting forth in alphabetical order the names of all persons liable to be rated for the district together with a description of the lands or tenements in respect of which such persons are so liable the number of acres or the net annual value of the same as the case may be and the amount of the rate payable in respect of such lands and tenements respectively and subjoining at the end thereof a notice of a time and place when and where the Board will hear and decide upon all objections thereto provided that the time named shall not be less than one calendar month from and after the date of such notice and shall cause such list to be open at all reasonable times to the inspection of any person interested at some public place within the district and a copy certified under the hand of the Chairman of the Board to be forwarded to the Provincial Government Office for notification in the *Provincial Government Gazette*. Provided always that whenever the name of any owner liable to be rated under this Act is not known to the Board it shall be sufficient to rate such owner as "Owner" without stating the name.

List of ratepayers to be prepared every year and the number of acres or net annual value each person liable for to be stated therein. Notice of time and place where objections can be heard to be given and list to be open for inspection at some public place.

35. The Board shall at the time and place appointed or at some adjourned time and place of which due notice shall be given hear and decide upon all objections and may amend the assessment list or any part thereof as to the Board may seem necessary.

Board to hear and decide on objections and may amend assessment list.

36. If any person shall think himself aggrieved by any decision of the Board he may at any time within fourteen days after the making of such decision upon giving at least three days' notice in writing of such application to the Chairman of the Board apply to the Resident Magistrate's Court or Court of Petty Sessions holden nearest to the ordinary place of meeting of the Board and at the sitting of the Court for which such notice is given the Resident Magistrate or Justices there present shall hear and determine all matters of complaint in respect of such decision and his or their decision shall be final.

On notice to Chairman party aggrieved may appeal to Resident Magistrate's Court or Court of Petty Sessions.

37. It shall be lawful for the Resident Magistrate's Court or Court of Petty Sessions upon any application as aforesaid to order and award to the party for whom such application shall be determined such costs and charges as by the Court shall be thought reasonable.

Costs of appeal may be awarded.

38. The Board of every district or any person authorised by the Board in that behalf may for the purpose of making the assessment list as aforesaid enter at all reasonable hours upon any rateable property within the district to view the same without being liable as a trespasser.

Right of entry by Board to view for purposes of assessment.

39. The assessment list when finally settled in accordance with the decision of the Board or of such Resident Magistrate's Court or Court of Petty Sessions shall be certified under the hand of the Chairman of the Board and a copy of the same shall be open to the inspection of any ratepayer at some public place within the district and the production in any suit for the recovery of any rate of the original list so certified shall be conclusive as to the validity of the rate and *prima facie* evidence of the liability of the persons therein named or described as occupier or owner or mortgagee in possession as the case may be for payment of the amount of rate therein specified.

Assessment list as finally settled to be open to inspection and to be conclusive evidence as to validity of rate and liability of parties named therein to be assessed.

40. Every rate made under this Act shall be payable on demand at a place to be appointed by the Board and if any person rated under the provisions of this Act shall fail to pay any rate due from him for the space of fourteen days after demand made personally if such person reside within the district or by letter if he shall reside outside the district but within the Province or by notice in a newspaper circulated in the Province if such person is unknown or resides outside the Province the collector duly authorised in that behalf may recover such rates from the person so making default by action or other appropriate proceeding in any Court having civil jurisdiction to the amount claimed.

Rates payable on demand. When omitted to be paid to be recoverable by action in any Court of competent jurisdiction.

Penalty on any member of a Board directly or indirectly interested in contracts or holding any office in gift of Board.

41. Any member of the Board who shall be directly or indirectly interested in any contract or hold any paid office under or in gift of the Board shall be liable to a penalty not exceeding Fifty Pounds to be recovered in a summary way on the complaint of any ratepayer.

Personal liability of members of Board. —

42. No member of the Board shall be personally liable for payment of any sum or performance of any obligation for payment or performance of which he shall not have bound himself independently of his office.

Power to Boards to contract for matters or things without the boundaries of their districts subject to approval of Superintendent.

43. Subject to the approval of the Superintendent it shall be lawful for the Board of any district from time to time to contract upon such terms and conditions as the Board may see fit with the Board of any other district or with any body corporate or public body empowered in that behalf for or with respect to the doing and the control or management by either or both the contracting parties of any matter or thing which the Board of the district and such other board or body is by law empowered to do control or manage and in pursuance of any contract or contracts entered into by virtue of the power hereby given to pay out of the general rates of the districts any sum or sums of money required by the said contract or contracts to be paid notwithstanding that the matters or things which by the said contract or contracts are to be done managed or controlled shall be without the boundaries of the district.

Bye-laws may be framed Proviso for their approval and publication.

44. The Board of any district may from time to time make such bye-laws as they shall think fit for the purpose of regulating the conduct of their officers and servants and for providing for the due management of the affairs of the Board and for any purpose specially mentioned in this Act in that behalf and may from time to time by any other bye-law alter and repeal any bye-law Provided that no bye-law be repugnant to the laws of New Zealand or to any Provincial Act of the Province of Hawke's Bay. Provided also that no bye-law shall have the force of law within the district unless the same shall have been made at a special meeting of the Board convened for the purpose and shall have been published within six weeks thereafter in some newspaper generally circulating in the district and shall have been submitted to and approved by the Superintendent whose approval shall be notified in the *Provincial Government Gazette* after the expiration of the six weeks as aforesaid.

Ratepayers to have cumulative votes according to defined amount of rates.

45. At any meeting of ratepayers not being the first meeting convened under the provisions of this Act each ratepayer shall have one or more votes in proportion to the amount of rate at which he shall have been assessed for property within the district on the thirtieth day of June next preceding such meeting in manner following that is to say—

If over 10s. and not exceeding 30s. he shall have...	1 vote
If over 30s. and not exceeding £4 he shall have ...	2 votes
If over £4 and not exceeding £7 he shall have ...	3 votes
If over £7 and not exceeding £12 he shall have ...	4 votes
If over £12 and not exceeding £18 he shall have...	5 votes
If over £18 and not exceeding £25 he shall have...	6 votes
If over £25 and not exceeding	he shall have... 7 votes

On failure of ratepayers to elect Board Superintendent may appoint.

46. If the ratepayers of any district shall at the first or any annual meeting fail neglect or refuse to elect a Board and the Chairman of such first or annual meeting respectively shall not within one month after the date thereof have communicated to the Superintendent a reason which to the Superintendent shall appear sufficient for such failure neglect or refusal then the Superintendent shall appoint five persons qualified as in this Act provided to be the District Board for the ensuing year and the persons so appointed shall be empowered to act in all respects as if they had been elected at such first or annual meeting respectively.

47. If the Board shall fail neglect or refuse to levy a rate or to do any other thing which by this Act is required to be done by the Board then the Superintendent at his discretion may levy a rate for the district and do such other things requiring to be done which the Board shall have failed or refused to do and for the purposes in this section mentioned the Superintendent shall have and exercise for the time being within the district all the powers and authorities by this Act conferred or intended to be conferred upon the District Board.

On failure of Board to levy rate Superintendent may levy one.

48. It shall be lawful for the Superintendent if he shall think fit to commit to the District Board of any district the expenditure of any moneys specially appropriated by the Provincial Council to the construction and maintenance of roads bridges ferries drains and other public works within the district and to pay the same to the Board under such conditions and regulations as he may think fit.

Power to Superintendent to commit to Board expenditure authorised for roads &c. by Provincial Council.

49. Whenever the amount of rates authorised by this Act to be levied and raised in any district shall have been wholly or partially collected it shall be lawful for the Superintendent out of any money appropriated by the Superintendent and Provincial Council for that purpose to contribute a sum not exceeding the amount so collected and to pay the said sums respectively to the several Boards to be by them expended and accounted for as in this Act provided for the expenditure and accounting for rates levied under Section thirty-four of this Act.

Contribution by Provincial Council of amount not exceeding rates leviable within district.

50. It shall be lawful for the owner or occupier of any land through which a public road (not being a main thoroughfare passes) to erect swing gates across the road at the boundary of such land conditionally that he maintains the said gates in good working state and keep the full width of roadway for a half chain's length on each side of the gates in sound passable condition Provided that no such swing gate shall be erected without authority in writing from the Board of the district within which such land shall lie or in cases where there is no such Board without the authority in writing of the Superintendent Provided also that it shall be lawful for such Board to cause such swing gates to be removed at any time and that in any case in which a swing gate shall have been erected a board with the words "Public Road" legibly painted thereon shall be fixed to such gate.

Erection of swing gates across roads on conditions.

51. Any person not being qualified as in Section eight of this Act provided who shall vote at or take part in the proceedings of any meeting of ratepayers directed to be held under the provisions of this Act or being disqualified under the provisions of the section aforesaid shall continue to act as a member of the District Board shall severally be liable to a penalty not exceeding Twenty Pounds.

Penalty on disqualified persons voting or taking part in any proceedings.

52. Any person offending against any bye-law made by any District Board as by Section forty-six of this Act provided shall be liable to a penalty not exceeding Twenty Shillings for each offence.

Penalty breach of bye-laws.

53. Any person who shall wilfully injure or destroy any mile-stone post lamp-post lamp road footpath drain watercourse bridge or other public work constructed by or being under the control and management of any District Board or who shall without lawful authority the proof whereof shall lie upon the person doing the act erect any dwelling-house or other building or any fence upon or across any public road or bridge so as to obstruct the same or in any way obstruct the free passage of any public road or bridge shall for every such offence be liable to a penalty not exceeding Twenty Pounds And the Board of the District may cause to be removed any such dwelling house building fence or other obstruction and may in addition to any penalty which may thereby be incurred recover from the person erecting making or causing as the case may be all costs and expenses of such removal in any Court of competent jurisdiction.

Penalty for injury or destruction of roads drains &c. or for obstruction of free passage.

Penalties recoverable at suit of any ratepayer.

54. Any penalty which under the provisions contained in the three preceding sections shall have been incurred by any person may be recovered in any Court of competent jurisdiction at the suit of any ratepayer of the district within which such penalty shall have been incurred.

No Resident Magistrate or Justice of Peace disqualified acting under Act by reason of being a ratepayer.

55. No Resident Magistrate or Justice of the Peace shall be disqualified by reason of his being a ratepayer from performing any duty by this Act to be performed.

Time when Act shall come into operation.

56. For the purpose of rating this Act shall come into operation in one month from the date of the notification of the Governor's assent thereto.

Schedule.

SCHEDULE I.

Starting from the Southern boundary of the Town of Napier at the Sea Beach and proceeding in a Westerly direction to the mouth of the Tutaekuri River thence to Park's Island thence proceeding Southerly along the Western boundary of Meanee Suburban land and block 1 Puketapu (Taipo) to Tutaekuri River from thence due South to the Omaha Road following that Road crossing the Waitiho and Ngaruroro to the Northeastern point of Te Popo (Roy's Hill) thence a straight line to Paki Paki Bridge from which proceeding in a straight line to the Middle Road at Foster's House to the Southwest corner of lot 10 block 1 Kidnapper's district thence by the Tuki Tuki River to the Sea and thence by the Sea to the starting point.

SCHEDULE II.

FORM OF ANNUAL ACCOUNT.

RECEIPTS.

	£	s.	d.
To rates collected	...	...	...
"    "    received per Superintendent under Recovery of Rates Act	...	...	...
"    Subscription in aid by ratepayers	...	...	...
"    Amount received from the Colonial Government	...	...	...
"    "    "    "    Provincial	...	...	...

Miscellaneous.

(a) Impounding Act	...	...	...
(b) Sundries	...	...	...
Total...	...	...	...

Chairman.

EXPENDITURE.

	£	s.
Paid for forming roads	...	...
"    metalling and channelling	...	...
"    bridges and culverts	...	...
"    other works	...	...
"    commission for collecting rates	...	...
"    salaries and rent	...	...
"    printing and advertising	...	...
"    legal expenses	...	...

Miscellaneous.

(a) Impounding Act	...	...
(b) Sundries	...	...
Total...	...	...

We hereby certify that we have examined the above account of receipts and expenditure and compared it with the books and vouchers, and that to the best of our belief it is a true and correct statement of all moneys received and expended by the Board for the period therein named.

..... }  
 ..... } Auditors.

# Province of Hawke's Bay.



## APPROPRIATION ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII. No. 10.

### ANALYSIS.

- |   |   |
|---|---|
| <p>Title.<br/>Preamble.<br/>1. Appropriation of the sum of £14,266 10s to defray the charges of the Government of the Province for the period from 1st July 1871 to 30th June 1872. Specification of charges.</p> | <p>2. Sums appropriated to be issued and paid in accordance with the "Provincial Audit Act 1866" and the "Provincial Audit Act-Amendment Acts 1868 and 1869."<br/>3. Short Title.</p> |
|---|---|

[Assented to July 12, 1871.]

**AN ACT** to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day of July 1871 and ending the 30th day of June 1872. Title

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:— Preamble

1. That out of the revenue of the province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1871 and ending the 30th day of June 1872 the sum of Fourteen Thousand Two Hundred and Sixty-six Pounds Ten Shillings in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say—

Appropriation of the sum of £14,266 10s. to defray the charges of the Government of the Province for the period from 1st July 1871 to 30th June 1872. Specification of charges.

	£	s.	d.
Total Judicial	2421	10	0
Total Hospital and Charitable	610	0	0
Total Administrative	1120	0	0
Total Harbour Department	690	0	0
Total Survey Department	1000	0	0
Total Legislative Department	435	0	0
Total Miscellaneous	1241	0	0
Total Public Works and Undertakings	4100	0	0
Total Sheep Department	1080	0	0
Total Education	1569	0	0
Total ... ..	£14,266	10	0

Sums appropriated, to be issued and paid in accordance with the "Provincial Audit Act 1866" and the "Provincial Audit Acts Amendment Acts 1868 and 1869."

2. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by the "Provincial Audit Act 1866" and the "Provincial Audit Acts Amendment Acts 1868 and 1869."

Short title

3. The Short Title of this Act shall be the "Hawke's Bay Appropriation Act 1871."



# Province of Hawke's Bay.



## CREDIT ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 11.

### ANALYSIS.

Title.

Preamble.

1. Credit to be allowed Provincial Treasurer for certain charges.
2. Short Title.

*AN ACT to credit the Provincial Treasurer with certain charges.* Title.

[Assented to July 12, 1871.]

**W**HEREAS the Treasurer of the Province of Hawke's Bay hath Preamble  
under Warrants under the hand of the Superintendent made certain payments from the 1st May 1870 to the 30th April 1871 in excess of the sums authorised by the "Appropriation Act 1870" to the amount set forth in the Schedule hereto.

**AND WHEREAS** in manner directed by the "Provincial Audit Act 1866" and "Provincial Audit Act Amendment Act 1868" resolutions were duly passed by an absolute majority of the entire number of the members of the Provincial Council requesting the Superintendent to grant the sum of two hundred and fourteen pounds five shillings and eight pence being the amount of such unauthorised expenditure as aforesaid.

**AND WHEREAS** an address in the terms of the resolution last recited and signed by the Speaker of the Council has been presented to the Superintendent.

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

Credit to be allowed  
Provincial Treasurer for  
certain charges.

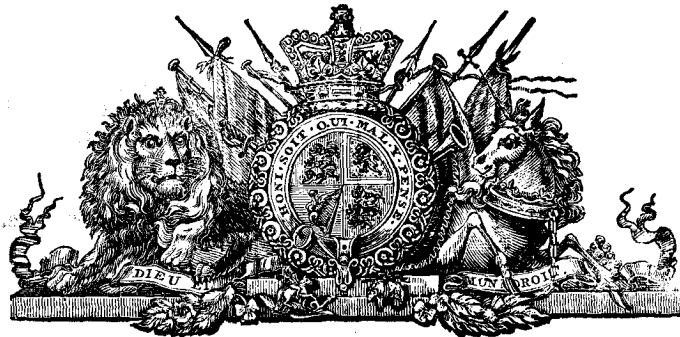
1. The Treasurer of the Province shall in his accounts be allowed credit for the said sum of two hundred and fourteen pounds five shillings and eight pence being the amount expended on certain services as hereinafter specified.

Gaol Department	...	...	...	...	...	£54	1	10
Police	...	...	...	...	...	13	5	0
Harbour Department	...	...	...	...	...	35	16	6
Survey Department	...	...	...	...	...	25	0	0
Legislative	...	...	...	...	...	1	6	4
Miscellaneous	...	...	...	...	...	62	10	0
Inspector of Sheep Department	...	...	...	...	...	22	6	0
						<hr/>		
						£214	5	8

Short Title.

2. The Short Title of this Act shall be the "Credit Act 1871."

# Province of Hawke's Bay.



## SLAUGHTER HOUSE ACT AMENDMENT ACT 1871.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVIII., No. 12.

### ANALYSIS.

Title	3. Penalty for slaughtering for sale without having paid fee of Ten Pounds
Preamble	4. It shall not be lawful for any one to slaughter cattle for sale unless at the public slaughter house
1. Short Title	5. Interpretation clause
2. Clause 1 and Schedule 2 of "The Slaughter House Act" Session XII. No. 5 repealed	

[Assented to July 12th, 1871.]

## AN ACT to repeal certain clauses of "The Slaughter House Act," Session XII. No. 5 of the Provincial Council of Hawke's Bay.

WHEREAS it is expedient to make certain alterations in the "Slaughter House Act" Session XII. No. 5 of the Provincial Council of Hawke's Bay:

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows:—

1. The Short Title of this Act shall be "The Slaughter House Act Amendment Act 1871."

2. Clause 1 and Schedule 2 of "The Slaughter House Act" Session XII. No. 5 1867 are hereby repealed.

Clause 1 and Schedule 2 of "The Slaughter House Act" Session XII. No. 5 repealed

Penalty for slaughtering  
for sale without having  
paid fee of Ten Pounds.

3. After the first day of July next it shall not be lawful for any person to Slaughter any Cattle Sheep or Pigs for sale within the District comprised in the first Schedule to "The Slaughter House Act" Session VIII. No. 7 unless such person shall have previously applied for and obtained a License from the Inspector who shall issue such License to any applicant on payment of the fee of Ten Pounds and any person offending against this clause shall be liable to a penalty of Ten Pounds per head for every sheep pig or head of cattle so slaughtered to be recovered in a summary way.

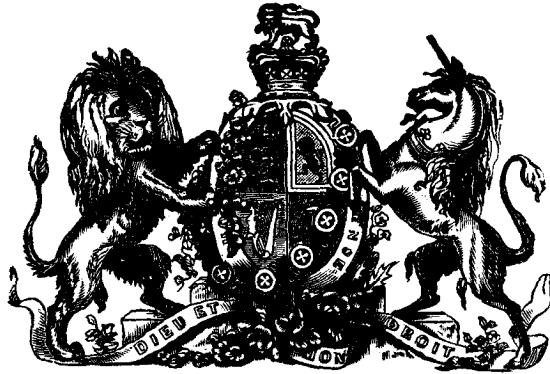
It shall not be lawful for  
any one to slaughter cattle  
for sale unless at the pub-  
lic slaughter house

4. After the first day of July next it shall not be lawful for any person to Slaughter any Cattle for sale within the District comprised in the Schedule to the said "Slaughter House Act" excepting at the Public Slaughter House erected under the authority of the said "Slaughter House Act" unless such person shall have obtained a License under the sixth clause of the said Act Any person offending against the provisions of this clause shall be liable to a penalty of Ten Pounds for every head of cattle so slaughtered to be recovered in a summary way.

Interpretation clause

5. The term "Cattle" in this Act shall mean any bull cow heifer ox steer or calf.

Province of Hawke's Bay.



WHOLESALE DEALERS IN SPIRITUOUS LIQUORS LICENSING ACT AMENDMENT BILL, 1872.

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

SESSION XIX., No. 1.

ANALYSIS.

Title.	1. Interpretation of clause 1.
Preamble.	2. Short Title.

[Assented to July 31, 1872.]

AN ACT to amend the "Wholesale Spirit Dealers' License Act."

WHEREAS it is expedient that the before-mentioned Act should be amended.

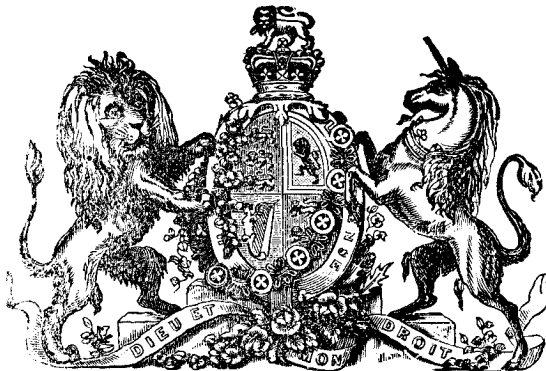
BE IT THEREFORE ENACTED by the Superintendent of Hawke's Bay, with the advice and consent of the Provincial Council thereof as follows:—

I. The first clause of the said Act shall be read and construed as if the concluding words of the said clause viz., "and shall continue in force for the term of one year from the date" thereof were expunged therefrom.

II. The Short Title of this Act shall be the "Wholesale Dealers in Spirituous Liquors Licensing Act Amendment Act 1872."



# Province of Hawke's Bay.



## HAWKE'S BAY POLICE ACT 1872.

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIX., No. 1.

### ANALYSIS.

- |                                   |  |
|-----------------------------------|--|
| Preamble.                         | 2. Mode of recovering penalties<br>3. Act to be construed as portion of "Hawke's Bay<br>Police Act." |
| 1. Penalties of certain offences. |  |

[Assented to July 31, 1872.]

**BE IT ENACTED** by the Superintendent of Hawke's Bay with the advice  
and consent of the Provincial Council thereof as follows—

I. Every person who shall within the Province of Hawke's Bay com-  
mit any of the offences next hereinafter specified shall for every such offence  
forfeit and pay a sum not less than Five Shillings and not exceeding Five  
Pounds that is to say

Penalty for certain of-  
fences.

Every person who shall leave any inflammable materials or matters in  
any public shed or place or on any open space near any building  
in the Town of Napier without having first obtained the permis-  
sion of the Superintendent or Inspector of Police.

Every person who shall discharge any firearms or set off any fire-  
works or explosive material on any street highway or public  
place in the Town of Napier or so near thereto as to endanger or  
annoy the passers by without having first obtained the permission  
of the Superintendent or Inspector of Police.

Every person who shall throw or deposit any rubbish or sweepings  
into any street or public thoroughfare within the Town of  
Napier.

Every person who shall permit any cattle horses sheep pigs or goats  
to wander upon any street or public thoroughfare in the Town  
of Napier or suburbs situate in Seinde Island.

Every person who shall wantonly or cruelly beat ill-treat over-drive  
over-load abuse torture or omit to supply with sufficient food or  
water any animal.

Mode of recovering penalties.

II. All penalties imposed by this Act shall be recovered in a summary way pursuant to the Act in such case made and provided.

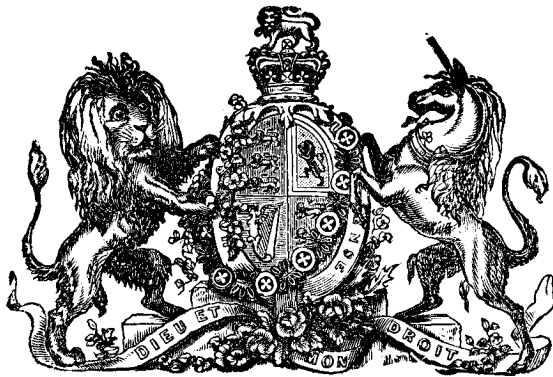
Act to be construed as portion of "Hawke's Bay Police Act."

III. This Act shall be read with and construed as forming portion of "The Hawke's Bay Police Act."

IV. The short title shall be "The Hawke's Bay Police Act 1872."



# Province of Hawke's Bay.



## CREDIT ACT 1872.

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIX., No. 3.

### ANALYSIS.

Title.

Preamble.

1. Credit to be allowed Provincial Treasurer for certain charges.
2. Short Title.

### *AN ACT to credit the Provincial Treasurer with certain charges.*

Title.

WHEREAS the Treasurer of the Province of Hawke's Bay hath under Warrants under the hand of the Superintendent made certain payments from the 1st May 1871 to the 31st May 1872 in excess of the sums authorised by the "Appropriation Act 1871" to the amount set forth in the Schedule hereto.

Preamble.

AND WHEREAS in manner directed by the "Provincial Audit Act 1866" and "Provincial Audit Act Amendment Act 1868" resolutions were duly passed by an absolute majority of the entire number of the members of the Provincial Council requesting the Superintendent to grant the sum of Six Hundred and Fifty-six Pounds Fifteen Shillings and Eleven Pence being the amount of such unauthorised expenditure as aforesaid.

AND WHEREAS an address in the terms of the resolution last recited and signed by the Speaker of the Council has been presented to the Superintendent.

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

1. The Treasurer of the Province shall in his accounts be allowed credit for the said sum of Six Hundred and Fifty-six Pounds Fifteen

Credit to be allowed Provincial Treasurer for certain charges.

Shillings and Eleven Pence being the amount expended on certain services as hereinafter specified.

Ngaruroro and Petane Bridges	...	...	...	£32	3	0
Superintendent's Department	...	...	...	24	3	4
Napier Athenaeum	....	...	...	50	0	0
Grant to Captain Carter	...	...	...	100	0	0
Dog Registration	...	...	...	12	0	0
General Printing and Advertising	...	...	...	90	17	3
Provincial Council	...	...	...	269	5	0
Coroners' Contingencies	...	...	...	5	0	0
Returning Officer's Department	...	...	...	73	7	4
				<hr/>		
				£656	15	11

Short Title.

2. The Short Title of this Act shall be the "Credit Act 1872."

# Province of Hawke's Bay.



## MEANEE TOLL-GATE ACT 1872.

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIX., No. 4.

### ANALYSIS.

Title.	10. Collector to give security.
Preamble.	11. Lawful for the Superintendent to erect a Weigh-bridge in conjunction with the Toll-gate. Regulation in regard of same.
1. Superintendent authorised to erect Toll-gate.	12. Scale of charges in regard to vehicles weighing over 2 tons.
2. Superintendent may take up £2500 and apply the same for the construction of a road leading from Napier to Taradale.	13. The Superintendent may compound for payment of tolls. Period and rate of such compounding.
3. Repayment first charge upon tolls.	14. In certain cases the collector is subject to penalty.
4. The Superintendent may issue debentures.	15. Penalty for evading toll.
5. Exemption from tolls.	16. Application of money.
6. Exemption from tolls.	17. Short Title.
7. Duties of keeper or collector.	Schedules.
8. Time within which ticket is available.	
9. The Superintendent may lease the Toll-gate. Proviso.	

[Assented to Sept. 5, 1872.]

## AN ACT *to empower the Superintendent to erect a Toll-gate.* Title

**W**HEREAS it is expedient to provide for constructing a road leading from Napier to Taradale within the Province of Hawke's Bay. Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows :—

I. The Superintendent is hereby authorised to erect a Toll-gate and other works necessary thereto at some convenient place between Munn's Point and Puramu Creek and from time to time to appoint and remove keepers for the same and issue regulations for their guidance and to fix by proclamation in the Hawke's Bay Government Gazette the day on and after which tolls shall be levied at such Toll-bar and such tolls shall be at the rates set forth in the Schedule to this Act annexed.

Superintendent authorised to erect a Toll-gate.

The Superintendent may take up £2500 and apply the same for the construction of a road leading from Napier to Taradale.

II. The Superintendent may take up on the security provided in the next clause to this Act such sum or sums not exceeding £2500 at a rate of interest not exceeding £8 per centum per annum and apply the same for the purpose of constructing a Road leading from Napier to Taradale.

Repayment first charge upon tolls.

III. The repayment of such sum of £2500 and the interest thereof shall be a first charge upon the tolls to be raised by virtue of this Act.

The Superintendent may issue debentures.

IV The Superintendent may issue debentures for sums of £25 and upwards and this shall be in the form contained in Schedule B to this Act The interest on the said debentures shall be paid half yearly at the Provincial Treasury, Napier.

Exemption from tolls.

V. No Toll shall be taken for any horse or carriage belonging to or under hire to any officer of the General or Provincial Government when travelling on public service nor for any animal or vehicle employed in the conveyance of her Majesty's mails nor in respect of animals or vehicles used by policemen on duty for the conveyance of themselves and prisoners in their charge.

Exemption from tolls.

VI. All officers and soldiers of the Queen's service and of the Militia and Volunteer forces of the colony being on duty and their horses and all carriages and horses belonging to her Majesty or employed in her service shall be exempt from the payment of any Tolls made payable by this Act.

Duties of keeper or collector.

VII. The Keeper or Collector shall put up and continue at the Toll-gate a table to be printed or painted in distinct black colors and figures with a white ground of all Tolls there payable and shall renew such table whenever any such letters or figures thereof shall be defaced and the said collector shall also provide tickets denoting the payment of Toll and on such tickets shall be specified the date on which the same ticket shall be delivered one of which tickets shall be delivered gratis to the person paying Toll and on production of such ticket at such Toll-gate the person to whom the same was delivered on producing the same shall during the day of the date of such ticket pass through the said gate without paying any further or additional Toll.

Time within which the ticket is available.

VIII. The driver of any dray cart vehicle horse or cattle who shall have paid Toll at the Toll-gate authorised by this Act and who shall produce a ticket as provided in clause VII shall not be liable to pay any further Toll in respect of the same dray cart vehicle horse or cattle within the same day on which such Toll was originally paid.

The Superintendent may lease Toll-gate. Proviso.

IX. The Superintendent may at any time lease the Tolls by public auction for any period not exceeding one year at one time subject to such conditions and regulations as he may think fit: Provided they are not repugnant to the provisions of this Act and the person to whom such Tolls may be leased shall be deemed to be a Collector appointed by virtue of this Act except as hereinafter provided.

Collector to give security.

X. The Collector shall give to the Provincial Treasurer security for duly accounting for and paying over the money received by him.

Lawful for the Superintendent to erect a Weighbridge in conjunction with the Toll-gate. Regulation in regard of same.

XI. It shall be lawful for the Superintendent to order and cause to be built fixed and erected at the said Toll-gate or at such distance therefrom as he shall think expedient a Weighbridge with a suitable house or other buildings thereto proper for the weighing of waggons or carriages conveying any goods or merchandise whatsoever and by notice on a board for that purpose to be put up at every such Weighing Machine to order and direct all and every such waggons or carriages demanding to pass through such Toll-gate shall at the request of the keeper or collector be weighed together with the loading thereof.

Scale of charges in regard to vehicles weighing over 2 tons.

XII. All waggons and other vehicles with their loadings shall be ascertained to weigh more than two tons shall pay double the

rates of Tolls enumerated in the said Schedule and more than three-and-a-half tons treble the amount.

XIII. The Superintendent may on application compound with any person or persons for any term not exceeding one year nor less than six months at any one time for the Tolls payable in respect of one horse and one cart or other vehicle drawn by one horse passing through the said Toll-gate for the said periods of one year or six months as the case may be for the sums hereinafter mentioned that is to say for one year ten pounds and for six months five pounds and for one cart drawn by two horses for one year twenty pounds: Provided always that such horse and cart or other vehicle shall be the *bona fide* property of the person so compounding.

The Superintendent may compound for payment of tolls. Period and rate of such compounding.

XIV. If any Collector shall not place such board as aforesaid and keep the same there during the time he shall be Collector or shall demand a greater or less Toll from any person than he shall be authorised to do by virtue of this Act or shall refuse to permit or shall in any wise hinder any person from reading the inscription on the Toll-board or shall refuse to tell his name to any person who shall demand the same or shall give a false name or on the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any passenger from passing through the Toll-gate or make use of any scurrilous language to any passenger or other person then in every such case the Toll Collector shall forfeit for every such offence any sum not exceeding Ten Pounds.

In certain cases collector is subject to penalty.

XV. If any person shall evade or attempt to evade the payment of any of the Tolls by this Act imposed every such person shall for every such offence forfeit and pay any sum not exceeding Five Pounds in addition to the Toll evaded to be recovered in a summary way.

Penalty for evading toll.

XVI. All tolls or monies to be received by this Act shall after deducting the costs of collection be applied first in paying the interest on the said debentures secondly in maintenance and repairs of the said Road and the balance may be applied in paying off the Loan to be raised by virtue of this Act either by purchasing debentures or otherwise as the Superintendent shall direct.

Application of money.

XVII. The Short Title of this Act shall be the "Toll-gate Act 1872."

Short Title.

SCHEDULE A.

	s.	d.	Schedules.
For every dray drawn by bullocks ... ..	2	6	
For every dray cart or other vehicle drawn by more than one horse	1	6	
For every dray cart or other vehicle drawn by one horse ... ..	1	0	
For every horse ass or mule ... ..	0	6	
For every horned or neat cattle per head ... ..	0	1½	
For every sheep goat or pig ... ..	0	0½	

SCHEDULE B.

FORM OF DEBENTURE—TRANSFERABLE BY DELIVERY.

MEANEE TOLL GATE ACT 1872.

This Debenture entitles the bearer to £            sterling which with interest thereon at the rate of            pounds per centum per annum is hereby secured upon the Tolls

referred to in Schedule A to this Act such interest being payable at the Provincial Treasury Napier on the            day of            and the            day of            in every year and such principal money being payable at            aforesaid on the            day of

Provided however that no holder of this Debenture shall have any claim whatever upon the Provincial Revenue of Hawke's Bay but only upon the Tolls to be collected under "The Meanee Toll-Gate Act 1872."

Dated this            day of

Superintendent.

# Province of Hawke's Bay.



## PORT AHURIRI BRIDGE ACT 1872.

IN THE THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIX., No. 5.

### ANALYSIS.

- |   |  |
|---|--|
| Preamble.   | 8. Debentures may be issued as required.   |
| 1. Bridge to connect Battery Point with Western Spit to be constructed. | 9. Interest to be not more than 8 per cent.                                      |
| 2. Tolls to be levied when bridge is proclaimed open to the public.     | 10. Repayment of amount borrowed and interest chargeable on tolls.               |
| 3. Tolls may be let for period not exceeding one year.                  | 11. Debentures to be for £50 and £100.   |
| 4. Tolls recoverable summarily.   | 12. Interest payable at Provincial Treasury Napier.                              |
| 5. Penalty for refusing payment of or evading tolls.                    | 13. Collections to be carried to separate account applied to purposes specified. |
| 6. Tolls may be compounded for.   | 14. Short Title.   |
| 7. Debentures for £7000 may be issued by Superintendent.                |  |

[Assented to Sept. 5, 1872.]

**WHEREAS** it is expedient that a Bridge should be constructed in the Inner Harbor of Napier in order to connect Gough Island with the Western Spit adjoining the Harbor of Napier and to provide funds by means of a loan for the erection of such Bridge to be raised upon the security of and charged upon the tolls to be raised under this Act and to provide for the making and keeping in repair the said Bridge.

Preamble

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows—

**I.** It shall be lawful for the Superintendent to construct a Bridge and make approaches thereto over the Inner Harbor at a point to connect the road from Battery Point with the Western Spit provided that such Bridge shall be so constructed as not to impede the navigation of the said Inner Harbor.

Bridge to connect Battery Point with Western Spit to be constructed.

**II.** The Superintendent shall by proclamation in the Provincial Government *Gazette* notify that the said Bridge is open for the public so soon as he shall have received a certificate under the hand of the Provincial Engineer to the effect that the Bridge is complete and fit for the reception of traffic and thereupon it shall be lawful for the said Superintendent to cause tolls to be levied not exceeding the rates set forth in the Schedule to this Act.

Tolls to be levied when bridge is proclaimed open to the public.

Tolls may be let for period not exceeding one year.

III. It shall be lawful for the said Superintendent from time to time to let the said Bridge and tolls for any term not exceeding one year at such annual rent and on such conditions as he shall think fit.

Tolls recoverable summarily.

IV. All tolls imposed by virtue of this Act shall be recoverable in a summary way.

Penalty for refusing payment of or evading tolls.

V. Any person refusing or attempting to avoid the payment of any toll payable under this Act shall forfeit and pay for every such offence any sum not exceeding £5 to be recoverable in a summary way.

Tolls may be compounded for.

VI. The Superintendent may compound with any person or persons for any term not exceeding one year at any one time for the tolls payable by virtue of this Act for such sum or sums as he shall think fit.

Debentures for £7000 may be issued by Superintendent.

VII. The Superintendent may borrow on debentures under the public seal of the province any sum or sums not exceeding the sum of £7000 for defraying the costs of the said Bridge.

Debentures may be issued as required.

VIII. The Superintendent may take up such sum or sums at any one time and from time to time as the occasion may require.

Interest to be not more than 8 per cent.

IX. The interest to be paid on such sum or sums shall not exceed the rate of eight pounds for every one hundred pounds sterling by the year.

Repayment of amount borrowed and interest chargeable on tolls.

X. The repayment of such sum or sums and the interest thereon shall be a charge upon the tolls to be collected under this Act.

Debentures to be for £50 and £100.

XI. The Debentures shall be issued for sums of £50 and £100 and shall be in the form set forth in the Schedule hereunto annexed.

Interest payable at Provincial Treasury Napier.

XII. The interest on the Debentures shall be paid half-yearly at the Provincial Treasury in Napier.

Collections to be carried to separate accounts and applied to purposes specified.

XIII. All monies to be collected by virtue of this Act after deducting the charges of collection shall be paid to the Provincial Treasurer to be carried to a separate account to be called The Port Ahuriri Bridge Account and thereout in the first instance the interest on the debentures to be raised as aforesaid shall be paid the balance after retaining such sum as the Superintendent shall from time to time think necessary to be applied for keeping the said Bridge in repair shall be applied by the direction of the Superintendent in paying off the Loan authorised to be raised by this Act either by purchase of debentures or in such other mode as the Superintendent shall think expedient.

Short Title.

XIV. The Short Title of this Act shall be "The Port Ahuriri Bridge Act 1872."

#### SCHEDULE A.

*Tolls Payable for Each Time of Passing on and across the said Bridge.*

	s.	d.
For every foot passenger or passenger in a coach plying for hire	0	6
Horse ass or mule ... ..	1	0
For every horned or neat cattle per head ... ..	1	0
For every sheep goat or pig ... ..	0	1
For every dray cart or other vehicle drawn by bullocks ...	3	6
For every dray cart or other vehicle drawn by one horse ...	1	6
For every dray cart or other vehicle drawn by two horses ...	2	0
For each additional horse ... ..	0	6

#### SCHEDULE B.

FORM OF DEBENTURE—TRANSFERABLE BY DELIVERY.

PORT AHURIRI BRIDGE ACT 1872.

This Debenture entitles the bearer to £        sterling which with interest thereon at the rate of        pounds per centum per annum is hereby secured upon the Tolls

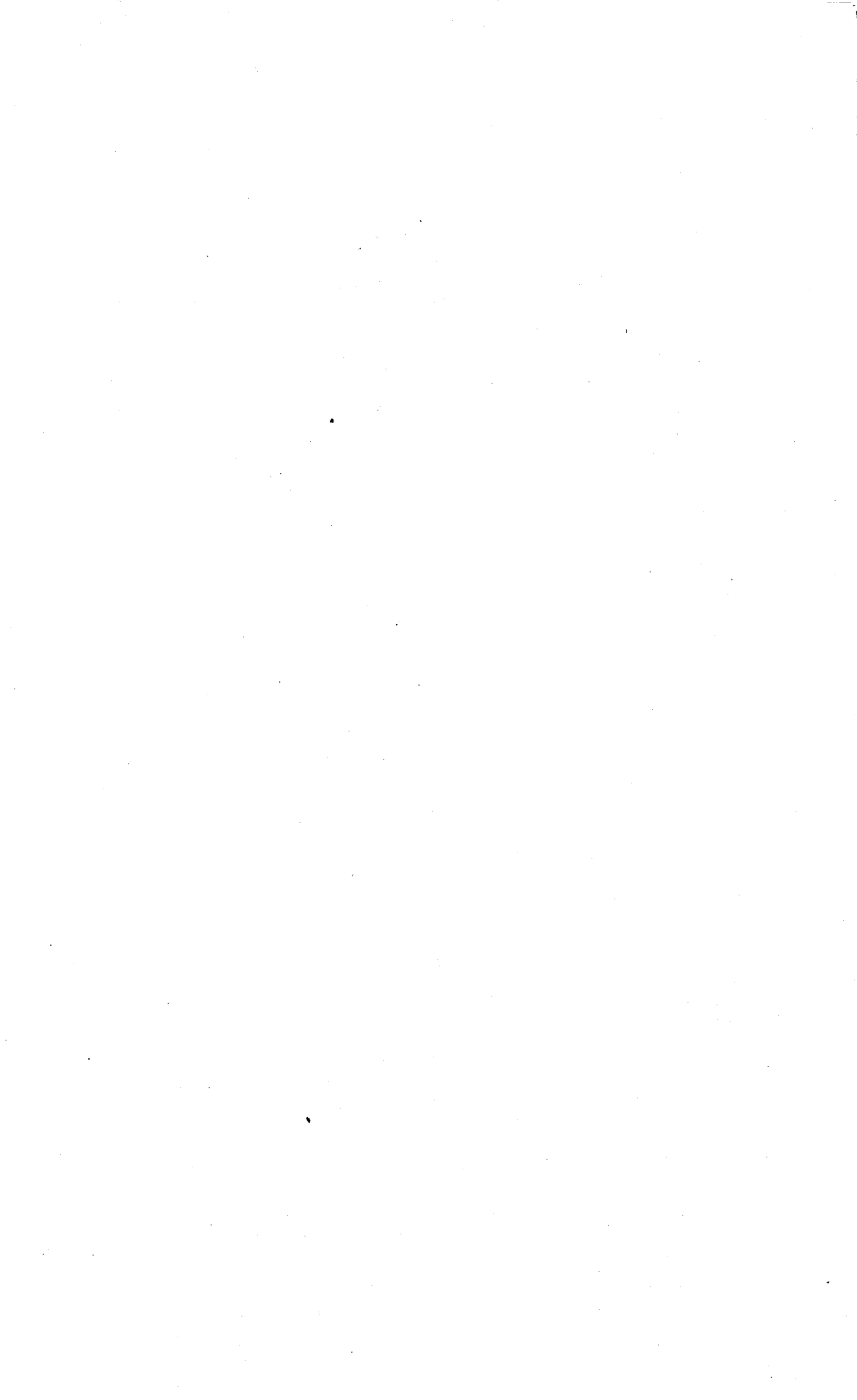


referred to in Schedule A to this Act such interest being payable at the Provincial Treasury Napier on the            day of            and the            day of            in every year and such principal money being payable at            aforesaid on the            day of           

Provided however that no holder of this Debenture shall have any claim whatever upon the Provincial Revenue of Hawke's Bay but only upon the Tolls to be collected under "Port Ahuriri Bridge Act 1872."

Dated this            day of           

Superintendent.



# Province of Hawke's Bay.



## APPROPRIATION ACT 1872.

THE THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIX., No. 6.

### ANALYSIS.

- |  |   |
|--|---|
| <p>Title.<br/>Preamble.</p> <p>1. Appropriation of the sum of £22,272 10s to defray the charges of the Government of the Province for the period from 1st July 1872 to 30th June 1873. Specification of charges.</p> | <p>2. Sums appropriated to be issued and paid in accordance with the "Provincial Audit Act 1866" and the "Provincial Audit Acts Amendment Acts 1868 and 1869."</p> <p>3. Short Title.</p> |
|--|---|

AN ACT to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day July 1872 and ending the 30th day of June 1873.

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

1. That out of the revenue of the province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1872 and ending the 30th day of June 1873 the sum of Twenty-two Thousand Two Hundred and Seventy-two Pounds Ten Shillings in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say—

Total Judicial	...	...	...	...	£2511	10	0
Total Hospital and Charitable	...	...	...	...	860	0	0
Total Administrative	...	...	...	...	1280	0	0
Total Harbor Department	...	...	...	...	665	0	0
Total Survey Department	...	...	...	...	2150	0	0
Total Legislative	...	...	...	...	455	0	0
Total Miscellaneous	...	...	...	...	2746	0	0
Total Public Works and Undertakings	...	...	...	...	8525	0	0
Total Sheep Department	...	...	...	...	880	0	0
Total Education	...	...	...	...	2200	0	0

£22,272 10 0

Sums appropriated to be issued and paid in accordance with the "Provincial Audit Act 1866" and the "Provincial Audit Acts Amendment Acts 1868 and 1869."

2. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by the "Provincial Audit Act 1866" and the "Provincial Audit Acts Amendments Acts 1868 and 1869."

Short Title.

3. The Short Title of this Act shall be the "Hawke's Bay Appropriation Act 1872."

# Province of Hawke's Bay.



## PUBLIC PARK AND BOTANICAL GARDEN ACT 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XX., No. 1.

### ANALYSIS.

Title.  
1. Short Title.

2. Repeal of Act.  
3. Transfer of land for Public Park, &c.  
Schedule.

*AN ACT to repeal the Hawke's Bay Agricultural Society Act 1866 and to make other provision for managing the Reserve mentioned in the said Act.*

Title

[Assented to July 21, 1873.]

I. THE Short Title of this Act shall be "The Public Park and Botanical Garden Act 1873."

Short Title

II. The Hawke's Bay Agricultural Society Act 1866 is hereby repealed.

Repeal of Act

III. The land comprised in the Schedule to this Act shall be deemed to be comprised in the Schedule to the Public Park and Botanical Garden Act 1866 and shall be dealt with in all respects as though the said land had been originally included in the Schedule to the last mentioned Act.

Transfer of land for Public Park, &c.

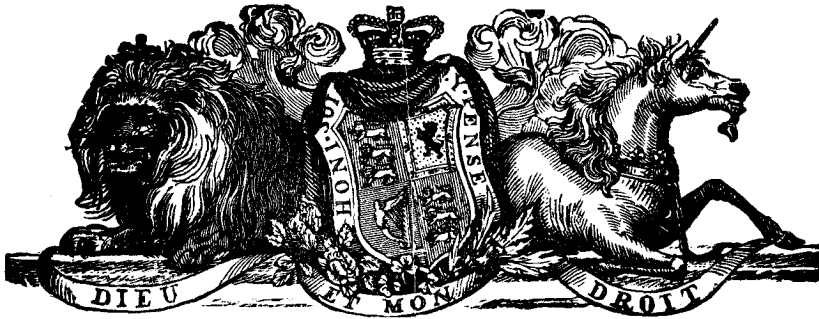
### SCHEDULE.

All that portion of Land containing by admeasurement Fourteen Acres (more or less) being portion of Section No. 20 Meanee South bounded towards the South-east by a Public Road 2600 links towards the South-west by other portion of Block 20 900 links and towards the North-West by the Tutaekuri river.

Schedule



# Province of Hawke's Bay.



## APPROPRIATION ACT 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XX., No. 2.

### ANALYSIS.

- |   |  |
|---|--|
| <p>Title<br/>Preamble<br/>1. Appropriating of the sum of £58,604 13s 4d to defray the charges of the Government of the Province for the period from 1st July 1874 to 30th June 1874</p> | <p>2. Sum appropriated to be issued and paid in accordance with the Provincial Audit Act 1866 and the Provincial Audit Acts Amendment Acts 1868 and 1869<br/>3. Short Title.</p> |
|---|--|

*AN ACT to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day of July 1873 and ending the 30th day of June 1874.*

[Assented to August 6, 1873.]

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

I. That out of the Revenue of the Province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1873 and ending the 30th day of June 1874 the sum of Fifty-eight Thousand Six Hundred and Nine Pounds Thirteen Shillings and Fourpence in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say—

Total Judicial	...	...	...	£2873	0	0
Total Hospital and Charitable	...	...	...	1260	0	0
Total Administrative...	...	...	...	1280	0	0
Total Harbor Department	...	...	...	715	0	0
Total Survey Department	...	...	...	3400	0	0
Total Legislative	...	...	...	590	0	0
Total Miscellaneous	...	...	...	4799	13	4
Total Public Works and Undertakings	...	...	...	39512	0	0
Total Sheep Department	...	...	...	1350	0	0
Total Education	...	...	...	2830	0	0

£58,609 13 4

Title

Preamble

Appropriating of the sum of £58,609 13s 4d to defray the charges of the Government of the Province for the period from 1st July 1873 to 30th June 1874

Sum appropriated to be issued and paid in accordance with the Provincial Audit Act 1866 and the Provincial Audit Acts Amendment Acts 1868 and 1869

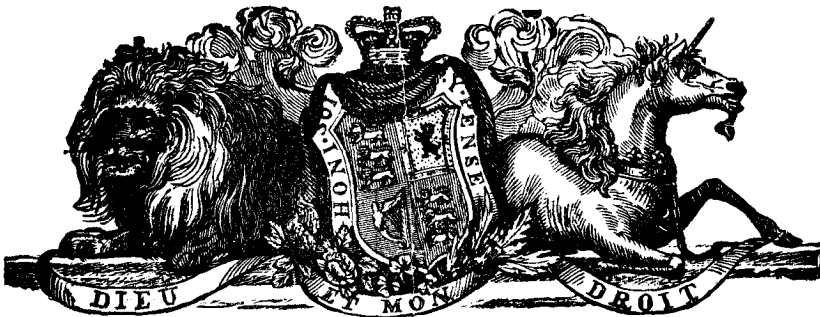
II. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by the "Provincial Audit Act 1866" and the "Provincial Audit Acts Amendment Acts 1868 and 1869."

Short Title

III. The Short Title of this Act shall be "The Hawke's Bay Appropriation Act 1873."



Province of Hawke's Bay.



SLAUGHTER-HOUSE ACT AMEND-  
MENT ACT 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XX., No. 3.

ANALYSIS.

1. Short Title.

2. Increase of fee to £20.

*AN ACT to amend the Slaughter-house Act  
Amendment Act 1871.* Title

[Assented to August 6, 1873.]

I. **T**HE Short Title of this Act shall be the "Slaughter-house Act Amend-  
ment Act 1873." Short Title

II. The fee imposed by the Third Clause of the Slaughter-house Act  
Amendment Act 1871 shall be £20 in lieu of £10 and the said Third  
Clause shall be read as though the words £20 had originally been inserted  
therein. Increase of fee to £20



# Province of Hawke's Bay.



## CREDIT ACT 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XX., No. 4.

### ANALYSIS.

Title	1. Credit to be allowed Provincial Treasurer for certain charges
Preamble	2. Short Title.

## AN ACT to credit the Provincial Treasurer with certain charges. Title

[Assented to July 21, 1873.]

**WHEREAS** the Treasurer of the Province of Hawke's Bay hath under Preamble  
Warrants under the hand of the Superintendent made certain pay-  
ments from the 1st June 1872 to the 31st May 1873 in excess of the sums  
authorised by the "Appropriation Act 1872" to the amount set forth in the  
Schedule hereto.

**AND WHEREAS** in manner directed by the "Provincial Audit Act  
1866" and "Provincial Audit Act Amendment Act 1868" resolutions were  
duly passed by an absolute majority of the entire number of the members of  
the Provincial Council requesting the Superintendent to grant the sum of  
Two Hundred and Nine Pounds Fourteen Shillings being the amount of  
such unauthorised expenditure as aforesaid.

**AND WHEREAS** an address in the terms of the resolution last recited  
and signed by the Speaker of the Council has been presented to the Super-  
intendent.

**BE IT ENACTED** by the Superintendent of the Province of Hawke's  
Bay by and with the advice and consent of the Provincial Council thereof as  
follows:—

I. The Treasurer of the Province shall in his accounts be allowed Credit to be allowed Pro-  
vincial Treasurer for cer-  
tain charges  
credit for the said sum of Two Hundred and Nine Pounds Fourteen  
Shillings being the amount expended on certain services as hereinafter  
specified.

Gaol Department	...	...	...	...	£76	13	4
Returning Officer's Department	...	...	...	...	28	13	6
Ngaruroro Bridge	...	...	...	...	104	7	2
					<hr/>		
					£209	14	0

Short Title

II. The Short Title of this Act shall be the "Credit Act 1873."

Province of Hawke's Bay.



CATTLE TRESPASS IMPOUNDING  
ACT AMENDMENT ACT 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XX., No. 5

ANALYSIS.

- |   |  |
|---|--|
| <p>Title<br/>Short Title.</p> <p>1. Account to be rendered quarterly to the Superintendent of all sums received</p> | <p>2. Penalty for non-performance of duties</p> <p>3. Damages leviable on cattle trespassing on public roads</p> |
|---|--|

[Assented to July 21, 1873.]

AN ACT to amend the Cattle Trespass and Impounding Act 1867 and the Cattle Trespass Act Amendment Act 1870. Title

THE Short Title of this Act shall be "The Cattle Trespass and Impounding Act Amendment Act 1873." Short Title

BE IT ENACTED by the Superintendent of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows—

I. The following provision shall be read as sub-section No. 7 of clause 6 of "The Cattle Trespass and Impounding Act, 1867." Account to be rendered quarterly to Superintendent of all sums received

"To render quarterly to the Superintendent a true and just account of all sum and sums of money received by such Poundkeeper by virtue of his office including in such account a statement of the disposal of all such sum and sums of money and every such account shall be signed by the Poundkeeper rendering the same."

II. Every Poundkeeper who shall fail to perform any of the duties imposed upon him by the "Cattle Trespass and Impounding Penalty for non-performance of duties

Act 1867" and by this present Act shall be liable to a penalty not exceeding £10 for every such offence to be recovered in a summary way.

Damages leviable on cattle trespassing on public roads

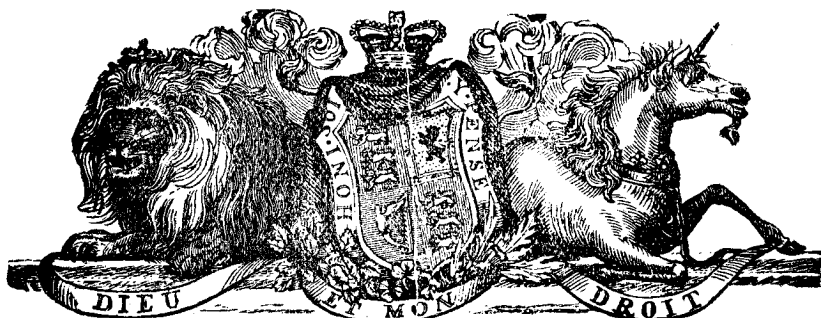
III. In lieu of the damages made payable by the Cattle Trespass and Impounding Act Amendment Act 1870 there shall be payable for all cattle found trespassing on Public Roads fenced on both sides the damages set forth in the Schedule to this Act in addition to the Pound fees and charges fixed by the said Act of 1870.

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SCHEDULE.

	s.	d.
Great Cattle per head .....	4	0
Great Cattle if entire per head .....	40	0
Sheep per head .....	0	2
Pigs and Goats per head .....	1	0

# Province of Hawke's Bay.



## EDUCATION ACT, 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XX., No. 6.

### ANALYSIS.

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. Repeal of Acts of 1859 and 1868.</li> <li>2. Schools entitled to aid.</li> <li>3. Rate to be levied on Buildings.</li> <li>4. Rate on unmarried men.</li> <li>5. Exemption from rate in specified cases.</li> <li>6. Valuation of buildings by assessor. Public notice of assessment by Superintendent.</li> <li>7. Appointment Board of Appeal.</li> <li>8. Composition of Board.</li> <li>9. Notice of objection to assessment</li> <li>10. Consideration of appeals. Board's decision final.</li> <li>11. Assessment may be amended.</li> <li>12. Collection of rate and time and place for its payment.</li> <li>13. Aid in erection or repair of School Buildings save to Denominational Schools.</li> <li>14. Vesting in Trustees of land on which School buildings are erected.</li> <li>15. Equality terms of admission to all children.</li> <li>16. Prohibition of religious instruction during school hours. If given after hours to be in conformity with doctrine of body to which</li> </ol> | <ol style="list-style-type: none"> <li>17. Amount of aid per head to be given and the premium fee to be paid by parents or guardians. Limitation of free scholars. Proviso favor Charitable Schools and Free Schools.</li> <li>18. Free education to orphans and indigent children. Limitation payment of fees.</li> <li>19. Aid to be based on average attendance as disclosed by register. Proviso for record and return of amount of School pence charged and received</li> <li>20. Power to Superintendent to appoint Inspector.</li> <li>21. Gratuity to country teachers.</li> <li>22. Derivation of funds maintenance of scholars.</li> <li>23. Rate fixed by repealed Act and due for current year to be levied. New rate not leviable until after 1st July, 1874.</li> <li>24. Short Title.</li> </ol> |
|--|---|

[Assented to July 21, 1873.]

I. THE "Hawke's Bay Education Act 1859" and the "Educational Rates Act 1868" are hereby repealed. Repeal of Acts of 1859 and 1868

II. The schools which may receive aid from the Provincial Government of Hawke's Bay under this Act may be of two classes or either of them viz: Public or Common Schools and Private or Denominational Schools. Schools entitled to aid

III. There shall be levied and paid yearly by the occupier of every dwelling-house warehouse shop or wool-shed in the Province of Hawke's Bay the following rates:—On every dwelling-house warehouse shop and wool-shed below the value of £100 the sum of 10s and by the occupier of every dwelling-house warehouse shop and wool-shed above the value of £100 and upwards a sum after the rate of 10s per Rate to be levied on buildings

cent. : Provided that in no case shall such rate exceed the sum of Five Pounds on one building.

Rate on unmarried men

IV. Every unmarried man residing within the said province who shall be in receipt of wages amounting to the sum of £100 per annum without rations or wages amounting to the sum of £70 with board and lodging shall pay the yearly rate or sum of £1.

Exemption from rate in specified cases

V. It shall be lawful for the Superintendent to exempt persons from the payment of the rates hereby imposed in respect to dwelling-houses liable to a rate not exceeding 10s and provided such persons so to be exempted shall reside at a distance of not less than three miles from any school to be established by virtue of this Act and it shall also be lawful for the Superintendent to exempt any person from payment of all rates made payable by this Act on due proof being given of their inability to pay the same.

Valuation of buildings by assessor Public notice of assessment by Superintendent

VI. The Superintendent shall in every year appoint some competent person or persons whose duty it shall be once in every year to make a fair and just assessment of the value of all buildings liable to be rated and when such assessment shall have been completed the assessor shall sign his name thereto with a certificate to the effect that the assessment is fair and just according to the best of his judgment and the Superintendent shall give public notice in the Provincial Government *Gazette* to the effect that the said assessment may be inspected at the office of the Superintendent and in and at all Common Schools established under this Act for a period of twenty-one days from the date of such notice during usual office or school hours by every person included in such assessment.

Appointment of Board of Appeal

VII. It shall be lawful for the Superintendent in every year to appoint three persons as a Board whose duty it shall be to hear all objections to the valuation so to be made as aforesaid.

Composition of Board

VIII. Such Board shall consist of the Provincial Engineer and one competent Builder residing in the said province.

Nature of objection to assessment

IX. If any person shall think himself aggrieved by the assessment or tax to be made as aforesaid he shall within twenty-one days after his liability to the said assessment or tax shall have been made public by notice to be published as before provided for give notice to the Board of his objection to such assessment or tax and of the reason on which such objection is founded.

Consideration of appeals ; Board's decision final

X. The Board shall not earlier than twenty-one days after such assessment or tax shall have been opened for inspection and notice thereof published as aforesaid hold a meeting whereof at least fourteen days notice shall be given by advertisement in the Provincial Government *Gazette* and also in two newspapers published in the said province for the purpose of considering objections to such assessment or tax and the decision of the Board on such objections shall be final and conclusive.

Assessment may be amended

XI. The Board may amend any assessment to which objection shall be made.

Collection of rate and time and place for its payment

XII. For raising the necessary funds for establishing and maintaining schools and for otherwise carrying out the provisions of this Act the rates levied and fixed by this Act shall be paid by the person liable to the payment thereof to some person or persons to be appointed by the Superintendent for that purpose on a day and at a place to be fixed by the Superintendent by public notice in the Provincial Government *Gazette* and in two papers published or generally circulated in the province not being less than one month from the time of giving such notice nor less than nine months from the



previous day so appointed for the collection of the rate and if the rate or any part thereof shall not be paid on the day so to be fixed for that purpose the same may be recovered in a summary manner before any Justice or Justices of the Peace in the name of the Superintendent.

XIII. Whenever any of the inhabitants of a town or country district within the province shall be desirous of establishing a Common School and shall subscribe together a sum of at least £40 towards the erection or repair of a suitable building for such purpose it shall be lawful for the Government to contribute provided there are funds available for the purpose an amount equal to the subscriptions actually paid into the hands of the Provincial Treasurer on account of any such school but not to exceed in any case £100 in the whole within a period of three years. Provided that no Government aid or assistance shall be given towards the erection or repairing of any kind of Denominational School.

Aid in erection or repair of School buildings save to Denominational Schools

XIV. Before any grant in aid of building or repairing any Common School House as above provided shall be made the land on which such school-house or building is erected must be vested in trustees or managers to be chosen by the subscribers to the said school and satisfactory provisions must also be made in the deed of trust for carrying out the objects of such schools in accordance with the provisions of this Act and for due succession of such trustees or managers: Provided always that the Superintendent of the province for the time being shall *ex officio* be a trustee of every such school and in case of death or removal from the province of any of the trustees or managers as aforesaid and those remaining do not in accordance with the provisions of the Trust Deed fill up the vacancies after three months notice to do so shall have been given by the Superintendent in the Provincial Government *Gazette* it shall be lawful for the Superintendent himself to fill up such vacancies from amongst the resident subscribers living in the district in which such school is situate of which appointment due notice shall also be given in the Government *Gazette*.

Vesting in Trustees of land on which School buildings are erected

XV. All Schools that have received or are receiving or may receive any such Government aid shall be open to all children on equal terms.

Equality terms of admission to all children

XVI. That in all such Common Schools no religious instruction of any kind shall be given during the ordinary school hours from nine to three but that the master or mistress of such schools may give religious instruction either before or after school hours the said religious instruction being such as the majority of the trustees or managers of any school may think fit or approve of That religious instruction at the times before mentioned be given by the master or mistress of any Common School only to such children as have been registered by their parents or guardians in the school register as belonging to the religious body whose doctrines are taught by the said master or mistress That should the master or mistress of any Common School attempt to teach a child any doctrine or creed repugnant to that of the church or religious body that its parents or guardians have registered it as belonging to without express permission in writing from such parents or guardians Government aid as aforesaid and hereinafter in this Act provided shall immediately be withdrawn and such Government aid shall be withheld so long as the said master or mistress so offending shall continue in charge of such school besides which he or she shall be liable for each offence to a fine of not less than £5 nor more than £20 to be recovered in a summary way Provided always that in the term religious instruction as used in this Act the Scripture and other lessons contained in the books of the Irish National Schools which have been approved of by the heads of all Christian denominations and published by their authority are not included.

Prohibition of religious instruction during School hours. If given after hours to be in conformity with doctrine of body to which teachers belong; subsection to penalty of £20 for violation of restrictions as to religious teaching and forfeiture of Government aid. Proviso favor Irish National School Books

Amount of aid per head to be given and the premium fee to be paid by parents or guardians. Limitation of free scholars. Proviso favor Charitable Schools and Free Schools

XVII. Government aid shall be given to both Common and Denominational Schools for boys and girls in proportion to the number of children between the ages of 5 and 15 years educated in them at the rate of nine shillings per quarter to schools in the Town of Napier and twelve shillings to country schools: Provided always that the weekly charge to parents or guardians shall not exceed one shilling and sixpence per head per week and that no person shall be liable to pay for more than four children at any one time whether attending the same or different school receiving aid under this Act: Provided also that not more than one-fourth of the entire number of scholars in any school shall be educated free of cost to parents or guardians nor shall capitation money be allowed to any school containing a less average attendance than twelve scholars: Provided further that it shall be lawful for the Superintendent to relax the restriction against Government aid in the case of schools established for charitable purposes and of schools in existence prior to the passing of this Act.

Free education to orphans and indigent children. Limitation payment of fees

XVIII. Every school receiving Government aid as aforesaid shall be bound to educate orphans or children of very poor parents without extra rate beyond Government aid on an order from the Inspector: Provided always that any children in excess of four belonging to the same parent or guardian shall be educated without extra rate on an order from the Inspector who shall divide the fees payable for the four children between the schools they attend.

Aid to be based on average attendance as disclosed by register. Proviso for record and return of amount of School pence charged and received

XIX. Every sum of money payable quarterly under this Act in aid of any school shall be calculated at a certain quarterly rate per head upon the daily average number of scholars who shall be educated therein in accordance with the provisions of this Act and a register shall be kept of the daily number of scholars at every such school and shall be forwarded duly certified to the Inspector of Schools at such times as he shall direct in case of any false return being made by any master or mistress he or she shall forfeit all claim to Government aid: Provided also that an entry shall be made in the register of the weekly school pence charged to the parents or guardians of the scholars and that the amount received on that account by the master shall be set forth in his quarterly return.

Power to Superintendent to appoint Inspector

XX. All schools receiving aid under this Act shall be open at all times to inspection by some person appointed by the Superintendent who is hereby empowered from time to time to appoint and dismiss such Inspector or Inspectors and to frame such regulations for his or their guidance as he may deem necessary that the duty of every such Inspector shall be to see that sufficient and satisfactory secular education is given in every such school or schools so receiving Government aid particularly in reading writing and arithmetic.

Gratuity to country teachers

XXI. It shall be lawful for the Superintendent on the recommendation of the Inspector to give a gratuity to any schoolmaster or mistress in country districts in addition to the aid before provided in such cases as it may appear from the small number of children then resident within the radius of three miles from the schoolhouse that he or she cannot be supported by the ordinary contribution or rate such gratuity in no case to exceed £50 per annum.

Derivation of funds maintenance of Schools

XXII. All schools which are or may be aided in accordance with the foregoing Act shall be so aided and maintained from the proceeds of the education rate the educational reserves and such annual grants as may from time to time be made by the Provincial Council provided that the same be annually voted by the Provincial Council.

XXIII. Notwithstanding anything in this Act contained all rates made payable for the current year by the Acts hereby repealed shall be levied collected and applied as though this Act had not been passed and all rates made payable by this present Act shall not be revised until after the first day of July 1874.

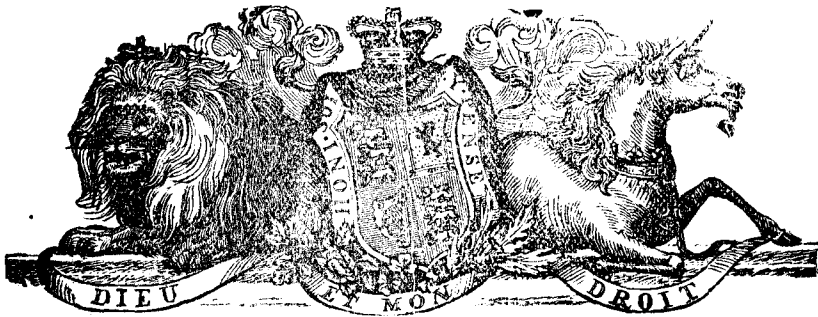
Rate fixed by repealed Act and due for current year to be levied. New rate not leviable until after 1st July, 1874

XXIV. The Short Title of this Act shall be "The Hawke's Bay Education Act, 1873."

Short Title



Province of Hawke's Bay.



THE NAPIER SWAMP NUISANCE ACT 1873.

IN THE THIRTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

SESSION XX., No. 8.

ANALYSIS.

- |   |   |
|---|---|
| <p>Preamble.<br/>1. Penalty for not abating Nuisance. Notice to be given.</p> | <p>2. Penalties imposed recovery summarily.<br/>3. Short Title. Schedule.</p> |
|---|---|

[Assented to July 14, 1873.]

**W**HEREAS some years since the parcels of land situated in the Town of Napier in the said province as described in the Schedule to this Act were purchased from the Crown and whereas by reason of the said parcels of land being flooded by stagnant water a nuisance dangerous to the health of the community hath been created and still subsists and whereas it is expedient that the said nuisance should be abated.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay with the advice and consent of the Provincial Council thereof as follows.—

1. Any owner of one or more of the said parcels of land described in the Schedule to this Act who shall not within the period of four months from the date of a notice signed by the Superintendent calling upon such owner to keep such land free from stagnant water and to abate the nuisance caused thereby fails so to do shall be liable to a penalty not exceeding £100 and in the event of such owner failing to abate such nuisance after the expiry of the four months notice it shall be considered a separate offence for each day that the said nuisance may be continued Provided always that any notice to be signed by the Superintendent as aforesaid may be delivered personally to any owner or left at his usual place of abode or in his absence from the colony by forwarding the same to his agent or by forwarding the same by post

Preamble

Penalty for not abating Nuisance Notice to be given

in a registered letter addressed to such owner or his agent as the case may be addressed to him at his usual place of abode.

Penalties imposed re-  
covery summarily

II. All penalties to be imposed on any one conviction under the provisions of this Act shall be recovered in a summary way.

Short Title

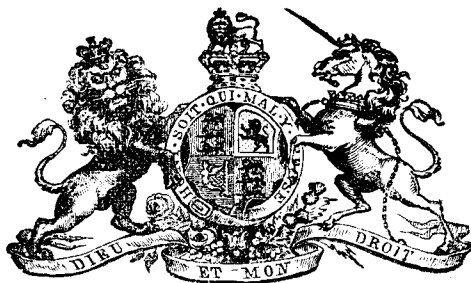
III. The Short Title shall be "The Napier Swamp Nuisance Act 1873."

Schedule

SCHEDULE OF SECTIONS ON THE NAPIER TOWN SWAMPS.

No. of Sec- tion.	A.	R.	P.	No. of Sec- tion.	A.	R.	P.	No. of Sec- tion.	A.	R.	P.	No. of Sec- tion.	A.	R.	P.
181	0	1	0	254	0	1	0	357	1	0	0	371	0	3	7
182	0	2	0	255	0	1	0	Reserve	1	2	0	372	1	0	0
183	0	2	0	256	0	1	0	358	1	0	0	373	1	0	0
184	0	2	0	258	0	1	0	359	1	0	0	374	0	3	10
185	0	2	0	259	0	1	0	360	1	0	0	375	1	0	0
186	0	2	0	260	0	1	0	361	1	0	0	376	2	0	0
187	0	2	0	346	0	3	7	362	1	0	0	377	1	0	0
218	0	2	0	348	0	2	17	363	1	0	0	378	1	0	0
219	0	2	0	349	0	2	38	364	1	1	18	379	1	0	0
220	0	2	0	350	0	1	28	365	1	0	0	380	1	0	0
221	0	2	0	351	0	2	0	366	1	0	0	381	1	0	0
222	0	2	0	352	0	2	0	367	1	0	0	382	1	0	0
223	0	2	0	353	0	2	0	368	0	3	37	383	1	0	0
224	0	2	0	354	0	1	0	369	1	0	0	384	0	2	28
225	0	2	0	355	0	1	0	370	1	0	0	385	1	2	30
253	0	1	0	356	0	1	0								

## Province of Hawke's Bay.



# EDUCATIONAL RESERVES ACT, 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XXI., No. 1.

### ANALYSIS.

Title.

Preamble.

1. Power to Superintendent to lease lands in Schedules

2. Confirmation of previous leases

3. Short Title.

Schedules.

*An Act to enable the Superintendent to manage and administer certain Reserves by granting Leases thereof and for other purposes.* Title.

**WHEREAS** under and by virtue of "The Public Reserves Act, 1854" the Governor of the Colony has by certain grants sealed with the Public Seal of the Colony granted to the Superintendent of the Province of Hawke's Bay certain parcels of land in the said deeds of grant in the first Schedule to this Act set forth and described to hold unto the said Superintendent and his successors in trust for educational purposes Preamble.

AND WHEREAS it is expedient to make provision for the management and administration of the said parcels of land by granting leases thereof

AND WHEREAS by an Act of the Provincial Council of Hawke's Bay No. 6 of Session XI. intituled "An Act to enable the Superintendent of the Province of Hawke's Bay to manage and administer by sale or lease certain Public Reserves" the said Superintendent was empowered to demise and lease certain lands in the Schedule to the said Act and in the second Schedule to this Act described

AND WHEREAS it is expedient to make provision for the management and administration of the said parcels of land in the second Schedule of this Act described by granting leases thereof and to confirm all leases of the said parcels of land or of any parts thereof made in pursuance of the Act of the said Provincial Council No. 6 of Session XI. before recited and to make provision for the application of the monies to be received by way of rent in respect of the lands so to be leased

BE IT THEREFORE ENACTED by the Superintendent of the said Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

Power to Superintendent  
to lease lands in schedules

I. The Superintendent of Hawke's Bay shall have full power to demise and lease all or any part of the lands comprised in the first and second Schedules to this Act for any term or terms of years not exceeding twenty-one years to take effect on possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for the granting of the same and subject to such terms and conditions as to the said Superintendent shall seem fit. All lands proposed to be demised or leased by virtue of this Act shall be put up in lots by public auction and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot shall be declared the purchaser or purchasers thereof. Three months' notice shall be given by advertisement in the *Provincial Government Gazette* of Hawke's Bay of the intention of the Superintendent to put up any of the said lands by auction with particulars of the respective portions of the said lands proposed to be put up at any such sale or sales.

Confirmation of previous  
leases

II. All leases already granted by the Superintendent by virtue of the Act before recited No. 6 of Session XI. of the Provincial Council of Hawke's Bay in respect of the lands in the second Schedule to this Act are hereby confirmed.

Application of rents

III. All monies to be received by way of rent in respect of the lands comprised in the Schedules to this Act so to be leased as aforesaid or already leased or henceforth to be leased by virtue of the Act before recited No. 6 of Session XI. shall be applied in conformity with the provisions contained in "The Hawke's Bay Education Act 1873" with respect to the application of rates levied under the provisions of the said Act and for the purposes in the same Act expressed. The Treasurer of the Province shall keep a separate account of all monies so received and disbursed and shall exhibit a balance sheet at the end of each financial year.

Short Title.

IV. The Short Title of this Act shall be "The Educational Reserves Act, 1874."

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FIRST SCHEDULE TO WHICH THE FOREGOING ACT REFERS.

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TOWN OF NAPIER.

Town Section 523 containing by admeasurement 1 rood more or less bounded to the north by Colin-street 100 links to the east by Section 525 255 links to the south by Crown lands 105 links to the west by a public reserve 220 links.



## TOWN OF CLIVE.

Town Section 368 containing by admeasurement 20 perches more or less bounded to the north and north-west by Town Section 367 135 links to the east and south-east by Cook-street 200 links and to the west and south-west by Clive Road 240 links.

Town Section 369 containing by admeasurement 1 rood 20 perches more or less, bounded to the north and north-west by Clive Crescent 260 links to the east and north-east by Town Section 325 180 links to the south and south-east by Town Section 343 250 links and the south and south-west by Peel-street 120 links.

Town Section 370 containing by admeasurement 38 perches more or less bounded to the north by Clive Crescent 195 links to the east by Albert-street 70 links to the south by Town Section 268 250 links and to the west by Town Section 281 150 links.

Town Section 371 containing by admeasurement 1 rood 4 perches more or less bounded to the north by Clive Crescent 333 links to the east and south-east by Town Section 263 214 links and to the south and south-west by Albert-street 255 links.

Town Section 372 containing by admeasurement 1 rood 31 perches more or less bounded to the north by Richmond-street 220 links to the east by Bridge-street 201 links to the south by Town Section 32 225 links and to the west by Town Section 31 200 links.

Town Section 373 containing by admeasurement 1 rood 27 perches more or less bounded to the north and north-west by Town Section 174 250 links to the north and east by Town Section 186 100 links to the east and south-east by Town Section 173 262 links to the south by Clive Road 35 links and to the west by Peel-street 200 links.

## TOWNSHIP OF CLYDE.

Town Sections 467 468 469 470 471 472 473 637 638 639 640 641 642 and 643 containing by admeasurement 3 acres 2 roods more or less bounded to the north by Outram-street 500 links to the east by Kopu Road 700 links to the south by Rose-street 500 links and to the west by Apatu-street 700 links.

Town Sections 651 652 653 654 655 656 657 815 816 817 818 819 820 and 821 containing by admeasurement 3 acres 2 roods more or less bounded to the north by Outram-street 500 links to the east by Apatu-street 700 links to the south by Rose-street 500 links and to the west by McLean-street 700 links.

Suburban Section 829 containing by admeasurement 2 acres more or less bounded to the north by Suburban Section 828 500 links to the east by Kopu Road 400 links to the south by Fitzroy-street 500 links and to the west by Apatu-street 400 links.

Suburban Section 13 containing by admeasurement 6 acres 2 roods 29 perches more or less bounded to the north by Lucknow-street 811 links to the north-east by a public road 390 links to the south-east by Suburban Section 14 1000 links to the south-west by a public road 425 links and to the west by native land 600 links.

## MOTUOTARAIA.

All that parcel of land containing by admeasurement 469 acres more or less situate in the Porangahau District bounded on the north-west by Motuotaraia Rural Sections No. 18 3280 links on the north-east by Block No. 18 8000 links and 5613 links on the south by the Taurekaitai Stream and on the south-west by the Upokopaowa Stream.

## PORANGAHAU.

All that parcel of land containing by admeasurement 1155 acres and 3 roods more or less situate in the Porangahau District bounded on the north-east by Porangahau Rural Sections 7 and 11 5950 links and 7650 links respectively and by a public road 500 links on the south-east by Porangahau Suburban Sections Nos. 61 and 57 3013 links and 2100 links respectively and by a public road 100 links on the south-west by Porangahau Suburban Sections Nos. 70 77 and 78 1775 links 2984 links and 2257 links respectively and by a public road 500 links on the south by Porangahau Suburban Sections Nos. 74 75 and 76 4740 links and 5280 links and on the north-west by Porangahau Rural Sections Nos. 4 and 3 9600 links and by Porangahau Rural Section No. 7 950 links.

## PEKA PEKA.

All that parcel of land in the Patoka District containing by admeasurement 100 acres more or less bounded to the north by Block 7 Patoka District 4000 links to the east by Block 7 2100 links to the south by a public road and to the west by Block 7 Patoka District 2600 links.

## TURIROA.

All that parcel of land containing by admeasurement 54 acres 3 roods 36 perches more or less known as Section 3 Turiroa bounded to the north-west by Section 2 Turiroa 3116 links to the north-east by the Turiroa Stream to the south-east by the Wairoa River and to the south-west by section 38 Turiroa 1000 links and Section 4 Turiroa 1270 links.

## KERERU BUSH SECTIONS.

Sections 16 and 25 containing by admeasurement 60 acres more or less bounded to the north by Sections 17 and 26 Kereru Bush 5600 links to the east by a public road 100 links to the south-east by Block 3 Gwavas District 1925 links to the south by section 15 Kereru Bush 3800 links and to the west by the Poporangi Stream.

Sections 34 and 35 containing by admeasurement 40 acres more or less bounded to the north-east by Section 76 Kereru Bush 2500 links to the south-east by Crown Land 1600 links to the south-west by Section 33 Kereru Bush 2500 links and to the north-west by a public road 1600 links.

## WAIHUA.

All that parcel of land in the Poututu Block containing by admeasurement 40 acres more or less bounded on the north-east by Rural Section 18 Poututu 1320 links and on the south-east and south-west and north-west by the Waihua Stream.

All that parcel of land known as the Ferry Reserve at Waihua containing by admeasurement 100 acres more or less bounded to the north-east by Crown Land 2740 links to the south-east by Rural Section 18 Poututu 1700 links Toha's purchase and the Waihua Stream on the west by the Waihua Stream and on the north-west by Rural Section No. 1 Waihua 3365 links.

## PAKIAKA.

Rural Sections 33 34 35 36 37 38 39 and 40 containing by admeasurement 669 acres more or less bounded to the north by a public road to the east by a public road to the south by the Mangarangiora Stream to the south-west by the freehold of R. H. Rhodes and Co. and to the north-west by a public road.

Rural Sections 29 30 and 31 containing by admeasurement 274 acres more or less bounded to the north by Rural Section 32 Pakiaka 2550 links and by a public road to the north-east and east by a public road to the south and south-west by the Mangarangiora Stream and to the west by a public road and Rural Section 32 Pakiaka 3500 links.

Rural Section 23 containing by admeasurement 42 acres more or less bounded on the north by Rural Section 25 Pakiaka on the east by the Mangaone Stream on the south by a public road and on the west by Rural Section 22 Pakiaka.

## PUKETITIRI BUSH.

All that parcel of land containing by admeasurement 525 acres more or less situate in the Patoka District bounded on the north by the original Puketitiri Reserve 10250 links on the east by the original Puketitiri Reserve 5980 links on the south by the Mangatutu River and J. Hallett's freehold 6140 links and on the west by the original Puketitiri Reserve 5650 links.

## TAUTANE.

All that parcel of land containing by admeasurement 9700 acres more or less situate in the Tautane District bounded on the south-west by the Reserve for Quarantine Ground about 78000 links on the east by Crown Land about 47500 links and on the north-east by native land about 45500 links.

## TOWNSHIP OF MAHIA.

Town Section 1 containing by admeasurement 1 rood 5 perches more or less bounded to the north-west by Newcastle-street 250 links to the north-east by Argyle-street 100 links to the south-east by Town Section No. 2 320 links and to the south-west by a public road 122 links.

Town Section 16 containing by admeasurement 2 roods more or less bounded to the north-west by Fortescue-street 100 links to the north-east by Town Section 17 500 links to the south-east by Lochiel Road 100 links and to the south-west by a public road 500 links.

Town Section 25 containing by admeasurement 2 roods 4 perches more or less bounded to the north-west by Town Section 24 500 links to the north-east by Town Section 14 100 links to the south-east by Lochiel Road 570 links and to the south-west by a public road 122 links.

Town Section 29 containing by admeasurement 2 roods more or less bounded to the north-west by Mahia Signal Reserve 250 links to the north-east by a public road 200 links to the south-east by Newcastle-street 250 links and the south-west by Town Section 28 200 links.

Town Section 41 containing by admeasurement 1 rood 16 perches more or less bounded to the north-west by Newcastle-street 100 links to the north-east by Town Section 42 350 links to the south-east by Victoria-square 100 links and to the south-west by Town Section 40 350 links.

Town Section 45 containing by admeasurement 1 rood 16 perches more or less bounded to the north-west by Newcastle street 78 links to the north by Newcastle-street 23 links to the north-east by Town Section 46 355 links to the south-east by Town Section 72 100 links and to the south-west by Town Section 44 350 links.

Town Section 63 containing by admeasurement 2 roods more or less bounded to the north-west by Town Section 36 100 links to the north-east by Town Section 64 500 links to the south-east by Fortescue-street 100 links and to the south-west by Town Section 62 500 links.

Town Section 74 containing by admeasurement 1 rood 16 perches more or less bounded on the north-east by Section No. 75 350 links on the north-west by a Government Reserve 100 links on the south-west by a Government Reserve 350 links and on the south-west by Fortescue-street 100 links.

Town Section No. 85 containing by admeasurement 2 roods more or less bounded on the north-east by Section No. 86 500 links on the north-west by Section No. 84 100 links on the south-west by Section No. 84 500 links and on the south-east by Fortescue-street 100 links.

Town Section No. 99 containing by admeasurement 1 rood 38 perches more or less bounded on the north-east by Ratan-street 450 links on the north by Ratan-street 70 links on the north-west by Newcastle-street 50 links on the south-west by Section No. 98 500 links and on the south-east by Fortescue-street 100 links.

Town Section No. 105 containing by admeasurement 2 roods more or less bounded on the north-east by Section No. 106 500 links on the north-west by Fortescue-street 100 links on the south-west by Section No. 104 500 links and on the south-east by Lochiel Road 100 links.

Town Section No. 114 containing by admeasurement 2 roods more or less bounded on the north-east by section No. 115 500 links on the north-west by Fortescue-street 100 links on the south-west by section No. 113 500 links and on the south-east by Lochiel Road 100 links.

Town Section No. 130 containing by admeasurement 2 roods more or less bounded on the north-east by section No. 131 500 links on the north-west by Fortescue-street 100 links on the south-west by section No. 129 500 links and on the south-east by Lochiel Road 100 links.

Town Section No. 145 containing by admeasurement 2 roods and 37 perches more or less bounded on the north by section No. 146 370 links on the east by section No. 139 200 links on the west by the sea beach 203 links and on the south by section No. 144 345 links.

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**SECOND SCHEDULE TO WHICH THE FOREGOING ACT REFERS.**

Section numbered 66 Town of Napier containing by admeasurement 39 perches more or less bounded towards the east by Faraday-street 150 links towards the south by section No. 65 163 links towards the west by section No. 37 150 links and towards the north by section No. 67 163 links.

Section at corner of Hyderabad Road and Main-street Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 7 100 links towards the south-east by Main-street 250 links towards the south-west by Hyderabad Road 100 links and towards the north-west by section No. 6 250 links.

Section bounded by Tennyson Emerson and Hastings-street Town of Napier containing by admeasurement 2 roods 20 perches more or less bounded towards the north-east by Hastings-street 250 links towards the south-east by Emerson-street 250 links towards the south-west by section No. 171 250 links and towards the north-west by Tennyson-street 250 links.

Sections 106 and 107 in the Town of Napier containing by admeasurement 2 roods more or less bounded towards the north-east by Milton Road 200 links towards the south-east by Tennyson-street 250 links towards the south-west by section No. 105 200 links and towards the north-west by section No. 108 250 links.

Section 111 in the Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 112 200 links towards the south-east by Tennyson-street 125 links towards the south-west by Milton Road 200 links and towards the north-west by section No. 110 125 links.

# Province of Hawke's Bay.



## FENCING ACT, 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XXI., No. 2.

### ANALYSIS.

- |   |   |
|---|---|
| Title.  | 7. Procedure where owner cannot be ascertained or absent from province. |
| Preamble.   | 8. What amount may be recovered for making or repairing fence.          |
| 1. Repeal and saving clause.  | 9. Where owner liable for making fence.                                 |
| 2. Owners to pay half cost of dividing fence.   | 10. When occupier liable.   |
| 3. Owner may require adjoining owners to assist in making fence. Procedure in case of refusal or neglect to join. | 11. Notices to be given in writing previous to commencement of work.    |
| 4. Right to recover where Fences already erected between land and Crown land.                                     | 13. Interpretation.   |
| 5. Cost of repairing dividing fence.  | 12. How sums recoverable under this Act to be recovered                 |
| 6. What is a sufficient fence.  | 14 Short title.   |

*AN ACT to consolidate and amend the laws relating to fencing within the Province.* Title.

**WHEREAS** it is necessary to consolidate and amend the laws relating to fencing within the Province. Preamble

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the consent of the Provincial Council thereof as follows :

I. The Act of the Provincial Council of Wellington Session 1 No. 13 and the Act of the Provincial Council of Hawke's Bay Session 8 No. 7 are hereby repealed Repeal and saving clause When before the coming into operation of this Act any notice have been given or any liability incurred under any of the Acts hereby repealed or any matter or thing done before the coming into operation of this Act has accrued or any action suit or other proceeding in respect of such matter or thing has been commenced Every such notice matter or thing shall be of the same force and effect and every such liability shall continue and every such action suit or other proceeding shall be prosecuted continued and defended as if such Acts were not repealed.

Owners to pay half cost of dividing fence.

II. If any person after the passing of this Act shall erect a sufficient fence dividing his land from the adjoining land the owner of the land adjoining shall be liable to pay the owner of the land who shall erect such fence half the value thereof or such part of it as shall serve as a dividing fence between their respective land.

Owner may require adjoining owners to assist in making fence. Procedure in case of refusal or neglect to join.

III. The owner of any land not having a sufficient dividing fence between it or any part of it and the adjoining land may by writing require the owner of such adjoining land (except such land as shall be held of the Crown by temporary occupation only) or his agent to assist in making any dividing fence between their respective lands in equal proportion. If the owner of such adjoining land or his agent shall refuse or neglect for fourteen days to assist in making or having commenced shall not use due diligence in completing such dividing fence after a requisition as aforesaid shall have been given to him or left for him at his usual or last known place of abode it shall be lawful for the owner who shall have given or left such requisition and who shall have made or erected his share of such dividing fence to complete or contract with any other person to complete the other portion of it. The owner who shall have neglected or refused or whose agent shall have neglected or refused to assist in making or completing such dividing fence shall be liable to pay to the owner of the land who shall have completed the same half of the costs of erecting or making the whole dividing fence. Any necessary expense incurred in cutting a boundary line through bush for the purpose of erecting a boundary fence shall on the completion of such fence be deemed an additional part of the cost of the erecting of the same.

Right to recover where fences already erected between land and Crown land.

IV. If any person shall heretofore have erected or shall hereafter erect a sufficient fence dividing his land or any part of it from any adjoining land which shall not have been duly granted by the Crown or otherwise held as private property such person shall be authorised to claim and recover from the person to whom such adjoining land may hereafter be granted or leased for any term exceeding three years certain half the value of the said fence or of such part of it as shall divide their respective lands.

Cost of repairing dividing fence.

V. When any dividing fence which shall have been or shall be erected shall be out of repair or become insufficient the owners of the land on either side thereof shall be liable to the cost of repairing such fence in equal proportions. Either owner may give notice in writing to the other or his agent to assist in repairing such fence and on neglect or refusal of such lastly mentioned owner or his agent so to do for the space of seven days the owner who shall have given such notice may cause the same to be repaired and made a sufficient fence and shall be entitled to recover from the other owner half the costs thereof. Provided however if any fence or any portion thereof shall be destroyed by any accident fire falling of timber or otherwise the occupier of land on either side may immediately repair the same without any notice and shall be reimbursed half the expense of so doing in manner herein provided.

What is a sufficient fence.

VI. For the purposes of this Act a fence shall be considered a sufficient fence if the same be of the description specified in the Schedule to this Act.

VII. When the owner of any land who shall have erected or shall be desirous of erecting a fence dividing his own from the adjoining land cannot after due enquiry ascertain who is the owner of such adjoining land or when the owner of any adjoining land shall be absent from the Province or when such owner or his agent cannot be found the insertion in a newspaper published in the Town of Napier of a notice addressed to the owner of such adjoining land requiring him to make or assist in making such fence shall be a sufficient requisition or notice for the purposes of this Act and the owner giving the same may proceed to erect or complete such fence and be entitled to recover half of the value of making completing or repairing the same fence or any portion thereof in like manner as if such requisition as aforesaid had been given to and received by the owner of such adjoining land. Such insertion shall be made for four successive weeks if the paper be published at not less intervals than weekly. No such notice or insertion shall be necessary where assistance or contribution towards repairing any fence shall be required.

Procedure where owner cannot be ascertained or absent from province.

VIII. The amount to be recovered under this Act for either making or repairing any fence shall in no case exceed a sum equal to the half of a fair contract price for erecting a fence of the description mentioned in the Schedule.

What amount may be recovered for making or repairing fence.

IX. When land shall be in *bonà fide* and beneficial occupation but the occupier thereof shall not have a greater interest therein than for two years from the time when a contribution towards making a dividing fence shall be demanded the owner of the freehold shall be the party liable to contribute towards the expense of making any such fence as aforesaid.

Where owner liable for making fence.

X. The beneficial occupier for any term exceeding three years shall be the party liable to contribute towards the repairs of any fencing. Provided always that nothing in this Act contained shall avoid or affect any covenant contract or agreement relative to fencing existing at the time of the passing of this Act between any landlord or tenant.

When occupier liable.

XI. All notices given under this Act shall be given in writing previous to the commencement of any of the work as herein authorized to which they respectively relate and no person shall be compelled to erect or construct any of the fences or work for which such notices are given till the parties giving such notice shall have performed his share of the work for which they are respectively given.

Notice to be given in writing previous to commencement of work.

XII. All sums recoverable under this Act shall be recovered by summary proceedings in all cases in the manner provided by "The Resident Magistrate's Act 1867" in all cases in which the sums sought to be recovered shall be within the jurisdiction of Resident Magistrate's Courts but in all cases where such sums shall be beyond the jurisdiction of Resident Magistrate's Courts the sums shall be recoverable in any Court of competent jurisdiction.

How sums recoverable under this Act to be recovered.

XIII. In the construction of this Act the word "owner" shall be taken to include the tenant in fee simple a tenant in tail a tenant for life and a tenant for any term of years not being less than two years subject to the enactments referring to the persons liable to contribute to the making or repairing of fences.

Interpretation.

Short Title.

XIV. The Short Title of this Act shall be "The Fencing Act 1874."

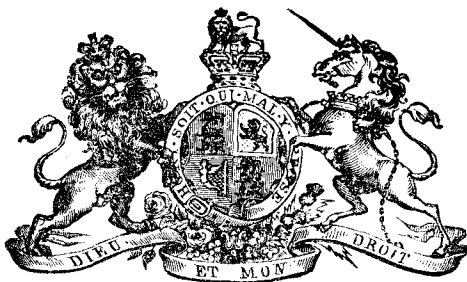
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SCHEDULE.

1. Stone wall four foot and a half high.
2. Four-rail fence the top of same to be not less than four feet from the ground and the two lower rails to be respectively not more than six inches from the surface of the ground or from each other.
3. A DITCH AND BANK FENCE—The bank not less than eighteen inches in height with morticed posts and two rails the said rails to be not more than six inches from the top of the bank and each other or posts or four iron wires the same not to be more than fourteen feet from each other respectively with not less than one tie. In case of such a fence being a dividing fence with an adjoining owner the same shall have on each side of it a ditch not less than three feet wide and two feet deep.
4. A WIRE FENCE—The posts or iron standards shall not be more than sixteen feet apart with two wire ties and the wires shall not be less than seven in number. The top wire not being more than three feet nine inches from the ground.
5. A PALING FENCE—Such being any paling fence of four and a half feet high with morticed posts and two rails and having split or sawn timber placed upright and firmly nailed to both rails and not more than three inches of open space intervening between each two neighboring pieces of such upright timber.



Province of Hawke's Bay.



THE NAPIER COMMON SCHOOL SITE  
ACT REPEAL ACT 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XXI., No. 3.

ANALYSIS.

Title.  
Preamble.

1. Repeal of Napier Common School Site Act.
2. Short Title.

**An Act** to repeal an Act of the Provincial Council of the Province of Hawke's Bay No. 3 of Session XV. intituled "An Act to appropriate a Grant of Land as a Site for a Common School-house." Title.

**WHEREAS** by the abovementioned Act it was enacted that the parcel of land in the Schedule to the same Act described should thenceforth be appropriated as a Site for a Common School-house Preamble.

**AND WHEREAS** by an Act of the said Provincial Council of the said Province of Hawke's Bay No. 3 of Session XVIII. intituled "An Act to appropriate a certain parcel of land as a Site for the Napier School" it was enacted that the parcel of land in the Schedule to the Act now in recital should be granted as a Site for a Common School **AND WHEREAS** it is desirable to repeal the said Act No. 3 of Session XV. before recited

BE IT THEREFORE ENACTED by the Superintendent of the said Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

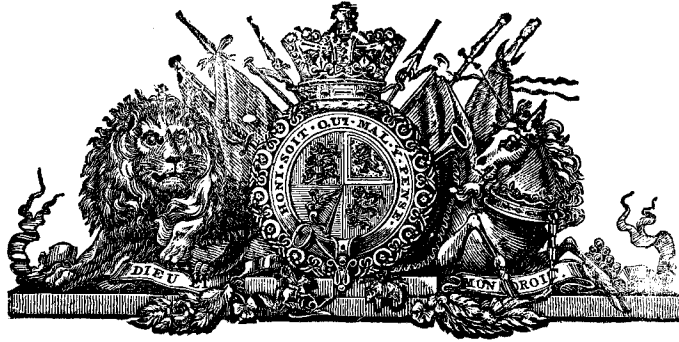
Repeat of Napier Common School Site Act.

1. The "Napier Common School Site Act" No. 3 of Session XV. is hereby repealed.

Short Title.

2. The Short Title of this Act shall be "The Napier Common School Site Act Repeal Act 1874."

# Province of Hawke's Bay.



## DIVERSION OF ROADS ACT 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXI, No. 4.

### ANALYSIS.

Title.  
Preamble.  
1. Taradale-Pohui Road to be diverted.  
2. Lambertsford Road to be diverted.  
3. Meance Road to be diverted.

4. Land in first column of Schedule to be public highway and public highway passing over land in second column of Schedule to be stopped up.  
5. Land in second column of Schedule to be granted in exchange for land in first column.

An Act to authorise the Superintendent to make certain Deviations in Roads in the Province of Hawke's Bay and for other purposes.

WHEREAS by an Act of the General Assembly of New Zealand intitled "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 divert or stop up any river stream or creek in any such Province and to build bridges dams wharves and other erections on the banks or on the beds of any such river stream or creek and also to sell exchange or otherwise dispose of the land on which any such street road highway or thoroughfare was laid out or passed or the bed of any river stream or creek so diverted or stopped up.

And whereas by an Act of the General Assembly of New Zealand intituled "The Provincial Councils' Power Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province 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 so contained in the said sub-section might have been ordained or passed by such Superintendent and Council affecting any part of the waste lands of the Crown within such Province which now is or hereafter shall be a public street road highway or thoroughfare or a drain for the outfall of water or which is the bed of any creek stream river pond or lake.

And whereas it is expedient for the public convenience to divert the direction of a portion of the Taradale-Pohui Road and the Lambertsford Road and of the Meanee Road all situate in the said Province and to exchange the land over which portions of the above roads run for the land over which the diverted roads run.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

Taradale-Pohui road to be diverted

I. The direction of the Taradale-Pohui Road situate in the Meanee District shall be diverted and the said road shall after the passing of this Act with the consent of the owner or owners of the land required pass in the direction shewn on the plan hereunto annexed and marked A, the proposed alteration being colored pink on the said plan.

Lambertsford Road to be diverted

II. The direction of the Lambertsford Road situate in the Ruataniwha District shall be diverted and the said road shall after the passing of this Act with the consent of the owner or owners of the land required pass in the direction shewn on the plan hereunto annexed and marked B the proposed alteration being colored pink on the said plan.

Meanee Road to be diverted

III. The direction of the Meanee Road situate in the Awatoto District shall be diverted and the said road shall after the passing of this Act with the consent of the owner or owners of the land required pass in the direction shewn on the plan hereunto annexed and marked C the proposed alteration being colored pink on the said plan.

Land in first column of schedule to be public highway and public highway passing over land in second column of schedule to be stopped up

IV. 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 the public highway passing over the parcels of land described in the second column of the Schedule hereto shall be stopped up.

V. When and so soon as all the parcels of land described in the first column of the Schedule hereto have been so conveyed each parcel of land described in the second column of the Schedule hereto shall be granted in fee to the person or persons conveying the parcels of land standing opposite to it in the first column in exchange for the land conveyed by them.

VI. The Short Title of this Act shall be "The Roads Diversion Act 1874."

## SCHEDULE.

### TARADALE AND POHUI ROAD

All that parcel of land being a portion of Meanee Suburban Sections Nos. 39 58 and 59 Extending from the south-east corner of section No. 39 to the north-west corner of section No. 59 being 100 links wide and 6430 links long and containing 6 acres 1 rood and 28 perches more or less.

### LAMBERTSFORD ROAD

Also all that other parcel of land in the Ruataniwha District being portions of blocks Nos. 105 117 118 and 272 Extending in length 8120 links and being 100 links wide and containing 8 acres and 19 perches more or less.

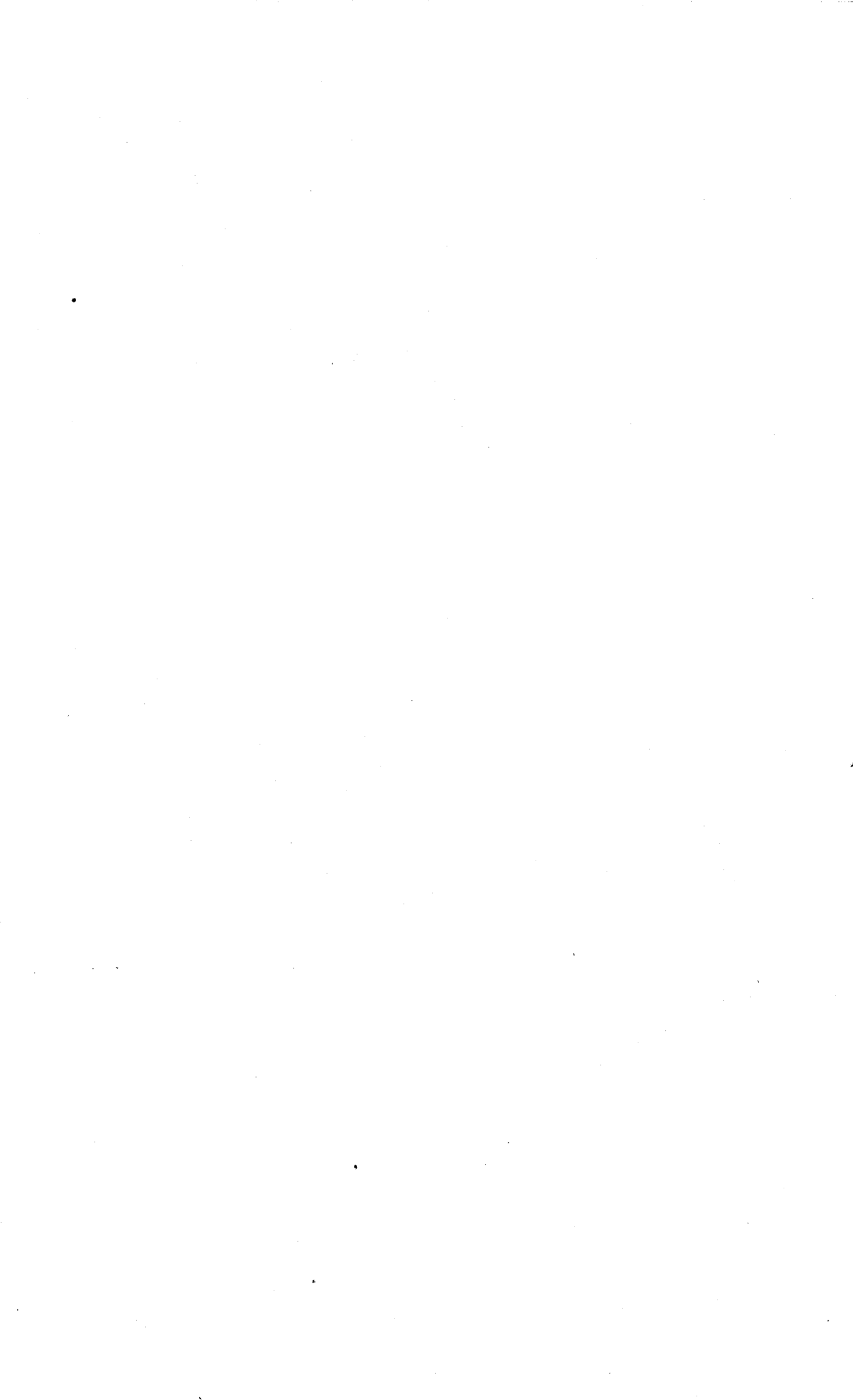
### MEANEE ROAD

Also all that parcel of land in the Awatoto District being a portion of Tutae-o-mahu No. 2 block Extending through the said block from the east to the west boundary being 400 links in length and 70 links in width and containing 1 rood and 4 perches more or less.

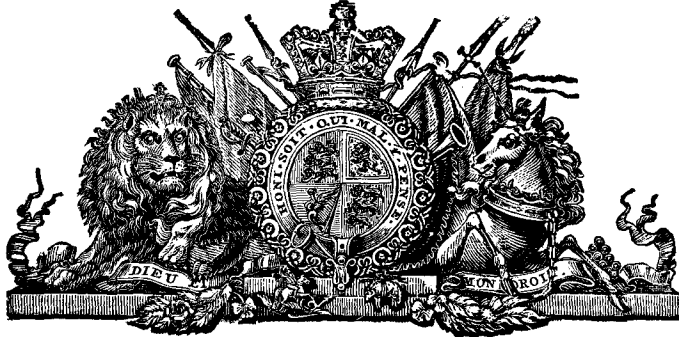
All that parcel of land in the Meanee District being a portion of a public road Extending along the southern boundary of Meanee Suburban Sections Nos. 39 58 and 59 5700 links in length and 100 links in width and containing 5 acres 2 roods and 32 perches more or less.

Also all that other parcel of land in the Ruataniwha District being a portion of a public road running through block No. 105 leading from Colonel Lambert's to Messrs Grant's and A'Deane's Extending 8120 links in length and 100 links in width and containing 8 acres and 19 perches more or less.

Also all that parcel of land in the Awatoto District being a portion of a public road bounded on the north-east by other portion of said public road on the south-east by Awatoto section No. 7 67 links on the south-west by Tutae-o-mahu No. 2 block and on the north-west by other portion of said public road and containing about 25 perches more or less



# Province of Hawke's Bay.



## CREDIT ACT, 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXI, No. 5.

### ANALYSIS.

Title.  
Preamble.

1. Treasurer to be credited with payments on account of services specified.  
2. Short Title.

## An Act to credit the Provincial Treasurer with certain charges. Title.

**WHEREAS** the Treasurer of the Province of Hawke's Bay hath under Warrants under the hand of the Superintendent made certain payments from the 1st June 1873 to the 31st May 1874 in excess of the sums authorised by the "Appropriation Act 1873" to the amount set forth in the Schedule hereto. Preamble.

**AND WHEREAS** in manner directed by the "Provincial Audit Act 1866" and "Provincial Audit Act Amendment Act 1868" resolutions were duly passed by an absolute majority of the entire number of the members of the Provincial Council requesting the Superintendent to grant the sum of One Thousand Three Hundred and Ninety-Seven Pounds One Shilling and Sixpence being the amount of such unauthorised expenditure as aforesaid.

**AND WHEREAS** an address in the terms of the resolution last recited and signed by the Speaker of the Council has been presented to the Superintendent.

**BE IT ENACTED** by the Superintendent of the said Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

I. The Treasurer of the Province shall in his accounts be allowed credit for the said sum of One Thousand Three Hundred and Ninety-Seven Pounds One shilling and Six- Treasurer to be credited with payments on account of services specified.

pence, being the amount expended on certain services as hereinafter specified.

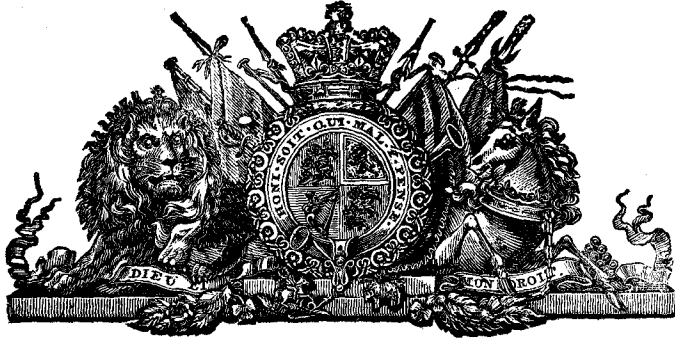
Gaol Department ... ..	£19 3 4
Police ... ..	41 13 4
General Printing and Advertising ... ..	27 3 3
Colonial Prize Firing ... ..	50 0 0
Addition to Slaughter-house ... ..	275 10 4
Report on proposed Breakwater ... ..	105 0 0
Test Groins ... ..	481 0 11
Lock-up at Waipawa ... ..	40 0 0
Ngaruroro Bridge ... ..	192 19 4
	<hr/>
	£1,232 10 6
<i>Special—</i>	
Fence at Boundary of Province ... ..	164 11 0
	<hr/>
	£1,397 1 6

short Title.

II. The Short Title of this Act shall be the "Credit Act 1874."



# Province of Hawke's Bay.



## THE PORT AHURIRI BRIDGE ACT 1872 AMENDMENT ACT.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXI, No. 7.

### ANALYSIS.

- |   |   |  |
|---|---|--|
| Preamble.                                 | } | 3. On construction of Bridge Superintendent to |
| 1. Act to be read with previous Act.      |   | pay £3,500 as bonus.                           |
| 2. Amendment of clause 7 of previous Act. |   | 4. How bonus to be applied.                    |
|   |   | 5. Short title.                                |
|   |   |  |

**W**HEREAS it is expedient that a grant of money should Preamble.  
be given out of the funds of the Province in order to  
assist in the erection of the Port Ahuriri Bridge,

BE IT THEREFORE ENACTED by the Superintendent of the  
Province of Hawke's Bay by and with the consent of the  
Provincial Council therefore as follows :—

I. This Act shall be construed as part of the "Port Act to be read with pre-  
vious Act  
Ahuriri Bridge Act, 1872."

II. Clause 7, of the said Act, shall be amended and Amendment of Clause 7  
of previous Act  
shall be read and construed as if the words Ten Thousand  
Pounds had been originally inserted therein instead of the  
words Seven Thousand Pounds.

On construction of bridge  
Superintendent to pay  
£3500 as bonus

III. So soon as a bridge shall be constructed and completed under the provisions of the said Act the Superintendent shall pay out of the provincial funds to the credit of the Port Ahuriri Bridge account the sum of Three Thousand Five Hundred Pounds as a bonus on the construction of the said work.

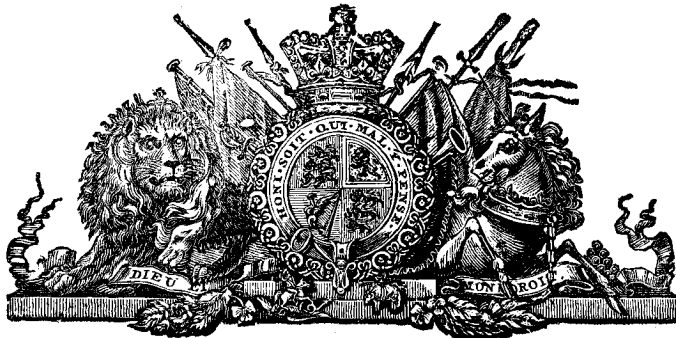
How bonus to be applied

IV. The said sum of Three Thousand Five Hundred Pounds shall be applied in the first place towards defraying that part of cost of erecting the said bridge which may exceed the sum of Seven Thousand Pounds by the said Act authorised to be borrowed on debentures and in the next place to the purposes set forth in Clause XIII. of the said Act. Furthermore be it provided in case of the cost of the said Bridge exceeding the sum estimated that the total amount authorised to be raised by issue of debentures under the Act before recited may be increased to Ten Thousand Pounds.

Short Title

V. The short title of this Act shall be the "Port Ahuriri Bridge Act 1872 Amendment Act."

# Province of Hawke's Bay.



## HAWKE'S BAY SHEEP ACT 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXI, No. 8.

### ANALYSIS.

- |   |   |
|---|---|
| <p>Preamble.</p> <ol style="list-style-type: none"><li>1. Short Title.</li><li>2. Repeal of Hawke's Bay Sheep Act, 1871.</li><li>3. Interpretation.</li><li>4. Superintendent may appoint Inspector of Sheep and Registrars of brands.</li><li>5. Duties of Inspector.</li><li>6. Inspector may inspect any sheep within the Province.</li><li>7. Owner of sheep or other person refusing to allow or obstructing inspection liable to fine.</li><li>8. Inspector may require declaration as to condition of sheep.</li><li>9. List of infected sheep to be published.</li><li>10. Sheepowners to make return of sheep in their possession.</li><li>11. Assessment to be paid.</li><li>12. Earmark or firebrand to be registered.</li><li>13. No sheep to be branded with registered brand of other persons. Penalty</li><li>14. Penalty for removing more than one-third of ear.</li><li>15. Penalty for branding or earmarking or effacing brand or earmark without consent of owner.</li><li>16. When muster necessary notice to be given to abutting sheepowners.</li><li>17. Notice of driving to be given.</li><li>18. Sheep to be driven eight miles in twenty-four hours.</li><li>19. Notice to be given where sheep intermix.</li><li>20. Inspector to issue certificate to owners of clean stations.</li><li>21. Copy certificate to be given to drover.</li><li>22. Copy certificate to be produced to sheepowner on inspection when required.</li><li>23. Rams trespassing may be castrated after notice to owner where known.</li><li>24. Sheep imported by sea only to be landed at Napier.</li><li>25. Notice of intended importation to be given to inspector who shall inspect sheep and cause same to be dipped.</li><li>26. Quarantine for infected sheep.</li><li>27. Penalty for landing sheep without same having been inspected and certificate given.</li><li>28. Certificate not to be given without declaration having been made and evidence produced that sheep not infected.</li></ol> | <ol style="list-style-type: none"><li>29. Penalty on owner master or supercargo of vessel landing sheep without same having been inspected.</li><li>30. Notice to be given of importation of sheep by land.</li><li>31. Penalty for introducing sheep without inspection and certificate.</li><li>32. Certificate not to be given without declaration having been made and evidence produced that sheep not infected.</li><li>33. Superintendent may by proclamation appoint places where sheep may be introduced.</li><li>34. Sheepowner may detain and examine sheep approaching or being upon his station.</li><li>35. Sheepowner so detaining to make arrangements to prevent spread of infection.</li><li>36. Duties of inspector on receiving information of infected sheep being driven through Province.</li><li>37. Penalty for refusing to return with infected sheep to place from whence driven.</li><li>38. Owner of infected sheep to give notice to adjoining owners and to inspector.</li><li>39. Owners of infected sheep to dress or dip same.</li><li>40. Owners of infected sheep to brand same in red with letter S.</li><li>41. Penalty where persons allow infected sheep to be upon land not in their lawful occupation.</li><li>42. Separate informations may be laid.</li><li>43. Notice to clean infected sheep may be given by inspector. Penalty for not complying with notice.</li><li>44. Penalty when sheep remain infected after conviction obtained.</li><li>45. Owner of several flocks of which one infected to muster all such flocks before removing any sheep.</li><li>46. Inspector to give notice requiring muster.</li><li>47. Persons sustaining damage from infection to retain their right to recover for same at law.</li><li>48. No penalty to exceed £100 for one conviction.</li><li>49. Offences punishable summarily.</li><li>50. Sums to be recovered pursuant to Resident Magistrate's Act.</li><li>51. Commencement of Act.</li></ol> |
|---|---|

An Act to repeal an Act of the Provincial Council of Hawke's Bay intituled "The Hawke's Bay Sheep Act 1871" Sessions XVIII. No. 6.

**W**HEREAS it is expedient to repeal the Hawke's Bay Preamble Sheep Act 1871 and to make other provisions in lieu thereof.

BE IT ENACTED as follows :—

Short Title

I. The Short Title of this Act shall be the “Hawke’s Bay Sheep Act 1874.”

Repeal of Hawke’s Bay Sheep Act, 1871

II. The Hawke’s Bay Sheep Act 1871 Session XVIII No 6 is hereby repealed.

Interpretation

III. The meaning of the terms and words occurring in the context of this Act shall be governed by the following interpretations when not otherwise specially limited.

“Province” shall mean the Province of Hawke’s Bay.

“Station” shall mean any land whether freehold or leasehold or held under license lease or agreement from the Crown or any other land upon which sheep are kept or depastured.

The term “Inspector of Sheep” shall mean the Chief Inspector or any Inspector appointed under the provisions of this Act.

“Sheep owner” shall mean the proprietor of a station or any bailee of sheep and when such owner or bailee is not resident on his station shall include manager overseer head shepherd or other person ostensibly in charge of the station.

“Sheep” shall include rams wethers ewes and lambs.

“Brand” shall mean an earmark or firebrand registered at the office of the Registrar of Brands.

“Disease” shall mean the disease known as scab or any other infectious or contagious disease except foot-rot.

“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 travelled over infected ground 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. All sheep shall be deemed to have been dressed or dipped for the cure of scab to which there shall have been applied any reputed scab destroying preparation unless such sheep shall within fourteen days previously to such application have been inspected by an Inspector of Sheep and have been certified by him to be entirely free from scab. Every sheep belonging to any flock or on board any ship boat or other vessel or which have travelled over infected ground 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 shall be deemed to be infected with scab within the meaning of this Act.

#### INSPECTOR OF SHEEP.

Superintendent may appoint Inspector of Sheep and Registrar of brands

IV. The Superintendent may from time to time by proclamation in the Hawke’s Bay *Gazette* appoint an Inspector or Inspectors of Sheep for the purposes of this Act as also a Registrar or Registrars of Brands and may at any time annul such appointments and make others and shall proclaim a principal office in Napier for such inspector or inspectors registrar or registrars. Provided always that the salaries of such officers shall be voted by the Provincial Council and

that the Chief Inspector reside in Napier.

V. The duties of inspector shall be as follows :—

Duties of Inspector

- (a.) To keep at the principal office an Annual Return of the number of sheep above six months old which are to the best of his information in the province. Such return shall show the number of sheep returned by each separate sheep owner with their respective earmarks and brands. Such return to be forthwith published in the *Hawke's Bay Gazette*. Such return shall be open at office hours for inspection by any person applying to examine the same upon payment of one shilling.
- (b.) To collect in the month of August or so soon after as reasonably may be in every year the assessments to be made under clause XI. of this Act and to forthwith as the same may be collected pay the amount into the Provincial Treasury.
- (c.) To visit every Provincial Electoral District at least once a year and to visit every station so often as may be expedient and at least once a year to report to the Superintendent the condition of the several flocks.
- (d.) To take all lawful measures for preventing the importation by land or sea of diseased or infected sheep and further may cause all imported sheep to be drafted into a separate close or paddock appointed or approved by him for the purpose of keeping them perfectly isolated from contact with any other sheep.
- (e.) Generally to do all such acts as are intended to come within his scope under the provisions of this Act.

VI. It shall be lawful for any Inspector of Sheep at such times as he may think fit to inspect any sheep within the province 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 Act 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 within the province.

Inspector may inspect any sheep within the Province

VII. 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 the inspector in making such inspection or shall refuse or neglect to muster his sheep for the purpose of such inspection with all convenient speed or shall refuse or neglect to afford all reasonable facilities for making such inspection to such inspector shall be subject to a fine not exceeding one hundred pounds. Provided that the owner shall be allowed to prove in mitigation of penalties that his flock was not in a condition to be mustered.

Owner of sheep or other person refusing to allow or obstructing inspection liable to fine

VIII. 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 E to this Act 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 such declaration knowing the same to be false he shall on conviction thereof be liable to a penalty of fifty pounds.

Inspector may require declaration as to condition of sheep

List of infected sheep to be published

IX. 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 infected sheep.

SHEEP RETURNS RATE UPON SHEEP BRANDING AND MISCELLANEOUS.

Sheepowners to make return of sheep in their possession

X. Every sheepowner shall in the month of May in every year send a written return to the inspector at Napier of the number of sheep above six months old in his possession or charge on the first day of May in every year distinguishing their sexes and shall append thereto that such return is true to the best of his knowledge and belief every person making a false declaration shall be liable to a penalty not exceeding ten pounds.

Assessment to be paid

XI. Every sheepowner shall in the month of August in every year pay to the inspector on demand an assessment at the rate of one penny for every four sheep above six months old as returnable by such owner under clause 10 of this Act if such sum or sums be not paid before the first day of October in every year the said sum or sums shall be recovered in a summary way in the mode provided by the "Resident Magistrate's Act 1867" or if the amount be beyond the jurisdiction of such court then in any court of competent jurisdiction.

Earmark on firebrand to be registered

XII. Every sheepowner not having an earmark or brand registered before the passing of this Act shall on payment of the fee of ten shillings cause his sheep earmark or fire brand to be registered in the office of the Registrar of Brands and such earmark or firebrand shall be *prima facie* evidence of the ownership of such sheep and any owner neglecting so to register such sheep earmark or firebrand as aforesaid shall be liable to a penalty not exceeding five pounds.

No sheep to be branded with registered brand of other persons Penalty

XIII. 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 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 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.

XIV. Any person removing more than one-third of the ear of any sheep shall be liable to a penalty not less than five pounds nor exceeding fifty pounds. Penalty for removing more than one-third of ear

XV. Any person firebranding or earmarking any sheep or defacing or effacing any such earmark or firebrand without the authority of the owner thereof shall be liable to a penalty not less than five pounds nor exceeding fifty pounds. Penalty for branding or earmarking or effacing brand or earmark without consent of owner.

XVI. Every sheepowner shall muster the sheep in his possession or charge before docking the same and before shearing the same and on such occasions as sheep may be drafted for the purpose of sale or removal from any one station to any other station and shall give twenty-four hours' notice in writing or by advertisement in a provincial newspaper thrice inserted of such musterings to the abutting sheepowners and every sheepowner neglecting to give such notice shall be liable to a penalty not exceeding twenty pounds. When muster necessary notice to be given to abutting sheep owners

XVII. Every person shall give at least twenty-four hours' notice verbally or in writing of the precise day whereon he proposes to drive sheep through another person's land by delivering such notice at the homestead or principal residence of the persons through whose land he proposes to drive except where such land abuts on a public road fenced on both sides or is situate within the districts described in Schedule B to this Act where two hours' notice shall be sufficient any person neglecting to deliver the above notice shall be liable to a penalty not exceeding ten pounds. Notice of driving to be given

XVIII. Every person driving sheep through land not belonging to the owner of such sheep shall weather permitting and when called upon so to do drive such sheep a distance of not less than eight miles in every twenty-four hours subject to a penalty of not less than five pounds Sheep to be driven eight miles in twenty-four hours

XIX. Every person in charge of travelling sheep shall so often as and at every place where any portion of the sheep in his charge may get intermixed with other sheep give immediate notice thereof to the owner of the station where such intermixing occurred with whose consent the sheep so intermixed shall be driven to the nearest clean station or clean yard for the purpose of drafting every drover neglecting to comply with this provision shall be liable to a penalty not exceeding fifty pounds. Notice to be given where sheep intermix

XX. The inspector shall immediately after the passing of this Act issue to all owners having clean stations a certificate in the form No 1 Schedule A to this Act. Inspector to issue certificate to owners of clean stations

Copy certificate to be given to drover

XXI. Every sheepowner shall on delivery of any sheep from his station furnish the drover of such sheep with a copy of the certificate granted to him by the inspector declaring that such certificate has not been cancelled at that date.

Copy certificate to be produced to sheep owner on inspection when required

XXII. Every person driving any sheep upon a public road or upon land not in his possession shall when requested so to do by any sheepowner or inspector produce such copy of certificate any person refusing to do so shall be liable to a penalty not less than five pounds.

Rams trespassing may be castrated after notice to owner where known

XXIII. Whenever any ram or rams shall be found trespassing the owner or person in charge of the land trespassed upon may castrate such ram or rams without being liable for any deaths or injuries except where ordinary care and skill have not been used. Provided that if the owner of the trespassing ram or rams be known he shall be entitled to receive twenty-four hours' notice in writing of the trespass before castration shall be resorted to.

#### IMPORTATION OF SHEEP.

Sheep imported by sea only to be landed at Napier

XXIV. It shall not be lawful to import any sheep into the province by sea unless the same be landed at the Port of Napier and such sheep shall not be permitted to leave the Port of Napier until a certificate be granted for them in [form No. 2] Schedule A to this Act any person offending against the provisions contained in this section shall be liable to a penalty of one hundred pounds.

Notice of intended importation to be given to inspector who shall inspect sheep and cause same to be dipped

XXV. Every person landing sheep at the Port of Napier shall previously give notice to an inspector who shall forthwith inspect such sheep and if satisfied such sheep are free from disease shall permit them to be landed and shall cause them with all convenient speed to be efficiently dressed or dipped with some reputed scab destroying preparation at the expense of the importer in conformity with the scale specified in [form No. 3] Schedule A to this Act and such fees shall become a debt or debts due to the Superintendent and shall be recovered in a summary way in the mode provided by the "Resident Magistrates' Act 1867" or if the amount be beyond the jurisdiction of such court then in any court of competent jurisdiction. And it shall be lawful for the inspector if he shall think it necessary to cause such sheep to be dressed or dipped a second time within fourteen days of the date in which such sheep were landed and it shall be lawful for the inspector to cause such sheep to be kept perfectly isolated from contact with other sheep until released by certificate of an inspector.

Quarantine for infected sheep

XXVI. Every close or paddock set apart for infected sheep shall be deemed quarantine and infected ground until a certificate shall be given by an inspector in [form No. 2] Schedule C to this Act and every person removing sheep from quarantine or infected ground without such certificate shall be liable to a penalty of one hundreds pounds.



XXVII. 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 infected sheep which shall within three months previously have been mixed with any sheep so infected or have travelled through infected ground or have undergone any dressing for the cure of the scab or shall within such period have depastured on any station whereon there were at the same time depastured any infected sheep 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 [form No. 1] of Schedule C to this Act 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 Hawke's Bay the owner thereof shall be subject 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.

Penalty for landing sheep without same having been inspected and certificate given

XXVIII. It shall not be lawful for any Inspector of Sheep to grant the certificate last mentioned until the person or one of the persons for whom or on whose account the sheep in respect of which such certificate is applied for is or are required to be landed shall have made before such inspector a declaration in the form or to the effect specified in Schedule D to this Act and shall have produced to such inspector satisfactory evidence that such sheep have not been infected nor mixed with infected sheep nor have travelled through infected ground nor had any scab destroying preparation applied to them nor depastured on any station whereon there were at the same time depastured any infected sheep within the three months then last preceding and any person who shall make any such declaration the same being untrue shall be liable to a penalty of one hundred pounds and any inspector who shall grant any such certificate without first obtaining such declaration and receiving such evidence as aforesaid shall be liable to a penalty of one hundred pounds.

Certificate not to be given without declaration having been made and evidence produced that sheep not infected

XXIX. 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 Act shall have been given shall be liable to a penalty of not exceeding one hundred pounds.

Penalty on owner master or supercargo of vessel landing sheep without same having been inspected

#### INTRODUCTION OF SHEEP BY LAND.

XXX. Every sheep owner or drover of sheep shall before importing overland any sheep into the province give at least twenty-one days' written notice thereof to the inspector by leaving the same at his office in Napier such notice shall state the number and sexes of the sheep intended to be im-

Notice to be given of importation of sheep by land

ported and shall state where such sheep shall have been originally purchased and whence driven and also the time and place adjacent to the boundary of the province when and whereat such sheep will be mustered for examination by an inspector under this Act and such sheep shall not be permitted to continue their journey before an inspector shall have furnished the drover thereof with a certificate in form No. 2 in Schedule A to this Act any person neglecting to comply with the conditions of this clause shall be liable to a penalty of one hundred pounds.

Penalty for introducing sheep without inspection and certificate

XXXI. If any person shall himself or by means of any agent or servant introduce or cause to be introduced into the Province of Hawke's Bay by land any infected sheep or which shall within three months previously have been mixed with infected sheep or shall have travelled through infected ground or which shall within three months previously have been subjected to any dressing for the cure of the scab or shall within such period have been depastured on any station whereon there were at the same time depastured any infected sheep 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 Act that such sheep are entirely free from disease he shall 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 Hawke's Bay 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.

Certificate not to be given without declaration having been made and evidence produced that sheep not infected

XXXII. It shall not be lawful for any Inspector of Sheep to grant the certificate last mentioned until the person or one of the persons for whom or on whose account the sheep in respect of which such certificate is applied for is or are required to be introduced shall have made before such Inspector a declaration in the form or to the effect specified in Schedule D to this Act and shall have forwarded to such Inspector satisfactory evidence that such sheep have not been infected nor mixed with infected sheep nor travelled through infected ground nor had any scab destroying preparation applied to them nor depastured on any station whereon there were at the same time depastured any infected sheep within the then last preceding three months And any person who shall make any such declaration the same being untrue shall be liable to a penalty of one hundred pounds And any Inspector who shall grant any such certificate without first obtaining such declaration and receiving such evidence as aforesaid shall be liable to a penalty of one hundred pounds.

XXXIII. It shall be lawful for the Superintendent from time to time by proclamation to be published in the Provincial Government *Gazette* to appoint one or more place or places at or adjacent to the inland boundaries of the province at some one or other of which places all sheep to be introduced by land into the province shall be crossed over such boundaries and no sheep shall be introduced by land into the said province unless at some one of such places and any person crossing sheep over any such boundary as aforesaid at any other place than one which shall have been proclaimed as aforesaid shall be liable to a penalty of one hundred pounds.

Superintendent may by proclamation appoint places where sheep may be introduced

#### DETENTION OF TRAVELLING SHEEP.

XXXIV. Any sheep owner may detain and examine travelling sheep approaching or being upon any part of his station upon reasonable suspicion of their being infected and upon his giving the owner or drover of such sheep a written notice to that effect he may detain them until such drover shall call in the nearest inspector to examine such sheep and determine whether they are infected and if such drover shall prevent such examination or shall not within twenty-four hours after their detention give the nearest inspector written notice thereof in the form or to the effect specified in [form No. 2.] Schedule E to this Act by delivering the same to him personally or at his residence such drover shall for every such offence incur a penalty not exceeding fifty pounds.

Sheep owner may detain and examine sheep approaching or being upon his station

XXXV. Any sheep owner so detaining any travelling sheep shall until the arrival of the inspector either keep such sheep on his own station or make such arrangements as shall prevent the further spread of the infection under a penalty not exceeding fifty pounds and if such sheep shall be declared infected all necessary expenses incurred by such sheep owner in the detention and keep of such sheep shall be paid to him by their owner or drover. Provided however that if the sheep so detained shall be found on examination not to be infected and that such sheep owner detaining them had no reasonable grounds for suspecting them to be infected he shall pay to the owner or drover of such sheep the loss and expense occasioned by such detention.

Sheepowner so detaining to make arrangements to prevent spread of infection

XXXVI. It shall be the duty of an Inspector of Sheep whenever it shall be reported to him that sheep infected are being driven through the province to take immediate steps to stay the further progress of such sheep and for that purpose not only to lay information for such infringement of the law before any Justice of the Peace but to give notice to the owner or person in charge of such sheep to return and in case such owner shall not return immediately to the place from whence he started or to the nearest quarantine ground to detain such sheep or employ such drivers and other assistants as he the inspector may require to take back such sheep to the place from whence they started.

Duties of inspector on receiving information of infected sheep being driven through province

Penalty for refusing to return with infected sheep to place from whence driven

XXXVII. Every person refusing or neglecting to return with infected sheep to the place from whence he started by the same route that he shall have travelled shall be liable to a penalty of not less than ten pounds for every day such sheep were off their original pasture ground such penalty not to exceed one hundred pounds.

#### POSSESSION OF INFECTED SHEEP.

Owner of infected sheep to give notice to adjoining owners and to inspector

XXXVIII. Whenever the owner of any sheep shall become aware or shall have reason to suspect that the same are diseased he shall within forty-eight hours thereafter give notice thereof in writing to the adjoining sheep owners and within six days to the nearest Inspector of sheep either by delivering the same to him personally or by leaving the same at his office or his usual place of abode any sheep owners neglecting to deliver the aforesaid notices shall be liable to a penalty of not less than fifty pounds.

Owners of infected sheep to dress or dip same

XXXIX. Every owner of infected sheep shall within fourteen days after he has become aware that the same are infected dress or dip all such sheep in some suitable manner and with an approved scab destroying preparation to the satisfaction of the inspector. Any owner neglecting to do so shall be liable to a penalty of not less than ten pounds for every day after the expiration of the said fourteen days he shall neglect to do so. Provided that the owner shall be allowed to prove in mitigation of penalties that his flock was not in a condition to be mustered or to undergo such dressing or dipping.

Owners of infected sheep to brand same in red with letter S

XL. Every owner of infected sheep on becoming aware that such sheep are infected shall in addition to the registered brand of such owner forthwith legibly wool brand all such sheep on the back with the letter S in red color not less than four inches in length and shall keep such sheep so legibly branded until the inspector shall certify the same to be not infected any owner neglecting to do so shall be liable to a penalty not exceeding fifty pounds.

Penalty where persons allow infected sheep to be upon land not in their lawful occupation

XLI. Any person driving depasturing or suffering to stray across or upon land not in his lawful occupation any infected sheep shall be liable to a penalty of not less than twenty-five pounds nor exceeding one hundred pounds for every such offence provided that in case of adjoining stations which are alike infected sheep may be removed from one to the other without penalty.

Separate informations may be laid

XLII. Separate informations may be laid by the occupier of every station upon which infected sheep shall have been driven depastured or suffered to stray or by the occupier of any station through or adjacent to which any public road shall be upon or along which public road any infected sheep shall have been driven depastured or suffered to stray and every Inspector of Sheep shall have the same powers of laying separate informations which is hereby given to every occupier.

XLIII. 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 three months after 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 fifty pounds nor exceeding one hundred pounds. 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.

Notice to clean infected sheep may be given by inspector

XLIV. If any sheep in respect of which a conviction shall have taken place as aforesaid shall remain infected with scab at the end of six months from the date of the said conviction the owner thereof shall be liable to a penalty of not less than fifty pounds nor more than one hundred pounds for such infected sheep and such owner shall be liable to a further penalty of not less than fifty pounds nor more than one hundred pounds for such infected sheep for every subsequent period of six months during which they shall remain infected with scab.

Penalty for not complying with notice

XLV. When any owner of sheep shall have several flocks of sheep depasturing upon any station or upon adjoining stations and one of such flock shall be infected with scab it shall not be lawful for such owner to remove any sheep from any such station or stations for a period of three calendar months after he shall have obtained from an Inspector of Sheep a certificate in (Form No. 2) Schedule C to this Act that all of the flocks in his possession and depasturing upon such station or stations are entirely free from disease unless upon each occasion of removal the whole of such flocks shall be 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 provisions of this section shall be liable to a penalty of fifty pounds.

Penalty where sheep remain infected after conviction obtained

XLVI. In cases where a muster of the whole flock or flocks upon any station is desired by the Inspector of Sheep it will be necessary for him to give at least six clear days notice in writing to the owner thereof any owner failing to muster his flock or flocks before an Inspector after he has received such notice shall be liable to a penalty not exceeding fifty pounds.

Owner of several flocks of which one infected to muster all such flocks before removing any sheep Inspector to give notice requiring muster

Persons sustaining damage from infection to retain their right to recover for same at law

XLVII. Nothing in this Act shall be construed to limit or deprive any person suffering from loss or damage from the driving depasturing or suffering to stray of rams or infected sheep of any action or remedy at law for obtaining redress or compensation for such loss or damage from the person liable thereto.

No penalty to exceed £100 for one conviction

XLVIII. No penalty to be imposed on any one conviction under the provisions of this Act shall exceed the sum of one hundred pounds.

Offences punishable summarily

XLIX. Every offence made punishable by this Act shall be prosecuted in a summary way pursuant to the provisions of the Justices of the Peace Act 1866 provided that such offence is within the jurisdiction of the courts thereby appointed.

Sums to be recovered pursuant to Resident Magistrate's Act

L. All sums recovered under this Act shall be recovered pursuant to the provisions of the Resident Magistrates Act 1867 provided the sum sought to be recovered in each case shall be within the jurisdiction of the respective courts in which such claim shall be brought.

Commencement of Act

LI. This Act shall come into operation after notification of the Governor's assent thereto in the *New Zealand Gazette*.

SCHEDULE A.

[Form No. 1.]

CLEAN STATION CERTIFICATE.

Napier,

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I hereby certify that the sheep now depasturing on the station known as \_\_\_\_\_ of \_\_\_\_\_ and at present in charge or possession of \_\_\_\_\_ are free from disease.

Inspector of Sheep for the Province of Hawke's Bay.

[Form No. 2.]

CERTIFICATE OF IMPORTED SHEEP.

Napier,

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I hereby certify that the sheep owned by or in the charge of \_\_\_\_\_ who desires to import the same into the province are free from disease and are marked as undermentioned.

Number.	Description.	Brands or Marks.

(L. S.)

Inspector of Sheep for the Province of Hawke's Bay.

[Form No. 3.]

SCALE of dipping fees for sheep landed at the Port of Napier.

For any number not exceeding 25.			For any number not exceeding 50.			For any number exceeding 50.		
	s.	d.		s.	d.		s.	d.
Per head .. .. .	2	6	Per head .. .. .	1	6	Per head .. .. .	1	0

SCHEDULE B.

Starting from the Southern boundary of the Town of Napier at the Sea beach and proceeding in a Westerly direction to the mouth of the Tutaekuri river thence to Park's Island thence proceeding Southerly along the Western boundary of Meancee Suburban land and Block 1 Puketapu (Taipo) to Tutaekuri river from thence due South to the Omaha road following that road crossing the Waitio and Ngarururo to the N.E. point of Te Popo (Roy's Hill) thence a straight line to Paki Paki Bridge from which proceeding in a straight line to the Middle Road at Mr. Foster's House to the South West Corner of Lot 10 Block 1 Kidnapper district thence by the Tuki Tuki river to the Sea and thence by the Sea to the starting point.

SCHEDULE C.

CERTIFICATE OF INSPECTOR.

I hereby certify that I have carefully examined sheep  
 branded the property of  
now being depastured at  
 [on board the at ]  
 and that I fined such sheep to be entirely free from disease.

Given under my hand at this  
 day of 18  
(L. S.)  
Inspector of Sheep.

[Form No. 2.]

CERTIFICATE OF CLEANLINESS.

I, the undersigned, Inspector of Sheep for  
 having this day carefully examined the sheep mentioned in the schedule  
 below, and made due inquiry concerning them, do hereby certify that such  
 sheep are not now infected sheep.

The day of 18  
Inspector of Sheep.

Schedule referred to above.

Number.	Description.	Brands or Marks.	Name and Address of Owner and of Person in charge.

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  
now  
commander

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 infected sheep, nor have travelled over, or been upon infected ground and I make this solemn declaration conscientiously, believing the same to be true.

Declared before me at \_\_\_\_\_ A. B. this day of 18 . . .

(L. S.) Inspector of Sheep.

SCHEDULE E.

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 \_\_\_\_\_ applied had to any of the many reputed scab destroying preparation nor within \_\_\_\_\_ been mixed with any infected sheep nor have travelled over or been upon infected ground and I make this solemn declaration conscientiously believing the same to be true.

Declared before me at \_\_\_\_\_ A. B. day of \_\_\_\_\_ 18 . . . this

(L. S.) Inspector of Sheep.

\* May be omitted when not required by the Inspector. † State period.

[Form No. 2.]

NOTICE TO INSPECTOR OF DETENTION OF TRAVELLING SHEEP,

To \_\_\_\_\_, Inspector of Sheep.—Take notice that the travelling sheep (of which I am the owner) mentioned in the Schedule below (of which I am the owner) were on the \_\_\_\_\_ detained by \_\_\_\_\_ at \_\_\_\_\_ infected, and that I hereby call upon you, as inspector, to examine such sheep, and to give your decision in writing as to whether or not they are infected.

The \_\_\_\_\_ day of \_\_\_\_\_ 18 . . . Owner.

Schedule referred to above.

No.	Description.	Brands or Marks.	Name and Address of Owner and of person in charge.	Where from	Route travelled.	Destination.



Province of Hawke's Bay.



THE NAPIER GIRLS' SCHOOL SITE ACT,  
1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XXI, No. 9.

ANALYSIS.

- |   |  |
|---|--|
| <p>Title.<br/>Preamble.<br/>1. Land in Schedule to be Site for Common School-house for Girls.<br/>2. Superintendent to sell and convey to Trustees.</p> | <p>3. Power to appoint new Trustees in case of vacancies.<br/>4. Site to be held as common school for girls within meaning of Education Act.<br/>5. Short Title.<br/>Schedule.</p> |
|---|--|

*An Act to appropriate a certain Parcel of Land as a Site for* Title.  
*"The Napier Girls' School."*

**W**HEREAS under and by virtue of "The Public Reserves Preamble.  
Act 1874" the Governor of the Colony of New Zealand has by a Grant sealed with the Public Seal of the Colony and dated the First day of February 1861 granted to the Superintendent of the Province of Hawke's Bay amongst other land a certain parcel of land in the Schedule to this Act set forth and described to hold unto the said Superintendent and his successors in trust for purposes of public utility

AND WHEREAS it is expedient that the said parcel of land should be appropriated as a site for a Common School for girls being a purpose of public utility

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

I. The said parcel of land as described in the Schedule Land in Schedule to be Site for Common School-house for Girls.  
to this Act shall henceforth be appropriated as a site for a  
Common School-house for girls.

Superintendent to sell and convey to Trustees.

II. It shall be lawful for the Superintendent to sell for the price or sum of Five Pounds and to convey the said parcel of land as described in the Schedule to this Act unto Trustees viz.— James Anderson Henry Stokes Tiffen John Davies Ormond Bingham Arthur Ferard David Sidey Peter Bourke Henry Bowman Sealy and Edward Catchpool as Trustees.

Power to appoint new Trustees in case of vacancies.

III. On the death or absence from the Province for a period of eighteen months, or on the bankruptcy or resignation of any such Trustee or Trustees it shall be lawful for the surviving or remaining Trustees or Trustee from time to time to appoint some other person or persons in the place of the person or persons so dying being absent from the said Province becoming bankrupt or resigning as aforesaid.

Site to be held as common school for girls within meaning of Education Act.

IV. The said land shall be held by the said Trustees and their successors for the maintenance of a Common School for girls within the meaning of the Education Act of Hawke's Bay, and in conformity with the provisions of the said Act.

Short Title.

V. The Short Title of this Act shall be "The Napier Girls' School Site Act 1874."

#### SCHEDULE TO WHICH THE FOREGOING ACT REFERS.

Section 116 Town of Napier containing by admeasurement one rood more or less bounded towards the north-east by section 117 250 links towards the south-east by Tennyson-street 100 links towards the south-west by section 115 250 links and towards the north-west by suburban section 65 100 links.

# Province of Hawke's Bay.



## APPROPRIATION ACT, 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XXI, No. 10.

### ANALYSIS.

- |   |   |
|---|---|
| <p>Title.<br/>Preamble.</p> <p>1. Appropriating of the sum of £93,112 to defray the charges of the Government of the Province for the period from 1st July 1874 to 30th June 1875</p> | <p>2. Sum appropriated to be issued and paid in accordance with the Provincial Audit Act 1866 and the Provincial Audit Acts Amendment Acts 1868 and 1869</p> <p>3. Short Title.</p> |
|---|---|

*An Act to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day of July 1874 and ending the 30th day of June 1875.* Title.

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:— Preamble.

I. That out of the revenue of the Province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1874 and ending the 30th day of June 1875 the sum of Ninety-three thousand one hundred and twelve pounds in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say—

Appropriating of the sum of £93,112 to defray the charges of the Government of the Province for the period from 1st July 1874 to 30th June 1875.

Total Judicial	...	...	£3,822	0	0
Total Hospital and Charitable	...	...	1,260	0	0
Total Administrative	...	...	1,350	0	0
Total Harbor Department	...	...	885	0	0
Total Survey Department	...	...	3,900	0	0
Total Legislative	...	...	765	0	0
Total Miscellaneous	...	...	9,570	0	0
Total Public Works and Undertakings	...	...	65,700	0	0
Total Sheep Department	...	...	1,160	0	0
Total Education	...	...	4,700	0	0
			£93,112	0	0

Sum appropriated to be issued and paid in accordance with the Provincial Audit Acts Amendment Acts 1868 and 1869.

II. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by "The Provincial Audit 1866" and "The Provincial Audit Acts Amendments Acts 1868 and 1869."

Short Title.

III. The Short Title of this Act shall be "The Hawke's Bay Appropriation Act 1874."

Province of Hawke's Bay.



MARKET RESERVE ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. NO. 1.

ANALYSIS.

Title.  
Preamble.

1. Rents of Market Reserve to be paid to Corporation.
2. Repeal.
3. Short Title.

AN ACT to provide for the management and administration of a certain Reserve in the Town of Napier formerly known as the Market Reserve.

WHEREAS by an Act of the Provincial Council of Hawke's Bay Session XXI No. 1 intituled "An Act to enable the Superintendent to manage and administer certain Reserves by granting leases thereof and for other purposes" the said Superintendent was empowered to demise and lease amongst other lands the parcel of land described in the Schedule to this Act and by the Act now in recital it was provided that the monies to be received by way of rent in respect of the said lands should be applied in conformity with the provisions contained in "The Hawke's Bay Education Act 1873" with respect to the application of rates levied under the provisions of the said Act and for the purposes in the same Act expressed.

And whereas it is expedient that the rents henceforth to be received in respect of the parcel of land described in the Schedule hereto should be paid to the Corporation of the Town of Napier.

BE IT THEREFORE ENACTED by the Superintendent of the

Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

Rents of Market Reserve to be paid to Corporation.

I. The monies henceforth to be received by way of rent in respect of the parcel of land described in the Schedule to this Act shall from and after the 30th day of June 1876 be paid by the Treasurer of the Province to the Corporation of the Town of Napier or its authorised Treasurer or Collector.

Repeal

II. "The Educational Reserves Act 1874" is hereby repealed in so far as it provides that rents to be received in respect of the said parcel of land described in the Schedule hereto shall be applied as stated in the preamble hereto but not further or otherwise.

Short Title

III. The short title of this Act shall be "The Market Reserve Act 1875."

#### SCHEDULE.

Section bounded by Tennyson Emerson and Hastings-streets Napier containing by admeasurement 2 roods and 20 perches more or less bounded towards the north-east by Hastings-street 250 links towards the south-east by Emerson-street 250 links towards the south-west by section No. 171 250 links and towards the north-west by Tennyson-street 250 links formerly called the Market Reserve and now numbered 603 on the Government Plan of the Township of Napier.

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

Province of Hawke's Bay.



THE PROVINCIAL FENCING LAWS  
EMPOWERING ACT 1874 ADOPTION  
ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. No. 2.

ANALYSIS.

- |  |   |
|--|---|
| Title.                                       | 2. Disputes how to be determined                  |
| Preamble                                     | 3. Act of General Assembly brought into operation |
| 1. Repeal of 12th Clause of Fencing Act 1874 | 4. Short Title.                                   |

AN ACT *to bring into operation the provisions of a certain Act of the General Assembly of New Zealand intituled "The Provincial Fencing Laws Empowering Act 1874."* Title

WHEREAS it is expedient to bring into operation within the Province of Hawke's Bay the provisions of a certain Act of the General Assembly of New Zealand intituled "The Provincial Fencing Laws Empowering Act 1874" and to repeal the 12th clause of an Act of the Superintendent and Provincial Council of Hawke's Bay intituled "The Fencing Act 1874." Preamble

Be it therefore enacted by the Superintendent of the said Province of Hawke's Bay by and with the consent of the Provincial Council thereof as follows:—

I. From and after the passing of this Act the 12th clause of the said Fencing Act of the Superintendent and the Provincial Council of Hawke's Bay 1874 is hereby repealed. Repeal of 12th Clause of Fencing Act 1874

Disputes how to be determined

II. All matters or questions arising between owners or occupiers of land liable to the provisions of any Act or Ordinance regulating the erection and maintenance of dividing fences within the Province of Hawke's Bay including all claims for money as contribution or share of expenses of erecting or repairing fences may be heard and determined before any Resident Magistrate or Court of Petty Session notwithstanding that the decision of any such matter or question shall be beyond the ordinary jurisdiction of such Resident Magistrate or Court of Petty Session.

Act of General Assembly brought into operation

III. From and after the passing of this Act all and singular the provisions of the said Act of the General Assembly of New Zealand intituled "The Provincial Fencing Laws Empowering Act 1874" shall be in operation within the said Province of Hawke's Bay.

Short Title

IV. The short title of this Act shall be "The Provincial Fencing Laws Empowering Act 1874 Adoption Act 1875."

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.



# Province of Hawke's Bay.



## THE LICENSING ACTS AMENDMENT ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. No. 3.

### ANALYSIS.

Title.  
2. Bottle license may be granted.  
3. License Fee.

4. Treasurer to issue license.  
3. Short Title.

### *AN ACT to authorise the issue of Bottle Licenses within the Province of Hawke's Bay.*

Title

**BE IT ENACTED** by the Superintendent of the Province of  
Hawke's Bay by and with the consent of the Provincial  
Council thereof as follows :—

I. From and after the passing of this Act it shall be law-  
ful for any retail grocer carrying on business in Hawke's Bay  
to apply to the Licensing Court of his district for a certificate  
for the issue of a Bottle License to him pursuant to the pro-  
visions of the Acts of the General Assembly of New Zealand  
intituled " The Licensing Act 1873 and the Licensing Act 1873  
Amendment Act 1874.

Bottle license may be  
granted

II. The fee for such license shall be £40 per year in  
addition to the license fee payable under the " Wholesale Dea-  
lers in Spirituous Liquors Act 1871."

License Fee

III. Upon any certificate being granted by such Licensing  
Court pursuant to the said Acts the Provincial Treasurer shall

Treasurer to issue license

upon receipt of the said certificate and upon payment of the said license fee issue to the person named in the certificate a Bottle License in the form prescribed by the said Licensing Act 1873 Amendment Act 1874.

Short Title

IV. The short title of this Act shall be "The Licensing Acts Amendment Act 1875.

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

# Province of Hawke's Bay.



## CATTLE TRESPASS AND IMPOUNDING ACT AMENDMENT ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. NO. 4.

### ANALYSIS.

- |  |  |
|--|--|
| Title.<br>1. Short Title.<br>2. Superintendent to make regulations for notices in the Maori language.<br>3. Regulations to be notified in Gazette. | 4. Interpretation.<br>5. Regulations made to be laid before the Provincial Council.<br>6. Commencement of Act. |
|--|--|

### AN ACT to amend the "Cattle Trespass and Impounding Act 1867." Title

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

I. The Short Title of this Act shall be "The Cattle Trespass and Impounding Act Amendment Act 1875." Short Title

II. It shall be lawful for the Superintendent from time to time to make amend alter and revoke regulations for any of the following purposes that is to say Superintendent to make regulations for notices in the Maori language

1. For providing that notices shall be given in the Maori language of all or any of the impoundings of cattle under the said Act.
2. For directing the manner in which such notices in the Maori language shall be given.
3. For fixing and appointing the fees or charges which shall be imposed and taken for the preparation publishing and delivery of all such notices and for determining the persons by whom such fees or charges shall be paid.
4. For providing for all such other matters and things within the scope and meaning of this Act which shall be proper and necessary to give full force and effect thereto.

Regulations to be notified  
in *Gazette*

III. All regulations to be made hereunder and all alterations amendments and revocations thereof shall be notified by the Superintendent in the *Government Gazette* of the Province and shall come into force at the expiration of fourteen days from the date of publication of the *Gazette* in which the same shall be notified.

Interpretation

IV. The words "the said Act" wherever used throughout this Act shall mean the said "Cattle Trespass and Impounding Act 1867" and this Act and all regulations duly made thereunder shall be deemed and taken to be part of the said Act and to be incorporated therewith.

Regulations made to be  
laid before the Provincial  
Council

V. All regulations made under this Act shall be laid before the Provincial Council within one week after the making thereof if the Council be then in session and if not then within one week after the commencement of the next session thereof.

Commencement of Act

VI. This Act shall only come into force on and after a day to be fixed by proclamation by the Superintendent in the *Government Gazette* of the Province of Hawke's Bay.

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

Province of Hawke's Bay.



THE MUNICIPAL CORPORATIONS  
WATERWORKS ACT 1872 ADOPTION  
ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. No. 5

ANALYSIS.

Title.  
Preamble.  
1. Act brought into operation.

2. Special rate upon what chargeable.  
3. Short Title.

AN ACT to bring into operation within the  
Borough of Napier "The Municipal Cor-  
porations Waterworks Act 1872."

WHEREAS by an Act of the General Assembly of New  
Zealand made and passed in the thirty-sixth year of the  
reign of Her Majesty Queen Victoria intituled "The Municipal  
Corporations Waterworks Act 1872" it is provided that the  
said Act may be brought into operation in or for any Borough  
within any Province by an Act or Ordinance of the Superinten-  
dent and Provincial Council of such Province. And whereas  
it is desirable that the said Act should be brought into force  
within the Borough of Napier subject to such amendments as  
will adapt it to the special circumstances of the said Borough.

BE IT THEREFORE ENACTED by the Superintendent of the  
Province of Hawke's Bay by and with the advice and consent of  
the Provincial Council thereof as follows :—

I. From and after the passing of this Act "The Municipal  
Corporations Waterworks Act 1872" shall subject to the

provisions hereinafter contained be in operation in and for the Borough of Napier in the Province of Hawke's Bay.

Special rate upon what chargeable

II. Provided that notwithstanding anything in the said Act contained any special rate to be made under section 29 shall be chargeable only upon rateable property lying within the circuit of the places shewn upon the plans of the undertaking as intended to be supplied with water and no land shall be regarded as intended to be so supplied unless upon the completion of the undertaking a house situate upon such land would be liable to water rate under section 35.

Short Title

III. The Short Title of this Act shall be "The Municipal Corporations Waterworks Act 1872 Adoption Act 1875."

J. A'DEANE,

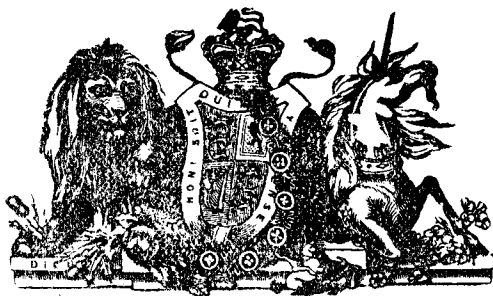
Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

# Province of Hawke's Bay.



## HAWKE'S BAY SHEEP ACT AMENDMENT ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

SESSION XXII. NO. 6.

### ANALYSIS.

Title.  
Preamble.  
1. Short Title  
2. Repeal clause

3. Payment of Assessment  
4. Superintendent may appoint Inspector of Sheep and Registrar of brands

AN ACT *to amend an Act of the Provincial Council of Hawke's Bay intituled "The Hawke's Bay Sheep Act 1874."* Title

WHEREAS it is expedient to amend the Hawke's Bay Sheep Act 1874. Preamble

BE IT ENACTED as follows:—

I. The short title of this Act shall be "The Hawke's Bay Sheep Act Amendment Act 1875." Short Title

II. Clauses IV. and XI. of "The Hawke's Bay Sheep Act 1874" are hereby repealed. Repeal clause

III. Every sheepowner shall in the month of August in every year pay to the Inspector on demand an assessment at the rate of one penny for every eight Sheep above six months old as returnable by such owner under Clause X. of the Hawke's Bay Sheep Act 1874 if such sum or sums be not paid before the first day of October in every year the said sum or sums shall be recovered in a summary way in the mode provided Payment of assessment

by "The Resident Magistrate's Act 1867" or if the amount be beyond the jurisdiction of such Court then in any Court of competent jurisdiction.

Superintendent may appoint Inspector of Sheep and Registrar of brands

IV. The Superintendent may from time to time by proclamation in the *Hawke's Bay Gazette* appoint an Inspector or Inspectors of Sheep for the purposes of this Act as also a Registrar or Registrars of Brands and may at any time annul such appointments and make others and shall proclaim a principal office in Napier for such Inspector or Inspectors Registrar or Registrars Provided always that the salaries of such officers shall be voted by the Provincial Council and that the Chief Inspector attend daily (except Sundays) at his office from 10 to 4 except when compelled to be absent by the duties of his office.

J. A'DEANE,

Speaker.

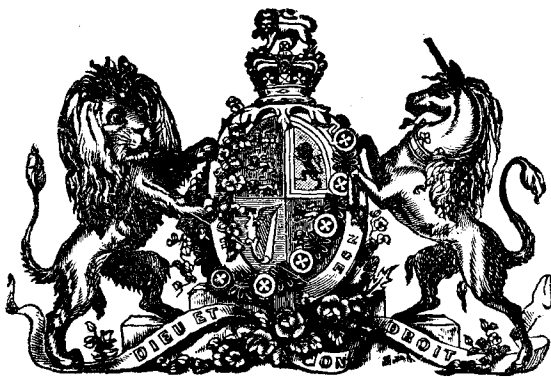
I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.



# Province of Hawke's Bay.



## CREDIT ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. No. 7.

### ANALYSIS.

Title.  
Preamble

1. Treasurer to be credited with payments on account of services specified
4. Short Title.

### *AN ACT to credit the Provincial Treasurer with certain charges.*

**WHEREAS** the Treasurer of the Province of Hawke's Bay hath under Warrants under the hand of the Superintendent made certain payments from the 1st June 1874 to the 31st May 1875 in excess of the sums authorised by the "Appropriation Act 1874" to the amount set forth in the Schedule hereto.

**AND WHEREAS** in manner directed by the "Provincial Audit Act 1866" and "Provincial Audit Act Amendment Act 1868" resolutions were duly passed by an absolute majority of the entire number of the members of the Provincial Council requesting the Superintendent to grant the sum of Two Thousand Two Hundred and Sixty-four Pounds One Shilling and Ninepence being the amount of such unauthorised expenditure.

**AND WHEREAS** an address in the terms of the resolution last recited and signed by the Speaker of the Council has been presented to the Superintendent.

**BE IT ENACTED** by the Superintendent of the said Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

I. The Treasurer of the Province shall in his accounts be allowed credit for the said sum of two thousand two hundred and sixty-four

Treasurer to be credited with payments on account of services specified

pounds one shilling and ninepence being the amount expended on certain services as hereinafter specified—

	£	s.	d.
Police Department ... ..	8	6	8
Crown Lands Office ... ..	12	10	0
Test Groins ... ..	533	9	2
General Printing and Advertising ... ..	24	12	1
Printing Minutes of Council ... ..	25	18	3
Reclaiming Land ... ..	979	15	9
Purchase of Life Boat ... ..	255	2	3
Hyderabad Road ... ..	165	16	0
Kereru and Aorangi Board ... ..	200	0	0
<i>Special.</i>			
Sheep Department Contingencies ... ..	58	12	7
Total ... ..	£2264	1	9

Short Title

II. The Short Title of this Act shall be "The Credit Act 1875."

J. A'DEANE,  
Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,  
Superintendent.

# Province of Hawke's Bay.



## APPROPRIATION ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. NO. 8.

### ANALYSIS.

Title.	2. Sum appropriated to be issued and paid in accordance with the Audit Act 1866 and the Provincial Acts Amendment Acts 1868 and 1869.	3. Short Title
Preamble.		
1. Appropriating of the sum of £46,143 to defray the charges of the Government of the Province for the period from 1st July 1875 to 30th June 1876		

**AN ACT** *to appropriate the Revenue of the Province of Hawke's Bay for the period commencing the 1st day of July 1875 and ending the 30th day of June 1876.* Title

**BE IT ENACTED** by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:— Preamble

I. That out of the revenue of the Province there may be issued and applied for defraying the charge of the Government of the Province of Hawke's Bay for the term of twelve months commencing on the 1st day of July 1875 and ending the 30th day of June 1876 the sum of Forty-six Thousand One Hundred and Forty-three Pounds in any sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say— Appropriating of the sum of £46,143 to defray the charges of the Government of the Province for the period from 1st July 1875 to 30th June 1876

	£	s.	d.
Total Judicial	3998	0	0
Total Hospital and Charitable	1735	0	0
Total Administrative	1350	0	0
Total Harbour Department	935	0	0
Total Survey Department	4500	0	0
Total Legislative Department	535	0	0
Total Miscellaneous	5370	0	0
Total Public Works and Undertakings	23320	0	0
Total Sheep Department	900	0	0
Total Education	3500	0	0
<b>Total</b>	<b>£46,143</b>	<b>0</b>	<b>0</b>

Sum appropriated to be issued and paid in accordance with the Provincial Audit Acts Amendment Acts 1868 and 1869

II. The said several sums hereby appropriated shall be issued and paid for the purposes herein mentioned and in the manner prescribed by the "Provincial Audit Act 1866" and the Provincial Audit Acts Amendment Acts 1868 and 1869."

Short Title

III. The Short Title of this Act shall be the "Hawke's Bay Appropriation Act 1875."

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

# Province of Hawke's Bay.



## EDUCATIONAL RESERVES ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. No. 9.

### ANALYSIS.

- |  |   |                      |
|--|---|----------------------|
| Preamble   | 8. Chairman casting vote                | Three to be a Quorum |
| 1. There shall be a Board  | 9. Board to make bye-laws               |                      |
| 2. Constitution of Board   | 10. Treasurer's Duties                  |                      |
| 3. First Board   | 11. Lands to vest in Board              |                      |
| 4. Retirement and election of Members  | 12. Power to Board to lease by auction. | Notice to be         |
| 5. Vacancies to be filled up   | given in <i>Gazette</i>                 |                      |
| 6. In case of neglect to elect member of Board Su-<br>perintendent empowered to do so. | 13. Existing leases confirmed           |                      |
| 7. Superintendent to fix first Meeting   | 14. Application of Rents                |                      |
|  | 15. Short Title                         |                      |

**AN ACT** *to enable the Superintendent to vest certain Reserves in a Board of Commissioners and to provide for the leasing and managing thereof.* Title

**WHEREAS** under and by virtue of "The Public Reserves Act 1854" Preamble the Governor of the Colony has by certain grants sealed with the Public Seal of the Colony granted to the Superintendent of the Province of Hawke's Bay certain parcels of land in the said deeds of grant in the first Schedule to this Act set forth and described to hold unto the said Superintendent and his successors in trust for educational purposes.

**AND WHEREAS** it is expedient to make provision for the management and administration of the said parcels of land by granting leases thereof.

**AND WHEREAS** by an Act of the Provincial Council of Hawke's Bay No. 6 of Session XI. intituled "An Act to enable the Superintendent of the Province of Hawke's Bay to manage and administer by sale or lease certain Public Reserves" the said Superintendent was empowered to demise and lease certain lands in the Schedule to the said Act and in the second Schedule to this Act described.

**AND WHEREAS** by the additional land regulations of the Province of Wellington dated the 15th day of February 1855 it is provided that it shall be the duty of the Superintendent to make in every district a

reserve not exceeding one-thirtieth part of the public lands for the purposes of education such lands to be vested in a Board of Commissioners for educational purposes.

AND WHEREAS it is expedient to make provision for the management and administration of the said parcels of land in the second Schedule of this Act described by granting leases thereof and to confirm all leases of the said parcels of land or of any parts thereof made in pursuance of the Act of the said Provincial Council No. 6 of Session XI. before recited and to make provision for the application of the monies to be received by way of rent in respect of the lands so to be leased.

BE IT THEREFORE ENACTED by the Superintendent of the said Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

There shall be a Board

I. From and after the passing of this Act there shall be constituted a Board of Commissioners for Educational Reserves for the Province of Hawke's Bay which Board is hereinafter designated "The Board."

Constitution of Board

II. The Boards shall consist of six members of whom the Superintendent shall be one *ex officio*. The other members shall be elective members.

First Board

III. The first Board shall consist of Messrs. John Davies Ormond John Alexander Smith George Edmund Lee William Russell Russell Thomas Tanner, and Thomas Kennedy Newton.

Retirement and election of Members

IV. That at the end of every three years from the passing of this Act two of the elective members shall retire by ballot and two new members be elected in their stead all members of the Board shall be eligible for re-election.

Vacancies to be filled up

V. The death resignation refusal to act or absence from meetings of the Board for twelve consecutive months of any member not being an *ex officio* member shall create a vacancy of his seat and vacancies so occurring shall be filled up as hereinafter provided.

In case of neglect to elect member of Board Superintendent empowered to do so

VI. The Provincial Council shall from time to time upon any vacancy occurring as aforesaid elect a new member of such Board and in case of failure to make such election the Superintendent shall fill up the vacancies so occurring.

Superintendent to fix first Meeting

VII. The Superintendent of the Province of Hawke's Bay shall have power to fix the time and place of the first meeting of the Board.

Chairman casting vote. Three to be a Quorum

VIII. At all meetings of the Board the Superintendent or in his absence such member as the members assembled shall choose shall be Chairman. The Chairman shall have a deliberative vote and in cases of equality a casting vote also. Unless three Members be present no meeting of the Board shall be constituted for the transaction of business.

Board to make bye-laws

IX. The Board may from time to time make such bye-laws as it shall think fit for regulating the manner in which and times when its meetings shall be called and held its place of meeting the appointment remuneration and duties of its officers and generally for regulating the conduct of the business and proceedings.

Treasurer's Duties

X. The Provincial Treasurer shall be appointed Treasurer to the Board and he shall have the custody and control of its funds and all receipts on account of such funds shall be paid into a separate banking account to be kept in the names of the Board and no funds shall be issued or paid except by authority of the Board.

Lands to vest in Board

XI. Upon the appointment of the said Board the Superintendent shall vest in the said Board and its successors by conveyance the lands set forth in the Schedules hereto as Educational endowments.

XII. The Board shall have full power to demise and lease all or any part of the lands comprised in the first and second Schedules to this Act for any term or terms of years not exceeding twenty-one years to take effect on possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for the granting of the same and subject to such terms and conditions as to the said Board shall seem fit. All lands proposed to be demised or leased by virtue of this Act shall be put up in lots by public auction and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot shall be declared the purchaser or purchasers thereof. Three months' notice shall be given by advertisement in the *Provincial Government Gazette* of Hawke's Bay of the intention of the Board to put up any of the said lands by auction with particulars of the respective portions of the said lands proposed to be put up at any such sale or sales.

Power to Board to lease by auction. Notice to be given in *Gazette*

XIII. All leases already granted by the Superintendent by virtue of the Act before recited No. 6 of Session XI of the Provincial Council of Hawke's Bay in respect of the lands in the second Schedule to this Act are hereby confirmed.

Existing leases confirmed

XIV. All monies to be received by way of rent in respect of the lands comprised in the Schedules to this Act so to be leased as aforesaid or already leased or henceforth to be leased by virtue of the Act before recited No. 6 of Session XI shall be applied in conformity with the provisions contained in "The Hawke's Bay Education Act 1873" with respect to the application of rates levied under the provisions of the said Act and for the purposes in the same Act expressed. The Treasurer of the Province shall keep a separate account of all monies so received and disbursed and shall exhibit a balance sheet at the end of each financial year.

Application of Rents

XV. The Short Title of this Act shall be "The Educational Reserves Act 1875."

Short Title

#### FIRST SCHEDULE TO WHICH THE FOREGOING ACT REFERS.

##### *Town of Napier.*

Town section 523 containing by admeasurement 1 rood more or less bounded to the north by Colin-street 100 links to the east by Section 525 255 links to the south by Crown lands 105 links to the west by a public reserve 220 links.

##### *Town of Clive.*

Town Section 368 containing by admeasurement 20 perches more or less bounded to the north and north-west by Town Section 367 135 links to the east and south-east by Cook-street 200 links and to the west and south-west by Clive Road 240 links.

Town Section 369 containing by admeasurement 1 rood 20 perches more or less bounded to the north and north-west by Clive Crescent 260 links to the east and north-east by Town Section 325 180 links to the south and south-east by Town Section 343 250 links and the south and south-west by Peel-street 120 links.

Town Section 370 containing by admeasurement 38 perches more or less bounded to the north by Clive Crescent 195 links to the east by Albert-street 70 links to the south by Town Section 268 250 links and to the west by Town Section 281 150 links.

Town Section 371 containing by admeasurement 1 rood 4 perches more or less bounded to the north by Clive Crescent 333 links to the east and south-east by Town Section 263 214 links and to the south and south-west by Albert-street 255 links.

Town Section 372 containing by admeasurement 1 rood 31 perches more or less bounded to the north by Richmond-street 220 links to the east by Bridge-street 201 links to the south by Town Section 32 225 links and to the west by Town Section 31 200 links.

Town Section 373 containing by admeasurement 1 rood 27 perches more or less bounded to the north and north-west by Town Section 174 250 links to the north and east by Town Section 186 100 links to the east and south-east by Town Section 173 262 links to the south by Clive Road 35 links and to the west by Peel-street 200 links.

*Township of Clyde.*

Town Sections 467 468 469 470 471 472 473 637 638 639 640 641 642 and 643 containing by admeasurement 3 acres 2 roods more or less bounded to the north by Outram-street 500 links to the east by Kopu Road 700 links to the south by Rose-street 500 links and to the west by Apatu-street 700 links.

Town Sections 651 652 653 654 655 656 657 815 816 817 818 819 820 and 821 containing by admeasurement 3 acres 2 roods more or less bounded to the north by Outram-street 500 links to the east by Apatu-street 700 links to the south by Rose-street 500 links and to the west by M'Lean-street 700 links.

Suburban Section 829 containing by admeasurement 2 acres more or less bounded to the north by Suburban Section 828 500 links to the east by Kopu Road 400 links to the south by Fitzroy-street 500 links and to the west by Apatu-street 400 links.

Suburban Section 13 containing by admeasurement 6 acres 2 roods 29 perches more or less bounded to the north by Lucknow-street 811 links to the north-east by a public road 390 links to the south-east by Suburban Section 14 1000 links to the south-west by a public road 425 links and to the west by native land 600 links.

*Motuotaraia.*

All that parcel of land containing by admeasurement 469 acres more or less situate in the Porangahau District bounded on the north-west by Motuotaraia Rural Section No. 18 3280 links on the north-east by Block No. 18 8000 links and 5613 links on the south by the Taurekaitai Stream and on the south-west by the Upokopaowa Stream.

*Porangahau.*

All that parcel of land containing by admeasurement 1155 acres and 3 roods more or less situate in the Porangahau District bounded on the north-east by Porangahau Rural Sections 7 and 11 5950 links and 7650 links respectively and by a public road 500 links on the south-east by Porangahau Suburban Sections Nos. 61 and 57 3013 links and 2100 links respectively and by a public road 100 links on the south-west by Porangahau Suburban Sections Nos. 70 77 and 78 1775 links 2984 links and 2257 links respectively and by a public road 5000 links on the south by Porangahau Suburban Sections Nos. 74 75 and 76 4740 links and 5280 links and on the north-west by Porangahau Rural Sections Nos. 4 and 3 9600 links and by Porangahau Rural Section No. 7 950 links.

*Peka Peka.*

All that parcel of land in the Patoka District containing by admeasurement 100 acres more or less bounded to the north by Block 7 Patoka District 4000 links to the east by Block 7 2100 links to the south by a public road and to the west by Block 7 Patoka District 2600 links.

*Turiroa.*

All that parcel of land containing by admeasurement 54 acres 3 roods 36 perches more or less known as Section 3 Turiroa bounded to the north-west by Section 2 Turiroa 3116 links to the north-east by the Turiroa Stream to the south-east by the Wairoa River and to the south-west by Section 38 Turiroa 1000 links and Section 4 Turiroa 1270 links.

*Kereru Bush Sections.*

Sections 16 and 25 containing by admeasurement 60 acres more or less bounded to the north by Sections 17 and 26 Kereru Bush 5600 links to the east by a public road 100 links to the south-east by Block 3 Gwaras District 1925 links to the south by section 15 Kereru Bush 3800 links and to the west by the Poporangi Stream.

Sections 34 and 35 containing by admeasurement 40 acres more or less bounded to the north-east by Section 76 Kereru Bush 2500 links to the south-east by Crown Land 1600 links to the south-west by Section 33 Kereru Bush 2500 links and to the north-west by a public road 1600 links.

*Waihua.*

All that parcel of land in the Poututu Block containing by admeasurement 40 acres more or less bounded on the north-east by Rural Section 18 Poututu 1320 links and on the south-east and south-west and north-west by the Waihua Stream.

All that parcel of land known as the Ferry Reserve at Waihua containing by admeasurement 100 acres more or less bounded to the north-east by Crown Land 2740 links to the south-east by Rural Section 18 Poututu 1700 links Toha's purchase and the Waihua Stream on the west by the Waihua Stream and on the north-west by Rural Section No. 1 Waihua 3365 links.

*Pakiaka.*

Rural Sections 33 34 35 36 37 38 39 and 40 containing by admeasurement 669 acres more or less bounded to the north by a public road to the east by a public road to the south by the Mangarangiora Stream to the south-west by the freehold of R. H. Rhodes and Co. and to the north-west by a public road.

Rural Sections 29 30 and 31 containing by admeasurement 274 acres more or less bounded to the north by Rural Section 32 Pakiaka 2550 links and by a public road to the north-east and east by a public road to the south and south-west by the Mangarangiora Stream and to the west by a public road and Rural Section 32 Pakiaka 3500 links.



Rural Section 23 containing by admeasurement 42 acres more or less bounded on the north by Rural Section 25 Pakiaka on the east by the Mangaone Stream on the south by a public road and on the west by Rural Section 22 Pakiaka.

*Puketitiri Bush.*

All that parcel of land containing by admeasurement 525 acres more or less situate in the Patoka District bounded on the north by the original Puketitiri Reserve 10250 links on the east by the original Puketitiri Reserve 5980 links on the south by the Mangatutu River and J. Hallett's freehold 6140 links and on the west by the original Puketitiri Reserve 5650 links.

*Tautane.*

All that parcel of land containing by admeasurement 9700 acres more or less situate in the Tautane District bounded on the south-west by the Reserve for Quarantine Ground about 78000 links on the east by Crown Land about 47500 links and on the north-east by native land about 45500 links.

*Township of Mahia.*

Town Section 1 containing by admeasurement 1 rood 5 perches more or less bounded to the north-west by Newcastle-street 250 links to the north-east by Argyle-street 100 links to the south-east by Town Section No. 2 320 links and to the south-west by a public road 122 links.

Town Section 16 containing by admeasurement 2 roods more or less bounded to the north-west by Fortescue-street 100 links to the north-east by Town Section 17 500 links to the south-east by Lochiel Road 100 links and to the south-west by a public road 500 links.

Town Section 25 containing by admeasurement 2 roods 4 perches more or less bounded to the north-west by Town Section 24 500 links to the north-east by Town Section 14 100 links to the south-east by Lochiel Road 570 links and to the south-west by a public road 122 links.

Town Section 29 containing by admeasurement 2 roods more or less bounded to the north-west by Mahia Signal Reserve 250 links to the north-east by a public road 200 links to the south-east by Newcastle-street 250 links and the south-west by Town Section 28 200 links.

Town Section 41 containing by admeasurement 1 rood 16 perches more or less bounded to the north-west by Newcastle-street 100 links to the north-east by Town Section 42 350 links to the south-east by Victoria-square 100 links and to the south-west by Town Section 40 350 links.

Town Section 45 containing by admeasurement 1 rood 16 perches more or less bounded to the north-west by Newcastle-street 78 links to the north by Newcastle-street 23 links to the north-east by Town Section 46 355 links to the south-east by Town Section 72 100 links and to the south-west by Town Section 44 350 links.

Town Section 63 containing by admeasurement 2 roods more or less bounded to the north-west by Town Section 36 100 links to the north-east by Town Section 64 500 links to the south-east by Fortescue-street 100 links and to the south-west by Town Section 62 500 links.

Town Section 74 containing by admeasurement 1 rood 16 perches more or less bounded on the north-east by section No. 75 350 links on the north-west by a Government Reserve 100 links on the south-west by a Government Reserve 350 links and on the south-west by Fortescue-street 100 links.

Town Section No. 85 containing by admeasurement 2 roods more or less bounded on the north-east by Section No. 86 500 links on the north-west by section No. 54 100 links on the south-west by Section No. 84 500 links and on the south-east by Fortescue-street 100 links.

Town Section No. 99 containing by admeasurement 1 rood 38 perches more or less bounded on the north-east by Ratan-street 450 links on the north by Ratan-street 70 links on the north-west by Newcastle-street 50 links on the south-west by Section No. 98 500 links and on the south-east by Fortescue-street 100 links.

Town Section No. 105 containing by admeasurement 2 roods more or less bounded on the north-east by Section No. 106 500 links on the north west by Fortescue-street 100 links on the south-west by section No. 104 500 links and on the south-east by Lochiel Road 100 links.

Town Section No. 114 containing by admeasurement 2 roods more or less bounded on the north-east by section No. 115 500 links on the north-west by Fortescue-street 100 links on the south-west by section No. 113 500 links and on the south-east by Lochiel Road 100 links.

Town Section No. 130 containing by admeasurement 2 roods more or less bounded on the north-east by section No. 131 500 links on the north-west by Fortescue-street 100 links on the south-west by section No. 129 500 links and on the south-east by Lochiel Road 100 links.

Town Section No. 145 containing by admeasurement 2 roods and 37 perches more or less bounded on the north by section No. 146 370 links on the east by section No. 139 200 links on the west by the sea beach 203 links and on the south by section No. 144 345 links.

**SECOND SCHEDULE TO WHICH THE FOREGOING ACT REFERS.**

Section numbered 66 Town of Napier containing by admeasurement 39 perches more or less bounded towards the east by Faraday-street 150 links towards the south by section No. 65 163 links towards the west by section No. 37 150 links and towards the north by section No 67 163 links.

Section at corner of Hyderabad Road and Main-street Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 7 100 links towards the south-east by Main-street 250 links towards the south-west by Hyderabad Road 100 links and towards the north-west by section No. 6 250 links.

Sections 106 and 107 in the Town of Napier containing by admeasurement 2 roods more or less bounded towards the north-east by Milton Road 200 links towards the south-east by Tennyson-street 250 links towards the south-west by section No. 105 200 links and towards the north-west by section No. 108 250 links.

Section 111 in the Town of Napier containing by admeasurement 1 rood more or less bounded towards the north-east by section No. 112 200 links towards the south-east by Tennyson-street 125 links towards the south-west by Milton Road 200 links and towards the north-west by section No. 110 125 links.

*Kopu-a-whara.*

All that parcel of land in the Province of Hawke's Bay known as part of the Kopu-a-whara Block containing by admeasurement 1000 acres more or less bounded to the North by the boundary of the Province 183,000 links to the East by the Kopu-a-whara Stream to the South by Crown land 182,000 links and to the West by Crown land 55,000 links.

*Mangaharuru.*

All that parcel of land in the said Province known as the Mangaharuru Block containing by admeasurement 7760 acres more or less bounded to the North by Native Lands 36,300 links to the East by the Tutira Block 3600 links by the Waipapa Stream by the Opowene Lake and by the Te Awa Tamatea Stream to the South by Native Lands 36,400 links to the west by the Waitara Block 17,000 links.

*Moeangiangi.*

All that parcel of land in the said Province known as the Moeangiangi Reserve in the Moeangiangi District containing by admeasurement 990 acres bounded to the North by the Moeangiangi Block 73,000 links to the East by the sea to the South by a Native Reserve and the Moeangiangi River and to the West by the Napier-Mohaka road.

*Pohui Bush.*

All that parcel of land in the said Province situate in the Patoka District containing by admeasurement 1000 acres more or less bounded on the North by Crown lands 6600 links and 1400 links on the East by Sections Nos. 6 7 8 9 10 11 12 13 14 15 16 and 17 Pohui Bush and a public road 13300 links on the South by Sections Nos. 26 and 35 Pohui Bush 8000 links and on the West by Section No. 39 Pohui Bush and by Crown lands 8400 links and 4900 links.

*Puketoi.*

All that parcel of land in the said Province situated in the Puketoi District containing by admeasurement 5000 acres more or less bounded to the North by Crown lands 42,000 links to the East by the Otawhai Block 11,000 links and by the Otope Stream to the South by the Kaitaki Block 32,450 links and to the West by the Mangatoro Block 19,150 links and by Crown lands 4000 links.

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

# Province of Hawke's Bay.



## THE HOSPITALS ENDOWMENT ACT 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER  
MAJESTY QUEEN VICTORIA.

SESSION XXII. No. 10.

### ANALYSIS.

- |  |   |
|--|---|
| Title.   | 4. Power to appoint Trustees in case of vacancies.  |
| Preamble.  | 5. Land to be held in trust for Hospitals.  |
| 1. Land in Schedule A to be endowment for Napier Hospital. | 6. Power to Trustees to lease by auction, three months notice to be given in <i>Gazette</i> . |
| 2. Land in Schedule B to be endowment for all Hospitals.   | 7. Application of rents.  |
| 3. Superintendent to convey to Trustees.                   | 8. Short Title.   |

AN ACT to endow Hospitals in the Province of Hawke's Bay with certain parcels of land. Title

WHEREAS under and by virtue of "The Public Reserves Act 1854" the Governor of the Colony of New Zealand has by a Grant sealed with the Public Seal of the Colony granted to the Superintendent of the Province of Hawke's Bay amongst other land a certain parcel of land in the Schedule to this Act set forth and described to hold unto the said Superintendent and his successors in trust for purposes of public utility. Preamble

AND WHEREAS it is expedient that the said parcel of land should be appropriated as an Endowment for the Napier Hospital being a purpose of public utility and whereas it is also expedient other parcels of lands should be appropriated as an endowment for the Napier Hospital and Hospitals which may hereafter be established in the Province of Hawke's Bay.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows:—

Land in Schedule A to be endowment for Napier Hospital

I. The said parcel of land as described in Schedule A to this Act shall henceforth be appropriated as an endowment for the Napier Hospital.

Land in Schedule B to be endowment for all Hospitals

II. The parcels of land described in Schedule B to this Act shall henceforth be appropriated as an endowment for the Napier Hospital and Hospitals which may hereafter be established in the Province of Hawke's Bay.

Lawful for Superintendent to convey to Trustees.

III. It shall be lawful for the Superintendent to convey the said parcels of land as described in the Schedules to this Act unto trustees viz. :—John Davies Ormond Thomas Kennedy Newton John Alexander Smith George Edmund Lee Henry Stokes Tiffen and Thomas Tanner.

Power to appoint Trustees in case of vacancies

IV. On the death or absence from the Province for a period of eighteen months or on the bankruptcy or resignation of any such Trustee or Trustees it shall be lawful for the Provincial Council from time to time to appoint some other person or persons in the place of the person or persons so dying being absent from the said Province becoming bankrupt or resigning as aforesaid.

Land to be held in trust for Hospitals

V. The said land shall be held by the said Trustees and their successors in trust for the purposes of Hospitals in the Province of Hawke's Bay.

Power to Trustees to lease by auction, three months notice to be given in Gazette

VI. The Trustees shall have full power to demise and lease all or any part of the lands comprised in the Schedule to the "Napier Hospital Endowment Act 1875" for any term or terms of years not exceeding twenty-one years to take effect on possession at yearly rents to be fixed in manner hereinafter mentioned without taking any fine or premium for the granting of the same and subject to such terms and conditions as to the said Trustees shall seem fit all lands proposed to be demised or leased by virtue of this Act shall be put up in lots by public auction and the person or persons at such sale or sales bidding the highest sum by way of annual rent for each such lot shall be declared the purchaser or purchasers thereof. Three months notice shall be given by advertisement in the Provincial Government *Gazette* of Hawke's Bay of the intention of the Trustees to put up any of the said lands by auction with particulars of the respective portions of the said lands proposed to be put up at any such sale or sales.

Application of rents

VII. All monies to be received by way of rent in respect of the lands comprised in the Schedule so to be leased as aforesaid shall be applied for the erection and maintenance of Hospitals in the Province of Hawke's Bay.

Short Title

VIII. The short title of this Act shall be "The Hospitals Endowment Act 1875."

#### SCHEDULES TO WHICH THE FOREGOING ACT REFERS.

##### SCHEDULE A.

All that parcel of land in the Province of Hawke's Bay in the Town of Napier known as the Hospital Reserve containing by admeasurement one acre three roods bounded to the North by Harvey-road to the South-east and to the South by Suburban Section No. 61 and to the West and North-west by Town Sections Nos. 413 414 and 415.

##### SCHEDULE B.

###### 1. *Kopu-a-whara.*

All that parcel of land in the Province of Hawke's Bay situate in the Kopu-a-whara District containing by admeasurement 1000 acres more or less bounded to the East by the Kopu-a-whara Creek to the South by Crown lands 18,200 links to the West by Crown land 5650 links and to the North by Crown lands 18,200 links.

###### 2. *Wairoa.*

All that parcel of land in the said Province situate in the Wairoa district containing by admeasurement 1000 acres more or less bounded to the West by

sections Nos. 27 and 33 Turiroa 5850 links and 1000 links to the North-West by Crown lands 21,100 links to the South-East by rural sections Nos. 5 6 7 and 8 Potutu 5630 links and to the South-West by Crown lands 13,150 links.

3. *Mohaka.*

All that parcel of land in the said Province in the Mohaka district containing by admeasurement 5000 acres more or less bounded to the North by the Mohaka River to the East by Crown lands 31,200 links being a straight line starting from the mouth of the Taumukaha Creek bearing South South-West to the South by Crown lands 15,200 links and to the West by Crown lands 23,800 links.

4. *Puketitiri Bush.*

All that parcel of land in the said Province situate in the Patoka District containing by admeasurement 500 acres more or less bounded to the North by Crown Lands 11,800 links to the East by Crown Lands 4,800 links to the South by Block No. 91 being an Educational Reserve 10,250 links and to the West by Crown Lands 4,500 links.

5. *Maharahara.*

All that parcel of land in the Province of Hawke's Bay situate in the Woodville District containing by admeasurement 3,000 acres more or less bounded to the North by the Tamaki Block 34,800 links by the Mangapukaukahui Stream to the South-East by Tahoraiti Block No. 1 11,000 links to the South by Crown Lands 29,500 links and to the West by the Western boundary of the Province 9,200 links.

J. A'DEANE,

Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. D. ORMOND,

Superintendent.

