

# OTAGO ORDINANCES.

SESSION XXI., 1865-6.

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\* Left to its operation. See *Provincial Gazette*, Vol. X., page 42

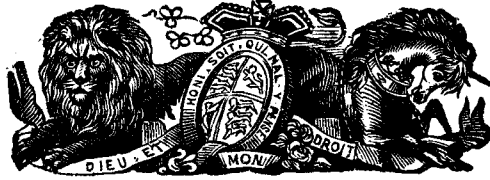
† Left to its operation. See *New Zealand Gazette*, 1866, No. 15, page 109, and *Provincial Gazette*, Vol. X., page 79.

‡ Information received that His Excellency the Governor would be advised to assent to.

|| Information received that His Excellency the Governor would be advised to leave it to its operation.

§ Not reported on up till date (April 12, 1866)





APPROPRIATION ORDINANCE, 1865-6.

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

SESSION XXI., No. 204.

ANALYSIS:

<p>Title.                  Preamble.                  1. Certain sums to be applied out of Provincial Revenues to the Service of the twelve months commencing 1st October, 1865, and ending 30th September, 1866.                  2. There shall be applicable for the service of the year ending 30th September, 1866, the sum of £50,000,</p>	<p>out of sums to be raised under the "Otago Public Buildings Loan Ordinance, 1862."                  3. Superintendent authorised to transfer one item to another of the same subdivision.                  4. Treasurer to pay moneys under warrant of the Superintendent, and to be allowed credit for all moneys so paid.                  5. Short Title.</p>
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AN ORDINANCE to appropriate certain sums out of the ordinary Revenue of the Province of Otago and other moneys for the Service of the twelve months ending the thirtieth day of September one thousand eight hundred and sixty-six. Title.  
[5TH JANUARY, 1866.]

**B**E IT ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows:— Preamble.

I. Out of the Revenues of the said Province there may be issued and applied for defraying the charge of the Government of the said Province for the twelve months commencing upon the first day of October one thousand eight hundred and sixty-five and ending upon the thirtieth day of September one thousand eight hundred and sixty-six the sum of four hundred and fifteen thousand seven hundred and seventy-five pounds nineteen shillings and tenpence or any sums not exceeding the several sums for the several purposes first hereafter particularly specified that is to say: Certain sums to be applied out of Provincial Revenues to the Service for the twelve months commencing 1st October, 1865 and ending 30th September, 1866.

## I.—SUPERINTENDENT AND EXECUTIVE COUNCIL.

No.		SALARIES.	CONTINGENCIES.	TOTAL.
		£ s. d.	£ s. d.	£ s. d.
	DIVISION No. 1.			
	SUPERINTENDENT.			
1	Superintendent ... ..	900 0 0		
1	Secretary to do. ... ..	350 0 0		1,250 0 0
	DIVISION No. 2.			
	EXECUTIVE COUNCIL.			
1	Provincial Secretary ... ..	600 0 0		
1	Do. Treasurer and Secretary for Public Works ... ..	600 0 0		
1	Provincial Solicitor ... ..	600 0 0		
3	Non-official Members ... ..	450 0 0		2,250 0 0
	Total Superintendent carried to Total Provincial Council ... ..			3,500 0 0

## II.—PROVINCIAL COUNCIL.

No.		SALARIES.	CONTINGENCIES.	TOTAL.
		£ s. d.	£ s. d.	£ s. d.
	DIVISION No. 3.			
	PROVINCIAL COUNCIL.			
1	Speaker ... ..	200 0 0		
1	Chairman of Committees ... ..	100 0 0		
1	Clerk and Librarian ... ..	350 0 0		
1	Serjeant-at-Arms ... ..	20 0 0		670 0 0
	SUB-DIVISION No. 1.			
	Council Accommodation and Expenses of Select Committees ... ..		150 0 0	
	Expenses of Country Members ... ..		1,600 0 0	
	Printing, Advertising, and Stationery ... ..		600 0 0	
	Incidental Expenses, Clerical Assistance, &c. ... ..		150 0 0	2,500 0 0
	DIVISION No. 4.			
	Auditor ... ..	450 0 0		
	Deputy Auditor ... ..	90 0 0		540 0 0
	Total Provincial Council ... ..			3,710 0 0
	Amount brought forward, Total Superintendent ... ..			3,500 0 0
				7,210 0 0

## III.—PROVINCIAL SECRETARY.

No.		SALARIES.	CONTINGENCIES.	TOTAL.
		£ s. d.	£ s. d.	£ s. d.
	DIVISION No. 5.			
	PROVINCIAL SECRETARY'S OFFICE.			
1	Under Secretary ... ..	450 0 0		
1	Clerk ... ..	240 0 0		
1	Do. ... ..	200 0 0		890 0 0
	Carry forward ... ..			890 0 0

III.—PROVINCIAL SECRETARY—*continued.*

No.		SALARIES.			CONTINGENCIES.			TOTAL.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward ..							890	0	0
	SUB-DIVISION No. 2.									
	Printing, Advertising and Stationery				50	0	0			
	Clerical Assistance				25	0	0			
	Incidental Expenses				50	0	0			
								125	0	0
	DIVISION No. 6.									
	SOLICITOR'S OFFICE.									
1	Solicitor				55	11	1			
1	Clerk				240	0	0			
								295	11	1
	SUB-DIVISION No. 3.									
	Incidental Expenses, and Clerical Assistance							100	0	0
								100	0	0
	DIVISION No. 7.									
	CROWN LANDS.									
1	Chief Commissioner				600	0	0			
1	Clerk				350	0	0			
1	Do.				240	0	0			
1	Do.				200	0	0			
1	Do., to Receiver of Land Revenue				300	0	0			
1	Assistant do.				200	0	0			
1	Clerk for Crown Grants				240	0	0			
2	Assistant do.				400	0	0			
1	Do. Youth				100	0	0			
								2,630	0	0
	SUB-DIVISION No 4.									
	Non-Official Members of Waste Land Board							20	0	0
	Ranger of Bush Reserves							100	0	0
	Refunds on Land							1,800	0	0
	Printing, Advertising and Stationery							500	0	0
	Incidental Expenses							100	0	0
	Printing for Receiver of Land Revenue							200	0	0
	Incidental Expenses for do.							50	0	0
								2,770	0	0
	DIVISION No. 8.									
	SURVEY DEPARTMENT.									
1	Chief Surveyor				600	0	0			
1	Geodesical Surveyor				450	0	0			
3	District do.				1,050	0	0			
2	Assistant do.				560	0	0			
3	Sub-Assistant Surveyors				690	0	0			
1	Chief Draughtsman				400	0	0			
2	Assistant do.				500	0	0			
2	Do. do.				450	0	0			
2	Do. do.				400	0	0			
1	Lithographic Draughtsman				300	0	0			
1	Do. Printer				250	0	0			
1	Apprentice do.				47	4	0			
								5,697	4	0
	SUB-DIVISION No. 5.									
	Laborers' Wages							3,870	0	0
	Allowance in lieu of Rations							2,520	0	0
	Equipment of Survey Parties							800	0	0
	Travelling Expenses							200	0	0
	Lithographic Materials							100	0	0
	Incidental Expenses							150	0	0
	Out-standing Accounts							225	0	0
	Printing, Advertising, and Stationery							200	0	0
								8,065	0	0
	Carry forward ..							20,572	15	1

III.—PROVINCIAL SECRETARY—*continued.*

No.		SALARIES.			CONTINGENCIES.			TOTAL.				
		£	s.	d.	£	s.	d.	£	s.	d.		
	Brought forward ..									20,572	15	1
	DIVISION No. 9.											
	POLICE.											
1	Commissioner ... ..	600	0	0								
1	Clerk and Accountant ... ..	300	0	0								
1	Inspector ... ..	350	0	0								
2	Sub-Inspectors ... ..	600	0	0								
1	Mounted Serjeant, 12s. 6d. per day ...	228	2	6								
8	Do., 11s. 6d. per day ...	1,679	0	0								
10	Mounted Constables, 10s. 6d. per day ...	1,916	5	0								
3	Do., 9s. 6d. per day ...	520	2	6								
2	Do., 3 months, 9s. 6d. per day ...	87	8	0								
3	Foot Serjeants, at 12s. per day ...	657	0	0								
9	Do., at 11s. per day ...	1,806	15	0								
28	Constables, at 10s. per day ...	5,110	0	0								
6	Do., at 9s. per day ...	985	10	0								
6	Do., 3 months, at 9s. per day ...	248	8	0								
1	Quarter Master Serjeant, at 12s. per day ...	219	0	0								
1	Water Police Serjeant, at 12s. per day ...	219	0	0								
3	Do. Constables, at 10s. per day ...	547	10	0								
2	Detectives 1st class, at 12s. per day ...	438	0	0								
2	Do. 2nd class, at 11s. per day ...	401	10	0								
2	Do., 3rd class, at 10s. per day ...	365	0	0								
4	Female Cooks and Searchers, at £25 per annum ...	100	0	0								
										17,378	11	0
	SUB-DIVISION No. 6.											
	Gold Fields Allowance ... ..						100	0	0			
	Travelling Expenses ... ..						200	0	0			
	Transport of Prisoners ... ..						100	0	0			
	Shoeing and Farriery ... ..						140	0	0			
	Saddlery and Repairs ... ..						30	0	0			
	Stores and Furniture ... ..						30	0	0			
	Printing, Advertising, and Stationery ...						180	0	0			
	Transport of Stores ... ..						60	0	0			
	Fuel and Light ... ..						750	0	0			
	Electric Telegraph Messages ... ..						30	0	0			
	Compensation for loss of Clothing, and Medical Expenses ... ..						30	0	0			
	Special Detective Service ... ..						30	0	0			
	Rewards ... ..						30	0	0			
	Police Paddocks ... ..						100	0	0			
	Temporary Accommodation ... ..						50	0	0			
	Drill Instructors ... ..						18	5	0			
	Prisoners' Rations ... ..						60	0	0			
	Incidental Expenses ... ..						80	0	0			
	Forage ... ..						600	0	0			
	Arms, Accoutrements, and Repairs ...						30	0	0			
										2,648	5	0
	SUB-DIVISION No. 7.											
	ESCORT SERVICE.											
	MAIN ESCORT.											
1	Sub-Inspector ... ..	300	0	0								
1	Mounted Serjeant, 12s. 6d. per day ...	228	2	6								
2	Do., 10s. 6d. do. ...	383	5	0								
2	Do., 9s. 6d. do. ...	346	15	0								
1	Escort Driver, 11s. do. ...	200	15	0								
1	Foot Constable, 10s. do. ...	182	10	0								
	TUAPEKA BRANCH.											
1	Escort Driver, 9s. per day ...	164	5	0								
		1,805	12	6								
	Carry forward ..									40,599	11	1

III.—PROVINCIAL SECRETARY—*continued.*

No.		SALARIES.	CONTINGENCIES.	TOTAL.
		£ s. d.	£ s. d.	£ s. d.
	Brought forward .. ..	1,805 12 6		40,599 11 1
	MOUNT IDA BRANCH.			
1	Mounted Constable, 10s. 6d. per day	191 12 6		
1	Foot do., 10s. do.	182 10 0		
	MAORI POINT BRANCH.			
1	Mounted Constable, 9s. 6d. per day	173 7 6		
1	Do., 10s. 6d. do., Dunedin	191 12 6		
				2,544 15 0
	SUB-DIVISION No. 8.			
	Gold Fields Allowance		400 0 0	
	Accommodation for Men and Horses on Escort Duty		350 0 0	
	Forage		1,100 0 0	
	Shoeing and Farriery		360 0 0	
	Saddlery and Repairs		100 0 0	
	Vehicles and Repairs		80 0 0	
	Stores and Furniture		20 0 0	
	Printing, Advertising, and Stationery		10 0 0	
	Fuel and Light		100 0 0	
				2,520 0 0
	DIVISION No. 10.			
	HARBOR.			
1	Harbor Master	500 0 0		
1	Assistant Do.	275 0 0		
1	Clerk	240 0 0		
1	Apprentice Pilot	100 0 0		
1	Master of Launch	240 0 0		
2	Crew of do.,	240 0 0		
5	Crew of Pilot Boat	630 0 0		
3	Signal Masters	450 0 0		
1	Light Keeper, Port Chalmers Jetty	30 0 0		
1	Beach Master, Oamaru	120 0 0		
				2,825 0 0
	SUB-DIVISION, No. 9.			
	Pilot Schooner		150 0 0	
	Boats		100 0 0	
	Signals and Flagstaves		50 0 0	
	Buoys and Beacons		100 0 0	
	Fuel and Light		50 0 0	
	Travelling Expenses		60 0 0	
	Printing, Advertising, and Stationery		50 0 0	
	Incidental Expenses		30 0 0	
				590 0 0
	DIVISION No. 11.			
	GOLD RECEIVER.			
1	Chief Gold Receiver	300 0 0		
				300 0 0
	SUB-DIVISION No. 10.			
	Printing, Advertising, and Stationery		12 0 0	
	Incidental Expenses		50 0 0	
				62 0 0
	DIVISION No. 12.			
	GAOL.			
1	Gaoler	400 0 0		
1	Matron	60 0 0		
		460 0 0		
	Carry forward .. ..			49,441 6 1

III.—PROVINCIAL SECRETARY—*continued.*

No.		SALARIES.			CONTINGENCIES.			TOTAL.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Carry forward .. ..	460	0	0				49,441	6	1
1	Clerk and Storekeeper .. ..	240	0	0						
1	Chief Warder .. ..	300	0	0						
1	Overseer of Labor .. ..	200	0	0						
1	Serjeant Warder at 12s. per day .. ..	219	0	0						
2	Do. at 11s. per day .. ..	401	10	0						
9	Warders at 10s. per day .. ..	1,642	10	0						
2	Do. at 10s. and 9s. per day .. ..	334	12	0						
5	Do. at 10s. and 9s. per day .. ..	829	0	0						
1	Female Warder at 5s. per day .. ..	91	5	0						
	<b>SUB-DIVISION No. 11.</b>									
	Rations .. ..				2,100	0	0			
	Stores and Furniture .. ..				150	0	0			
	Library .. ..				10	0	0			
	Fuel and Light .. ..				350	0	0			
	Medicines and Medical Comforts .. ..				150	0	0			
	Tools and Material for employment of Prisoners .. ..				1,800	0	0			
	Clothes and Bedding .. ..				300	0	0			
	Printing and Stationery .. ..				20	0	0			
	Relief to Prisoners discharged .. ..				30	0	0			
	Incidental Expenses .. ..				250	0	0			
	<b>DIVISION No. 13.</b>									
	<b>DISTRICT GAOLS.</b>									
9	Gaolers at £180 per annum .. ..	1,620	0	0						
	<b>SUB-DIVISION No. 12.</b>									
	Rations, Tools, Stores, &c. .. ..				1,200	0	0			
	<b>DIVISION No. 14.</b>									
	<b>GOLD FIELDS.</b>									
1	Secretary .. ..	600	0	0						
1	Clerk and Draughtsman .. ..	300	0	0						
1	Clerk .. ..	240	0	0						
7	Wardens at £550 .. ..	3,850	0	0						
2	Sub-Wardens, at £400 .. ..	800	0	0						
7	Registrars and Receivers, acting also as Clerks of Court at £350 per annum .. ..	2,450	0	0						
2	Registrars at £350 .. ..	700	0	0						
2	Bailiffs at £230 .. ..	460	0	0						
2	Do. at £180 .. ..	360	0	0						
4	Mining Surveyors at £350 .. ..	1,400	0	0						
3	Assistant do. at £300 .. ..	900	0	0						
	Allowance to Acting Clerks of Court—6 at £25 per annum .. ..	150	0	0						
	<b>SUB-DIVISION No. 13.</b>									
	Fuel and Light .. ..				400	0	0			
	Office Furniture .. ..				100	0	0			
	Horse Allowance .. ..				150	0	0			
	Travelling Expenses .. ..				150	0	0			
	Surveyor's Field Parties .. ..				100	0	0			
	Printing, Advertising, &c. .. ..				100	0	0			
	Carriage of Stores .. ..				100	0	0			
	Incidental Expenses .. ..				100	0	0			
	<b>Total Provincial Secretary .. ..</b>									
	<b>Amount brought forward total Superintendent and Provincial Council .. ..</b>									
								75,549	3	1
								7,210	0	0
								<b>£82,759</b>	<b>3</b>	<b>1</b>



IV.—PROVINCIAL TREASURER.

No.		SALARIES.			CONTINGENCIES.			TOTAL.		
		£	s.	d.	£	s.	d.	£	s.	d.
	DIVISION No. 15.									
	TREASURY.									
1	Sub-Treasurer .. ..	400	0	0						
1	Clerk to Provincial Treasurer .. ..	300	0	0						
1	Clerk .. ..	240	0	0						
								940	0	0
	SUB-DIVISION No. 14.									
	Printing, Advertising, and Stationery .. ..				150	0	0			
	Incidental Expenses .. ..				50	0	0			
								200	0	0
	DIVISION No. 16.									
	SHEEP INSPECTOR.									
1	Chief Inspector .. ..	600	0	0						
7	Sub-Inspectors .. ..	2,100	0	0						
1	Registrar of Brands, and Clerk .. ..	240	0	0						
								2,940	0	0
	SUB-DIVISION No. 15.									
	Incidental Expenses .. ..				50	0	0			
	Horse Allowance to Inspectors .. ..				400	0	0			
								450	0	0
	DIVISION No. 17.									
	IMMIGRATION.									
1	Immigration Agent .. ..	350	0	0						
1	Clerk to do. .. ..	200	0	0						
1	Matron .. ..	100	0	0						
								650	0	0
	SUB-DIVISION No. 16.									
	Travelling Expenses .. ..				100	0	0			
	Fuel and Light .. ..				50	0	0			
	Rations .. ..				200	0	0			
	Printing, Advertising, and Stationery .. ..				40	0	0			
	Incidental Expenses .. ..				100	0	0			
								490	0	0
	DIVISION No. 18.									
	EDUCATION.									
1	Secretary .. ..	450	0	0						
1	Clerk (Youth) .. ..	60	0	0						
								510	0	0
	SUB-DIVISION No. 1.									
	HIGH SCHOOL.									
1	Rector ... ..	550	0	0						
2	Masters at £450 per annum ... ..	900	0	0						
1	Master ... ..	300	0	0						
1	Do. ... ..	200	0	0						
1	Charwoman ... ..	40	0	0						
								1,990	0	0
	SUB-DIVISION No. 2.									
	DISTRICT SCHOOLS.									
	Teachers' Salaries ... ..	5,150	0	0						
								5,150	0	0
	SUB-DIVISION No. 17.									
	Travelling Expenses ... ..				90	0	0			
	Expenses of Pupil Teachers ... ..				140	0	0			
								230	0	0
	Carry forward .. ..							13,320	0	0

## IV.—PROVINCIAL TREASURER—continued.

No.		SALARIES.			CONTINGENCIES.			TOTAL.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward .. ..				230	0	0	13,320	0	0
	Advance for School Books .. ..				600	0	0			
	Public Libraries .. ..				250	0	0			
	Rents and other Incidental Expenses connected with School Buildings .. ..				425	0	0			
	Purchase of Sites .. ..				175	0	0			
	Fees for Orphan and Destitute Children Free Schools .. ..				75	0	0			
	Printing, Advertising, and Stationery Incidental Expenses .. ..				340	0	0			
					20	0	0			
					20	0	0			
								2,135	0	0
	SUB-DIVISION No. 18.									
	HIGH SCHOOL.									
	Rent Allowance to Masters .. ..				264	18	4			
	Prizes .. ..				20	0	0			
	Printing, Fuel, Light, and Incidental Expenses				50	0	0			
								334	18	4
	DIVISION No. 19.									
	HOSPITAL.									
1	Provincial Surgeon .. ..	500	0	0						
	Resident do. .. ..	300	0	0						
1	Dispenser .. ..	150	0	0						
1	Storekeeper .. ..	200	0	0						
1	Matron .. ..	70	0	0						
1	Midwife .. ..	60	0	0						
1	Laundress .. ..	60	0	0						
7	Male Attendants .. ..	560	0	0						
3	Do. .. ..	300	0	0						
6	Female Attendants .. ..	300	0	0						
1	Do. .. ..	35	0	0						
								2,535	0	0
	SUB-DIVISION No. 19.									
	Rations .. ..				3,000	0	0			
	Stores and Furniture .. ..				200	0	0			
	Fuel and Light .. ..				500	0	0			
	Instruments .. ..				40	0	0			
	Medicines, and Medical Comforts .. ..				800	0	0			
	Bedding and Clothing .. ..				200	0	0			
	Stationery .. ..				40	0	0			
	Incidental Expenses .. ..				350	0	0			
								5,130	0	0
	DIVISION No. 20.									
	LUNATIC ASYLUM.									
1	House Steward .. ..	200	0	0						
1	Matron .. ..	100	0	0						
4	Male Attendants .. ..	400	0	0						
2	Female do. .. ..	100	0	0						
1	Laundress .. ..	50	0	0						
1	Attendant .. ..	40	0	0						
								890	0	0
	SUB-DIVISION No. 20.									
	Rations .. ..				2,000	0	0			
	Stores and Furniture .. ..				250	0	0			
	Fuel and Light .. ..				250	0	0			
	Medicines and Medical Comforts .. ..				250	0	0			
	Bedding and Clothing .. ..				250	0	0			
	Printing, Advertising, and Stationery .. ..				25	0	0			
	Incidental Expenses .. ..				100	0	0			
								3,125	0	0
	Carry forward .. ..							27,469	18	4

IV.—PROVINCIAL TREASURER—continued.

No.		SALARIES.	CONTINGENCIES.	TOTAL.
		£ s. d.	£ s. d.	£ s. d.
	Brought forward .. ..			27,469 18 4
	<b>DIVISION No. 21.</b>			
	<b>STOREKEEPER.</b>			
	Storekeeper and Accountant .. ..	450 0 0		450 0 0
	<b>SUB-DIVISION No. 21.</b>			
	Cartage .. ..		50 0 0	
	Repairing Stores .. ..		60 0 0	
	Incidental Expenses .. ..		50 0 0	
	Printing, Advertising, and Stationery .. ..		25 0 0	
				185 0 0
	Total Provincial Treasurer .. ..			28,104 18 4
	Amount brought forward total Superintendent, Provincial Council, and Provincial Secretary			82,759 3 1
				<u>£110,864 1 5</u>
	<b>PROVINCIAL TREASURER GENERAL.</b>			
	<b>DIVISION No. 22.</b>			
	<b>MISCELLANEOUS.</b>			
2	Inspector of Weights and Measures .. ..	137 10 0		
1	Do. of Nuisances .. ..	240 0 0		
	Public Vaccinators .. ..	350 0 0		
2	Messengers, at £130 .. ..	260 0 0		
1	Do. at £120 .. ..	120 0 0		
	Cleaning and Repairing Clock .. ..	41 13 4		
				1,149 3 4
	<b>DIVISION No. 23.</b>			
	Immigration .. ..		10,000 0 0	10,000 0 0
	<b>DIVISION No. 24.</b>			
	<b>STEAM SERVICE.</b>			
	Dunedin to Clutha Ferry .. ..		2,000 0 0	
	Steam Tug, Port Otago .. ..		1,000 0 0	
				3,000 0 0
	<b>DIVISION No. 25.</b>			
	<b>GRANTS-IN-AID.</b>			
	Grants-in-Aid to the under-mentioned Charitable Institutions, on condition that a statement of transactions, and account of receipts and ex- penditure be furnished quarterly to the Govern- ment, and that a sum, equal to one-third of the grant, be raised by private subscription ; and further, that the Secretary, or some other officer of such Institution shall, before the last day of each quarter, make a Return, verified by his solemn declaration before a Justice of the Peace, to the Treasurer, of the number of persons received during the year preceding, the number of officials and servants, and the vital statistics of such Institu- tion, together with such other and further in- formation as the Superintendent by rules and regulations from time to time may direct :—			
	Lawrence Hospital .. ..		1,000 0 0	
	Clyde Do. .. ..		1,200 0 0	
	Wakatipu Do. .. ..		1,600 0 0	
	Oamaru Do. .. ..		200 0 0	
				4,000 0 0
	Carry forward .. ..			18,149 3 4

IV.—PROVINCIAL TREASURER—*continued.*

No.		SALARIES.			CONTINGENCES.			TOTAL.						
		£	s.	d.	£	s.	d.	£	s.	d.				
	Brought forward .. ..									18,149	3	4		
	DIVISION No. 26.													
	Grants-in-Aid on condition that a statement of transactions, and account of receipt and expenditure be furnished quarterly to the Government :—													
	Benevolent Institution—Maintenance .. ..				1,000	0	0							
	Do. Building Fund .. ..				500	0	0							
										1,500	0	0		
	DIVISION No. 27.													
	Relief of Orphan and Destitute Children .. ..				500	0	0							
	Volunteers .. ..				700	0	0							
	Burial of Paupers .. ..				250	0	0							
	Relief to Destitute .. ..				650	0	0							
	Expenses of Returning Officers .. ..				300	0	0							
	Advertising .. ..				250	0	0							
	Printing .. ..				150	0	0							
	Do. <i>Gazette and Advertising Sheet</i> .. ..				900	0	0							
	Stationery .. ..				250	0	0							
	Fuel and Light .. ..				250	0	0							
	Collecting Dog Tax .. ..				150	0	0							
	Photographic Views .. ..				65	0	0							
	Compensation for Road Deviations, Purchase of Land and Runs .. ..				1,500	0	0							
	Meteorological Observations and Instruments .. ..				75	0	0							
	Pilot Board .. ..				150	0	0							
	Pilot's Subsidy .. ..				300	0	0							
	Rent of Ground Cape Saunders Lighthouse .. ..				25	0	0							
	Compensation Contingent .. ..				1,800	0	0							
	Mr. Lewis' Clutha Coal Field .. ..				500	0	0							
	Remission of Rent and Interest due by Mr. Lewis .. ..				740	17	6							
	Cemeteries on Gold Fields .. ..				400	0	0							
	West Coast Expeditions .. ..				200	0	0							
	Do. do. <i>via Oamaru</i> .. ..				50	0	0							
	Printing Debentures .. ..				75	0	0							
	General Contingencies .. ..				400	0	0							
	Balance of £35,000 Loan to Town Board .. ..				171	7	7							
	Compensation Hooper's Garden .. ..				40	0	0							
	Views for Paris Exhibition .. ..				200	0	0							
	Dunedin Fire Brigade .. ..				50	0	0							
	Widow of late Mr. Currie .. ..				200	0	0							
	Weights and Measures } .. ..				15	0	0							
	Incidental Expenses } .. ..													
	Acclimatisation Society, £2 for every pound subscribed, and not to exceed .. ..				1,500	0	0							
	Unforeseen Contingencies .. ..				1,500	0	0							
	Paymasters' Accounts .. ..				217	16	5							
	Prospecting Deep Lead at Weatherstone's .. ..				350	0	0							
	Compensation, John Cleverley .. ..				8	6	8							
	Premiums on Guarantee Policies .. ..				131	5	0							
	Eradication of Thistles .. ..				2,000	0	0							
	North Dunedin Cemetery (Grant) .. ..				100	0	0							
	Do. do. (Loan) .. ..				300	0	0							
	Compensation, A. Fullerton .. ..				25	0	0							
	Do. John Daley .. ..				100	0	0							
	Do. R. Gibson .. ..				33	6	8							
										17,572	19	10		
	GRANTS-IN-AID.													
	Tuapeka Hospital .. ..				500	0	0							
	Municipalities .. ..				7,500	0	0					8,000	0	0
	DIVISION No. 28.													
	Repayment of Debentures, 1856 .. ..				4,200	0	0							
	Interest on Loan, 1856 .. ..				1,450	0	0							
					5,650	0	0							
	Carry forward .. ..											45,222	3	2

IV.—PROVINCIAL TREASURER—continued.

No.		SALARIES.			CONTINGENCIES.			TOTAL.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward .. ..				5,650	0	0	45,222	3	2
	Interest on Loan, 1861 .. ..				4,000	0	0			
	Do. do., 1862 .. ..				30,000	0	0			
	Do. Harbor Loan .. ..				4,000	0	0			
	Do. Public Buildings Loan .. ..				2,000	0	0			
	Sinking Fund, 1861 .. ..				1,500	0	0			
	Do., 1862 .. ..				5,000	0	0			
	Do., Harbor Loan .. ..				1,500	0	0			
	Interest, Exchange, and Commission .. ..				50,000	0	0			
								103,650	0	0
	Total Provincial Treasurer General .. ..							148,872	3	2
	Amount brought forward from Total Provincial Treasurer .. ..							110,864	1	5
								259,736	4	7

V.—SECRETARY FOR PUBLIC WORKS.

No.		SALARIES.			CONTINGENCIES.			TOTAL.		
		£	s.	d.	£	s.	d.	£	s.	d.
	DIVISION No. 29.									
	ROADS AND WORKS DEPARTMENT.									
2	District Engineers .. ..	800	0	0						
1	Inspector .. ..	250	0	0						
1	Do. .. ..	100	0	0						
1	Do. .. ..	250	0	0						
1	Draughtsman .. ..	300	0	0						
1	Inspector of Works and Buildings .. ..	300	0	0				2,000	0	0
	SUB-DIVISION No. 22.									
	Horse Allowance .. ..				350	0	0			
	Travelling Expenses .. ..				500	0	0			
	Printing, Advertising, and Stationery .. ..				50	0	0			
	Incidental Expenses .. ..				25	0	0			
								925	0	0
	DIVISION No. 30.									
	COMMISSIONER OF ROADS AND THEIR DEVIATIONS.									
1	Commissioner .. ..	350	0	0						
1	Surveyor .. ..	225	0	0						
1	Clerk and Draughtsman .. ..	225	0	0						
1	Surveyor and Draughtsman, District Roads .. ..	300	0	0				1,100	0	0
	SUB-DIVISION No. 23.									
	Laborers' Wages, allowance in lieu of Rations, and Equipment of Field Parties .. ..				100	0	0			
	Horse Allowance .. ..				50	0	0			
	Printing, Advertising, and Stationery .. ..				60	0	0			
	Incidental Expenses .. ..				60	0	0			
	Travelling Expenses .. ..				150	0	0			
								420	0	0
	DIVISION No. 31.									
	RAILWAY ENGINEER.									
1	Chief Engineer .. ..	166	13	4						
1	Assistant do. .. ..	33	6	8						
1	Surveyor .. ..	50	0	0						
1	Draughtsman .. ..	20	16	8						
								270	16	8
	Carry forward .. ..							4,715	16	8



V.—SECRETARY FOR PUBLIC WORKS—continued.

	£	s.	d.	£	s.	d.
Brought forward	53,602	0	0			
Palmerston to Eweburn	950	0	0			
Eweburn to Manuherikia	100	0	0			
Popotunoa to Mataura	100	0	0			
N. Trunk to Port Chalmers	100	0	0			
Do. to Moeraki Port	300	0	0			
Do. to Waikouaiti Port	50	0	0			
Oamaru to Waitaki	100	0	0			
Dunedin to Portobello	1,682	0	0			
Southern Trunk to Port Molyneux	150	0	0			
Dunedin to North Taieri	200	0	0			
North-east Valley to Pine Hill	50	0	0			
Lawrence to Wetherstone's	60	0	0			
Do. to Gabriel's	40	0	0			
Main Road through Hampden	300	0	0			
Do. through Dunedin	1,500	0	0			
Lee's Stream to Waipori	300	0	0			
Cromwell to Wanaka	100	0	0			
Roads on Gold Fields	5,000	0	0			
Main Street, Clyde	100	0	0			
Peel Street, Lawrence	200	0	0			
Between Towns, Port Molyneux	300	0	0			
Clutha Ferry to Clutha Mouth	244	10	7			
Through Block V., Hawksbury	500	0	0			
Cromwell to Queenstown	9,960	0	0			
Main Road through Oamaru	1,000	0	0			
Supplemented Roads and unforeseen Contingencies	4,000	0	0			
Tuapeka to Alexandra	2,000	0	0			
Road through Shag Valley	1,300	0	0			
Do. Port Chalmers	200	0	0			
Clyde to Nevis	150	0	0			
East Taieri Bridge to Sea	150	0	0			
Improvements at Shag Harbor	400	0	0			
SUB-DIVISION No. 28:						
MISCELLANEOUS WORKS AND BUILDINGS.						
Gold Fields Buildings	600	0	0			
Lunatic Asylum	280	0	0			
District Police Stations	405	0	0			
Central do.	50	0	0			
District Court Houses	100	0	0			
Do. Gaols	100	0	0			
Exhibition Building Alterations	3,000	0	0			
Harbour Reclamation	6,550	0	0			
Do. Prison Labor	3,500	0	0			
Works not Provided for	500	0	0			
Warps and Buoys, Clutha	545	0	0			
Furniture, Registrar of Deeds Office	20	0	0			
Purchase of Bridge, Upper Shotover	150	0	0			
Fencing, &c., Quarantine Station, Mataura	500	0	0			
Painting Quarantine Hospital	50	0	0			
Removal of Punt, Taieri	50	0	0			
Do. Survey Office, Tokomairiro	90	0	0			
Telegraphs	2,750	0	0			
Unforeseen Contingencies	2,000	0	0			
Storage of Dredge, &c.	100	0	0			
Storm-water Channel, Lawrence Main Road	200	0	0			
Snow Poles, Teviot and Pomahaka	100	0	0			
Leading Lights, Port Otago	600	0	0			
Court House, Dunedin	200	0	0			
Gaol, Dunedin	300	0	0			
Oamaru Light	300	0	0			
Removal of Rock, Shag Harbor	100	0	0			
Fencing Approaches, Clutha Ferry	150	0	0			
Carry forward	41,790	0	0			
				85,188	10	7
				66,688	10	7

## V.—SECRETARY FOR PUBLIC WORKS—continued.

				£	s.	d.	£	s.	d.
Brought forward ... ..				41,790	0	0	66,688	10	7
Powder Magazine, Tuapeka ... ..				200	0	0			
Winch for Inch Clutha Ferry ... ..				20	0	0			
Alterations to Post Office ... ..				600	0	0			
							42,610	0	0
SUB-DIVISION No. 29.									
BRIDGES.									
Kawarau Bridge .. ..				2,500	0	0			
Whari Kuri do. .. ..					4	17	6		
Clutha do. .. ..				11,500	0	0			
Pleasant River do. .. ..				600	0	0			
Tokomairiro do. .. ..				400	0	0			
Shotover do. .. ..				2,000	0	0			
Mataura do. .. ..				1,000	0	0			
Silverstream do. .. ..				500	0	0			
							18,504	17	6
SUB-DIVISION No. 30.									
SCHOOLS.									
Middle Dunedin ... ..				100	0	0			
Alexandra ... ..				100	0	0			
Palmerston ... ..				650	0	0			
Clutha Ferry ... ..				650	0	0			
Warepa ... ..				350	0	0			
Schools not Provided for ... ..				200	0	0			
Oamaru ... ..				20	0	0			
Queenstown ... ..				350	0	0			
Lawrence ... ..				150	0	0			
Clyde ... ..				150	0	0			
							2,720	0	0
SUB-DIVISION No. 31.									
JETTIES.									
Dunedin ... ..				50	0	0			
Port Chalmers ... ..				1,000	0	0			
Dredging alongside Rattray-street Jetty ... ..				1,000	0	0			
Oamaru .. ..				7,200	0	0			
							9,250	0	0
HARBORS.									
Dredging Otago Harbor ... ..				7,500	0	0			
Moorings, Moeraki ... ..				100	0	0			
Do. Clutha ... ..				100	0	0			
Do. Oamaru ... ..				150	0	0			
							7,850	0	0
Total brought forward from Secretary for Public Works ... ..							147,623	8	1
							268,152	11	9
							415,775	19	10



II. Out of the sum of fifty thousand pounds by the "Otago Public Buildings Loan Ordinance 1862" authorised to be issued for the erection of commodious and suitable buildings within the City of Dunedin for the use of the Supreme Court and for a Gaol a Post Office a Registry Office and other Public Offices there may be issued and applied the sum of fifty thousand pounds to be appropriated towards or for the services next hereinafter mentioned: That is to say any sum or sums of money not exceeding eighteen thousand five hundred pounds to defray the probable expenditure in the erection of Provincial Government Buildings in Dunedin and any sum or sums not exceeding the sum of thirty-one thousand five hundred pounds for reimbursing the Provincial Revenue the advances made thereout in the erection of a Supreme Court Gaol Post Office and other Public Offices under the said Ordinance.

There shall be applicable for the service of the year ending 30th September, 1866, the sum of £50,000 out of sums to be raised under the "Otago Public Buildings Loan Ordinance, 1862."

III. The Superintendent with the advice and consent of his Executive is hereby authorised to transfer any sum or sums of money from one item of any subdivision to another item in the same subdivision provided that a statement of all such transfers together with a statement of the expenditure under the head of unforeseen contingencies be laid by the Auditor before the Provincial Council at its next Session.

Superintendent authorised to transfer one item to another of the same subdivision.

IV. The Provincial Treasurer may issue and pay from time to time any sum or sums of money for the purposes hereinbefore mentioned not exceeding in the whole the sums respectively above specified to such persons and in such proportions as the Superintendent may by warrant certified by the Auditor or Deputy-Auditor and signed by the Superintendent in terms of the "Provincial Audit Act 1861" from time to time direct and such Treasurer shall in his accounts be allowed credit for all sums paid by him in pursuance of such warrants and the receipt of the person to whom such sums shall have been paid shall be to him a full and valid discharge for the sum or sums for which such receipt shall have been given and the amount thereof shall be passed to his credit in account accordingly.

Treasurer to pay moneys under warrant of the Superintendent, and to be allowed credit for all moneys so paid.

V. This Ordinance shall be termed and may be cited and referred to as the "Appropriation Ordinance 1865-6."

Short Title.





## BRIDGE ORDINANCE 1864 AMENDMENT ORDINANCE, 1865.

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

SESSION XXI., No. 205.

### ANALYSIS:

Title.  
Preamble.  
1. Short Title.

2. Section 10 of the "Bridge Ordinance, 1864," repealed, and other provisions made in lieu thereof.  
3. Exemption from Tolls.  
4. When ordered to come into operation.

AN ORDINANCE *to amend an Ordinance to authorise the collection of Tolls on and for the maintenance of Public Bridges within the Province of Otago.* Title.  
[5TH JANUARY, 1866.]

**W**HEREAS it is expedient to amend the "Bridge Ordinance 1864;" Preamble.  
BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows:—

I. This Ordinance may be cited and referred to as the "Bridge Ordinance 1864 Amendment Ordinance 1865." Short Title.

II. Section IV of the "Bridge Ordinance 1864" is hereby repealed and in lieu thereof it is enacted that it shall be lawful for the Superintendent or the Lessees or Collectors of the Tolls authorised to be collected under the said Ordinance and they are hereby authorised to demand receive and take on or at the side of any Public Bridge or the approaches thereto before any passenger on foot subject to Toll by the said Ordinance and before the horse or other animal carriage or other vehicle in respect of which any Toll shall be payable shall be allowed to pass through any gate or bar erected or to be erected upon across or on the side of such Bridge or on any approach thereto the several Tolls specified in the Schedule hereto annexed subject to the restrictions and exemptions in the said Ordinance mentioned and whenever in the said Ordinance the Tolls specified in the Schedule *annexed thereto* are named such Ordinance shall be construed and read as if the Tolls specified in the Schedule to this Ordinance annexed were named. Section 10 of the "Bridge Ordinance 1864" repealed, and other provisions made in lieu thereof.

III. No Toll shall in any case be taken of or from any child or person going to attend or returning from attending as pupil at any public school. Exemption from Tolls.

IV. This Ordinance shall not come into operation until the first day of February one thousand eight hundred and sixty-six. When ordered to come into operation.

## SCHEDULE.

## MAXIMUM RATE OF TOLL TO BE TAKEN ON PUBLIC BRIDGES.

- (1.) For every foot passenger each time of passing (returning on same day—free)—Threepence.
- (2.) For every horse or other beast drawing any coach chariot landau barouche chaise phaeton curricule car gig or any such like carriage—One Shilling.
- (3.) For every horse or other beast (but two oxen or neat cattle to count as one horse) drawing any waggon wain cart or dray or any such like carriage—Sixpence.
- (4.) For every horse mule or ass laden or unladen and not drawing—Sixpence.
- (5.) For every drove of horses mules or asses unladen and not drawing—for every head—Threepence.
- (6.) For every drove of oxen cows or neat cattle the sum of—Twopence per head.
- (7.) For every drove of calves swine goats sheep or lambs the sum of—One Halfpenny per head.



**TURNPIKES ORDINANCE AMENDMENT  
ORDINANCE, 1865.**

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

SESSION XXI., No. 206.

ANALYSIS:

Title.  
Preamble.  
1. Short Title.

2. Toll not to be taken or levied more than twice on same day.  
3. When ordered to come into operation.

AN ORDINANCE to amend an Ordinance intituled the "*Turnpikes Ordinance Amendment Ordinance 1864.*" Title.  
[5TH JANUARY 1866.]

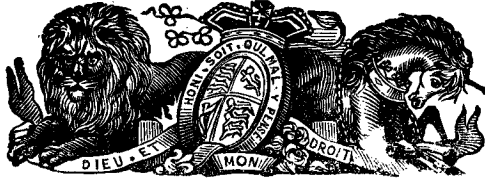
**B**E IT ENACTED by the Superintendent of the Province of Otago with the Preamble.  
advice and consent of the Provincial Council thereof as follows:

I. This Ordinance may be referred to and cited as the "*Turnpikes Ordinance Amendment Ordinance 1865.*" Short Title.

II. Notwithstanding anything in the "*Turnpikes Ordinance Amendment Ordinance 1864*" to the contrary it shall not be lawful to take or levy toll more than twice on the same day (which day shall be computed in manner mentioned in Section five of the said last-mentioned Ordinance) for or in respect of any horse or other animal not drawing or for or in respect of any horse or other animal drawing any carriage or vehicle or in respect of other horses or animals drawing the same carriage or other vehicle as mentioned in said Section five of the said Ordinance. Toll not to be taken or levied more than twice on same day.

III. This Ordinance shall not come into operation until the first day of February one thousand eight hundred and sixty-six. When ordered to come into operation.





## LICENSING ORDINANCE, 1865.

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

SESSION XXI, No. 207.

### ANALYSIS :

#### Title.

#### Preamble.

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. Repeal of "Licensing Ordinance, 1864."</li> <li>2. Not to affect Gold Fields.</li> <li>3. Existing Licenses saved.</li> <li>4. Fines, &amp;c., incurred under repealed Ordinance to be recovered nevertheless.</li> <li>5. No person unless Licensed under this Ordinance to sell fermented or spirituous liquors.</li> <li>6. Kinds of Licenses—their forms and effect.</li> <li>7. License Fees.</li> <li>8. All Licenses except the "Temporary License" shall be in force for one year from the issue thereof.</li> <li>9. Not to be granted to Constables, &amp;c.</li> <li>10. Application for License.</li> <li>11. Licensing District.</li> <li>12. If more than one Court in Licensing District Superintendent to appoint at which Court Licensing Meeting to be held.</li> <li>13. Quarterly Licensing Meeting.</li> <li>14. Clerk to give notice of Meetings.</li> <li>15. No Justice being interested to take part at Meeting.</li> <li>16. Justices to grant certificate authorising issue of License.</li> <li>17. Objections may be made.</li> <li>18. Clerk of Court to send list of persons to whom certificates granted to the Treasurer.</li> <li>19. Certificate to be void if License fee not paid within twenty-one days.</li> <li>20. Proceedings in the event of no quorum.</li> <li>21. Application for Wholesale or Brewers License.</li> <li>22. Holder of a "General License" may obtain a "Temporary License" under certain circumstances.</li> <li>23. Application for "Packet License."</li> <li>24. Method of transferring Licenses.</li> <li>25. Proceedings of objectors.</li> <li>26. Appointees how to be dealt with.</li> <li>27. Certain Licenses not transferable.</li> <li>28. Purchasers of Licensed Premises may obtain temporary transfer of License.</li> <li>29. License may be transferred to other premises.</li> <li>30. Business may be carried on by Executors, &amp;c., in certain cases.</li> <li>31. House having "General License" to contain certain accommodation.</li> </ol> | <ol style="list-style-type: none"> <li>32. Hours of selling.</li> <li>33. None to be sold on Sundays, &amp;c.</li> <li>34. Holder of certain Licenses to have name legibly painted up.</li> <li>35. Lamp to be kept lighted.</li> <li>36. No pledge to be taken, no payment except in money.</li> <li>37. Wages not to be paid on premises.</li> <li>38. Gaming prohibited.</li> <li>39. Billiard and bagatelle tables.</li> <li>40. License to be produced.</li> <li>41. Entrance by day or night.</li> <li>42. What is to be deemed sale of spirits, &amp;c.</li> <li>43. When liquors may be seized.</li> <li>44. One License.</li> <li>45. Forfeiture of License.</li> <li>46. Justices acting when forbidden.</li> <li>47. Selling spirits, &amp;c., without License.</li> <li>48. Licensee offending against Ordinance.</li> <li>49. Penalty for permitting drunkenness.</li> <li>50. Music or dancing not to be permitted without special permission.</li> <li>51. Penalty on refusing to receive travellers.</li> <li>52. Allowing unlicensed persons to sell.</li> <li>53. Adulteration of Liquor.</li> <li>54. Speaker of Legislative Assembly, &amp;c., may authorise sale of liquors in certain cases.</li> <li>55. Superintendent empowered to grant Licenses in certain cases.</li> <li>56. License granted under Gold Fields Acts, to continue in force.</li> <li>57. Proceedings to be taken summarily.</li> <li>58. Appeal.</li> <li>59. Interpretation.</li> <li>60. Standard measure to be used.</li> <li>61. Extension of hours of selling.</li> <li>62. Licensee to be deemed unlicensed, unless he produce his License at hearing.</li> <li>63. Purchaser may prove unlawful sale of liquor to himself.</li> <li>64. Delivery of liquor sufficient <i>prima facie</i> evidence of consideration.</li> <li>65. Penalty on purchaser of liquor from holder of Bottle License, for drinking same on the premises.</li> <li>66. Short Title.</li> </ol> |
|--|---|

SCHEDULES.

Title. AN ORDINANCE to make provision for the Sale of Fermented and Spirituous Liquors and the Granting of Licenses to Sell the same within the Province of Otago. [5TH JANUARY, 1866.]

Preamble.

WHEREAS an Ordinance was passed by the Superintendent and Provincial Council of the Province of Otago Session XIX. No. 162 shortly intituled "The Licensing Ordinance 1864" And whereas it is expedient that the said Ordinance be repealed and that further provision be made for the Sale of Fermented and Spirituous liquors and the granting of Licenses to sell the same within the Province of Otago ;

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

Repeal of "Licensing Ordinance, 1864."

I. From and after the passing of this Ordinance the above recited Ordinance shall be and the same is hereby repealed except in so far as the same repeals any previous Ordinance or Ordinances.

Not to affect Gold Fields.

II. Nothing herein contained shall be construed or held to affect any part of the Province of Otago which is within any proclaimed Gold Field or subject to the "Gold Fields Act 1862" or the "Gold Fields Act Amendment Act 1863" or "The Gold Fields Act Amendment Act 1865" or to persons residing in or upon any such Gold Field but all such Gold Fields shall be excluded from the operation hereof.

Existing Licenses saved.

III. Every License lawfully issued previously to and subsisting at the time of the coming into operation of this Ordinance shall for the purposes of this Ordinance be deemed to be a License under this Ordinance and shall until the time of the expiration thereof but no longer be deemed a License of the the same description under this Ordinance and every certificate granted under the provisions of "The Licensing Ordinance, 1864" by the Resident Magistrates and Justices assembled at any Licensing Meeting which was held on the second Tuesday in the month of December, 1865, authorising the issue of any License under that Ordinance shall entitle the person to whom any such certificate shall have been granted to have issued to him a License under this Ordinance of the description mentioned in such certificate in such one of the forms in the Schedule hereto as may be applicable and the fee payable for any such License shall be the sum herein provided in respect to Licenses of the like description under this Ordinance: Provided that no License shall be issued upon any such certificate unless the sum payable in respect of such License be paid to the Provincial Treasurer within twenty-one days after the passing of this Ordinance and unless such sum be so paid every such certificate in respect of which payment of the License fee shall not be made shall be void.

Fines, &c., incurred under repealed Ordinance to be recovered nevertheless.

IV. All fines and forfeitures incurred under the said "Licensing Ordinance, 1864" may be sued for and recovered under the said Ordinance notwithstanding the repeal thereof and all legal proceedings commenced under the said Ordinance may be completed thereunder notwithstanding the repeal thereof.

No person unless Licensed under this Ordinance to sell fermented or spirituous liquors.

V. No person unless he be duly licensed under this Ordinance shall within the said Province sell any fermented or spirituous liquors or permit or suffer the same to be sold by any other person on his behalf: Provided that no License shall be needed for the sale of any fermented or spirituous liquors as perfumery and not for drinking or for the sale by any chemist druggist or apothecary of spirits as medicine or for the sale of fermented or spirituous liquors at any Military Canteen duly established or hereafter to be established under the regulations of Her Majesty's service nor for any *bona fide* sale at auction by a duly licensed auctioneer.



## LICENSES.

VI. Licenses of the following kind and designated as follows and no other may be granted namely:—“General License” “Bottle License” “Brewer’s License” “Wholesale License” “Temporary License” “General Night License” and “Packet License” and the forms of such Licenses shall be as follows:—

Kinds of Licenses—  
their forms and effect.

1. The “General License” shall be in the form in the Schedule marked A hereunto annexed and shall authorise the holder to sell any fermented or spirituous liquors in any quantity but only in the house or on the premises specified in such License.
2. The “Bottle License” shall be in the form in the Schedule marked B hereunto annexed and shall authorise the holder thereof to sell and dispose of any fermented or spirituous liquors in bottles corked and sealed capsuled or wired of sizes not less than those of which six or twelve are usually reckoned to the gallon and not to be drunk in or upon the house or premises for which such License is granted.
3. The “Brewer’s License” shall be in the form in the Schedule marked C hereunto annexed and shall authorise the holder thereof to sell and deliver any fermented liquor: Provided that not less than five gallons of any one liquor shall be sold or delivered at any one time by virtue of such License.
4. The “Wholesale License” shall be in the form in the Schedule marked D hereunto annexed and shall authorise the holder thereof to sell any fermented or spirituous liquors in any quantity not being less than the quantity hereinafter mentioned: Provided that not less than two gallons of any one liquor shall be sold or delivered at any one time by virtue of such License.
5. The “Temporary License” shall be in the form in the Schedule marked E hereunto annexed and shall authorise the Licensee being also the holder of a “General License” to sell and dispose of any fermented or spirituous liquors in any quantities at any fair races regatta rowing match cricket ground or other place of public amusement for any period not exceeding seven days from the date thereof and subject to such special conditions as the Justices or Resident Magistrate who shall grant such License may attach in each case which they are hereby authorised to do.
6. The “General Night License” shall be in the form in the Schedule marked F hereunto annexed and shall authorise the Licensee being also the holder of a “General License” to keep open his Licensed House till twelve o’clock at night on every day except Sunday.
7. The “Packet License” shall be in the form in the Schedule marked G hereunto annexed and may be granted to the Master or Commander for the time being of any Steam Packet or other vessel therein mentioned being a vessel making passages and carrying passengers from any place within the said Province to any other place within the said Province and such Master or Commander shall thereby be authorised while such Packet or vessel is actually being navigated within any Port or Harbor or on any River or Lake within the limits of the said Province to sell and dispose of any fermented or spirituous liquors on board such Packet or Vessel to any passengers by such Packet or other Vessel: Provided however that nothing in this Ordinance contained shall be construed as prohibiting or rendering penal allowances of liquors to the crew of such Packet or Vessel as aforesaid which shall not otherwise be contrary

to the law in force for the time being: Provided also that such sale shall be under such regulations as may be in force from time to time.

## License Fees.

VII. The annual fees which shall be paid for such Licenses respectively shall be as follows :—

1. For a "General License" twenty pounds.
2. For a "Bottle License" ten pounds.
3. For a "Brewer's License" five pounds.
4. For a "Wholesale License" ten pounds.
5. For a "Temporary License" one pound.
6. For a "General Night License" five pounds.
7. For a "Packet License" ten pounds.

All Licenses except the "Temporary License" shall be in force for one year from the issue thereof.

VIII. All Licenses except "Temporary Licenses" which shall be issued under the authority of this Ordinance between the first Tuesday in December in any year and the last day in March in the year then next following shall be dated on the first day of January in such last-mentioned year and all such Licenses issued at any other time of the year shall be dated on the day on which the same shall be issued and all such Licenses whensoever issued shall have effect on and after the date thereof until the first day of January then next following and the fees payable for such Licenses shall be as follows :

For all Licenses dated on the first day of January in any year the full amount of the before-mentioned License fees respectively.

For all Licenses issued between the last day of March and the first day of July in any year three-fourths of the before-mentioned License fees respectively.

For all Licenses issued between the last day of June and the first day of October in any year one-half of the before-mentioned fees respectively.

For all Licenses issued between the last day of September and the second Tuesday in December in any year one-fourth part of the before-mentioned License fees respectively.

Not to be granted to Constables, &c.

IX. No License shall be granted hereunder or transferred as herein-after mentioned to any Constable Officer of Police or Bailiff nor shall any License be granted or transferred in respect of any house or premises of which any Constable Officer of Police or Bailiff shall be owner or wherein any Constable Police Officer or Bailiff shall be directly or indirectly interested.

## APPLICATIONS FOR LICENSES.

Applications for Licenses.

X. Every person who shall desire to obtain a "General License" a "Bottle License" or a "General Night License" under this Ordinance shall fourteen days at least before any Quarterly Licensing Meeting appointed as hereinafter mentioned deliver in duplicate to the Clerk of the Resident Magistrate's Court or to the Clerk of the Court of Petty Sessions holden nearest the house or premises at which such applicant is desirous of selling Liquors by such License a notice in writing in such one of the forms in Schedule H as shall be applicable (*together with a certificate signed by at least five substantial householders residing within the Licensing District in which such applicant resides in the form in Schedule I hereunto annexed*) of his intention to apply for a certificate for such License and the Clerk of the Court to whom any such notice shall have been given shall cause to be

affixed on or before the twelfth day before the Licensing Meeting a list of the names of the applicants with their places of abode together with the names of those persons signing their certificates and a description of the license applied for on some conspicuous places both on the inside and the outside of the Court-house there to remain until the day whereupon the Licensing Meeting hereinafter mentioned shall be held: Provided always that the Court to the Clerk of which the said notice is to be given shall be a Court held within the Licensing District in which such house or premises are situate notwithstanding that there may be a Resident Magistrate's Court or Court of Petty Sessions held nearer to such house or premises in a different Licensing District.

#### LICENSING DISTRICTS.

XI. The Superintendent of Otago as soon after the coming into operation of this Ordinance as conveniently may be shall for the purposes of this Ordinance divide the settled portions of the said Province into such and so many Districts as he may think fit to be called Licensing Districts and when and so soon as such division shall have been made the Superintendent shall by Proclamation published in the *Government Gazette* of the said Province declare such Districts and by such Proclamation define the boundaries thereof and it shall be lawful for him from time to time as he shall think fit by Proclamation published as aforesaid to vary or alter such Districts and the boundaries thereof: Provided always that any portion of the said Province beyond the settled Districts of the Province or not comprehended within the limits of any District proclaimed as aforesaid shall nevertheless be deemed to be comprehended within the limits of the Licensing District nearest thereto until it shall be otherwise regulated by Proclamation as aforesaid: Provided also that until any such Proclamation shall have been made the divisions already made and the Districts already declared under the provisions of the Licensing Ordinance 1864 shall continue and be deemed the Licensing Districts for the purposes of this Ordinance notwithstanding the repeal of the said Ordinance.

#### LICENSING MEETINGS AND PROCEDURE.

XII. If at any time there shall be more than one Resident Magistrate's Court or more than one Court of Petty Sessions usually holden within any Licensing District or if there shall be a Resident Magistrate's Court and also a Court of Petty Sessions usually holden in the same Licensing District the Superintendent shall by Proclamation published in the said *Gazette* fix and appoint at which of the Courts within the Licensing District the Quarterly Licensing Meetings hereafter mentioned shall be held and when the Superintendent shall have once fixed the Court at which the Meetings shall be held the Quarterly Meetings shall be continued to be held there until the Superintendent shall otherwise by like Proclamation direct and it shall be the duty of the Clerks of Resident Magistrate's Courts and Courts of Petty Sessions to transmit not later than seven days before the Licensing Meeting for their District next ensuing the receipt thereof to the Clerk of the Court at which the Licensing Meeting for their Licensing District is to be held all notices of applications for licenses or transfers thereof they may have received since the previous Licensing Meeting.

XIII. On the first Tuesday at noon in the months of December March June and September in each year there shall be holden in each Licensing District a Meeting of all the Resident Magistrates appointed to hold Courts in the Licensing District and all Justices who act and usually reside in such Licensing District to be called the Quarterly Licensing Meeting for the purpose of taking into consideration all applications for such licenses as aforesaid and the transfer or renewal or removal of such licenses of which due notice shall have been given to the Clerk of any Resident Magistrate's Court or to the Clerk of any Court of Petty Sessions within the Licensing

District two of such Justices of whom one shall be a Resident Magistrate appointed to hold a Court within the Licensing District or in case of no Resident Magistrate being present then any three such Justices as aforesaid shall form a quorum: Provided that it shall be lawful for the Justices forming such meeting being a quorum or the majority of them to adjourn the consideration of any of the applications before them from the day of such Meeting to such other day or days as the said Justices shall from time to time agree upon but not exceeding in the whole fourteen days from the day appointed for the Meeting.

Clerk to give notice of Meetings.

XIV. The Clerk of the Court in every Licensing District at which any Licensing Meeting is to be held shall one calendar month at least before the holding of each Quarterly Licensing Meeting cause a notice of such Meeting to be affixed to the outer door of every Court House within the Licensing District and shall also give notice to the Superintendent who shall cause an advertisement of the holding of such Licensing Meeting to be inserted in the *Provincial Government Gazette* fourteen days at the least before the day fixed for the holding of such Meeting.

No Justice being interested to take part at Meeting.

XV. No Justice who is a common brewer wine merchant malster distiller or dealer in liquor or who is in partnership with any such person or is owner either in fee or for any lesser estate of any licensed house or of any legal or equitable mortgage thereof shall take part in any discussion of or adjudication upon any application for any such certificate or for the transfer or forfeiture of any license.

Justices to grant certificate authorising issue of License.

XVI. It shall be lawful for the Resident Magistrates and Justices assembled at such Meeting to grant to such persons as shall be approved of by the majority of them certificates authorising such licenses to be issued which certificates shall be in the form in Schedule K hereto annexed.

Objections may be made.

XVII. Any Justice of the Peace Chairman of a City or Municipal Council Chief Officer of Police or owner or occupier of property in the neighborhood of the house for which such license is applied for may object to the issue of such certificate by giving notice of his objection in writing to the Clerk to the Bench and to the applicant at least three clear days before the licensing meeting at which the application is to be heard and such notice shall set forth the grounds of objection and it shall be the duty of such Justices to hear and determine any such objections and it shall be lawful for such Justices in the event of such objections being deemed frivolous or vexatious to direct that the applicant shall be paid such costs by the person or persons so objecting as they may consider reasonable and fair not exceeding three pounds which costs may be recovered in a summary way.

Clerk of Court to send list of persons to whom certificates granted to the Treasurer.

XVIII. The Clerk of the Court at which any such meeting shall have been held shall within fourteen days after such meeting transmit to the Provincial Treasurer a list signed by two at least of the Justices who attended the meeting specifying the names and residences of all the persons to whom such certificates as aforesaid shall have been granted.

Certificate to be void if License fee not paid within twenty-one days.

XIX. Every such certificate shall be void unless the sum to be paid for such license as hereinbefore provided be paid to the Provincial Treasurer within twenty-one days after the granting of such certificate: And the Provincial Treasurer shall after the receipt of such list issue a license in one or other of the forms herein prescribed according to the terms of each such certificate upon payment being made to him within the said period of twenty one days of the proper fee for such license.

Proceedings in the event of no quorum.

XX. If there shall not be a quorum in attendance at any such Quarterly Licensing Meeting any Resident Magistrate appointed to and usually holding

a Court within the Licensing District for which the Licensing Meeting should have been held or any Justice of the Peace who attended at the place of meeting shall forthwith signify to the Superintendent of the Province that no meeting was held from want of the necessary number of Justices and it shall then be lawful for the said Superintendent with the advice and consent of the Executive Council to perform all acts in granting and transferring licenses and otherwise which the Justices in any such quarterly meeting assembled are empowered to perform under the authority of this Ordinance.

#### APPLICATION FOR A WHOLESALE OR A BREWER'S LICENSE.

XXI. Any person who shall desire to obtain a "Wholesale License" or a "Brewer's License" may apply at any time to any Resident Magistrate acting in and for the Licensing District in which the house or premises at or in which the applicant is desirous of carrying on business under such license is situate for a certificate authorising the issue to such person of a license in one of the forms in the Schedule hereto annexed marked respectively C and D which certificate such Resident Magistrate may if he thinks fit grant to such applicant in the form specified in the said Schedule hereto annexed marked N: And upon the production of such certificate and payment of a fee of ten pounds for a Wholesale License and five pounds for a Brewer's License the Provincial Treasurer shall grant to such applicant a license in one or other of the said forms marked C and D according to the terms of such certificate.

Application for Wholesale or Brewer's License.

#### APPLICATION, &C., FOR TEMPORARY LICENSE.

XXII. Any person being the holder of a "General License" who may be desirous of obtaining a "Temporary License" may make application for the same at any time either personally or by attorney or counsel to any Resident Magistrate or two or more Justices of the Peace resident in the Licensing District within which the house or premises are situate in respect of which such person holds such "General License" and if such Resident Magistrate or such Justices think fit they may grant such "Temporary License" to the applicant which shall be in the form in the Schedule marked R hereunto annexed and the Clerk of the Court at which such License is granted shall forthwith forward such license to the Provincial Treasurer who shall upon payment of the fee of one pound issue such license to the applicant: Provided always that the Resident Magistrate or Justices granting such "Temporary License" may to such "Temporary License" attach such conditions as he or they may think fit.

Holder of a "General License" may obtain a "Temporary License" under certain circumstances.

#### APPLICATIONS, &C., FOR PACKET LICENSE.

XXIII. The application for a "Packet License" shall as to vessels plying into or from the Harbor of Otago be made to the Resident Magistrate or to any Court of Petty Sessions in the City of Dunedin and in other cases the application shall be made to any Resident Magistrate or to two or more Justices holding a Court at the town or place of arrival or departure of such packet or vessel: Provided that such application may be made at any time after giving seven days' notice of application and need not be made at any Quarterly Licensing Meeting and shall be made in the form contained in the Schedule hereunto annexed marked L and if such application be granted the Resident Magistrates or Justices shall then give to the applicant a certificate in the form specified in the Schedule hereunto annexed marked M authorising the Provincial Treasurer to issue to him such "Packet License" and the Clerk of the Court shall forthwith after any such certificate has been granted notify the same to the Provincial Treasurer.

Application for "Packet License."

#### TRANSFERS OF LICENSES.

XXIV. If any holder of a license except a "Wholesale License" a "Temporary License" a "Brewer's License" or a "Packet License" shall desire to transfer his license to any other person he shall deliver in duplicate

Method of transferring Licenses.

a notice in writing in the form in the Schedule hereto annexed marked O to the Clerk of the nearest Resident Magistrate's Court or the nearest Court of Petty Sessions held within the Licensing District within which the house or premises in respect of which the license is held is or are situate and such Clerk shall cause one of such notices to be posted up in the same manner as is hereinbefore directed in respect to the application for granting a License and such application for transfer of licenses shall be heard at the usual Quarterly Licensing Meeting.

Proceedings of objectors.

XXV. It shall be lawful for any such person as mentioned in Section XVII who shall have given notice in the form and manner required by that section to object to the grant of a certificate of transfer to any applicant and the Justices present shall have the same powers of hearing and determining such objections and ordering payment of costs by the objector to the applicant and to a like amount in case they shall deem the objections frivolous or vexatious as are given to the Justices at the hearing of applications for licenses in Section XVII.

Appointees how to be dealt with.

XXVI. The majority of the Justices assembled at such Quarterly Licensing Meeting may transfer any license (except as aforesaid) to the appointee of the holder of such license (if such appointee be approved of by them) by an endorsement upon the license in the form in the Schedule marked P hereunto annexed and thereupon the transferee shall instead of such original holder possess all the rights and shall be subject and liable to the same duties obligations and penalties as if such license had been originally granted to him.

Certain Licenses not transferable.

XXVII. No Wholesale Brewer's or Temporary License shall be transferable.

Purchasers of Licensed Premises may obtain temporary transfer of License.

XXVIII. Any person being the holder of a license under this Ordinance (except as last aforesaid) who shall during the currency thereof sell or assign his house or store in respect of which such license was granted may make written application to any Resident Magistrate or any two Justices of the Peace resident in the Licensing District within which the house or store is situate in respect of which such person holds such license in the form in the Schedule hereunto annexed marked Q for a temporary transfer of such license to the person named in such notice at any time after he shall have delivered the notice mentioned in Section XXIV of this Ordinance in manner therein directed and if such Resident Magistrate or such Justices think fit he or they may at once upon production of a receipt for the payment by the applicant of a fee of one pound to the Provincial Treasurer by a memorandum under his or their hand or hands indorsed upon the original license in the form in the Schedule marked R hereunto annexed grant such temporary transfer of such license accordingly: And the effect thereof shall be to authorise the person named in such memorandum to carry on the business specified in such license at the house or store in respect of which the same is held until the next Quarterly Licensing Meeting after such temporary transfer shall have been granted and no longer.

License may be transferred to other premises.

XXIX. In case any person holding a license under this Ordinance shall be desirous of removing his business from the house named in such license to any other house in the same district he shall deliver in duplicate a notice in writing in the form of Schedule S hereunto annexed to the Clerk of the Resident Magistrate's Court or of the Court of Petty Sessions of such district as the case may be and such Clerk shall cause one of such notices to be posted up in manner hereinbefore directed in respect to the applications mentioned in Section X of this Ordinance and it shall be lawful for a Resident Magistrate or any two Justices of the Peace resident in the district at the next Quarterly Licensing Meeting to be held after the delivery of such notice to authorise such removal forthwith by an endorsement upon the original license in the form of Schedule T hereunto annexed: Provided nevertheless that objections may be made in manner provided in Section XVII of this

Ordinance and dealt with as therein mentioned: Provided also that before such endorsement shall be made the applicant shall pay to the Provincial Treasurer a fee of two pounds for such transfer.

XXX. In case of the decease or insolvency of a holder of a license his executor or administrator or assignee trustee or other legal representative may by an agent specially authorised in writing by any one Justice for that purpose carry on the business of the person so licensed without any renewal or formal transfer for three months from the date of such decease or insolvency if the license has so long to run: Provided that such agent shall be subject to the same obligations as the licensee and in case of the decease of any such licensee his widow or if he shall not have left a widow any member of his family or any person on behalf of such family may carry on the business of dealing in fermented and spirituous liquor for a period of not exceeding one month from his death provided that probate of his last will and testament or letters of administration of his effects shall not be sooner granted and every license under this Ordinance shall confer upon the executor or administrator the same privileges and (if such executor avails himself of such privileges) shall impose on him the same duties obligations and liabilities as if such license had been granted to him originally.

Business may be carried on by Executors, &c., in certain cases.

#### GENERAL PROVISIONS.

XXXI. Every House for which a "General License" shall be granted shall from the time of granting the same contain over and above the apartments used and occupied by the holder of the license or his family at least two moderate-sized sitting-rooms and two sleeping-rooms constantly ready and fit for public accommodation and shall be provided with a decent privy or water-closet and an urinal on or near the premises for the use of the customers thereof so as to prevent nuisances and offences against decency and shall also during the continuance of such license be provided with stabling sufficient for four horses at least and with a sufficient supply of wholesome and usual provender for the same: Provided that the Justices granting a certificate for any such license within Dunedin and its suburbs may by an endorsement thereon in writing dispense with the said accommodation for horses either wholly or in part as they may think fit.

House having "General License" to contain certain accommodation.

XXXII. No person holding a license under this Ordinance shall sell or supply any fermented or spirituous liquor or suffer the same to be drunk in or upon his house or premises except between the hours of six in the morning and ten at night on any working day except in cases where a "General Night License" is also held and at all other hours such house and premises shall be closed unless the time for closing the same be extended by a Resident Magistrate as herein provided.

Hours of selling.

XXXIII. It shall not be lawful for any person holding a license under this Ordinance to sell or supply any fermented or spirituous liquors or to suffer the same to be drunk in or upon his house or premises upon any Sunday: Provided always that in any licensed house which shall be an hotel or house of accommodation for travellers it shall be lawful at any time to supply such liquors to any persons who shall be *bona fide* lodgers in such house having a bed provided for them therein or who shall be *bona fide* travellers.

None to be sold on Sundays, &c.

XXXIV. Every holder of a "General License" shall have his name in full in legible letters at least two inches long with the words "Licensed to retail fermented and spirituous liquors" painted and constantly remaining and plainly to be seen and read on a conspicuous front outside part of his house or premises: And every holder of a "Bottle License" shall have his name with the words "Licensed to retail liquors by the bottle" painted in like manner and on such part as aforesaid of his house or premises.

Holder of certain Licenses to have name, &c. legibly painted up.

XXXV. Every holder of a "General License" shall keep a lamp affixed over the principal entrance door of his house or within twenty feet thereof

Lamp to be kept lighted.

which lamp shall be kept burning the whole of each and every night from sunset to sunrise.

No pledge to be taken  
—no payment except  
in money.

XXXVI. No person holding a General a Bottle a Temporary or a Packet License shall take anything whatsoever in pledge for any liquor sold or supplied nor shall any such person take in payment for the same anything whatever except metallic or paper money or a cheque or order for payment of money.

Wages not to be paid  
on premises.

XXXVII. No person holding a General or a Bottle License shall permit any wages to be paid in or upon his house or premises save only the wages of persons employed as servants therein.

Gaming prohibited.

XXXVIII. No person holding a General License or a Bottle License shall permit or suffer gambling or playing at any game of chance in or upon his house or premises.

Billiard and bagatelle  
tables.

XXXIX. No holder of a General License or a Bottle License shall permit or suffer the game of billiards or bagatelle to be played in his house in respect of which such General License or Bottle License is held nor shall any bagatelle or billiard table be or be kept therein unless a special permission in writing has been obtained from a Resident Magistrate or two or more Justices having jurisdiction within the Licensing District within which the house is situate and for which permission the annual fee of ten shillings for each bagatelle table and five pounds for each billiard table shall be paid to the Provincial Treasurer: Provided that no such game shall be played in such licensed house on Sunday or on any day on which by this Ordinance the licensed house is forbidden to be kept open and no such games shall be played therein except during such hours as the house is permitted to be kept open for the sale of liquors: Provided also that no registration under the "Town and Country Police Ordinance 1862" shall be necessary for any house licensed under this Ordinance nor shall such registration entitle the owner of a license under this Ordinance to allow such tables as aforesaid to be kept in his licensed house or to allow such games to be played therein.

License to be pro-  
duced.

XL. Every person holding any license under this Ordinance shall on demand at his licensed house or on his packet or vessel produce his license to any Justice of the Peace or any Constable duly authorised by writing under the hand of any Justice of the Peace to demand the same.

Entrance by day or  
night.

XLI. Any Justice of the Peace Commissioner Inspector or Sub-Inspector of Police or Police Constable may demand entrance from time to time into any licensed house by day or night and any unnecessary delay in giving admission to any such person as aforesaid may upon hearing of the case by any Magistrate or Justices subject the party to the penalties herein contained.

What is to be deemed  
sale of spirits, &c.

XLII. If any person not being duly licensed under this Ordinance shall sell or permit to be sold in or upon his house or premises or elsewhere any bread meat or other thing whatsoever and shall supply or permit any other person to supply to the person buying such bread meat or other things whatsoever any fermented or spirituous liquor the person so supplying or wilfully or knowingly or negligently permitting any unlicensed person to supply such fermented or spirituous liquors in his said house or premises shall be deemed and adjudged to have sold such fermented or spirituous liquor within the meaning and contrary to the provisions of this Ordinance.

When liquors may be  
seized.

XLIII. It shall be lawful for any Justice of the Peace Police Officer or Constable to seize and take away or cause to be seized and taken away and to convey or cause to be conveyed to the nearest police station all such fermented or spirituous liquor as he or they shall have reasonable cause to suspect to be carried about or exposed for sale in any street road or footpath or in any booth tent store or shed or in any other place whatever by any person not



licensed or authorised to sell the same in such place and the vessels containing the same and it shall be lawful for any one or more Justice or Justices of the Peace in a summary way on his or their own view or on confession of the party or on proof of such offence by the oath of one or more credible witness or witnesses to convict any person so offending of carrying about for or exposing for sale such liquors without a license and on conviction such person shall forfeit and pay any sum not exceeding fifty pounds and it shall be lawful for the convicting Justice or Justices to adjudge such liquors and the vessels and utensils containing the same to be forfeited and to order and direct the same to be sold and the proceeds thereof after deducting the expenses of sale shall be applied as penalties for offences recovered on summary conviction are now by law applied or it shall be lawful for such convicting Justice or Justices in his or their discretion to direct that such liquor vessels and utensils so adjudged to be forfeited shall be destroyed: Provided always that in all cases when fermented or spirituous liquors shall be carried from one place to another the burden of proving that such fermented or spirituous liquors were not so carried for sale or exposed to sale shall be cast upon the party or parties so carrying or exposing them.

XLIV. No person shall hold more than one license of any kind except One License. as hereinbefore provided.

XLV. If any person licensed under this Ordinance shall be convicted of Forfeiture of License. felony or misdemeanor in any Criminal Court and sentenced to transportation or imprisonment or being the holder of a General License shall abandon the occupation of his or her licensed house under such "General License" as his or her usual place of residence for more than three consecutive days except by permission of a Resident Magistrate as hereinafter provided or shall permit any person whomsoever to manage superintend or conduct the business of such house or shall whether residing in such house or not permit any unlicensed person to become virtually or in effect the keeper thereof then or in either of the said cases upon complaint thereof in open Court and proof of the fact to the satisfaction of any Resident Magistrate or two or more Justices of the Peace having jurisdiction within the Licensing District in which such house or premises are situate the license of such house shall become and be absolutely void and such house or place shall thenceforth be held to be unlicensed.

XLVI. If any Justice of the Peace hereinbefore forbidden to act at any Quarterly Licensing Meeting shall act at any such meeting or at any meeting for the granting or transfer or removal of licenses he shall forfeit and pay a penalty not exceeding fifty pounds. Justices acting when forbidden.

XLVII. If any person or persons not being duly licensed under this Ordinance shall sell any fermented or spirituous liquor or shall knowingly or negligently permit or suffer the same to be sold or delivered by any unlicensed person in or upon his house or premises he shall forfeit and pay for every such offence a sum not exceeding fifty pounds: And it is expressly declared that any person not being duly licensed under this Ordinance who shall sell any ale beer or other fermented liquor brewed or manufactured by himself or shall permit or suffer the same to be sold on the house or premises occupied by him whether it be delivered there or at any other place whatsoever shall be deemed to have incurred the penalty herein provided and shall forfeit and pay a like penalty not exceeding fifty pounds for every such offence. Selling spirits, &c., without License.

XLVIII. If any person holding a license under this Ordinance shall offend against any of the provisions of this Ordinance except those provisions in or as to which a particular penalty is specified he shall on conviction of every such offence forfeit and pay any sum not less than one shilling nor more than twenty pounds. Licensee offending against Ordinance.

XLIX. No person holding a license under this Ordinance shall in his house or on the premises appertaining thereto or in the booth packet vessel Penalty for permitting drunkenness.

or other place in respect of which the license is granted permit any person to become drunk or shall supply or permit any fermented or spirituous liquors to be supplied or given to any person in a state of intoxication or shall permit such person (not being a lodger guest or inmate thereof) to remain in or upon his house or premises or other places as aforesaid and any such licensed person so doing shall on conviction of any such offence forfeit and pay for each offence any sum not exceeding five pounds.

Music or dancing not to be permitted without special permission.

L. It shall not be lawful for the holder of any license to permit music or dancing in any part of his licensed house which is open to public resort unless by the permission in writing of the Resident Magistrate of the District or two or more Justices of the Peace residing within the Licensing District in which the house is situate which permission may be revoked at any time by such Resident Magistrate or any two or more Justices of the Peace residing as aforesaid whether the same Justices or not: And every such holder of a license offending against this enactment shall be liable to a penalty not exceeding ten pounds.

Penalty on refusing to receive travellers.

LI. No holder of a general license upon any line of road or public way in the Province shall if there be accommodation in his licensed house refuse to receive any traveller as a guest into his house or to supply him with food or lodging or to receive his horse or horses or to provide any such horse with sufficient provender whether the owner lodge in his house or not unless the traveller be intoxicated or a known disreputable person: And every such holder offending against this enactment shall for each such offence be liable to a penalty not exceeding ten pounds.

Allowing unlicensed persons to sell.

LII. Every holder of any license under this Ordinance who shall employ any unlicensed person to sell any fermented or spirituous liquors in any house or premises cart carriage vessel boat or other place whatsoever out of the house or place in which such licensed person is authorised to sell the same by his License or in such last-mentioned house or place otherwise than as the servant or agent and for the use and benefit of and answerable and accountable to such holder shall for every such offence be liable to pay a penalty not exceeding twenty pounds.

Adulteration of Liquor.

LIII. If any person licensed under this Ordinance shall sell or offer for sale any adulterated liquor he shall forfeit and pay for every such offence any sum not less than ten pounds nor more than fifty pounds and in order to analyse such liquor any Justice of the Peace may on complaint on oath made to him that any liquor so sold or offered for sale is or is believed by such complainant to be adulterated and on the deposit by such complainant of the sum of two pounds to defray the expenses of such analysis authorise the seizure of such suspected liquor and of the cask bottle vessel or utensil in which the same is contained and shall cause such liquor to be analysed by some competent person and the expenses of such analysis shall be a portion of the costs which the person convicted of any such offence shall be ordered to pay.

Speaker of Legislative Assembly, &c., may authorise sale of liquors in certain cases.

LIV. Provided always and it is hereby expressly declared that nothing in this Ordinance contained shall extend to render any person liable to the penalties herein mentioned who shall under the written authority of the Speaker of the Legislative Council or of the Speaker of the House of Representatives in the General Assembly sell fermented or spirituous liquors within any building in the Province of Otago used for the purposes of the meeting of the General Assembly of New Zealand or to render liable to forfeiture any liquors exposed to sale by any such person within any such building nor shall anything herein contained extend to render any person liable to the penalties herein mentioned who shall under the written authority of the Speaker of the Provincial Council of Otago sell fermented or spirituous liquor within any building used for the purpose of the meeting of the said Provincial Council or to render liable to forfeiture any liquor exposed for sale by any such person within any such building as last mentioned.

LV. Notwithstanding anything in this Ordinance contained it shall be lawful for the Superintendent with the advice and consent of the Executive Council to license for the sale of spirituous and fermented liquors the owners or occupiers of any house situate in remote or thinly-peopled districts at such times and in such manner upon such terms and conditions and either with or without any annual payment as to the Superintendent in Council may seem meet: Provided that no person shall be licensed by the Superintendent as aforesaid if his house be within fifteen miles of any house licensed under the other provisions of this Ordinance nor unless it shall appear to the Superintendent in Council that there is need of a house for the accommodation of travellers at the spot where such house is situate.

Superintendent empowered to grant Licenses in certain cases.

LVI. If the land on which any house or premises are or hereafter may be erected and in respect of which house or premises any license has been or hereafter shall be granted under the "Gold Fields Act 1862" the "Gold Fields Act 1863" or the "Gold Fields Act Amendment Act 1865" or any other act of the General Assembly of New Zealand which may hereafter be passed for the management of the Gold Fields in the Province of Otago for the sale of fermented or spirituous liquors should after the granting and during the existence and currency of such license be withdrawn from the operation of the said Acts so that such license would except for the provision herein contained cease and be of no effect then and in every such case such license shall be deemed to be a license under this Ordinance and the licensee shall have the same rights and privileges and be subject to the same liabilities under this Ordinance as such licensee would have had and would have been subject to had such license been originally granted under this Ordinance: Provided however that such license shall expire and cease at the period at which it would have ceased and expired had the land house and premises in respect of which such license had been granted continued to be within the Gold Fields of Otago and to be subject to the operation of the said "Gold Fields Act 1862" and the "Gold Fields Act 1863" or the "Gold Fields Acts Amendment Act 1865" and such other Acts as aforesaid; Provided also that before such license shall be deemed to be a license under this Ordinance so as to vest in the licensee any of the rights or privileges of a license hereunder he shall cause such license to be produced before the Chief Warden of the Gold Field in which such house and premises were situate if there be a Chief Warden or if not then before any other Warden of such Gold Field and shall obtain from such Chief Warden or other Warden a certificate in writing that such license has not been forfeited and that in his judgment the holder thereof is a fit person to be licensed hereunder and such Warden shall in his certificate describe in general terms the rights and privileges of the holder of such license the licensee shall then cause such license and certificate to be produced before the Provincial Treasurer of Otago who is hereby authorised to indorse on such license the name or designation of such one of the licenses under this Ordinance as would if granted confer on the licensee rights and privileges and impose liabilities corresponding as nearly as may be in his judgment with those rights and privileges which were conferred and those liabilities which were imposed by the license held by such person under the Gold Fields Act: And on such indorsement being made such license shall be deemed to be a license under this Ordinance of that kind of which the name has been indorsed.

License granted under Gold Fields Acts to continue in force.

LVII. All proceedings for offences against the provisions of this Ordinance shall be had and taken in a summary way and all fines and penalties hereby imposed shall be recovered in the manner directed by the Act of the Imperial Legislature intituled the "Summary Convictions Act 1848" and the Act of the General Assembly intituled the "Justices of the Peace Act 1858."

Proceeding to be taken summarily.

LVIII. Any person who shall feel himself aggrieved by the judgment of any Resident Magistrate or any Justice or Justices adjudicating or before whom he was convicted may appeal from any such judgment or conviction

Appeal.

in manner prescribed by an Act of the General Assembly of New Zealand passed in the twenty-fourth year of the reign of her present Majesty intituled "An Act to improve the administration of the Law as far as respects summary proceedings before Justices of the Peace."

## Interpretation.

LIX. In the construction of this Ordinance wherever in describing or referring to any person or thing any word importing the singular number or masculine gender is used the same shall be understood to include and shall be applied to several persons and things as well as one person and thing and females as well as males and wherever the following words are used in this Ordinance (unless when the contrary appears from the context) the meaning hereby assigned to them respectively shall be deemed and taken to be the meaning thereof: "Brewer" shall mean any maker of fermented malt liquor or any fermented liquor made from sugar or other saccharine matter and termed beer ale or porter for sale and shall include every vendor of fermented liquors made in the Province of Otago in quantities of not less than five gallons: "Liquor" shall mean any wine spirits ale cider perry or other fermented liquor of an intoxicating nature: "Spirituous liquors" shall mean any liquors exceeding in strength 26 per cent. of proof spirit: "Adulterated Liquor" shall mean any liquor mixed with or containing any deleterious liquid compound substance matter or thing whatsoever.

## Standard measure to be used.

LX. Every licensed person shall sell or otherwise dispose of all liquors (except such as may be sold in bottle) in vessels sized to full imperial measure according to the standard which is by law established in this Colony and in default thereof shall for every such offence on conviction forfeit and pay any sum not exceeding five pounds.

## Extension of hours of selling.

LXI. Any Resident Magistrate may by writing under his hand grant to any holder of a General License leave to absent himself from his licensed house for such period as such Resident Magistrate may think proper and may also on special occasions upon application of any holder of a license grant him permission to extend the hour of closing his licensed premises: In each and every such case the Clerk of the Court shall give notice to the Commissioner of Police of the leave of absence or permission so granted.

## Licensee to be deemed unlicensed unless he produce his License hearing.

LXII. In all proceedings against any person for selling or allowing to be sold any liquor without a license such person shall be deemed to be unlicensed unless he shall at the hearing of the case produce his license.

## Purchaser may prove unlawful sale of liquor to himself.

LXIII. The unlawful sale of liquor may be proved by any person although he may himself have purchased the same and such proof shall be sufficient to support a conviction for such offence and shall be held as such sufficient proof by any Court upon any appeal upon such conviction.

## Delivery of liquor sufficient prima facie evidence of consideration.

LXIV. The delivery of any liquor either by the owner or occupier or by his or her servant or other person in the house or place shall be deemed to be sufficient *prima facie* evidence of money or other consideration given for such liquor so as to support a conviction unless proof to the contrary be given to the satisfaction of the Court.

## Penalty on purchaser of liquor from holder of Bottle License, for drinking same on the premises.

LXV. If any purchaser of any liquor from any person holding a Bottle License shall drink such liquor in the house or premises described in such license he shall forfeit and pay a penalty of not less than ten nor more than forty shillings and any person so offending may be apprehended by any police officer without warrant.

## Short Title.

LXVI. This Ordinance may be cited and referred to as the "Licensing Ordinance 1865."

## SCHEDULES.

## SCHEDULE A.

*Form of General License.*

Otago, New Zealand, }  
to wit.

WHEREAS A. B. of hath deposited in this office a certificate dated the  
day of 18 authorising the issue to the said A. B. of a License for the house known  
(*or to be known*) by the sign of situate at in the Province of Otago, in the  
Colony of New Zealand: And whereas the said A. B. hath paid into my office the sum of twenty pounds sterling  
as the Fee on such License pursuant to the provisions of "The Licensing Ordinance, 1865:" Now I, the  
Provincial Treasurer by virtue of the powers vested in me by the said Ordinance, do hereby License  
the said A. B. to sell any fermented or spirituous liquors in any quantity in the house aforesaid and in the  
appurtenances thereunto belonging, but not elsewhere. And this License shall commence on the day  
of and shall continue in force until the thirty-first day of December next, both days inclusive.

Given under my hand at this day of one thousand  
eight hundred and

## SCHEDULE B.

*Form of Bottle License.*

Otago, New Zealand, }  
to wit.

WHEREAS A. B. of hath deposited in this office a certificate dated the  
day of 18 authorising the issue to the said A. B. of a "Bottle License:" And whereas the said  
A. B. hath paid into my office the sum of ten pounds sterling, as the Fee on this License, pursuant to the  
provisions of the "Licensing Ordinance, 1865:" Now I, the Provincial Treasurer, by virtue of the powers  
vested in me by this Ordinance, do hereby license the said A. B. to sell any Fermented and Spirituous Liquors, in  
bottles corked and sealed, capsuled or wired, of sizes not less than those of which six or twelve are usually  
reckoned to the gallon (not to be drunk in or upon the house *or store* and premises licensed) in his house (*or store*)  
situate in the Province of Otago aforesaid, and on the premises thereunto appertaining, but not  
elsewhere. And this License shall commence on the day of and shall  
continue in force until the thirty-first day of December next, both days inclusive.

Given under my hand at this day of one thousand  
eight hundred and

## SCHEDULE C.

*Form of Brewer's License.*

Otago, New Zealand, }  
to wit.

WHEREAS A. B., of hath deposited in this office a certificate  
dated the day of authorising the issue to the said  
A. B. of a Brewer's License to Sell Fermented Liquors: And whereas the said A. B. hath paid into my  
office the sum of five pounds sterling as the fee on such License, pursuant to the provisions of the  
"Licensing Ordinance, 1865:" Now I, the Provincial Treasurer, by virtue of the powers vested in me  
by the above recited Ordinance, do hereby License the said A. B. to sell any Fermented Liquors in any quantity  
not being less than five gallons. Provided that the quantity sold at any one time shall not be less than five gallons  
of any one liquor. And this License shall commence on the day of  
and shall continue in force until the thirty-first day of December next, both days inclusive.

Given under my hand at this day of one thousand  
eight hundred and

## SCHEDULE D.

*Form for a Wholesale License.*

Otago, New Zealand, }  
to wit.

WHEREAS A. B., of hath deposited in this office a certificate  
dated the day of authorising the issue to the said  
A. B. of a "Wholesale License" to sell Fermented and Spirituous Liquors: And whereas the said A. B.  
hath paid into my office the sum of ten pounds sterling, as the fee on such License, pursuant to the provisions  
of the "Licensing Ordinance, 1865:" Now I, the Provincial Treasurer, by virtue of the powers vested in me  
by the above recited Ordinance, do hereby License the said A. B. to sell any Fermented and Spirituous Liquors in  
any quantity, not being less than two gallons of any one liquor: Provided that the quantity sold at any one time  
shall not be less than two gallons. And this License shall commence on the day  
of and shall continue in force until the thirty-first day of December next, both days  
inclusive.

Given under my hand at this day of one thousand  
eight hundred and

## SCHEDULE E.

*Form of Temporary License.*

Otago, New Zealand, }  
to wit.

**B**E it remembered that A. B., holding a General License for (*describe the house, place, or district for which the same is granted*) having applied to me (*or us*) on the day of for authority to exercise the privileges of the said License (*describe the place of amusement where*) to be holden at on the day of and having paid the sum of one pound sterling as the fee on such License: Now I (*or we*) do hereby grant authority to and do license the said A. B. to exercise the said License at the said (*place of amusement*) on the said day of and for and during days thereafter between the hours of in the morning, and in the evening: Provided that (*here set out any special conditions the Justices have attached in the particular case*).

Given under my (*or our*) hand the day and year first aforesaid.

C. D.—R. M.

## SCHEDULE F.

*Form of General Night License.*

Otago, New Zealand, }  
to wit.

**W**HEREAS A. B., of dated the day of hath deposited in this office a certificate, authorising the issue to the said A. B., of a "General Night License:" And whereas the said A. B. hath paid into this office the sum of five pounds sterling as the fee on such License, pursuant to the provisions of the "Licensing Ordinance, 1865:" And whereas the said A. B. is the holder of a "General License" under the said Ordinance: Now I, the Provincial Treasurer, by virtue of the powers vested in me by the above recited Ordinance, do hereby License the said A. B. to keep his licensed house, called or known as the situate at open until twelve o'clock at night on any day except Sunday. And this License shall commence from the day of and shall continue in force until the thirty-first day of December next, both days inclusive.

Given under my hand at this day of one thousand eight hundred and

## SCHEDULE G.

*Form of Packet License.*

Otago, New Zealand, }  
to wit.

**W**HEREAS A. B., being the master (*or commander*) of the Steam Packet named (*or if any other kind of vessel describe it*) conveying passengers between (*name the place*) and (*name the place*) being placed within the Province of Otago, hath deposited in this office a certificate dated the day of authorising the issue to the said A. B. of a "Packet License:" And whereas the said A. B. hath paid into my office the sum of ten pounds sterling as the fee on such License, pursuant to the provisions of the "Licensing Ordinance, 1865:" Now I, the Provincial Treasurer, by virtue of the powers vested in me by the said Ordinance, do hereby license the said A. B. to sell by retail Fermented or Spirituous Liquors to any passenger on board of such vessel during any part of the actual passage of such vessel as is made within the limits of the said Province. And this License shall commence upon the day of and shall continue in force until the thirty-first day of December next, both days inclusive.

Given under my hand at this day of one thousand eight hundred and

## SCHEDULE H.

(No. 1.)

*Form of Notice of Application for a General License.*

To the Worshipful the Justices of the Peace, acting in and for the Licensing District of in the Province of Otago.

**I**, (*state the name and the trade or occupation*) now residing at (*city, town or district of*) do hereby give notice that it is my intention to apply at the next Quarterly Licensing Meeting to be holden for this district, on the day of next ensuing, for a General License, under the "Licensing Ordinance, 1865," for the sale of Fermented and Spirituous Liquors, in the house and appurtenances thereunto belonging situate at (*here describe the house proposed to be licensed, specifying the situation of it, the number of sitting-rooms and bed-rooms contained in it, exclusive of those required for the family, the person from whom rented, the present occupier, whether now licensed, and if so under what sign*) and which I intend to keep as an Hotel, Inn, or Public House.

Signed this day of one thousand eight hundred and

Signature of Applicant.

SCHEDULE H.—(Continued).

(No. 2.)

Form of Notice of Application for a Bottle License.

To the Worshipful the Justices of the Peace acting in and for the Licensing District of in the Province of Otago.

I (state the name and the trade or occupation) hereby give notice that it is my intention to apply under the "Licensing Ordinance, 1865," at at the next Quarterly Licensing Meeting to be holden for this District on the next ensuing day of next ensuing for a "Bottle License" for the shop or business premises and appurtenances thereto belonging situate at Signed this day of one thousand eight hundred and

(No. 3.)

Form of Notice of Application for a General Night License.

To the Worshipful the Justices of the Peace acting in and for the Licensing District of in the Province of Otago.

I (state the name) being the holder of a General License for the house and premises known as the "Hotel," situate in the (city, town, or district of) do hereby give notice that it is my intention to apply at the next Quarterly Licensing Meeting to be holden for this district, on the day of next ensuing, for a "General Night License," under the "Licensing Ordinance, 1865," in respect of the said hotel and premises. Signed this day of one thousand eight hundred and

Signature of Applicant.

SCHEDULE I.

Form of Householders' Certificate to be appended to Applications when necessary.

WE, the undersigned Householders residing within the town (or district) of do hereby certify that the above A. B. of is a person of good fame and reputation, and fit and proper to be licensed for the Sale of Fermented and Spirituous Liquors.

- ..... 1 .....
..... 2 .....
..... 3 .....
..... 4 .....
..... 5 .....

SCHEDULE K.

Form of Certificate by Justices to authorise granting of a License.

Otago, New Zealand, }
to wit. }

AT the Quarterly Licensing Meeting held at on the day of 18 for the Licensing District of pursuant to the "Licensing Ordinance, 1865," we, being the majority of the Justices assembled at such meeting, do, in virtue of the power vested in us, authorise the Provincial Treasurer, or other proper officer, to issue to A. B., of the License in the said Ordinance called

Given under our hands at the on the

## SCHEDULE L.

*Form of notice of Application for Packet License.*

To the Worshipful the Justices of the Peace (*or Resident Magistrate as the case may be*) acting in and for in the Province of Otago.

**I** A. B., being master (*or commander*) of the steam packet (*or other vessel as the case may be*) conveying passengers between (*name the place*) and (*name the place*) being places within the said Province of Otago, do hereby give notice that it is my intention to apply to the Justices of the Peace (*or R. M. as the case may be*) at \_\_\_\_\_ upon the \_\_\_\_\_ day of \_\_\_\_\_ for a license for the sale of Fermented and Spirituous Liquors to the passengers on board such vessel, pursuant to the "Licensing Ordinance, 1865," in that case made and provided.

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

A. B.

## SCHEDULE M.

*Form of Certificate by Justices or Resident Magistrate to authorise granting of a Packet License.*

Province of Otago }  
to wit. }

**I** A. B., Resident Magistrate (*or we C. D. and E. F. two of Her Majesty's Justices of the Peace, as the case may be*) pursuant to the "Licensing Ordinance, 1865," do, by virtue of the power vested in us, authorise the Provincial Treasurer or other proper officer to issue to \_\_\_\_\_ of \_\_\_\_\_ the License in the said Ordinance called a "Packet License," for the sale of Fermented and Spirituous Liquors on board (*here state the name of the vessel and other particulars.*)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 186

## SCHEDULE N.

*Form of Certificate by Justices or Resident Magistrate to authorise the granting of a Wholesale or Brewer's License.*

**I** A. B., Resident Magistrate (*or we, C. D. and E. F., two of Her Majesty's Justices of the Peace, as the case may be*) pursuant to the "Licensing Ordinance, 1865," do, by virtue of the power vested in us, authorise the Provincial Treasurer or other proper officer to issue to \_\_\_\_\_ of \_\_\_\_\_ (*state name and occupation*) the License in the said Ordinance called a "Wholesale License" or "Brewer's License," for the house and premises situate and being (*here describe the premises*).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 186

A. B., R. M.  
C. D. } (*or*) J. P.  
E. F. }

## SCHEDULE O.

*Form of Application for Transfer of License.*

To the Worshipful the Justices of the Peace acting in and for the Licensing District of \_\_\_\_\_ in the Province of Otago.

**I** A. B., of (*here state the place of residence, and house licensed, the sign if any*) being the holder of a (*state nature of License*) License under "Licensing Ordinance, 1865," in respect of the said house and premises do hereby give notice that it is my intention to apply at the next Quarterly Licensing Meeting, to be holden in and for the said district, to the Justices to transfer the said License from myself to C. D. my appointee.

Signed this \_\_\_\_\_ day of \_\_\_\_\_

A. B.

## SCHEDULE P.

*Form of Indorsement of a Transfer on License.*

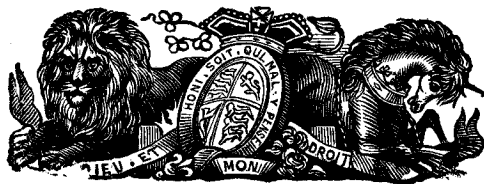
**B**E it remembered that we the undersigned being the majority of the Justices present at a Quarterly Licensing Meeting for the District of \_\_\_\_\_ held at \_\_\_\_\_ for the purpose of transferring Licenses, do hereby upon the application of the within named \_\_\_\_\_ transfer the rights and privileges of the within License to \_\_\_\_\_ for the residue of the term for which the same has now to run.

Given under our hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_









## MUNICIPAL CORPORATIONS ORDINANCE, 1865; AMENDMENT ORDINANCE.

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

SESSION XXI., No. 208.

### ANALYSIS :

Title.

Preamble.

1. Repeal of Section 115.
2. Superintendent shall by Proclamation extend the Provisions of the Otago Municipal Corporations Ordinance, 1865.
3. A sum of £7,500 appropriated for subsidising Municipalities.
4. Superintendent may authorise payment thereof of subsidies for the use of Corporations incorporated hereunder.
5. Superintendent may authorise payment to Mayor of double the amount of rates raised in any incorporate District or Place during first two years, and of equal amount during succeeding three years.
6. Treasurer to pay moneys under warrant of Superintendent, and to be allowed credit for all moneys so paid.
7. Superintendent may reserve land as endowments for Municipalities.
8. Interpretation.
9. When eight Municipalities incorporated, debts due by Corporation of Dunedin and by Town Board of Port Chalmers to be released, and securities for such debts cancelled. Interest on debt due by Corporation of Dunedin to cease for 10 years in any event. And debts not to affect borrowing powers of Corporation, but to be postponed to moneys borrowed under those powers.
10. Ordinance not to apply to any Township within 5 miles of Dunedin.
11. Inhabitants of Town of Oamaru may apply.
12. No assessment to be made on any Manse, Parsonage, or Government School-house.
13. Two or more Townships may unite for the purposes of this Ordinance.

AN ORDINANCE to Amend the Otago Municipal Corporations Ordinance, 1865. Title.  
[5TH JANUARY, 1866.]

WHEREAS it is expedient to amend the "Otago Municipal Corporations Ordinance 1865" and to make further provision for encouraging the formation of Municipalities throughout the Province of Otago; Preamble.

BE IT THEREFORE ENACTED by the Superintendent of Otago with the advice and consent of the Provincial Council thereof as follows:

I. Section No. 115 of the "Otago Municipal Corporation Ordinance 1865" is hereby repealed. Repeal of Section 115.

II. It shall be lawful for the Superintendent of the Province of Otago with the advice of his Executive Council and he is hereby authorised and required on the petition of not less than fifty persons comprising a majority of the householders resident in any Township within the Province by Proclamation in the *Government Gazette* of the said Province to extend the provisions of the Otago Municipal Corporations Ordinance 1865 to such Township by such name or Incorporation as he shall deem fit with such modifications as to the names and number of the members of such proposed Corporation and the office-bearers thereof and any other Municipal matters and regulations Superintendent shall extend the Provisions of the Otago Municipal Corporations Ordinance, 1865.

as shall seem to such Superintendent and his Executive Council suitable for the area and population of such Municipality and in accordance with such petition or otherwise shall define the boundaries of the Municipality so created and declare the number of Wards into which such Municipality may be divided and define the boundaries of such Wards respectively and declare which of the provisions of the said Ordinance shall be applicable to and within the limits of such Municipality: Provided always that the Superintendent shall not have power to include a greater area than that included within the Township as hereinafter defined within the boundaries of any such Municipality.

A sum of £7,500 appropriated for subsidising Municipalities.

III. Out of the Revenues of the Province of Otago there may be issued and applied for subsidising Municipalities to be incorporated under the provisions of this Ordinance the sum of £7,500.

Superintendent may authorise payment thereof of subsidies for the use of Corporations incorporated hereunder.

IV. It shall be lawful for the Superintendent to authorise the payment by the Provincial Treasurer out of the said sum of seven thousand five hundred pounds hereby appropriated for that purpose to the Mayor or other Officer of any Township incorporated under the provisions of this Ordinance such subsidy or sum of money for the use of such Corporation not being less than three hundred pounds or more than five hundred pounds as he may think fit.

Superintendent may authorise payment to Mayor of double the amount of rates raised in any incorporate District or Place during first two years, and of equal amount during succeeding three years.

V. It shall further be lawful for the Superintendent on the application of the Mayor or other Chief Officer of any Township which shall have been so incorporated by warrant under his hand to authorise the payment by the Provincial Treasurer out of the Revenues of the Province of Otago to such Mayor or other Chief Officer for the benefit of the Municipality for the two years succeeding the erection of such Municipality of a sum of money not exceeding £2 for every £1 which shall have been raised by the rates levied within such Municipality and it shall be lawful for the Superintendent on such application as aforesaid during the three years next after the expiration of the two years before mentioned by warrant under his hand to authorise the payment by the Provincial Treasurer out of the said Revenues to such Mayor or Chief Officer as aforesaid for the like purpose of a sum of money not exceeding £1 for every £1 raised by such rates.

Treasurer to pay moneys under warrant of Superintendent, and to be allowed credit for all moneys so paid.

VI. The Provincial Treasurer shall issue and pay from time to time any sum or sums of money for the purpose hereinbefore mentioned to such persons as the Superintendent shall by warrant certified by the Auditor or Deputy-Auditor and signed by the Superintendent in terms of the "Provincial Audit Act 1861" from time to time direct and such Treasurer shall in his account be allowed credit for all sums paid by him in pursuance of such warrants and the receipt of the person to whom such sums shall have been paid shall be to him a full and valid discharge of the sum or sums for which such receipt shall have been given and the amount thereof shall be passed to his credit in account accordingly.

Superintendent may reserve land as endowments for Municipalities.

VII. It shall be lawful for the Superintendent and Provincial Council to reserve from sale and set aside and appropriate for the purposes of any Municipality so created such portion or area of the Waste Lands of the Crown within the Province as the said Superintendent and Provincial Council shall determine to be advisable for the endowment of any such Municipality.

Interpretation.

VIII. In the interpretation of this Ordinance the word "Township" shall include any "Township" whether a "Government Township" or a "Private Township" and the boundaries of every "Government Township" shall be the boundaries as shewn on the Record Map of such "Township" and the boundaries of every "Private Township" shall be the boundaries shewn on the Map or Plan of such "Private Township" deposited with the Registrar of Deeds for the Province of Otago.

IX. So soon as eight Municipalities shall have been incorporated under the provisions of this Ordinance all debts and interest on the same due by the Corporation of the City of Dunedin and by the Town Board of Port Chalmers respectively to the Provincial Government of Otago shall be released and the Superintendent of Otago shall immediately thereafter deliver up to be cancelled all bonds and other securities which he may hold on account of such debts and the same shall be cancelled: Provided always that for a period of ten years after the passing of this Ordinance (unless such number of Municipalities as hereinbefore mentioned be sooner incorporated in which case such debts and all interest thereon shall be at once released as aforesaid) all interest on the debts so due by the Corporation of the City of Dunedin as aforesaid shall cease: Provided also that such debts shall not in any event prejudice or affect the borrowing powers conferred on the Corporation of the City of Dunedin by the "Otago Municipal Corporations Ordinance 1865" and the payment of such debts and of all interest thereon shall be postponed until every sum which shall or may be borrowed by the said Corporation during such period of ten years not exceeding in the whole the sum of £65,000 shall have been first paid.

When eight Municipalities incorporated, debts due by Corporation of Dunedin and by Town Board of Port Chalmers to be released, and securities for such debts cancelled.

Interest on debt due by Corporation of Dunedin, to cease for 10 years in any event.

And debts not to affect borrowing powers of Corporation, but to be postponed to moneys borrowed under those powers.

X. Nothing in this Ordinance contained shall be held to apply to any Township situate within five miles of Dunedin.

Ordinance not to apply to any Township within five miles of Dunedin.

XI. Notwithstanding the "Oamaru Town Board Ordinance 1862" and anything therein contained to the contrary it shall be lawful for the inhabitants of the Town of Oamaru to apply to be made a Municipality under the provisions of this Ordinance and to receive the benefits and advantages hereof: And the said Ordinance shall for the purpose of allowing such application to be made and for all other purposes requisite to enable the inhabitants of the said Town to obtain the benefit of this Ordinance (but for those purposes only) be and be deemed to be repealed.

Inhabitants of the Town of Oamaru may apply.

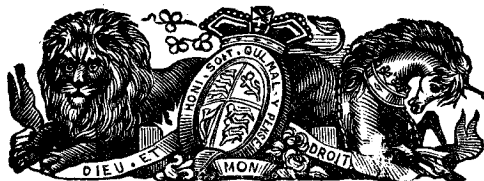
XII. Notwithstanding anything in the "Otago Municipal Corporations Ordinance 1865" to the contrary no assessment shall be made or levied on any manse or parsonage or on any Government schoolmaster's house or on any glebe for the use of any officiating clergyman or Government schoolmaster and every such manse parsonage house or glebe shall be exempt from all rates to be levied under the said Ordinance.

No assessment to be made on any Manse, Parsonage or Government School-house.

XIII. It shall be lawful for a majority of the householders resident in any two or more Townships distant not more than two miles from a common centre to unite in a petition to the Superintendent to extend the provisions of the "Otago Municipal Corporations Ordinance 1865" to such Townships under one name or incorporation and the Superintendent with the advice of his Executive Council may extend the provisions of the said Ordinance to such Townships accordingly by such name or incorporation as he shall deem fit with such modifications and with the like powers of defining the boundaries and declaring the number of Wards in such Municipality and of declaring the provisions of the said Ordinance which shall be applicable to and within the limits of such Municipality as in section II. of this Ordinance is mentioned: Provided that the Superintendent shall not have power to include any land within such Municipality that is not included within such Townships as herein defined: Provided also that any two or more Townships which shall be formed into a Municipality under this section shall be considered as one Township for all the purposes of this Ordinance.

Two or more Townships may unite for the purposes of this Ordinance.





## MEDICAL PRACTITIONERS' ORDINANCE AMENDMENT ORDINANCE, 1865.

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

SESSION XXI., No. 209.

### ANALYSIS :

Title.  
Preamble.

1. Short Title.  
2. Certain Rules, &c., to make valid.

AN ORDINANCE to Amend an Ordinance intituled "*The Medical Practitioners' Ordinance, 1864.*" Title.  
[5TH JANUARY, 1866.]

**W**HEREAS by Section five of the Medical Practitioners' Ordinance 1864 it is enacted that the "Otago Medical Board" shall hold its first meeting within three months from the commencement of the said Ordinance in manner mentioned in the said fifth section : And whereas the said Ordinance came into operation on the twelfth day of April one thousand eight hundred and sixty-five : And whereas no such meeting was held within the time limited by the said Section for that purpose and it is intended to hold the first meeting of the said Board within three months after the coming into operation of this Ordinance : And whereas doubts may arise as to the validity of the proceedings of the meeting so to be held as last aforesaid :

BE IT ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :—

I. The Title of this Ordinance shall be the "Medical Practitioners' Ordinance Amendment Ordinance 1865." Short Title.

II. That the said meeting of the "Otago Medical Board" so to be held within three months from the coming into operation of this Ordinance as aforesaid and all rules regulations acts matters and things to be made done executed or performed in whole or in part at the said meeting shall be as valid and effectual to all intents and purposes as if the said meeting had been held in manner prescribed by the said fifth Section of the "Medical Practitioners' Ordinance 1864." Certain Rules, &c., to make valid.







## OTAGO ROADS ORDINANCE, 1865, EXTENSION AND AMENDMENT ORDINANCE.

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

SESSION, XXI., No. 210.

### ANALYSIS.

Title

Preamble.

1. Thirty-four additional Districts constituted.

2. Loans may be accepted by Local Boards.

3. Superintendent authorised to call Meetings.

4. Short Title.

5. Interpretation.

AN ORDINANCE *to extend the Provisions of and to amend an Ordinance* Title.  
*intituled "An Ordinance to Consolidate and Amend the Laws relating*  
*to the Control and Management of the Public Roads within the*  
*Province of Otago."* [5TH JANUARY 1866.]

**W**HEREAS by the fifth Section of the "Otago Roads Ordinance 1865" Preamble.  
it is enacted that so much of the said Province of Otago as is subject  
to the provisions of the said Ordinance might from time to time be divided  
into Districts and that until otherwise provided pursuant to the provisions  
of the said Ordinance there should be Sixty-one Districts which should be  
named as specified in the Schedule to the said Ordinance annexed marked  
B and it is by the said Section provided that it should be lawful for the  
Superintendent with the advice and consent of the Otago General Road  
Board from time to time by proclamation in the *Gazette* to alter vary  
diminish or enlarge the boundaries of any or all of such Districts and to  
increase the number of Districts by forming and naming new Districts or by  
dividing any District into two or more Districts: And whereas the Super-  
intendent for the time being of the said Province of Otago reserved the  
said Ordinance for the signification of the Governor's pleasure thereon:  
And whereas before the said Ordinance came into operation the Superin-  
tendent by a proclamation made under the provisions of the "Roads  
Ordinance Amendment Ordinance 1862" and published in the *Otago*  
*Provincial Government Gazette* numbered 383 bearing date the eleventh  
day of September last increased the number of Districts in the said Province  
by forming the several places specified in the Schedules to this Ordinance  
annexed into new Districts: And whereas doubts are entertained as to  
whether the said Districts were properly proclaimed pursuant to the provisions  
of the said last-mentioned Ordinance and it is advisable to set such doubts  
at rest: And whereas by the tenth Section of the said Ordinance it is  
enacted that in every District constituted thereby a Meeting of the persons  
rated or liable to be rated for Roads therein should be convened by the  
Superintendent of the Province of Otago upon not less than ten days'  
previous notice in the *Gazette* or otherwise as he should see fit at such place  
therein and at such time in the month of June as he should appoint for the  
purpose of electing qualified persons to be the Members of the Local Boards

of such Districts : And whereas it is desirable that the Superintendent should have power to convene such Meetings at other times than in the month of June : And whereas by the forty-first Section of the said Ordinance provision is made for enabling Local Boards to accept Loans for making maintaining and improving any particular Road or Roads within a District but no provision is made for enabling Local Boards to borrow Money for other purposes than such particular Road or Roads and it is desirable to make such provision :

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :

Thirty-four additional Districts constituted.

I. In addition to the sixty-one Districts constituted by the "Otago Roads Ordinance 1865" there shall be thirty-four other Districts which shall be named as specified in the Schedule to this Ordinance annexed marked A and that the boundaries thereof respectively shall be as specified in the Schedule to this Ordinance annexed marked B and notwithstanding any illegality or want of form in the Proclamation in the *Gazette* purporting to constitute the said last-mentioned Districts the same shall be and be deemed to have been duly and legally constituted by such Proclamation and all elections of Members of the Local Boards of such Districts and all other proceedings whatsoever shall notwithstanding any irregularity whatsoever be deemed and taken to be and shall be as valid and effectual as if the said Districts had been duly constituted under the said "Otago Roads Ordinance 1865" and the elections and other proceedings had taken place and been done in due form in every respect under the provisions of the said last-mentioned Ordinance : Provided always that it shall be lawful for the Superintendent with the advice and consent of the Otago General Road Board from time to time to deal with the said Districts or any or either of them in manner and as provided by the fifth Section of the said Ordinance with respect to the Districts thereby constituted.

Loans may be accepted by Local Boards.

II. It shall be lawful for any Local Board to accept with consent of the General Board a Loan or Loans of such sum or sums of money as may be requisite for the making maintaining and improving of any Road or Roads within the District and for securing the repayment thereof with interest to assign any assessment authorised to be levied within such District and the money so lent shall be laid out and applied for the purpose for which the same shall have been borrowed.

Superintendent authorised to call Meetings.

III. Notwithstanding anything in the said tenth section of the said Ordinance to the contrary it shall be lawful for the Superintendent of the Province of Otago to convene a meeting of the persons rated or liable to be rated for Roads in any District to be hereafter constituted under the provisions of the said Ordinance by notice as therein mentioned at such time as he shall appoint whether in the month of June or not for the purpose of electing qualified persons to be the Members of the Local Boards of such Districts and the persons so elected at any such meeting shall hold office until their successors shall be duly elected at a meeting of Electors to be held in the month of June next following such last-mentioned meeting to be convened by the Clerk to the General Board in manner provided in the said tenth section of the said Ordinance.

Short Title.

IV. This Ordinance may be cited and referred to as the "Otago Roads Ordinance 1865 Extension and Amendment Ordinance."

Interpretation.

V. This Ordinance shall as far as possible be taken read and interpreted as part of and incorporated with the "Otago Roads Ordinance 1865."

SCHEDULE A.

1. Landon	13. Sydney	24. Cranbourne
2. Papakio	14. Herbert	25. West Hawksbury
3. Pukeuri	15. Allday	26. Township of Hampden
4. Weymouth	16. Copmanhurst	27. Clevedon
5. Awamoa	17. Chalgrove	28. Merton
6. Teneraki	18. Chalfont	29. Beaconsfield
7. Lambton	19. Bushey	30. Blueskin
8. Totara	20. Richmond	31. Purakanui
9. Lambourne	21. Goodwood	32. Heyward
10. Enfield	22. Montroyal	33. Deborah Bay
11. Incholme	23. Matanaka	34. Sawyer's Bay
12. Chelsea		

SCHEDULE B.

*In the Hundred of Oamaru.*

1.—THE LONDON ROAD DISTRICT is bounded on the north by an east and west line through Trig. Station A, block I., Papakio ; on the west by Oamaru Brook ; on the south by the Town of Oamaru ; on the south-west by the ocean ; and on the east by Landon Stream and part of block II., Papakio.

2.—PAPAKIO ROAD DISTRICT is bounded on the north by the Waitaki River ; on the north-west by the boundary of the Hundred ; on the south by an east and west line through Trig. Station A, through block I., Papakio, to block II., Papakio ; and on the east by a portion of block II. and the Main North Road.

3.—PUKEURI ROAD DISTRICT is bounded on the north by block IV., Papakio Survey District ; on the west block I., Papakio Survey District ; on the south-west by Landon Stream ; and on the south-east by the Ocean.

4.—WEYMOUTH ROAD DISTRICT is bounded on the north by the Waitaki River ; on the west by the Main North Road ; on the south by block II., Papakio Survey District ; and on the south-east by the Ocean, and a continuation of that line east to the Ocean.

5.—AWAMOA ROAD DISTRICT is bounded on the north by the Main North Road ; on the west by the Quarry Reserve and sections 7, 8, 9, 10, and 11, block IV., Oamaru, and the Awamoa Stream to the Ocean ; on the south-east and east by the Ocean ; and on the north-east by the Town of Oamaru.

6.—TENERAKI ROAD DISTRICT is bounded on the north by block VIII., Awamoko Survey District ; on the west by the Waiareka River ; on the south by block V., and part of section 1, block IV., Oamaru Survey District ; on the south-west by the Awamoa Creek to the Main North Road ; on the south by the Main North Road ; and on the east by the Oamaru Stream.

7.—LAMBTON ROAD DISTRICT is bounded on the north by block III., and part of sections 1 and 2, block II., Oamaru Survey District ; on the west by the Waiareka Stream ; on the south-east by the Main North Road ; and on the east by the Awamoa Creek.

8.—TOTARA ROAD DISTRICT is bounded on the north-west by the Main North Road ; on the west by sections 15, 19, 21, 23, and 24, block VII., Oamaru Survey District ; south and west by the Kakanui River ; south-east by the Ocean ; on the east by the Awamoa Brook, and sections 16, 17, 18, 19, 20, 21, 22, and 23, block IV., Oamaru Survey District.

9.—LAMBOURNE ROAD DISTRICT is bounded on the north by sections 56, 53, 48, and 16, block IX., Oamaru Survey District ; west and south by the Kakanui River ; east by sections 33 and 29, block VII., Oamaru Survey District, and the main North Road ; east and south by the Waiareka River.

10.—ENFIELD ROAD DISTRICT is bounded on the north and west by the boundary of the Hundred ; south by sections 17, 47, 46, 43, and 57, block IX., Oamaru Survey District ; east by the Waiareka River.

*In the Hundred of Otepopo.*

11.—INCHOLME ROAD DISTRICT is bounded on the north by Kauroo River ; on the west by Kauroo Survey District and Serpentine Brook ; on the south by Island Stream ; and on the east by the Kakanui River.

12.—CHELSEA ROAD DISTRICT is bounded on the north by the Kakanui River and Island Stream ; on the west by blocks VI. and V., Otepopo Survey District ; on the south by block III., Otepopo Survey District ; and on the east by the Ocean and the Kakanui River.

13.—SYDNEY ROAD DISTRICT is bounded on the north by Island Stream ; on the west by blocks VII. and VIII., Otepopo Survey District ; on the south and south-west by section 34, block V., Otepopo and the Town of Herbert, Main North Road, and sections 56, 78, 79, and 80, block V., Otepopo Survey District ; and on the east by block IV., Otepopo Survey District.

14.—HERBERT ROAD DISTRICT is bounded on the north by sections 64, 30, 31, 9, and 10, block V., Otepopo ; on the west by block VIII., Otepopo ; south by the Waianakarua River, and part of the north boundary of block II. ; and on the east by section 81, Bush Reserve, and sections 106, 105, 107, 110, and 113, block V., Otepopo.

15.—ALLDAY ROAD DISTRICT is bounded on the north by block IV., Otepopo, and sections 77, 76, 75, 74, and 55, block V., Otepopo ; north-west and west by Main North Road, Town of Herbert, and sections 114, 108, 109, 102, and 103, block V., Otepopo ; on the south by the Waianakarua River ; on the east by the Ocean.

16.—COPMANHURST ROAD DISTRICT is bounded on the north and north-east by the Waianakarua River ; on the west by the boundary of the Hundred ; on the south and south-west by the Otepopo River.

*In the Hundred of Moeraki.*

17.—CHALGROVE ROAD DISTRICT is bounded on the north by the Waianakarua River ; north-west by the Otepopo River ; south by the Moeraki Survey District and the Township of Hampden ; east by the Township of Hampden and the Ocean.

18.—CHALFONT ROAD DISTRICT is bounded on the north by the Otepopo Survey District and the Township of Hampden ; west by block XIII., and part of block II., Moeraki ; north-west by Main North Road ; south-west by the Watershed of the Horse Range ; south by block III., Moeraki Survey District ; east by the Ocean and the Township of Hampden.

*In the Hundred of Hawksbury.*

19.—BUSHEY ROAD DISTRICT is bounded on the north-west and west by the Main North Road and the Township of Palmerston ; south by sections 68, 66, 67, block IV., sections 36, 48, 49, and 50, block III., Moeraki Survey District ; east by the Ocean ; north and north-east by block IX., Moeraki Survey District, and the Watershed of the Horse Range.

20.—RICHMOND ROAD DISTRICT is bounded on the north by sections 47, 46, 45, 56, 35, block III., sections 67, 66, and 65, block IV., and section 80, block X., Moeraki Survey District ; west by the Township of Palmerston and sections 12 and 16, block II., Hawksbury ; south and west by sections 1, 2, and 3, block I., Hawksbury ; south, by part of section 43, block I., Hawksbury Survey District, and by a right line from the south-east angle of section 4, block I., Hawksbury, to the north-west angle of section 27, block I., Hawksbury, and by sections 27, 26, and 18, block I., Hawksbury Survey District ; east and south-east by the Ocean.

21.—GOODWOOD ROAD DISTRICT is bounded on the north by sections 17 and 13, and by a line from the north-west angle of section 27 to the south-east angle of section 4, and by sections 4 and 3, block I., Hawksbury Survey District ; north-west and west by section 5, block I., Hawksbury, and by a line drawn from the southern angle of said section to the northern angle of section 38 block I., Hawksbury Survey District, sections 51 and 33, block II., Hawksbury and the Main North Road ; south and south-west by section 44, block IV., Hawksbury and the Ahkapupuku or Pleasant River.

22.—MONTROYAL ROAD DISTRICT is bounded on the north by block X., Hawksbury Survey District, and the Township of Palmerston ; west by block VII. and part of block III., Hawksbury Survey District ; south by block IV., Hawksbury Survey District ; east by the Main North Road ; south-east by sections 38, 6, 43, and part of 42, block I., Hawksbury Survey District ; east and north by section 4, block I., Hawksbury Survey District, and by sections 61, 62, and 63, block IV., Moeraki Survey District.

23.—MATANAKA ROAD DISTRICT is bounded on the north and west by the Main North Road ; on the south by block VI. ; on the east by the ocean ; north-east by Pleasant River.

24.—CRANBOURNE ROAD DISTRICT is bounded on the north by block II., Hawksbury Survey District, and sections 2 of 13, 2 of 14, 2 of 15, 2 of 16, and a continuation of same line due west to section 40, block III., Hawksbury Survey District ; west by sections 21 and 11, block III., Hawksbury ; south by block V., Hawksbury Survey District ; south-east by the Main North Road.

25.—WEST HAWKSURRY ROAD DISTRICT is bounded on the north-west by block V., Hawksbury Survey District and the Waikouaiti River ; south-east by the Ocean ; north-east by the Waikouaiti Lagoon, the Township of Hawksbury, and the Main North Road.

26.—THE TOWNSHIP OF HAMPDEN.

*In the Hundred of Waikouaiti.*

27.—CLEVEDON ROAD DISTRICT is bounded on the north by the Waikouaiti River ; north-west by the Akaraki River ; south by blocks II. and III., Waikouaiti Survey District ; east and south-east by the Maori Reserve and the Waikouaiti River.

28.—MERTON ROAD DISTRICT is bounded on the north by block IV., Waikouaiti Survey District ; north-west and west by Akaraki River ; south by block I., Waikouaiti, and its continuation to the Akaraki River ; south-east and east by the Ocean and the Maori Reserve.

29.—BEACONSFIELD ROAD DISTRICT is bounded on the north by blocks II. and III., Waikouaiti Survey District ; west by the western boundary of block I., Waikouaiti ; south-west by the Waitiripaku or Kilmog Stream ; south-east and east by the Ocean.

*In the Hundred of Dunedin.*

30.—BLUESKIN ROAD DISTRICT is bounded on the north by the Waitiripaku or Kilmog Stream ; north-west by the north-west boundary of block II., North Harbor and Blueskin ; south-west and west by block III., North Harbor and Blueskin ; south by blocks XII. and VII., North Harbor and Blueskin ; east by block IV., North Harbor and Blueskin.

31.—PUMAKANUI ROAD DISTRICT is bounded on the north by the Ocean ; south by block VI., North Harbor and Blueskin ; east by block V., North Harbor and Blueskin, and the Ocean ; west by block I., North Harbor and Blueskin.

32.—HEYWARD ROAD DISTRICT is bounded on the north and north-east by the Ocean ; west by block IV., and sections 91 and 73, block VI., North Harbor and Blueskin, and by a line between sections 27 and 28, Lower Harbor District, west side, to Hamilton Bay ; south by Otago Harbor.

33.—DEBORAH BAY ROAD DISTRICT is bounded on the north by block IV. and part of block I., North Harbor and Blueskin Survey District ; west by block VII., North Harbor and Blueskin, and Sawyer's Bay Survey District ; on the south-east by the Town of Port Chalmers and Otago Harbor ; east by section 28, Lower Harbor West, and sections 74 and 92, block VI., and by 5, North Harbor and Blueskin.

34.—SAWYER'S BAY ROAD DISTRICT is bounded on the north by the Main Road ; west by section 82, North-east Valley, and sections 36, 37, and 5, North Harbor and Blueskin, and by section 11, Upper Harbor ; south by Otago Harbor ; east by the Town of Port Chalmers.



**ROADS DIVERSION ORDINANCE AMENDMENT  
ORDINANCE, 1865.**

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

SESSION XXI., No. 211.

ANALYSIS :

Title.  
Preamble.

1. Short Title.  
2. Maps may be deposited in nearest Public School.

*AN ORDINANCE to amend an Ordinance intituled *An Ordinance to authorise and empower the Superintendent of Otago to stop up certain Roads and Portions of Roads in the Province of Otago and to sell exchange or otherwise dispose of the Lands over which such Roads and Portions of Roads passed.** Title.  
[5TH JANUARY, 1866.]

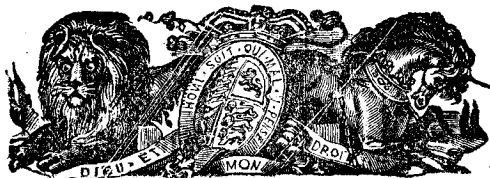
**W**HEREAS by the third Section of the "Roads Diversion Ordinance 1865" it is necessary to deposit a map or maps or copy sheet of the map respectively prescribed by the said Section in one or more of the Public Schools in the Road District or Road Districts in or through which the Road or Portions of Roads intended to be stopped up is or are situated or pass : And whereas in some of such Districts there are no Public Schools ; Preamble.

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

I. This Ordinance may be recited and referred to as the "Roads Diversion Ordinance Amendment Ordinance 1865." Short Title.

II. That in all cases where there is no Public School in any Road District in which a Road or Portions of Roads intended to be stopped up is or are situated or pass it shall be lawful to deposit the map or maps mentioned in the said third Section of the said recited Ordinance at one or more of the Public Schools in the nearest adjoining Road District or Road Districts in which there is situated a Public School or Public Schools : Provided that if the delineation of the Road or Portions of Roads intended to be stopped up in any Road District is not contained in a map of a single sheet but is contained in a map of more sheets than one it shall be sufficient to deposit at such School or Schools those sheets of such map on which are delineated the Road or Portions of Roads intended to be stopped up or copies of such sheets respectively : And the depositing such map or maps or copy sheet or sheets of such map or maps as aforesaid in the said last-mentioned School or Schools shall operate and be as effectual to all intents and purposes as if the same had been deposited in the manner required by the said third Section of the "Roads Diversion Ordinance 1865." Maps may be deposited in nearest Public School.





## SHEEP ORDINANCE 1856 AMENDMENT ORDINANCE, 1865.

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

SESSION XXI., No. 212.

### ANALYSIS :

- |  |   |
|--|---|
| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Inspector to attend and examine sheep whenever required, and to give certificates if sheep found to be clean.<br/>3. Certificate to be produced to Inspectors.<br/>4. Inspector to endorse memo.<br/>5. Power of Inspector to enter on lands.<br/>6. Penalty for obstructing Inspector.<br/>7. Inspector may require declaration.<br/>8. Infected sheep to be kept certain distance from boundaries of run.</p> | <p>9. Owner of sheep to erect dipping apparatus.<br/>10. Dips to be constructed to satisfaction of Sheep Inspector.<br/>11. Owner neglecting to maintain dip or to keep same in repair liable to penalty.<br/>12. Superintendent may cause portions of Waste Lands to be enclosed for quarantine grounds.<br/>13. Provision made for the expense of the several Ordinances.<br/>14. Maximum penalty.<br/>15. Construction of Ordinance Schedules.</p> |
|--|---|

Title.

*AN ORDINANCE to Amend an Ordinance to prevent the spread amongst Sheep  
of the Scab or other infectious disease. [5TH JANUARY, 1866.]*

**W**HEREAS no provision is made by the "Sheep Ordinance 1856" or by the "Sheep Ordinance Amendment Ordinance 1857" or by the "Sheep Ordinance Amendment Ordinance 1861" for paying the expenses of carrying out the provisions of the said Ordinances beyond providing a fund for the payment of the salaries and expenses mentioned in the twelfth section of the said "Sheep Ordinance 1856:" And whereas it is expedient and necessary to provide a fund for defraying the expenses of carrying into effect the provisions of the said several Ordinances and to amend the said "Sheep Ordinance 1856" in other respects and to make further provisions for preventing the spread of scab or other infectious diseases amongst sheep;—

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows:

I. This Ordinance may be cited and referred to as the "Sheep Ordinance 1856 Amendment Ordinance 1865."

Inspector to attend and examine sheep whenever required.

II. Every Inspector or Sub-Inspector upon being required by notice in writing from any occupier of land or by the holder of a Right of Pasturage over land or by any owner of sheep and served personally at such Inspector's or Sub-Inspector's usual place of abode shall attend at any place appointed within or not exceeding five miles from his district within a reasonable time after the service of such notice for the purpose of examining any sheep belonging to any such occupier holder or owner and in default of so attending shall forfeit and pay any sum not exceeding fifty pounds and after examining any sheep when required as aforesaid such Inspector or Sub-Inspector shall if such sheep be free from disease grant a certificate in the form and to the effect set forth in Schedule C hereunto annexed.

And to give certificates if sheep found to be clean.

Certificate to be produced to Inspectors.

III. Every certificate for driving sheep granted under the provisions of the "Sheep Ordinance 1856" shall specify the district or place to which the sheep therein mentioned are to be driven and a copy thereof shall immediately after the same is granted be transmitted by post by the Inspector granting the same to the Inspector of the District into which such sheep are to be driven: And every such certificate shall be produced to any Inspector or Sub-Inspector or runholder through whose run the sheep are driven who shall desire to inspect the same and any person employed in driving sheep who shall refuse to produce a certificate under the said Ordinance when called on so to do shall be deemed to be guilty of driving such sheep without any certificate and shall be liable to a penalty of not less than sixpence nor more than one shilling for every sheep so driven.

Inspector to endorse memo.

IV. Every Inspector or Sub-Inspector who shall inspect any such certificate shall endorse thereon a memorandum under his hand to the effect that such certificate has been produced to and examined by him.

Power of Inspector to enter on lands.

V. It shall be lawful for any Inspector of Sheep at such times as he may think fit to inspect any sheep within the Province of Otago and for the purposes of such inspection or for the purposes of inspecting and examining any dipping apparatus hereinafter referred to or for doing any other act which he is authorised or empowered to do by this Ordinance or any or either of the said recited Ordinances it shall be lawful for any Inspector of Sheep at all reasonable times to have free ingress egress and regress through over and upon any lands or tenements whatsoever in the Province of Otago.

Penalty for obstructing Inspector.

VI. Every owner of any sheep or other person who shall refuse to allow such inspection to be made by any Inspector of Sheep or shall obstruct or shall refuse or neglect to muster his sheep for the purpose of such inspection with all convenient speed or to afford all reasonable facilities for making such inspection to such Inspector shall be subject to a fine not exceeding one hundred pounds.

Inspector may require declaration.

VII. 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 D to this Ordinance annexed and if any such owner shall refuse or neglect to make such declaration when so called upon he shall be liable to a penalty not exceeding fifty pounds and if any person shall make any such declaration knowing the same to be false he shall on conviction thereof before any Resident Magistrate or two Justices of the Peace be liable to a penalty of one hundred pounds and to be imprisoned for a period not exceeding six calendar months.

Infected sheep to be kept certain distance from boundaries of run.

VIII. Section 13 of the "Sheep Ordinance 1856" is hereby repealed and in lieu thereof it is enacted that if any sheep infected with scab or any other disease of an infectious nature shall be found not being at the time herded by a shepherd within one mile of the boundary of the land or run to



which they belong or upon which they shall be lawfully depastured or within one mile of any main road or highway the owner of such sheep shall be subject to a penalty of not less than sixpence nor more than five shillings for every sheep so found within one mile of such boundary aforesaid: The boundary of the run referred to in this Section shall be the boundary as described in the Depasturing License under which such run is held.

IX. Every owner of any sheep depastured on any run within the Province of Otago shall within twelve months after the passing of this Ordinance or within twelve months after the run on which such sheep are depastured shall have been used for the purpose of depasturing sheep (if such run shall not at the time of the passing of this Ordinance be used for that purpose) erect and thenceforth maintain in good working order on the said run or on some land in his own occupation immediately adjoining thereto a good and sufficient apparatus for properly dipping for the cure of scab so many sheep as he shall for the time being be the owner of provided always that it shall not be necessary to erect a new dipping apparatus where a dipping apparatus conforming to the terms of this Ordinance has been already erected.

Owner of sheep to erect dipping apparatus.

X. Every such dipping apparatus shall be constructed to the satisfaction of the Chief Inspector of Sheep and if any such owner of sheep shall fail to erect such dipping apparatus to the satisfaction of such Inspector within the time hereinbefore limited for the purpose he shall be liable to a penalty of not more than fifty pounds and for every calendar month after the expiration of such time that shall elapse before he shall have so erected such apparatus he shall be liable to a separate penalty of not more than fifty pounds.

Dips to be constructed to satisfaction of sheep Inspector.

XI. If any owner shall not maintain any dipping apparatus erected or to be erected as aforesaid in complete repair and good working order to the satisfaction of the Chief Inspector of Sheep and shall not from time to time if necessary alter and enlarge the same to the like satisfaction so that it may be sufficient for properly dipping the number of sheep of which he is for the time being the owner he shall be liable to a penalty of not more than ten pounds and for every fourteen days for which he shall neglect to repair put in order alter or enlarge the said dipping apparatus after notice in writing so to do shall have been given him by the said Chief Inspector he shall be liable to a separate penalty of not more than ten pounds.

Owner neglecting to maintain dip or to keep same in repair liable to penalty?

XII. It shall be lawful for the Superintendent to enclose or fence in portions of the Waste Lands of the Crown not included within any depasturing License at convenient places within the Province for quarantine grounds for sheep and also to enclose or fence in other portions of such Waste Lands for travelling yards and to erect apparatus for dipping sheep for the cure of scab on any part of such Waste Lands wherever deemed necessary and also to erect all necessary sheds huts and dwellings in connection with such quarantine grounds travelling yards and dips respectively.

Superintendent may cause portions of Waste Lands to be enclosed for quarantine grounds.

XIII. From and after the coming into operation of this Ordinance it shall be lawful for the Superintendent to make and levy a rate yearly upon all sheep depasturing upon the Waste Lands of the Crown which rate shall be of such amount as together with all fines and penalties recovered in virtue of the said in part recited "Sheep Ordinance 1856" will be sufficient to pay the expenses of enclosing or fencing quarantine grounds and travelling yards making dips erecting necessary sheds huts or dwellings and of carrying out the whole of the provisions of the said Ordinance and of every other Law or Ordinance relating to the spread of scab or other disease amongst sheep which is at the time of the passing of this Ordinance in force in the said Province of Otago.

Provision made for the expense of the several Ordinances.

XIV. No penalty to be imposed on any one conviction under the provisions of this Ordinance shall exceed the sum of one hundred pounds.

Maximum penalty.

XV. This Ordinance shall be construed and read as part of the "Sheep Ordinance 1856."

Construction of Ordinance.

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**SCHEDULE C.**
**CERTIFICATE OF INSPECTORS.**

I, A. B., hereby certify that I have carefully examined the property of C. D., now being depastured at  
 Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18

sheep branded and that I find said sheep to be entirely free from scab.

A. B.

Sheep Inspector.

(Or Sub-Inspector, as the case may be.)

---

**SCHEDULE D.**
**DECLARATION TO BE MADE BEFORE INSPECTOR AS TO SHEEP EXAMINED BY HIM.**

I, A. B., of \_\_\_\_\_ do hereby solemnly declare that (I have made, to the best of my belief, a complete muster of all sheep under my charge, and that\*) my sheep branded \_\_\_\_\_ being in number now being at \_\_\_\_\_ have not within† \_\_\_\_\_ had applied to any of them any reputed scab-destroying preparation, nor within† \_\_\_\_\_ been mixed with any sheep infected with the scab; and I make this solemn declaration, conscientiously believing the same to be true.

A. B.

Declared before me at \_\_\_\_\_

this \_\_\_\_\_

day of \_\_\_\_\_

18

C. D.

Inspector of Sheep.

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 \* May be omitted when not required by Inspector.

† State period.



**SUPERINTENDENT'S INDEMNITY ORDINANCE,  
(No. 2,) 1865.**

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

SESSION XXI, No. 213.

ANALYSIS:

Title.  
Preamble.

1. Short Title.  
2. Superintendent indemnified.

AN ORDINANCE *to Indemnify the Superintendent of the Province of Otago against and on account of Expenditure during the Half-year ended on the 30th September, 1865, in excess of Appropriation.* Title.

[5TH JANUARY, 1866.]

**W**HEREAS by the "Appropriation Ordinance 1865" it is enacted that Preamble.  
out of the Revenue of the said Province there might be issued and applied for defraying the charge of the Government of the said Province for the six months ending on the 30th day of September now last past any sums of money not exceeding the several sums for the several purposes specified in the first Section of the said Ordinance: And whereas the actual expenditure of the said Government during the said six months for and in respect of several of the purposes and matters specified in the said first Section of the said Ordinance has exceeded the sums thereby authorised to be issued and applied by the sum of four thousand eight hundred and twenty-eight pounds one shilling and eightpence the particulars of which expenditure are specified and shewn in and by the Schedule hereto: And whereas the expenditure of the said sum of four thousand eight hundred and twenty-eight pounds one shilling and eightpence the items whereof are respectively specified and shewn in the Schedule hereto was reasonable and necessary and it is expedient to indemnify the Superintendent for and against the said expenditure of the said sum of money;

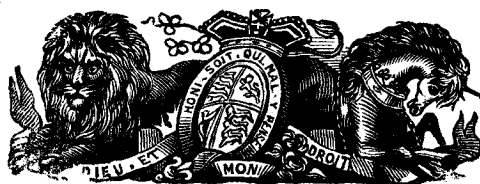
**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows:

I. This Ordinance may be cited and referred to as the "Superintendent's Short Title.  
Indemnity Ordinance, (No. 2,) 1865."

II. The Superintendent of the Province of Otago is hereby indemnified Superintendent in-  
dennified.  
for and against the expenditure of the said sum of four thousand eight hundred and twenty-eight pounds one shilling and eightpence for the Government of the said Province and for Public Works and undertakings within the said Province during the six months ended on the 30th September now last in excess of the sum authorised by the "Appropriation Ordinance 1865" the items of which expenditure are specified in the Schedule hereto and the Provincial Treasurer is hereby allowed and is authorised to take credit in his accounts for the said sum so expended in excess of the appropriation.

## SCHEDULE.

On what works expended.	Amount actually expended.	Amount appropriated.	Amount expended in excess.
	£ s. d.	£ s. d.	£ s. d.
Secretary of Public Works ...	28 6 8		28 6 8
Provincial Council, Sergeant-at-Arms ...	11 13 4	10 0 0	1 13 4
Provincial Council—Expenses of Country Members ...	683 15 0	658 0 0	25 15 0
Provincial Council—Printing, &c. ...	793 8 0	600 0 0	193 8 0
Office-Keeper, Provincial Buildings ...	67 2 0	66 13 4	0 8 8
Solicitor, Clerical Assistance ...	74 5 0	25 0 0	49 5 0
Crown Lands, Ranger (Constable) ...	64 1 0	63 14 0	0 7 0
"    Printing, &c. ..	308 19 4	250 0 0	58 19 4
"    Printing for Receiver of Land Revenue ...	160 15 7	150 0 0	10 15 7
Police—Travelling Expenses ...	140 1 4	100 0 0	40 1 4
"    Transport of Prisoners ...	174 5 0	50 0 0	124 5 0
"    Shoeing and Farriery ...	108 10 9	70 0 0	38 10 9
"    Saddlery and Repairs ...	12 16 6	10 0 0	2 16 6
"    Stores and Furniture ...	30 18 1	30 0 0	0 18 1
"    Printing, &c. ...	121 2 7	90 0 0	31 2 7
"    Special Detective Service ...	30 17 0	30 0 0	0 17 0
"    Arms and Accoutrements ...	7 2 0		7 2 0
"    Forage ...	300 0 0		300 0 0
Escort Forage ...	752 12 7	700 0 0	52 12 7
"    Saddlery and Repairs ...	57 19 0	50 0 0	7 19 0
Harbor, Boats ...	40 8 5	30 0 0	10 8 5
Gold Fields, Registrars and Receivers ...	1968 17 9	1800 0 0	168 17 9
"    Inspectors of Licenses ...	433 6 8	216 13 4	216 13 4
"    Bailiffs ..	392 0 10	386 13 4	5 7 6
"    Horse Allowance ...	233 6 8	100 0 0	133 6 8
"    Travelling Expenses ...	113 3 0	75 0 0	38 3 0
"    Clerical Assistance ...	34 10 0		34 10 0
Treasurer—Printing, &c. ...	39 2 7	37 10 0	1 12 7
"    Incidentals ...	15 13 6	12 10 0	3 3 6
Immigration—Printing, &c. ...	11 9 7	10 0 0	1 9 7
Education—Pupil Teachers ...	37 10 0	35 0 0	2 10 0
"    Incidentals ...	14 13 6	10 0 0	4 13 6
High School, Master ...	33 17 4		33 17 4
Hospital, Fuel and Light ...	269 13 7	150 0 0	119 13 7
"    Bedding and Clothing ...	96 16 9	75 0 0	21 16 9
Lunatic Asylum, Fuel and Light ...	120 4 10	100 0 0	20 4 10
Storekeeper, Incidentals ...	32 7 1	25 0 0	7 7 1
Relief to Destitute ...	199 9 6	175 0 0	24 9 6
Advertising ...	539 14 4	500 0 0	39 14 4
Fuel and Light ...	120 16 11	100 0 0	20 16 11
Collecting Dog Tax ...	133 2 1	90 0 0	43 2 1
Refund, Sheep Assessment ...	57 18 1		57 18 1
General Contingencies ...	175 5 10	175 0 0	0 5 10
Refund, Sale of Stock in Pound ...	16 10 0		16 10 0
Compensation, Loudon ...	120 0 0		120 0 0
Dunedin Town Board ...	1499 19 9		1499 19 9
Roads, Travelling Expenses ...	219 3 0	200 0 0	19 3 0
"    Horse Allowance ...	113 12 3	50 0 0	63 12 3
Road Commission, Line of Road Survey ...	50 0 0		50 0 0
Marine, Dredge Engineer ...	205 10 0	91 0 0	114 10 0
School Buildings, North Dunedin ...	109 13 6	100 0 0	9 13 6
"    Caversham ...	1 5 0		1 5 0
Exploring Track to West Coast, Mr. Pyke ...	114 2 7		114 2 7
Exploring Track to West Coast, Mr. O'Neill ...	161 7 1		161 7 1
Hospital, Tuapeka ...	100 0 0		100 0 0
Hulk Thomas and Henry ...	42 12 0		42 12 0
Fencing Cargill Monument ...	55 0 0	50 0 0	5 0 0
Court House, Tokomairiro ...	7 7 0		7 7 0
Jetty, Port Chalmers ...	52 17 5		52 17 5
Ferry, Clutha ...	15 4 0		15 4 0
Roads, Dunstan to Kawarau ...	747 16 6	300 0 0	447 16 6
"    Landslip Hill to Benger Burn ...	1 16 0		1 16 0
Totals ...	12,675 15 8	7,847 14 0	4,828 1 8



TOWN AND COUNTRY POLICE ORDINANCE EXTENSION  
ORDINANCE, 1865.

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

SESSION XXI., No. 214.

ANALYSIS:

Title.  
Preamble.  
1. Short Title.

2. Interpretation  
3. Offence added to section 5 of the "Town and  
Country Police Ordinance, 1862."

AN ORDINANCE to add a further provision to the "*Town and Country Police Ordinance, 1862.*" [5TH JANUARY 1866.] Title.

WHEREAS it is expedient and necessary to add another provision to the "*Town and Country Police Ordinance, 1862;*" Preamble.

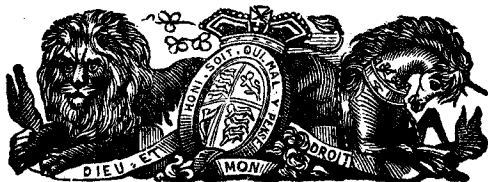
BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows:

I. This Ordinance shall be termed and may be cited and referred to as the "*Town and Country Police Ordinance Extension Ordinance, 1865.*" Short Title.

II. This Ordinance shall be taken read and interpreted as part of and incorporated with the "*Town and Country Police Ordinance 1862.*" Interpretation.

III. To the offences mentioned under section 5 of the "*Town and Country Police Ordinance 1862*" and the "*Town and Country Police Ordinance Extension and Amendment Ordinance 1863*" there shall be added as follows:—"28. Riding or driving upon or over any Bridge at any greater pace than a walking pace." Offence added to Section 5 of the "Town and Country Police Ordinance, 1862."





ACCLIMATISATION RESERVE ORDINANCE, 1865,  
REPEAL ORDINANCE.

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

SESSION XXI, No. 215.

ANALYSIS :

Title.  
Preamble.

1. "Acclimatisation Reserve Ordinance, 1865,"  
repealed.

AN ORDINANCE *to Repeal an Ordinance to Reserve from Sale certain Waste Lands of the Crown, and to set the same aside as a place for the Acclimatisation, Domestication, and Propagation of Animals, Birds, Fishes, and Insects.* [5TH JANUARY, 1866.]

WHEREAS it is expedient to Repeal the "Acclimatisation Reserve Ordinance 1865 ;"

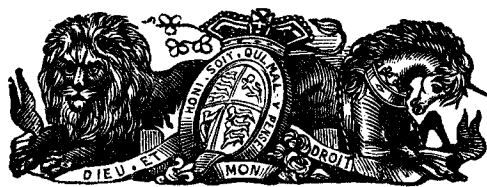
BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :

I. The "Acclimatisation Reserve Ordinance 1865" shall be and the same is hereby repealed.

"Acclimatisation Reserve; Ordinance, 1865," repealed.







## FENCING ORDINANCE 1856 AMENDMENT ORDINANCE, 1865.

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

SESSION XXI., No. 216.

### ANALYSIS :

Title.  
Preamble.  
1. Short Title.

2. Adjoining proprietor to have notice before erection  
of boundary Fence.  
3. Service of Notice.  
4. Proof of Notice.

*AN ORDINANCE to Amend an Ordinance intituled An Ordinance to Amend the* <sup>Title.</sup>  
*Law relative to Fences.* [5TH JANUARY, 1866.]

**W**HEREAS it is expedient to amend the "Fencing Ordinance 1856;" <sup>Preamble.</sup>  
BE IT THEREFORE ENACTED by the Superintendent of the Province of  
Otago with the advice and consent of the Provincial Council thereof as  
follows :

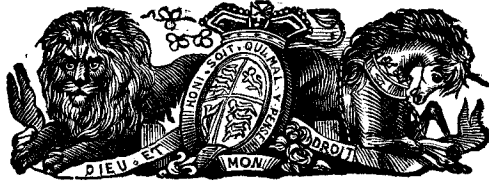
I. This Ordinance shall be termed and may be cited and referred to as <sup>Short Title.</sup>  
the "Fencing Ordinance 1856 Amendment Ordinance 1865."

II. Before any person shall erect or make a sufficient fence within the <sup>Adjoining proprietor  
to have notice before  
erection of boundary  
Fence.</sup>  
meaning of the Ordinance of the Province of Otago intituled "An Ordinance to repeal the Fencing Ordinance and to make other provisions in lieu thereof" and of the "Fencing Ordinance 1856" dividing his land from land adjoining thereto such person is hereby required to give the proprietor tenant or occupier of such adjoining land two months' notice in writing of such person's intention to erect or make such sufficient fence: And if such person shall erect or make such sufficient fence without giving such notice as aforesaid the proprietor tenant or occupier of such adjoining land shall not be liable to pay any portion of the value of such fence anything in the "Fencing Ordinance 1856" to the contrary notwithstanding.

III. Every such notice may be served either by delivering the same <sup>Service of notice.</sup>  
personally to such proprietor tenant or occupier or by leaving the same with some adult inmate at his usual or last known place of abode or if such proprietor or tenant shall be absent from the Province then by delivering the same to his known agent in the Province or leaving the same with some adult inmate at the usual place of abode of such agent and if there shall be no such agent resident in the Province then it shall be sufficient to insert such notice twice in the *Government Gazette* of the Province.

IV. The burden of proving the due service of every such notice shall <sup>Proof of notice.</sup>  
rest with the person giving such notice.





## BIRDS PROTECTION ORDINANCE, 1865.

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

SESSION XXI., No. 217.

### ANALYSIS :

Title.  
Preamble.  
1. Short Title.

2. Penalty for killing with swivel guns, &c.  
3. Interpretation.

AN ORDINANCE to provide for the Protection of Birds in the Province of <sup>Title.</sup>  
*Otago.* [5TH JANUARY, 1866.]

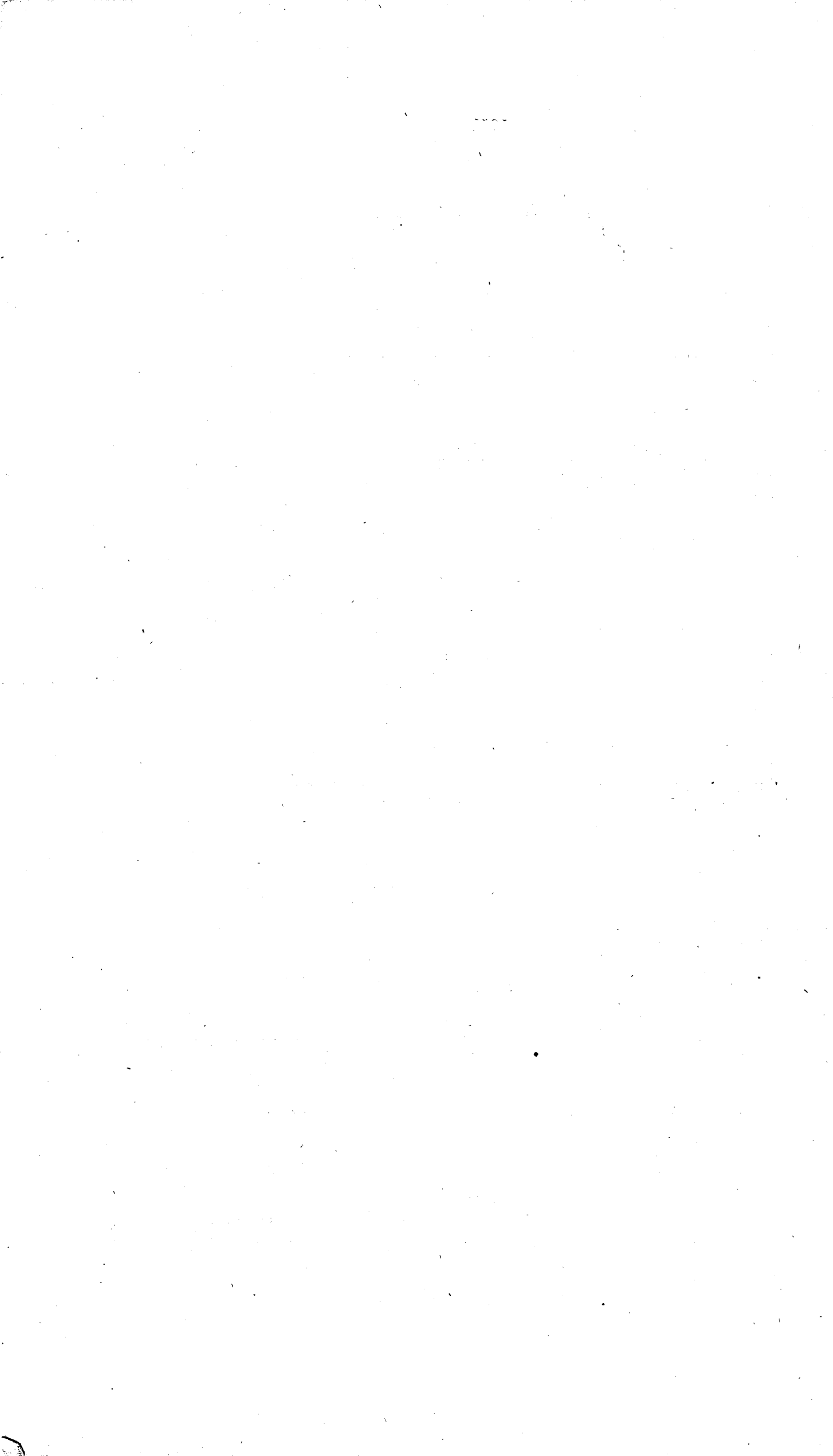
WHEREAS it is expedient to provide for the better protection of Birds <sup>Preamble.</sup>  
in the Province of Otago ;

BE IT THEREFORE ENACTED by the Superintendent of the Province of  
Otago by and with the advice and consent of the Provincial Council thereof  
as follows :

I. The short title of this Ordinance shall be the "Birds Protection <sup>Short Title.</sup>  
Ordinance 1865."

II. Any person killing any Bird by means of swivel guns or cannon on <sup>Penalty for killing  
with swivel guns, &c.</sup>  
any lake river or other place within the Province of Otago shall be punished  
on conviction before a Resident Magistrate or two or more Justices of the  
Peace by a fine not exceeding twenty shillings nor less than five shillings in  
respect of every male Bird and not exceeding forty shillings nor less than  
ten shillings in respect of every female Bird one-half of any such fine to be  
paid to the person or persons who shall be instrumental in procuring any  
such conviction and if more than one such person then in such proportion as  
the convicting Resident Magistrate or Justices shall specify.

III. In the construction of this Ordinance the word "Bird" shall be <sup>Interpretation.</sup>  
taken to mean any Duck Teal Widgeon Wild Goose Swan and every kind  
of Water Fowl.





## EDUCATION RESERVES ORDINANCE, 1865.

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

SESSION, XXI., No. 218.

### ANALYSIS.

Title  
Preamble.  
1. Short Title.

2. Lands described in Schedule reserved for establish-  
ment of a University and Public Schools.  
Schedule

*AN ORDINANCE to Reserve from Sale certain Waste Lands of the Crown in the Province of Otago and to set aside the same for the Establishment and Maintenance of a University and Public Schools in the said Province.* [5TH JANUARY, 1866.]

**WHEREAS** by the Waste Land Regulations of Otago proclaimed by the Governor of New Zealand on the twelfth day of February one thousand eight hundred and fifty-six under the "Waste Lands Act 1854" and declared valid by the "Waste Lands Act 1858" it is provided that it shall be lawful for the Superintendent of Otago with the advice and consent of the Provincial Council to reserve from sale and to set aside for public uses any Land within the said Province of Otago: And whereas the lands particularly described in the Schedule hereunto annexed are Waste Lands of the Crown subject to be dealt with and reserved for the purposes aforesaid under the said Waste Land Regulations and it is expedient that the said lands should be reserved from sale and be set aside for and appropriated to the establishment and maintenance of a University and Public Schools in the said Province and generally for the advancement of Education in the said Province;

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows:

I. This Ordinance may be referred to and cited as the "Education Reserves Ordinance 1865."

II. The lands particularly described in the Schedule hereunto annexed are hereby reserved from sale and are set aside for and appropriated to the Establishment and Maintenance of a University in the City of Dunedin in the said Province of Otago and of Public Schools in different parts of the Province and for the general advancement of Education in the said Province.

Lands described in  
Schedule reserved for  
establishment of a  
University and Public  
Schools.

## SCHEDULE.

## EDUCATIONAL RESERVES—RURAL LANDS.

All the Sections and Blocks in this Schedule mentioned, are delineated on the Selection Map of the particular Districts deposited in the Waste Lands Office of the Province of Otago, in Dunedin, and the Measurements, as stated, are held to be less or more.

DISTRICT.	SECTION.	BLOCK.	ACREAGE.			DISTRICT.	SECTION.	BLOCK.	ACREAGE.		
			A.	R.	P.				A.	R.	P.
Warepa . . .	<del>2 of 7</del>	I	35	0	7	Moeraki . . .	<del>2 of 93</del>	VII	18	3	4
Warepa . . .	<del>17</del>	I	33	1	35	Moeraki . . .	<del>2 of 6</del>	VIII	40	0	0
Warepa . . .	15	II	224	1	22	Moeraki . . .	32	VIII	41	0	18
Warepa . . .	14	III	252	2	26	Moeraki . . .	2 of 45	VIII	40	0	0
Warepa . . .	26	IV	108	2	13	Moeraki . . .	2 of 57	VIII	33	2	26
Warepa . . .	27	IV	124	0	23	Moeraki . . .	2 of 9	IX	20	2	24
Awamoko . . .	3 and 4	I	174	2	17	Moeraki . . .	10 and 11	IX	156	1	24
Awamoko . . .	37	IV	228	0	8	Moeraki . . .	17	XI	59	3	0
Awamoko . . .	17	VI	194	0	28	Moeraki . . .	19	XI	60	0	39
Awamoko . . .	23	VIII	90	0	0	Moeraki . . .	20	XI	50	0	7
Awamoko . . .	24	VIII	82	3	7	Otepopo . . .	34	VIII	84	3	24
Awamoko . . .	25	VIII	66	2	10	Otepopo . . .	35	VIII	88	1	12
Awamoko . . .	21	IX	136	3	4	Pomahaka . . .	<del>1 of 12</del>	XV	47	0	0
Awamoko . . .	22	IX	101	0	35	Pomahaka . . .	<del>1 of 41</del>	XV	40	0	0
Awamoko . . .	18	X	147	2	19	Pomahaka . . .	<del>2 of 26</del>	XV	40	0	0
Kuriwao . . .	18	I	134	2	0	Papakaio . . .	39	V	37	2	7
Kuriwao . . .	27	II	149	1	29	Papakaio . . .	53	VII	80	0	0
Kaitangata . . .	14	III	197	0	32	Papakaio . . .	54	VII	69	1	25
Kaitangata . . .	17	VI	116	0	31	Papakaio . . .	55	VII	70	0	32
Kaitangata . . .	7	VII	178	1	38	Papakaio . . .	44	VIII	80	0	0
Moeraki . . .	2 of 15	VI	40	0	0	Papakaio . . .	45	VIII	80	0	0
Moeraki . . .	<del>2 of 24</del>	VI	39	2	28	Papakaio . . .	46	VIII	56	0	5
Moeraki . . .	<del>2 of 41</del>	VI	40	0	0	Tuapeka . . .	99	I	18	1	18
Moeraki . . .	57	VI	43	3	24	Tuapeka . . .	100	I	23	3	26
Moeraki . . .	2 of 70	VI	8	0	7	Waikouaiti . . .	15	II	80	0	0
Moeraki . . .	59	VII	89	3	12	Waikouaiti . . .	16	II	80	0	0
Moeraki . . .	13	VII	49	1	10	Waipahee . . .	12	I	114	1	34
Moeraki . . .	39	VII	30	2	34	Waikawa . . .	14	I	90	1	21
Moeraki . . .	60	VII	51	2	18	Kauroo . . .	13 and 14	I	199	1	8



## EDUCATION ORDINANCE 1864 AMENDMENT ORDINANCE, 1865.

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

SESSION XXI., No. 219.

### ANALYSIS :

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Section 24 of the "Education Ordinance, 1864," repealed, and other provisions made in lieu thereof.</p> <p>3. Provision for Education of Orphan and Destitute Children.</p> <p>4. Provision made for paying off debts already incurred</p>	<p>by any Educational District.</p> <p>5. Assessment to be made and collected, &amp;c., as provided in "Education Ordinance, 1864."</p> <p>6. No other rate to be levied than that authorised by this Ordinance</p> <p>7. Repeal of certain Sections of "Education Ordinance, 1864," except for purposes of this Ordinance, and for certain other purposes.</p>
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AN ORDINANCE to amend an Ordinance intituled the "Education Ordinance 1864." Title.  
[5TH JANUARY, 1866.]

**W**HEREAS it is expedient to amend the "Education Ordinance 1864" Preamble.  
in certain particulars ;

BE IT THEREFORE ENACTED by the Superintendent of Otago with the advice and consent of the Provincial Council thereof as follows :

I. This Ordinance shall be termed and may be cited and referred to Short Title.  
as the "Education Ordinance 1864 Amendment Ordinance 1865."

II. The 24th Section of the "Education Ordinance 1864" is hereby Section 24 of the  
repealed and in lieu thereof it is enacted as follows : A sum not exceeding "Education Ordinance 1864" repealed  
one hundred pounds per annum in each case towards the payments of the and other provisions  
Teachers' salaries also one-half of their passage money to Otago and made in lieu thereof.  
two-thirds of the cost of enlarging keeping in repair and renewing all School  
Buildings and Teachers' Houses one-half of the insurance of such buildings  
and houses shall be defrayed out of funds already and hereafter to be  
appropriated by the Superintendent and Provincial Council for Educational  
purposes or such other funds applicable to such purposes as may be at the  
disposal of the Otago Education Board and the remainder of such salaries  
and expenses and of the insurance keeping in repair and renewing of all  
such School Buildings and Teachers' Houses and all other incidental ex-  
penses shall from time to time be defrayed by every School District by and  
out of School fees donations and subscriptions.

III. It shall be lawful for the Otago Education Board out of any funds Provision for Edu-  
which may from time to time be at their disposal to pay to the School Com- cation of Orphan  
mittee of any Educational District the sum of ten shillings per annum for and Destitute Child-  
every orphan or destitute child who shall have been received into and have regu- ren.  
larly attended and been educated in any School under the control of the Board.

Provision made for paying off debts already incurred by any Educational District.

IV. Within three months after the annual election of every School Committee to be held under the provisions of the 14th Section of the "Education Ordinance, 1864" on the second Monday in the month of January 1866 it shall be lawful for every School Committee elected at such meeting or in default thereof for any Commissioner or Commissioners to be appointed by the Board as in the 3rd Section of the said Ordinance is provided to make an estimate of the sum due by their respective districts and if it shall appear to any such School Committee or such Commissioner or Commissioners after consideration of such estimate that a district rate is necessary to make up the amount required to pay off any debt or sum which may be owing or payable by such Educational District for any debt due by such district for any salaries and expenses or other sums of money due by such district which shall have been incurred by such district or by the School Committee of such district on account of the district previous to the coming into operation of this Ordinance such School Committee or Commissioner or Commissioners shall forthwith furnish to the Otago Education Board (hereinafter called "The Board") a statement in writing of the estimate aforesaid together with a copy of the Resolution of the School Committee or of such Commissioner or Commissioners relating to the same and such other information as the Board shall require of them and the School Committee or the Commissioner or Commissioners as the case may be shall at the same time publish the said estimate and resolution by affixing a statement thereof in writing on the School-house or on some public or conspicuous building in the district and as soon as conveniently may be after the lapse of thirty days from the publication of such estimate and resolution the Board shall take the same into consideration at a meeting of which previous notice shall have been given by advertisement in the *Provincial Government Gazette* and otherwise as the Board shall direct and at such meeting or any adjournment thereof the Board shall authorise the levying a district rate of the amount proposed by the School Committee or the Commissioner or Commissioners as the case may be or shall give such other decision in the matter as to them shall seem fit and it shall thereupon be lawful for such School Committee or such Commissioner or Commissioners to make such rate to be assessed upon all houses shops warehouses barns stables mills and other buildings and erections and upon all yards gardens and other lands and hereditaments whatsoever within the limits of such Educational District and such rates shall be made and laid upon all such houses shops warehouses barns stables mills and other buildings and erections and upon all yards gardens and other lands and hereditaments whatsoever according to the net annual value thereof whether situate in towns or otherwise and the net annual value as aforesaid shall be deemed and taken to be such sum of money as each subject of assessment may be reasonably expected to yield to the owner as rental if let to a tenant from year to year.

Assessment to be made and collected &c., as provided in Education Ordinance 1864.

V. Every such assessment shall be made in manner and as provided by section 26 of the said "Education Ordinance 1864" and all proceedings with respect or in relation to such assessment shall and may be had and taken in manner and as provided in sections 27 28 29 30 31 and 32 of the said "Education Ordinance 1864" as if the provisions of the said sections had been re-enacted in this Ordinance with respect to the assessment hereby authorised to be made.

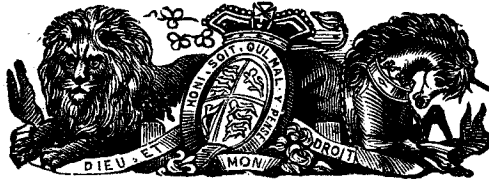
No other rate to be levied than that authorised by this Ordinance.

VI. After the passing of this Ordinance it shall not be lawful for the Board to authorise nor for any School Committees to levy or raise any such district rate as in the 25th section of the "Education Ordinance 1864" is mentioned for the purposes therein expressed anything in the said section to the contrary notwithstanding.

Repeal of certain Sections of Education Ordinance 1864, except for purposes of this Ordinance and for certain other purposes.

VII. Save and except for the purposes of this Ordinance and for the collection and recovery of any rate heretofore levied or made under or in pursuance of the said "Education Ordinance 1864" sections 25 26 27 28 29 30 31 and 32 of the said Ordinance are hereby repealed.





OTAGO PROVINCIAL REPRESENTATION ORDINANCE,  
1864, AMENDMENT ORDINANCE, 1866.

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

SESSION XXI., No. 220.

ANALYSIS :

<p>Title. Preamble. 1. Designation of Districts altered.</p>	<p>2. Members to retain their seats. 3 Short Title.</p>
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AN ORDINANCE to alter the Designation of certain Provincial Electoral Districts. Title.  
[5TH JANUARY, 1866.]

WHEREAS by an Ordinance of the Superintendent and Provincial Council of the Province of Otago intituled the "Otago Provincial Representation Ordinance 1864" the Towns and Districts of Lawrence of Clyde and of Queenstown were respectively formed into a separate Electoral District by the designations respectively of the Lawrence Electoral District the Clyde Electoral District and the Queenstown Electoral District : And whereas it is desirable to alter the designations of the said Electoral District ;

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

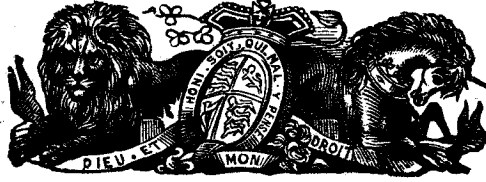
I. From and after the coming into operation of this Ordinance the Electoral Districts respectively designated in the said Ordinance as the Lawrence Electoral District the Clyde Electoral District and the Queenstown Electoral District shall be designated respectively as follows :—

The Electoral District of Lawrence as defined in the said Ordinance shall be designated as the Electoral District of Tuapeka the Electoral District of Clyde as defined in the said Ordinance shall be designated as the Electoral District of Dunstan and the Electoral District of Queenstown as defined in the said Ordinance shall be designated as the Electoral District of The Lakes anything in the said Ordinance to the contrary notwithstanding.

II. The existing Members for the Electoral Districts of Lawrence Clyde and Queenstown respectively so long as they retain their seats shall continue to be Members for the Electoral Districts of Tuapeka Dunstan and The Lakes respectively notwithstanding the alteration hereby made in the names of the Electoral Districts for which such Members respectively have been elected.

III. This Ordinance may be cited and referred to as the "Otago Provincial Representation Ordinance 1864 Amendment Ordinance 1866."





## INTERPRETATION ORDINANCE, 1865.

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

SESSION XXI., No. 221.

### ANALYSIS :

<p>Title.</p> <p>1. Short Title.</p> <p>2. Ordinances assented to, to come into operation on the day on which assent is given.</p> <p>3. The Clerk of the Provincial Council to endorse on Ordinances day, &amp;c. of assent.</p> <p>4. Reserved Ordinances—when to come into operation.</p> <p>5. Ordinances to be divided into sections.</p> <p>6. Repeal of Repealing Ordinance not to revive Ordinance first repealed.</p> <p>7. Interpretation of words, &amp;c. Her Majesty. Governor. Governor in Council. Superintendent. Superintendent and Executive Council. Constitution Act. Constitution Amendment Act.</p>	<p>“The Province” and “This Province.” Government Gazette and New Zealand Gazette. Provincial Government Gazette. Oath, Swear, Affidavit. Singular and plural. Masculine Gender. . Month. Land.</p> <p>8. When the doing of any act is prohibited, prohibition to extend to the causing such acts to be done.</p> <p>9. An Ordinance repealing in whole or in part a former Ordinance, and substituting some provision instead of the provision repealed—how dealt with.</p> <p>10. Proclamations made in pursuance of any Ordinance to be part of such Ordinance.</p> <p>11. Application of this Ordinance.</p>
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AN ORDINANCE for the Interpretation of Ordinances of the Provincial Council of the Province of Otago. Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**B**E it enacted by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :

I. This Ordinance may for all purposes be cited as the “Interpretation Ordinance 1865.” Short Title.

II. Every Ordinance of the Provincial Council of Otago which shall not prescribe the time from which it is intended to take effect and which shall have been assented to in the name of the Governor of New Zealand shall come into operation on the day on which it shall receive the Superintendent's assent. Ordinances assented to, to come into operation on the day on which assent is given.

III. The Clerk of the Provincial Council of the Province of Otago shall insert in every Ordinance immediately after the Title thereof the day month and year when the same shall have been assented to by the Superintendent in the Governor's name and such date shall be taken to be a part of the Ordinance and to be the date of its commencement when no other commencement shall be therein provided. The Clerk of the Provincial Council to endorse on Ordinances day, &c., of assent.

IV. Every such Ordinance which shall not prescribe the time from which it is intended to take effect and which shall be reserved for the signification of the Governor's pleasure thereon shall come into operation on the day on which the Superintendent by speech message or proclamation shall signify that the Governor has assented to the same. Reserved Ordinances, when to come into operation.

V. Every such Ordinance shall be divided into sections if there be more enactments than one which sections shall be deemed to be substantive enactments without any introductory words. Ordinances to be divided into sections.

- Repeal of Repealing Ordinance not to revive Ordinance first repealed. VI. Whenever any Ordinance repealing in whole or in part any former Ordinance shall be repealed such last repeal shall not revive the Ordinance or Provision before repealed unless words be added reviving such Ordinance or Provision.
- Interpretation of words, &c. VII. In the construction of all Ordinances the words and expressions following shall have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction that is to say—
- Her Majesty. The term "Her Majesty" shall include Her Majesty her heirs and successors.
- Governor. The term "Governor" shall mean the person for the time being lawfully administering the Government of New Zealand.
- Governor in Council. The term "Governor in Council" shall mean the Governor with the advice and consent of the Executive Council of New Zealand.
- Superintendent. The term "Superintendent" shall mean the Superintendent for the time being of the Province of Otago.
- Superintendent and Executive Council. The term "Superintendent and Executive Council" shall mean the Superintendent of Otago with the advice and consent of his Executive Council.
- Constitution Act. The term "Constitution Act" shall mean an Act of the Imperial Parliament made and passed in the Session held in the fifteenth and sixteenth years of the reign of Her Majesty Queen Victoria chapter seventy-two intituled "An Act to grant a Representative Constitution to the Colony of New Zealand."
- Constitution Amendment Act. The term "Constitution Amendment Act" shall mean an Act of the Imperial Parliament made and passed in the Session held in the twentieth and twenty-first years of the reign of Her Majesty Queen Victoria intituled "An Act to Amend the Act for granting a Representative Constitution to the Colony of New Zealand."
- "The Province" and "This Province." The terms "The Province" and "This Province" shall severally mean the Province of Otago as delineated on the map of the same.
- Government Gazette and New Zealand Gazette. The terms "Government Gazette" and "New Zealand Gazette" shall mean the *Gazette* published by or under the authority of the Government of New Zealand.
- Provincial Government Gazette. The term "Provincial Government Gazette" shall mean the *Gazette* published by or under the authority of the Government of the Province of Otago.
- Oath, Swear, Affidavit. The words "Oath" and "Affidavit" shall include affirmation and declaration and the word "Swear" shall affirm and declare in the case of persons allowed by law to affirm or declare instead of swearing.
- Singular and plural. Words importing the singular number only shall include the plural number and words importing the plural number only shall include the singular number unless the contrary intention appears from the context.
- Masculine Gender. Words importing the masculine gender only shall include females unless the contrary intention appears from the context.
- Month. The word "Month" shall mean calendar month unless words be added showing lunar month to be intended.

The word "Land" shall include messuages tenements hereditaments houses and buildings of any tenure unless where there are words to exclude houses and buildings or to restrict the meaning to tenements of some particular tenure.

Land.

VIII. That wherever the doing of any act is prohibited by any Ordinance the prohibition shall be taken to extend to the causing such act to be done unless there be something in the subject or the words of the Ordinance repugnant thereto.

When the doing of any act is prohibited, prohibition to extend to the causing such acts to be done.

IX. Whenever any Ordinance shall be made repealing in whole or in part any former Ordinance and substituting some provision or provisions instead of the provision or provisions repealed such provision or provisions repealed shall remain in force until the substituted provision or provisions shall come into operation by force of the last made Ordinance.

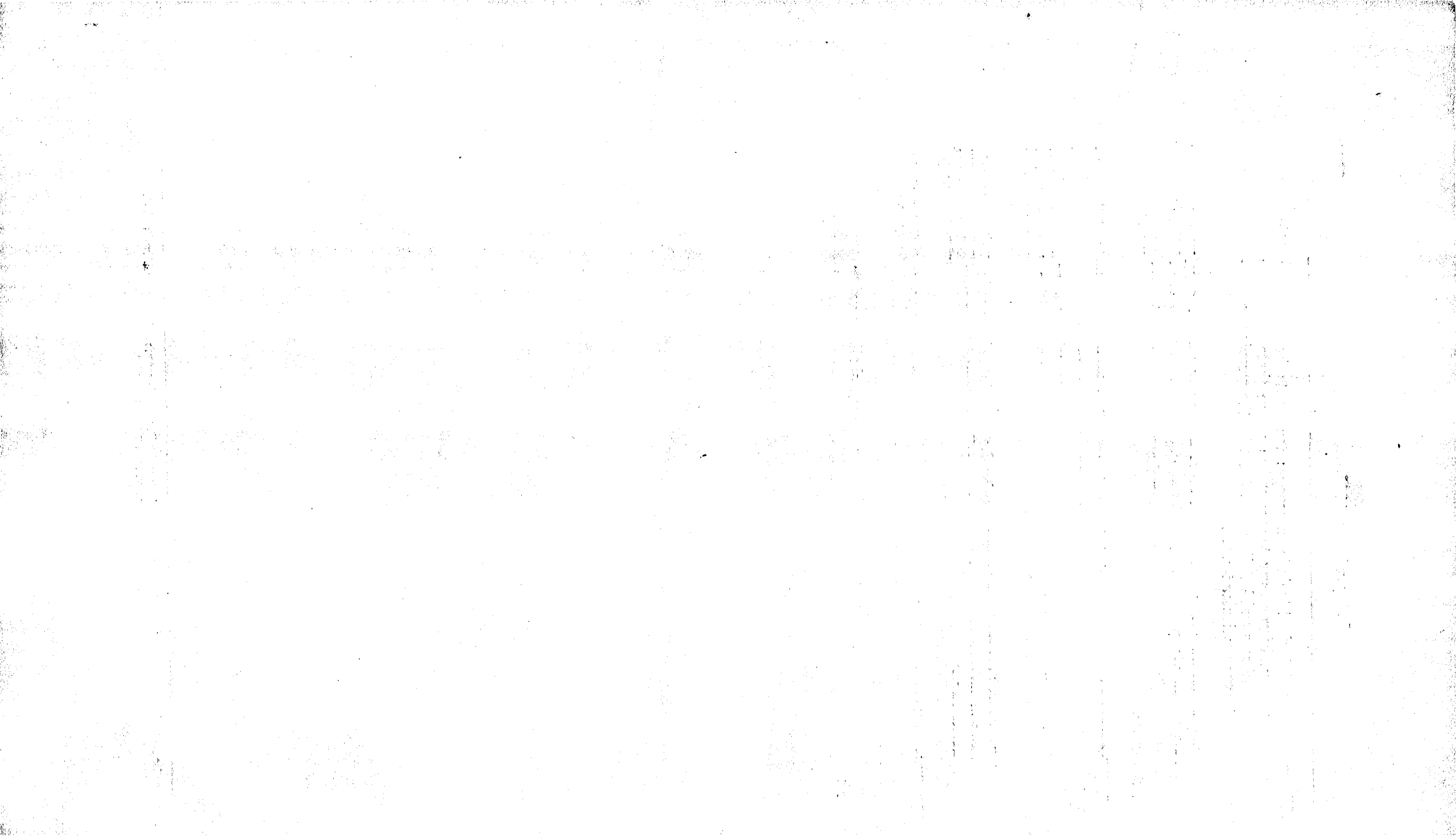
An Ordinance repealing in whole or in part a former Ordinance, and substituting some provision instead of the provision repealed—how dealt with.

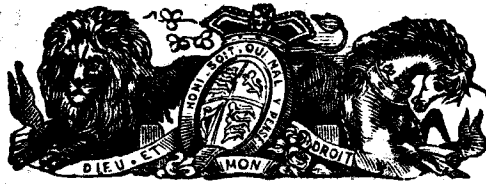
X. All Proclamations made or to be made by the Superintendent under the authority and in pursuance of any Ordinance shall be deemed to be part of such Ordinance and shall be read therewith.

Proclamations made in pursuance of any Ordinance to be part of such Ordinance.

XI. This Ordinance shall come into operation on the day on which it shall receive the Governor's assent and shall apply to all Ordinances passed at the present Session of the Provincial Council before the coming into operation of this Ordinance and to all Ordinances which shall hereafter be passed.

Application of this Ordinance.





## OTAGO DOCK TRUST ORDINANCE, 1865.

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

SESSION XXI, No. 222.

### ANALYSIS.

- |   |   |
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| <p>Title.<br/>Preamble. 28 and 29 Vic., c. 106.<br/>1. Short Title.<br/>2. Otago Dock Board incorporated.<br/>3. Power to remove and appoint trustees.<br/>4. A portion not exceeding two acres of lands described in Schedule vested in Board.<br/>5. Superintendent authorised to convey.<br/>6. Board to construct Dock.<br/>7. Dock to be vested in the Board.<br/>8. Power to borrow money on mortgage.<br/>9. Copies of leases and mortgages to be open for inspection.<br/>10. Members of the Board not to be personally liable.</p> | <p>11. Covenants and power implied by Conveyancing Ordinance to be implied.<br/>12. Superintendent with consent of Executive Council may guarantee<br/>13. Amount chargeable on and payable out of Provincial Revenues.<br/>14. Superintendent may impose conditions upon Company.<br/>15. The Board may make bye-laws, &amp;c.<br/>16. And appoint officers.<br/>17. Board to keep accounts, and furnish balance-sheets to be audited.<br/>18. Surplus moneys to be accounted for to the Provincial Treasurer.<br/>Schedule.</p> |
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AN ORDINANCE *to provide for the making and improving of a Dock in the Port of Otago in the Province of Otago.* Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON,—5TH JANUARY, 1866.]

**W**HEREAS an Act was passed by the Imperial Parliament in the last Session thereof intituled "An Act to authorise Loans in aid of the Construction of Docks in British possessions;" And whereas the lands particularly described in the Schedule hereunto annexed have under and by virtue of the "Public Reserves Act 1854" been granted by the Governor of New Zealand in the name and on behalf of Her Majesty to the Superintendent of Otago and his successors to be held in trust for the improvement of the Harbor of Port Chalmers, and the construction and maintenance of such Docks, Piers, and other works therein as may be deemed advisable by the said Superintendent for facilitating the trade and commerce of the Town and Harbor of Port Chalmers: And whereas by the "Public Reserves Act Amendment Act 1862" it is provided that it shall be lawful for the Superintendent and Provincial Council of any Province by any Act or Ordinance to be from time to time duly passed in that behalf to direct and declare that any lands vested in the Superintendent of any Province under the provisions of the "Public Reserves Act 1854" upon trust for any public purposes shall be transferred to and vested in and held by any Corporation Commissioners or other person or persons having Corporate succession to be named in such Act or Ordinance in trust for the like or for any other Public purposes to be specified and declared in such Act or Ordinance in such manner and with such powers of lease management and disposition over the same and over all rents issues profits and proceeds thereof and other forms provisoes and conditions as shall in such Act or Ordinance be

Preamble.  
28 and 29 Vic c. 106.

expressed or declared : And whereas it is expedient to make provision for the construction maintenance and management of a Dock in the Port of Otago in the Province of Otago to take advantage of the provisions of the said recited Act of the Imperial Parliament;

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :

Short Title.

I. This Ordinance shall be termed and may be cited and referred to as the "Otago Dock Trust Ordinance 1865."

Otago Dock Board incorporated.

II. John Bathgate of Dunedin Banker John Jones of Dunedin Merchant Alfred Jackson of Dunedin Banker Richard Bowden Martin of Dunedin Merchant Arthur William Morris of Dunedin Merchant William Hunter Reynolds of Dunedin Merchant George M'Lean of Dunedin Merchant Arthur John Burns of Dunedin Esquire Alexander M'Kinnon of Port Chalmers Shipowner James Rattray of Dunedin Merchant the Provincial Treasurer and the Collector of Customs for the Port of Otago for the time being the Resident Magistrates at Dunedin and Port Chalmers for the time being the Mayor of Dunedin for the time being and the Harbor Master of Port Chalmers for the time being and all such other persons as shall be hereafter appointed members under the provisions of this Ordinance and their successors shall be and they are hereby constituted a Corporate Body in fact and in law by the name and style of the "Otago Dock Board" and by that name they and their successors shall have perpetual succession and a common seal with full power and authority by the same name and style to sue and be sued plead and be impleaded defend and be defended in all Courts and in all causes and suits at law or in equity whatsoever with power to take purchase and hold to them and to their successors all goods chattels and personal property whatsoever which may be required for the construction repair or working and management of the said Dock and shall also be able and capable in law to take purchase and hold to them and their successors all such lands hereditaments and possessions as may be transferred to and vested in them as a site for the said Dock or for wharves or warehouses connected therewith or a road or roads thereto or for any other purposes rendered necessary or advisable for the construction repair maintenance and working of the said Dock and also to do all other matters and things incidental to or appertaining to a Corporate Body subject nevertheless to any provisions in this Ordinance contained affecting such powers.

Power to remove and appoint trustees.

III. The Superintendent shall have power at any time to remove or suspend all or any of the persons so appointed and as often as any person so appointed shall die resign become incapable to act be removed suspended or absent from the said Province for the space of six consecutive calendar months it shall be lawful for the said Superintendent to appoint by proclamation in the Otago Provincial Government Gazette either permanently or temporarily as occasion may require another or other fit and proper person or persons to be a trustee or trustees in the room or stead of the trustee or trustees so dying resigning becoming incapable being suspended removed or absent as aforesaid and upon every such appointment or appointments the said lands hereditaments and possessions and all other property whatsoever of the "Otago Dock Board" shall vest without any Conveyance or Assignment in the continuing trustee or trustees jointly with such new trustee or trustees as joint tenants or if there be no continuing trustee or trustees then in the new trustee or trustees upon the same trusts and with and subject to the same powers and provisions as in the original trustee or trustees.

A portion not exceeding two acres of lands in Schedule vested in Board.

IV. Any part or portion not exceeding two acres in extent of the land described in the Schedule hereto shall be transferred to and vested in and held by the "Otago Dock Board" and their successors in trust as a site for a Dock subject to the powers provisions and conditions herein expressed and declared.



V. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the "Otago Dock Board" and their successors any part or parts not exceeding the area aforesaid of the lands described in the said Schedule hereto.

Superintendent authorised to convey.

VI. On the land so to be transferred to and vested in them as aforesaid the "Otago Dock Board" hereinafter called "The Board" shall as soon as conveniently may be construct a Dock of not less than 320 feet in length 60 feet in breadth and 18 feet in depth or of such larger dimensions as may be necessary to comply with the requirements and entitle them to the advantages of the provisions of the said recited Act of the Imperial Parliament intituled "An Act to authorise Loans in aid of the Construction of Docks in British Possessions."

Board to construct Dock.

VII. The whole and entire charge control and management of such Dock and the construction maintenance and repair thereof shall be and is hereby vested in the Board subject to the provisions of this Ordinance.

Dock to be vested in the Board.

VIII. It shall be lawful for the Board from time to time to borrow and take up at interest not exceeding eight pounds per centum per annum on the security of the whole or of a portion of the land so to be transferred and of the rates dues and charges which may hereafter be authorised to be made for such Dock and the funds to be derived therefrom such sum or sums of money as the Board may require for the purposes of erecting or constructing such Dock not exceeding in the whole the sum of £50,000 and to mortgage by way of conveyance in fee or by way of demise for any term of years such lands or any part or parts thereof respectively and to assign such rates dues or charges or any part thereof as a security to any person or persons who shall advance such sum or sums of money.

Power to borrow money on mortgage.

IX. Copies of all Mortgages and Assignments made under this Ordinance shall be entered in books to be kept for that purpose by the Board which books may at all reasonable times be perused and inspected on payment of a fee of two shillings and sixpence.

Copies of leases and mortgages to be open for inspection.

X. No member of the Board shall be held or adjudged to be personally liable upon any pretext for the repayment of any money borrowed for the purposes of this Ordinance or the interest thereof or for payment of any sum or performance of any obligation for payment or performance of which he shall not have bound himself personally as an individual independent of his office as a member of the Board.

Members of the Board not to be personally liable.

XI. All covenants and powers implied in a Conveyance of Land by way of Mortgage by virtue of an Ordinance of the Governor and Legislative Council of the Colony of New Zealand Session 2 No. X intituled "An Ordinance to facilitate the Transfer of Real Property and to simplify the Law relating thereto" shall be implied in any Mortgage made under this Ordinance and any notice or demand of payment required by the said Ordinance to be served on the Mortgagors may be served on or left at the office of the Board or failing such office with any individual member thereof.

Covenants and power implied by Conveyancing Ordinance to be implied.

XII. It shall be lawful for the said Superintendent with the advice and consent of the Executive Council of the said Province to enter into any agreement with any person or persons who shall advance money to the Board for the erection or construction of such Dock for the purpose of guaranteeing to such person or persons the payment of any sum or sums of money advanced by any such person or persons and of the interest thereof at such rate as may be agreed upon between the Board and any such person or persons not exceeding the rate of eight pounds per centum per annum: Provided always that the amount of principal money upon or in respect of which such guarantee as aforesaid may be given shall not exceed the sum of fifty thousand pounds.

Superintendent with consent of Executive Council may guarantee.

XIII. That the amount of all such principal and interest moneys as shall from time to time be so guaranteed as aforesaid shall be and is

Amount chargeable on and payable out of Provincial Revenues.

hereby charged upon and made payable out of all the Revenues of the said Province which are now or hereafter shall be subject to be appropriated by the Superintendent and the Provincial Council thereof.

Superintendent may impose conditions upon Company.

XIV. That upon or before agreeing to guarantee such principal or interest moneys as aforesaid it shall be lawful for the said Superintendent with the advice and consent of the said Executive Council to require the Board and also the person or persons who shall be about to advance any sum or sums of money to the Board and who shall require such guarantee to observe or submit to such terms and conditions as to him shall seem necessary.

The Board may make bye-laws, &c.

XV. It shall be lawful for the Board and they are hereby authorised and empowered to make all such bye-laws as may appear to the Board to be necessary for fully carrying out the purposes of this Ordinance and the Board may in such bye-laws fix and determine the amount of dues to be charged on all vessels making use of such Dock provided always that such bye-laws shall not be repugnant to the provisions of this Ordinance and provided also that no such bye-laws shall be of any force or effect until the same shall have been submitted to the Superintendent and approved of by him and until the same shall have been published in the *Government Gazette* of the Province.

And appoint officers.

XVI. It shall be lawful for the Board to appoint a Dock Master and such Surveyors Overseers Clerks Collectors and other Officers as they may deem necessary with reasonable salaries or allowances for their trouble

Board to keep accounts, and furnish balance-sheets to be audited.

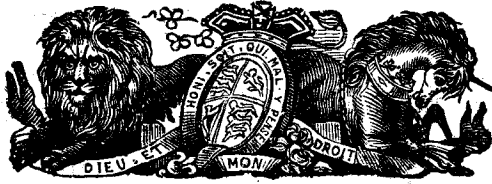
XVII. The Board shall keep accurate accounts of all sums of money received for dues or other charges on account of the said Dock and of all costs charges expenses and disbursements in connection with the management and maintenance thereof and on the 30th day of September in every year or within one week thereafter the Board shall prepare accounts and balance-sheet showing the receipts and disbursements of the Board during the previous year and the actual financial state of the Board on the 30th day of September in that year and such accounts and balance-sheet shall be forwarded in duplicate to the Superintendent who shall cause the same to be forwarded for examination by the Provincial Auditor in manner described by the "Provincial Audit Act 1861" and the Provincial Auditor is hereby required and empowered to examine and audit such accounts and balance-sheet and such balance-sheet shall be published in the *Government Gazette* of the Province immediately after the same shall have been so audited.

Surplus moneys to be accounted for to the Provincial Treasurer.

XVIII. All moneys received by the Board for dues and other charges arising from or in connection with the said Dock shall after deducting therefrom all expenses of the management and maintenance of the said Dock be from time to time paid over and accounted for to the Provincial Treasurer of the Province of Otago for the time being or other person acting in that behalf and shall be appropriated in such manner as the Superintendent and Provincial Council of the said Province shall by Ordinance direct. Provided that all such moneys shall be kept separate from the ordinary revenue of the Province.

#### SCHEDULE.

All that parcel of land in the Province of Otago, in the Colony of New Zealand, situate below high-water mark, in the Harbor of Port Chalmers, and containing by admeasurement Twenty-four Acres, be the same more or less; bounded towards the north-east by a line seven hundred and fifty links; towards the south-east by a line two thousand links; again, towards the north-east by a line one thousand one hundred and seventy links towards the north by a line one thousand three hundred and eighty links; again, towards the north-east by a line seven hundred and thirty links; again, towards the south-east by a line three hundred and sixty links towards the west by a road or street six hundred and ninety links; towards the south by a road or street of a thousand eight hundred and thirty links; and by the same in a curve seven hundred links; towards the north-west by a Reserve for the purposes of the General and Provincial Governments two hundred and fifty links; towards the south-west by the same Reserve five hundred links; again, towards the south-east by the same Reserve one hundred and sixty links; again, towards the south-west by a road or street two hundred links; and towards the west and north-west by high-water mark about four thousand one hundred links, as the same is delineated on the plan in the margin of the Crown Grant thereof.



## ROAD DISTRICTS LOAN ORDINANCE, 1865.

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

SESSION XXI., No. 223.

### ANALYSIS :

#### Title.

#### Preamble.

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| <ol style="list-style-type: none"> <li>1. General Road Board on request of Local Board may raise money on security of Rates.</li> <li>2. Ratepayers may petition the General Road Board to refuse any request to borrow money on security of Rates.</li> <li>3. Security to be by Assignment of Rates by way of Mortgage.</li> <li>4. Form of Deed. Schedule A, No. 1.</li> <li>5. On failing of any payment, Supreme Court may order Collector to pay Rates to Assignees.</li> <li>6. Collector not obeying orders punishable for contempt.</li> <li>7. Register of Deeds of Assignment to be kept.</li> <li>8. Transfer of Security in form of Schedule B.</li> </ol> | <ol style="list-style-type: none"> <li>9. Transfer to be Registered.</li> <li>10. Repayment by way of Terminable Annuities. Coupons in the form of Schedule A, No. 2.</li> <li>11. Rates of Road Districts borrowing money vested in General Board.</li> <li>12. General Board may levy a Special Rate for repayment of the loan in certain cases.</li> <li>13. Members of Board not personally responsible.</li> <li>14. All expenses incurred chargeable to Road District.</li> <li>15. On Subdivision of Road District, General Board may apportion future repayment of Loan.</li> <li>16. General Board may appoint Collectors.</li> <li>17. Interpretation.</li> <li>18. Short Title.</li> <li>Schedules.</li> </ol> |
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*AN ORDINANCE to empower the Otago General Road Board to raise money for the purpose of forming, improving, and maintaining District Roads, and erecting and maintaining Bridges within the various Road Districts of the Province of Otago, and to secure the repayment of such money on the Highway or Road Rates of the District within which the money so raised shall be or be intended to be expended, or on any Special Rate levied for the purpose.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**W**HEREAS it frequently happens that larger sums are required to be expended at one time for the purpose of forming improving erecting and maintaining the Roads and Bridges within the several Road Districts of the Province of Otago than can be procured from the Highway or Road Rates for the time being receivable from the ratepayers of such Districts respectively: And whereas it is also expedient that in order to provide the requisite funds for the purposes aforesaid the Otago General Road Board should be authorised and empowered to raise money on loan and to secure the repayment thereof upon the future Highway or Road Rates of the several Road Districts for the benefit of which such money may have been raised;

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

General Road Board on request of Local Board may raise money on security of Rates.

I. The Otago General Road Board at the request of the Local Board of any Road District may borrow on the security of the yearly Highway or Road Rates or of any Special Rates authorised to be levied from time to time under the provisions of the "Otago Roads Ordinance 1865" for the specific work for which a loan is required any sum which with any other sum previously borrowed and remaining unpaid for such Road District shall not exceed one years' estimated rental of property in such District.

Ratepayers may petition the General Road Board to refuse any request to borrow money on security of Rates.

II. It shall be lawful for the ratepayers in any Road District to petition the Otago General Road Board to refuse any such request of the Local Board to borrow any such sum as in the last clause is mentioned and on being satisfied that two-thirds of the ratepayers on the Assessment Roll of the District are unfavorable to a loan being contracted the General Road Board shall refuse to comply with the request of the Local Board.

Security to be by Assignment of Rates by way of Mortgage.

III. Security for the repayment of any money so borrowed shall be given by an assignment by way of mortgage of the yearly Highway or Road Rates and of any Special Rate which may be levied for the specific work for which any such money shall have been borrowed to the person or persons who shall advance or lend such money.

Form of Deed. Schedule A, No. 1.

IV. Every such assignment shall be by deed under the Seal of the General Board and in such deed the consideration shall be fully stated and such deed may be according to the form in Schedule A No. 1 hereunto annexed or to the like effect.

On failing of any payment, Supreme Court may order Collector to pay rates to Assignees.

V. All persons to whom such assignments shall be made or who shall be entitled to receive any part of the moneys thereby secured shall be entitled on failure of payment of any sum thereby secured for three months after the same shall have become due to apply to the Supreme Court for an order upon the Collector of the Road District the yearly Highway or Road Rates or any Special Rate of which shall have been charged therewith to pay to the Applicant such sum as shall be proved to be due to him on that account together with the costs of such application and order out of any moneys which he may then have in hand or if he have no funds in hand then out of the first money he may thereafter receive on account of such yearly Highway or Road Rates or such Special Rate as aforesaid.

Collector not obeying orders punishable for contempt.

VI. Any such Collector refusing to comply with such order or to collect any money due for any such yearly Highway or Road Rates or such Special Rate as aforesaid shall be deemed guilty of a contempt of Court and be punishable therefor by fine or imprisonment as to the said Court shall seem meet.

Register of Deeds of Assignment to be kept.

VII. A Register of such deeds of assignment shall be kept by the Secretary of the General Board and at the time of or previously to the issue of any such deed of assignment an entry thereof specifying the number and date thereof the amount of the consideration the name of the person entitled thereunder and the several payments to which he shall be so entitled and the dates at which such payments are to be made shall be made in such Register and such Register may be inspected at any time during which the office of the said Secretary shall be open by any person interested therein on payment of one shilling.

Transfer of Security in form of Schedule B.

VIII. Any person entitled under any such deed of assignment may transfer the same to any other person by deed and any such deed may be according to the form in the Schedule hereunto annexed marked B or to the like effect.

IX. Within fourteen days after the date of any such deed of transfer or if executed out of the said Province within fourteen days after such deed shall have arrived and have been received by the Transferee or his agent in the Province it shall be produced to the said Secretary who shall cause an entry thereof to be made in the said Register in the same manner as hereinbefore directed with respect to the original deed of assignment for which the said Secretary may demand and take a fee of five shillings and until such entry shall have been made the Transferee shall have no claim or right under the said original deed.

Transfer to be Registered.

X. The repayment of the principal moneys so borrowed and the interest thereon shall be by way of annuities to continue for and determine at the end of eleven years from the date of the deed of mortgage and payable half-yearly and every such deed of mortgage shall have attached thereto a coupon payable to the party entitled under the deed of assignment or his order for each half-yearly payment of the annuity thereby secured in the form in Schedule A, No. 2.

Repayment by way of Terminable Annuities. Coupons in the form of Schedule A, No. 2.

to one and partly to the other or others in accordance with the benefit receivable by any such subdivision from the specific work for which the money has been expended.

General Board may  
appoint Collectors.

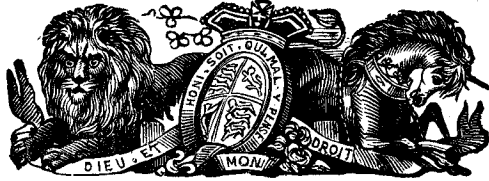
XVI. During the time the Highway or other Rates of any Road District shall be vested in the General Board it shall be lawful for the General Board to appoint or remove any Collector in any Road District.

Interpretation.

XVII. Whenever in this Ordinance the words "General Board" occur they shall be taken to mean the "Otago General Road Board" the term "Highway Rates" shall be taken to mean any yearly Rate raised under the provisions of the "Otago Roads Ordinance 1865" and the word "Collector" shall mean the Collector of Highway or Road Rates or of any Special Rate lawfully imposed on the ratepayers of any Road District.

Short Title.

XVIII. This Ordinance may be cited and referred to as the "Road Districts Loan Ordinance 1865."



## SOUTHERN TRUNK RAILWAY GUARANTEED INTEREST ORDINANCE, 1865.

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

SESSION XXI., No. 224.

### ANALYSIS:

<p>Title. Preamble. 1. Superintendent, with consent of Executive Council, may guarantee to a Company interest on Capital paid up.</p>	<p>2. Interest chargeable on and payable out of Provincial Revenues. 3. Superintendent may impose conditions on Company. 4. Fares and charges subject to approval of Superintendent. 5. Short Title.</p>
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*AN ORDINANCE to authorise the Superintendent of Otago to guarantee to any Joint Stock Company, which may be formed for the construction of a Railway from Dunedin to the Clutha River within eighteen months from the passing of this Ordinance, Interest on its paid-up Capital not exceeding four hundred thousand pounds.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**W**HEREAS it is expedient that a Railway from Dunedin to the Clutha River should be constructed and in order to encourage the formation of a Joint Stock Company for that purpose that interest on some part of the capital of such Company shall be guaranteed and paid out of Provincial Revenues ;

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

I. In case at any time hereafter any Joint Stock Company constituted and registered under the "Joint Stock Companies Act 1860" shall be formed for the purpose of constructing a Railway from Dunedin to the Clutha River it shall be lawful for the Superintendent with the advice and consent of the Executive Council of the said Province to enter into any agreement with such Company for the purpose of guaranteeing to the Shareholders thereof for and during any period not exceeding fifteen years the payment of any sum or sums of money either as dividend or interest on the paid-up capital of the said Company at a rate which shall be sufficient to increase the dividend or

Superintendent with consent of Executive Council may guarantee to a Company interest on capital paid up.

interest payable to such Shareholders to an amount not exceeding eight per cent. per annum such period of fifteen years to commence and be computed from the date of the completion of the first ten miles of Railway and such guarantee to extend to the amount expended on such ten miles until an additional ten miles is completed and then to extend to the amount expended on such additional ten miles and so on in the same proportion for every additional ten miles till the whole line of Railway is completed: Provided always that the amount or portion of such paid-up capital upon or in respect of which such dividends or interest shall be so guaranteed as aforesaid shall not exceed the sum of four hundred thousand pounds: And provided that such Company shall be completely formed and registered under the said Act within eighteen months from the passing of this Ordinance and that such Company shall be bound to complete the said line of Railway within fifteen years.

Interest chargeable on and payable out of Provincial Revenues.

II. That the amount of all such dividends or interest as shall from time to time be so guaranteed as aforesaid shall be and is hereby charged upon and made payable out of all the Revenues of the said Province of Otago which are now or hereafter shall be subject to be appropriated by the Superintendent and the Provincial Council thereof.

Superintendent may impose conditions on Company.

III. That upon or before agreeing to guarantee such dividends or interest as aforesaid it shall be lawful for the said Superintendent with the advice and consent of his Executive Council to require such Company to observe or submit to such terms and conditions as to him shall seem necessary.

Fares and charges subject to approval of Superintendent.

IV. The fares rates and charges for passengers and for goods and other things conveyed by the said Railway chargeable to the public and receivable by such Company shall be subject to the approval of the said Superintendent with the advice and consent of his said Executive Council.

Short Title.

V. This Ordinance may be cited and referred to as the "Southern Trunk Railway Guaranteed Interest Ordinance 1865."





## ROADS DIVERSION ORDINANCE, No. 2, 1865.

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

SESSION XXI, No. 225.

### ANALYSIS :

<p>Title. Preamble. 1. Short Title. 2. Superintendent authorised to stop up certain portions of roads. 3. Sixty days' notice of intention to stop up to be given. Or a Copy Sheet. 4. After expiration of notice Superintendent to de-</p>	<p>termine whether the road shall be stopped up. 5. Superintendent authorised to contract for the sale, &amp;c., of land over which stopped up portions of roads passed. 6. Superintendent empowered to exchange lands. 7. Map of Road to be deposited. 8. Interpretation. Schedules.</p>
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AN ORDINANCE to authorise and empower the Superintendent of Otago to Title.  
*Stop Up certain Roads and portions of Roads in the Province of Otago, and to sell, exchange, or otherwise dispose of the Lands over which such Roads and portions of Roads passed.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**W**HEREAS by an Act of the General Assembly of New Zealand Preamble.  
intituled the "Highways and Watercourses Diversion Act 1858" it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to stop up any public street road highway or thoroughfare in any such Province and also to sell exchange or otherwise dispose of the land over which such public street road highway or thoroughfare so stopped up was laid out or passed : And whereas in making the permanent formation of The Roads in the said Province of Otago it has been found that certain of The Roads and certain portions of The Roads are either from their situation or other causes unsuitable for the proper construction of good roads : And whereas other Roads on the Map or Maps hereinafter mentioned delineated and therein colored brown have been surveyed laid out and opened to the public in lieu of such Roads or portions of Roads so found to be unsuitable : And whereas in consequence of the permanent roadway having been laid out over other lands The Roads and the portions of The Roads so found to be unsuitable for good roads as aforesaid have become disused as public roads or thoroughfares and it is expedient that such roads and such portions of roads so disused should be stopped up and

should cease to be public roads and thoroughfares and it is also expedient that the Superintendent should be empowered to sell exchange or otherwise dispose of the lands over which such roads and portions of roads passed ;

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :

Short Title.

I. This Ordinance may be cited and referred to as the "Roads Diversion Ordinance No. 2, 1865."

Superintendent authorised to stop up certain portions of roads.

II. It shall be lawful for the Superintendent of Otago and he is hereby authorised and empowered to stop up all or any of such of The Roads and all or any of such portions of The Roads as are particularly described with regard to their situation courses boundaries and admeasurements in the Schedule to this Ordinance annexed marked B and are delineated on the Map or Maps and are therein colored red.

Sixty days' notice of intention to stop up to be given.  
Or a Copy Sheet.

III. Before any of The Roads or any portion of The Roads are stopped up by the Superintendent he shall cause a notice to be inserted in the *Government Gazette* of the Province of Otago or in at least one newspaper published in Dunedin or elsewhere in the said Province referring to the Map or Maps and describing in general terms the situation length and course of the Road or portions of Road intended to be stopped up and calling upon all persons objecting to the stopping up of such road or portions of roads to state in writing any well-grounded objection they may have to the stopping up of such road or portions of roads and to leave within sixty days from the first publication of such notice such statement addressed to the Superintendent at his office in Dunedin and on or before the day of the publication of the said notice a copy of the Map or Maps shall be deposited at one or more of the public schools in the Road District or Road Districts in which such road or portions of roads intended to be stopped up is or are situated or pass or if there be no such public school in such Road District or Road Districts then at any one or more of the public schools in the nearest adjoining Road District or Road Districts in which there shall be established a public school or public schools and there shall be printed written or lithographed on the said copy a notice intimating the last day for lodging such objections : Provided that if the delineation of the Roads intended to be stopped up in any Road District is not contained in a Map of a single sheet but is contained in a Map of more sheets than one it shall be sufficient to deposit at such school or schools the sheet or sheets of such Map on which are delineated the Road or portions of Roads intended to be stopped up or copies thereof respectively.

After expiration of notice, Superintendent to determine whether the road shall be stopped up.

IV. After the expiration of the said sixty days' notice if no objections have been made or if the Superintendent upon consideration of the objections made shall determine nevertheless that such portions ought to be stopped up the Superintendent shall declare by proclamation in the *Government Gazette* of the said Province that such roads or portions of roads shall thenceforth cease to be a Public Road or Thoroughfare and shall no longer form part of The Roads and the Superintendent may thereupon take such proceedings as he may think fit for stopping up such road or portions of roads.

Superintendent authorised to contract for the sale, &c., of land over which stopped up portions of roads passed.

V. It shall be lawful for the said Superintendent and he is hereby authorised and empowered to contract with any person or persons or body or bodies corporate for the sale exchange or disposal in any way he may think fit of the land over which any of The Roads or portions of The Roads stopped up under the provisions of this Ordinance passed.

Superintendent empowered to exchange lands.

VI. It shall be lawful for the Superintendent to exchange any of the said lands over which any of The Roads or portions of The Roads stopped

up under the provisions of this Ordinance passed for any other lands and to complete and perform any contracts heretofore entered into for the exchange of such lands for other lands over which new roads have been made in lieu of The Roads or the portions of The Roads stopped up under the provisions of this Ordinance so soon as the lands over which such new roads have been made shall have been conveyed to the Superintendent in exchange for any lands over which the stopped up roads or portions of road passed and the lands so conveyed in exchange to the Superintendent shall be by the Superintendent dedicated to the public as a public Highway and Thoroughfare and the fee simple shall be vested in Her Majesty her heirs and successors for ever subject to the rights of the public to use the surface thereof as public Highways.

VII. At all times after the passing of this Ordinance a Map or Maps of the Roads referred to in this Ordinance and which are particularly described in the Schedule hereto shall be kept at the office of the Superintendent of Otago for the time being in Dunedin and be at all convenient times open for public inspection and all persons may at all convenient times examine gratis at such office such Map or Maps. Map of road to be deposited.

VIII. The terms hereafter mentioned shall for the purpose of construing this Ordinance have the force and signification hereby attached to them that is to say: The terms "The Map" or "The Map or Maps" shall mean the Map or Maps Plan or Plans bearing an inscription signed by the Speaker of the Provincial Council referring to this Ordinance and which Map or Maps Plan or Plans are hereafter to be deposited in the office of the Superintendent of the Province of Otago: The term "The Roads" shall mean the Public Roads in the several Road Districts in the Province of Otago mentioned in the first Schedule to this Ordinance annexed marked A. and which Road or Roads are more particularly delineated in a Map or Maps certified by the Speaker of the Provincial Council and deposited at the office of the Superintendent of Otago. Interpretation.

### SCHEDULE A.

- |        |                        |   |   |
|--------|------------------------|---|---|
| No. 1. | Kaihiku Road District. |   |   |
| 2.     | Warepa                 | " | " |
| 3.     | Finegand               | " | " |
| 4.     | Cranbourne             | " | " |
| 5.     | Sydney                 | " | " |
| 6.     | Chalgrove              | " | " |
| 7.     | Chalfont               | " | " |
| 8.     | Teneraki               | " | " |
| 9.     | Landon                 | " | " |
| 10.    | Totara                 | " | " |
| 11.    | Glenore                | " | " |
| 12.    | Milton                 | " | " |
| 13.    | Kurimoto               | " | " |
| 14.    | Motupipi               | " | " |
| 15.    | Port Molyneux          | " | " |
| 16.    | Abbotsford             | " | " |
| 17.    | Lovelsbrook            | " | " |
| 18.    | Stony Creek            | " | " |
| 19.    | Puerua                 | " | " |

### SCHEDULE B.

#### No. 1.—KAIHIKU ROAD DISTRICT.

- Two hundred and nine chains in length, sixty links wide, from District Road, north end of section five, block fifty, to District Road on section five, block forty-eight, Clutha Survey District. Boundaries: east, block forty-three and part of block forty-two, Clutha; west, blocks fifty, forty-nine, and part of block forty-eight, Clutha Survey District.

2. Seventy-nine chains in length, sixty links wide, from District Road on section five, block forty-eight, to Main South Road on section seven, block forty-seven, Clutha Survey District. Boundaries: east, sections two, four, and part of six, block forty-two, sections twelve, ten, and part of eight, block forty-one; west, sections one, three, and part of five, block forty-eight, sections eleven, nine, and part of seven, block forty-seven, Clutha Survey District.
3. Forty-seven chains in length, sixty links wide, from River Bank Road at the North of section one, block sixty-four, to District Road on section five, block sixty-three, Clutha Survey District. Boundaries: west, section one, block sixty-four, section seven and part of section five, block sixty-three; east, section ten, block fifty-six, Clutha Survey District.
4. Forty-three chains in length, sixty links wide, from District Road on section five, block sixty-three, to District Road on section eleven, block sixty-two. Boundaries: east, sections two, four, and part of ten, block fifty-six and part of section ten, block fifty-five; west, sections one, three, and part of five, block sixty-three, and part of section eleven, block sixty-two, Clutha Survey District.
5. Thirty-four chains in length, sixty links wide, from District Road on section nine, block sixty-two, to District Road on section five, block sixty-two. Boundaries: east, section seven and part of sections six and eight, block fifty-five; west, section seven and part of sections five and nine, block sixty-two, Clutha Survey District.
6. Twenty-nine chains in length, sixty links wide, from District Road on section three, block sixty-two, to District Road on section eleven, block sixty-one. Boundaries: east, section two and part of section four, block fifty-five, and part of section twelve, block fifty-four; west, section one and part of section three, block sixty-two, and part of section eleven, block sixty-one, Clutha Survey District.
7. One hundred and thirty-six chains in length, sixty links wide, from District Road on section eleven, block sixty-one, to District Road on section five, block sixty. Boundaries: east, sections two, four, six, eight, ten, and part of twelve, block fifty-four, sections twelve, ten, eight, and part of six, block fifty-three; west, sections one, three, five, seven, nine, and part of eleven, block sixty-one, sections eleven, nine, seven, and part of five, block sixty, Clutha Survey District.
8. Nineteen chains in length, sixty links wide, from District Road on section five, block sixty, to Main South Road on section three, block sixty. Boundaries: east, parts of sections four and six, block fifty-three; west, parts of sections three and five, block sixty, Clutha Survey District.
9. Forty-five chains in length, sixty links wide, from River Bank Road on the north of section one, block seventy-one to District Road on section seven, block seventy. Boundaries: east, section one, block seventy-one, and part of section eight, block sixty-three; west, section one, block seventy-one, section nine and part of section seven, block seventy, Clutha Survey District.
10. One hundred and two chains in length, sixty links wide, from District Road on section seven, block seventy, to District Road on section seven, block sixty-nine. Boundaries: east, sections two, four, six, and part of eight, block sixty-three, sections twelve, ten, eight, block sixty-two; west, sections one, three, five, and part of seven, block seventy, sections eleven, nine, and part of seven, block sixty-nine, Clutha Survey District.
11. Two hundred and twenty chains in length, sixty links wide, from District Road on section seven, block sixty-nine, to Main South Road on section one, block sixty-seven. Boundaries: east, sections two, four, six, block sixty-two, block sixty-one, sections twelve, ten, eight, six, four, and part of two, block sixty; west, sections one, three, five, and part of seven, block sixty-nine, block sixty-eight, section eleven, nine, seven, five, three, and part of one, block sixty-seven, Clutha Survey District.
12. Forty-two chains in length, sixty links wide, from River Bank Road at the north of section one, block seventy-nine, to District Road on section nine, block seventy-eight. Boundaries: east, section one, block seventy-nine; west, section one, block seventy-nine, and part of section nine, block seventy-eight, Clutha Survey District.
13. Seventy-one chains in length, sixty links wide, from District Road on section nine, block seventy-eight, to District Road on section one, block seventy-eight. Boundaries: east, sections ten, eight, six, four, and part of two; west, sections seven, five, three, and parts of one and nine, block seventy-eight, Clutha Survey District.
14. Seventy-eight chains in length, sixty links wide, from District Road on section one, block seventy-eight, to District Road on section four, block sixty-nine. Boundaries: east, sections, four, six, eight, ten, twelve, block sixty-nine, and part of section two, block seventy; west, sections three, five, seven, nine, eleven, block seventy-seven, and part of section one, block seventy-eight, Clutha Survey District.
15. Fifty-two chains in length, sixty links wide, from Road between blocks sixty-eight and sixty-nine, to District Road on section five, block seventy-six. Boundaries: west, sections eleven, nine, seven, and part of section five, block seventy-six; east, sections twelve, ten, eight, and part of six, block sixty-eight, Clutha Survey District.
16. Forty-eight chains in length, sixty links wide, from District Road on section five, block seventy-six, to District Road on section eleven, block seventy-five. Boundaries: east, sections two, four, part of six, block sixty-eight, and part of section twelve, block sixty-seven, Clutha Survey District; west, sections one, three, part of five, block seventy-six, and part of section eleven, block seventy-five, Clutha Survey District.

17. Sixty-three chains in length, sixty links wide, from District Road on section eleven, block seventy-five, to District Road on section four, block sixty-seven. Boundaries : west, sections three, five, seven, nine, and part of eleven, block seventy-five ; east, sections four, six, eight, ten, and part of twelve, block sixty-seven, Clutha Survey District.

18. Two hundred and six chains in length, sixty links wide, from River Bank Road, at the north of section nine, block forty-three, to District Road on section one, block sixty-three. Boundaries : north, sections eleven, thirteen, fourteen, fifteen, block forty-three, block fifty, block fifty-six, and part of section one, block sixty-three ; south, sections twelve, eleven, and part of nine, block forty-three, block forty-nine, block fifty-five, and part of section eleven, block sixty-two, Clutha Survey District.

19. Fifty-eight chains in length, sixty links wide, from District Road on section one, block sixty-three, to Main District Road on section two, block sixty-three. Boundaries : north, part of sections one and two, block sixty-three ; south, part of sections eleven and twelve, block sixty-two, Clutha Survey District.

20. Sixty-nine chains in length, sixty links wide, from District Road on section two, block sixty-three, to Main District Road on section two, block seventy. Boundaries : north, section one, part of section two, block seventy, and part of section two, block sixty-three ; south, section eleven and part of section twelve, block sixty-nine, part of section twelve, block sixty-two, Clutha Survey District.

21. Six chains in length, sixty links wide, from Main District Road on section two, block seventy, to Block Road Line between blocks seventy and seventy-eight. Boundaries : north, part of section two, block seventy ; south, part of section twelve, block sixty-nine, Clutha Survey District.

22. One hundred and twenty-five chains in length, sixty links wide, from Main South Road on section eleven, block thirty-five to District Road on section one, block forty-two. Boundaries : north, sections thirteen, twelve, and part of eleven, block thirty-five, block thirty-six, and part of section one, block forty-two ; south, part of section twelve, block thirty-three, block thirty-four, and part of section eleven, block forty-one, Clutha Survey District.

23. One hundred and seventy-five chains in length, sixty links wide, from District Road on section one, block forty-two, to District Road on section two, block fifty-four, Clutha Survey District. Boundaries : north, section two and part of one, block forty-two, block forty-eight, section one and part of two, block fifty-four ; south, section twelve and part of eleven, block forty-one, block forty-seven, section eleven and part of twelve, block fifty-three, Clutha Survey District.

24. One hundred and fifty-one chains in length, sixty links wide from District Road on section two, block fifty-four, to District Road on section one, block seventy-six. Boundaries : north, part of section two, block fifty-four, block sixty-one, block sixty-eight, part of section one, block seventy-six ; south, part of section twelve, block fifty-three, block sixty, block sixty-seven, part of section eleven, block seventy-five, Clutha Survey District.

25. Sixty-nine chains in length, sixty links wide, from District Road on section one, block seventy-six, to Block Road Line between blocks seventy-six and eighty-four. Boundaries : north, section two and part of section one, block seventy-six ; south, section twelve, and part of section eleven, block seventy-five, Clutha Survey District.

26. Sixty-seven chains in length, sixty links wide, from Main South Road on section two, block sixty-seven, to Main South Road on section two, block seventy-five. Boundaries : north, part of section two, block sixty-seven, section one and part of two, block seventy-five ; south, part of section twelve, block sixty-six, section eleven and part of section twelve, block seventy-four, Clutha Survey District.

#### NO. 2.—WAREPA ROAD DISTRICT.

1. Sixty-two chains in length, sixty links wide, from Block Road Line, between blocks forty-one and thirty-four, to District Road on section two, block forty-one. Boundaries : north, section one and part of section two, block forty-one ; south, section eleven and part of section twelve block forty, Clutha Survey District.

2. One hundred and twenty-nine chains in length, sixty links wide, from District Road on section two, block forty-one, to District Road on section two, block fifty-three. Boundaries : north, part of section two, block forty-one, block forty-seven, section one, part of section two, block fifty-three ; south, part of section twelve, block forty, block forty-six, section eleven and part of section twelve, block fifty-two, Clutha Survey District.

3. Sixty-three chains in length, sixty links wide, from District Road on section two, block fifty-three, to Main South Road on section two, block sixty. Boundaries : north, part of section two, block fifty-three, section one and part of section two, block sixty ; south, part of section twelve, block fifty-two, section eleven and part of section twelve, block fifty-nine, Clutha Survey District.

4. Fifty-two chains in length, sixty links wide, from Main South Road on section two, block sixty, to Main District Road on section one, block sixty-seven. Boundaries : North, part of section two, block sixty, part of section one, block sixty-seven ; south, part of section twelve, block fifty-nine, part of section eleven, block sixty-six, Clutha Survey District.

5. Eight chains in length, sixty links wide, from Main District Road on section one, block sixty-seven, to Main South Road on section two, block sixty-seven. Boundaries : north, part of sections one and two, block sixty-seven ; south, parts of sections eleven and twelve, block sixty-six, Clutha Survey District.

6. Seventy-four chains in length, sixty links wide, from Main South Road on section two, block seventy-five, to Main District Road to Port Molyneux, on section two, block eighty-three. Boundaries: north, part of section two, block seventy-five, section one and part of section two, block eighty-three; south, part of section twelve, block seventy-four, section eleven and part of section twelve, block eighty-two, Clutha Survey District.
7. Thirty-three chains in length, sixty links wide, from District Road on section one, block seventy-four, to Main District Road on section two, block seventy-four. Boundaries: north, section one, block seventy-four; south, part of section eleven, block seventy-three, Clutha Survey District.
8. One chain fifty links in length, sixty links wide, from Block Road Line, between blocks seventy-four and sixty-six, to District Road on section one, block seventy-four. Boundaries: north, part of section one, block seventy-four; south, part of section eleven, block seventy-three, Clutha Survey District.
9. Twenty-two chains in length, sixty links wide, from Block Road Line, between blocks forty-five and thirty-nine, to District Road on section one, block forty-five. Boundaries: north, part of section one, block forty-five; south, part of section eleven, block forty-four.
10. Two hundred and eighty-three chains in length, sixty links wide, from District Road on section one, block forty-five to District Road on section one, block seventy-three. Boundaries: north, section two and part of section one, block forty-five, blocks fifty-one, fifty-eight, sixty-five, and part of section one, block seventy-three; south, section twelve and part of section eleven, block forty-four, block one hundred and one, and part of block one hundred and two, Clutha Survey District.
11. Nineteen chains in length, sixty links wide, from District Road on section one, block seventy-three, to the Kaihiku Creek. Boundaries: north, parts of sections one and two, block seventy-three; south, parts of sections nine and ten, block one hundred and two, Clutha Survey District.
12. Forty-eight chains in length, sixty links wide, from Block Road Line, between blocks forty-five and forty-six, to District Road on section five, block forty-five. Boundaries: east, sections twelve, ten, eight, and part of six, block thirty-nine; west, sections eleven, nine, seven, and part of five, block forty-five, Clutha Survey District.
13. Forty-two chains in length, sixty links wide, from District Road on section five, block forty-five, to Block Road Line between blocks forty-four and forty-five. Boundaries: east, sections two, four, and part of six, block thirty-nine; west, sections one, three, and part of five, block forty-five, Clutha Survey District.
14. Forty-seven chains in lengths, sixty links wide, from Block Road Line, between blocks fifty-eight and fifty-nine, to District Road on section five, block fifty-eight. Boundaries: east, sections eight, ten, twelve, and part of six, block fifty-one; west, sections seven, nine, eleven, and part of section five, block fifty-eight, Clutha Survey District.
15. Thirty-nine chains in length, sixty links wide, from Main District Road on section five, block fifty-eight, to Block Road Line, between blocks fifty-eight and one hundred and one. Boundaries: east, sections two, four, and part of six, block fifty-one; west, sections one, three, and part of five, block fifty-eight, Clutha Survey District.
16. One hundred and twenty-eight chains in length, sixty links wide, from Block Road Line, between blocks sixty-six and sixty-seven, to Main District Road on section seven, block sixty-five. Boundaries: east, block fifty-nine, and sections twelve, ten, and part of eight, block fifty-eight; west, block sixty-six, sections eleven, nine, and part of seven, block sixty-five, Clutha Survey District.
17. Fifty-two chains in length, sixty links wide, from Main District Road on section seven, block sixty-five, to Block Road Line between blocks sixty-five and one hundred and two, Clutha Survey District. Boundaries: east, sections two, four, six, and part of eight, block fifty-eight; west, sections one, three, five, and part of seven, block sixty-five, Clutha Survey District.
18. Twenty-eight chains in length, sixty links wide, from Main South Road on section twelve, block sixty-six, to District Road on section eight, block sixty-six. Boundaries: east, section ten, and parts of sections eight and twelve, block sixty-six; west, section nine and parts of sections seven and eleven, block seventy-four, Clutha Survey District.
19. Three chains in length, sixty links wide, from District Road on section seven, block seventy-four, to District Road on section five, block seventy-four. Boundaries: east, part of section eight, block sixty-six; west, part of section seven, block seventy-four, Clutha Survey District.
20. Three chains in length, sixty links wide, from District Road on section eight, block sixty-six, to District Road on section eight, block sixty-six. Boundaries: east, part of section eight, block sixty-six; west, part of section seven, block seventy-four, Clutha Survey District.
21. Fifty-nine chains in length, sixty links wide, from District Road on section six, block sixty-six, to District Road on section twelve, block sixty-five. Boundaries: east, sections six, four, two, block sixty-six, section twelve, block sixty-five; west, sections one, three, and part of five, block seventy-four, part of section eleven, block seventy-three, Clutha Survey District.

22. Eleven chains in length, sixty links wide, from District Road on section nine, block seventy-three, to Main District Road on section nine, block seventy-three. Boundaries: east, part of section ten, block sixty-five; west, part of section nine, block sixty-three, Clutha Survey District.

23. Fourteen chains in length, sixty links wide, from Main District Road on section seven, block seventy-three, to District Road on section seven, block seventy-three. Boundaries: east, part of section eight, block sixty-five; west, part of section seven, block seventy-three, Clutha Survey District.

24. Forty-four chains in length, sixty links wide, from District Road on section five, block seventy-three, to Block Road between blocks seventy-three and one hundred and two. Boundaries: east, sections two, four, and part of six, block sixty-five; west, sections one, three, and part of five, block seventy-three, Clutha Survey District.

25. Twenty-three chains in length, sixty links wide, from District Road on section nine, block eighty-five, to District Road on section seven, block eighty-five. Boundaries east, part of sections eight and ten, block eighty-one; west, parts of sections seven and nine, block eighty-five, Clutha Survey District.

26. Forty-six chains in length, sixty links wide, from District Road on section seven, block eighty-five, to Block Road line between blocks eighty-five and one hundred and three. Boundaries; east, sections two, four, six, and part of eight, block eighty-one; west, sections one, three, five, block eighty-five, Clutha Survey District.

#### No. 3.—FINEGAND ROAD DISTRICT.

1. Forty-two chains in length, sixty links wide from District Road, east end of section thirteen, block thirty-three, to Main South Road on section eleven block thirty-five. Boundaries: north, sections eight, nine, ten, and part of eleven, block thirty-five; south, section thirteen, and part of section twelve, block thirty-three, Clutha Survey District.

#### No. 4.—CRANBOURNE ROAD DISTRICT.

1. One hundred and eighty chains in length, one chain wide, from Main North Road on section eighteen, block four, Hawksbury, to Main North Road on section forty-three, block two, Hawksbury. Boundaries: both sides sections eighteen, eight, nine, ten, eleven, twelve, block four, Hawksbury, sections forty-two, forty-four, and forty-three, block two, Hawksbury.

#### No. 5.—SYDNEY ROAD DISTRICT.

1. Seventy-two chains in length, sixty links wide, from District Road between sections sixty-four and sixty-seven, block six, Otepopo, to District Road on section fifty-five, block six, Otepopo. Boundaries: both sides sections fifty-five, fifty-nine, sixty-five, sixty-six, and sixty-seven, block six, Otepopo.

2. One hundred and ninety-four chains in length, one hundred links wide, from Main North Road at section one hundred and fifteen, block six, Otepopo, to Main North Road at Island Stream Bridge. Boundaries; both sides part of block four, Otepopo, and sections eighty-one, twenty-three, Shingle Reserve, eighty-three to ninety-two (both inclusive), forty-six, forty-five, forty-three, forty-four, one hundred and one to one hundred and fourteen (both inclusive), and part of section one hundred and fifteen, block six, Otepopo.

#### No. 6.—CHALGROVE ROAD DISTRICT.

1. Sixty-five chains in length, sixty links wide, from Main North Road at section seventeen, block one, Otepopo, to Beach Road on section nineteen, block one, Otepopo. Boundaries: north, sections seventeen, eighteen, and nineteen, block one, Otepopo; south, sections twenty, twenty-one, and twenty-two, block one Otepopo.

2. Fifty-one chains in length, sixty links wide, from Main North Road on section twenty-three, block one, Otepopo, to Beach Road at section two of twenty-four, block one, Otepopo. Boundaries: both sides, sections twenty-three, twenty-four, and two of twenty-four, block one, Otepopo.

3. One hundred and thirty-nine chains in length, one chain wide, from Main North Road at section seventeen, block one, Otepopo, to southern boundary of section twenty-five, block one, Otepopo. Boundaries: both sides sections seventeen, eighteen, twenty-two, forty, twenty-three, twenty-four, and twenty-five, block one, Otepopo.

4. Eight chains in length, sixty links wide, from Main North Road at section twenty-two to section forty, block one, Otepopo. Boundaries: north, part of section twenty-two; south, part of section twenty-three, block one, Otepopo.

#### No. 7.—CHALFONT ROAD DISTRICT.

1. Seventy chains in length, sixty links wide from section line between sections thirty-eight and forty-one, block one, Moeraki, to section line between sections fifty-two and fifty-three, block one, Moeraki. Boundaries both sides sections forty-one and fifty-two, block one, Moeraki.

2. Fourteen chains in length, one chain wide, from Main North Road, between sections twenty-nine and thirty-two, to District Road forming southern boundary of section twenty-nine, block one, Moeraki. Boundaries: both sides section twenty-nine, block one, Moeraki.

No. 8.—TENEHAKI ROAD DISTRICT.

1. Thirty chains in length, sixty links wide, from section line between sections seventeen and eighteen, block three, Oamaru, to District Road between sections eighteen and twenty-two, block three, Oamaru. Boundaries: west, section twenty; east, section eighteen, block three, Oamaru.

2. Sixty-four chains in length, sixty links wide from District Road, between sections eighteen and twenty-two, block three, Oamaru, to section line between sections twenty-seven and twenty-eight, block three, Oamaru. Boundaries: west, sections twenty-one, twenty-five, and twenty-seven; east, sections twenty-two, twenty-four, and twenty-six, block three, Oamaru.

3. Fifteen chains in length, sixty links wide, from District Road between sections twenty-six and twenty-seven, block three, Oamaru, to road between sections twenty-six and thirty, block three, Oamaru. Boundaries: north, section twenty-eight; south, section twenty-six, block three, Oamaru.

No. 9.—LONDON ROAD DISTRICT.

1. One hundred and ten chains in length, sixty links wide, from Main North Road at section fifty, to Beach Reserve. Boundaries: west, sections thirty-nine, forty-one, forty-two, forty-eight, and fifty, block one, Oamaru; east, London Stream.

No. 10.—TOTARA ROAD DISTRICT.

1. Fifty-three chains in length, sixty links wide, from Main North Road on section fifty-five, block five, Oamaru, to District Road forming southern boundary of section fifty-three, block five, Oamaru. Boundaries: west, sections fifty-three, fifty-four, and part of fifty-five, block five, Oamaru; east, sections two of fifty-two, fifty-one, and fifty, block five, Oamaru.

2. Ten chains in length, sixty links wide, from Main North Road, on section thirty-two, to District Road between sections thirty-two and twenty-one, block five, Oamaru. Boundaries: north, part of section thirty-two; south, part of section thirty-one, block five, Oamaru.

3. Seventy-nine chains in length, sixty links wide, from District Road, between sections thirty-two and twenty-one, block five, Oamaru, to District Road forming southern boundary of section six, block five, Oamaru. Boundaries: north, sections twenty-one and six; south, sections twenty-two and five, block five, Oamaru.

11.—GLENORE ROAD DISTRICT.

1. One hundred and forty-one chains in length, sixty links wide, from Block Road, between blocks twenty-four and twenty-three, Tokomairiro Survey District, to Block Road Line between blocks twenty-six and twenty-seven. Boundaries: north, blocks twenty-three and twenty-six; south, block twenty-five, Tokomairiro Survey District.

No. 12.—MIRTON ROAD DISTRICT.

1. Thirteen chains in length, sixty links wide, from Mill Street on section one hundred and thirty-four, block seventeen, Tokomairiro, to Main South Road. Boundaries: north, section one hundred and thirty-four; south, Tokomairiro River.

2. Forty-eight chains in length, sixty links wide, from Southern Trunk Road to section line between sections one hundred and thirty-one and one hundred and thirty-two, block sixteen, Tokomairiro. Boundaries: east, section one hundred and thirty-two; west, Tokomairiro River.

No. 13.—KURIMOTO ROAD DISTRICT.

1. Seventy-five chains in length, sixty links wide, from District Road, forming southern boundary of section one of twelve, block five, Otokia, to section line between sections two of twelve and two, block five, Otokia. Boundaries: east, section one of twelve, sections one of eleven and two of eleven; west, one of twelve and two of twelve, block five, Otokia.

No. 14.—MOTUPIPI ROAD DISTRICT.

1. Eighty chains in length, sixty links wide, from section line between sections two of twelve and two, block five, Otokia, to District Road forming northern boundary of section four, block five, Otokia. Boundaries: east, part of sections two, three, and four; west, part of sections two, three, four, and five, block five, Otokia.

No. 15.—PORT MOLYNEUX ROAD DISTRICT.

1. Nineteen chains in length, sixty links wide, from Block Road between block six, Clutha Survey District, and block three, South Molyneux, to Main District Road to Port Molyneux Township. Boundaries: east, section eight and part of nine, block one, South Molyneux; west, section eleven and part of nine, block three, South Molyneux.



2. Ninety-nine chains in length, sixty links wide, from Main District Road to Port Molyneux to District Road on section three, block four, South Molyneux. Boundaries: east, section one and part of two, block eight, sections thirteen, twelve, eleven, ten, and part of nine, block one, South Molyneux; west, sections one and part of three, block four, sections one, three, five, seven, and part of nine, block three, South Molyneux.

3. Nine chains in length, sixty links wide, from District Road between block one and Village Reserve to District Road on section seven, block one, South Molyneux. Boundaries: both sides section seven, block one, South Molyneux.

4. Ninety-eight chains in length, sixty links wide, from District Road on section seven, block one, South Molyneux, to District Road on section one, block three, South Molyneux. Boundaries: north, sections seven and thirteen, block one, and part of section one, block three, South Molyneux; south, section thirteen, block two, section one, block eight, and part of section one, block four, South Molyneux.

5. Forty-eight chains in length, sixty links wide, from District Road on section one block three, to Block Road between blocks three and five, South Molyneux. Boundaries: north, section two and part of section one, block three, South Molyneux; south, section two and part of section one, block four, South Molyneux.

#### No. 16. ABBOTSFORD ROAD DISTRICT.

1. Seventy-six chains in length, sixty links wide, from District Road between block one, Taieri, and block seven, Dunedin and East Taieri Survey District, to Road Line on section one, block five, Taieri. Boundaries: west, sections one and seven, block one, Taieri, and part of section one, block five, Taieri; east, sections forty-five, forty-three, forty-four, and forty-five, Irregular Block, Taieri, and part of section six, block thirteen, Taieri Survey District.

2. Twenty-three chains in length, sixty links wide, from road on section one, block five, Taieri, to Road Line on section six, block thirteen, Taieri. Boundaries: north, part of section one, block five, and part of section six, block thirteen, Taieri; south, section seven, block one, Taieri, and section forty-five, Irregular Block, Taieri Survey District.

3. Thirty-six chains in length, sixty links wide, from line between sections one and two, block one, Taieri, to Trunk Road on section forty-two, Irregular Block, Taieri. Boundaries: north, section one, block one, Taieri, and part of section forty-two, Irregular Block, Taieri; south, section thirty-one and part of section fifteen, Irregular Block, Taieri.

4. Fifteen chains in length, sixty links wide, from Trunk Road on section fifteen to Trunk Road on section fifteen, block six, Dunedin and East Taieri. Boundaries: north, part of section forty-two, Irregular Block, Taieri, and part of section fourteen, block six, Dunedin and East Taieri; south, part of section fifteen, block six, Dunedin and East Taieri.

5. Ninety chains in length, sixty links wide from District Road, between sections sixty and fifty-eight, block seven, Dunedin and East Taieri, to Trunk Road on section five, block seven, Dunedin and East Taieri. Boundaries: west, sections six, eight, nine, and part of fifty-eight; east, sections five, four, three, two, and part of fifty-eight, block seven, Dunedin and East Taieri.

6. Sixty-seven chains in length, sixty links wide, from road between sections sixty and thirty, block seven, Dunedin and East Taieri, to District Road between sections one and ten, block seven, Dunedin and East Taieri. Boundaries: north, sections fifty-eight and one, block seven, Dunedin and East Taieri; south, sections fifty-nine and sixty, block seven, Dunedin and East Taieri.

7. Ninety-one chains in length, sixty links wide, from District Road, between sections fifty-nine and ten, block seven, Dunedin and East Taieri, to Trunk Road between sections fourteen and twenty-five, block seven, Dunedin and East Taieri. Boundaries: south, sections twenty-one, and two of twenty-two; west, sections twenty-four and twenty-five; north, sections twenty and nineteen; east, part of sections nineteen and eleven, block seven, Dunedin and East Taieri.

8. Two chains and fifty links in length, sixty links wide from District Road, between sections fifty-nine and ten, block seven, Dunedin and East Taieri, to District Road between sections twenty and twenty-one. Boundaries: west, part of section twenty-one; east, part of section twenty, block seven, Dunedin and East Taieri.

#### No. 17.—LOVELSBROOK ROAD DISTRICT.

1. Sixteen chains in length, sixty links wide, from Lovel's Creek, on section four, block eight, North Tuakitoto, to Section Line between sections four and five, North Tuakitoto. Boundaries: north, part of section four, block eight, North Tuakitoto; south, part of sections three and four, block seven, North Tuakitoto.

#### No. 18.—STONEY CREEK ROAD DISTRICT.

1. Sixty-six chains in length, sixty links wide, from Road Line, between section one, block eight, North Tuakitoto, and section thirty-two, block six, Hill End Survey District to Lovel's Creek, on section four, block eight, North Tuakitoto. Boundaries: north, sections one, two, three, and part of four, block eight, North Tuakitoto; south, sections three, four, five, and six, block three, North Tuakitoto; and sections one, two, and part of three, block seven, North Tuakitoto.

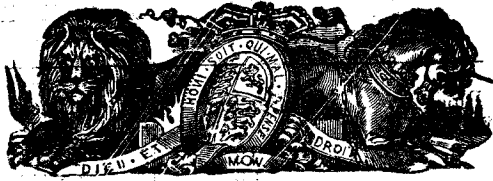
2. Forty-five chains in length, sixty links wide, from road between block eight, North Tuakitoto, and block seven, Hill End Survey District, to Main South Road on section one, block seven, North Tuakitoto. Boundaries: north-east, part of section one, block seven, North Tuakitoto, and section three, block eight, North Tuakitoto; south-west, part of section six, block three, North Tuakitoto, and section two, block eight, North Tuakitoto.

No. 19.—**PŪERUA ROAD DISTRICT.**

1. Thirty-nine chains in length, one chain wide, from north-west angle of section twelve, block twenty-eight, to south-east angle of section twelve, block twenty-eight. Boundaries: both sides, section twelve, block twenty-eight, Clutha Survey District.

2. Three hundred and forty chains in length, one chain wide, from Road Line on section six, between blocks twenty-eight, Clutha, and block one, Wārepa, to Road Line between blocks twenty and twenty-one, Clutha. Boundaries: north and east, blocks twenty-eight, twenty-nine, twenty-four, twenty-five, and twenty, Clutha; west and south, blocks twenty, twenty-five, twenty-four, twenty-three, and twenty-eight, Clutha Survey District.

*Assented to see  
N.Z. Gazette 1866/173*



## OAMARU RESERVES ORDINANCE, 1865.

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

SESSION XXI., No. 226.

### ANALYSIS :

Title.  
Preamble.  
1. Short Title.

2. Lands in Schedule reserved for public purposes for  
Oamaru.  
Schedule.

*AN ORDINANCE to Reserve from Sale certain Waste Lands of the Crown Title,  
and to set the same aside for purposes of Public Utility for the Town of  
Oamaru and its Inhabitants.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**W**HEREAS by the Waste Lands Regulations of Otago proclaimed by Preamble.  
the Governor of New Zealand on the twelfth day of February one  
thousand eight hundred and fifty-six under the "Waste Lands Act 1854"  
and declared valid by the "Waste Lands Act 1858" it is provided that it  
shall be lawful for the Superintendent of Otago with the advice and consent  
of the Provincial Council to reserve from sale and to set aside for public uses  
any land within the Province of Otago and that such Reserve shall be dealt  
with by Ordinance of the Superintendent and Provincial Council of Otago :  
And whereas the lands particularly described in the Schedule hereunto  
annexed are Waste Lands of the Crown subject to be dealt with under the  
said Regulations and it is expedient that the same should be so reserved  
from sale and be set aside for purposes of public utility for the Town of  
Oamaru and its Inhabitants :

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago  
by and with the advice and consent of the Provincial Council thereof as  
follows :

I. This Ordinance may be cited and referred to as the "Oamaru Reserves Short Title.  
Ordinance 1865."

II. The lands particularly described in the Schedule hereunto annexed are Lands in Schedule  
hereby reserved from sale and set aside for purposes of public utility for the reserved for public  
Town of Oamaru and its Inhabitants. purposes for Oamaru.

SCHEDULE.

MUNICIPAL SECTIONS IN THE TOWNSHIP OF OAMARU.

Block	Section	Block	Section	Block	Section
I	10	XXVIII	2	LXI	5
II	20	"	12	LXII	5
III	8	XXIX	22	LXIV	1
IV	18	XXX	10	LXV	11
V	6	XXXI	20	LXVII	8
VI	20	XXXII	8	LXVIII	2
VII	10	XXXIII	18	LXIX	12
VIII	18	XXXIV	6	LXX	9
IX	6	"	16	LXXI	8
X	2	XXXV	4	LXXII	7
XI	12	XXXVI	14	LXXIII	17
XII	5	XXXVII	2	LXXIV	5
XIII	15	XXXVIII	12	LXXV	15
XIV	6	"	22	LXXVI	3
XV	5	XXXIX	12	LXXVII	13
XVI	15	XL	22	LXXVIII	23
XVII	25	XLI	10	LXXIX	33
XVIII	8	XLII	20	LXXX	7
XIX	18	XLIII	8	LXXXI	20
XX	28	XLIV	8	LXXXII	33
XXI	9	XLV	18	LXXXIII	5
XXII	19	XLVI	6	LXXXIV	15
XXIII	29	XLVII	16	LXXXV	1
XXIV	8	XLVIII	26	LXXXVI	11
XXV	18	L	8	LXXXVII	21
XXVI	28	LI	18	LXXXVIII	9
XXVII	5	LII	6	LXXXIX	19
XXVIII	15	LIII	6	LXXXX	2
XXIX	25	LIV	16	LXXXXI	12
XXX	35	LV	4	LXXXXII	22
XXXI	9	LVI	14	LXXXXIII	4
XXXII	19	LVII	24	LXXXXIV	14
XXXIII	29	LVIII	34	LXXXXV	1
XXXIV	1	LIX	10	LXXXXVI	11
XXXV	11	LX	20	LXXXXVII	21
XXXVI	21	"	30	LXXXXVIII	10
XXXVII	9	"	10	LXXXXIX	5
XXXVIII	19	"	20	LXXXXX	15
XXXIX	7	"	8	LXXXXXI	8
XL	17	"	18	LXXXXXII	18
XLI	5	"	6	LXXXXXIII	6
XLII	15	"	16	LXXXXXIV	16
XLIII	3	"	4	LXXXXXV	9
XLIV	13	"	14	LXXXXXVI	19
XLV	1	"	2	LXXXXXVII	1
XLVI	11	"	11	LXXXXXVIII	11
XLVII	21	"	10	LXXXXXIX	21
XLVIII	9	"	20	LXXXXXX	2
XLIX	19	"	8	LXXXXXXI	12
L	7	"	18	LXXXXXXII	22
LI	17	"	8	LXXXXXXIII	4
LII	5	"	6	LXXXXXXIV	14
LIII	15	"	16	LXXXXXXV	4
LIV	3	"	4	LXXXXXXVI	14
LV	13	"	14	LXXXXXXVII	2
LVI	1	"	10	LXXXXXXVIII	12
LVII	11	"	5	LXXXXXXIX	22
LVIII	21	"	4	LXXXXXXX	10
LIX	31	"	14	LXXXXXXXI	22
LX	8	"	9	LXXXXXXXII	7
LXI	18	"	6	LXXXXXXXIII	17
LXII	4	"	5	LXXXXXXXIV	5
LXIII	14	"	15	LXXXXXXXV	15

15  
13.3

## .SCHEDULE (CONTINUED.)

**PUBLIC ESPLANADE.**—All that area in the Province of Otago, containing by admeasurement fifteen (15) acres more or less, situate in the Town of Oamaru, being section numbered eight (8), Block ninety-five (XCV), and marked "Reserve for Public Esplanade" on the Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin. Also,

All that area in the Province of Otago, containing by admeasurement fifty (50) acres and two (2) roods, more or less, situate in the Town of Oamaru, and marked "Reserve for Public Esplanade" on the Record Map of the said Town, deposited as aforesaid.

**RESERVE FOR PUBLIC GARDENS.**—All that area in the Province of Otago, containing by admeasurement thirty-four (34) acres, more or less, situated in the Town of Oamaru, and marked "Reserve for Public Gardens," as delineated on the Record Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin.

**RESERVE FOR MARKET.**—All that area in the Province of Otago, containing by admeasurement one (1) acre and twenty-one (21) poles, more or less, situate in the Town of Oamaru, being sections numbered respectively six (6), seven (7), eight (8), and nine (9), Block twenty-five (XXV), on the Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin.

**RESERVE FOR SLAUGHTER-HOUSE.**—All that area in the Province of Otago, containing by admeasurement one (1) acre, and twenty-one (21) poles, more or less, situate in the Town of Oamaru, being sections numbered respectively twenty (20), twenty-one (21), twenty-two, (22), twenty-three (23), and twenty-four (24), Block fourteen (XIV), on the Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin.

**RESERVE FOR MECHANICS' INSTITUTE.**—All that area in the Province of Otago, containing by admeasurement one (1) rood, more or less, situate in the Town of Oamaru, being section numbered six (6), Block ninety-five (XCV), and marked "Mechanics' Institute Reserve" on the Map of the said Town, deposited as aforesaid.

**UNSECTIONISED PORTIONS OF THE TOWN OF OAMARU.**—All that area in the Town of Oamaru, containing by admeasurement sixty-one (61) acres and seventeen (17) poles, more or less, and marked "A" on the Record Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin. Also,

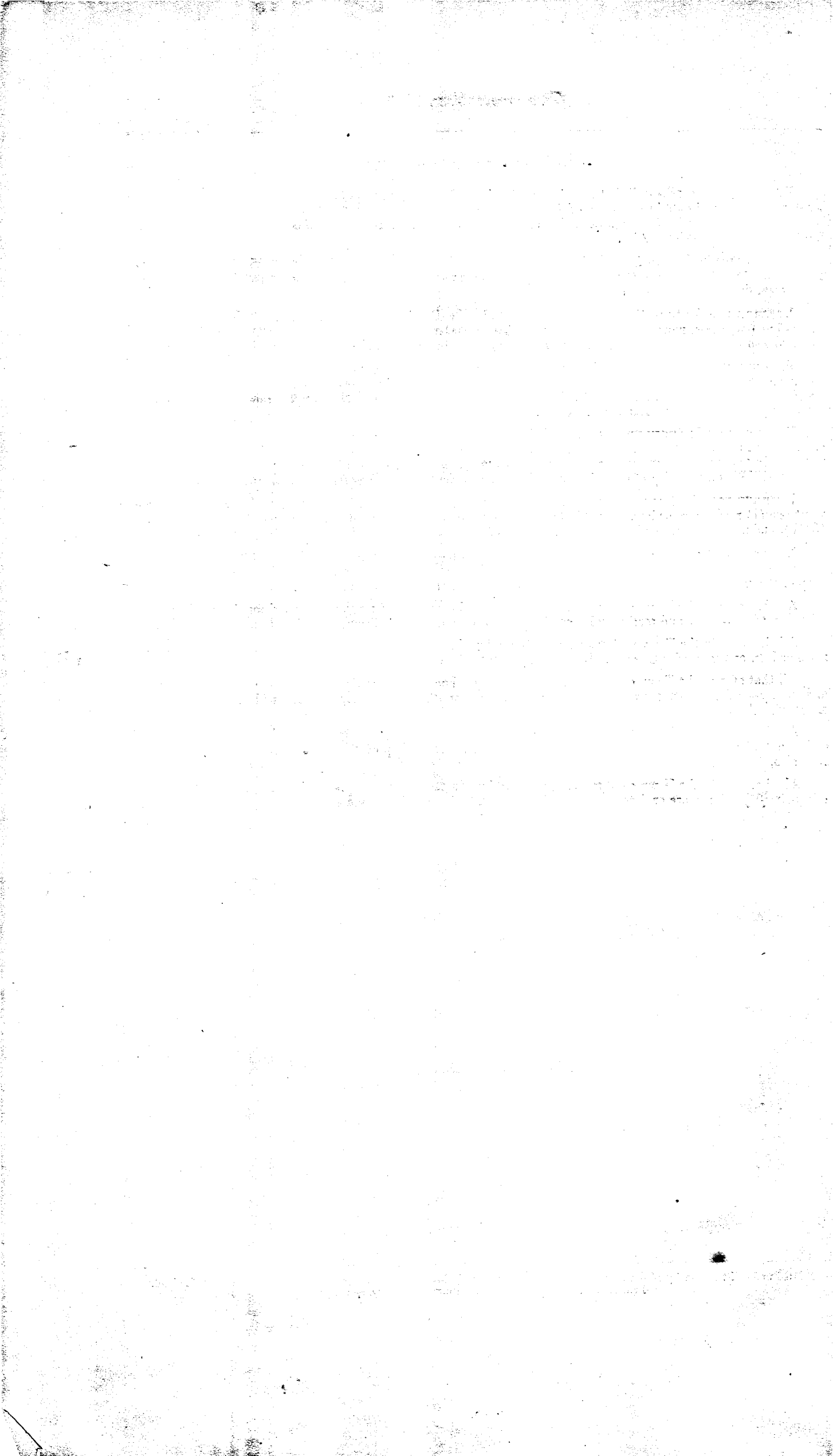
All that area in the Town of Oamaru, containing by admeasurement seven (7) acres three (3) roods and two (2) poles, more or less, and marked "B" on the Record Map of the said Town, deposited as aforesaid. Also,

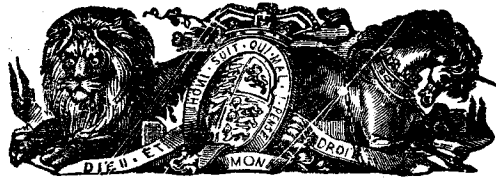
All that area in the Town of Oamaru containing by admeasurement nineteen (19) acres, and three (3) poles, more or less, and marked "C" on the Record Map of the said Town, deposited as aforesaid. Also,

All that area in the Town of Oamaru, containing by admeasurement ninety-four (94) acres three (3) roods and twenty-one (21) poles, more or less, and marked "D" on the Record Map of the said Town, deposited as aforesaid. Also,

All that area in the Town of Oamaru, containing by admeasurement thirty-three (33) acres one (1) rood and eighteen (18) poles, more or less, and marked "E" on the Record Map of the said Town, deposited as aforesaid. And also,

All that area in the Town of Oamaru, containing by admeasurement fifty-five (55) acres, two (2) roods, and thirty-six (36) poles, more or less, and marked "F" on the Record Map of the said Town, deposited as aforesaid.





Partly repealed by  
the Oamaru Town  
Reserves Management  
Act 1869 no. XL1

## OAMARU TOWN RESERVES MANAGEMENT ORDINANCE,

1865.

assented to see N.Z. Gazette  
1866 p. 192

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

SESSION XXI., No. 227.

### ANALYSIS :

Title  
Preamble.  
1. Short Title.

2. Superintendent empowered to lease lands in Schedule A.
3. Management of lands described in Schedule B to be vested in Town Board.

SCHEDULES.

AN ORDINANCE to empower the Superintendent of Otago to grant Leases of Title certain Lands held by the said Superintendent in trust for purposes of Public Utility for the Town of Oamaru and the Inhabitants thereof and to authorise the said Superintendent to vest the Management of certain other Lands in the Town Board of Oamaru.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

WHEREAS the lands particularly described in the Schedules A and B hereunto annexed have under and by virtue of the "Public Reserves Act 1854" been granted by the Governor of New Zealand in the name and on behalf of Her Majesty to the Superintendent of Otago and his successors to be held in trust for purposes of public utility for the Town of Oamaru and its Inhabitants: And whereas by "The Public Reserves Act Amendment Act 1862" it is provided that it shall be lawful for any Superintendent and Provincial Council anything therein contained to the contrary notwithstanding to pass any Act authorising the Superintendent to vest the management of any such reserved lands as aforesaid in any Corporation Commission or other person or persons having corporate succession under such restrictions and limitations as shall secure the full maintenance of the purposes for which such lands shall have been reserved: And whereas it is expedient to empower the Superintendent of Otago to lease the lands described in Schedule A hereunto annexed for a longer period than three years and to authorise the said Superintendent to vest the management of the lands described said Schedule B hereunto annexed in manner provided by "The Public Reserves Act Amendment Act 1862";

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

I. This Ordinance may be cited and referred to as the "Oamaru Town Reserves Management Ordinance 1865."

II. It shall be lawful for the Superintendent of Otago from time to time to demise the lands specified in the said Schedule A or any of them at such

Superintendent empowered to lease lands in Schedule A.

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annual rents and for such term of years not exceeding twenty-one years from the making thereof as he may think fit subject however in all other respects to the provisions of "The Public Reserves Act 1854."

Management of lands  
described in Schedule  
B to be vested in  
Town Board.

III. It shall be lawful for the Superintendent of Otago to vest the management of the lands specified in the said Schedule B or any of them in the Town Board of Oamaru under such restrictions and limitations as shall secure the due maintenance and fulfilment of the several purposes for which such lands respectively have been reserved which purposes are severally named and set forth in the said Schedule B before the lands to which they respectively apply.



*See Oamaru Town Reserves Management Act. 1867.*

SCHEDULE A.

MUNICIPAL SECTIONS IN THE TOWNSHIP OF OAMARU.

Block	Section	Block	Section	Block	Section
* I	18 <i>see former schedule</i>	XXVIII	2	LXI	5
II	20	"	12	LXII	5
III	8	XXIX	22	LXIV	1
IV	18	XXX	10	LXV	11
V	6	XXXI	20	LXVII	8
VI	20	XXXII	8	LXVIII	2
VII	10	XXXIII	18	LXIX	12
VIII	18	XXXIV	6	LXX	9
IX	6	"	16	LXXI	8
X	6	XXXV	4	LXXII	7
XI	2	XXXVI	14	LXXIII	17
XII	12	XXXVII	2	"	5
XIII	5	XXXVIII	12	LXXIV	15
XIV	6	"	2	LXXV	3
XV	5	XXXIX	12	"	13
XVI	15	XL	22	"	23
XVII	25	XLI	10	LXXVI	33
XVIII	8	XLII	20	LXXVII	7
XIX	28	"	8	"	20
XX	9	XLIII	8	LXXVIII	33
XXI	9	"	18	LXXIX	5
XXII	29	XLIV	6	"	15
XXIII	8	XLV	26	LXXX	1
XXIV	18	XLVI	8	LXXXI	11
XXV	28	XLVII	18	LXXXII	21
XXVI	5	XLVIII	6	LXXXIII	9
XXVII	15	"	6	LXXXIV	19
XXVIII	25	XLIX	6	LXXXV	2
XXIX	35	XLX	16	LXXXVI	12
XXX	9	XLI	4	"	22
XXXI	9	XLII	14	LXXXVII	4
XXXII	19	"	24	LXXXVIII	14
XXXIII	29	XLIII	34	LXXXIX	1
XXXIV	1	"	10	"	11
XXXV	11	XLIV	20	LXXX	21
XXXVI	21	XLV	30	LXXXI	10
XXXVII	9	XLVI	10	LXXXII	5
XXXVIII	19	XLVII	20	LXXXIII	16
XXXIX	7	XLVIII	8	LXXXIV	8
XL	17	L	18	LXXXV	18
XLI	5	LI	6	LXXXVI	6
XLII	15	LII	16	LXXXVII	16
XLIII	8	LIII	4	"	9
XLIV	15	LIV	14	LXXXVIII	19
XLV	3	LV	2	"	1
XLVI	13	LVI	11	LXXXIX	11
XLVII	1	LVII	10	"	21
XLVIII	11	LVIII	20	XC	2
XLIX	21	LIX	8	XCII	12
XLX	9	LX	18	XCIII	22
XLI	19	"	6	XCIV	4
XLII	7	"	16	"	14
XLIII	15	LXI	4	"	4
XLIV	3	LXII	16	XC	14
XLV	13	LXIII	4	XCII	14
XLVI	1	LXIV	14	"	2
XLVII	11	LXV	10	XCIII	12
XLVIII	21	LXVI	5	XCIV	22
XLIX	31	LXVII	4	"	10
XLX	8	LXVIII	14	"	22
XLI	18	LXIX	9	"	7
XLII	4	LXX	6	"	17
XLIII	14	"	15	"	5
XLIV	14	"	15	"	15

## SCHEDULE B.

✓  
RESERVES FOR PUBLIC ESPLANADES.—All that area in the Province of Otago, containing by admeasurement fifteen (15) acres more or less, situate in the Town of Oamaru, being section numbered eight (8), Block ninety-five (XCV), and marked "Reserve for Public Esplanade" on the Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin. Also,

All that area in the Province of Otago, containing by admeasurement fifty (50) acres and two (2) roods, more or less, situate in the Town of Oamaru, and marked "Reserve for Public Esplanade" on the Record Map of the said Town, deposited as aforesaid.

✓  
RESERVE FOR PUBLIC GARDENS.—All that area in the Province of Otago, containing by admeasurement thirty-four (34) acres, more or less, situate in the Town of Oamaru, and marked "Reserve for Public Gardens," as delineated on the Record Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin.

✓  
RESERVE FOR MARKET.—All that area in the Province of Otago, containing by admeasurement one (1) acre and twenty-one (21) poles, more or less, situate in the Town of Oamaru, being sections numbered respectively six (6), seven (7), eight (8), and nine (9), Block twenty-five (XXV), on the Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin.

✓  
RESERVE FOR SLAUGHTER-HOUSE.—All that area in the Province of Otago, containing by admeasurement one (1) acre, and twenty-one (21) poles, more or less, situate in the Town of Oamaru, being sections numbered respectively twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), and twenty-four (24), Block fourteen (XIV), on the Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin.

✓  
RESERVES FOR HEALTH AND PUBLIC RECREATION, BEING UNSECTIONIZED PORTIONS OF THE TOWN OF OAMARU.—All that area in the Town of Oamaru, containing by admeasurement sixty-one (61) acres and seventeen (17) poles, more or less, and marked "A" on the Record Map of the said Town, deposited in the Survey Office for Crown Lands at Dunedin. Also,

✓  
All that area in the Town of Oamaru, containing by admeasurement seven (7) acres three (3) roods and two (2) poles, more or less, and marked "B" on the Record Map of the said Town, deposited as aforesaid. Also,

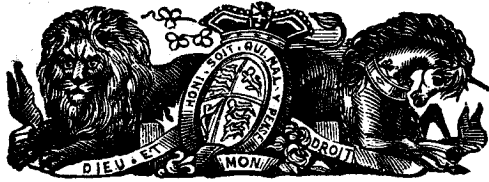
✓  
All that area in the Town of Oamaru, containing by admeasurement nineteen (19) acres, and three (3) poles, more or less, and marked "C" on the Record Map of the said Town, deposited as aforesaid. Also,

✓  
All that area in the Town of Oamaru, containing by admeasurement ninety-four (94) acres, three (3) roods, and twenty-one (21) poles, more or less, and marked "D" on the Record Map of the said Town, deposited as aforesaid. Also,

✓  
All that area in the Town of Oamaru, containing by admeasurement thirty-three (33) acres, one (1) rood, and eighteen (18) poles, more or less, and marked "E" on the Record Map of the said Town, deposited as aforesaid. And also,

✓  
All that area in the Town of Oamaru, containing by admeasurement fifty-five (55) acres, two (2) roods, and thirty-six (36) poles, more or less, and marked "F" on the Record Map of the said Town, deposited as aforesaid.

329  
24  
66  
33  
16



## OAMARU MECHANICS' INSTITUTE RESERVE MANAGEMENT ORDINANCE, 1865.

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

SESSION XXI., No. 228.

### ANALYSIS :

Title.  
Preamble.  
1. Short Title.  
2. Trustees to be appointed

3. Power to remove and appoint Trustees.  
4. Land to be held in trust.  
5. Rules and Regulations may be made.  
Schedule.

AN ORDINANCE to make provision for the management and control of Land reserved for the purposes of a Mechanics' Institute in the Town of Oamaru. Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1865.]

WHEREAS by the "Oamaru Reserves Ordinance 1865" the land particularly described in the Schedule hereunto annexed was thereby reserved from sale and set aside and appropriated as a site for a Mechanics' Institute in the Town of Oamaru : And whereas it is necessary that provision should be made for the management and control of the said land ; Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :

I. This Ordinance may be cited and referred to as the "Oamaru Mechanics' Institute Reserve Management Ordinance 1865." Short Title.

II. It shall be lawful for the Superintendent of the Province of Otago for the time being and he is hereby authorised and required to nominate and appoint by Proclamation in the *Government Gazette* of the said Province fit and proper persons not less than four and not exceeding six in number to be Trustees for the purpose of carrying into effect the object and provisions of the said in part recited Ordinance in respect of the land described in the Schedule hereto and upon such proclamation being made the said land shall thereupon vest in the said Trustees without any conveyance or assignment subject to such rules and regulations as shall be made in pursuance of this Ordinance in manner hereinafter provided. Trustees to be appointed.

III. The said Superintendent shall have power at any time to remove or suspend all or any of the persons so appointed and as often as any person so appointed shall die resign become incapable to act be removed suspended or absent from the said Province for the space of six consecutive calendar months it shall be lawful for the said Superintendent to appoint by Power to remove and appoint Trustees.

proclamation as aforesaid either permanently or temporarily as occasion may require another or other fit or proper person or persons to be a trustee or trustees in the place or stead of the trustee or trustees so dying resigning becoming incapable being suspended removed or absent as aforesaid and upon every such appointment or appointments the said land shall vest without any conveyance or assignment in the continuing trustee or trustees jointly with such new trustee or trustees as joint tenants or if there be no continuing trustees or trustee then in the new trustee or trustees upon the same trusts and with and subject to the same powers and provisions as in the original trustee or trustees.

Land to be held in Trust.

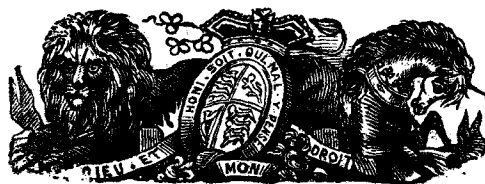
IV. The said land described in the Schedule hereunto annexed shall be vested in and held in trust by the trustees to be appointed as aforesaid for the purposes of the said Institute.

Rules and Regulations may be made.

V. For the purpose of managing and conducting the affairs of the said trust it shall be lawful for the Superintendent of the Province of Otago for the time being from time to time to make and publish in the *Government Gazette* of the said Province such Rules and Regulations (not inconsistent with any of the provisions of this Ordinance) as to him shall seem proper and the same or any of them to alter amend or annul in such way as he shall see fit and no such Rules or Regulations and no amendments or alterations of the same shall be or be considered to have come into operation until the same shall have been published in the said *Government Gazette*.

#### SCHEDULE.

2  
All that area in the Province of Otago, containing by admeasurement one (1) rood, more or less, situate in the Town of Oamaru, being Section numbered six (6), Block ninety-five (XCV), and marked "Mechanics' Institute Reserve" on the Map of the said Town, deposited in the Chief Surveyor's Office, at Dunedin, in the said Province.



## FRANKTON MILL RESERVES ORDINANCE, 1865.

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

SESSION, XXI, No. 229.

### ANALYSIS.

Title  
Preamble.  
1. Short Title.

2. Lands in Schedule reserved for the purpose of a site  
for a Mill.  
3. Superintendent empowered to Lease.  
Schedule.

AN ORDINANCE *to Reserve from Sale certain Waste Lands of the Crown,* <sup>Title.</sup>  
*and to set the same aside as a site for a Mill in the Town of Frankton,*  
*and to authorise the Superintendent of Otago to lease the same.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**W**HEREAS by the Waste Land Regulations of Otago proclaimed by the <sup>Preamble.</sup>  
Governor of New Zealand on the twelfth day of February one  
thousand eight hundred and fifty-six under the "Waste Lands Act 1854"  
and declared valid by the "Waste Lands Act 1858" it is provided that it  
shall be lawful for the Superintendent of Otago with the advice and consent  
of the Provincial Council to reserve from sale and to set aside for public uses  
any land within the Province of Otago and that such Reserve should be dealt  
with by Ordinance of the Superintendent and Provincial Council of Otago:  
And whereas the lands particularly described in the Schedule hereto are  
Waste Lands of the Crown subject to be dealt with under the said Regula-  
tions and it is expedient that the same should be so reserved from sale and be  
set aside and appropriated as a site for a Mill in the Town of Frankton and  
that the Superintendent of Otago should be empowered to grant leases of the  
said lands for a period not exceeding twenty-one years;

BE IT THEREFORE ENACTED by the Superintendent of the Province of  
Otago by and with the advice and consent of the Provincial Council thereof  
as follows:

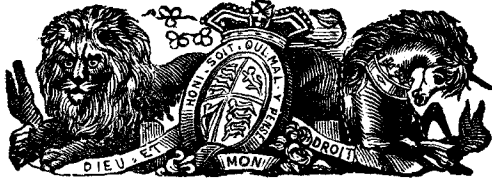
I. This Ordinance may be cited and referred to as the "Frankton Mill <sup>Short Title.</sup>  
Reserves Ordinance 1865."

II. The lands particularly described in the Schedule hereto are hereby <sup>Lands in Schedule  
reserved for the pur-  
pose of a site for a  
Mill.</sup>  
reserved from sale and set aside and appropriated as a site for a Mill in the  
Town of Frankton.

III. It shall be lawful for the Superintendent of the Province of Otago <sup>Superintendent em-  
powered to Lease.</sup>  
to grant leases of the said lands from time to time to any person or persons  
for periods not exceeding twenty-one years at any one time upon such terms  
and conditions as he may think fit.

## SCHEDULE.

Q  
All that piece of land situate in the Town of Frankton in the Province of Otago in the Colony of New Zealand being Sections numbered respectively 3 and 4 of Block XVIII and part of Durham-street containing by admeasurement two roods and eleven poles more or less bounded towards the north-west two hundred and five links by Northampton-street towards the north-east three hundred and eighty-eight links by the other part of Durham-street and towards the south-east and south-west five hundred and nine links by the Kawarau River be the said several linkages a little more or less: And also all that piece of land situate in the said Town being Sections numbered respectively 5 6 and 7 of the same Block containing by admeasurement three roods and six poles more or less bounded towards the north three hundred and thirty-three links by Devon-street towards the east two hundred and fifty links by Section numbered 8 of the same Block towards the south three hundred links by the Kawarau River aforesaid and towards the west two hundred and seventy-five links by Durham-street aforesaid be the said several linkages a little more or less as the said two pieces or parcels of land are delineated on the Map of the said Town of Frankton deposited in the Office of the Chief Surveyor at Dunedin in the said Province of Otago.



## EDUCATION RESERVES MANAGEMENT AND LEASING ORDINANCE, 1865.

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

SESSION XXI., No. 230.

### ANALYSIS :

- |   |   |   |
|---|---|---|
| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Superintendent empowered to lease for 21 years.</p> <p>3. Leases to be by deed under the public seal of the Province of Otago.</p> <p>4. Education Board to have management of the lands.</p> | <p>5.</p> <p>6.</p> <p>7.</p> <p>8.</p> | <p>Superintendent to set apart lands as sites for schools, play-grounds for scholars, and residences for masters, as well as glebe lands for such masters, &amp;c.</p> <p>Rents and profits of such reserves to be accounted for to the Provincial Treasurer.</p> <p>Education Board to keep accounts of the disbursements in connection with the management.</p> <p>Commencement of Ordinance.</p> |
|---|---|---|

*AN ORDINANCE to provide for the Management and Administration of certain Education Reserves and to empower the Superintendent of the Province of Otago to Lease the same.* Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

**W**HEREAS it is expedient to make provision for the administration and management of the lands particularly described in the Schedule annexed to the "Education Reserves Ordinance 1865" and by the said Ordinance reserved from sale and set apart for the establishment and maintenance of a University in Dunedin and of Public Schools in different parts of the Province: And whereas it is also expedient to empower the Superintendent to lease certain parts of the said Lands for a longer term than three years; Preamble.

BE IT THEREFORE ENACTED by the Superintendent of Otago with the advice and consent of the Provincial Council thereof as follows:

I. This Ordinance may be referred to and cited as the "Education Reserves Management and Leasing Ordinance 1865." Short Title.

II. When and so soon as the Superintendent of the said Province has obtained a Grant or Grants from the Crown of the Lands particularly described in the Schedule annexed to the "Education Reserves Ordinance 1865" it shall be lawful for the Superintendent from time to time to demise and grant of the said Lands or of any of them at such annual rents and for such terms of years not exceeding terms of twenty-one years from the making thereof as he may think fit. Superintendent empowered to lease for 21 years.

Leases to be by deed under the public seal of the Province of Otago.

III. All leases made or granted under this Ordinance shall be by Deed signed by the Superintendent and sealed with the Public Seal of the said Province as by the "Public Reserves Act 1854" is provided.

Education Board to have management of the lands.

IV. The management and administration of the said Lands subject to the provisions of this Ordinance shall be carried on and conducted by the "Otago Education Board" established under and by "The Education Ordinance 1864" or by any Board Committee or Body to which the powers duties and authorities vested in the said Otago Education Board may be transferred by any Ordinance of the Province of Otago.

Superintendent to set apart lands as sites for schools, play-grounds for scholars, and residences for masters, as well as glebe lands for such masters, &c.

V. It shall be lawful for the Superintendent of the said Province to appropriate and set apart any of the said Lands as sites for Public Schools and School Buildings and as play-grounds for the use of scholars attending such schools and as sites for the residences of masters of such schools and as glebe lands in connection with such residences for the use occupation and benefit of such masters and whenever any of the said lands have been actually appropriated to or set apart for any of the said purposes it shall not be lawful for the Superintendent to demise or grant leases of any lands so appropriated or set apart except under the authority of a Special Ordinance of the Provincial Council of Otago to be passed for that purpose.

Rents and profits of such reserves to be accounted for to the Provincial Treasurer.

VI. All the rents issues profits and proceeds arising from any of the lands described in the Schedule annexed to the said "Education Reserves Ordinance 1865" shall after deducting therefrom the expenses of the management and administration thereof be from time to time paid over and accounted for to the Provincial Treasurer of the Province of Otago for the time being or other person acting in that behalf and shall be appropriated in such manner as the Superintendent and Provincial Council of the said Province shall by Ordinance direct: Provided that all such rents issues profits proceeds and other moneys received by the Provincial Treasurer under this Ordinance shall be kept separate from the Ordinary Revenue of the Province.

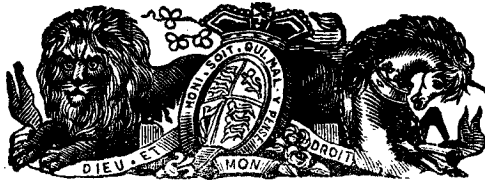
Education Board to keep accounts of the disbursements in connection with the management.

VII. The said Education Board or such other Body as aforesaid shall keep accurate accounts of all costs charges expenses and disbursements in connection with the management and administration of the said lands and also of all sums of money paid or received as rents issues profits or proceeds of or from the said lands and shall cause such accounts to be made up quarterly or otherwise as the Superintendent shall direct and shall prepare a balance sheet of the said accounts and the Superintendent shall cause such accounts and balance sheet to be forwarded in duplicate for the examination of the Provincial Auditor in manner described by the "Provincial Audit Act 1861" and the said "Provincial Audit Act 1861" shall apply to the rents issues profits and proceeds of or from the said lands and to the management and administration of the said lands to the same extent and in the same manner as if the said rents issues profits and proceeds formed part of the Ordinary Revenue of the said Province.

Commencement of Ordinance.

VIII. This Ordinance shall not come into operation nor have any effect until the time in which by law the same may be disallowed by the Governor of New Zealand shall have expired as provided by the "Public Reserves Act 1854."





## DUNEDIN RESERVES MANAGEMENT ORDINANCE, 1865.

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

SESSION XXI., No. 231.

### ANALYSIS:

Title.	3. Lawful for the said Corporation to manage the said lands under certain provisions.
Preamble.	4. Moneys received from such lands to be expended in improvements thereon.
1. Short Title.	5. Superintendent authorised to take roads through Town Belt.
2. Management of lands described in Schedule to be vested in the "Corporation of the City of Dunedin."	Schedule.

AN ORDINANCE *to vest the management of certain Lands held by the Superintendent of the Province of Otago in Trust for purposes of Public Recreation for the Town of Dunedin and its Inhabitants in the Corporation of the City of Dunedin.* Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 5TH JANUARY, 1866.]

WHEREAS the lands tenements and hereditaments described in the Schedule to this Ordinance annexed are vested in the Superintendent of the Province of Otago and his successors subject to the provisions of certain Acts passed by the General Assembly of New Zealand entitled the "Public Reserves Act 1854" and the "Public Reserves Act Amendment Act 1862:" And whereas under the provisions of an Ordinance passed by the Superintendent and Provincial Council of the said Province intituled the "Otago Municipal Corporations Ordinance 1865" the citizens of Dunedin were created a Corporate Body under the style of the "Coporation of the City of Dunedin:" And whereas by the "Public Reserves Act Amendment Act 1862" aforesaid it is provided that it shall be lawful for any Superintendent and Provincial Council anything therein contained to the contrary notwithstanding to pass any Act authorising the Superintendent to vest the management of any such reserved lands as aforesaid in any Corporation Commission or other person or persons having corporate succession under such restrictions and limitations as shall secure the full maintenance of the purposes for which such lands shall have been reserved: And whereas it is expedient that the management of the lands and hereditaments vested in the Superintendent of the said Province of Otago and respectively described in the said Schedule hereto should be vested in the "Corporation of the City of Dunedin ;"

BE IT THEREFORE ENACTED by the Superintendent of the said Province of Otago with the advice and consent of the Provincial Council thereof as follows:

I. This Ordinance shall be intituled and may be cited and referred to as the "Dunedin Reserves Management Ordinance 1865." Short Title.

II. Superintendent of the Province of Otago is hereby authorised to vest the management of the lands and hereditaments described in the Schedule to this Ordinance annexed in the "Corporation of the City of Dunedin" and its successors as a Corporate Body in trust for purposes of public recreation Management of lands described in Schedule to be vested in the "Corporation of the City of Dunedin."

for the Town of Dunedin and its Inhabitants and to carry out and secure the due maintenance and fulfilment of the several purposes for which such lands respectively have been reserved.

Lawful for the said Corporation to manage the said lands under certain provisions.

III. It shall be lawful for the "Corporation of the City of Dunedin" with the sanction and consent of the Superintendent to lease the said lands and hereditaments at such rents issues and profits as they may deem expedient subject to the provisions of the said before-mentioned Acts passed by the General Assembly of New Zealand intituled the "Public Reserves Act 1854" and the "Public Reserves Act Amendment Act 1862" so that such leases be for any term not exceeding twenty-one years to take effect from the time of the execution thereof and under such restrictions and limitations as shall secure the full maintenance of the purposes for which such lands have respectively been reserved.

Moneys received from such lands to be expended in improvements thereon.

IV. All moneys received by the Corporation of the City of Dunedin for rents and profits arising from the lease and management of such lands shall be expended in improving the lands out of which the same moneys shall arise and in carrying out the objects contemplated in creating such Reserves and for no other purpose whatsoever.

Superintendent authorised to take roads through Town Belt.

V. It shall be lawful for the said Superintendent with the advice and consent of his Executive Council from time to time and at any time to set apart by Proclamation in the *Provincial Government Gazette* so much and such parts of the lands described in the first section or paragraph of the said Schedule to this Ordinance as being the "Town Belt of Dunedin" as shall or may be necessary for the making of any road or roads not exceeding sixty-six feet in width in through or over the said Town Belt of Dunedin or any part thereof.

## SCHEDULE.

### FOR PURPOSES OF PUBLIC RECREATION FOR THE TOWN OF DUNEDIN AND ITS INHABITANTS.

Town Belt.

I. All that parcel of land in the Province of Otago, in the Colony of new Zealand, containing by admeasurement five hundred acres, more or less, being the Town Belt of Dunedin, as delineated on the map of the said town, and as the same is bounded and described in the Crown Grant thereof; Also,

II. All that parcel of land in the said Province of Otago, situate in the said Town of Dunedin, containing by admeasurement eight acres and eleven poles, more or less, being sections numbered respectively 11, 12, 13, 14, 15, 16, 17, and 18, block XXVII., together with all that piece or parcel of land marked Reserve, now used for Botanical Gardens, as delineated on the map of the said town, and as the same are bounded and described in the Crown Grant thereof: Also,

III. All that parcel of land in the said Province of Otago, situate in the said Town of Dunedin, containing by admeasurement three acres and two roods, more or less, being sections numbered respectively 24, 25, 26, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, block XXIX., on the map of the said town, bounded towards the north-west by Great King-street, and by sections numbered respectively 21, 22, 23, 28, 29, and 30, of the same block, one thousand links; towards the north-east by Union-street, two hundred and fifty links, and by section number 28 of the same block, two hundred and fifty links; towards the south-east by Cumberland-street, one thousand links; and towards the south-west by Albany-street, two hundred and fifty links; and by section number 23 of the same block, two hundred and fifty links; Also,

IV. All that parcel of land in the said Province of Otago, situate in the said town of Dunedin, containing by admeasurement five acres, more or less, being sections numbered respectively 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, block XXXI., on the map of the said town, and as the same is bounded and described in the Crown Grant thereof.