

ORDINANCES

OF THE

SUPERINTENDENT & PROVINCIAL COUNCIL

OF THE

PROVINCE OF OTAGO, N.Z.,

PASSED IN THE

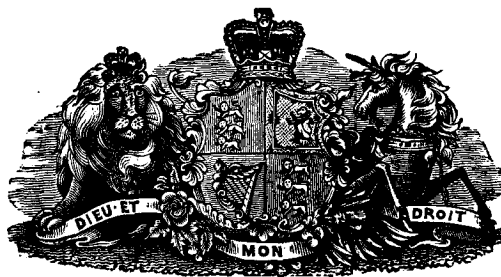
THIRTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA,

AND THE

THIRTY-FOURTH SESSION OF THE PROVINCIAL COUNCIL,

BEGUN AND HOLDEN AT DUNEDIN ON THE THIRD DAY OF MAY, AND ENDED ON THE NINETEENTH DAY OF JUNE,

ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE.



SESSION XXXIV., 1875.

(OR THIRD SESSION OF SEVENTH COUNCIL.)

Dunedin:

BY AUTHORITY: MILLS, DICK & CO., PRINTERS, STAFFORD STREET.

1875.

PRINTED UNDER THE AUTHORITY OF THE PROVINCIAL GOVERNMENT OF OTAGO, BY
MILLS, DICK & CO., OF DUNEDIN, OTAGO, NEW ZEALAND, PRINTERS TO THE SAID
PROVINCIAL GOVERNMENT FOR THE TIME BEING.

OTAGO ORDINANCES, SESSION XXXIV., 1875.

TABLE showing how the Ordinances passed by the Otago Provincial Council during Session XXXIV., 1875, have been disposed of (1) by His Honor the Superintendent and (2) by His Excellency the Governor.

Short Title.	How disposed of by the Superintendent.	How disposed of by the Governor*
Appropriation	Assented to, 19th June, 1875	Left to its operation, 19th Aug., 1875
Arrowtown Athenæum	" " " "	" " "
Arrowtown Water Works Empowering	" " 3rd June, 1875	" " "
Balclutha Reserves Management	Reserved, 19th June, 1875	Assented to, 28th August, 1875
<i>Cattle and Sheep</i>	Assented to, 3rd June, 1875	<i>Disallowed</i> , 19th Aug., 1875
Cemetery Reserves Management Ordinance Ordinance, 1864, Amendment	" " 19th June, 1875	Left to its operation, 19th Aug., 1875
<i>Clutha River Conservators' Board</i>	Reserved " "	<i>Assent withheld</i> " "
Cromwell Reserves Management	" " "	Assented to, 28th August, 1875
Dog Nuisance Ordinance, 1862, Amendment	Assented to " "	Left to its operation, 19th Aug., 1875
Dog Nuisance Ordinance (Southland) Repeal	" " "	" " "
<i>Dunedin and Peninsula Railway</i>	Reserved " "	<i>Assent withheld</i> , 19th August, 1875
Dunedin Recreation Reserve Change	" " "	Assented to, 28th August, 1875
Education Reserves Management and Leasing	" " "	" " "
Fairfax School Lands Sale	" " "	" " "
<i>Gaol street Diversion</i>	" " "	<i>Assent withheld</i> , 25th August, 1875
Immigration and British Agent	Assented to, 5th June, 1875	Left to its operation, 19th Aug., 1875
Immigration and British Agent (No 2.)	" " 19th June, 1875	" " "
Imprest Supply	" " 27th May, 1875	" " "
Invercargill Athenæum Reserve Management	Reserved, 19th June, 1875	Assented to, 28th August, 1875
Invercargill Corporation Borrowing Powers Extension	Assented to, 10th June, 1875	Left to its operation, 19th Aug., 1875
Invercargill Education Reserve Exchange	Reserved, 19th June, 1875	Assented to, 28th August, 1875
<i>Invercargill Public Offices</i>	" " "	<i>Assent withheld</i> 25th Aug., 1875
Invercargill Recreation Reserve Change	" " "	Assented to, 28th August, 1875
Invercargill Reserves Management	" " "	" " "
<i>Invercargill Town Hall Site</i>	" " "	<i>Assent withheld</i> , 25th August, 1875
<i>Kaitangata Railway</i>	" " "	<i>Assent withheld</i> , 19th August 1875
Lawrence Reserves Management	" " "	Assented to, 28th August, 1875
Lawrence Reserve Sale... ..	" " "	" " "
Licensing Laws Amendment	Assented to " "	Left to its operation, 19th Aug., 1875
<i>Moeraki Harbour Board</i>	Reserved " "	<i>Assent withheld</i> , 7th Sept., 1875
Municipalities Validation	Assented to " "	Left to its operation, 19th Aug., 1875
Naseby Reserves Management	Reserved " "	Assented to, 28th August, 1875
Oamaru Education and Municipal Reserves Exchange	" " "	" " "
Oamaru Reserves Management	" " "	" " "
Oamaru Water Works Empowering	Assented to " "	Left to its operation, 19th Aug., 1875
<i>Otago Gold Bonus</i>	" " "	<i>Disallowed</i> , 15th October, 1875
Otago Harbour Board Ordinance, 1874, Amendment	Reserved " "	Assented to, 29th July, 1875
Otago Harbour Board Lands	" " "	" " 28th August, 1875
Otago Municipal Corporations	Assented to " "	Left to its operation, 19th Aug., 1875
Otago Roads Ordinance, 1871, Amendment	" " "	" " "
<i>Outram and Greytown Railway</i>	Reserved " "	<i>Assent withheld</i> , 19th August, 1875
Palmerston Reserves Management	" " "	Assented to, 28th August, 1875
Peninsula District Thistle Prevention	Assented to " "	Left to its operation, 19th Aug., 1875
Port Chalmers Seamen's Institute	Reserved " "	Assented to, 28th August, 1875
Fort Molyneux Reserves Management	" " "	" " "
Queenstown Reserves Management	" " "	" " "
Riverton Athenæum Reserves Management... ..	" " "	" " "
Roads Diversion	" " "	" " "
Roxburgh Reserve Management	" " "	" " "
Roxburgh Water Works Empowering	Assented to " "	Left to its operation, 19th Aug., 1875
Southland Railways	Reserved " "	" " "
Superintendent's Land Sale	Reserved " "	Assented to, 28th August, 1875
Tokomairiro School Residence and Glebe Land Sale Validation	" " "	" " "
<i>Town and Country Police Ordinance, 1862, Amendment</i>	Assented to " "	<i>Disallowed</i> , 19th August, 1875
Turnpikes Ordinance, 1866, Amendment	" " "	Left to its operation " "
University of Otago Lands Trust	" " "	" " 6th Oct., 1875
<i>Oamaru Rifle Range Reserve Management Bill</i>	<i>Assent withheld</i> , 19th June	
<i>West Hawkesbury Reserves Management Bill...</i>	" "	

Provincial Council Chambers,
Dunedin, Nov., 1875.

WM. E. SESSIONS,
Clerk of Council.

* The dates given in this column with reference to Ordinances *left to their operation*, *disallowed*, or from which the Governor has *withheld* his *assent*, are those of the notifications in the *New Zealand Gazette*, and with regard to Ordinances *assented to*, those of the Superintendent's Proclamation (in the *Provincial Government Gazette*) of such Ordinances having been assented to by the Governor.



I N D E X

TO

O T A G O O R D I N A N C E S,

SESSION XXXIV., 1875.

	No.	PAGE.
<i>allowed</i> Appropriation	466	2349 <i>Gov. allowed 4/9/75</i>
— Arrowtown Athenæum	491	2449 <i>Gov. allowed 4/9/75</i>
— Arrowtown Water Works Empowering	481	2425 <i>Gov. allowed 20 20</i>
✓ Balclutha Reserves Management	476	2407 <i>Gov. assent P.S.S. 4/9/75</i>
Cattle and Sheep'	464	2329
— Cemetery Reserves Management Ordinance, 1864, Amendment	484	2435 <i>Gov. allowed 20 0</i>
× Clutha River Conservators' Board	494	2457 <i>Gov. assent withheld</i>
✓ Cromwell Reserves Management	511	2509 <i>Gov. assent 20 0</i>
— Dog Nuisance Ordinance, 1862, Amendment	485	2437 <i>Gov. allowed 20 0</i>
— Dog Nuisance Ordinance (Southland) Repeal	486	2439 <i>Gov. allowed 20 0</i>
× Dunedin and Peninsula Railway	471	2383 <i>Gov. assent withheld</i>
✓ Dunedin Recreation Reserve Change	496	2465 <i>Gov. assent 7/5</i>
✓ Education Reserves Management and Leasing	509	2497 <i>Gov. 0 0</i>
✓ Fairfax School Lands Sale	499	2473 <i>Gov. assent P.S.S. 4/9/75</i>
Gaoi Street Diversion	513	2613
— Immigration and British Agent	462	2325 <i>Gov. allowed 20 0</i>
— Immigration and British Agent (No. 2)	463	2327 <i>Gov. allowed 20 0</i>
— Imprest Supply	460	2321 <i>Gov. allowed 20 0</i>
✓ Invercargill Athenæum Reserve Management	501	2477 <i>Gov. assent P.S.S. 4/9/75</i>
— Invercargill Corporation Borrowing Powers Extension	477	2409 <i>Gov. allowed 20 0</i>
✓ Invercargill Education Reserve Exchange	503	2481 <i>Gov. assent 20 0</i>
Invercargill Public Offices	490	2447
✓ Invercargill Recreation Reserve Change	504	2483 <i>Gov. 20 0</i>
✓ Invercargill Reserves Management	508	2493 <i>Gov. 20 0</i>
Invercargill Town Hall Site	480	2423
× Kaitangata Railway	479	2413 <i>Gov. assent withheld</i>
✓ Lawrence Reserves Management	505	2485 <i>Gov. 20 0</i>
✓ Lawrence Reserve Sale... ..	500	2475 <i>Gov. assent P.S.S. 4/9/75</i>
— Licensing Laws Amendment	470	2381 <i>Gov. allowed 20 0</i>
Moeraki Harbour Board	474	2401
— Municipalities Validation	489	2445 <i>Gov. allowed 20 0</i>
✓ Naseby Reserves Management	497	2467 <i>Gov. assent 4/9/75</i>
✓ Oamaru Education and Municipal Reserves Exchange	478	2411 <i>Gov. 20 0</i>
✓ Oamaru Reserves Management	507	2491 <i>Gov. 20 0</i>
— Oamaru Water Works Empowering	461	2323 <i>Gov. allowed 20 0</i>
Otago Gold Bonus	467	2375
Otago Harbour Board Ordinance, 1874, Amendment	472	2393
✓ Otago Harbour Board Lands	475	2405 <i>Gov. 20 0</i>
Otago Municipal Corporations	469	2379 <i>Gov. allowed 20 0</i>
— Otago Roads Ordinance, 1871, Amendment	492	2453 <i>Gov. allowed 20 0</i>
× Outram and Greytown Railway... ..	483	2429 <i>Gov. assent withheld</i>
✓ Palmerston Reserves Management	498	2469 <i>Gov. assent P.S.S. 4/9/75</i>
Peninsula District Thistle Prevention	495	2463 <i>Gov. allowed 20 0</i>
✓ Port Chalmers Seamen's Institute	473	2397 <i>Gov. assent 20 0</i>
✓ Port Molyneux Reserves Management	514	2517 <i>Gov. 20 0</i>
✓ Queenstown Reserves Management	512	2511 <i>Gov. 20 0</i>
✓ Riverton Athenæum Reserves Management	506	2489 <i>Gov. 20 0</i>
✓ Roads Diversion	510	2501 <i>Gov. 20 0</i>
✓ Roxburgh Reserve Management	515	2519 <i>Gov. 20 0</i>
— Roxburgh Water Works Empowering	488	2443 <i>Gov. allowed 20 0</i>
Southland Railways	482	2427
✓ Superintendent's Land Sale	493	2455 <i>Gov. assent 19 Aug. 1875</i>
<i>assent</i> ✓ Tokomairiro School Residence and Glebe Land Sale Validation	502	2479 <i>Gov. P.S.S. 4/9/75</i>
Town and Country Police Ordinance, 1862, Amendment	465	2345
<i>allowed</i> Turnpikes Ordinance, 1866, Amendment	468	2377 <i>Gov. allowed 20 0</i>
University of Otago Lands Trust	487	2441

[N.B.—The two Bills passed during the Session of 1875, shortly intitled the "Oamaru Rifle Range Reserve Management Bill, 1875," and the "West Hawkobury Reserves Management Bill, 1875," have not been published with this vol., His Honor the Superintendent having withheld the Governor's assent therefrom.]



OTAGO, N. Z.



IMPREST SUPPLY ORDINANCE, 1875.

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

SESSION XXXIV. No. 460.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. £20000 advanced on Imprest towards service of the twelve months ending 31st March 1876.
3. Treasurer to pay moneys under warrant of the Superintendent and to be allowed credit for all moneys so paid.

An Ordinance to appropriate out of the Ordinary Revenue of the Province of Otago the sum of Twenty Thousand Pounds to the service of the Twelve Months ending the Thirty-first day of March one thousand eight hundred and seventy-six.

[27TH MAY, 1875.]

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

1. This Ordinance may be cited and referred to as the "Imprest Supply Ordinance, 1875."

2. Out of the revenues of the said Province there may be issued and applied towards defraying the charge of the Government of the said Province for the twelve months ending the thirty-first day of March one thousand eight hundred and seventy-six any sums of money not exceeding in the whole the sum of twenty thousand pounds to be charged in the manner hereinafter to be expressed in any Ordinance or Ordinances to be passed in this present Session of the Provincial Council for appropriating the revenue of the said Province for the year ending the thirty-first day of March one thousand eight hundred and seventy-six.

20000 advanced on Imprest towards service of the twelve months ending 31st March 1876.

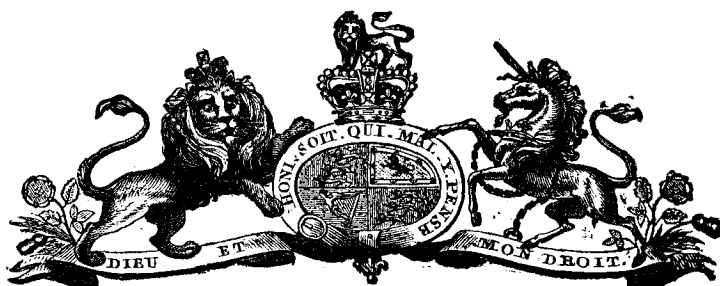
3. The Provincial Treasurer or other the person having the custody or control of the Public Funds of the Province shall issue and pay from time to time any sum or sums of money not exceeding in the whole the sum above specified to such persons and in such proportions as the Superintendent for the time being shall by warrants under his hand directed to the Provincial Treasurer or such other person as aforesaid and certified by the Auditor or Deputy-Auditor in terms of the "Provincial Audit Act, 1866" or the "Pro-

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

vincial Audit Act Amendment Act 1868" from time to time direct and such Treasurer or other person having the custody or control of the Public Funds of the Province shall in his accounts be allowed credit for all sums paid by him in pursuance of such warrants and the receipts of the persons 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 receipts shall have been given and the amount thereof shall be passed to his credit in account accordingly.

DUNEDIN, NEW ZEALAND:

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OAMARU WATER WORKS EMPOWERING ORDINANCE, 1875.

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

SESSION XXXIV. No. 461.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. "Municipal Corporations Water Works Act 1872" brought into operation for Oamaru.

An Ordinance to extend the provisions of "The Municipal Corporations Water Works Act, 1872" to the Municipality of Oamaru in the Province of Otago. Title.
[19TH JUNE, 1875.]

WHEREAS by "The Municipal Corporations Water Works Act, 1872" Preamble.
it is provided that the said Act may be brought into operation in and for any borough within any Province by any Act or Ordinance of the Superintendent and Provincial Council of such Province: And whereas it is desirable to bring the said Act into operation in the town of Oamaru being a borough in the Province of Otago within the meaning of the said Act:

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:--

1. This Ordinance may be cited and referred to as the "Oamaru Water Works Empowering Ordinance, 1875." Short Title.

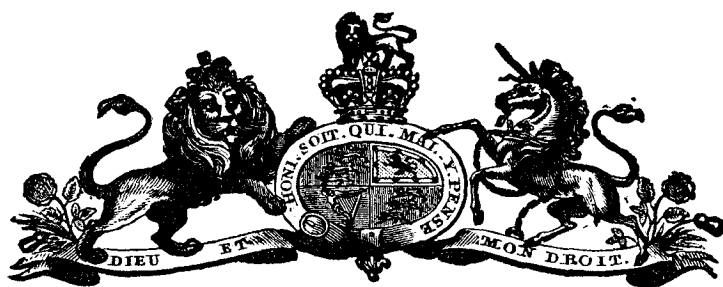
2. The Act of the General Assembly of New Zealand shortly intituled "The Municipal Corporations Water Works Act, 1872" is hereby brought into operation in and for the town of Oamaru and shall take effect on and from the fourteenth day of June one thousand eight hundred and seventy-five. "Municipal Corporations Water Works Act, 1872" brought into operation for Oamaru.

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OTAGO, N. Z.



IMMIGRATION AND BRITISH AGENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 462.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Section 8 of recited Ordinance repealed.
3. Agent appointed.
4. Ordinance to form part of recited Ordinance.

An Ordinance to amend "An Ordinance for promoting Immigration to the Province of Otago and for appointing Agents in the United Kingdom for that and other purposes."

[5TH JUNE, 1875.]

WHEREAS it is desirable to amend "An Ordinance for promoting Immigration to the Province of Otago and for appointing agents in the United Kingdom for that and other purposes :"

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 :—

1. This Ordinance may be cited and referred to as the "Immigration and British Agent Ordinance, 1875."

2. Section 8 of an Ordinance passed by the Superintendent and Provincial Council of Otago in the year 1854 and intituled "An Ordinance for Promoting Immigration to the Province of Otago and for Appointing Agents in the United Kingdom for that and other purposes" and cited as the "Immigration and British Agent Ordinance, 1854" is hereby repealed.

3. George Andrew of Edinburgh Scotland Esquire a solicitor to the Supreme Courts there and a Banker shall be and he is hereby appointed Agent in the United Kingdom for the Province of Otago.

4. This Ordinance shall be read as part of the Ordinance mentioned and referred to in the second section of this Ordinance.

DUNEDIN, NEW ZEALAND :

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IMMIGRATION AND BRITISH AGENT ORDINANCE,
No. 2, 1875.

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

SESSION XXXIV. No. 463.

ANALYSIS.

Title.
Preamble.

1. Short Title.
2. Hugh Auld Esquire appointed Agent.

An Ordinance to further amend "An Ordinance for promoting Immigration to the Province of Otago and for appointing Agents in the United Kingdom for that and other purposes."

[19TH JUNE, 1875.]

WHEREAS by an Ordinance passed in the present session of this Council George Andrew of Edinburgh Scotland Esquire was appointed Agent in the United Kingdom for the Province of Otago and whereas it is expedient to associate with him as such agent as aforesaid Hugh Auld Esquire of Edinburgh aforesaid Writer to the Signet :

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 :—

1. This Ordinance may be cited and referred to as the "Immigration and British Agent Ordinance (No. 2) 1875" and shall be read with and as part of the "Immigration and British Agent Ordinance 1854" and the "Immigration and British Agent Ordinance 1875."

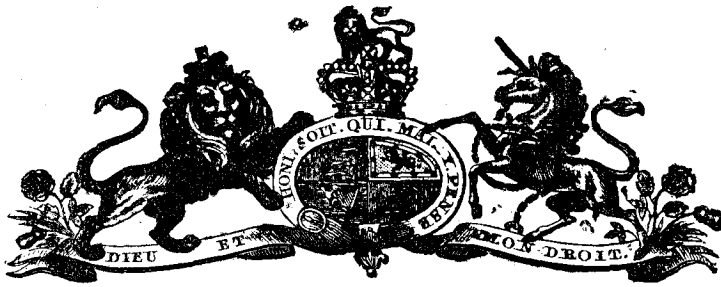
2. Hugh Auld of Edinburgh Scotland Writer to the Signet shall be and he is hereby appointed an agent in the United Kingdom for the Province of Otago and the said George Andrew and the said Hugh Auld are hereby authorised to act jointly and severally as agents or agent for the Province of Otago in the United Kingdom.

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OTAGO, N. Z.



CATTLE AND SHEEP ORDINANCE, 1875.

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

SESSION XXXIV. No. 464.

ANALYSIS.

- | | |
|--|--|
| <p>Title.
Preamble.
1. Short title.
2. Repeal of Ordinances.
3. Interpretation.</p> <p style="text-align: center;">BRANDS BUISTS OR STAMPS.</p> <p>4. Cattle and Sheep above six months old to be branded marked or buisted.
5. Brands stamps or buists to be registered.
6. Superintendent may appoint Registrars.
7. Owners having registered brands &c. under previous Ordinances entitled to register under this Ordinance by priority of right.
8. Penalty for using the registered brand stamp or buist of another.
9. Penalty for unauthorised branding &c.
10. Branding &c. to be <i>prima facie</i> evidence of ownership.
11. Registrar liable to a penalty for taking fees &c.
12. Registrar to transmit copies of entries monthly.
13. Owners of sheep yearly to give a return of the number of their cattle or sheep and whether they are clean.
14. Penalty for entire animals found at large.
15. If owner cannot be found entire animal at large may be destroyed.
16. Penalty on unbranded cattle or sheep found at large.
17. Unbranded cattle or sheep not owned to be impounded or slaughtered.
18. Registry of slaughtered or destroyed cattle or sheep to be kept.
19. Penalty on driving cattle or sheep off Run or Hundred without notice.
20. Cattle or sheep not to be slaughtered for sale without notice to Registrar. Penalty.
21. Registrar to inspect cattle or sheep after receipt of notice.
22. Penalty for exposing for sale any diseased animal.</p> <p style="text-align: center;">INSPECTORS.</p> <p>23. Superintendent to appoint Cattle and Sheep Inspectors for the Province of Otago.
24. Superintendent may appoint Honorary Inspectors.
25. Powers of Honorary Inspectors.
26. Payment of Honorary Inspectors.
27. Appointment of Honorary Inspector not to relieve District Inspector from personal attendance when required.
28. Power of Inspector to enter on lands.
29. Penalty for obstructing Inspector.
30. Inspector to attend and examine cattle or sheep whenever required. And to give certificate if cattle or sheep found to be clean.
31. Inspector may require declaration.
32. Travelling certificate. Certificates to be produced to Inspectors.
33. Inspector to endorse memo.
34. In certain cases may defer granting certificate.
35. Penalty for Inspector granting false certificate.
36. Inspectors prohibited from taking any fee other than as provided.
37. Superintendent authorised to levy rate.
38. Chief Inspector to take charge of infected districts.</p> <p style="text-align: center;">IMPORTING SHEEP.</p> <p>39. Sheep not to be imported into the Province by sea until per-</p> | <p>mission given by Inspector who may cause sheep to be dressed within 48 hours of landing. Penalty.
40. Sheep not to be introduced into the Province by land until certificate granted by Inspector. Penalty.
41. Penalty for not producing certificate.
42. Inspector may cause sheep to be introduced by land into Province to be dressed if necessary.
43. Sheep placed in Hundreds when previously dipped.
44. Inspector to charge a fee of £3 for every flock of sheep so imported.
45. Fee of 1d. per head to be charged by Inspector for every sheep inspected.
46. Charge for dipping.</p> <p style="text-align: center;">DISEASED SHEEP.</p> <p>47. Persons having sheep infected with disease to be fined.
48. Owner driving or depasturing diseased sheep on land not in his own possession or occupation or within half-a-mile of unfenced boundary liable to penalty of £100.
49. Not to be driven on highways.
50. Owner of sheep to erect dipping apparatus.
51. Dips to be constructed to satisfaction of Sheep Inspector.
52. Owner neglecting to maintain dip or to keep same in repair liable to penalty.
53. Owner to give notice of sheep infected or suspected to be so.
54. All sheep in a flock to be deemed infected if one is so or if sheep have mixed with infected sheep.
55. Penalty for abandoning diseased sheep.
56. Occupiers of runs to give notice when stray sheep mix with their flocks.</p> <p style="text-align: center;">DRIVING CATTLE OR SHEEP.</p> <p>57. Parties travelling with cattle or sheep to furnish list thereof to a Justice of the Peace or other authorised person.
58. Mode of proceeding when cattle or sheep to be driven through a run.
59. Travelling cattle or sheep to keep usual road and travel five miles per diem.
60. Separate informations may be laid by every person whose run is crossed &c.
61. Sheep or cattle may be examined without warrant by occupier of run on which found.
62. A yard for inspecting sheep to be upon every run. Penalties for resisting inspection.
63. Recovery of strayed cattle or sheep.
64. Diseased cattle or sheep may be destroyed.</p> <p style="text-align: center;">MISCELLANEOUS.</p> <p>65. Penalty for clipping or taking wool from sheep.
66. Penalty for removing cattle or sheep without consent of owner.
67. Penalty for not burying or burning carcass of diseased cattle or sheep.
68. Penalty for casting such carcass into the water.
69. Persons interested or Inspectors to prosecute. Information may be laid before one Justice of the Peace; hearing by two.
70. Owners of diseased cattle or sheep to be liable in damages to parties injured.
71. All moneys to be accounted for.
72. Right of action against any person infringing this Ordinance not affected.
73. Construction of Ordinance.
Schedules 1 to 5.</p> |
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Title. *An Ordinance to Consolidate and Amend the Laws relating to the Branding Driving and Slaughtering of Cattle and the prevention of Scab and other diseases amongst Sheep.* [3RD JUNE, 1875.]

Preamble. **W**HEREAS it is expedient to consolidate and amend the laws now in force in the Province of Otago relating to the Branding Driving and Slaughtering of Cattle and the prevention of scab and other diseases amongst sheep :

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. 1. This Ordinance may be cited and referred to as the “Cattle and Sheep Ordinance, 1875.”

Repeal of Ordinances. 2. Except as hereinafter mentioned the Ordinances mentioned in the first Schedule hereto annexed shall be and the same are hereby repealed : Where before the coming into operation of this Ordinance any proclamation appointment order or certificate has been made or granted or any offence has been wholly or partly committed or any penalty has been incurred under or against any of the Ordinances mentioned in the said Schedule or any warrant or other instrument has been duly made or granted in respect of the same or any notice has been given or any bond or recognizance has been entered into or any right liability privilege or protection in respect of any matter or thing done before the coming into operation of this Ordinance has accrued or any action suit or other proceeding in respect of such matter or thing has been commenced every such proclamation appointment order or certificate shall continue in force and every such offence shall be dealt with and every penalty shall be recovered and every such warrant or other instrument and every such notice and bond or recognizance and every such right liability privilege or protection shall be of the same force and effect and every such action suit or other proceeding shall be prosecuted continued and defended as if such Ordinances were not repealed.

Interpretation. 3. In the interpretation and for the purposes of this Ordinance the following terms shall if not inconsistent with the context and subject matter have the meanings hereby respectively assigned to them, that is to say :

The term “cattle” shall be deemed and taken to mean and to include horses mares geldings colts fillies asses mules bulls cows oxen heifers steers calves goats and swine.

The word “sheep” shall mean and include rams ewes wedders and lambs and the said terms shall be deemed and taken to apply to any one animal of the said several kinds.

The word “Inspector” shall mean any Inspector who shall be appointed under the provisions of this Ordinance.

The word “Registrar” shall mean any Registrar appointed under the provisions of this Ordinance.

The term “Poundkeeper” shall mean and include any person who may have the authorised charge of any pound whether such poundkeeper shall be gazetted as such poundkeeper or not or whether such poundkeeper shall hold any other office or have any other designation or not.

The word “owner” when used in the sense of owner of cattle or sheep shall be held to include the person having the charge con-

trol or management of any cattle or sheep as well as the person to whom such cattle or sheep shall actually belong.

The word "residence" of the owner of any cattle or sheep shall be taken to mean the nearest known residence or homestead in use by the owner of such cattle or sheep.

The word "occupier" of any land shall be taken to mean the person having the use or occupation of such land or holding a license from the owner for the depasturing of cattle or sheep thereupon or the agent bailiff or servants of such person.

The word "town" shall be taken to mean any Municipality or Borough established under the "Otago Municipal Corporations Ordinance 1865" or under the "Municipal Corporations Act 1867" or any other Ordinance or Act establishing Municipal Corporations and the towns and townships established by the authority of the Provincial Government or by any private person who shall have deposited a plan thereof with the Registrar of Deeds appointed under the Act or Acts relating to the Registrar of Deeds or with the District Land Registrar appointed under "The Land Transfer Act 1870" or any amendment thereof.

The words "duly registered brand" shall mean a brand stamp mark or buist registered and assigned by the chief Registrar to the party using the same.

The words "Government Gazette" and "Otago Provincial Government Gazette" shall signify the Otago Provincial Government Gazette for the time being.

BRANDS BUISTS OR STAMPS.

4. All cattle and sheep above the age of six months within the Province of Otago shall be branded stamped marked or buisted with the brand stamp mark or buist of the owner and such brand stamp mark or buist shall not be less than two nor more than four inches in length and of a proportionate breadth and shall be at all times legible: And for every such head of cattle or sheep not so branded stamped marked or buisted the owner thereof shall be liable to a penalty not exceeding ten pounds.

Cattle and sheep above six months old to be branded marked or buisted.

5. Every owner of cattle or sheep shall cause a correct copy or impression of his brand stamp or buist to be registered in an office to be appointed by the Superintendent for that purpose which shall be the office of the Chief Registrar and every owner neglecting to register his brand stamp or buist shall be liable to a penalty not exceeding five pounds and an additional penalty of not more than five pounds for every week he shall continue such neglect after the first conviction.

Brands stamps, or buists to be registered.

6. It shall be lawful for the Superintendent to appoint fit persons to be the Registrars of brands stamps or buists and to make rules and regulations for the management of any such Registrar's Office and to fix the fees that shall be payable to any such Registrar and all such rules regulations and tables of fees shall be published in the Government Gazette and thereupon shall be binding upon all persons whom they may concern and shall have the force of law.

Superintendent may appoint Registrars.

7. The owner of any cattle or sheep having a duly registered brand stamp or buist previous to the coming into operation of this Ordinance shall be entitled to have such brand stamp or buist registered under this Ordinance by priority of right in the order of date of original registry provided

Owners having registered brands &c., under previous Ordinances entitled to register under this Ordinance by priority of right.

that such brand stamp or buist is so registered within six months from the passing of this Ordinance.

Penalty for using the registered brand stamp or buist of another.

8. After any owner shall have so registered a brand stamp or buist it shall not be lawful for any other person to brand stamp or buist any cattle or sheep with any brand stamp or buist bearing the same mark or one so nearly similar as in the opinion of any Registrar to be not readily distinguishable therefrom and any person offending against this enactment shall be liable to a penalty not exceeding fifty pounds.

Penalty for unauthorised branding &c.

9. If any person shall brand stamp mark or buist any cattle or sheep or shall deface or efface any stamp mark or impression upon any cattle or sheep without the authority of the owner thereof he shall be liable to a penalty not exceeding one hundred pounds: Provided that if on the hearing of any information for a penalty under this section it shall appear that the defendant or person accused acted under the reasonable belief that he was owner of such cattle or sheep such information shall be dismissed.

Branding, &c., to be prima facie evidence of ownership.

10. The mark or impression of any registered brand buist or stamp upon any cattle or sheep shall be *prima facie* evidence of the ownership of the said cattle or sheep by the person in whose name such brand buist or stamp shall be registered in the office of the said Registrars.

Registrar liable to a penalty for taking fees &c.

11. If any Registrar or person acting under his authority shall under color of his office or employment exact or accept any fee or reward whatsoever other than his proper salary or allowance he shall be incapable of afterwards holding or continuing in any office or employment of or in the Provincial Government of Otago and shall forfeit and pay a sum not exceeding fifty pounds: And it shall be lawful for the Superintendent to make amend and abolish regulations for the guidance of the Chief Registrar and of the Registrars in the execution of their duties for the general management of the Registry Offices and the preparation and transmission of all returns required from Registrars and such regulations shall be obeyed accordingly as if expressly provided in this Ordinance.

Registrar to transmit copies of entries monthly.

12. Every Registrar shall on the first day of every calendar month in each year make and transmit to the Chief Registrar of brands true copies certified under his hand of all entries made in the Register Book in his office during the month next preceding or a certificate under his hand that there have been no such entries as the case may be: And every Registrar who shall refuse or neglect so to do shall be liable for every such offence to forfeit and pay a sum not exceeding ten pounds to be recovered in a summary way.

Owners of sheep yearly to give a return of the number of their cattle or sheep, and whether they are clean.

13. Every owner of cattle or sheep shall in the month of September in every year deliver in writing to the Registrar of the District in which such cattle or sheep shall be depasturing a return of the number of cattle or sheep above six months old owned by him or under his charge and certifying whether the said cattle or sheep are free from disease and shall append thereto a declaration that such return is true to the best of his knowledge and belief and every such person neglecting to make such return and declaration or making a false return or declaration shall forfeit and pay a penalty not less than ten pounds nor more than fifty pounds.

Penalty for entire animals at large.

14. If any entire horse ass mule bull sheep or swine shall be found straying or running at large the owner thereof shall be liable to a penalty not exceeding twenty pounds: Provided always that this enactment shall not apply to horses asses or mules under twelve months of age nor to entire animals of any other class under six months of age nor to entire animals of any description being depastured on any land belonging to or rented by the owner of such animal.

15. Any entire animal found straying or running at large the owner whereof cannot be found may be destroyed on an order being obtained from a Justice of the Peace Inspector or other person authorised in that behalf by Proclamation of the Superintendent of the Province.

If owner cannot be found entire animal at large may be destroyed.

16. If any unbranded cattle or sheep usually depastured or kept in any paddock or enclosed land shall be found at large on any unenclosed land run road or highway the owner thereof shall be liable to a penalty of not less than one shilling nor more than one pound for every head of cattle or sheep so found.

Penalty on unbranded cattle or sheep found at large.

17. It shall be lawful for any Registrar or any person duly authorised on that behalf by writing under his hand if he shall find on any common waste lands of the Crown within any Hundred in his District any unbranded cattle or sheep to cause such cattle or sheep to be driven to the nearest pound there to be dealt with under the provisions of the Impounding Ordinance as if such cattle or sheep had been found trespassing on private enclosed land but if it shall appear to the said Registrar that there is any danger from any cause of failing to get such cattle or sheep to the pound then it shall be lawful for such Registrar with the written consent of one of the Wardens of any such Hundred or if there be no Wardens elected or appointed for such Hundred without such consent to slaughter or destroy or cause to be slaughtered or destroyed any such cattle or sheep and to bury or burn the carcase thereof or to sell or otherwise dispose thereof and the proceeds shall be held by such Registrar as hereinafter provided and such Registrar is hereby empowered to hold such proceeds until the expiration of three months unless the owner or person declaring and proving himself to the satisfaction of the Registrar for the time being to be the owner of such cattle or sheep shall sooner appear and claim such proceeds whereupon it shall be lawful for such Registrar to pay over such proceeds to such owner or person or if he shall think fit to cause a summons to be issued against such owner or person for the infringement of any provision of this Ordinance of which such owner or person has been guilty with respect to such cattle or sheep and if such owner or person shall be convicted according to law of any such infringement and shall be ordered to pay a penalty therefor such Registrar if such penalty and any costs that may have been awarded are not forthwith paid by such owner or person may apply such proceeds in the payment of such penalty and costs.

Unbranded cattle or sheep not owned to be impounded or slaughtered.

18. A register of all cattle so slaughtered or destroyed shall be kept and if the carcase be sold or disposed of a correct account of the same shall be kept and every entry in such registry shall be signed by the Registrar and the proceeds of the sale of such carcase if not applied for by the owner of such slaughtered cattle or sheep whoever he may be within three months of the date of registry shall be paid over to the Provincial Treasurer and shall be available for the payment of the expenses of carrying out the provisions of this Ordinance.

Registry of slaughtered or destroyed cattle or sheep to be kept.

19. Any person who shall drive or assist in driving any cattle from off any lawfully occupied land cattle or sheep run or Hundred without the previous consent in writing of the owner or occupier of the land or run or of the Warden of the Hundred Ranger of Commonages or Inspector of depasturing licenses as the case may be as well as of the owner or person in charge of such cattle or sheep shall on conviction thereof be liable to a penalty not exceeding forty shillings per head of cattle or sheep so driven by him: Provided that if there be no Warden of such Hundred such consent of the owner or person in charge of all such cattle or sheep shall be sufficient.

Penalty on driving cattle or sheep off Run or Hundred without notice.

20. After the appointment of any Registrar in any District under the provisions of this Ordinance it shall not be lawful for any person to slaughter

Cattle or sheep not to be slaughtered for sale without notice to Registrar. Penalty.

any cattle or sheep for immediate sale or for preserving or curing for subsequent sale without giving to the Registrar of such District at least six hours previous notice in writing of his intention to do so together with a description and color of the cattle or sheep and of the marks and brands thereon and whether bull cow ox heifer steer ram ewe wedder or lamb over six months old and the name and residence of the person from whom the same shall have been purchased : And if any person shall kill any cattle or sheep for sale without giving such notice he shall for every such offence forfeit and pay any sum not exceeding ten pounds.

Registrar to inspect cattle or sheep after receipt of notice.

21. On receipt of any such notice it shall be lawful for such Registrar or any person duly authorised on that behalf by writing under his hand to attend and ascertain by personal examination the correctness of the notice so given and such Registrar shall file and preserve such notice in the Register Office of the district and enter it in a book to be kept by him which shall be open for inspection by any person on a payment of a fee or one shilling and it shall be lawful for the Registrar to examine the carcase after it shall have been slaughtered and if found to be diseased or to be in his opinion diseased such Registrar may seize or cause to be seized such carcase and if the owner of such carcase or the person giving the notice aforesaid shall consent such Registrar shall cause such carcase to be destroyed but if the owner or person aforesaid shall object to such destruction then such owner or person if such carcase shall be proved to the satisfaction of any Resident Magistrate or two Justices of the Peace to be diseased shall be deemed guilty of the offence of having in his possession cattle or sheep infected with disease for the purpose of slaughtering and exposing for sale and shall be liable to the penalties provided in and by the twentieth section of this Ordinance and the Registrar shall detain such carcase and shall forthwith lay an information against such owner or person under the said section of this Ordinance and such carcase shall be disposed of as the Resident Magistrate or Justices adjudicating shall direct.

Penalty for exposing for sale any diseased animal.

22. If any person shall slaughter and expose for sale or shall have in his possession for the purpose of slaughtering and exposing for sale any cattle or sheep which he shall know to be infected with disease to an extent to be unfit for human food or shall expose for sale the carcase or any part thereof of any cattle or sheep which he shall know to be so infected he shall be liable for each such offence to a fine of not less than one pound nor more than fifty pounds : And such infected carcase or such part thereof shall thereupon be destroyed in such manner as any Resident Magistrate or two Justices of the Peace before whom the complaint was heard may direct.

INSPECTORS.

Superintendent to appoint Cattle and Sheep Inspectors for the Province of Otago.

23. The Superintendent by and with the advice and consent of his Executive Council shall from time to time divide the Province into districts for the purposes of this Ordinance and appoint fit and competent persons to be Cattle and Sheep Inspectors for the Province of Otago and the persons so to be appointed shall devote the whole of their time to the duties of the said office and the Superintendent shall and may with the like advice and consent from time to time remove any such Inspector and appoint another in his stead : And every such Inspector shall have a fixed place of abode within the district to which he is appointed where notices and other proceedings may be left or sent and the situation of such place of abode shall be published once at least in the Government Gazette of the Province : And one of such Inspectors shall be styled the Chief Inspector and shall be stationed in Dunedin and all communications relative to the department shall be addressed to him and all the other Inspectors shall forward to such Chief Inspector a monthly report of all matters connected with the discharge of their duties.

24. It shall be lawful for the Superintendent by and with the advice and consent of his Executive Council in addition to such Cattle and Sheep Inspectors as may be appointed under the powers conferred by this Ordinance from time to time to appoint fit and competent persons to act as Honorary Cattle and Sheep Inspectors at such places or in such districts as may be thought fit and the said Honorary Inspectors shall be paid by fees instead of salary.

Superintendent may appoint Honorary Inspectors.

25. The Honorary Inspectors shall have and possess all the powers and privileges and perform all the duties and be under and liable to all the obligations conditions provisions and penalties as if they had been appointed Inspectors under this Ordinance: Provided that if there be any cause to prevent the Honorary Inspector attending to any notice he shall transmit the same to the nearest Sheep Inspector without delay.

Powers of Honorary Inspectors.

26. Each Honorary Inspector shall be entitled to demand and receive from every person requiring his services a fee of one pound one shilling for each attendance including examination and certificate and sixpence per mile for travelling charges counted one way only.

Payment of Honorary Inspectors.

27. The appointment of an Honorary Inspector in any district shall not relieve the Inspector of the district from the duty of attending personally in answer to any notice served upon him when he is able to do so: Provided always that where he is unable to attend for the purpose of examining any cattle or sheep within eight days after receipt of notice he shall forthwith send notice to that effect to the person who required his attendance and the Inspector shall not be liable to any forfeiture or penalty for non-attendance unless that he has without any good or sufficient reason refused to attend as required.

Appointment of Honorary Inspector not to relieve District Inspector from personal attendance when required.

28. It shall be lawful for any Inspector at such times as he may think fit to inspect any cattle or 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 it shall be lawful for any Inspector 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.

Power of Inspector to enter on lands.

29. Every owner of any cattle or sheep or other person who shall without due cause after having notice in writing from any Inspector of his desire to inspect any cattle or sheep refuse to allow such inspection to be made by any Inspector or shall obstruct or shall refuse or neglect to muster his cattle or sheep for the purpose of such inspection with all convenient speed or to afford all reasonable facilities for making such inspection to such Inspector shall be subject to a fine not exceeding one hundred pounds.

Penalty for obstructing Inspector.

30. Every 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 cattle or sheep and served personally at such 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 cattle or 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 cattle or sheep when required as aforesaid such Inspector shall if such cattle or sheep be free from disease grant a certificate in the form and to the effect set forth in the Second Schedule hereunto annexed.

Inspector to attend and examine cattle or sheep whenever required.

And to give certificate if cattle or sheep found to be clean.

Inspector may require declaration.

31. It shall be lawful for any Inspector when it shall appear to him to be necessary for the purpose of enabling him to decide satisfactorily upon the condition of any cattle or sheep to call upon the owner of such cattle or sheep to make a declaration in the form or to the effect specified in the Third Schedule 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 upon conviction thereof before any Resident Magistrate or two Justices of the Peace be liable to a penalty of one hundred pounds or to be imprisoned for a period not exceeding six calendar months.

Travelling certificate.

Certificates to be produced to Inspectors.

32. After examining any cattle or sheep which it is intended to remove from one run to another *not contiguous* the Inspector shall if such cattle or sheep be free from disease grant a certificate in the form and to the effect set forth in the Fourth Schedule hereunto annexed and such certificate shall be a sufficient authority for the removal of such cattle or sheep by the owner at any time within the period and in the way and manner and by the road prescribed by the said certificate and every such certificate shall specify the district or place to which the cattle or sheep therein mentioned are to be driven: And every such certificate shall be produced to any Inspector or runholder or other lawful occupier of land or person acting in his behalf through whose run or land the cattle or sheep are driven or are about to be driven and who shall desire to inspect the same and any person employed in driving cattle or sheep who shall refuse to produce a certificate under this Ordinance when called on so to do shall be deemed guilty of driving such cattle or sheep without any certificate and shall be liable to a penalty of not less than sixpence nor more than one shilling for every head of cattle or sheep so driven, and every such certificate shall continue in force for a period of not exceeding thirty-one days.

Inspector to endorse memo.

33. Every 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.

In certain cases may defer granting certificate.

34. It shall be lawful for the Inspector to defer granting a certificate for fourteen days in cases where he has just grounds for suspecting that any cattle or sheep which it is intended to remove from one run to another not contiguous have incurred risk of infection and if any such cattle or sheep have been infected with disease he shall not be at liberty to grant such certificate until the expiry of three months after the time they shall be proved by solemn declaration before a Justice of the Peace to have last received treatment for the cure of such disease.

Penalty for Inspector granting false certificate.

35. If any Inspector shall knowingly grant in a manner not authorised by this Ordinance any certificate for the removal of cattle or sheep or any certificate containing any statements or particulars which are not true such Inspector shall forfeit and pay for every such offence any sum not less than fifty pounds nor exceeding one hundred pounds.

Inspectors prohibited from taking any fee other than as provided.

36. If any Inspector shall under color of his office or employment exact or accept any fee or reward whatsoever other than his proper salary or allowance as hereby provided he shall be incapable of afterwards holding or continuing in any office or employment under this Ordinance and shall forfeit and pay the sum of fifty pounds: And it shall be lawful for the Superintendent to make regulations for the guidance of such Inspectors in the execution of their duty and for carrying this Ordinance into effect which regulations shall be published as hereinafter enacted.

37. To provide a fund for the payment of the salaries of the Sheep Inspectors and of expenses incurred in the carrying into effect the laws in force for the prevention of scab and other diseases among cattle or sheep it shall be lawful for the Superintendent to make and levy a rate yearly upon all cattle and sheep depasturing within the Province of Otago which rate shall be of such amount as together with all fines and penalties recovered in virtue of the Ordinances now in force and such sum as may be issued and applied in that behalf under any Appropriation Ordinance passed by the Superintendent and Provincial Council of Otago will be sufficient to pay the said salaries and expenses together with the expenses incidental to the laying on and collecting of such rate: And every owner of such cattle or sheep shall make payment of the amount for which he is rated within a time and at a place to be notified under a penalty of one-half more: And it shall be lawful for the Superintendent from time to time to appoint assessors and collectors of such rate and to regulate the duties of such assessors and collectors and also the mode of making such assessment and of collecting and enforcing payment of said rate: Provided always that no regulations by this Ordinance authorised to be made shall have force until after they shall have been published in the Otago Provincial Government *Gazette*.

Superintendent authorised to levy rate.

38. Whenever the Chief Inspector shall be informed that there are any sheep infected with scab in any district he shall without delay take the personal supervision of such district and the district shall continue specially under his charge till the infected sheep are free from disease.

Chief Inspector to take charge of infected districts.

IMPORTING SHEEP.

39. No sheep shall be imported into the Province of Otago by sea until such sheep shall have been inspected by an Inspector previous to their being landed and such Inspector shall have given permission to land such sheep. It shall be lawful for any Inspector to order and cause any such sheep to be well dipped or dressed by some reputed effective scab destroying preparation prescribed by such Inspector. Such sheep to be so dipped or dressed within forty-eight hours of their being so landed at some convenient place not further than one mile from the place at which such sheep were so landed. All expenses and charges attending the dressing of such sheep so imported or landed shall be borne and paid by the owner thereof. Any person importing or landing any sheep contrary to the provisions of this Ordinance shall forfeit and pay for every such offence any sum not less than £50 nor more than £100. And every person so offending may be proceeded against for such offence upon the information of an Inspector or any other person.

Sheep not to be imported into the Province by sea until permission given by Inspector who may cause sheep to be dressed within 48 hours of landing.

Penalty.

40. No sheep shall be introduced into the Province of Otago by land until after the same shall have been inspected by an Inspector and until such Inspector shall have granted a certificate in the form in the Fourth Schedule to this Ordinance annexed: Such inspection to be made in a good and secure yard with a pen attached to it such pen not to hold more than 200 sheep at a time and such yard to be provided by the owner of such sheep or the Province from which such sheep are being brought: And such yard shall not be situated at a greater distance than three miles in a straight line outside the boundary of this Province: And if any sheep shall be introduced into the Province by land contrary to the provisions of this Ordinance the owner of such sheep shall forfeit and pay for every such offence any sum not less than £50 nor more than £100: And every person so offending may be proceeded against for such offence upon the information of an Inspector or any other person.

Sheep not to be introduced into the Province by land until certificate granted by Inspector.

Penalty.

41. The owner of any sheep so introduced by land as aforesaid shall at any time within six months after such sheep shall have been so introduced

Penalty for not producing certificate.

produce to any person demanding the certificate mentioned in the preceding section or failing so to do shall be liable to a penalty of five pounds.

Inspector may cause sheep to be introduced by land into Province to be dressed if necessary.

42. Should any Inspector after having inspected any sheep to be introduced into the Province of Otago by land deem it necessary he may order and cause such sheep to be dressed to his satisfaction with some reputed effective scab-destroying preparation to be prescribed by such Inspector: And if such Inspector shall deem it necessary he may order and cause such sheep to be so dressed as aforesaid a second time at an interval of not less than twelve clear days such sheep to be so dressed at some convenient place not further than three miles outside the boundary of the said Province of Otago in a proper and efficient dipping apparatus to be approved of by the Inspector and to be provided by the owner of such sheep or the Province from which such sheep are being brought: And the Inspector shall not grant a certificate to the owner of sheep so dressed until after the expiration of twelve clear days from the time of such sheep being so dressed: And all expenses and charges attending the dressing of such sheep shall be borne and paid by the owner of such sheep.

Sheep placed in Hundreds when previously dipped.

43. If any person shall himself or by means of any agent or servant introduce or place any sheep upon any unenclosed land within any Hundred for the purpose of being depastured unless they shall within fourteen days previous to such introduction have been effectually dressed to the satisfaction of the Inspector of sheep with some reputed effective scab-destroying preparation and unless the owner of such sheep shall have received from such Inspector a certificate to that effect or unless the Inspector grant a certificate of exemption from such dressing he shall be liable to a penalty of not less than one shilling nor more than one pound for every sheep so introduced: Provided that if the number of sheep so introduced be less than one hundred he shall nevertheless be liable to a penalty of fifty pounds and no more and for every day during which such sheep so introduced with such certificate shall be depastured or suffered to remain within the boundaries of any Hundred the owner thereof shall be liable to a penalty of not exceeding fifty pounds and the before-mentioned certificate shall at any time within six months after the date thereof be produced by the owner of such sheep to any person demanding the same under a penalty of five pounds: Provided also that this section shall not apply to any sheep free from disease which may be lawfully depasturing upon the unenclosed lands within any Hundred at the time of its proclamation or at the time of the passing of this Ordinance.

Inspector to charge a fee of £3 for every flock of sheep imported by sea.

44. For every inspection of sheep made on board of any ship vessel or steamer a fee of £3 shall be charged by the Inspector making such inspection and no certificate or authority to land any sheep shall be given by such Inspector until the said fee of £3 shall have been paid to him by the owner of such sheep.

Fee of 1d. per head to be charged by Inspector for every sheep inspected.

45. For every inspection of sheep to be introduced into the Province of Otago by land a fee of one penny (1d) per head for every sheep so inspected shall be charged by the Inspector making such inspection: And no certificate or authority to introduce any sheep by land shall be given by such Inspector until the said fee of one penny (1d) per head for every sheep shall have been paid to him by the owner of such sheep.

Charge for dipping.

46. The charge for dipping sheep in each dipping apparatus erected by or on behalf of the Government for the purposes of this Ordinance shall be such sum as the Superintendent may from time to time by notice under his hand published in the Provincial Government *Gazette* determine not ex-

ceeding in any case the sum of one shilling for every sheep which shall be dipped.

DISEASED SHEEP.

47. Every owner of any sheep infected with the disease called "Scab" or other disease of an infectious nature shall be liable to a fine of not less than one shilling nor more than five shillings for every such infected sheep: Provided that no person who shall have been convicted under this enactment shall be liable to pay any further penalty under the same on account of said disease in the same sheep until the expiration of four months after the date of such conviction as aforesaid: And if it shall appear to the satisfaction of the Justices before whom any conviction under this enactment shall take place that such sheep had been free from the said disease at any time within two months previously to such conviction or that the owner had been using proper and adequate means in the judgment of the Inspector for curing such sheep of such disease it shall be lawful for such Justices to require the persons so convicted to enter into a bond or bonds in the form set forth in the Fifth Schedule to this Ordinance to the amount of the penalty in which he shall have been convicted and if it shall appear upon the report of an Inspector that during four months thereafter all adequate means have been employed and that the sheep are still diseased without any fault attributable to the owner a further period of four months may be allowed for effecting their cure and if at any time within either the said first period of four months or second period of four months if allowed such sheep shall appear upon the report of an Inspector to be free from such disease such bond shall be cancelled but if it shall not so appear then such bond shall be enforced in a summary way: Provided that if the owner of such infected sheep is willing to enter into such bond or bonds the Inspector shall take such bond or bonds from such owner of sheep and the Inspector shall in that case lodge such bond or bonds in the hands of the Clerk of the nearest Resident Magistrate.

Persons having sheep infected with disease to be fined.

48. If the owner of any sheep infected with the disease called "Scab" or any other disease of an infectious nature shall suffer such sheep to stray or shall turn out drive keep or depasture the same upon any land not lawfully in his own exclusive occupation or within half a mile of any boundary of such land not being a recognised sheep proof boundary which shall not be fenced with a substantial sheep proof fence such owner shall forfeit and pay for every such offence a penalty of not less than fifty pounds nor more than one hundred pounds.

Owner driving or depasturing diseased sheep on land not in his own possession or occupation or within half-a-mile of unfenced boundary liable to penalty of £100.

49. If any owner shall suffer any sheep infected as aforesaid to stray or without having obtained a certificate as hereinbefore mentioned shall drive or conduct any such sheep or permit or suffer any such sheep to be driven or conducted upon any highway or to be conveyed across any ferry in the boats used at such ferry every owner shall forfeit and pay for every such offence any sum not less than five pounds nor more than one hundred pounds: Provided always that nothing herein contained shall prevent infected sheep from being conveyed on any highway in covered vehicles and that it shall be lawful for any person upon whose land any sheep are trespassing to remove the same therefrom and to drive or conduct any such sheep or to cause permit or suffer any such sheep to be driven or conducted to the place of abode of the owner thereof or to such place from whence they have strayed provided such sheep be free from disease.

Not to be driven on highways.

50. Every owner of any sheep depastured within the Province of Otago shall within one month after receiving notice from the Inspector so to do erect and thenceforth maintain in good working order on some land in his

Owner of sheep to erect dipping apparatus.

own occupation 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.

Dips to be constructed to satisfaction of Sheep Inspector.

51. Every such dipping apparatus shall be constructed to the satisfaction of the Inspector and if 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.

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

52. 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 Inspector 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 Inspector he shall be liable to a separate penalty of not more than ten pounds.

Owner to give notice of sheep infected or suspected to be so.

53. Whenever the owner of any sheep shall become aware or shall have reasonable grounds to suspect that the same are infected with disease as aforesaid he shall within twenty-four hours thereafter give notice thereof in writing to the adjoining sheep owners in the manner hereinafter prescribed for the notice required by section fifty-eight hereof and within ten days shall give similar notice to the Inspector of the district in which such sheep are either by delivery of such notice to him personally or by leaving the same at such Inspector's place of abode and in default thereof such owner shall forfeit and pay for such offence any sum not less than twenty pounds nor more than one hundred pounds.

All sheep in a flock to be deemed infected if one is so or if sheep have mixed with infected sheep.

54. All sheep forming one distinct flock shall be deemed to be infected as aforesaid within the meaning and for the purposes of this Ordinance of which one is so infected or which shall be known by the owner thereof to have mixed with other sheep infected as aforesaid and if any owner shall lodge written information to that effect with any Inspector he shall be bound to institute inquiry into the truth of the information and every owner shall be deemed to know that his sheep have so mixed whenever a written notice to that effect signed by an Inspector shall have been served on such owner personally or have been left at his last usual place of abode for twenty-four hours.

Penalty for abandoning diseased sheep.

55. If any owner or other person shall wilfully set at large or abandon any sheep infected as aforesaid he shall forfeit and pay for every sheep so set at large and abandoned any sum not less than one pound nor more than five pounds: Provided that such penalty inflicted for any number of sheep at one time shall not exceed one hundred pounds: And it shall be lawful for any Inspector to destroy any sheep infected as aforesaid which shall be wandering at large and the owner thereof is unknown and cannot be ascertained after reasonable inquiry.

Occupiers of runs to give notice when stray sheep mix with their flocks.

56. Every occupier of a run after becoming aware or being informed that stray sheep have mixed with his flock may give notice thereof in writing to such owner if known and in such notice shall appoint a time not

less than one week nor more than one month from the delivery of such notice for the owner of such stray sheep removing the same to his own run and the one failing to give such notice and the other when such notice is given failing to attend at the time and place appointed and to remove such sheep shall be liable to a penalty not exceeding ten pounds: If the owner of such stray sheep be unknown a similar notice shall be given to the Inspector.

DRIVING CATTLE OR SHEEP.

57. All persons travelling with cattle or sheep without a travelling certificate from an authorised Inspector shall furnish a Justice of the Peace or some other authorised person with a list of the number and description of the cattle or sheep intended to be driven whereupon the Justice of the Peace or other authorised person shall grant a certificate to be carried by the person in charge of such cattle or sheep who shall produce the same for inspection at the request of any authorised person: And it is hereby declared that every Warden of a Hundred and every Chairman of a Road Board within the district in which the cattle or sheep shall be travelling shall be "an authorised person" within the meaning of this section and that the Superintendent may by proclamation appoint any person to be an authorised person within the meaning of this section.

Parties travelling with cattle or sheep to furnish list thereof to a Justice of the Peace or other authorised person.

58. Any person about to drive any cattle or sheep through or across^s any lawfully occupied land or run or through or across any Hundred shall give to the occupier of the land or run or to one of the Wardens of the Hundred at least twenty four hours' previous notice in writing of the day on which such cattle or sheep are so to be driven either by delivering such notice to him personally or by leaving the same at the principal house or station on such run endorsed with the words "Cattle Notice" or "Sheep Notice" as the case may be on the cover or outside of such notice with an adult inmate of such house or station or if no such inmate be found leaving the same either within the said house or station if open or below or affixe to the door thereof and such notice shall set forth the brands or buists on such cattle or sheep as also the name of the owner and such notice shall be renewed unless the cattle or sheep shall be so driven within the time above specified: And every person offending against the provisions of this enactment shall be liable to a penalty of not less than ten pounds nor more than one hundred pounds and such penalty shall be incurred and may be levied over and above any penalty incurred in virtue of any other provision herein contained: Provided that nothing in this section contained shall apply or extend to working cattle or to milch cows.

Mode of proceeding when cattle or sheep to be driven through a run.

59. Any owner who shall drive cattle or sheep upon or across any run where other sheep are depastured and kept or upon or along any public way which may intersect or form a boundary line of any such run shall travel such cattle or sheep a distance of not less than five miles during every twenty-four hours they shall remain upon such run or public way and shall travel and keep such cattle or sheep upon or within four hundred yards on either side of the usual public way track or course where cattle or sheep are wont to be driven from the place of starting to the place of destination under a penalty not exceeding one hundred pounds: Provided that no penalty shall be incurred under this section for cattle or sheep so travelling which may be detained by stress of weather or prevented from crossing any river or stream by reason of floods or otherwise.

Travelling cattle or sheep to keep usual road and travel five miles per diem.

60. Nothing herein contained shall prevent separate informations being laid and prosecuted by every occupier of land upon which cattle or sheep diseased as aforesaid shall have been driven depastured or suffered to stray without the owner having obtained either the written consent of the occupier or a certificate as hereinbefore enacted and by every occupier of land through

Separate informations may be laid by every person whose run is crossed &c.

or adjacent to which any public way shall lie upon or along which public way any such diseased cattle or sheep shall have been suffered to stray or been driven or depastured and any Inspector shall have the same power to prosecute which is hereby made competent to every occupier.

Sheep or cattle may be examined without warrant by occupier of run on which found.

61. Every occupier of land or of a right of pasturage may without any warrant examine or cause to be examined any cattle or sheep which shall be found upon the land or run in his occupation or upon any part of a highway passing through or lying adjacent to such land or run unless such highway be securely fenced.

A yard for inspecting sheep to be upon every run. Penalty for resisting inspection.

62. There shall be at some convenient place on every run or freehold an enclosed yard and pen for the greater facility of examining cattle or sheep into which the Inspector may require the owner to drive them for that purpose and every owner who shall neglect to construct and maintain in efficient condition such yard and pen shall be subject to a fine of not less than fifty pounds nor more than one hundred pounds.

Recovery of strayed cattle or sheep.

63. Any Justice of the Peace may upon the application of any owner of cattle or sheep who has reason to believe that any of his cattle or sheep have strayed to and upon land or a run occupied by any other person by writing under his hand direct such occupier to muster his cattle or sheep in a pen at some time within two months after the receipt of such direction in writing for the purpose of delivering over such stray cattle or sheep to the owner thereof: At least seven days' previous notice shall be given by such occupier to the owner of such stray cattle or sheep of the time at which such muster shall be made and every such occupier who shall refuse or neglect to comply with any such direction in writing or to give such notice shall be subject to a penalty of not less than five nor more than twenty pounds: Provided always that such occupier shall be entitled to recover from such owner any reasonable expense of mustering or delivering such cattle or sheep: Provided also that a certificate under the hand of an Inspector that the herd or flock with which such stray cattle or sheep have mixed is not in a condition to be moved within such period of two months shall be a valid excuse for postponing the delivery of any such stray cattle or sheep.

Diseased cattle or sheep may be destroyed.

64. If any cattle or sheep diseased as aforesaid shall be found on any land not lawfully in the exclusive occupation of the owner of such cattle or sheep and not being a public road or being within the limits of a Hundred it shall be lawful for an Inspector if he shall think it necessary so to do to cause such cattle or sheep or any of them to be destroyed and such Inspector shall keep a correct account of the number and description of cattle or sheep so destroyed and the expenses incurred by him in destroying them: Provided that if the owner of such cattle or sheep shall have complied with all the provisions of this Ordinance before the discovery of such disease he shall be entitled to compensation not exceeding five pounds for every head of cattle and not exceeding five shillings for every sheep so destroyed: The amount of compensation to be so awarded shall be determined by a Resident Magistrate or by two Justices of the Peace upon the evidence of the Inspector who may have directed such cattle or sheep to be destroyed and such other evidence as may be brought before him or them and such amount together with the amount of the expense incurred in destroying such cattle or sheep shall be paid out of the Provincial Revenue under warrant of the Superintendent in the usual way and the whole amount so paid shall be chargeable in the following year as part of the expenses for carrying out the provisions of this Ordinance.

MISCELLANEOUS.

Penalty for clipping or taking wool from sheep.

65. If the occupier of any run or any other person shall knowingly clip take or remove from any sheep not belonging to him the wool of such

sheep he shall be liable to a penalty of not less than twenty shillings for every fleece so clipped taken or removed over and above the value thereof.

66. Every person who shall drive or remove or attempt to drive or remove any cattle or sheep belonging to him or under his charge from any land in the occupancy of another or cause such cattle or sheep to be driven or removed therefrom without the consent of the occupier of such land or who shall be found disturbing or harassing any cattle or sheep on any such land shall be liable in a penalty of not more than one hundred pounds for every such offence.

Penalty for removing cattle or sheep without consent of o

67. The owner who shall fail to consume by fire or to bury at least three feet under ground within twelve hours after death the carcass of any cattle or sheep which shall have died within half-a-mile of any road or thoroughfare shall be liable to a penalty of not less than ten shillings nor more than five pounds for each carcass not so buried or destroyed.

Penalty for not burying or burning carcass of diseased cattle or sheep.

68. If any person by himself his servant or agent shall cast or cause to be cast the carcass of any cattle or sheep into any stream or pond or other water he shall be liable to a penalty of not less than five pounds nor more than twenty pounds.

Penalty for casting such carcass into the water.

69. It shall be lawful for any occupier of land or other person interested and also for any such Inspector and any such occupier or person interested not prosecuting such Inspector is hereby required to prosecute for any fines or penalties incurred by any breach of this Ordinance and no abandonment of any such prosecution or compromise made by any private party shall affect the Inspector's power to prosecute for and recover any such fine or penalty: And every information under this Ordinance may be laid before and a summons thereupon issued by one Justice of the Peace but the same shall be heard and determined by at least two Justices of the Peace.

Persons interested or Inspectors to prosecute. Information may be laid before one Justice of the Peace; hearing by two.

70. Over and above any other penalty imposed by this Ordinance and to which any person convicted of infringing the same shall be subjected he shall also be liable to pay to the owner of any cattle or sheep to which any disease shall have been communicated by his unlawful act or omission such sum or sums of money if demanded by the owner as in the judgment of any two Justices of the Peace may be sufficient to reimburse such owner for any expense loss or damage which he may have in consequence incurred or sustained so that such sum or each of such sums shall not in any such case exceed the sum of one hundred pounds: Provided always that nothing in this Ordinance shall be construed to limit or deprive any person suffering any such loss or damage of any remedy which he might have had at law or otherwise for recovering the same if this Ordinance had not been passed.

Owners of diseased cattle or sheep to be liable in damages to parties injured.

71. All moneys received by any Inspector by way of head money or inspection fees together with all fines and penalties recovered under the provisions of this Ordinance shall be accounted for and paid to the Provincial Treasurer of the Province of Otago by the person or persons receiving or recovering the same.

All moneys to be accounted for.

72. Nothing herein contained or implied shall prejudice or affect the right of action or other remedy of any person who shall have incurred or sustained any loss damage or expense through in consequence or by reason of any infringement or breach of this Ordinance against any person not conforming with the provisions of this or any other Ordinance or Ordinances relating to cattle or sheep.

Right of action against any person infringing this Ordinance not affected.

73. Nothing in this Ordinance shall be construed or taken to affect or to pretend to repeal or alter any provisions of "The Diseased Cattle Act 1861" or any Act amending the same.

Construction of Ordinance.

FIRST SCHEDULE.

(ORDINANCES REPEALED.)

- "Cattle Branding Ordinance, 1862," Session XVI., No. 110.
 "Cattle Ordinance, 1864," Session XIX., No. 169.
 "Cattle Ordinance, 1864 Amendment Ordinance, 1869," Session XXV., No. 284.
 "Scab and Catarrh Ordinance, 1854," Session I., No. 11a.
 "Sheep Ordinance, 1856," Session V., No. 12.
 "Sheep Ordinance Amendment Ordinance, 1857," Session VI., No. 21.
 "Sheep Ordinance Amendment Ordinance, 1861," Session XII., No. 49.
 "Scab Prevention Ordinance, 1862," Session XV., No. 80.
 "Sheep Importation Ordinance, 1862," Session XV., No. 90.
 "Sheep Ordinance 1856 Amendment Ordinance 1865," Session XXI., No. 212.
 The "Sheep Ordinance, 1862," of Southland, 29th Vict., No. 71.
 "Sheep Ordinance, 1867," Sssion XXIII., No. 253.
 "Sheep Ordinance 1867 Amendment Ordinance, 1868," Session XXIV., No. 266.
 "Sheep Ordinances Amendment Ordinance, 1870," Session XXVII., No. 266.
 "Sheep Ordinance 1866 (Southland) Repeal Ordinance, 1871," Session XXIX., No. 340.
 "Sheep Inspection Assessment Ordinance, 1871," Session XXIX., No. 345.
 "Sheep Ordinances Amendment Ordinance, 1873," Session XXXII., No. 403.

SECOND SCHEDULE.

(CERTIFICATE OF INSPECTORS.)

I, A. B., hereby certify that I have carefully examined
 the property of C. D., now being depastured at
 (cattle or sheep) to be entirely free from disease. (cattle or sheep) branded
 and that I find said
 Given under my hand at this day of 18 .
 A. B.,
 Inspector.

THIRD SCHEDULE.

DECLARATION TO BE MADE BEFORE INSPECTOR AS TO CATTLE OR 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 cattle and sheep under my charge, and that*) my cattle and sheep branded
 being in number now being at have not within†
 had applied to any of them any treatment for disease, nor within† been mixed with any cattle or
 sheep infected with any disease; and I make this solemn declaration, conscientiously believing the same to be true.
 Declared before me at this day of 18 .
 C. D.,
 Inspector.

* May be omitted when not required by Inspector.
 † State period.

FOURTH SCHEDULE.

FORM OF CERTIFICATE TO BE GRANTED BY INSPECTOR.

I do hereby certify that I have authorised (name, residence, and description of owner) to drive or conduct
 (number of cattle and sheep and marks or other description) cattle and sheep from (description of place where from)
 to (description of place where to), by the road (description of road) the said cattle and sheep being free from disease
 (or having been dressed to my satisfaction as the case may be).

This certificate to be in force for (number of days) days from the date hereof.

H. B.,
Inspector.

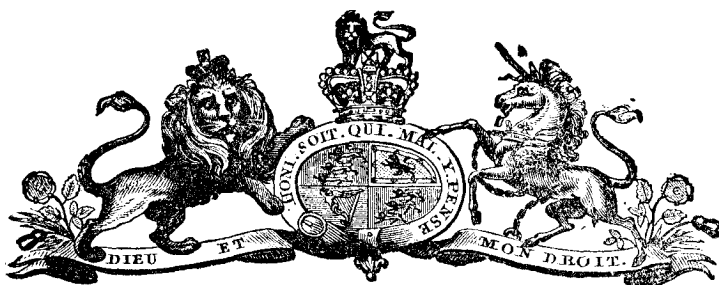
FIFTH SCHEDULE.

WHEREAS (here shortly narrate the complaint and judgment) I
 hereby undertake, four months from the date hereof, to pay to Clerk to
 the Bench at the sum of and in
 default thereof I consent that the said sum, together with the costs incurred by such default, shall be levied by
 distress and sale of my goods and effects, wheresoever found, any law or Ordinance to the contrary notwithstanding
 Dated at this day of 18
 (Signed)

DUNEDIN, NEW ZEALAND:

Printed under the authority of the Provincial Government of Otago, by MILLS, DICK, and Co., of Stafford-street, Printers to the
 said Provincial Government for the time being.

OTAGO, N. Z.



TOWN AND COUNTRY POLICE ORDINANCE 1862 AMENDMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 465.

ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Sections 21 and 22 of the "Town and Country Police Ordinance, 1862" repealed.
4. Persons found drunk or behaving in disorderly manner may be apprehended.</p> | <p>5. Constable may enter brothel or house frequented by persons of ill-fame &c. and apprehend persons making disturbance.
6. Betting houses illegal.
7. Penalty on persons keeping betting houses &c.
8. Penalty on receiving deposits on bet &c.
9. Constable may enter betting house.
10. Penalty on permitting entire animals to cover within limits of town &c.</p> |
|---|--|

An Ordinance to amend the "Town and Country Police Ordinance, 1862." Title.
[19TH JUNE, 1875.]

WHEREAS it is desirable to further amend the "Town and Country Police Ordinance, 1862" :—

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 :—

1. This Ordinance may be cited and referred to as the "Town and Country Police Ordinance 1862 Amendment Ordinance, 1875" and shall be read and construed therewith. Short Title.

2. The words "Public Place" wherever used in the "Town and Country Police Ordinance, 1862" or any amendment thereof shall be taken to extend to and include all Theatres and Concert Halls and all places licensed or to be licensed under the authority of the "Licensed Theatres Ordinance, 1862" or under any by-law of any Town City or Municipality and all Racecourses Fairs Cattle Shows Agricultural Shows Recreation Grounds Sports and all other places wherever the public may assemble and whether money may be paid by the public for admission to such places or not and the word "Town" shall mean any City Town or place incorporated under the provisions of any Act of the General Assembly of New Zealand or any Ordinance of the Superintendent and Provincial Council of Otago. Interpretation.

Sections 21 and 22 of
recited Ordinance re-
pealed.

3. Sections 21 and 22 of the said Town and Country Police Ordinance 1862 are hereby repealed.

Persons found drunk
or behaving in disor-
derly manner may be
apprehended.

4. Any person found drunk or drunk and incapable and any person behaving in a disorderly manner in any public place may be forthwith apprehended by any Constable or Police Officer and lodged in safe custody until he can be brought before a Justice of the Peace and shall be liable to a penalty not exceeding two pounds or to imprisonment with or without hard labour for any period not exceeding five days and for any second or subsequent offence to a penalty not exceeding five pounds or to imprisonment with or without hard labour for any period not exceeding one month : And whenever any such person shall have been previously convicted of vagrancy or shall be an habitual drunkard (that is to say shall have been thrice or oftener convicted for drunkenness within the twelve months immediately preceding his last offence) he shall be liable to a penalty not exceeding twenty pounds or to imprisonment with or without hard labour for any period not exceeding four months.

Constable may enter
brothel or house fre-
quented by persons
of ill-fame. &c. and
apprehend persons
making disturbance.

5. It shall be lawful for any constable at any time to enter any brothel or other house frequented by persons who have no visible lawful means of support or any such house where there seems to him reasonable grounds for supposing that any prostitute is within or any such house in which any screams or loud talking or any disorderly noise shall be heard to the disturbance of the persons passing in any street or public place or of persons residing in the neighbourhood and he may forthwith apprehend the person or persons in such house or any one or more of them and detain him or them in custody until he or they can be brought before a Justice of the Peace and any person who shall be convicted of screaming loud talking or disorderly noise in any such house or who shall resist any constable seeking to apprehend him under the provisions of this section shall be liable to be fined any sum not exceeding ten pounds or to be imprisoned for any term not exceeding one calendar month.

Betting houses
illegal.

6. No house office room or other place shall be opened kept or used for the purpose of the owner occupier or keeper thereof or any person using the same or any person procured or employed by or acting for or on behalf of such owner occupier or keeper or person using the same or of any person having the care or management or in any manner conducting the business thereof betting with persons resorting thereto or for the purpose of any money or valuable thing being received by or on behalf of such owner occupier keeper or person as aforesaid as or for the consideration for any assurance undertaking promise or agreement expressed or implied to pay or give thereafter any money or valuable thing on any event or contingency of or relating to any horse race or other race fight game sport or exercise or as or for the consideration for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency as aforesaid.

Penalty on persons
keeping betting
houses &c.

7. Any person who being the owner or occupier of any such house office room or other place shall open keep or use the same for the purposes hereinbefore mentioned or any or either of them and any person who being the owner or occupier of any such house room office or other place shall knowingly or wilfully permit the same to be opened kept or used by any other person for the purposes aforesaid or any or either of them and any person having the care or management of or in any manner assisting in conducting the business of any house office room or place opened kept or used for the purposes aforesaid or any or either of them shall be liable to forfeit and pay any sum not exceeding one hundred pounds.

Penalty on receiving
deposit on bet &c.

8. Any person being the owner or occupier of any house office room or place opened kept or used for the purposes aforesaid or any or either of them or

any person acting for or on behalf of any such owner or occupier or any person having the care or management or in any manner assisting in conducting the business thereof who shall receive directly or indirectly any money or valuable thing as a deposit on any bet or on condition of paying any sum of money or other valuable thing on the happening of any event or contingency of or relating to a horse race or any other race or any fight game sport or exercise or as or for the consideration for any assurance undertaking promise or agreement express or implied to pay or give thereafter any money or valuable thing on any such event or contingency. And any person giving any acknowledgment note security or draft on the receipt of any money or valuable thing so paid or given as aforesaid purporting or intending to entitle the bearer or any other person to receive any money or valuable thing on the happening of any such event or contingency as aforesaid shall forfeit and pay any sum not exceeding fifty pounds.

9. Any constable having reasonable ground for supposing that any breach of the foregoing sections of this Ordinance relating to betting is being committed in any house room office or place may enter such house room office or place and may forthwith apprehend any persons committing such breach and detain them in custody until he can bring them before a Justice of the Peace.

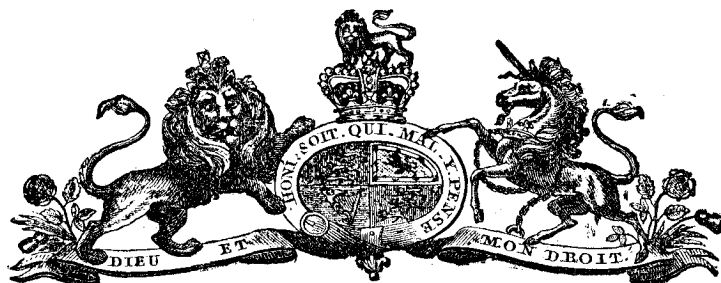
Constable may enter betting house.

10. Every person having the charge of and permitting any stallion bull or other entire animal to cover in any paddock close or land within the limits of any town being within public view or outside the limits of any town within sight of any street or public place in such town shall be liable to pay any sum not exceeding five pounds.

Penalty on permitting entire animals to cover within limits of town &c.

DUNEDIN, NEW ZEALAND :

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APPROPRIATION ORDINANCE, 1875-6.

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

SESSION XXXIV. No. 466.

ANALYSIS.

- | | |
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| <p>Title.
 Preamble.
 1. Short Title.
 2. Certain sums to be applied out of provincial revenues during the twelve months commencing first April 1875 and ending thirty-first March 1876.</p> | <p>3. Superintendent authorised to transfer from unforeseen contingencies, &c.
 4. Provision for continuing payments to 31st May 1876.
 5. Treasurer &c., to pay moneys under warrant of the Superintendent and to be allowed credit for all moneys so paid.</p> |
|--|--|

An Ordinance to appropriate certain Sums out of the Ordinary Title. Revenue of the Province of Otago and other Moneys for the Service of the Twelve Months commencing on the first day of April one thousand eight hundred and seventy-five and ending on the thirty-first day of March one thousand eight hundred and seventy-six.
[19TH JUNE 1875.]

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

1. This Ordinance shall be termed and may be cited and referred to as Short Title. the "Appropriation Ordinance 1875-6."

2. Out of the Revenues of the Province of Otago subject to the appropriation of the Provincial Council 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 April one thousand eight hundred and seventy-five and ending upon the thirty-first day of March one thousand eight hundred and seventy-six the sum of one million twenty-two thousand one hundred and fifty-six pounds eight shillings and four pence (£1,022,156 8s. 4d.) or any sum or sums not exceeding the several sums for the several purposes hereinafter particularly specified that is to say :—

Certain sums to be applied out of Provincial revenues during the twelve months commencing first April 1875 and ending thirty-first March 1876.

I.—LOANS.

LOANS.						£	s.	d.
DIVISION No. 1.								
Interest, Sinking Fund, &c., payable to General Government on Consolidated portion of								
Provincial Loans	...	...	...	...	...	1000	0	0
Interest on Loan, 1861	...	...	...	...	...	720	0	0
„ „ 1862	...	...	...	...	...	7002	0	0
„ Public Buildings Loan	...	...	...	...	...	3500	0	0
„ Harbour Loan	...	...	...	...	...	20	0	0
„ Dock Bonds	...	...	...	...	...	2304	0	0
Sinking Fund Loan, 1862	...	...	...	...	...	1167	0	0
„ „ Public Buildings Loan	...	...	...	...	...	1202	5	0
Interest on £2000 part purchase money of Stewart Island	...	...	...	...	...	160	0	0
Interest, Exchange, and Commission	...	...	...	...	...	500	0	0
Total carried forward to Summary of Totals						£17575	5	0

II.—SUPERINTENDENT AND EXECUTIVE COUNCIL.

NO.	OFFICERS AND SERVICES.	SALARIES.		CONTINGENCIES		TOTALS.	
		£	s. d.	£	s. d.	£	s. d.
SUPERINTENDENT & EXECUTIVE COUNCIL.							
DIVISION No. 2.							
1	Superintendent	1000	0 0				
1	Secretary and Storekeeper	350	0 0				
1	Provincial Secretary and Secretary for Lands and Railways	600	0 0				
1	Provincial Treasurer	400	0 0				
1	Secretary for Works 10 mos. at £400	333	6 8				
1	Secretary for Gold Fields	400	0 0				
2	Non-official Members	250	0 0				
1	Provincial Solicitor	400	0 0				
1	Clerk to Executive Council and Under-Secretary	500	0 0				
1	Chief Clerk	350	0 0				
1	Assistant Clerk and Registrar of Brands	270	0 0				
1	Clerk and Draughtsman	160	0 0				
						5013	6 8
SUB-DIVISION No. 1.							
	Printing and Stationery			50	0 0		
	Clerical Assistance for Provincial Solicitor			250	0 0		
	Incidental Expenses			20	0 0		
						320	0 0
Total carried forward to Summary of Totals		...		...		5333	6 8

III.—PROVINCIAL COUNCIL.

NO.	OFFICERS AND SERVICES.	SALARIES.		CONTINGENCIES		TOTALS.	
		£	s. d.	£	s. d.	£	s. d.
PROVINCIAL COUNCIL.							
DIVISION No. 3.							
1	Speaker	200	0 0				
1	Chairman of Committees	100	0 0				
1	Clerk and Librarian	300	0 0				
i	Keeper of Chambers and Messenger	132	0 0				
						732	0 0
SUB-DIVISION No. 2.							
	Expenses of Members			2300	0 0		
	Expenses of Select Committees			75	0 0		
	Library			60	0 0		
	Printing and Stationery			600	0 0		
	Incidental Expenses			100	0 0		
	Fuel and Light			50	0 0		
	Clerk and Librarian (Special Services)			100	0 0		
	Messenger Do.			20	0 0		
						3305	0 0
Total carried forward to Summary of Totals						4037	0 0

IV.—PROVINCIAL SECRETARY'S DEPARTMENT.

NO.	OFFICERS AND SERVICES.	SALARIES.		CONTINGENCIES		TOTALS.	
		£	s. d.	£	s. d.	£	s. d.
POLICE.							
DIVISION No. 4.							
1	Commissioner	550	0 0				
1	Clerk, Accountant and Storekeeper	275	0 0				
4	Inspectors at £330	1320	0 0				
1	Sub-Inspector	275	0 0				
1	Sergeant-Major						
11	Sergeants at 10s 6d			3531	7 6		
7	Do. 9s 6d						
35	Constables at 8s 6d			12492	2 6		
45	Do. 8s 0d						
1	Detective at 12s 6d			611	7 6		
2	Do. 10s 6d						
3	Cooks and Searchers			100	0 0		
	Extra pay for Sergeants and Constables 10 years and over in the Service	552	3 0				
	Sergeants in Charge of Districts, 1s. per day extra	54	15 0				
	Drill Instructor	18	5 0				
	Allowance to Sergeants and Constables in lieu of uniform clothing	1288	3 0				
						21068	3 6
SUB-DIVISION No. 3.							
	Travelling Expenses			450	0 0		
	Transport of Prisoners			170	0 0		
	Saddlery and Repairs			70	0 0		
	Stores and Furniture			150	0 0		
	Printing and Stationery			270	0 0		
	Transport of Stores			30	0 0		
	Compensation for loss of clothing and medical expenses			40	0 0		
						1180	0 0
Carry for ward						21068	3 6

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.			CONTINGENCIES			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Carried forward				1180	0	0	21068	3	6
	POLICE—Continued.									
	Fuel and Light				550	0	0			
	Rewards				30	0	0			
	Police Paddocks				60	0	0			
	Prisoners' Rations				20	0	0			
	Incidental Expenses				300	0	0			
	Forage				1500	0	0			
	Shoeing and Farriery				250	0	0			
	Arms, accoutrements, and repairs				10	0	0			
	Electric Telegraph Messages				200	0	0			
	Vehicles and Repairs				40	0	0			
	Purchase of Horses				300	0	0			
	Gold Fields Allowance				70	0	0			
	Allowance in lieu of Quarters and Fuel				300	0	0			
	Rent of Police Stations				348	0	0			
								5158	0	0
	GAOL, DUNEDIN.									
	DIVISION No. 5.									
1	Gaoler				500	0	0			
1	Matron				120	0	0			
3	Senior Sergeant Overseers, at 13s				713	14	0			
3	Junior Sergeant Acting Overseers, at 12s				658	16	0			
2	Warder Tradesmen, at 12s.				439	4	0			
22	Senior Warders, at 10s.				4026	0	0			
4	Junior do 9s.				658	16	0			
1	Female do 5s.				109	16	0			
	Allowance in lieu of Quarters, Fuel and Light, for Married Sergeants & Warders, for long service				430	1	0			
								7656	7	0
	SUB-DIVISION No. 4.									
	Rations							1250	0	0
	Stores and Furniture							120	0	0
	Library							60	0	0
	Fuel and Light							180	0	0
	Medicines and Medical Comforts							120	0	0
	Clothing and Bedding							600	0	0
	Printing and Stationery							25	0	0
	Relief to Destitute Prisoners on Discharge							70	0	0
	Incidental Expenses							140	0	0
										2565 0 0
	DISTRICT GAOLS.									
	DIVISION No. 6.									
1	Gaoler, Invercargill				250	0	0			
1	Matron, Do.				50	0	0			
3	Warders, at 9s 0d per day, Do.				494	2	0			
1	Do 8s 6d Do.				157	3	0			
6	Gaolers, at 8s 6d per day				930	15	0			
1	Sergt. Overseer of Works, Lawrence, 11s 6d				209	17	6			
	Carry forward				2091	17	6			
								36447	10	6

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.			CONTINGENCIES			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward ...	2091	17	6				36147	10	6
DISTRICT GAOLS—Continued.										
1	Matron, Lawrence ...	50	0	0						
4	Cooks and Searchers, £25 ...	100	0	0						
2	Long Service Pay—Allowance in lieu of Uniform Clothing ...	142	19	8				2384	17	2
	Rations, Tools, Stores, &c. ...				1100	0	0	1100	0	0
MISCELLANEOUS.										
DIVISION No. 7.										
1	Messenger ...	125	0	0						
1	Do. ...	45	0	0						
1	Office Cleaner ...	104	0	0						
2	Chaplains—1 at £225, 1 at £75 ...	300	0	0						
	Revenue Officers ...	500	0	0						
1	Watchman, Post Office ...	70	0	0						
1	Medical Officer, Invercargill ...	75	0	0						
1	Gardener ...	200	0	0						
1	Land Officer ...	200	0	0						
1	Inspector of Buildings, 14 months at £300 ...	350	0	0				1969	0	0
SHEEP INSPECTOR.										
DIVISION No. 8.										
1	Chief Inspector ...	400	0	0						
6	Sub-Inspectors—5 at 300, 1 at 200 ...	1700	0	0				2100	0	0
SUB-DIVISION No. 5.										
	Contingent Inspection ...				150	0	0			
	Incidental Expenses ...				20	0	0			
								170	0	0
CROWN LANDS (DUNEDIN).										
DIVISION No. 9.										
1	Chief Clerk ...	300	0	0						
1	Bookkeeper ...	300	0	0						
1	Salesman ...	225	0	0						
3	Rangers ...	525	0	0						
1	Apprentice Clerk ...	80	0	0						
1	Record Clerk, Crown Grants ...	325	0	0						
1	Assistant ...	212	10	0				1967	10	0
SUB-DIVISION No. 6.										
	Printing, Advertising, and Stationery ...				600	0	0			
	Incidental Expenses ...				250	0	0			
	Travelling Expenses ...				150	0	0			
	Engrossing Crown Grants ...				300	0	0			
	Expenses of Waste Lands Board ...				560	0	0			
	Carry forward ...				1860	0	0	46138	17	8

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.		CONTINGENCIES		TOTALS.		
		£	s. d.	£	s. d.	£	s.	d.
	Brought forward ...			1860	0 0	46138	17	8
	LAND OFFICE (DUNEDIN).—Continued.							
	Unforeseen Expenditure ...			100	0 0			
	Expenses of Boards of Inquiry ...			150	0 0			
	Horse Allowance for Rangers ...			300	0 0			
	Government Auctioneers ...			750	0 0			
						3160	0	0
	LAND OFFICE (INVERCARGILL.)							
	DIVISION No. 10.							
1	District Land Officer ...			100	0 0			
1	Clerk ...			300	0 0			
1	Do. ...			100	0 0			
1	Crown Grant Clerk ...			250	0 0			
1	Inspector of Forests ...			200	0 0			
1	Forest Bailiff ...			100	0 0			
1	Messenger ...			20	0 0			
1	Office Cleaner ...			5	0 0			
						1075	0	0
	SUB-DIVISION No. 7.							
	Expenses of Waste Lands Board ...					200	0 0	
	Printing, Advertising and Stationery ...					150	0 0	
	Travelling Expenses ...					70	0 0	
	Engrossing Crown Grants ...					60	0 0	
	Incidental Expenses ...					20	0 0	
						500	0	0
	SURVEY DEPARTMENT.							
	DIVISION No. 11.							
1	Chief Surveyor ...			600	0 0			
1	Inspector of Surveys ...			250	0 0			
9	District Surveyors, 1 at £400, 1 at £375, 3 at £350, 1 at £325, 3 at £300 ...			3050	0 0			
1	Assistant Surveyor at £300 ...			300	0 0			
2	Sub-Assistant Surveyors, 1 at £225, 1 at £200 ...			425	0 0			
2	Extra (part of year) ...			725	0 0			
4	Assistant Draughtsmen, at £312 ...			1248	0 0			
3	Do do, 1 at £288, 1 at £212, 1 at £132 ...			662	0 0			
3	Do do ...			600	0 0			
1	Extra do do, part of year ...			200	0 0			
1	Photo-Lithographer and Printer ...			288	0 0			
4	Apprentice Draughtsmen, 2 at £65, 3 at £40 ...			210	0 0			
4	Cadets, 4 (9 mos.) at £60; 4 (3 mos.) at £70 ...			254	0 0			
1	Messenger, Invercargill ...			36	0 0			
1	Office Cleaner ...			20	0 0			
						8868	0	0
	SUB DIVISION No. 8.							
	Printing, Advertising, Stationery, Instruments and Lithographic Materials ...					800	0 0	
	Incidental Expenses ...					170	0 0	
	Travelling Expenses ...					300	0 0	
	Unforeseen Contingencies ...					100	0 0	
						1370	0	0
	Carry forward ...					61111	17	8

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES			CONTINGENCIES			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward	...	...	...				61111	17	8
	RAILWAYS.									
	DIVISION No. 12.									
1	General Manager, 10 mos. at £900	...	...	...	750	0	0			
	Do. 2 mos.	...	...	...	100	0	0			
1	Engineer of Permanent Way and Rolling Stock	...	...	...	400	0	0			
1	Accountant and Auditor	...	...	...	350	0	0			
2	Clerks, 1 at £200, 1 at £150	...	...	...	350	0	0			
								1950	0	0
	SUB-DIVISION No. 9.									
	Travelling Expenses	...	...	...				200	0	0
								200	0	0
	SOUTHLAND RAILWAYS.									
	DIVISION No. 13.									
1	Traffic Manager	...	...	...	350	0	0			
1	Station Master, Invercargill	...	...	...	250	0	0			
1	Station Master, Bluff	...	...	...	200	0	0			
1	Do., Winton	...	...	...	200	0	0			
1	Wharf Clerk	...	...	...	150	0	0			
1	Goods Shed Clerk	...	...	...	180	0	0			
2	Junior Clerks, at £100	...	...	...	200	0	0			
1	Do., at £70	...	...	...	70	0	0			
2	Guards, at £150	...	...	...	300	0	0			
1	Foreman Porter	...	...	...	144	0	0			
10	Porters, at £120	...	...	...	1200	0	0			
1	Constable, at 8s per day	...	...	...	146	8	0			
1	Wharf Foreman	...	...	...	144	0	0			
1	Horse Driver	...	...	...	120	0	0			
								3654	8	0
	SUB-DIVISION No. 10.									
	Books, Tickets, Stationery, &c.	...	...	...				250	0	0
	Extra Portage	...	...	...				400	0	0
	Overtime to Employés	...	...	...				400	0	0
	New Tarpaulins	...	...	...				250	0	0
	Incidental Expenses	...	...	...				250	0	0
	Delivery of Goods	...	...	...				550	0	0
	Compensation	...	...	...				200	0	0
								2300	0	0
	Locomotive Department.									
	DIVISION No. 14.									
1	Locomotive Foreman	...	...	...	250	0	0			
2	Engine Drivers	...	...	...	384	0	0			
1	Do	...	...	...	180	0	0			
2	Firemen	...	...	...	300	0	0			
1	Shedman	...	...	...	150	0	0			
2	Cleaners	...	...	...	240	0	0			
3	Fitter, Smith and Carpenter, at 12s per day each	...	...	...	565	4	0			
	Carry forward	...	...	...	2069	4	0			
								69216	5	8

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.	CONTINGENCIES	TOTALS.
		£ s. d.	£ s. d.	£ s. d.
	Brought forward ...	2069 4 0		69216 5 8
	<i>Locomotive Department—Continued.</i>			
1	Striker ...	141 6 0		
1	Apprentice ...	94 0 0		
1	Do ...	80 0 0		
4	Do at £66 ...	264 0 0		2648 10 0
	SUB-DIVISION No. 11.			
	Tools, Oil, Small Stores, &c. ...		700 0 0	
	Coal ...		1500 0 0	
	Painting Waggon, &c. ...		150 0 0	2350 0 0
	SUB-DIVISION No. 12.			
1	Inspector of Permanent Way ...	250 0 0		250 0 0
	Maintenance of Way and Works ...		4000 0 0	4000 0 0
	MATAURA RAILWAY.			
	DIVISION No. 15.			
1	Station Master, Woodlands ...	180 0 0		
1	Guard ...	140 0 0		
2	Porters, at £120 ...	240 0 0		
1	Engine Driver ...	180 0 0		
1	Fireman ...	140 0 0		
1	Shedman ...	120 0 0		
1	Fitter, at 12s per day ...	187 16 0		1187 16 0
	SUB-DIVISION No. 13.			
	Maintenance of Way ...		1500 0 0	
	Incidental Expenses ...		250 0 0	
	Coal ...		400 0 0	2150 0 0
	DIVISION No. 16.			
	ESTIMATED EXPENDITURE ON OPENING OF LINE TO GORE—			
	Traffic Department ...	800 0 0		
	Locomotive Department ...	450 0 0		1250 0 0
	SUB-DIVISION No. 14.			
	Maintenance of Way ...		2500 0 0	
	Coal ...		600 0 0	
	Incidental Expenses ...		300 0 0	3400 0 0
	DUNEDIN AND PORT CHALMERS RAILWAY.			
	DIVISION No. 17.			
1	Traffic Manager ...	400 0 0		
1	Station and Pier Master, Port Chalmers ...	300 0 0		
1	Goods Manager ...	250 0 0		
2	Station Masters, 1 at £250, 1 at £180 ...	430 0 0		
7	Clerks, 1 at £200, 2 at £175, 3 at £150, 1 at £100 ...	1100 0 0		
	Carry forward ...	2480 0 0		86452 11 8

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.			CONTINGENCIES.			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward	2480	0	0				86452	11	8
	DUNEDIN AND PORT CHALMERS RAILWAY—									
	<i>Continued.</i>									
1	Junior Clerk	52	0	0						
2	Guards, at £150	300	0	0						
14	Porters, 10 at £120, 4 at £108	1632	0	0						
2	Gatekeepers, at £100	200	0	0						
1	Constable, at 8s per day	146	8	0						
2	Watchmen, at £100	200	0	0						
1	Pointsman and Signalman	144	0	0						
1	Wharf Foreman	225	0	0						
4	Wharf Porters, at 8s per day	480	0	0						
2	Horse Drivers do	292	16	0						
2	Booking Clerks, 1 at £120, 1 at £75	195	0	0						
1	Shipping Clerk	200	0	0						
2	Wharf Clerks, 1 at £150, 1 at £120	270	0	0						
1	Goods-shed Foreman	150	0	0						
1	Head Porter and Shunter	150	0	0						
1	Carriage and Waggon Examiner	144	0	0						
1	Carriage Cleaner	108	0	0						
1	Oilier and Coupler	144	0	0						
								7513	4	0
	SUB-DIVISION No. 15.									
	Extra labour				1600	0	0			
	Books, Tickets, Stationery, &c.				500	0	0			
	Incidental Expenses				800	0	0			
	Compensation				250	0	0			
	Goods Delivery				3000	0	0			
								6150	0	0
	<i>Locomotive Department.</i>									
	DIVISION No. 18.									
1	Locomotive Foreman	250	0	0						
3	Running Shed Foreman	240	0	0						
3	Engine Drivers—1 at £192, 1 at £180	552	0	0						
1	Firemen, at £140	420	0	0						
3	Shedman	140	0	0						
5	Engine Cleaners, at £120	360	0	0						
2	Fitters (3), Smith (1), Carpenter (1), at 12s per day each	942	0	0						
1	Strikers	240	0	0						
1	Apprentice	66	0	0						
	Do.	52	0	0						
								3262	0	0
	SUB-DIVISION No. 16.									
	Coal				1500	0	0			
	Tools, Oil, Small Stores, &c.				1100	0	0			
	Painting and Varnishing Rolling Stock				350	0	0			
	Repairs to do.				350	0	0			
	Steel Tyres for Fairlie Engines				240	0	0			
								3540	0	0
	SUB-DIVISION No. 17.									
1	Inspector of Permanent Way	250	0	0				250	0	0
	Maintenance of Way and Works				1800	0	0			
								1800	0	0
	Carry forward							108967	15	8

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.		CONTINGENCIES		TOTALS.	
		£	s. d.	£	s. d.	£	s. d.
	Brought forward					108967	15 8
	GREEN ISLAND RAILWAY.						
	DIVISION No. 19.						
2	Station Masters, at £180	360	0 0				
3	Porters—1 at £144, 2 at £120	384	0 0				
1	Guard, at £150	150	0 0				
1	Oiler and Shunter	108	0 0				
1	Engineman	192	0 0				
1	Fireman	140	0 0				
1	Shedman	120	0 0				
						1454	0 0
	SUB-DIVISION No. 18.						
	Coal			350	0 0		
	Tools, Oil, Small Stores			160	0 0	450	0 0
	SUB-DIVISION No. 19.						
1	Junction Signalman	120	0 0			120	0 0
	Maintenance of Way and Works			1150	0 0	1150	0 0
	Maintenance of Way (Green Island Branch)			480	0 0	480	0 0
	DIVISION No. 20.						
	ESTIMATED EXPENDITURE in Opening of Line from Green Island to Clutha—						
	Traffic Department	1500	0 0				
	Locomotive ,,	920	0 0			2420	0 0
	SUB-DIVISION No. 20.						
	Maintenance of Way			4800	0 0		
	Coal			1100	0 0		
	Incidental Expenses			500	0 0	6100	0 0
	OAMARU AND AWAMOKO RAILWAY.						
	DIVISION No. 21.						
	Traffic Department, Salaries, &c.			950	0 0		
	Locomotive Department			460	0 0		
	Coal, Oil, &c.			450	0 0		
	Maintenance of Way			1260	0 0	3120	0 0
	WAIAREKA RAILWAY.						
	DIVISION No. 22.						
	Traffic Department, Salaries, &c.			830	0 0		
	Locomotive Department			460	0 0		
	Coal, Oil, &c.			450	0 0		
	Maintenance of Way			840	0 0	2580	0 0
	Carry forward					127141	15 8

IV.—PROVINCIAL SECRETARY'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.	CONTINGENCIES	TOTALS.
	Brought forward			127141 15 8
	WINTON AND KINGSTON RAILWAY.			
	DIVISION No. 23.			
	Traffic Department, Salaries, &c.		520 0 0	
	Locomotive do.		410 0 0	
	Coal, oil, &c.		450 0 0	
	Maintenance of Way		1800 0 0	
	Incidental Expenses		300 0 0	
			3480 0 0	
	Total carried forward to Summary of Totals ...			130621 15 8

V.—SECRETARY FOR WORKS DEPARTMENT.

NO.	OFFICERS AND SERVICES.	SALARIES.			CONTINGENCIES			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
	PROVINCIAL ENGINEER'S DEPARTMENT.									
	DIVISION No. 24.									
1	Provincial Engineer	600	0	0						
1	Assistant "	375	0	0						
4	District Engineers—1 at £425, 3 at £400 ...	1625	0	0						
1	Assistant Railway Engineer	350	0	0						
1	" District Engineer	300	0	0						
1	Draughtsman	225	0	0						
1	Inspector of Works	350	0	0						
4	Junior Draughtsmen—1 at £100, 1 at £80, 2 at £65 ...	310	0	0						
1	Clerk and Accountant	200	0	0						
								4335	0	0
	SUB-DIVISION No. 21.									
	Travelling Expenses				1000	0	0			
	Printing, Advertising, and Stationery				400	0	0			
	Incidental Expenses				100	6	0			
	Rent of Quarters, Invercargill				40	0	0			
	Office, Cromwell				150	0	0			
	" Palmerston				250	0	0			
								1940	0	0
	Total carried forward to Summary of Totals ...							6275	0	0

VI.—PROVINCIAL TREASURER'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.			CONTINGENCIES			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
	Brought forward	...	...	...				37975	3	4
	EDUCATION—Continued.									
	HIGH SCHOOLS (CONTINGENCIES).									
	SUB-DIVISION No. 29.									
1	Janitor	...	...	...	125	0	0			
	Printing, Stationery, Repairs, &c.	...	...	...				700	0	0
	Rector's Passage Money, &c.	...	...	...				325	0	0
										125 0 0
										1025 0 0
	SCHOOL OF ART.									
	SUB-DIVISION No. 30.									
1	Drawing Master	...	...	...	400	0	0			
2	Assistants, 1 at 150 <i>l</i> , 1 at 75 <i>l</i>	...	...	...	225	0	0			
										625 0 0
	SUB-DIVISION No. 31.									
	Removals, Fittings, &c.	...	...	...				250	0	0
										250 0 0
	DUNEDIN HOSPITAL.									
	DIVISION No. 29.									
1	Provincial Surgeon	...	...	...	500	0	0			
1	Resident Surgeon	...	...	...	300	0	0			
1	Assistant Dispenser	...	...	...	185	0	0			
1	House Steward and Storekeeper	...	...	...	185	0	0			
1	Matron	...	...	...	80	0	0			
1	Midwife	...	...	...	52	0	0			
2	Laundresses, 1 at £50, 1 at £40	...	...	...	90	0	0			
11	Wardsmen, 2 at £90, 1 at £80, 7 at £70, 1 at £50	...	...	...	970	0	0			
2	Kitchen Assistants, 1 at £50	...	...	...			
4	Nurses, 3 at £45, 1 at £40	...	...	...	175	0	0			
1	Housemaid	...	...	...	40	0	0			
										2577 0 0
	SUB-DIVISION No. 32.									
	Rations	...	...	...				2250	0	0
	Stores and Furniture	...	...	...				300	0	0
	Fuel and Light	...	...	...				325	0	0
	Surgical Instruments	...	...	...				150	0	0
	Medicines and Medical Comforts	...	...	...				650	0	0
	Bedding and Clothing	...	...	...				450	0	0
	Stationery	...	...	...				20	0	0
	Incidental Expenses	...	...	...				250	0	0
										4395 0 0
	Carry forward	...	...	...						46972 3 4

VI.—PROVINCIAL TREASURER'S DEPARTMENT—Continued.

NO.	OFFICERS AND SERVICES.	SALARIES.		CONTINGENCIES		TOTALS.	
		£	s. d.	£	s. d.	£	s. d.
	Brought forward					46972	3 4
	LUNATIC ASYLUM. ...						
	DIVISION No. 30.						
1	Inspector	100	0 0				
1	Superintendent	400	0 0				
1	Matron	100	0 0				
12	Male attendants—11 at £100 and 1 at £80	1180	0 0				
6	Female „ at £50	300	0 0				
1	Laundress	50	0 0				
1	Kitchen Maid	50	0 0				
1	Laundry Maid	40	0 0				
						2220	0 0
	SUB-DIVISION No. 33.						
	Rations			2150	0 0		
	Stores and Furniture			300	0 0		
	Fuel and Light			320	0 0		
	Medical Comforts			220	0 0		
	Bedding and Clothing			475	0 0		
	Printing and Stationery			10	0 0		
	Amusements to Patients			60	0 0		
	Incidental Expenses			200	0 0		
						3735	0 0
	INDUSTRIAL SCHOOL.						
	DIVISION No. 31.						
1	Master	225	0 0				
1	Matron	65	0 0				
1	Surgeon	100	0 0				
1	Schoolmaster	150	0 0				
1	Schoolmaster's Assistant	75	0 0				
4	Attendants, 1 at 120l.; 1 at 100l.; 2 at 40l.	300	0 0				
2	Female Attendants, at 35l.	70	0 0				
						985	0 0
	SUB-DIVISION No. 34.						
	Maintenance			1820	0 0		
	Fuel and Light			100	0 0		
	Incidental Expenses			90	0 0		
						2010	0 0
	Total carried forward to Summary of Totals					55922	3 4

VII.—SECRETARY FOR GOLD FIELDS.

GOLD FIELDS.		£ s. d.		£ s. d.		£ s. d.	
	DIVISION No. 32.						
6	Wardens at 500l.	3,000	0 0				
5	Receivers at 325l.	1,625	0 0				
5	Bailiffs at 175l.	875	0 0				
2	Chinese Interpreters at 200l.	400	0 0				
1	Ranger at Wakatipu	150	0 0				
						6050	0 0
	SUB-DIVISION No. 34.						
	Travelling Expenses			1,000	0 0		
	Fuel and Light			140	0 0		
	Printing, Advertising, and Stationery			250	0 0		
	Incidental Expenses			400	0 0		
						1790	0 0
	Total carried forward to Summary of Totals					7840	0 0

VIII.—GRANTS-IN-AID.

GRANTS IN AID.		£	s.	d.	£	s.	d.
DIVISION No. 33.							
Benevolent Institutions and Country Hospitals	...	6,500	0	0			
Servants Home	...	200	0	0			
Public Libraries and Athenæums	...	1,100	0	0			
Acclimatisation Societies	...	150	0	0			
Subsidy to Road Boards, including General Government Grant	...	24681	0	0			
„ Sludge Channel, Tinkers, £ for £	...	750	0	0			
„ Prospecting Quartz Reefs, £ for £	...	1000	0	0			
„ Athenæums and Mechanics' Institutes, £ for £	...	1000	0	0			
Conservators Taieri River, 10s. in the £	...	478	7	8			
Straightening Channel, Kaitangata to Clutha, £ for £ on Rates	...	300	0	0			
					36,159	7	8
Total carried forward to Summary of Totals	...				36159	7	8

IX.—MISCELLANEOUS.

SUB-DIVISION	MISCELLANEOUS.		APPROPRIATION.			TOTAL.		
	£	s.	d.	£	s.	d.		
	MISCELLANEOUS.							
	DIVISION No. 34.							
1	Volunteers	...	...	160	0	0	
2	Burial of Paupers	...	...	200	0	0	
3	Expenses of Elections	...	...	400	0	0	
4	Advertising	...	...	600	0	0	
5	Printing and Stationery	...	...	400	0	0	
6	Printing <i>Gazette</i>	...	...	1100	0	0	
7	Fuel and Light	...	...	160	0	0	
8	Collecting Dog Tax	...	...	300	0	0	
9	Relief to Destitute	...	...	150	0	0	
10	Botanical Gardens	...	...	600	0	0	
11	Arbitrations and Actions	...	...	1000	0	0	
12	Cleaning, Winding, &c., Clocks	...	...	50	0	0	
13	Premiums on Guaranteed Policies	...	...	50	0	0	
14	Compensation to Officers on their Retirement from the Service	...	...	1500	0	0	
15	Subsidy Orepuki Mail Service	...	...	55	0	0	
16	„ Switzers Do.	...	...	25	0	0	
17	„ Lower Waitaki Ferry	...	...	75	0	0	
18	„ Morven Ferry	...	...	100	0	0	
19	Southland Railway Arbitration	...	...	111	0	0	
20	Otago Museum	...	...	600	0	0	
21	Water Rates, Provincial Buildings	...	...	100	0	0	
22	Electric Telegraph Messages	...	...	600	0	0	
23	Expenses of Visit of His Excellency the Governor	...	...	1000	0	0	
24	Refunds of Revenue	...	...	25000	0	0	
25	Steam Service	...	...	2000	0	0	
26	Home Agency	...	...	1000	0	0	
27	General Contingencies	...	...	3000	0	0	
28	Unforeseen Contingencies	...	...	2000	0	0	
29	Escort Service	...	...	800	0	0	
30	Geological Survey	...	...	1000	0	0	
31	Compensation for Cancellation of Leases of Runs	...	...	18000	0	0	
32	Refund of Rent for Agricultural Leases to W. Miller	...	...	80	0	0	
33	Introduction of Salmon	...	...	1500	0	0	
34	Expenses of Ulrich's Report	...	...	400	0	0	
	Carry forward	...	...	64116	0	0	

IX.—MISCELLANEOUS—Continued.

SUB-DIVISION.	MISCELLANEOUS.	APPROPRIATION.			TOTAL.		
		£	s.	d.	£	s.	d.
	Brought forward	64116	0	0			
	MISCELLANEOUS—Continued.						
35	Compensation for Roads and Deviations	1000	0	0			
36	Analytical Chemist	250	0	0			
37	Immigration	1000	0	0			
38	Bonus for Gold Saving Apparatus	250	0	0			
39	Prizes for Drainage Ploughs	150	0	0			
40	Expenses of Witnesses, Crown Prosecutions	50	0	0			
41	Immigration Agent	700	0	0			
42	Immigrants' Cottages	9000	0	0			
43	Purchase of Cemeteries, Peninsula	200	0	0			
44	Gold Bonus	5000	0	0			
45	Cancellation of Agricultural Leases, &c.	500	0	0			
46	Steam Service, Molyneux	210	0	0			
47	Analytical Chemist (Laboratory)	75	0	0			
48	Bonus for Prospecting Deep Leads	1000	0	0			
49	Compensation to Peter Gunn	200	0	0			
50	Discovery of payable Gold Field west of Waiau	500	0	0			
51	Approaches to Railway Station and Rattray street Jetty	1000	0	0			
52	Compensation to W. R. Douglas	125	0	0			
53	Instruction in Mineralogy	500	0	0			
54	Compensation to James Stuart	150	0	0			
55	Compensation to George Dodson	500	0	0			
56	Compensation to Richard Quin	90	0	0			
57	Compensation to William Rooney	150	0	0			
58	Compensation to George Daniels	40	0	0			
59	Allowance to J. & N. Campbell, in accordance with recommendation of Private Petitions Committee	160	0	0			
60	Allowance to Mrs Hawthorne	250	0	0			
61	William Hayes, re approaches to Beaumont Bridge	159	0	0			
62	Painting Portrait of late Judge Gray	100	0	0			
63	Bonus for establishment of Paper Manufactory	1500	0	0			
					88925	0	0
	Total carried forward to Summary of Totals				88925	0	0

X.—ROADS AND WORKS.

TITLE OF WORK.	VOTE.			TOTALS.		
	£	s.	d.	£	s.	d.
MAIN ROADS.						
DIVISION 85.						
<i>Main North Road—</i>						
Dunedin to Palmerston	5500	0	0			
Palmerston to Oamaru	4150	0	0			
Oamaru to Waitaki	1630	0	0			
				11280	0	0
<i>Main South Road—</i>						
Dunedin to East Taieri Bridge	4000	0	0			
East Taieri Bridge to Tokomairiro	2000	0	0			
Tokomairiro to Clutha	1200	0	0			
Clutha to Mataura Bridge	9000	0	0			
				16200	0	0
Carry forward				27480	0	0

X.—ROADS AND WORKS—Continued.

TITLE OF WORK.	VOTE.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward				27480	0	0
MAIN ROADS—Continued.						
<i>Central Interior—</i>						
Saddle Hill to West Taieri Bridge	4300	0	0			
West Taieri Bridge to Rough Ridge	928	0	0			
Rough Ridge to Dunstan	1150	0	0			
Dunstan to Cromwell	1750	0	0			
Cromwell to Queenstown	3150	0	0			
Cromwell to Wanaka	400	0	0			
				11678	0	0
<i>Southern Interior—</i>						
Tokomairiro to Tuapeka	2400	0	0			
Tuapeka to Teviot	5600	0	0			
Teviot to Alexandra	2900	0	0			
				10900	0	0
<i>Northern Interior—</i>						
Palmerston to Manuherikia River	6503	0	0			
Manuherikia River to Dunstan	1200	0	0			
Pukeuri Point to Kurow	950	0	0			
Kurow to Wanaka	750	0	0			
				9403	0	0
<i>Southland Roads—</i>						
Mataura Bridge to Invercargill	2600	0	0			
Invercargill to Winton	900	0	0			
Winton to Kingston	1800	0	0			
Invercargill to Campbelltown	200	0	0			
Riverton to Wallacetown	1700	0	0			
Riverton to Otautau	1250	0	0			
Invercargill to Riverton	800	0	0			
Winton to Wrey's Bush	400	0	0			
Waikiwi to Mataura	600	0	0			
Mataura Bridge to Switzers	1200	0	0			
Dacre to Menzies Ferry	870	0	0			
Otautau to Elbow ...	200	0	0			
Lake to Nokomai	200	0	0			
Elbow to Te Anau	150	0	0			
Otautau to Wairaki Downs	100	0	0			
Otautau to Waiau Plains	100	0	0			
Jacob's River Approaches	300	0	0			
Oreti, Daniel's Crossing do.	600	0	0			
Oreti, Winton do.	100	0	0			
Riverton to Orepuki	100	0	0			
Orepuki to Emerald Hill	50	0	0			
Wakatapu to Emerald Hill	50	0	0			
Roads, Stewart Island	210	0	0			
Road through Winton	150	0	0			
Armstrong's Crossing to Forest Hill	300	0	0			
Main Branch to Yellow Bluff, <i>via</i> Flint's Bush	150	0	0			
Invercargill to Mabel, <i>via</i> Bridge Inn	200	0	0			
Waikiwi to Winton	150	0	0			
Waimumu Bridge Approaches	300	0	0			
				15730	0	0
MAIN BRANCH ROADS.						
DIVISION 36.						
Northern Trunk to Port Chalmers	450	0	0			
Do. Moeraki	950	0	0			
Do. Oamaru Port	120	0	0			
Carry forward	1520	0	0	75191	0	0

X.—ROADS AND WORKS—Continued.

TITLE OF WORK.	VOTE.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward	1520	0	0	75191	0	0
MAIN BRANCH ROADS—Continued.						
Dunedin to North Taieri	2000	0	0			
Dunedin to Portobello	2800	0	0			
Kyeburn Crossing to Eden Creek (via Naseby)	300	0	0			
Lee Stream to Waipori	200	0	0			
Southern Trunk to Port Molyneux	2200	0	0			
Southern Trunk to Hogg's Bridge	400	0	0			
Tuapeka to Switzers	200	0	0			
Southern Trunk to Kaitangata	2550	0	0			
Mataura Bridge to Toi Tois	1650	0	0			
Clinton to Waipahi	2200	0	0			
Waipahi to Tapanui	2000	0	0			
Tapanui to Moa Flat	350	0	0			
Waipahi to Pyramids	300	0	0			
Lower to Upper Owake	400	0	0			
Lower Owake to Landing Place	150	0	0			
Glenomaru to Catlin's River	1200	0	0			
Port Molyneux to Nuggets	150	0	0			
Maungatua to Main South Road	500	0	0			
Main Road to Menzies' Ferry Bridge	280	0	0			
Waipori to Wetherstones	150	0	0			
Lower Waipori to Main South Road	250	0	0			
Gore to Switzers	1500	0	0			
Lawrence to Dalhousie, via Clarke Flat	1300	0	0			
Do. Ross', via East Bank Tuapeka River	160	0	0			
Tapanui to Wakaka, via Logan's	500	0	0			
Tuakitoto to Lake Kaitangata	200	0	0			
				25410	0	0
MISCELLANEOUS ROADS AND TRACKS.						
DIVISION 37.						
Pine Hill Road	400	0	0			
Port Chalmers to Main North Road	1620	0	0			
Dunedin to Blueskin, via Water of Leith	700	0	0			
Anderson's Bay to Heads	1380	0	0			
Main South Road to Kuri Bush	1200	0	0			
Wangaloa to Tokomairiro	100	0	0			
Roads and Bridges, Akatore District	300	0	0			
Taieri Mouth to Otakia	250	0	0			
Pukeuri Point to Waitaki Lower Ferry	500	0	0			
Main Road to Waikouaiti Harbour	800	0	0			
Tapanui to Swift Creek	350	0	0			
Finegand to Port Molyneux	850	0	0			
Hyde to Hamiltons	400	0	0			
Strath Taieri Road	250	0	0			
Road to Clarke's Diggings	100	0	0			
Naseby to Kyeburn Diggings	110	0	0			
Kyeburn Crossing to Diggings	70	0	0			
Kyeburn to Maerewhenua (via Pass)	200	0	0			
Shag Valley to Kyeburn (via Macraes and Hyde)	830	0	0			
Upper Kyeburn to Coal Pit	50	0	0			
Beck's to Tinker's and Drybread	50	0	0			
Beck's to Dunstan Creek and Blackstone Hill	200	0	0			
Naseby to Hamilton's	150	0	0			
Cromwell to Quartz Reef Point	80	0	0			
	10940	0	0			
Carry forward				100601	0	0

X.—ROADS AND WORKS—Continued.

TITLE OF WORK.	VOTE			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward	10940	0	0	100601	0	0
<i>MISCELLANEOUS ROADS AND TRACKS—Continued.</i>						
Cromwell to Bendigo Gully and Logantown	150	0	0			
Cromwell to Carricktown and Range	350	0	0			
Cromwell to Nevis	400	0	0			
Cromwell to Cardrona	150	0	0			
Clyde to Nevis	100	0	0			
Cromwell to Cardrona, via Kirtleburn	100	0	0			
Alberttown to Pembroke	50	0	0			
Cardrona to Arrow	400	0	0			
Morven Ferry to Arrow	200	0	0			
Arrow to Hayes Lake	200	0	0			
Approaches to Arthur's Point Bridge	1147	0	0			
Arthur's Point to Moke Creek	100	0	0			
Arthur's Point to Arrow	750	0	0			
Moke Creek to Upper Moonlight	100	0	0			
Queenstown to Head of Lake Wakatipu	150	0	0			
Wakatipu to Martin's Bay	400	0	0			
Queenstown to Maori Point and Skipper's	200	0	0			
Queenstown to Arthur's Point	100	0	0			
Skippers to Branches	150	0	0			
Lawrence to Wetherstones	100	0	0			
Queenstown to Kingston (via Staircase)	100	0	0			
Arrow to 12-mile	50	0	0			
Arrow River Valley Track	150	0	0			
Macetown to Shotover Branches	100	0	0			
Roads not Provided for	5000	0	0			
Main Road, Tapanui	100	0	0			
Roads and Bridges on Gold Fields	5000	0	0			
Pack Track to Gully Creek	50	0	0			
Foot Bridges, 8-Mile to Macetown	40	0	0			
Main Road, Macetown	25	0	0			
Maori Point to Miller's Flat	50	0	0			
Upper Shotover Tracks	100	0	0			
West Side Lake, Wanaka	100	0	0			
Alberttown to Makarora	100	0	0			
Pack Track to Gill's Creek	50	0	0			
Macetown to Big Hill	75	0	0			
Tinker's to Tiger Hill and Blacks	75	0	0			
Portobello to Heads	500	0	0			
Arrow to Macetown via Big Hill	150	0	0			
Arrow to Crown Terrace	496	0	0			
Kyeburn to Naseby	50	0	0			
Tinker's to Chatto Creek	30	0	0			
" Bendigo Gully	80	0	0			
Palmerston to Shag Point	428	0	0			
Dalhousie to Waitahuna, Weather Creek Bridge	300	0	0			
Havelock, Lower Road	50	0	0			
Waipori to Lawrence, via Bungtown	600	0	0			
Puerua Road	150	0	0			
Switzers to Nokomai (bridle track)	50	0	0			
Balclutha to Lawrence, via Mount Stewart	150	0	0			
Upper Shotover to Maori Point, via Pleasant Creek	150	0	0			
Awamoko Railway Terminus to Marewhenua Township	200	0	0			
Main Road through Hyde	50	0	0			
Nevis to Upper Nevis and Nokomai	150	0	0			
Alexandra to Dunstan	150	0	0			
" Insleys	50	0	0			
Approaches to Clyde Bridge	800	0	0			
Lawrence to Bluespur, via Gabriels	250	0	0			
Lindis to Hawea Block	100	0	0			
East Side, Hawea Lake	75	0	0			
Butchers' Gully to Clyde	300	0	0			
Carry forward	32711	0	0	100601	0	0

X.—ROADS AND WORKS—Continued.

TITLE OF WORK.	VOTE.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward ...	32711	0	0	100601	0	0
MISCELLANEOUS ROADS AND TRACKS—Continued.						
Macetown to Matatapu ...	50	0	0			
Approaches to Alexandra Ferry ...	44	0	0			
Quartzville to Carricktown and Range ...	100	0	0			
Lake Wakatipu to Agricultural Block ...	500	0	0			
Approaches to Roxburgh Bridge ...	600	0	0			
" Moke Creek ...	150	0	0			
Beaconsfield Coast Road ...	250	0	0			
Port Chalmers to Purakanui ...	500	0	0			
Waitati Saddle to Main Road ...	500	0	0			
Track Telegraph Line Waitati ...	250	0	0			
Road through Kaitangata ...	200	0	0			
Roads, Lower Maitara ...	500	0	0			
Balclutha, via Mount Stewart, to Lawrence ...	200	0	0			
Waitahuna Junction to Dalhousie ...	50	0	0			
Approaches, Taieri Bridge ...	400	0	0			
Blacks to Tinker's and Drybread ...	100	0	0			
Havelock to Waipori ...	400	0	0			
Track, Sutherland's Beach ...	200	0	0			
Luggate to Cardrona ...	200	0	0			
Wakatipu to Moke Lake ...	250	0	0			
Shag Valley to Macraes ...	500	0	0			
Tomahawk Lagoon to Coast ...	150	0	0			
North East Valley to Main South Road ...	200	0	0			
Alexandra to Waikaia Bush ...	2000	0	0			
Millar's Flat to Menzies' Creek Bridge ...	300	0	0			
Oamaru to M'Kenzie Country and Lake Ohau, and Footbridge across Ahuriri River ...	300	0	0			
Gravelling Road, Waipori Township to Lower Crossing, Waipori River ...	80	0	0			
Bridge, Railway Crossing, Wetherstones Road (Subsidy towards) ...	100	0	0			
Gravelling Road, Beaumont Bridge to Township of Dunkeld, via Weardale street... ..	100	0	0			
				41885	0	0
BRIDGES.						
DIVISION 38.						
West Taieri ...	300	0	0			
Lower Silverstream ...	200	0	0			
Maintenance of Bridges (Saddle Hill to West Taieri) ...	600	0	0			
Kakanui ...	3753	0	0			
Maintenance of Bridges (Palmerston to Oamaru) ...	1000	0	0			
Waikouaiti (on account) ...	2000	0	0			
Coal Creek ...	400	0	0			
Oreti at Winton (on account) ...	250	0	0			
Manuherika at Blacks ...	100	0	0			
Waipahi (South Branch) ...	300	0	0			
Waipahi Tributaries (two Bridges) ...	700	0	0			
Tamaipi (Clutha to Maitara) ...	400	0	0			
Trumble's Creek do. ...	480	0	0			
Taieri River at Greytown ...	2173	0	0			
Lower Waikiwi ...	200	0	0			
Taieri River, Naseby to Hyde ...	3700	0	0			
Oreti River at Daniel's Crossing ...	4326	0	0			
Waimumu Creek, near Maitara Bridge ...	350	0	0			
Shag River ...	4070	0	0			
Cromwell ...	3000	0	0			
Balclutha ...	360	0	0			
East Taieri ...	200	0	0			
Carry forward ...	28862	0	0	142486	0	0

X.—ROADS AND WORKS—Continued.

TITLE OF WORK.	VOTE.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward	28862	0	0	142486	0	0
BRIDGES—Continued						
Jacob's River, at Riverton	600	0	0			
Waitaki, on account	7500	0	0			
Iron Girders for Bridges	2400	0	0			
Oamaru Creek (South Molyneux Road)	350	0	0			
Gentle Annie	100	0	0			
Lower Shotover	250	0	0			
Upper Shotover	150	0	0			
Roaring Meg	100	0	0			
Mataura Main Road	200	0	0			
Winton Creek	150	0	0			
Hedgehope	250	0	0			
Titipua	250	0	0			
Hayes' Lake	25	0	0			
Waipahi (Central Road), Clinton to Waipahi	100	0	0			
Manuka Creek (seven bridges), Tokomairiro to Tuapeka	1000	0	0			
Upper Jacob's River	200	0	0			
Upper New River	250	0	0			
Waimatuku	50	0	0			
Makarewa	50	0	0			
Tomoporaki	50	0	0			
Douglas	800	0	0			
Upper Silver Stream	100	0	0			
Foot Bridge, Skipper's Point	40	0	0			
Molyneux, at Roxburgh	3000	0	0			
Otepiri and Upper Makarewa	200	0	0			
Kyeburn, near George's Hotel	350	0	0			
Hogburn, Naseby	300	0	0			
Footbridges, Cardrona Creek	45	0	0			
Bridge, Police Camp, Queenstown	150	0	0			
Nevis Footbridge	300	0	0			
Maintenance of Bridges, Tokomairiro to Clutha	200	0	0			
" " South Molyneux Road	120	0	0			
" " Clutha to Mataura	100	0	0			
Pomahaka Waikaka Road	1400	0	0			
Werber Creek	450	0	0			
Scrogg's Creek	500	0	0			
Naseby to Kyeburn	50	0	0			
Manuherikia, St. Bathans to Blackstone	250	0	0			
German Creek, Kyeburn	50	0	0			
Inch Clutha, on account	3500	0	0			
Weather Creek	150	0	0			
Makerewa	500	0	0			
Oreti, at Elbow, on account	1000	0	0			
Inch Valley	100	0	0			
Bridges, Dunedin to Palmerston	700	0	0			
Widening Bridge at Oamaru	500	0	0			
Pura-Pura-Kino Creek	150	0	0			
						57892 0 0
JETTIES AND HARBOURS.						
DIVISION No. 39.						
New River Harbour	700	0	0			
Landing Stage, Orepuki	200	0	0			
Port Molyneux Jetty	200	0	0			
Kaitangata (two jetties)	120	0	0			
Carry forward	1220	0	0	200378	0	0

X.—ROADS AND WORKS—Continued.

TITLE OF WORK.	VOTE.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward ...	1220	0	0	200378	0	0
JETTIES AND HARBOURS—Continued.						
Waihola ...	30	9	6			
Waikouaiti Harbour ...	1800	0	0			
Waikouaiti Jetty ...	250	0	0			
Riverton Jetty ...	800	0	0			
Moeraki Jetty ...	300	0	0			
Bluff Wharf and Approaches ...	4150	0	0			
Dunedin Jetties ...	1000	0	0			
Harbour Reclamation at Port Chalmers ...	4000	0	0			
Harbour Reclamation at Dunedin ...	8000	0	0			
Dredging Harbour ...	250	0	0			
Toi Tois Jetty ...	350	0	0			
Riverton Harbour Survey ...	300	0	0			
Bluff Harbour ...	400	0	0			
Repairs to Coal Point Jetty and Shed ...	50	0	0			
Floating Jetties for Punt, Kaitangata ...	150	0	0			
Repairing Jetty, Taieri Mouth ...	75	0	0			
				23125	9	6
SURVEY.						
DIVISION No. 40.						
Special Survey Contracts—	13500	0	0			
Renewing Trigonometrial Stations and Equipments ...				13500	0	0
WORKS AND BUILDINGS.						
DIVISION 41.						
Lighthouse, Oamaru ...	30	15	0			
Do. Bluff ...	1000	0	0			
Pilot Houses ...	200	0	0			
Powder Magazine, Port Chalmers ...	20	0	0			
Industrial School ...	750	0	0			
Repairs to Buildings ...	1000	0	0			
Tools and Materials for Employment of Prisoners ...	800	0	0			
Works not provided for ...	1000	0	0			
Lunatic Asylum, Dunedin ...	750	0	0			
District Gaols and Police Stations ...	2850	0	0			
Fencing Cemeteries ...	100	0	0			
Court House, Clyde ...	150	0	0			
Repairs to District Survey Offices ...	250	0	0			
School Buildings ...	25000	0	0			
Museum on Account ...	5000	0	0			
Provincial Council Hall Alterations ...	850	0	0			
Otago Dock (working expenses and liabilities) ...	7000	0	0			
Hospital ...	100	0	0			
Government Buildings, Queenstown ...	600	0	0			
Waipori Drainage Channel ...	1000	0	0			
Invercargill Hospital ...	1000	0	0			
District Gaols ...	1460	0	0			
Lawrence Court House ...	1350	0	0			
Gaol, Oamaru ...	500	0	0			
Lighthouse, Oamaru ...	100	0	0			
Green Island Railway ...	2000	0	0			
Cutting Waipori River ...	50	0	0			
Water Supply, Bluff Railway ...	200	0	0			
Do. Wakatipu Hospital ...	150	0	0			
				55260	15	0
Total carried forward to Summary of Totals ...				292264	4	6

XI.—NORTH OTAGO DISTRICT PUBLIC WORKS LOAN.

HARBOUR WORKS.		£	s.	d.	£	s.	d.
DIVISION No. 42.							
Improvement of Kakanui Harbour	...	4987	8	0			
Do. Moeraki Harbour	...	2700	8	0			
							7687 16 0
Total carried forward to Summary of Totals	...						7687 16 0

XII.—RAILWAYS.

RAILWAYS.		£	s.	d.	£	s.	d.
DIVISION No. 43.							
Awamoko Railway	...	13000	0	0			
Otautau Line to Invercargill, and Winton Line to Makarewa Bridge	...	27686	0	0			
Branch Line to Green Island Coal Pits	...	960	0	0			
Waiareka Valley	...	35649	0	0			
Riverton to Orepuki	...	25409	0	0			
Riverton to Otautau	...	29496	0	0			
Survey of New Railways	...	1500	0	0			
Bluff Harbour and Winton, Engines	...	8000	0	0			
Do., Waggon	...	2500	0	0			
		8000	0	0			
Alteration of Gauge, Bluff Harbour and Invercargill Railway	...	3000	0	0			
Depreciation in Value, Dunedin and Port Chalmers Railway Rolling Stock, 5 per cent.	...	1635	17	0			
							156835 17 0
Total carried forward to Summary of Totals	...						156835 17 0

XIII.—OUT OF REVENUE OR LOAN.

RAILWAYS.		£	s.	d.	£	s.	d.
DIVISION No. 44.							
Main Line through Seaward Bush, 11 miles at £2,200 per mile	...	24200	0	0			
Main Line to Outram, <i>via</i> Mosgiel, 8 miles, 47.14 chains, at £3,251 per mile	...	27692	16	6			
Palmerston to Wayne's, 8 miles, 56 chains, at £2,587 per mile	...	22507	6	0			
Orepuk Line, completion	...	18000	0	0			
							92400 2 6
HARBOUR WORKS.							
DIVISION No. 45.							
Kakanui Harbour Works	...	5000	0	0			
Bluff Harbour and Wharf Extension	...	10000	0	0			
							15000 0 0
Total carried to Summary of Totals	...						107400 2 6

XIV.—OUT OF LOAN.

	£	s.	d.	£	s.	d.
RAILWAYS.						
DIVISION No. 46.						
Lawrence to Teviot—First Section, Lawrence to Beaumont...	60000	0	0			
Wayne's to Waihemo	37279	10	0			
				97279	10	0
BRIDGE.						
DIVISION No. 47.						
Bridge over the Kawarau at the Junction with the Arrow River	8000	0	0			
				8000	0	0
Total carried to Summary of Totals				105279	10	0

SUMMARY OF TOTALS.

		£	s.	d.
Total brought forward from	I.—Loans	17,575	5	0
"	II.—Superintendent and Executive	5,333	6	8
"	III.—Provincial Council	4,037	0	0
"	IV.—Provincial Secretary	130,621	15	8
"	V.—Secretary for Works	6,275	0	0
"	VI.—Provincial Treasurer	55,922	3	4
"	VII.—Secretary for Gold Fields	7,840	0	0
"	VIII.—Grants in Aid	36,159	7	8
"	XI.—Miscellaneous	88,925	0	0
"	X.—Roads and Works	292,264	4	6
"	XI.—North Otago District Public Works Loan	7,687	16	0
"	XII.—Railways	156,835	17	0
"	XIII.—Out of Revenue or Loan	107,400	2	6
"	XIV.—Out of Loan	105,279	10	0
	Total Appropriation	1,022,156	8	4

3. The Superintendent with the advice and consent of his Executive Council may by warrant under his hand authorise the application of any sum or sums of money in any subdivision for any of the purposes specified in such sub-division and may transfer from the vote "Unforeseen Contingencies" any sum or sums of money to any vote or votes requiring to be supplemented by reason of unforeseen emergency or to any new headings in cases of apparent omission or unforeseen expenditure necessary to be incurred provided that a statement of the expenditure under the head of Unforeseen Contingencies be laid by the Provincial Auditor before the Provincial Council at its next Session.

Superintendent authorised to transfer from unforeseen contingencies &c.

Provision for continuing payments to 31st May 1876.

4. If in the opinion of the Superintendent the interests of the Public Service of the said Province will be promoted by not convening a Session of the Provincial Council until after the thirty-first day of March one thousand eight hundred and seventy-six there may be issued and applied out of the reveuues of the said Province subject to appropriation by the Provincial Council any sum or sums of money for the purpose of defraying the charges of the Government of the said Province during a period of not exceeding two months from the said thirty-first day of March one thousand eight hundred and seventy-six not exceeding in the whole such sum or sums respectively as shall be in proportion for such period of two months to the sum or sums appropriated for the like payments during the twelve months ending on the thirty-first day of March aforesaid.

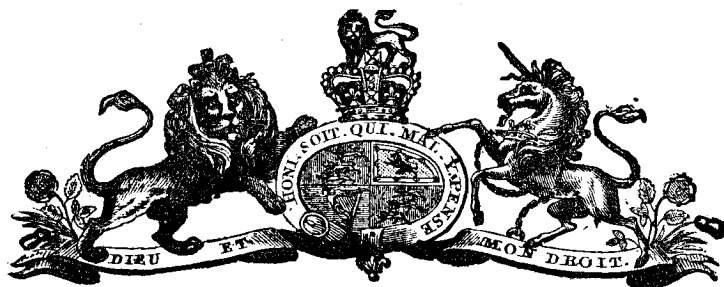
Treasurer &c. to pay moneys under warrant of the Superintendent and to be allowed credit for all moneys so paid.

5. The Provincial Treasurer or other the person having the custody or control of the Public Funds of the Province shall issue and pay from time to time any sum or sums of money for the purposes herein mentioned not exceeding in the whole the sums respectively hereinbefore specified to such persons and in such proportions as the Superintendent for the time being shall by warrants under his hand directed to the Provincial Treasurer or such other person as aforesaid and certified by the Auditor or Deputy-Auditor in terms of the "Provincial Audit Act 1866" or any other Act for the time being in force regulating the audit of Public Accounts in the Province of Otago from time to time direct and such Treasurer or other person having the custody or control of the Public Funds of the Province shall in his accounts be allowed credit for all sums paid by him in pursuance of such warrants and the receipts of the persons 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 receipts shall have been given and the amount thereof shall be passed to his credit in account accordingly.

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OTAGO, N. Z.



OTAGO GOLD BONUS ORDINANCE, 1875.

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

SESSION XXXIV. No. 467.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Appropriation.
3. Persons applying for payment to sign Declaration.</p> | <p>4. Penalty on signing false Declaration.
5. Receipt evidence.
6. Treasurer &c. to pay money under warrant of the Superintendent and to be allowed credit for all moneys so paid.
Schedule.</p> |
|--|---|

An Ordinance to provide for the payment of a Bonus on Gold raised in the Province of Otago. Title.
[19TH JUNE, 1875.]

WHEREAS it is expedient for the better encouragement of the gold-mining industry in this Province that a sum of one shilling per ounce should be paid by way of bonus on all gold raised in the Province of Otago which may be exported therefrom : Preamble.

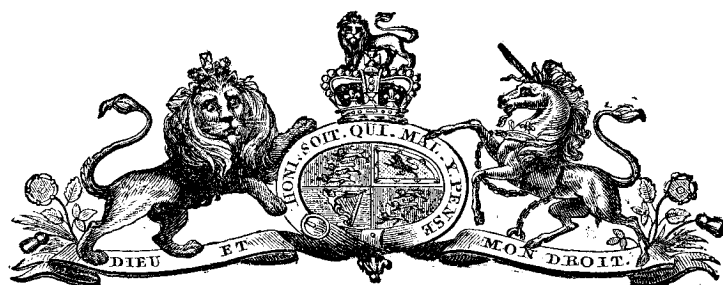
BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :—

1. This Ordinance shall be termed and may for all purposes be cited and referred to as the “ Otago Gold Bonus Ordinance 1875.” Short Title.

2. Out of the revenues of the Province of Otago there may be issued and applied during the period that shall elapse between the 1st day of July 1875 and the 31st day of March 1876 any sum or sums not exceeding the sum of five thousand pounds for paying at the rate of one shilling per ounce to any person or persons who shall export from the Province of Otago any gold the produce of the Province of Otago and who shall pay duty thereon at any port or ports in the said Province of Otago at the rate and under the provisions of the “ Gold Duties Act 1870 ” and the “ Gold Duties Act 1872.” Appropriation.

3. Every person applying for the payment of any bonus or sum of money under the provisions of this Ordinance shall sign a declaration in the form in the Schedule hereto or to the effect thereof and no moneys shall be paid under the provisions of this Ordinance until such declaration shall have been signed and deposited with the Provincial Treasurer or other person having the custody or control of the public funds of the Province. Person applying for payment to sign Declaration.

OTAGO, N. Z.



TURNPIKES ORDINANCE 1866, AMENDMENT ORDINANCE 1875.

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

SESSION XXXIV. No. 468.

ANALYSIS.

- | | |
|---|---|
| <p>Title.
Preamble.
1. Short Title.
2. Section 5 of Turnpikes Ordinance 1866 repealed.
3. Rates of Tolls.</p> | <p>4. Schedule to this Ordinance substituted for Schedule B of recited Ordinance.
5. Commencement of Ordinance, Schedule.</p> |
|---|---|

An Ordinance to Amend the "Turnpikes Ordinance 1866."

Title.

[19TH JUNE, 1875.]

WHEREAS it is expedient to amend the Ordinance of the Superintendent and Provincial Council of the Province of Otago passed in the twenty-second Session of the said Council No. 232 shortly intituled the "Turnpikes Ordinance 1866 :"

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 :—

1. This Ordinance shall be termed and may be cited and referred to as the "Turnpikes Ordinance 1866 Amendment Ordinance 1875" and it shall be read and interpreted as part of the "Turnpikes Ordinance 1866."

Short Title.

2. Section 5 of the "Turnpikes Ordinance 1866" shall be and the same is hereby repealed.

Section 5 of Turnpikes Ordinance 1866 repealed.

3. It shall be lawful for the Superintendent and Executive Council or their lessees collectors or agents and they are hereby authorised to demand receive and take on or at the side of the several main Public Roads within the Province 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 at the side of the said roads the several tolls specified in the Schedule hereto subject to the restrictions and exemptions in the said Ordinance mentioned Provided always that the same rate or rates of toll shall subject to the provisions contained in the said Ordinance be respectively taken and received at every such gate or bar on every such road within the Province.

Rates of tolls.

Schedule to this Ordinance substituted for Schedule B of recited Ordinance.

4. The said Schedule hereto shall be substituted for Schedule B annexed to the said Ordinance and the said Ordinance shall henceforth be read as if in any section of the said Ordinance where said Schedule B is referred to the Schedule to this Ordinance was mentioned or referred to in lieu thereof.

Commencement of Ordinance.

5. This Ordinance shall come into operation and take effect on and after the 1st day of January, 1876.

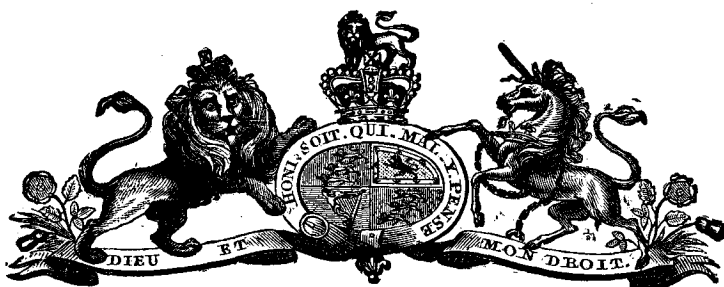
SCHEDULE.

1. For every horse or other beast drawing any coach chariot landau barouche chaise phaeton curricle car or any such like carriage, Sixpence.
2. For every horse or other beast (two oxen or neat cattle to count as one horse) drawing any waggon wain or other such like conveyance if the total number shall not exceed six horses (or what is hereby made equivalent to six horses), Sixpence.
3. For every horse or other beast (two oxen or neat cattle to count as one horse) drawing any waggon wain or other such like conveyance if the total number shall exceed six horses or what is hereby made equivalent to six horses and shall not exceed eight horses or equivalent to eight horses, One Shilling.
4. For every horse or other beast (two oxen or neat cattle to count as one horse) drawing any waggon wain or other such like conveyance if the total number shall exceed eight horses or what is hereby made equivalent to eight horses, Two Shillings.
5. For every horse or other beast if the total number shall not exceed three drawing any Whitechapel cart or dray on two wheels, Sixpence.
6. For every horse or other beast if the number shall exceed three drawing any Whitechapel cart or dray on two wheels, One Shilling.
7. For every horse mule or ass laden or unladen and not drawing, Sixpence.
8. For every drove of horses mules and asses unladen or not drawing, Threepence for every head.
9. For every drove of oxen cows or neat cattle the sum of Three Shillings and Fourpence per score and so in proportion for any greater or less number.
10. For every drove of calves swine goats sheep or lambs the sum of Tenpence per score and so in proportion for any greater or less number.

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OTAGO, N. Z.



OTAGO MUNICIPAL CORPORATIONS ORDINANCE, 1875.

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

SESSION XXXIV. No. 469.

ANALYSIS.

Title.

Preamble.

1. Short Title.

2. Repeal of Section 10 of recited Ordinance.

3. Provisions of "Otago Municipal Corporations Ordinance" may be extended to township though included in a Road District.

4. Superintendent authorised to allocate loans.

An Ordinance to Amend an Ordinance intituled "An Ordinance to Amend the Otago Municipal Corporations Ordinance, 1865." Title.

[19TH JUNE, 1875.]

WHEREAS it is expedient to amend the Ordinance intituled "An Ordinance 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 the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :—

1. This Ordinance may be cited and referred to as the "Otago Municipal Corporations Ordinance, 1875" and shall be read and construed with and shall form part of the "Otago Municipal Corporations Ordinance, 1865" and any Ordinance amending the same. Short Title.

2. Section No. 10 of an Ordinance passed Session XXI. No. 208 intituled "An Ordinance to Amend the Otago Municipal Corporations Ordinance, 1865" is hereby repealed. Repeal of Section 10 of recited Ordinance.

Provisions of "Otago Municipal Corporation Ordinance" may be extended to township though included in a Road District.

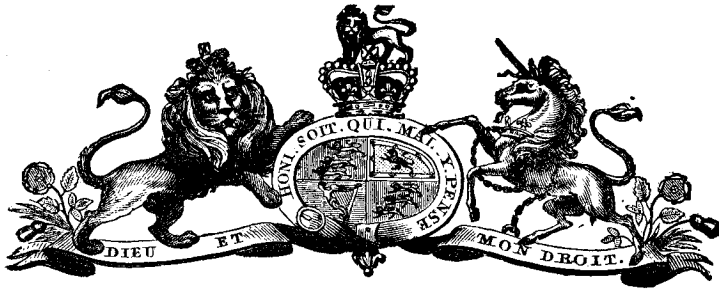
3. It shall be lawful for the Superintendent of Otago with the advice of his Executive Council and he is hereby authorised and required on the petition of not less than fifty persons comprising a majority of the householders resident in any township or any two or more townships distant not more than two miles from a common centre within the Province to extend the provisions of the "Otago Municipal Corporations Ordinance, 1865" to such township or townships by such name or Incorporation as he shall deem fit and notwithstanding that such township or in the case of two townships either or both of them is or are included in a Road District.

Superintendent authorised to allocate loans.

4. It shall be lawful for the Superintendent of Otago by Proclamation in the Provincial Government *Gazette* to allocate in such manner as he may deem fit all moneys borrowed on the security of the rates authorised to be levied by the "Otago Roads Ordinance, 1871" between the said district and the part of such district which may be incorporated as a town and such Proclamation from time to time to amend alter or revoke.

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LICENSING LAWS AMENDMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 470.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Hours of selling under Publicans' Licenses.
3. Penalty for selling contrary to preceding provision.
4. Night License.</p> | <p>5. Night Licenses—how applied for, transferred &c.
6. Fees.
7. Licenses—how long in force. Sections 22 and 23 of Licensing Act 1874 incorporated.
8. Interpretation. Schedule.</p> |
|--|---|

An Ordinance to amend the Laws regulating the Sale of Intoxicating Liquors in force in the Province of Otago. Title.
[19TH JUNE, 1875.]

WHEREAS no provision is made in the Acts of the General Assembly of New Zealand intituled "The Licensing Act, 1873" and "The Licensing Act 1873 Amendment Act, 1874" or either of them for regulating the hours during which alcoholic liquors may be sold by the holders of Publicans' Licenses granted under the provisions of the said Acts and no fee is provided to be paid by persons to whom such licenses may be issued: And whereas it is expedient that provision should be made for the purposes aforesaid:

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:—

1. This Ordinance may be cited and referred to as the "Licensing Laws Amendment Ordinance, 1875."

2. From and after the first day of October next no person holding a Publican's License shall sell or supply any alcoholic 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 unless in cases where a 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 as provided by the twenty-seventh section of "The Licensing Act 1873 Amendment Act, 1874."

Penalty for selling
contrary to preced-
ing provision.

3. Any person offending against the provisions of the last preceding section shall on conviction forfeit and pay any sum not less than one pound nor more than twenty pounds.

Night License.

4. It shall be lawful for the Provincial Treasurer upon the production to him of certificates from any Licensing Court authorising the issue thereof (which certificates any such Court is hereby empowered to grant at any sitting thereof) to issue to the persons named in such certificates licenses to be called "Night Licenses:" Every night license shall be in the form in the Schedule hereunto annexed or to the effect thereof and shall be issued to the holder of a Publican's License and to no other person and the effect of such a license shall be to authorise the holder thereof to keep open the house or premises specified in his Publican's License until twelve o'clock at night on every day except Sunday.

Night Licenses—how
applied for trans-
ferred &c.

5. Applications for Night Licenses shall be made in manner provided by "The Licensing Act 1873 Amendment Act, 1874" for applying for Publicans' Licenses and the form of application for a Publican's License may be altered to suit the circumstances of such application: And Night Licenses may be transferred and dealt with in the same manner in every respect as Publicans' Licenses may now by law be transferred and dealt with and the forms of application for transfer and all other forms applicable to Publicans' Licenses may be altered to suit the circumstances and as may be necessary to make them applicable to Night Licenses.

Fees.

6. The annual fees hereinafter mentioned shall be payable in respect of the licenses respectively hereinafter named that is to say:—

1. For a Publican's License Twenty pounds.
2. For a Night License Five pounds.

Licenses—how long
in force sections 22
and 23 of Licensing
Act of 1874 incor-
porated.

7. The provisions of the twenty-second and twenty-third sections of "The Licensing Act 1873 Amendment Act, 1874" shall be applicable to all Night Licenses issued under this Ordinance as if the provisions of the said sections respectively were repeated herein.

Interpretation.

8. This Ordinance shall be taken and read with the Acts and Ordinances now in force in the Province of Otago for the purpose of licensing or regulating the sale of alcoholic liquors.

SCHEDULE.

FORM OF NIGHT LICENSE.

Province of Otago }
to wit. }

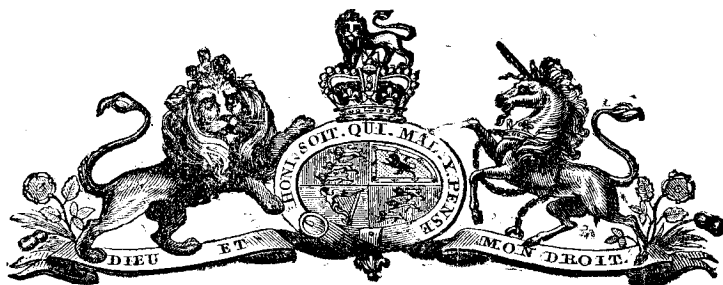
WHEREAS A B of _____ hath deposited in this office a certificate from the Licensing Court held at _____ on the _____ day of _____ 187 _____ authorising the issue to the said A B of a Night License: And whereas the said A B hath paid into this office the sum of £5 sterling as the fee on such license: Now I the Treasurer of the Province of Otago in pursuance of and by virtue of the powers vested in me in that behalf 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 thirtieth day of June _____ both days inclusive. _____ day of _____ one thousand _____ Given under my hand at _____ this _____ day of _____ eight hundred and _____

C. D., Provincial Treasurer.

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OTAGO, N. Z.



DUNEDIN AND PENINSULA RAILWAY ORDINANCE, 1875.

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

SESSION XXXIV. No. 471.

ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Dunedin Peninsula and Ocean Beach Railway Company Limited empowered to construct and maintain railway &c.
3. Railway to be confined within limits of deviation shown on deposited plans.
4. Railway to be constructed through lands in Schedule.
5. Lands not to be taken compulsorily.
6. Contracts and promises of concessions &c. to the Company declared void.
7. Nature of Company's work defined.
8. Company to supply accommodation works.
9. Accommodation works not required after three months.
10. Crossings allowed until accommodation works completed.
11. Penalty on persons omitting to fasten gates.
12. Superintendent to possess powers of inspection over Company's works.
13. When Company to commence works.
14. Superintendent may regulate Company's tariff of fares and charges.
15. Superintendent entitled to purchase on giving six months' notice.
16. Company to permit erection of telegraph posts &c. if required by Superintendent.</p> | <p>17. Company not to assign or part with railway without written consent of Superintendent.
18. Superintendent may take possession of railway works if Company guilty of unreasonable delay.
19. Provision in cases where roads are crossed on a level.
20. Width of bridge need not exceed width of road in certain cases.
21. Existing inclinations of roads crossed or diverted need not be improved.
22. Before roads interfered with others to be substituted.
23. Penalty for not substituting a road.
24. Period of restoration of roads interfered with.
25. Penalty for failing to restore road.
26. Company to repair road used by it.
27. Company to make sufficient approaches and fences &c.
28. Screens for roads to be made if required by Superintendent.
29. Penalty for breach of last section.
30. Superintendent to have power to order repair of bridges &c.
31. Superintendent empowered to modify the construction of roads, bridges &c.
32. Crown rights to foreshore and tilled lands not to be affected.
33. Ordinance to lapse in five years.
34. Interpretation Ordinance 1865 incorporated.
35. Penalties to be recovered in a summary way.
36. Maximum penalty.
37. When Ordinance to come into operation. Schedule.</p> |
|---|--|

An Ordinance intituled the "Dunedin and Peninsula Railway Ordinance, 1875." Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 19TH JUNE, 1875.]

WHEREAS a Public Company has been formed and duly incorporated under the "Joint Stock Company's Act, 1860" by the name or style of the Dunedin Peninsula and Ocean Beach Railway Company (Limited) hereinafter referred to as the said Company for the purpose amongst other things of constructing a line or lines of railway connecting the City of Dunedin with the Ocean Beach Anderson's Bay and the Peninsula Districts in the Province of Otago: And whereas the said Company intends to work the said line or lines of Railway with locomotive or other engines passenger and goods carriages waggons trucks and other rolling stock and to provide the necessary station and warehouse accommodation which may be required for the convenience of the public in Dunedin at the Ocean Beach Anderson's Bay Macandrew's Bay and Portobello in the said Peninsula District: And

whereas the objects and intentions of the said Company as expressed in its Memorandum and Articles of Association have been published and circulated throughout the Province and are such as ought to meet with encouragement and support :

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

Short Title.

1. The short title of this Ordinance shall be the “Dunedin and Peninsula Railway Ordinance, 1875.”

Dunedin Peninsula and Ocean Beach Railway Company Limited empowered to construct and maintain railway &c.

2. Subject to the conditions and restrictions hereinafter imposed it shall be lawful for the said Company to make construct and maintain a line or lines of Railway connecting Dunedin the Ocean Beach Anderson's Bay Macandrew's Bay and Portobello in the said Province and to erect at each or any of the said places stations warehouses sheds and all necessary erections appliances and conveniences for the accommodation of passengers and the receipt transit and delivery of goods and merchandise and to use and work upon the said Railway locomotive and other steam engines carriages trucks and all other rolling stock necessary for the conduct of Railway traffic either of goods or passengers.

Railway to be confined within limits of deviation shown on deposited plans.

3. The said Railway shall be constructed and maintained within the limits of deviation set forth in the plans of the said Company which have been deposited with the Clerk of the said Provincial Council and such plans shall be deemed to be incorporated with and form part of this Ordinance.

Railway to be constructed through lands in Schedule.

4. The said Railway shall be constructed and maintained in through or over the lands tenements and hereditaments particularised in the Schedule hereto and in accordance with the said plans and not otherwise.

Lands not to be taken compulsorily.

5. Nothing herein contained shall be deemed to authorise the acquisition compulsorily of any of the lands tenements or hereditaments enumerated and particularised in the said Schedule : And in the event of the said Company or any officer servant or workman of the said Company or any contractor or sub-contractor engaged in executing any of the Company's works on the said Railway entering upon any lands tenements or hereditaments without the consent of the owner or owners thereof and before the said Company shall have acquired from such owner or owners the right to enter and take possession of his or their lands tenements or hereditaments and to use the same for the purposes of the said Railway the said Company or the person or persons so offending shall irrespective of its his her or their liability to be sued in trespass or otherwise be liable to a penalty not exceeding twenty pounds for every such offence.

Contracts and promises of concessions &c. to the Company declared void.

6. All contracts agreements promises and concessions heretofore made or agreed to be made to the said Company by or on behalf of the Superintendent or any member of the Executive Council of the Province of Otago shall be and are hereby declared to be void and of none effect and any similar contract or agreement made or entered into without the previous recommendation of the Provincial Council shall also be void.

Nature of Company's works defined.

7. The said Company may upon any lands tenements and hereditaments to be acquired from the owner or owners thereof as aforesaid but upon no other lands tenements or hereditaments execute and carry out in connection with and for the purposes of the said Railway the Works hereinafter mentioned throughout this Ordinance :

- (a) Temporary or permanent inclined planes tunnels embankments aqueducts bridges roads ways passages conduits arches sidings cuttings approaches and fences may be made constructed or erected : Provided that every bridge to be erected for the purpose of carrying the said Railway over any road and every bridge erected for carrying any road over the said railway shall be built and constructed to the approval and satisfaction of the said Superintendent or any Engineer or other person appointed by him.
- (b) The course of any public street road highway or thoroughfare or any drain for the outfall of water or which is the bed of any creek stream river pond or lake may be temporarily or permanently altered raised or sunk for the purpose of constructing and maintaining tunnels bridges passages or other works over or under the same.
- (c) Drains or conduits may be made and constructed for the purpose of receiving conveying or discharging water.
- (d) Rails sleepers and ballast may be laid and such stations offices warehouses buildings yards cranes machinery appliances works and conveniences may be erected supported constructed and maintained for the efficient working of the said Railway.

8. The said Company shall make and at all times thereafter maintain the following works for the accommodation of the owners and occupiers of lands adjoining the Railway (that is to say) — Company to supply accommodation works.

Such and so many convenient gates bridges arches culverts and passages over under or by the sides of or leading to or from the Railway as shall be necessary for the purpose of making good any interruptions caused by the Railway to the use of the lands through which the Railway shall be made and such works shall be made forthwith after the part of the Railway passing over such lands shall have been laid out or formed or during the formation thereof.

Also sufficient posts rails hedges ditches mounds or other fences for separating the land used for the Railway from the adjoining lands and protecting such lands from trespass or the cattle of the owners or the occupiers thereof from straying thereout by reason of the Railway together with all necessary gates made to open towards such adjoining lands and not towards the Railway and all necessary stiles and such posts rails and other fences shall be made as soon as conveniently may be.

Also all necessary arches tunnels culverts drains or other passages either over or under or by the sides of the Railway of such dimensions as will be sufficient at all times to convey the water as clearly from the lands lying near or affected by the Railway as before the making of the Railway or as nearly so as may be and such works shall be made from time to time as the Railway works proceed :

Provided always that the said Company shall not be required to make such accommodation works in such a manner as would prevent or obstruct the working or using of the Railway nor to make any accommodation works with respect to which the owners and occupiers of the lands shall have agreed to receive and shall have been paid compensation instead of the making them.

Accommodation works not required after three months.

9. The said Company shall not be compelled to make any further or additional accommodation works for the use of owners and occupiers of land adjoining the Railway after the expiration of six months from the time of the opening for public traffic of any complete portion of the Railway which shall include or comprise the said accommodation works : Provided nevertheless that the said limit of six months shall be applicable only to the owners and occupiers of land adjoining the Railway from and after the time of the completion of the particular portion of the Railway adjoining which the said land shall be situate.

Crossings allowed until accommodation works completed.

10. Until the said Company shall have made the bridges or other proper communications which under the provisions herein contained it has been required to make between lands intersected by the Railway and no longer the owners and occupiers of such lands and any other persons whose right-of-way shall be affected by the want of such communication and their respective servants may at all times freely pass and repass with carriages horses and other animals directly (but not otherwise) across the part of the Railway made in or through their respective lands solely for the purpose of occupying the same lands or for the exercise of such right-of-way and so as not to obstruct the passage along the Railway or to damage the same nevertheless if the owner or occupier of any such lands have in his arrangements with the said Company received or agreed to receive compensation for or on account of any such communications instead of the same being formed such owner or occupier or those claiming under him shall not be entitled so to cross the Railway.

Penalty on persons omitting to fasten gates.

11. If any person omit to shut and fasten any gate set up at either side of the Railway for the accommodation of the owners or occupiers of the adjoining lands as soon as he and the carriage cattle or other animals under his care have passed through the same he shall forfeit for every such offence any sum not exceeding forty shillings.

Superintendent to possess powers of inspection over Company's works.

12. During the construction of the said Railway and the execution of the works connected therewith and after the completion thereof the said Superintendent shall be at liberty at all reasonable times to direct any Engineer or other proper officer of the Provincial Government to inspect the works the rolling-stock and buildings of the said Company and any requisition which the said Superintendent shall thereafter upon the recommendation of the said Engineer or other officer as aforesaid make requiring the said Company to effect any necessary alterations or repair into or upon the works rolling-stock or buildings of the said Company shall immediately thereafter be obeyed and carried out.

When Company to commence works.

13. The said Company shall without delay commence the construction of the said Railway Works and shall prosecute the same to completion without delay or intermission unless hindered or prevented by some unforeseen cause or impediment And the said Company shall also in like manner and as the state of the said Railway Works shall permit and require proceed with the erection of all buildings and supply the necessary accommodation for the safe proper and convenient conduct of passengers and goods traffic on the said Railway : Provided that the said Company shall not be required to complete and render fit for passenger and goods traffic its said Railway Works from Dunedin aforesaid beyond the place shewn and named on the said plans as the Ocean Beach Station before the expiration of twelve calendar months from and after the time of the coming into operation of this Ordinance or beyond the place named and shewn on the said plans as the Andersons Bay Station before the expiration of eighteen calendar months from and after the time aforesaid or beyond the place named and shewn on the said plans as Macandrews Bay Station before the expiration of

thirty calendar months from and after the time aforesaid or to the place named and shown on the said plans as the Portobello Terminus before the expiration of five years from and after the time aforesaid.

14. The said Superintendent acting by and with the advice and consent of his Executive Council may should he think it expedient so to do from time to time by proclamation to be published in the Provincial *Gazette* make alter and revoke regulations fixing rates fares and rent to be charged by the Company for the carriage of goods and passengers and the storage of goods in any of the Company's sheds or warehouses the number of trains to run each day the time of their arrival and departure from the terminal and intermediate stations and generally imposing such restrictions upon the conduct of the business and traffic of the Company as may in the opinion of the said Superintendent be most conducive to the public interest and welfare and may affix a penalty of not exceeding £100 to the breach of any of the regulations so to be proclaimed as aforesaid and the said Superintendent may also from time to time with the consent and advice aforesaid by proclamation to be published as aforesaid authorise and empower any trains or rolling stock the property of the Province to be run upon the said Railway after the completion thereof and to stop at the terminal and other stations aforesaid and may also from time to time by any such proclamation authorise and empower any Company or persons upon payment to "the said Company" of such rates of charges as may be fixed in that behalf in and by any such proclamation to run trains or rolling stock upon the said Railway and to stop at the said terminal and other stations: Provided always that a copy of all regulations to be made by the said Superintendent as aforesaid shall be laid upon the table of the Provincial Council within fourteen days after the commencement of each Session and any alteration or amendment in such regulations which the said Provincial Council shall by address to be forwarded to the said Superintendent recommend the said Superintendent shall immediately thereafter carry into effect if he shall approve of the same.

Superintendent may regulate Company's tariff of fares and charges.

15. The said Superintendent shall be entitled after full completion of the works upon giving six calendar months notice in writing to the said Company to purchase the Railway works of the said Company together with its rolling stock plant implements and all its rights powers and privileges at a price to be determined by arbitration the award being that of three arbitrators or any two of them one arbitrator being chosen by the said Superintendent another by the said Company and the third arbitrator by the two other arbitrators: Provided always that no notice as aforesaid shall be given by the Superintendent except upon the previous recommendation of the Provincial Council: Provided also that in determining the price to be paid to the said Company the said arbitrators shall not award any compensation to the said Company in respect of any lands tenements and hereditaments the use of which shall have been acquired from the Superintendent but the said Company shall receive in respect of such lands tenements and hereditaments the fair value of all improvements made on such lands and upon payment of the compensation so to be awarded the said Company shall assign and transfer to the said Superintendent all its estate property and interest in the said Railway plant rolling stock and everything appurtenant thereto: Provided also that no compensation whatever shall be paid for any goodwill of the said Railway nor for anything save and except the actual value of the land owned by the said Company and the improvements effected thereon and for the improvements effected on land belonging to the Superintendent as stated in this section.

Superintendent entitled to purchase on giving six months' notice.

16. In case the Colonial Government should at any time desire to construct a line or lines of telegraph posts and wires along the line of the said Railway and within the fences enclosing the same the said Company shall

Company to permit erection of telegraph posts &c, if required by Superintendent.

upon the request of the said Superintendent permit any person or persons appointed in that behalf or any contractors or workmen employed for the purpose to have access to the lands tenements and hereditaments in the use and occupation of the said Company in order that the said posts and wires may be erected but subject however to such conditions being imposed to guard against any unnecessary injury to the works or property of the said Company and for making good any injury or disturbance to the said lands tenements and hereditaments or the Company's said works as may be just and expedient.

Company not to assign or part with railway without written consent of Superintendent.

17. The said Company shall not assign or part with its beneficial interest in its said Railway without the consent in writing of the said Superintendent first had and obtained: Provided always that such consent shall not be necessary if the said Company shall at any time give twelve calendar months' notice in writing to the said Superintendent intimating its intention to dispose of its interest in the said Railway and the said Superintendent shall not within such period of twelve calendar months give notice of his intention to purchase the said Railway in exercise of the power in that behalf hereinbefore contained.

Superintendent may take possession of railway works if Company guilty of unreasonable delay.

18. In the event of any unreasonable or inexcusable delay in the prosecution of the said Railway Works or in the event of the said Company after the completion of the said works in whole or in part so that the whole or any complete part or section of the line may be used for the purposes of traffic not running for the space of three clear days without reasonable excuse trains at the times and in manner fixed and determined by the said Superintendent the said Superintendent may take possession and assume the management of the said Railway and Works and complete the same and conduct the traffic thereon charging the said Company with all outlay and expenditure which may be entailed and crediting the said Company with all earnings and receipts: And in such event there shall be paid by the said Company to the said Superintendent and by the said Superintendent to the said Company the balance which shall thereafter be found to be due from the one to the other of them from time to time the accounts being computed and rendered at intervals of not less than six calendar months.

Provision in cases where roads are crossed on a level.

19. Wherever the Railway shall cross any public road or highway on a level the said Company shall erect and at all times maintain good and sufficient gates across such road or highway on each side of the Railway where the same shall communicate therewith and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such road or highway on both sides of the Railway except during the time when horses cattle carts or carriages passing along the same shall have to cross such Railway and such gates shall be of such dimensions and so constructed as when closed to fence in the Railway and prevent cattle or horses passing along the road or highway from entering upon the Railway and the persons entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings for every default therein: Provided always that the gates on any level crossing over any such road may be kept closed across the railway instead of across the road and in such case such gates shall be kept constantly closed across the Railway except when engines or carriages passing along the Railway shall have occasion to cross such road in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the road.

Width of bridge need not exceed width of road in certain cases.

20. In all cases where the average available width for the passing of carriages of any existing road within fifty yards of the points of crossing the same is less than the width which may be prescribed for bridges under or over the Railway the width of such bridges need not be greater than such

average available width of such road but so nevertheless that such bridges be not of less width in the case of a public road or highway than twenty feet: Provided also that if at any time after the construction of the Railway the average available width of any such road shall be increased beyond the width of such bridge on either side thereof the said Company shall be bound at its own expense to increase the width of the said bridge to such extent as it may be required by the Superintendent not exceeding the width of such road as so widened or the maximum width which may be prescribed as aforesaid for a bridge in the like case over or under the Railway.

21. If the mesne inclination of any road within two hundred and fifty yards of the point of crossing the same or the inclination of such portion of any road as may require to be altered or for which another road shall be substituted shall be steeper than the inclination which may be so required to be preserved by the said Company then the said Company may carry any such road over or under the Railway or may construct such altered or substituted road at an inclination not steeper than the said mesne inclination of the road so to be crossed or of the road so requiring to be altered or for which another road shall be substituted.

Existing inclinations of roads crossed or diverted need not be improved.

22. If in the exercise of the powers by this Ordinance granted it be found necessary to cross-cut through raise sink or use any part of any road whether carriage-road horse-road or tram-road either public or private so as to render it impassable for or dangerous or extraordinarily inconvenient to passengers or carriages or to the persons entitled to the use thereof the said Company shall before the commencement of any such operations cause a sufficient road to be made instead of the road to be interfered with and shall for twelve months from the time of the completion of such substituted road at its own expense maintain the same in a state as convenient for passengers and carriages as the road so interfered with or as nearly so as may be: Provided always that in any case in which it shall be made to appear to the Superintendent before the commencement of any such operations as before mentioned to be impossible or extraordinarily inconvenient to cause such substituted road to be made before the commencement of the operations interfering with such existing road it shall be lawful for the Superintendent by writing under his hand to dispense with compliance with the provisions of this section for such period as shall be named in such writing not exceeding one month from the time of commencement of such operations.

Before roads interfered with others to be substituted.

23. If the said Company does not cause another sufficient road to be so made before it interferes with any such existing road as aforesaid or within the time which may be so limited by the Superintendent as aforesaid it shall forfeit twenty pounds for every day during which such substituted road shall not be made after the existing road shall have been interrupted.

Penalty for not substituting a road.

24. If the road so interfered with can be restored compatibly with the formation and use of the Railway the same shall be restored to as good a condition as the same was in at the time when the same was first interfered with by the said Company or as near thereto as may be and if such road cannot be restored compatibly with the formation and use of the Railway the said Company shall cause the new or substituted road to be put into a permanently substantial condition equally convenient as the former road or as near thereto as circumstances will allow and the former road shall be restored or the substituted road put into such condition as aforesaid as the case may be within the period of six months after the first operation on the former road shall have been commenced unless the Local Board of the District in which such road is situate shall by writing under the hand of the chairman of the said Board consent to an extension of the period and in such case within such extended period.

Period of restoration of roads interfered with.

Penalty for failing to restore road.

25. If any such road be not restored or the substituted road so completed as aforesaid within the said period of six months or within such extended period as aforesaid the said Company shall forfeit and pay the sum of five pounds for every day after the expiration of such periods respectively during which such road shall not be so restored or the substituted road completed.

Company to repair road used by it.

26. If in the course of making the Railway the said Company shall use or interfere with any road it shall from time to time make good all damage done by it to such road under a penalty not exceeding fifty pounds.

Company to make sufficient approaches fences &c.

27. If the Railway shall cross any road or highway on the level the said Company shall at its own expense make and at all times maintain convenient ascents and descents and other convenient approaches with hand-rails or other fences and shall if such road or highway be a bridle way erect and at all times maintain good and sufficient gates and if the same shall be a footway good and sufficient gates or stiles on each side of the railway where the road or highway shall communicate therewith under a penalty of five pounds for every day it fails to do so.

Screens for roads to be made if required by Superintendent.

28. If the Local Board of Road Trustees or other the governing body of any Road District through which the railway shall pass shall apprehend danger to the passengers on any street or road in consequence of horses being frightened by the sight of the engines or carriages travelling upon the railway it shall be lawful for such Trustees or other governing body respectively after giving fourteen days' notice to the said Company to apply to the Superintendent that such danger may be obviated or lessened by the construction of any works in the nature of a screen near to or adjoining the side of such road or street it shall be lawful for him if he shall think fit to certify the works necessary or proper to be executed by the said Company for the purpose of obviating or lessening such danger and by writing under his hand to require the said Company to execute such works within a time to be named in such writing.

Penalty for breach of last section.

29. Where by any such writing as aforesaid the said Company shall have been required to execute any such work in the nature of a screen it shall execute and complete the same within the period appointed for that purpose in such writing under a penalty of five pounds for every day during which such works shall remain uncompleted beyond the period so appointed for their completion.

Superintendent to have power to order repair of bridges &c.

30. Where under the provisions of this Ordinance the said Company is required to maintain or keep in repair any bridge fence approach gates or other work executed by it it shall be lawful for the Superintendent on the application of the Trustees of the Local Road Board or other the governing body of the district where such work may be situate complaining that any such work is out of repair after not less than ten days' notice to the said Company to order the said Company to put such work into complete repair within a period to be limited for that purpose by such Superintendent and if the said Company fails to comply with such order it shall forfeit and pay the sum of five pounds for every day it fails so to do.

Superintendent empowered to modify the construction of roads bridges &c.

31. In case any difference in regard to the construction alteration or restoration of any road or bridge or other public work of an engineering nature required by the provisions of this Ordinance shall arise between the said Company and the Local Board of Road Trustees or other governing body of any district or place through which the Railway shall pass it shall be lawful for either party after giving fourteen days' notice in writing of its or their intention so to do to the other party to apply to the Superintendent to decide upon the proper manner of constructing altering or restoring such

road bridge or other work and it shall be lawful for the Superintendent if he shall think fit to decide the same accordingly and to authorise by certificate in writing any arrangement or mode of construction in regard to such road bridge or other work which shall appear to him either to be in substantial compliance with the provisions of this Ordinance or to be calculated to afford equal or greater accommodation to the public using such road bridge or other work and after any such certificate shall have been given by the Superintendent the road bridge or other work therein mentioned shall be constructed by the said Company in conformity with the terms of such certificate and being so constructed shall be deemed to be constructed in conformity with the provisions of this Ordinance: Provided always that no such certificate shall be granted by the Superintendent unless he shall be satisfied that existing private rights or interests will not be injuriously affected thereby.

32. Nothing in this Ordinance contained shall be taken or deemed to sanction any interference with the rights of the Crown to any lands tenements or hereditaments or to give to the said Company any title to the soil of any district or other road or in any way to affect the title to any lands or hereditaments. Crown rights to foreshore and tilled lands not to be affected.

33. This Ordinance shall cease to have force and shall expire at the expiration of five years from the time the same shall receive the Governor's assent unless the said Railway shall be completed within such period of five years. Ordinance to lapse in five years.

34. The Ordinance of the Superintendent and Provincial Council of the Province of Otago shortly intituled the "Interpretation Ordinance 1865" so far as the same shall not be varied by or be inconsistent with the provisions of this Ordinance shall be and the same is incorporated with this Ordinance and shall form part of this Ordinance. Interpretation Ordinance 1865 incorporated.

35. All proceedings for offences against the provisions of this Ordinance shall be had and taken in a summary way and all penalties hereby imposed shall be recovered in manner provided by the Act of the General Assembly of New Zealand intituled the "Justices of the Peace Act 1866." Penalties to be recovered in a summary way.

36. 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.

37. This Ordinance shall not come into operation nor have any effect until the time within which by law the same may be disallowed by the Governor shall have expired. When Ordinance to come into operation.

SCHEDULE.

Portobello District.

Sections 37, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 38, 18, 19, 20, 21, 22, 23, 24, 25, and 26, block VII.

Otago Peninsula District.

Section 77, block II. Applications 150 and 318, block VII.

Upper Harbour East District.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58.

Anderson's Bay District.

Sections 13, 14, 15, and 16, block VIII. Sections 1, 2, 3, 4, 5, 6, and 7, block IV. Sections 13, 14, 15, and 16, block V. Sections 9, 10, 11, and 12, block III.

Town District.

Sections 75, 74, 73, 72, 71, 69, 70, 76, 77, 78, 79, 80, 81, 82, and 83, block VII.

Dunedin and East Taieri District.

Section 12, block XII.

Crown Lands.

Otago Harbour below high water mark, that is to say :—Portion in front of sections 37, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 38, 18, 19, 20, 21, 22, 23, 24, 25, and 26, block VII, Portobello District ; portion in front of section 77, block II, Otago Peninsula District ; portion in front of sections 1 to 58 (both inclusive) ; Upper Harbour East District ; portion in front of sections 14, 15, and 16, block VIII, Anderson's Bay District ; portion in front of sections 7, 6, 5, 4, 3, 2, and 1, block IV, of same district ; portion in front of sections 16, 15, 14, and 13, block V, of same district ; portion in front of sections 9, 10, 11, and 12, block III, of same district ; portion in front of sections 75, 74, 73, 72, 71, and 70, block VII, Town District.

DUNEDIN, NEW ZEALAND :

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road bridge or other work and it shall be lawful for the Superintendent if he shall think fit to decide the same accordingly and to authorise by certificate in writing any arrangement or mode of construction in regard to such road bridge or other work which shall appear to him either to be in substantial compliance with the provisions of this Ordinance or to be calculated to afford equal or greater accommodation to the public using such road bridge or other work and after any such certificate shall have been given by the Superintendent the road bridge or other work therein mentioned shall be constructed by the said Company in conformity with the terms of such certificate and being so constructed shall be deemed to be constructed in conformity with the provisions of this Ordinance: Provided always that no such certificate shall be granted by the Superintendent unless he shall be satisfied that existing private rights or interests will not be injuriously affected thereby.

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Anderson's Bay District.

Sections 13, 14, 15, and 16, block VIII. Sections 1, 2, 3, 4, 5, 6, and 7, block IV. Sections 13, 14, 15, and 16, block V. Sections 9, 10, 11, and 12, block III.

Town District.

Sections 75, 74, 73, 72, 71, 69, 70, 76, 77, 78, 79, 80, 81, 82, and 83, block VII.

Dunedin and East Taieri District.

Section 12, block XII.

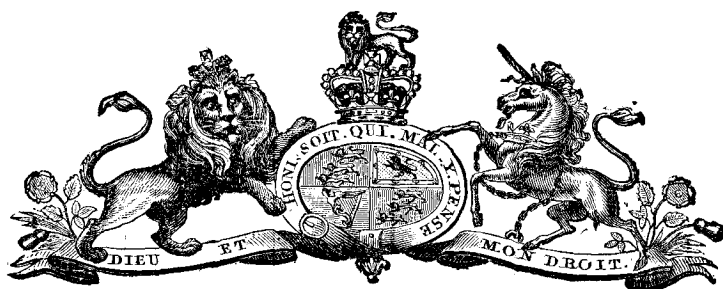
Crown Lands.

Otago Harbour below high water mark, that is to say :—Portion in front of sections 37, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 38, 18, 19, 20, 21, 22, 23, 24, 25, and 26, block VII, Portobello District; portion in front of section 77, block II, Otago Peninsula District; portion in front of sections 1 to 58 (both inclusive); Upper Harbour East District; portion in front of sections 14, 15, and 16, block VIII, Anderson's Bay District; portion in front of sections 7, 6, 5, 4, 3, 2, and 1, block IV, of same district; portion in front of sections 16, 15, 14, and 13, block V, of same district; portion in front of sections 9, 10, 11, and 12, block III, of same district; portion in front of sections 75, 74, 73, 72, 71, and 70, block VII, Town District.

DUNEDIN, NEW ZEALAND :

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OTAGO, N. Z.



OTAGO HARBOUR BOARD ORDINANCE 1874 AMENDMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 472.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Short Title.
2. Repeal.
3. Harbour of Otago to be read "Port of Dunedin."
4. Constitution of Board.
5. Superintendent to act with advice of Executive in making appointments.
6. Members first appointed to hold office till 30th June 1876 then fourth to retire.
7. Annual retirement from office how regulated.</p> | <p>8. Retiring members eligible for re-appointment.
9. Vacancies.
10. Power to extend leases and grant valuation.
11. Debentures may be sold under par on certain conditions.
12. Power to hypothecate debentures.
13. Ordinance to be read as part of Ordinance 1874.
14. Harbour of Otago and Port of Dunedin to be synonymous terms.
15. This Ordinance and recited Ordinance to be subject to Harbour Works Act 1874,</p> |
|---|---|

*An Ordinance to amend the "Otago Harbour Board Ordinance, 1874" Title.
and to declare the Harbour Board of Otago a Harbour Board for
the Port of Dunedin in the Province of Otago.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS an Ordinance was passed in the Thirty-third Session of the Preamble.
Provincial Council of Otago intituled the "Otago Harbour Board
Ordinance, 1874:" And whereas a Board was elected in accordance with
the provisions of said Ordinance: And whereas doubts have arisen or been
expressed as to whether some of the terms and provisions of the said "Otago
Harbour Board Ordinance, 1874" are such as to give the Board constituted
under said Ordinance a proper legal status as a Board within the meaning
and provisions of "The Harbour Boards Act, 1870:" And whereas serious
inconvenience and injury may arise or accrue unless such doubts are set at
rest and it is therefore expedient to set such doubts at rest: And whereas
it is expedient to provide that the Otago Harbour Board constituted under the
Otago Harbour Board Ordinance 1874 shall be the Harbour Board for the
Port of Dunedin in the Province of Otago pursuant to the power in that
behalf conferred by "The Harbour Boards Act 1870" and pursuant to every
other power enabling the Superintendent and Provincial Council in that
behalf:

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:—

Short Title.

1. This Ordinance shall be termed and may for all purposes be cited and referred to as the "Otago Harbour Board Ordinance 1874 Amendment Ordinance, 1875."

Repeal.

2. From and after the date of passing of this Ordinance sections four five six eight nine ten eleven twelve thirteen and fourteen of the "Otago Harbour Ordinance, 1874" shall be and the same are hereby repealed.

Harbour of Otago to be read "Port of Dunedin."

3. It is hereby expressly declared that the words "Harbour of Otago" in the third section of the "Otago Harbour Board Ordinance, 1874" shall be taken and held to be read as if printed "Port of Dunedin" and the Otago Harbour Board shall be the Harbour Board for the said Port and the limits of the said Port shall be those which have been or may yet be defined under or in pursuance of "The Marine Act, 1867" or any amendment thereof.

Constitution of Board.

4. From and after the date of the passing of this Ordinance the Otago Harbour Board shall consist of the Superintendent of the Province of Otago for the time being and eight members to be appointed by warrant under the hand of the Superintendent.

Superintendent to act with advice of Executive in making appointments.

5. The Superintendent in making every appointment of a member of the said Board shall act only by and with the advice and consent of his Executive Council for the time being.

Members first appointed to hold office till 30th June 1876 then fourth to retire.

6. The first members of the said Board to be appointed as in the fourth section of this Ordinance mentioned shall hold office until the thirtieth day of June one thousand eight hundred and seventy-six when one fourth of such members shall retire and the members to retire shall be determined by the members of the Board themselves by lot.

Annual retirement from office how regulated.

7. On the thirtieth day of June in every succeeding year one fourth of the whole number of the members of the said Board shall retire from office and the members so to retire shall be the members who shall have been the longest time in office without re-appointment and in any case where by reason of two or more members having become members at the same time it shall not be apparent which of such last-mentioned members ought at any time to go out of office then the Board shall itself determine by lot in what order and which of such members shall go out of office.

Retiring member eligible for re-appointment.

8. Any member who shall retire from office either by rotation or in consequence of its being determined by lot that he shall retire shall be eligible for re-appointment.

Vacancies.

9. Whenever any vacancies shall occur in the Board by the death resignation or absence from the Colony of any member without leave of the Board or if any member shall absent himself from five consecutive meetings of the Board without the leave of the Board the Superintendent shall thereupon appoint a fit and proper person to fill up such vacancy and such person shall hold office for the same time as the member in whose room he shall have been appointed would in the ordinary course have held office.

Power to extend leases and grant valuation.

10. It shall be lawful for the Board in granting leases as provided for by the thirty-third section of the "Otago Harbour Board Ordinance, 1874" to provide for the renewal of such leases on such terms and conditions as the Board may deem fit or for granting valuation for buildings or other improvements if the Board should determine not to renew said leases provided always that no such renewal shall be for any time exceeding twenty-one years after the determination of the then existing lease.

11. Debentures issued under the "Otago Harbour Board Ordinance, 1874" may be sold by public tender at a price which will not yield to the purchaser thereof a higher rate of interest by the year than seven pounds for every hundred pounds purchase money given for each debenture. Debentures may be sold under par on certain conditions.

12. It shall be lawful for the Board from time to time to borrow and raise money by the hypothecation or mortgage of its debentures upon such terms and conditions as the Board may think fit: Provided that the sum to be so borrowed or raised shall not exceed the sum of fifty thousand pounds. Power to hypothecate debentures.

13. This Ordinance and its provisions shall be taken and read as part and parcel of the "Otago Harbour Board Ordinance, 1874" and all acts performed and all contracts and obligations entered into and all debentures issued by the Otago Harbour Board constituted under the said "Otago Harbour Board Ordinance 1874" are hereby declared to have been and shall continue to be as valid and binding as if they had been performed entered into or issued after the passing of this Ordinance. Ordinance to be read as part of Ordinance 1874.

14. In the reading of the "Otago Harbour Board Ordinance, 1874" and of this Ordinance the words "Harbour of Otago" and "Port of Dunedin" shall be deemed to be synonymous terms. Harbour of Otago and Port of Dunedin to be synonymous terms.

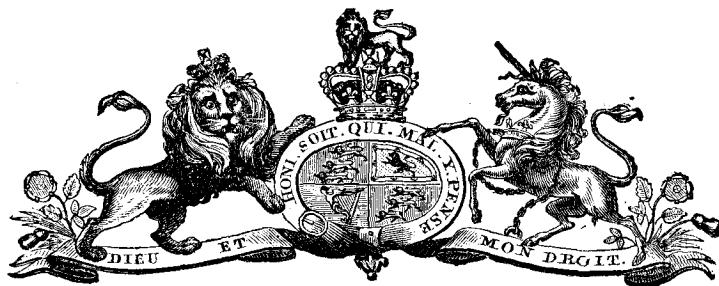
15. The provisions of this Ordinance and of the "Otago Harbour Board Ordinance, 1874" shall be subject to the provisions of the Act passed by the General Assembly of New Zealand intituled "The Harbour Works Act, 1874." This Ordinance and recited Ordinance to be subject to Harbour Works Act, 1874.

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OTAGO, N. Z.



PORT CHALMERS SEAMEN'S INSTITUTE ORDINANCE, 1875.

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

SESSION XXXIV. No. 473.

ANALYSIS.

- | | |
|---|---|
| <p>Title.
Preamble.
1. Short Title.
2. Trustees appointed.
3. Power to remove and appoint trustees.</p> | <p>4. Land in 2nd Schedule vested in trust.
5. Superintendent authorised to lease.
6. Trust may lease surplus land.
7. Application of moneys.
8. Trust may make rules.
Schedules.</p> |
|---|---|

An Ordinance to provide for the Management of the Seamen's Institute at Port Chalmers in the Province of Otago. Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the parcel of land particularly described in the first Schedule hereto has under and by virtue of "The Public Reserves Act, 1854" and "The Public Reserves Act Amendment Act, 1862" 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 upon trust for public purposes: 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 Commission or other person or persons having corporate succession to be named 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas it is expedient to make provision for the management of the parcel of land particularly described in the second Schedule hereto being a portion of the parcel of land particularly described in the first Schedule hereto in manner hereinafter appearing:

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:—

Short Title.

1. This Ordinance may be cited and referred to as the "Port Chalmers Seamen's Institute Ordinance, 1875."

Trustees appointed.

2. The Mayor of Port Chalmers for the time being Thomas Anstey Mansford Esquire of Port Chalmers and Hugh McDermid Esquire of Glendernid in the Province of Otago and all such other persons as shall be hereafter appointed Trustees 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 "Trustees of the Port Chalmers Seamen's Institute" and by that name they and their successors shall have perpetual succession and a common seal with full power and authority to sue and be sued and to do all other matters and things incidental to a corporate body or for any purposes in connection with the said Institute subject nevertheless to any provisions in this Ordinance contained affecting such powers.

Power to remove an appoint trustees.

3. So often as any person so appointed shall die resign become incapable to act or be removed or absent from the said Province for the space of twelve calendar months it shall be the duty of 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 or becoming incapable or being absent as aforesaid.

Land in 2nd Schedule vested in trust.

4. The purposes for which the said lands described in the first Schedule hereto were reserved shall so far as such purposes relate to the said parcel of land described in the said Second schedule hereto be changed and the said parcel of land described in said second Schedule shall henceforth be reserved as a reserve for a Seamen's Institute and the said parcel of land described in the second Schedule hereto together with all erections and buildings thereon shall be transferred to and vested in and held by the "Trustees of the Port Chalmers Seamen's Institute" and their successors for a period of three years in trust for the purposes of a Seamen's Institute subject to the powers provisions and conditions herein expressed and declared.

Superintendent authorised to lease.

5. It shall be lawful for the Superintendent to execute and make any lease for transferring to and vesting in the "Trustees of the Port Chalmers Seamen's Institute" and their successors the parcel of land described in the second Schedule thereto with the appurtenances thereto belonging for the said period of three years.

Trust may lease surplus land.

6. It shall be lawful for the "Trustees of the Port Chalmers Seamen's Institute" hereinafter referred to as the "Trust" by deed under their corporate seal to lease from time to time at such rent and on such conditions as they may think reasonable such portion of the said parcel of land described in the second Schedule hereto as may not be required for the purposes of the said Institute for any term not exceeding two years.

Application of moneys.

7. All moneys received by the "Trust" for rents issues and profits shall after deducting all necessary expenses incurred in the management thereof be applied wholly and solely for the purposes of the said Institute.

Trust may make rules.

8. It shall be lawful for the "Trust" and they are hereby authorised and empowered from time to time to make and alter rules for regulating their own proceedings and such rules as they may consider necessary and proper for carrying out in an efficient manner the purposes of the said Institute.

FIRST SCHEDULE.

School Reserve, Port Chalmers.

All that parcel of land in the Province of Otago Colony of New Zealand situated in the town of Port Chalmers being sections 391 392 393 394 395 and 396 comprising an area of one (1) acre two (2) roods and four (4) poles more or less (Crown granted to His Honor the Superintendent) as delineated in the record map of the said town in the Survey Office Dunedin.

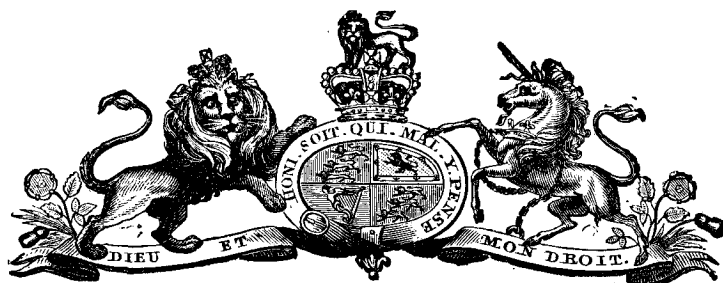
SECOND SCHEDULE.

All that parcel of land in the Province of Otago Colony of New Zealand situated in the town of Port Chalmers being part of school reserve of said town (as per first Schedule) comprising one rood and four poles (1r. 04p.) more or less—commencing at the intersection of Grey street and Scotia street and proceeding east one hundred and sixty-six (166) links along south side of Scotia street thence south one hundred and sixty-six (166) links thence west one hundred and sixty-six (166) links to Grey street thence north along east side of Grey street one hundred and sixty-six (166) links to the starting point.

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OTAGO, N. Z.



MOERAKI HARBOUR BOARD ORDINANCE, 1875.

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

SESSION XXXIV. No 474.

ANALYSIS.

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| <p>Title:
Preamble.
1. Short Title.
2. Harbour Board of Moeraki constituted.
3. Appointment of Board.
4. Board to hold property in trust for improvement of Moeraki Harbour.
5. Provision for appointment of new members</p> | <p>6. Land and money vested in Superintendent to be vested in Board.
7. Provincial Government authorised to payover £3000 to Board.
8. Board may make by-laws &c.
9. Board may appoint officers.
10. Board to keep accounts and furnish balance sheets to be audited.</p> |
|--|---|

An Ordinance to provide for the Improvement of the Harbour of ^{Title.}
Moeraki in the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS under the authority of the "The North Otago District Public Works Loan Act, 1872" the sum of £3000 has been raised by the Colonial Treasurer of New Zealand and paid over to the Provincial Treasurer of the Province of Otago to be applied by the Government of the said Province in the improvement of the Harbour of Moeraki in the said Province And whereas by "The Harbour Boards Act, 1870" it is enacted that the Superintendent and Provincial Council of any Province may from time to time make laws for providing for the constitution of a Harbour Board for any port or ports within such Province and otherwise as therein mentioned And whereas it is desirable to constitute such a Board for the Harbour of Moeraki and to provide for the application of the said sum of £3000 in or towards the improvement and maintenance of the said harbour :

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

1. This Ordinance may be cited and referred to as the "Moeraki Harbour Board Ordinance, 1875."

Harbour Board of Moeraki constituted.

2. There shall be and there is hereby constituted a Harbour Board for the Port of Moeraki in the Province of Otago under the authority of "The Harbour Boards Act 1870" and the limits of the said Port shall be those which have been or may be defined under "The Marine Act 1867."

Appointment of Board.

3. The Superintendent shall by and with the advice and consent of his Executive Council appoint the members of the Board by proclamation in the Provincial Government *Gazette* and the members shall hold office at the will of the Superintendent acting by and with the advice and consent of his Executive Council.

Board to hold property in trust for improvement of Moeraki Harbour.

4. The Moeraki Harbour Board (hereinafter called the said Board) shall acquire and hold all goods chattels and personal property whatsoever which may be required for the improvement maintenance working and management of the said harbour and to acquire and hold to them and their successors all such lands and hereditaments as they may deem necessary as a site or sites for wharfs or warehouses connected with the said harbour or for a road or roads thereto or for any other purposes which they may deem necessary or advisable for the improvement and maintenance and working of the said harbour and the construction and maintenance of works connected therewith.

Provision for appointment of new members.

5. So often as any member of the said Board shall die resign or become incapable to act or be absent from the said Province for the space of six consecutive calendar months or be removed from office the said Superintendent shall 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 member or members of the said Board in the room or stead of the member or members so dying resigning becoming incapable to act or continuing absent as aforesaid.

Land and money vested in Superintendent to be vested in Board.

6. Any land now or hereafter to be vested in the said Superintendent in trust for the purpose of improving and maintaining the Harbour at Moeraki and any money now or hereafter to be held by the said Superintendent or that may be voted by the Provincial Council of the said Province in trust or for the same purpose shall be taken received and held by the said Board upon the same trusts and conditions as are now or may hereafter be attached to the same.

Provincial Government authorised to pay over £3000 to Board.

7. The Provincial Treasurer of the said Province shall forthwith pay to the said Board the said sum of £3000 raised under "The North Otago District Public Works Loan Act 1872."

Board may make by-laws &c.

8. It shall be lawful for the said Board and they are hereby authorised and empowered from time to time to make by-laws regulating the manner in which and times when their meetings shall be called and held their place of meeting and the manner and person by whom their meetings shall be presided over for fixing the number of their members required to be present at the meetings for the exercise and performance of their powers and duties the appointment remuneration and duties of their officers and generally for regulating the conduct of their business and proceedings and all such other by-laws as may appear to be necessary for fully carrying out the purposes of this Ordinance: Provided always that such by-laws shall not be repugnant to the provisions of this Ordinance and provided also that no such by-laws shall come into operation until the same shall have been submitted to the said Superintendent and approved of by him and published in the *Government Gazette* of the said Province.

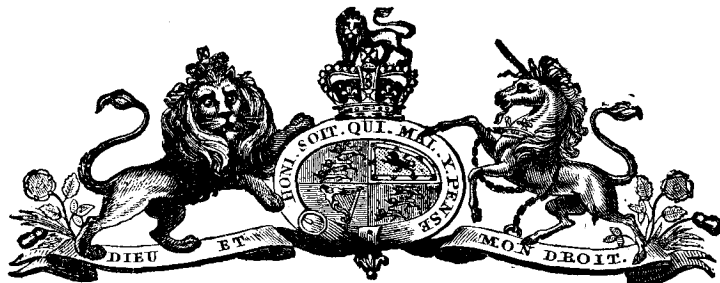
9. It shall be lawful for the Board to appoint a Harbour Master and such surveyors overseers clerks collectors and other officers as they may deem necessary with reasonable salaries or allowances for their trouble. ^{Board may appoint officers.}

10. The Board shall keep accurate accounts of all sums of money received on account of the said harbour and of all costs charges expenses and disbursements in connection with the management and maintenance thereof and within one week after the thirty-first day of March in every year the said Board shall prepare accounts and a balance sheet showing the receipts and disbursements of the said Board during the year ending on that day and the actual financial state of the Board on the same day and such accounts and balance sheet shall be forwarded in duplicate to the said Superintendent who shall cause the same to be forwarded for examination by the Provincial Auditor in manner prescribed by the "Provincial Audit Act 1866" and the Provincial Auditor is hereby empowered and required 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. ^{Board to keep accounts and furnish balance sheet to be audited.}

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OTAGO, N. Z.



OTAGO HARBOUR BOARD LANDS ORDINANCE, 1875.

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

SESSION XXXIV. No. 475.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Lands described in Schedule transferred to and vested in Otago Harbour Board.</p> | <p>3. Harbour Board to manage lands &c.
4. Rents and profits to be applied for greatest advantage of Otago Harbour.
Schedule.</p> |
|--|---|

*An Ordinance to transfer to and vest in the Otago Harbour Board Title.
certain lands vested in the Superintendent of the Province of Otago
in trust for Harbour reclamation.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands and hereditaments described in the Schedule to ^{Preamble.}
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 intituled respectively
"The Public Reserves Act 1854" and "The Public Reserves Act Amend-
ment Act 1862" in trust for the endowment of the Harbour of Otago: And
whereas by the said "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 land vested or which
might be vested in the Superintendent of any Province under the provisions
of the said "Public Reserves Act 1854" upon trust for any public purposes
should be transferred to and vested in and held by any corporation commis-
sion 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 purpose
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 powers provisions
and conditions as should in such Act or Ordinance be expressed or declared:
And whereas it is expedient that the said lands and hereditaments vested in
the Superintendent of the said Province of Otago as aforesaid in trust for
the endowment of the said Harbour of Otago and described in the said
Schedule hereto should be transferred to and vested in the said Harbour

Board incorporated and constituted under the "Otago Harbour Board Ordinance 1874" and the "Otago Harbour Board Ordinance 1874 Amendment Ordinance 1875" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared :

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

Short Title.

1. This Ordinance may be cited and referred to as the "Otago Harbour Board Lands Ordinance 1875."

Lands described in Schedule transferred to and vested in Otago Harbour Board.

2. The Superintendent is hereby authorised by deed under his hand and sealed with the seal of the Province to vest in the Otago Harbour Board the lands described in the Schedule hereto in trust for the endowment of or for purposes of public utility for the said Otago Harbour Board : Provided always that it shall be lawful for the Superintendent to take without compensation any part of the said lands that the said Superintendent may consider necessary for widening or otherwise altering the course of the Dunedin and Port Chalmers Railway or for any other railway.

Harbour Board to manage lands &c.

3. The said Otago Harbour Board may manage the said lands and hereditaments in such manner in every respect as to them shall seem fit and by deed under the common seal of the said Otago Harbour Board may lease the said lands and hereditaments or any part or parts thereof from time to time at such rents issues and profits as they may deem expedient so that such leases be for terms not exceeding twenty-one years to take effect from the time of the execution of such leases respectively.

Rents and profits to be applied for greatest advantage of Otago Harbour.

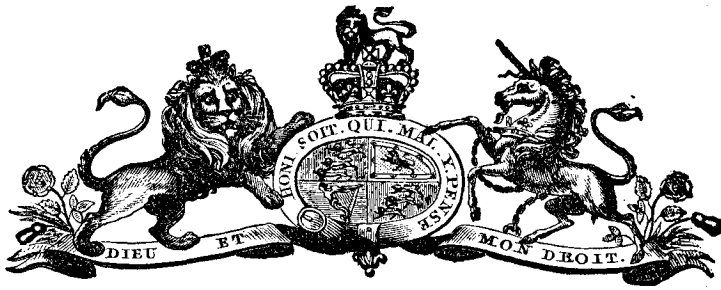
4. All moneys received by the Otago Harbour Board for the rents issues and profits of the said lands and hereditaments shall be managed by the said Harbour Board and shall be applied and disposed of in such a manner as the said Harbour Board shall from time to time think to be for the greatest benefit and advantage of the said Otago Harbour Board.

SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand containing by admeasurement four (4) acres more or less situate in the City of Dunedin being part of area Crown granted to Superintendent in trust for Harbour Reclamation on the map of the said city bounded by a line commencing at a point 50 links distant from the junction of the eastern side of Castle street with the southern side of Stuart street as measured along the prolongation of the southern side of Stuart street and proceeding thence in an east south easterly direction bearing $111^{\circ} 38' 42''$ six hundred and eighty-four (684) links to Harbour Endowment thence in a south south westerly direction bearing $21^{\circ} 38' 42''$ five hundred and eighty-five (585) links thence in a west north westerly direction bearing $111^{\circ} 38' 42''$ six hundred and eighty-four (684) links to Castle street thence in a north north easterly direction along Castle street bearing $21^{\circ} 38' 42''$ five hundred and eighty-five (585) links to the starting point.

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BALCLUTHA RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 476.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Lands described in Schedule to be vested in the Corporation of the Town of Balclutha.</p> | <p>3. Corporation to manage lands described in Schedule under certain provisions.
4. Application of moneys, Schedule.</p> |
|--|---|

An Ordinance to transfer to and vest in the Corporation of the Town of Balclutha certain Lands now vested in the Superintendent of the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance 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 intituled "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 Balclutha were created a corporate body under the style of the "Corporation of the Town of Balclutha:" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas it is expedient that the lands described in the said Schedule hereto should be transferred to and vested in the "Corporation of the Town of Balclutha" upon the trust and with and subject to the powers provisions and conditions hereinafter declared:

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 :—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Balclutha Reserves Management Ordinance, 1875."

Lands described in Schedule to be vested in the Corporation of the Town of Balclutha.

2. The lands described in the Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Balclutha" and its successors as a corporate body to be held by the said Corporation and its successors in trust for a municipal estate for the Town of Balclutha and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said lands by deed or by memorandum of transfer to the said Corporation.

Corporation to manage lands described in Schedule under certain provisions.

3. It shall be lawful for the "Corporation of the Town of Balclutha" to manage the said lands in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding twenty-one years to take effect from the time of the execution thereof.

Application of moneys.

4. All moneys received by the "Corporation of the Town of Balclutha" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance 1865."

SCHEDULE.

All that parcel of land in the Province of Otago in our Colony of New Zealand situate in the Town of Balclutha containing by admeasurement thirty-five (35) acres two (2) roods and ten (10) poles more or less being sections numbered respectively one (1) two (2) three (3) four (4) five (5) six (6) seven (7) eight (8) ten (10) eleven (11) twelve (12) thirteen (13) fourteen (14) fifteen (15) sixteen (16) seventeen (17) eighteen (18) nineteen (19) and twenty (20) block sixteen (XVI) and blocks numbered respectively twelve (XII) thirteen (XIII) fourteen (XIV) and fifteen (XV) together with Reserves numbered respectively one (1) two (2) three (3) and four (4) on the map of the said town as a reserve for a municipal estate for the Town of Balclutha.

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OTAGO, N. Z.



INVERCARGILL CORPORATION BORROWING POWERS EXTENSION ORDINANCE, 1875.

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

SESSION XXXIV. No. 477.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Short Title.
2. Power to Corporation to borrow money on security of rates to extent of Thirty thousand pounds.</p> | <p>3. Provisions of sections 99 to 106 of "Otago Municipal Corporations Ordinance 1865" extended.
4. Mortgages transferable by delivery.</p> |
|---|--|

An Ordinance to Extend the Borrowing Powers of the Council of the Title.
Corporation of Invercargill. [10TH JUNE, 1875.]

WHEREAS by virtue of the second section of the Ordinance of the Preamble. Superintendent and Provincial Council of the Province of Otago made and passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria intituled "An Ordinance to Amend the Otago Municipal Corporations Ordinance 1865" James Macandrew Esquire the then Superintendent of the said Province with the advice of his Executive Council and in exercise and pursuance of the powers and authorities in him vested in that behalf did proclaim and declare that the provisions of the said "Otago Municipal Corporations Ordinance 1865" specified in the first Schedule thereto should extend to the town of Invercargill by and under the name of the Corporation of the Town of Invercargill and should be applicable to and within the municipality thereby created: And whereas with the like advice of the said Executive Council the said Superintendent did proclaim and declare that the provisions contained in section ninety-eight of the "Otago Municipal Corporations Ordinance 1865" should extend to the said town and be applicable to the municipality thereby created with and subject to the following modifications namely the words "Ten thousand pounds" should be substituted instead of the words "One hundred thousand pounds": And whereas it is expedient to increase the borrowing powers of the Council of the said town of Invercargill under the said section ninety-eight modified as aforesaid to the sum of Thirty thousand pounds:

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

1. This Ordinance may be cited and referred to as the "Invercargill Short Title. Corporation Borrowing Powers Extension Ordinance, 1875."

Power to Corporation to borrow money on security of rates to extent of Thirty thousand pounds.

2. It shall be lawful for the Council of the town of Invercargill to borrow at interest on the credit of the rates which the Council are by law authorised to levy from time to time (except special rates) and on the credit of the actual or anticipated receipts revenue and income of the said Corporation from whatever source derived or any part thereof respectively any sum or sums which with any amount previously borrowed under the authority of the "Otago Municipal Corporations Ordinance 1865" or of this Ordinance and remaining unpaid shall not exceed Thirty thousand pounds: And in the event of any part of such money being repaid the Corporation may reborrow the same but so that there shall not be owing upon the security aforesaid at any one time more than the sum of Thirty thousand pounds including any sums borrowed by the said Council under the authority of the "Otago Municipal Corporations Ordinance 1865" and for securing the repayment of the moneys so to be borrowed with interest the Council may assign such rates and such anticipated receipts revenue and income or any part thereof by way of mortgage or otherwise to the person who shall advance or lend such moneys or any part thereof or his trustees as security for the repayment of such advance with interest: But the Council shall not be authorised to borrow or reborrow any such sum or sums of money until a resolution to that effect shall have been previously made by the Council at a meeting specially called for that purpose and at which two-thirds of the members shall be present.

Provisions of sections 99 to 106 of "Otago Municipal Corporations Ordinance 1865" extended.

3. The provisions of sections ninety-nine one hundred one hundred and one one hundred and two one hundred and three one hundred and four one hundred and five and one hundred and six of the "Otago Municipal Corporations Ordinance 1865" shall be applicable to the moneys to be borrowed under this Ordinance and the securities for the same and the interest thereon and this Ordinance shall be read and construed as if the said sections were re-enacted herein.

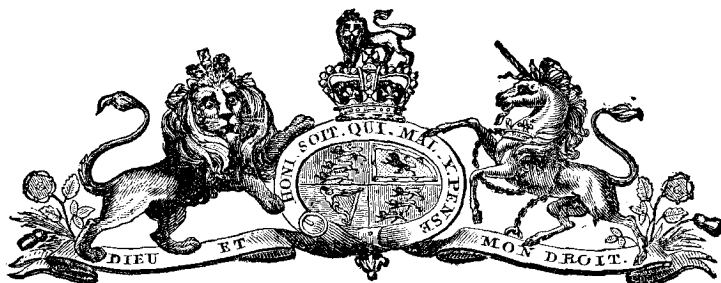
Mortgages transferable by delivery.

4. Notwithstanding anything in the one hundred and second and one hundred and third sections of the "Otago Municipal Corporations Ordinance 1865" to the contrary any mortgage issued by the Corporation of Invercargill under the authority of the said Ordinance or any amendment thereof or of this Ordinance shall be transferable by delivery and the Corporation of Invercargill issuing any such mortgage shall be responsible to the holder for the time being of such mortgage in the same manner and to the same extent as if such mortgage had been transferred by Ordinance and the transfer thereof duly registered as provided by the said Ordinance.

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OTAGO, N. Z.



OAMARU EDUCATION AND MUNICIPAL RESERVES EXCHANGE ORDINANCE, 1875.

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

SESSION XXXIV. No. 478.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Purposes for which lands were reserved changed.</p> | <p>3. Superintendent with consent of Corporation of Oamaru to lease lands.
First and Second Schedules.</p> |
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An Ordinance to enable the Superintendent of the Province of Otago Title.
to exchange part of Education Reserves in Oamaru in the Pro-
vince of Otago for part of Municipal Reserves in the town of
Oamaru.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 19TH JUNE, 1875.]

WHEREAS Crown Grants for the parcels of land described in the Preamble.
Schedules hereto have under and by virtue of "The Public Reserves
Act 1854" been signed by the Governor of New Zealand in the name and
on behalf of Her Majesty and issued under the public seal of the Colony and
the said parcels of land are now vested in the Superintendent of the Province
of Otago and his successors in trust as to the lands in the first Schedule
hereto for purposes of Public Utility to the town and inhabitants of Oamaru
and as to the lands in the second Schedule hereto for the purposes of Educa-
tion: And whereas the School Committee of Oamaru and the Muni-
cipal Council of Oamaru are respectively desirous that the said parcels of land
in the first Schedule hereto shall be exchanged for the parcels of land in the
second Schedule hereto: And whereas it is expedient that the said exchange
be made and that the Superintendent be empowered to complete the same:

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:—

1. This Ordinance may be cited and referred to as the "Oamaru Edu- Short Title.
cation and Municipal Reserves Exchange Ordinance, 1875."

Purposes for which lands were reserved changed.

2. The purposes for which the parcels of land described in the first Schedule hereto were reserved shall be and are hereby changed from a Reserve for the purposes of Education to a Reserve "for purposes of public utility to the town and inhabitants of Oamaru" and the purposes for which the parcels of land described in the second Schedule hereto were reserved shall be and are hereby changed from a Reserve "for purposes of public utility to the town and inhabitants of Oamaru" to a Reserve for the purposes of Education and the Superintendent shall execute all deeds and instruments which may be required for giving effect to the change intended to be hereby effected.

Superintendent with consent of Corporation of Oamaru to lease lands.

3. It shall be lawful for the Superintendent with the consent of the Corporation of the town of Oamaru from time to time to lease the said lands in the said first Schedule upon such terms and conditions as he may think fit provided always that no such lease shall be for any term exceeding twenty-one years from the execution thereof.

FIRST SCHEDULE.

All that parcel of land situate in the town of Oamaru being section numbered twenty-one (21) block eleven (11) on the map of the said town, containing by admeasurement one (1) rood and four (4) poles more or less bounded towards the north-west by section numbered 22 one hundred and thirty-six (136) links towards the north-east by section numbered 20 two hundred and fifty (250) links towards the south-east by Humber street eighty-four (84) links and towards the south-west by Exe street two hundred and fifty-five (255) links.

All that parcel of land situate in the town of Oamaru being section numbered twenty-seven (27) block twenty-five (25) on the map of the said town containing by admeasurement thirty-six (36) poles more or less bounded towards the north-west by Reed street sixty-four (64) links towards the north-east by sections numbered respectively 28 and 29 one hundred and forty-four (144) links also by section numbered 7 one hundred and nine (109) links towards the south-east by section numbered 8 one hundred (100) links and towards the south-west by section numbered 26 two hundred and fifty (250) links.

SECOND SCHEDULE.

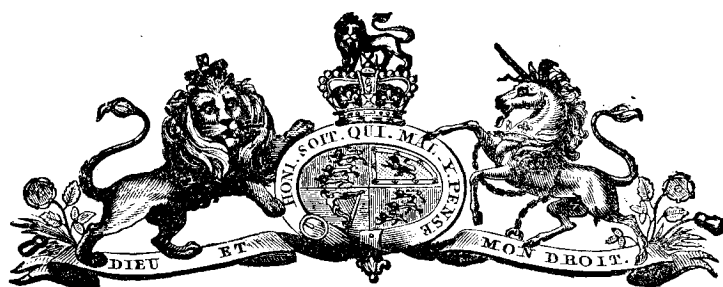
All that parcel of land in the town of Oamaru being section numbered thirteen (13) block nineteen (19) on the map of the said town containing by admeasurement one (1) rood more or less bounded towards the north-west by Reed street one hundred (100) links towards the north-east by section numbered 12 two hundred and fifty (250) links towards the south-east by section numbered 11 one hundred (100) links and towards the south-west by section numbered 14 two hundred and fifty (250) links.

All that parcel of land in the town of Oamaru being section numbered fifteen (15) block eighteen (18) on the map of the said town containing by admeasurement one rood more or less bounded towards the north-west by Reed street one hundred (100) links towards the north-east by section numbered 14 two hundred and fifty (250) links towards the south-east by section numbered 17 one hundred (100) links and towards the south-west by section numbered 16 two hundred and fifty (250) links.

DUNEDIN, NEW ZEALAND:

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OTAGO, N. Z.



KAITANGATA RAILWAY ORDINANCE, 1875.

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

SESSION XXXIV, No. 479.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Kaitangata Railway Company Limited empowered to construct and maintain railway &c.
3. Railway to be confined within limits of deviation shown on deposited plan.
4. Railway to be constructed in accordance with plan.
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9. Accommodation works not required after three months.
10. Crossings allowed until accommodation works completed.
11. Penalty on persons omitting to fasten gates.
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13. Superintendent to deliver possession of Provincial Reserves to Company but Company to have only a right to use land required.
14. Company to commence works when possession given by Superintendent.
15. Superintendent may regulate Company's tariff of fares and charges &c.</p> | <p>16. Superintendent entitled to purchase on giving six months' notice.
17. Company to permit erection of telegraph posts &c. if required by Superintendent.
18. Company not to assign or part with railway without written consent of Superintendent.
19. Undertaking may be abandoned in case of default.
20. Superintendent may take possession of railway works if Company guilty of unreasonable delay.
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22. Existing inclinations of roads crossed or diverted need not be improved.
23. Before roads interfered with others to be substituted.
24. Penalty for not substituting a road.
25. Period of restoration of roads interfered with.
26. Penalty for failing to restore road.
27. Company to repair road used by it.
28. Company to make sufficient approaches and fences &c.
29. Superintendent to have power to order repair of bridges &c.
30. Superintendent empowered to modify construction of roads bridges &c.
31. Arbitration clause.
32. Superintendent may enter into agreement with Company to give effect to Ordinance.
33. Penalties recoverable under "Justices of the Peace Act 1866."
34. Crown rights to foreshore not to be affected.
35. Ordinance to lapse in five years.</p> |
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An Ordinance to facilitate the construction of the Kaitangata Railway Title.
and to make provision for the regulation of the traffic thereof.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 19TH JUNE, 1875.]

WHEREAS a Public Company has been formed and duly incorporated Preamble.
under the "Joint Stock Company's Act, 1860" by the name or style of the Kaitangata Railway and Coal Company (Limited) and hereinafter referred to as "the Company" for the purpose amongst others of constructing a line or lines of Railway connecting the Dunedin and Clutha Railway at the township of Stirling with the township of Kaitangata and the coal mines adjacent thereto in the said Province: And whereas the Company intends to work the said line or lines of Railway with locomotive or other engines passenger and goods carriages waggons trucks and other rolling stock and to provide the necessary station and warehouse accommodation which may be required for the convenience of the public and the purposes of the Company: And whereas the objects and intentions of the Company as expressed in its Memorandum and Articles of Association have been pub-

lished and circulated throughout the Province and are such as ought to meet with encouragement and support: And whereas the Superintendent of the Province of Otago acting by and with the consent and advice of his Executive Council and deeming it desirable in the public interests some time since promised in writing to make or cause to be made certain concessions to the Company as a stimulus to the due and successful prosecution of its enterprise and upon the faith of such promise the Company has expended money and incurred considerable liabilities in and towards the carrying into effect the undertaking for which it was formed and incorporated: And whereas it has been deemed desirable that the understanding and agreement arrived at between the said Superintendent acting as aforesaid by and with the advice of his said Executive Council and the Company should be embodied and ratified in and by an Ordinance of the Superintendent and Provincial Council:

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

Short Title.

1. The short title of this Ordinance shall be the “Kaitangata Railway Ordinance, 1875.”

Kaitangata Railway Company Limited empowered to construct and maintain railway &c.

2. Subject to the conditions and restrictions hereinafter imposed it shall be lawful for the Company to make construct and maintain a line or lines of Railway connecting the Dunedin and Clutha Railway at the township of Stirling with the township of Kaitangata and the coal mines adjacent thereto aforesaid and to erect at each or any of the said places stations warehouses sheds wharfs jetties and all necessary erections appliances and conveniences for the accommodation of passengers and the receipt transit and delivery of goods and merchandise and to use and work upon the said Railway locomotive and other steam-engines carriages trucks and all other rolling stock necessary for the conduct of Railway traffic either of goods or passengers.

Railway to be confined within limits of deviation shown on deposited plan.

3. The said Railway shall be constructed and maintained within the limits of deviation set forth in a plan of the said Railway which has been deposited with the Clerk of the said Provincial Council and such plan shall be deemed to be incorporated with and form part of this Ordinance.

Railway to be constructed in accordance with plan.

4. The said Railway shall be constructed and maintained in accordance with the said plan and not otherwise: Provided nevertheless that if the Provincial Council shall not at the time be in Session and it shall be shown to the satisfaction of the said Superintendent acting by and with the consent and advice of his Executive Council that any error or unintentional omission in the said plan will be calculated to hinder the due prosecution of the Company's works in connection with the said Railway or any variations therefrom will be of benefit it shall be lawful for the said Superintendent acting by and with the consent and advice aforesaid by writing under his hand to authorise the Company to proceed with the said works according to a corrected plan or plans to be approved by the said Superintendent and Executive Council and after such approval deposited with the Clerk of the said Provincial Council.

Lands not to be taken compulsorily.

5. Nothing herein contained shall be deemed to authorise the acquisition compulsorily of any lands tenements or hereditaments required for purposes of the said Railway: And in the event of the Company or any officer servant or workman of the Company or any contractor or sub-contractor engaged in executing any of the Company's works on the said Railway entering upon any lands tenements or hereditaments without the consent of the owner or

owners thereof and before the Company shall have voluntarily acquired from such owner or owners the right to enter and take possession of his or their lands tenements or hereditaments and to use the same for the purposes of the said Railway the Company or the person or persons so offending shall irrespective of its his her or their liability to be sued in trespass or otherwise be liable to a penalty recoverable summarily before any two or more Justices of the Peace not exceeding twenty pounds for every such offence.

6. It shall be lawful for the Superintendent of the said Province by proclamation to be published in the Provincial *Gazette* to give to the Company its successors and assigns for the purposes of the said Railway but subject to the provisions herein contained exclusive permission to use such portions of the lands tenements and hereditaments required for purposes of the said Railway within the limits of deviation shown on the said plan as form part of any reserve or reserves which has or have been already or which may be hereafter duly made according to law and set apart for the uses of the Provincial Government under the Otago Waste Lands Act, 1872 or any amending Act thereof: Provided always that nothing herein contained shall authorise the grant of the said Superintendent to the Company of such permission as aforesaid in respect of any lands tenements or hereditaments already specifically appropriated by Ordinance or proclamation to any special public use or purpose other than Railway purposes: And the said Superintendent is also hereby empowered either by deed to be signed and sealed with the public seal of the Province or by proclamation to be published in the Provincial *Gazette* to give to the Company its successors and assigns for the purposes of the said Railway and works permission to exclusively use such portions of the lands tenements and hereditaments required as aforesaid and within the limits of deviation as aforesaid as form part of any lands vested in the said Superintendent for public purposes under the Public Reserves Act, 1854 or the Public Reserves Act Amendment Act, 1862: Provided always that nothing herein contained shall authorise the grant by the said Superintendent to the Company of such permission as aforesaid in respect of any lands tenements or hereditaments already specifically appropriated to any special public purpose and actually used for such purpose: And it shall also be lawful for the said Superintendent by proclamation to be published in the said Provincial *Gazette* to give (subject to the conditions herein imposed) to the Company its successors and assigns permission to use for the purposes of the said Railway and works such portions of the lands tenements and hereditaments aforesaid as form part of any road or highway the management whereof may be lawfully regulated by or be made subject to the provisions of any Ordinance of the Provincial Council.

Superintendent may grant permission to use Provincial Reserves &c.

7. The Company may upon the lands tenements and hereditaments to be acquired from the owner or owners thereof as aforesaid and upon the lands tenements and hereditaments the use of which may be granted by the Superintendent as aforesaid and upon such portions of the said roads and highways as shall be comprised in any proclamation to be published as aforesaid but upon no other lands tenements or hereditaments execute and carry out in connection with and for the purposes of the said Railway the works hereinafter mentioned throughout this Ordinance:—

Nature of Company's works defined.

- (a) Temporary or permanent inclined planes tunnels embankments aqueducts bridges roads ways passages conduits arches sidings cuttings approaches and fences may be made constructed or erected: Provided that every bridge to be erected for the purpose of carrying the Railway over any road and every bridge erected for carrying any road over the said railway shall be built and constructed to the approval and satisfaction of the said Superintendent or any Engineer or other person appointed by him,

- (b) The course of any public street road highway or thoroughfare or any drain for the outfall of water or which is the bed of any creek stream river pond or lake may be temporarily or permanently altered raised or sunk for the purpose of constructing and maintaining tunnels bridges passages or other works over or under the same.
- (c) Drains or conduits may be made and constructed for the purpose of receiving conveying or discharging water.
- (d) Rails sleepers and ballast may be laid and constructed and such stations offices warehouses buildings yards cranes machinery appliances works and conveniences may be erected supported and maintained for the efficient working of the Railway and works.
- (e) Wharfs and jetties may be erected and maintained at such place or places on and abutting upon the banks of the Clutha River with the consent of the said Superintendent.

Comp'y to supply accommodation works.

8. The Company shall make and at all times thereafter maintain the following works for the accommodation of the owners and occupiers of lands adjoining the Railway (that is to say)—

Such and so many convenient gates bridges arches culverts and passages over under or by the sides of or leading to or from the Railway as shall be necessary for the purpose of making good any interruptions caused by the Railway to the use of the lands through which the railway shall be made and such work shall be made forthwith after the part of the Railway passing over such lands shall have been laid out or formed or during the formation thereof.

Also sufficient posts rails hedges ditches mounds or other fences for separating the land used for the Railway from the adjoining lands and protecting such lands from trespass or the cattle of the owners or the occupiers thereof from straying thereout by reason of the railway together with all necessary gates made to open towards such adjoining lands and not towards the Railway and all necessary stiles and such posts rails and other fences shall be made as soon as conveniently may be.

Also all necessary arches tunnels culverts drains or other passages either over or under or by the sides of the Railway of such dimensions as will be sufficient at all times to convey the water as clearly from the lands lying near or affected by the railway as before the making of the Railway or as nearly so as may be and such works shall be made from time to time as the Railway works proceed :

Provided always that the Company shall not be required to make such accommodation works in such a manner as would prevent or obstruct the working or using of the Railway nor to make any accommodation works with respect to which the owners and occupiers of the lands shall have agreed to receive and shall have been paid compensation instead of the making them or shall not require to be made.

Accommodation works not required after three months.

9. The Company shall not be compelled to make any further or additional accommodation works for the use of owners and occupiers of lands adjoining the Railway after the expiration of six months from the time of the opening for public traffic of any complete portion of the Railway which shall

include or comprise the said accommodation works : Provided nevertheless that the said limit of three months shall be applicable only to the owners and occupiers of land adjoining the Railway from and after the time of the completion of the particular portion of the Railway adjoining which the said land shall be situate.

10. Until the said Company shall have made the bridges or other pro-
per communications which under the provisions herein contained it has been
required to make between lands intersected by the Railway and no longer
the owners and occupiers of such lands and any other persons whose right-
of-way shall be affected by the want of such communication and their respec-
tive servants may at all times freely pass and repass with carriages horses
and other animals directly (but not otherwise) across the part of the Rail-
way made in or through their respective lands solely for the purpose of
occupying the same lands or for the exercise of such right-of-way and so as
not to obstruct the passage along the Railway or to damage the same never-
theless if the owner or occupier of any such lands have in his arrangements
with the Company received or agreed to receive compensation for or on
account of any such communications instead of the same being formed such
owner or occupier or those claiming under him shall not be entitled so to
cross the Railway.

Crossings allowed un-
til accommodation
works completed.

11. If any person omit to shut and fasten any gate set up at either side
of the Railway for the accommodation of the owners or occupiers of the
adjoining lands as soon as he and the carriage cattle or other animals under
his care have passed through the same he shall forfeit for every such offence
any sum not exceeding forty shillings recoverable summarily before any two
Justices of the Peace.

Penalty on persons
omitting to fasten
gates.

12. During the construction of the said Railway and the execution of
the works connected therewith and after the completion thereof the said
Superintendent shall be at liberty at all reasonable times to direct any
Engineer or other proper officer of the Provincial Government to inspect the
works the rolling-stock and buildings of the Company and any requisition
which the said Superintendent shall thereafter upon the recommenda-
tion of the said Engineer or other officer as aforesaid make requiring the
Company to effect any necessary alteration or repair in to or upon the work
rolling-stock or buildings of the Company shall be immediately thereafte
obeyed and carried out.

Superintendent to
possess powers of in-
spection over Com-
pany's works.

13. Within six calendar months after the passing of this Ordinance the
said Superintendent shall deliver to the Company or any contractor engineer
servants or workmen authorised by it possession of all lands tenements and
hereditaments the use of which the said Superintendent is hereinbefore em-
powered to give to the said Company its successors and assigns for the
purposes of the Railway : Provided always that the said Company shall
acquire no more than a right to use or an easement in and upon the said
lands tenements and hereditaments for the purposes and to the extent hereby
enacted and declared but revocable only in the event of the said Superinten-
dent exercising the power of pre-emption hereinafter contained.

Superintendent to de-
liver possession of
Provincial Reserves
to Company but Com-
pany to have only a
right to use land re-
quired.

14. The Company shall without any inexcusable delay immediately
after possession shall be given by the said Superintendent as aforesaid com-
mence or resume the construction of the said Railway works and shall prose-
cute the same to completion without delay or intermission unless hindered
or prevented by some unforeseen cause or impediment : And the Company
shall also in like manner and as the state of the said Railway works shall
permit and require it proceed with the erection of all buildings and supply
the necessary accommodation for the safe proper and convenient conduct of
passengers and goods traffic on the said Railway.

Company to com-
mence works when
possession given by
Superintendent.

Superintendent may regulate Company's tariff of fares and charges &c.

15. The said Superintendent acting by and with the advice and consent of his Executive Council may should he think it expedient so to do from time to time by proclamation to be published in the *Provincial Gazette* make alter and revoke regulations fixing rates fares and rent to be charged by the Company for the carriage of goods and passengers and the storage of goods in any of the Company's sheds or warehouses the number of trains to run each day the time of their arrival and departure from the terminal and intermediate stations and generally imposing such restrictions upon the conduct of the business and traffic of the Company as may in the opinion of the said Superintendent be most conducive to the public interest and welfare and may affix a penalty of not exceeding £100 to the breach of any of the regulations so to be proclaimed as aforesaid and the said Superintendent may also from time to time with the consent and advice aforesaid by proclamation to be published as aforesaid authorise and empower any trains or rolling stock the property of the Province to be run upon the said Railway after the completion thereof and to stop at the terminal and other stations aforesaid and may also from time to time by any such proclamation authorise and empower any Company or persons upon payment to "the Company" of such rates of charges as may be fixed in that behalf in and by any such proclamation to run trains or rolling stock upon the said Railway and to stop at the said terminal and other stations: Provided always that a copy of all regulations to be made by the said Superintendent as aforesaid shall be laid on the table of the Provincial Council within fourteen days after the commencement of each Session and any alteration or amendment in such regulations which the said Provincial Council shall by address to be forwarded to the said Superintendent recommend the said Superintendent shall immediately thereafter carry into effect if he shall approve of the same.

Superintendent entitled to purchase on giving six months notice.

16. The said Superintendent shall be entitled upon giving six calendar months' notice in writing to the Company to purchase the Railway works of the Company together with its rolling stock plant implements and all its rights powers and privileges at a price to be determined by arbitration the award being that of three arbitrators or any two of them one arbitrator being chosen by the said Superintendent another by the Company and the third arbitrator by the two other arbitrators. In determining the price to be paid to the Company the said arbitrators shall not award any compensation to the Company in respect of the lands tenements and hereditaments the use of which shall have been acquired from the Superintendent under the provisions of this Ordinance but the Company shall receive in respect of such lands tenements and hereditaments the fair value of all improvements made on such lands and an equivalent for the expenditure laid out thereon Upon payment of the compensation so to be awarded the Company shall assign and transfer to the said Superintendent all its estate property and interest in the said railway plant rolling-stock and everything appurtenant thereto: Provided always that no compensation whatever shall be paid for any goodwill of the said Railway nor for anything save and except the actual value of the land owned by the Company and the improvements effected thereon and for the improvements effected on land belonging to the Government as stated in this section: Provided nevertheless that nothing herein contained shall authorise the purchase by the said Superintendent of the coal mines of the Company or of that portion of the Railway and works connected therewith and the machinery rolling-stock plant implements sheds and depôts required by the Company in connection with the said coal mines and that on any such purchase by the said Superintendent due provision shall be made for the carriage of the coals of the Company along and over the line of Railway so to be purchased and the lines of railway connected therewith upon terms to be determined by arbitration as aforesaid.

Company to permit erection of telegraph posts &c. if required by Superintendent.

17. In case the Colonial Government should at any time desire to construct a line or lines of telegraph posts and wires along the line of the said

railway and within the fences enclosing the same the Company shall upon the request of the said Superintendent permit any person or persons appointed in that behalf or any contractors or workmen employed for the purpose to have access to the lands tenements and hereditaments in the use and occupation of the Company in order that the said posts and wires may be erected but subject however to such conditions being imposed to guard against any unnecessary injury to the works or property of the Company and for making good any injury or disturbance to the said lands tenements and hereditaments or the Company's said works as may be just and expedient.

18. The Company shall not voluntarily assign or part with its beneficial interest in its said Railway without the consent in writing of the said Superintendent first had and obtained : Provided always that such consent shall not be necessary if the Company shall at any time give six calendar months notice in writing to the said Superintendent intimating its intention to dispose of its interests in the said Railway and the said Superintendent shall not within such period of six calendar months give notice of his intention to purchase the said Railway in exercise of the power in that behalf hereinbefore contained.

Company not to assign or part with railway without written consent of Superintendent.

19. In the event of any wilful breach of any material stipulation or obligation assumed by or raised on the part of the Company or the said Superintendent it shall be lawful for the Company not being the party in default to give notice to the said Superintendent and it shall be lawful for the said Superintendent not being the party in default to give notice to the Company that if the Company or he the said Superintendent as the case may be has elected in consequence of the breach aforesaid not to act proceed or observe further the provisions of this Ordinance : And in such event the party in default shall be liable to make good and pay to the party not in default such damages as it or he as the case may be may have sustained.

Undertaking may be abandoned in case of default.

20. In the event of any unreasonable or inexcusable delay in the prosecution of the said Railway works or in the event of the Company after the completion of the said works in whole or in part so that the whole or any complete part or section of the line may be used for the purposes of traffic not running for the space of three clear days without reasonable excuse trains at the times and in manner fixed and determined by the said Superintendent the said Superintendent may take possession and assume the management of the said Railway and works and complete the same and conduct the traffic thereon charging the Company with all outlay and expenditure which may be entailed and crediting the Company with all earnings and receipts And in such event there shall be paid by the Company to the said Superintendent and by the said Superintendent to the Company the balance which shall thereafter be found to be due from the one to the other of them from time to time the accounts being computed and rendered at intervals of not less than six calendar months.

Superintendent may take possession of railway works if Company guilty of unreasonable delay.

21. If the Railway cross any public road or highway by a first-class level crossing the Company shall erect and at all times maintain good and sufficient gates across such road or highway on each side of the railway where the same shall communicate therewith and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such road or highway on both sides of the Railway except during the time when horses, cattle, carts, or carriages passing along the same shall have to cross such Railway and such gates shall be of such dimensions and so constructed as when closed to fence in the Railway and prevent cattle or horses passing along the road or highway from entering upon the Railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses, cattle, carts or carriages shall have passed through the same under a penalty of forty shillings (recoverable summarily before any

Provision in cases where roads are crossed on a level.

two Justices of the Peace) for every default therein: Provided always in any case that the gates on any such crossing over any such road may be kept closed across the Railway instead of across the road and in such case such gates shall be kept constantly closed across the Railway except when engines or carriages passing along the railway shall have occasion to cross such road in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the road.

Existing inclinations of roads crossed or diverted need not be improved.

22. If the mesne inclination of any road within two hundred and fifty yards of the point of crossing the same or the inclination of such portion of any road as may require to be altered or for which another road shall be substituted shall be steeper than the inclination which may be so required to be preserved by the Company then the Company may carry any such road over or under the Railway or may construct such altered or substituted road at an inclination not steeper than the said mesne inclination of the road so to be crossed or of the road so requiring to be altered or for which another road shall be substituted.

Before roads interfered with others to be substituted.

23. If in the exercise of the powers by this Ordinance granted it be found necessary to cross-cut through raise sink or use any part of any road whether carriage road horse road or tram road either private or public so as to render it impassable for or dangerous or extraordinarily inconvenient to passengers or carriages or to the persons entitled to the use thereof the Company shall before the commencement of any such operations cause a sufficient road to be made instead of the road to be interfered with and shall for twelve months from the time of the completion of such substituted road at its own expense maintain the same in a state as convenient for passengers and carriages as the road so interfered with or as nearly so as may be: Provided always that in any case in which it shall be made to appear to the Superintendent before the commencement of any such operations as before mentioned to be impossible or extraordinarily inconvenient to cause such substituted road to be made before the commencement of the operations interfering with such existing road it shall be lawful for the Superintendent by writing under his hand to dispense with compliance with the provisions of this section for such period as shall be named in such writing not exceeding one month from the time of commencement of such operations.

Penalty for not substituting a road.

24. If the Company does not cause another sufficient road to be so made before they interfere with any such existing road as aforesaid or within the time which may be so limited by the Superintendent as aforesaid it shall forfeit twenty pounds for every day during which such substituted road shall not be made after the existing road shall have been interrupted.

Period of restoration of roads interfered with.

25. If the road so interfered with can be restored compatibly with the formation and use of the Railway the same shall be restored to as good a condition as the same was in at the time when the same was first interfered with by the Company or as near thereto as may be and if such road cannot be restored compatibly with the formation and use of the Railway the Company shall cause the new or substituted road to be put into a permanently substantial condition equally convenient as the former road or as near thereto as circumstances will allow and the former road shall be restored or the substituted road put into such condition as aforesaid as the case may be within the period of six months after the first operation on the former road shall have been commenced unless the Local Board of the District in which such road is situate shall by writing under the hand of the Chairman of the said Board consent to an extension of the period and in such case within such extended period.

26. If any such road be not restored or the substituted road so completed as aforesaid within the said period of six months or within such extended period as aforesaid the Company shall forfeit and pay the sum of five pounds for every day after the expiration of such period respectively during which such road shall not be so restored or the substituted road completed. Penalty for failing to restore road.

27. If in the course of making the Railway the Company shall use or interfere with any road it shall from time to time make good all damage done by it to such road under a penalty not exceeding fifty pounds. Company to repair road used by it.

28. If the Railway shall cross any road or highway on the level the Company shall at its own expense make and at all times maintain convenient ascents and descents and other convenient approaches with hand rails or other fences and shall if such road or highway be a bridle way erect and at all times maintain good and sufficient gates and if the same shall be a foot-way good and sufficient gates or stiles on each side of the railway where the road or highway shall communicate therewith under a penalty of five pounds for every day it fails to do so. Company to make sufficient approaches and fences &c.

29. Where under the provisions of this Ordinance the Company is required to maintain or keep in repair any bridge fence approach gates or other work executed by it it shall be lawful for the Superintendent on the application of the Trustees of the Local Road Board or other the governing body of the district where such work may be situate complaining that any such work is out of repair after not less than ten days' notice to the Company to order the Company to put such work into complete repair within a period to be limited for that purpose by such Superintendent and if the Company fails to comply with such order it shall forfeit and pay the sum of five pounds for every day it fails so to do. Superintendent to have power to order repair of bridges &c.

30. In case any difference in regard to the construction alteration or restoration of any road or bridge or other public work of an engineering nature required by the provisions of this Ordinance shall arise between the Company and Local Board of Road Trustees or other the governing body of any district or place through which the Railway shall pass it shall be lawful for either party after giving fourteen days' notice in writing of its or their intention so to do to the other party to apply to the Superintendent to decide upon the proper manner of constructing altering or restoring such road bridge or other work and it shall be lawful for the Superintendent if he shall think fit to decide the same accordingly and to authorise by certificate in writing any arrangement or mode of construction in regard to such road bridge or other work which shall appear to him either to be in substantial compliance with the provisions of this Ordinance or to be calculated to afford equal or greater accommodation to the public using such road bridge or other work and after any such certificate shall have been given by the Superintendent the road bridge or other work therein mentioned shall be constructed by the Company in conformity with the terms of such certificate and being so constructed shall be deemed to be constructed in conformity with the provisions of this Ordinance: Provided always that no such certificate shall be granted by the Superintendent unless he shall be satisfied that existing private rights or interests will not be injuriously affected thereby. Superintendent empowered to modify the construction of roads bridges &c.

31. Should any difference or misunderstanding arise between the Company and the said Superintendent concerning or relating to any act deed matter or thing done or omitted to be done in connection with the said Railway or anything contained in this Ordinance such difference or misunderstanding shall be referred to the arbitrament of two persons to be mutually chosen by the Company and the said Superintendent and of a third person to be chosen by the said two arbitrators and the award and decision of such three persons or any two of them shall be binding and conclusive in respect of the matters referred. Arbitration clause.

Superintendent may enter into agreement with Company to give effect to Ordinance.

32. It shall be lawful for the said Superintendent with the advice and consent of his Executive Council by deed under seal or in any other manner to enter into any contract or agreement with the Company in order to give effect to the provisions herein contained and to render the Company its successors and assigns bound thereby.

Penalties recoverable under "Justices of the Peace Act 1866."

33. The penalties imposed by this Ordinance shall be recoverable only in manner and form provided by the Justices of the Peace Act 1866 and any Act or Acts amending the same.

Crown rights to foreshore not to be affected.

34. Nothing in this Ordinance contained shall be taken or deemed to sanction any interference with the rights of the Crown to any lands tenements or hereditaments below high water mark.

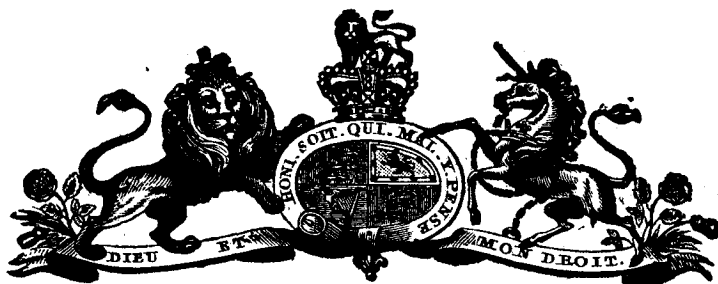
Ordinance to lapse in five years.

35. This Ordinance shall cease to have force and shall expire at the expiration of five years from the time the same shall receive the Governor's assent unless the said Railway shall be completed within such period of five years.

DUNEDIN, NEW ZEALAND :

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OTAGO, N. Z.



INVERCARGILL TOWN HALL SITE ORDINANCE, 1875.

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

SESSION XXXIV. No. 480.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Superintendent may convey to Corporation of Invercargill.
Schedule.

An Ordinance to authorise the Superintendent of the Province of Otago to convey to the Corporation of the town of Invercargill certain land vested in the Superintendent.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the land described in the Schedule hereto are vested in the Superintendent under "The Public Reserves Act 1854" and whereas it is expedient to convey to the Corporation of the town of Invercargill the said land for the purpose of a site for a Town Hall :

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 :—

1. This Ordinance may be cited and referred to as the "Invercargill Town Hall Site Ordinance, 1875."

2. It shall be lawful for the Superintendent of the Province of Otago to convey and assure to the Corporation of the town of Invercargill the land described in the Schedule hereto with the erections and buildings thereon and the appurtenances for the purpose of a site for a Town Hall : Provided always that until a building for a Post-office shall have been erected on the portion of the said Reserve which by the "Invercargill Public Offices Ordinance 1875" the Superintendent was authorised to convey to Her Majesty the Queen the building now erected on the said land described in the Schedule hereto may be used as a Post-office and no such conveyance as hereby authorised shall be executed by the Superintendent until such building shall have been erected and opened as a Post-office.

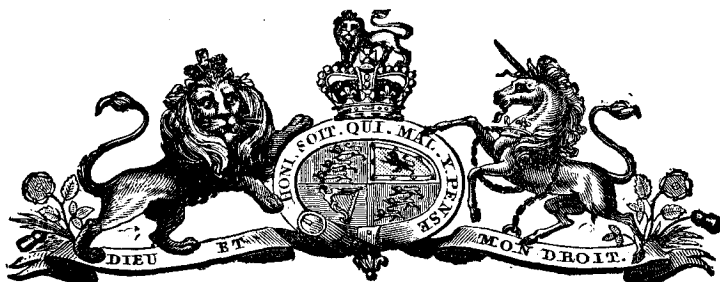
SCHEDULE.

All that parcel of land in the Province of Otago and Colony of New Zealand containing by admeasurement twenty (20) poles more or less being part of Reserve Block in the town of Invercargill enclosed within Dee street Esk street and the Crescent commencing at intersection of Tay street Dee street and Crescent thence due north along the west side of Dee street one hundred and one and five tenths (101.5) links thence due west one hundred and thirty-two and six tenths (132.6) links thence due south eighty-one and five tenths (81.5) links to the Crescent thence south easterly along the Crescent one hundred and thirty-four (134) links to the starting point.

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OTAGO, N. Z.



ARROWTOWN WATER WORKS EMPOWERING ORDINANCE, 1875.

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

SESSION XXXIV. No. 481.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. "Municipal Corporations Water Works Act 1872" brought into operation for Arrowtown.

An Ordinance to extend the provisions of "The Municipal Corporations Water Works Act, 1872" to the Municipality of Arrowtown in the Province of Otago. Title.
[3RD JUNE, 1875.]

WHEREAS by "The Municipal Corporations Water Works Act, 1872" Preamble.
it is provided that the said Act may be brought into operation in and for any borough within any Province by any Act or Ordinance of the Superintendent and Provincial Council of such Province: And whereas it is desirable to bring the said Act into operation in the town of Arrowtown being a borough in the Province of Otago within the meaning of the said Act:

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:—

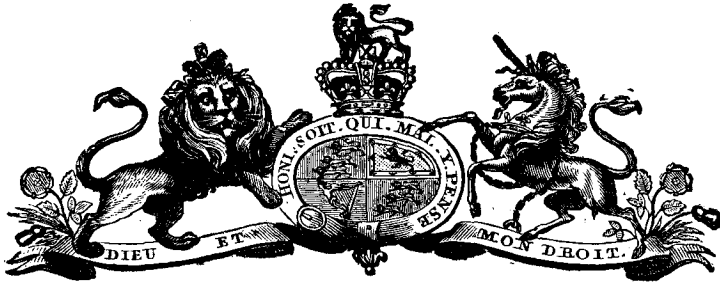
1. This Ordinance may be cited and referred to as the "Arrowtown Water Works Empowering Ordinance, 1875." Short Title.

2. The Act of the General Assembly of New Zealand shortly intituled "The Municipal Corporations Water Works Act, 1872" is hereby brought into operation in and for the town of Arrowtown and shall take effect on and from the first day of November one thousand eight hundred and seventy-five. "Municipal Corporations Water Works Act, 1872" brought into operation for Arrowtown.

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OTAGO, N. Z.



SOUTHLAND RAILWAYS ORDINANCE, 1875.

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

SESSION XXXIV. No. 482.

ANALYSIS.

Title.
Preamble.Short Title.
1. Superintendent may make by-laws.

An Ordinance to give the Superintendent power to make By-laws and Regulations for certain Railways in the District of Southland. Title.
[19TH JUNE, 1875.]

WHEREAS it is expedient to grant certain powers to the Superintendent of Otago to make By-laws and Regulations for the Southland Railways : 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 :--

1. This Ordinance may be cited and referred to as the "Southland Railways Ordinance, 1875." Short Title.

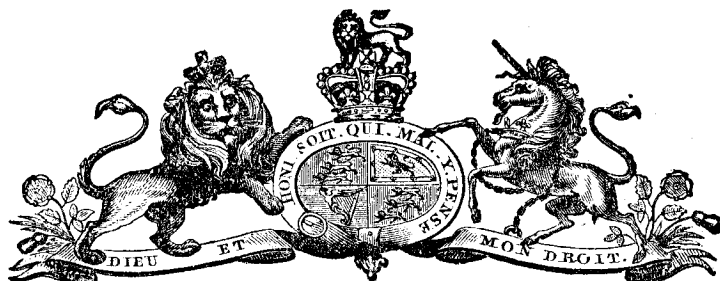
2. It shall be lawful for the Superintendent of Otago and he is hereby authorised and empowered to make such By-laws and Regulations for the travelling upon and the maintenance conducting and using of the Railways authorised to be constructed by the "Bluff and Invercargill Railway Ordinance 1863" No. 31 and the "Oreti Railway Ordinance 1863" No. 47 both made and passed by the Superintendent and Provincial Council of the Province of Southland as to him shall seem meet or to declare that the By-laws and Regulations now in force or which may hereafter be in force for regulating the travelling upon and the using of the Railway between the City of Dunedin and Port Chalmers in the said Province of Otago shall be in force for the said Railways. Superintendent may make by-laws.

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OTAGO, N. Z.



OUTRAM AND GREYTOWN RAILWAY ORDINANCE, 1875.

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

SESSION XXXIV. No. 483.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Power of promoters of undertaking to construct Railway and works.
4. Provision of Lands Clauses Consolidation Act, 1833, to apply to this Ordinance.
5. Power to deviate.
6. Works to be executed.
7. Proviso as to damages.
8. Power to take temporary possession of land with the consent of the owners thereof.
9. Provisions in cases where roads are crossed on a level.
10. Construction of bridges over roads and over Railways.</p> | <p>11. Before roads interfered with others to be substituted.
12. Penalty for not substituting road.
13. Promoters to repair roads used by them.
14. Superintendent to have power to order repair of bridges &c.
15. Superintendent may regulate Company's tariff of fares and charges.
16. Superintendent entitled to purchase on giving six months notice.
17. Accommodation works.
18. Penalty on persons omitting to fasten gates.
19. Title to soil of roads &c. not to be affected.
20. Ordinance to expire if Railway not completed in three years.
21. Interpretation Ordinance 1865 incorporated.
22. Penalties to be recovered in a summary way.
23. Maximum penalty.</p> |
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An Ordinance intituled the "Outram and Greytown Railway Ordinance, 1875." Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS certain persons have formed themselves into a Limited Liability Company under the Joint Stock Company's Act 1860 for the purpose of making a Railway from Greytown in the Province of Otago to the West Taieri Bridge at Outram in the said Province for the purpose of carrying passengers cattle and merchandise : And whereas the said Company is called "The Outram and Greytown Branch Railway Company (Limited)" : And whereas the said Company have acquired or agreed to acquire by purchase or otherwise from the owners thereof the lands over which the said Railway is intended to pass with the exception of portions of several District Road Lines over which it is intended to carry the said Railway : And whereas the said intended Railway is a work of great utility and will be highly beneficial to the said Province of Otago : And whereas it is necessary for the due carrying out of the said intended Railway that the said Company shall have power to lay down and maintain lines of Rails across the several District Roads shown on the plan deposited with the Clerk of the Provincial Council of Otago as relative to this Ordinance and to run locomotives thereon ;

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 :—

Short Title.

1. The short title of this Ordinance shall be the “Outram and Greytown Railway Ordinance, 1875.”

Interpretation.

2. The following words and expressions used in this Ordinance and so far as lawfully may be in any Act or Ordinance hereinafter mentioned or referred to shall have the meanings hereby assigned to them unless there be something in the context repugnant to such construction that is to say :—

The words “person” or “persons” shall include the Superintendent for the time being of the Province of Otago and a Corporation aggregate or sole and any person or body of persons whether incorporated or unincorporated.

The word “Railway” shall mean the Railway and Works connected therewith in this Ordinance specified and authorised to be constructed and made by or under the provisions of this Ordinance.

The expression “the undertaking” shall mean the Railway and Works hereby authorised to be constructed and executed and the right to construct and maintain the same and where not inconsistent with the context all the powers and privileges belonging and appertaining thereto.

The words “the said Company” shall mean the Outram and Greytown Branch Railway Company (Limited).

Power of promoters of undertaking to construct Railway and works.

3. It shall be lawful for the said Company to make construct and maintain in through over or upon any lands which already have been or hereafter may be acquired by the said Company and in through over and across any district or other roads set forth on the said plan so deposited as aforesaid a Railway with wharfs jetties and approaches and other necessary erections and conveniences connected therewith such Railway to commence at a point at or near the township of Greytown and terminate at the township of Outram as the line of the said Railway is set forth in the said plan so deposited as aforesaid or within the limits of deviation set forth in the said plan.

Provision of Lands Clauses Consolidation Act 1863 to apply to this Ordinance.

4. The “Lands Clauses Consolidation Act 1863” and all the clauses and provisions thereof shall so far as the same shall be applicable form part of this Ordinance.

Power to deviate.

5. The said Company in constructing the Railway may deviate from the line laid down in the plan but may not take or use for the purpose of such deviation any land not comprised within the limits of deviation referred to in Section 3 of this Ordinance without the consent in writing of the owner of such land.

Works to be executed.

6. Subject to the provisions and restrictions in this Ordinance and the said “Lands Clauses Consolidation Act 1863” it shall be lawful for the said Company for the purpose of constructing the said Railway or the accommodation works connected therewith respectively hereinafter mentioned to execute any of the following works (that is to say)—

They may make or construct in upon across under or over any lands or any streets hills valleys roads tramroads rivers brooks streams or other waters within the lands described in the said plan such temporary or permanent inclined planes tunnels embankments aqueducts bridges roads ways passages conduits drains piers arches cuttings and fences as they think proper.

They may alter the course of any rivers brooks streams or watercourses and of any branches of navigable waters within such lands for the purpose of constructing and maintaining tunnels bridges passages or other works over or under the same and divert or alter as well temporarily as permanently the course of any such rivers or streams of water roads streets or ways or raise or sink the level of any such rivers or streams roads streets or ways in order the more conveniently to carry the same over or under or by the side of the Railway as they may think proper.

They may make drains or conduits into through or under any lands adjoining the Railway for the purpose of conveying water from or to the Railway.

They may erect and construct such houses warehouses offices and other buildings yards stations wharfs engines machinery apparatus and other works and conveniences as they think proper.

They may from time to time alter repair or discontinue the before-mentioned works or any part of them and substitute others in stead and

They may do all other acts necessary for making maintaining altering or repairing and using the Railway.

7. Provided always that in the exercise of the powers by this Ordinance granted the said Company shall do as little damage as can be. Proviso as to damages.

8. Subject to the provisions herein contained it shall be lawful for the said Company at any time to enter upon any lands with the consent of the owners thereof and to occupy the said lands so long as may be necessary for the construction or repair of that portion of the Railway or of the accommodation works connected therewith hereinafter mentioned and to use the same for any of the following purposes (that is to say)—

For the purpose of taking earth or soil by side cuttings therefrom.

For the purpose of depositing soil thereon.

For the purpose of obtaining materials therefrom for the construction or repair of the Railway or such accommodation works as aforesaid or

For the purpose of forming roads thereon to or from or by the side of the Railway or erecting

thereon workshops sheds and other buildings of a temporary nature: Provided always that nothing in this Ordinance contained shall exempt the said Company from an action for nuisance or other injury if any done in the exercise of the powers hereinbefore given to the lands or habitations of any party other than the party whose lands shall be taken or used for any of the purposes of this Ordinance: Provided also that no stone or slate quarry brickfield or other like place which at the time of the passing of this Ordinance shall be commonly worked or used for getting materials therefrom for the purpose of selling or disposing of the same shall be taken or used by the said Company either wholly or in part for any of the purposes lastly hereinbefore mentioned.

9. Whenever the Railway shall cross any public road or highway on a level the said Company shall erect and at all times maintain good and sufficient gates across such road or highway on each side of the railway where the same shall communicate therewith and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such road or highway on both sides of the Railway except during the time when

Power to take temporary possession of land, with the consent of the owners thereof.

Provisions in cases where roads are crossed on a level.

horses cattle carts or carriages passing along the same shall have to cross such Railway and such gates shall be of such dimensions and so constructed as when closed to fence in the Railway and prevent cattle or horses passing along the road or highway from entering upon the Railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings for every default therein: Provided always in any case that the gates on any level crossing over any such road may be kept closed across the Railway instead of across the road and in such case such gates shall be kept constantly closed across the Railway except when engines or carriages passing along the Railway shall have occasion to cross such road in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the road.

Construction of bridges over roads and over Railways.

10. Every bridge to be erected for the purpose of carrying the Railway over any road and every bridge erected for carrying any road over the Railway shall respectively be built in conformity with such regulations as may be approved of by the Superintendent or his appointee.

Before roads interfered with others to be substituted.

11. If in the exercise of the powers by this Ordinance granted it be found necessary to cross cut through raise sink or use any part of any road whether carriage road horse road or tram road either public or private so as to render it impassable for or dangerous or extraordinarily inconvenient to passengers or carriages or to the persons entitled to the use thereof the said Company shall before the commencement of any such operation cause a sufficient road to be made instead of the road to be interfered with and shall for twelve months from the time of the completion of such substituted road at their own expense maintain the same in a state as convenient for passengers and carriages as the road so interfered with or as nearly so as may be: Provided always that in any case in which it shall be made to appear to the Superintendent before the commencement of any such operations as before mentioned to be impossible or extraordinarily inconvenient to cause such substituted road to be made before the commencement of the operations interfering with such existing road it shall be lawful for the Superintendent by writing under his hand to dispense with compliance with the provisions of this clause for such period as shall be named in such writing not exceeding one month from the time of commencement of such operations.

Penalty for not substituting a road.

12. If the said Company do not cause another sufficient road to be so made before they interfere with any such existing road as aforesaid or within the time which may be so limited by the Superintendent as aforesaid they shall forfeit twenty pounds for every day during which such substituted road shall not be made after the existing road shall have been interrupted.

Promoters to repair roads used by them.

13. If in the course of making the Railway the said Company shall use or interfere with any road they shall from time to time make good all damage done by them to such road under a penalty not exceeding fifty pounds.

Superintendent to have power to order repair of bridges &c.

14. Where under the provisions of this Ordinance the said Company are required to maintain or keep in repair any bridge fence approach gates or other work executed by them it shall be lawful for the Superintendent on the application of the Corporation Trustees of the Local Road Board or other the governing body of the district where such work may be situate complaining that any such work is out of repair after not less than ten days' notice to the said Company to put such work into complete repair within a period to be limited for that purpose by such Superintendent and if the said Company fail to comply with such order they shall forfeit and pay the sum of five pounds for every day they shall fail so to do.

15. The said Superintendent acting by and with the advice and consent of his Executive Council may should he think it expedient so to do from time to time by proclamation to be published in the *Provincial Gazette* make alter and revoke regulations fixing rates fares and rent to be charged by the Company for the carriage of goods and passengers and the storage of goods in any of the Company's sheds or warehouses the number of trains to run each day the time of their arrival and departure from the terminal and intermediate stations and generally imposing such restrictions upon the conduct of the business and traffic of the Company as may in the opinion of the said Superintendent be most conducive to the public interest and welfare and may affix a penalty of not exceeding £100 to the breach of any of the regulations so to be proclaimed as aforesaid and the said Superintendent may also from time to time with the consent and advice aforesaid by proclamation to be published as aforesaid authorise and empower any trains or rolling stock the property of the Province to be run upon the said Railway after the completion thereof and to stop at the terminal and other stations aforesaid and may also from time to time by any such proclamation authorise and empower any Company or persons upon payment to "the Company" of such rates of charges as may be fixed in that behalf in and by any such proclamation to run trains or rolling stock upon the said Railway and to stop at the said terminal and other stations: Provided always that a copy of all regulations to be made by the said Superintendent as aforesaid shall be laid on the table of the Provincial Council within fourteen days after the commencement of each Session and any alteration or amendment in such regulations which the said Provincial Council shall by address to be forwarded to the said Superintendent recommend the said Superintendent shall immediately thereafter carry into effect if he shall approve of the same.

Superintendent may regulate Company's tariff of fares and charges.

16. The said Superintendent shall be entitled upon giving six calendar months' notice in writing to the Company to purchase the Railway works of the said Company together with its rolling stock plant implements and all its rights powers and privileges at a price to be determined by arbitration the award being that of three arbitrators or any two of them one arbitrator being chosen by the said Superintendent another by the said Company and the third arbitrator by the two other arbitrators: Provided always that no such notice as aforesaid shall be given by the Superintendent upon the previous recommendation of the Provincial Council. In determining the price to be paid to the said Company the said arbitrators shall not award any compensation to the said Company in respect of any lands tenements and hereditaments the use of which shall have been acquired from the Superintendent but the said Company shall receive in respect of such lands tenements and hereditaments the fair value of all improvements made on such lands and an equivalent for the expenditure laid out thereon: Upon payment of the compensation so to be awarded the said Company shall assign and transfer to the said Superintendent all its estate property and interest in the said Railway plant rolling-stock and everything appurtenant thereto: Provided always that no compensation whatever shall be paid for any goodwill of the said Railway nor for anything save and except the actual value of the land owned by the said Company and the improvements effected thereon and for the improvements effected on land belonging to the Superintendent as stated in this section.

Superintendent entitled to purchase on giving six months' notice.

17. The said Company shall make and at all times thereafter maintain the following works for the accommodation of the owners and occupiers of lands adjoining the Railway (that is to say)—

Accommodation of works.

Such and so many convenient gates bridges arches culverts and passages over under or by the sides of or leading to or from the Railway as shall be necessary for the purpose of making good any interruptions caused by the Railway to the use of the lands through which the railway shall be made and such work shall be

made forthwith after the part of the Railway passing over such lands shall have been laid out or formed or during the formation thereof.

Also sufficient posts rails hedges ditches mounds or other fences for separating the land taken for the use of the Railway from the adjoining lands not taken and protecting such lands from trespass or the cattle of the owners or the occupiers thereof from straying thereout by reason of the Railway together with all necessary gates made to open towards such adjoining lands and not towards the Railway and all necessary stiles and such posts rails and other fences shall be made forthwith after the taking of any such lands if the owners thereof shall so require and the said other works as soon as conveniently may be :

Also all necessary arches tunnels culverts drains or other passages either over or under or by the sides of the Railway of such dimensions as will be sufficient at all times to convey the water as clearly from the lands lying near or affected by the Railway as before the making of the Railway or as nearly so as may be and such works shall be made from time to time as the Railway works proceed :

Provided always that the said Company shall not be required to make such accommodation works in such a manner as would prevent or obstruct the working or using of the Railway nor to make any accommodation works with respect to which the owners or occupiers of the lands shall have agreed to receive and shall have been paid compensation instead of the making them.

Penalty on persons omitting to fasten gates.

18. If any person omit to shut and fasten any gate set up at either side of the Railway for the accommodation of the owners or occupiers of the adjoining lands as soon as he and the carriage cattle or other animals under his care have passed through the same he shall forfeit for every such offence any sum not exceeding forty shillings.

Title to soil of roads &c. not to be affected.

19. Nothing herein contained shall be held to give to the said Company any title to the soil of any District or other Road or in any way to affect the title to any lands or hereditaments.

Ordinance to expire if railway not completed in three years.

20. This Ordinance shall cease to have force and shall expire at the expiration of three years from the time the same shall receive the Governor's assent unless the Railway shall be completed within such period of three years.

Interpretation Ordinance 1865 incorporated.

21. The Ordinance of the Superintendent and Provincial Council of the Province of Otago shortly intituled the " Interpretation Ordinance 1865 " so far as the same shall not be varied by or be inconsistent with the provisions of this Ordinance or any Act herein mentioned or referred to shall be and the same is incorporated with this Ordinance and shall save as aforesaid form part of this Ordinance.

Penalties to be recovered in a summary way.

22. All proceedings for offences against the provisions of this Ordinance shall be had and taken in a summary way and all penalties hereby imposed shall be recovered in a manner provided by the Act of the General Assembly of New Zealand intituled " The Justices of the Peace Act 1866. "

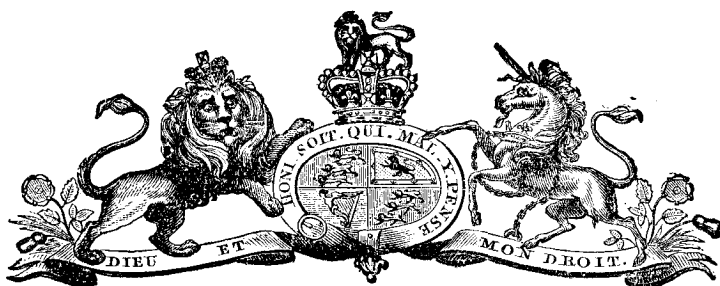
Maximum penalty.

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

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OTAGO, N. Z.



CEMETERY RESERVES MANAGEMENT ORDINANCE, 1864, AMENDMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 484.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Corporate bodies may be appointed managers.
3. Ordinance to be read as part of the Cemetery Reserves Management Ordinance, 1864.

An Ordinance to further amend the "Cemetery Reserves Management Ordinance, 1864." ^{Title.}
[19TH JUNE, 1875.]

WHEREAS it is desirable to amend the "Cemetery Reserves Management Ordinance, 1864," by providing that corporate bodies may be appointed managers of any reserve set aside for the purpose of a Cemetery:—

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:—

1. This Ordinance may be cited and referred to as the "Cemetery Reserves Management Ordinance, 1864 Amendment Ordinance, 1875."

2. It shall be lawful notwithstanding anything in the "Cemetery Reserves Management Ordinance, 1864," to the contrary for the Superintendent with the advice of the Executive Council from time to time to appoint any Town Council Road Board or other incorporated body to manage any reserve set aside for the purposes of a public cemetery by the said "Cemetery Reserves Management Ordinance, 1864," or any amendment thereof and to remove from the said management the said Town Council Road Board or incorporated body whenever it shall be deemed expedient so to do and every such appointment and removal shall be published in the Provincial Government *Gazette*.

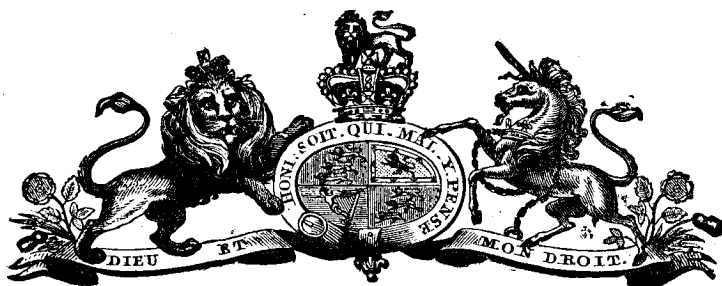
3. This Ordinance shall be read as part of the "Cemetery Reserves Management Ordinance, 1864."

Corporate bodies may be appointed managers.
Ordinance to be read as part of the Cemetery Reserves Management Ordinance 1864.

DUNEDIN, NEW ZEALAND:

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OTAGO, N. Z.



DOG NUISANCE ORDINANCE, 1862, AMENDMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 485.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Section 2 "Dog Nuisance Ordinance 1862" Amended.
3. Interpretation.

An Ordinance to amend the "Dog Nuisance Ordinance, 1862." Title.
[19TH JUNE, 1875.]

WHEREAS it is expedient to amend the "Dog Nuisance Ordinance, Preamble.
1862":

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:—

1. This Ordinance may be cited and referred to as the "Dog Nuisance Short Title.
Ordinance 1862, Amendment Ordinance, 1875."

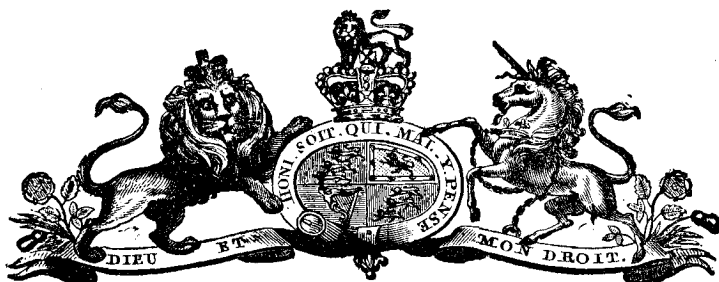
2. The proviso in section 2 of the "Dog Nuisance Ordinance 1862" is hereby repealed and in lieu thereof it is enacted: Provided always that nothing herein contained shall be deemed to require the registration of any dog under the age of three months if the owner or keeper of the said dog shall satisfactorily prove the age of the said dog to be under three months. Section 2 Dog Nuisance Ordinance 1862 Amended.

3. This Ordinance shall be read and construed as part of the "Dog Nuisance Ordinance, 1862." Interpretation.

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OTAGO, N. Z.



DOG NUISANCE ORDINANCE (SOUTHLAND) REPEAL ORDINANCE, 1875.

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

SESSION XXXIV. No. 486.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. "Dog Nuisance Ordinance 1862" repealed.
3. Otago "Dog Nuisance Ordinance 1862" made applicable to Southland.

An Ordinance to repeal the Southland Dog Nuisance Ordinance and to enact that the laws in force in the late Province of Otago shall be applicable to the District of Southland. [19TH JUNE, 1875.] Title.

WHEREAS by "The Otago and Southland Union Act, 1870" it was provided that all laws and Ordinances in force in the Province of Southland shall continue and be in force within the part of the new Province constituted by the said recited Act until altered repealed or amended: And whereas it is desirable to repeal the "Dog Nuisance Ordinance, 1862" passed by the Superintendent and Provincial Council of the Province of Southland: 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:—

1. This Ordinance may be cited and referred to as the "Dog Nuisance Ordinance (Southland) Repeal Ordinance, 1875." Short Title.

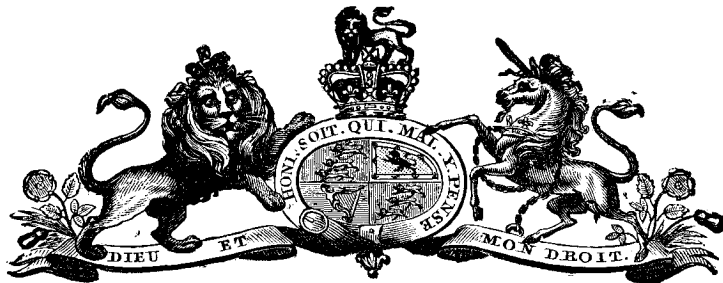
2. The "Dog Nuisance Ordinance 1862" No. 13 and passed by the Superintendent and Provincial Council of the Province of Southland is and the same is hereby repealed Provided always that any license granted under the hereby repealed Ordinance shall be as valid until the thirty-first day of March as if granted under the "Dog Nuisance Ordinance, 1862" No. 85. "Dog Nuisance Ordinance 1862" of Southland repealed.

3. The "Dog Nuisance Ordinance 1862" No. 85 passed by the Superintendent and the Provincial Council of the Province of Otago shall be in force in and the same is hereby made applicable to and shall be a law and an Ordinance for that portion of the Province of Otago which was formerly called the Province of Southland. Otago "Dog Nuisance 1862" made applicable to Southland.

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OTAGO, N. Z.



UNIVERSITY OF OTAGO LANDS TRUST ORDINANCE, 1875.

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

SESSION XXXIV. No. 487.

ANALYSIS.

Title.
Preamble.
1. Short Title.
2. Lands vested in Otago University Corporation.

3. University Corporation to manage lands vested.
4. Application of moneys.
Schedule.

An Ordinance to declare certain Trusts upon which certain Lands in the Province of Otago are now held. [19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance have been reserved as an endowment for a Colonial University: And whereas by the 30th section of the "New Zealand University Act 1874" it is provided that all lands heretofore reserved for a Colonial University in the Province of Otago shall be deemed to have been reserved for the University of Otago established under an Ordinance of the Legislature of the said Province and shall be granted to such University upon such trusts as shall be specified in any Ordinance of such Legislature thereafter passed and whereas it is expedient to declare such trusts:

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:—

1. This Ordinance may be cited and referred to as the "University of Otago Lands Trust Ordinance, 1875."

2. It is hereby declared that the lands particularly described in the Schedule to this Ordinance shall be held by the Corporation of the University of Otago in trust for the purposes of a University within the Province of Otago:

3. The Corporation of the University of Otago may manage the said lands in such manner in every respect as to them shall seem meet and shall have power and they are hereby authorised to lease the said lands or any part or parts thereof by deed under the common seal of the said University

upon such terms and for such rent as they may deem expedient: Provided always that the term of any such lease shall not exceed twenty-one years to take effect from the date of the year of the said leases respectively.

Application of
moneys.

4. All moneys received by the University of Otago for rents issues profits and proceeds of the said lands shall be applied and disposed of by the said University of Otago for such purposes as the Corporation of the said University shall determine.

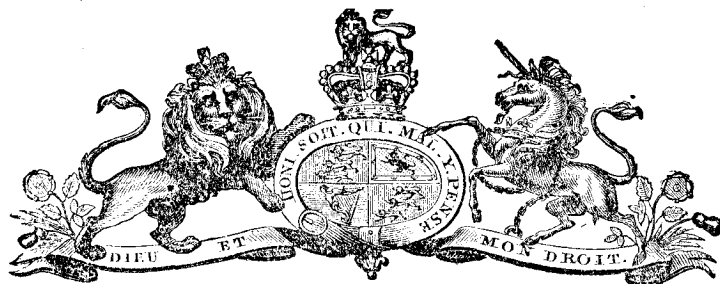
SCHEDULE.

All that area in the Forest Hill and Lindhurst Hundreds being sections 132 Forest Hill and 5 Lindhurst Hundreds containing 10,000 acres more or less bounded towards the west by the public road forming the east boundary of section thirty-two (32) block one (1) Forest Hill Hundred towards the north-west by the road reserve one hundred (100) links wide along the bank of the Hedgehope stream towards the north-east by a Government reserve one thousand five hundred and forty (1540) links or thereabouts again towards the north-west by the said Government reserve two thousand three hundred and ninety (2390) links towards the south-west by the aforesaid reserve one thousand and eighty (1080) links or thereabouts again towards the north-west and towards the north by the road reserve one hundred (100) links wide along the bank of the Hedgehope on the east by a line running due south thirty-nine (39) chains distant eastward from Trig. Station Y Forest Hill Hundred and towards the south and south-west by the Titipua to its junction with the road forming the west boundary of section thirty-two (32) aforesaid.

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OTAGO, N. Z.



ROXBURGH WATER WORKS EMPOWERING ORDINANCE, 1875.

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

SESSION XXXIV. No. 488.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. "Municipal Corporations Water Works Act 1872" brought into operation for Roxburgh.

An Ordinance to extend the provisions of "The Municipal Corporations Water Works Act, 1872" to the Municipality of Roxburgh in the Province of Otago. Title.
[19TH JUNE, 1875.]

WHEREAS by "The Municipal Corporations Water Works Act, 1872" Preamble.
it is provided that the said Act may be brought into operation in and for any borough within any Province by any Act or Ordinance of the Superintendent and Provincial Council of such Province: And whereas it is desirable to bring the said Act into operation in the town of Roxburgh being a borough in the Province of Otago within the meaning of the said Act:

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:--

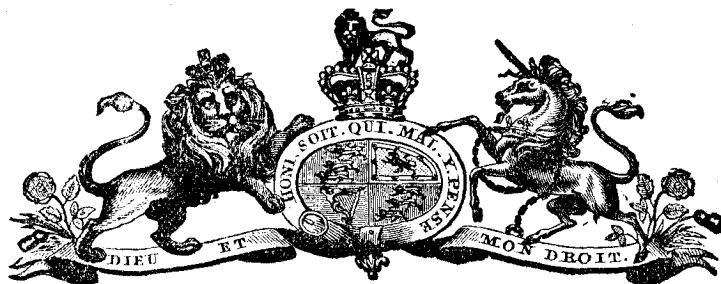
1. This Ordinance may be cited and referred to as the "Roxburgh Water Works Empowering Ordinance, 1875." Short Title.

2. The Act of the General Assembly of New Zealand shortly intituled "The Municipal Corporations Water Works Act, 1872" is hereby brought into operation in and for the town of Roxburgh and shall take effect on and from the fifteenth day of June one thousand eight hundred and seventy-five. "Municipal Corporations Water Works Act, 1872" brought into operation for Roxburgh.

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OTAGO, N. Z.



MUNICIPALITIES VALIDATION ORDINANCE, 1875.

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

SESSION XXXIV. No. 489.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Proclamations validated.
3. Ordinances to apply.
4. All elections declared valid. Schedule.

An Ordinance to set certain doubts at rest and to validate the procla- Title.
mations of certain Municipalities in Otago. [19TH JUNE, 1875.]

WHEREAS under and by virtue of the powers and authorities granted to the Superintendent of Otago by the "Otago Municipal Corporations Ordinance, 1865" and the various Acts amending the same the various Municipalities mentioned in the Schedule to this Ordinance were by proclamations also mentioned in the said Schedule constituted Municipalities: And whereas the 18th and 27th sections of the said "Otago Municipal Corporations Ordinance 1865" were by mistake in the said proclamations made applicable to the said Municipalities whereas the said sections had previously to the date of the said proclamations been repealed: And whereas section 78 of the "Otago Municipal Corporations Ordinance, 1865" was in error applied to the Municipalities of Naseby Arrowtown and Roxburgh: And whereas it is expedient to declare that the said 18th and 27th sections are not applicable to the said Municipalities and to validate the said proclamations: 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:—

1. This Ordinance may be cited and referred to as the "Municipalities Short Title.
Validation Ordinance, 1875."

2. The various proclamations made by the Superintendent of Otago of the Municipalities mentioned in the Schedule to this Ordinance are hereby declared to be valid and effectual and to have been as valid and effectual as if sections 18 and 27 of the "Otago Municipal Corporations Ordinance, 1865" had not been declared to be applicable to the said Municipalities and as if section 78 of the "Otago Municipal Corporations Ordinance, 1865" had not been declared to be applicable to the Municipalities of Naseby Arrowtown and Roxburgh mentioned in the said Schedule. Proclamations validated.

Ordinances to apply. 3. The provisions of the "Otago Municipal Corporations Ordinance 1865 Amendment Ordinance 1870" No. 330 and of the "Otago Municipal Corporations Ordinance 1865 Amendment Ordinance, 1872" shall be applicable to the said Municipalities mentioned in the said Schedule.

All elections declared valid. 4. All elections made and all Acts done by the said Municipalities mentioned in the said Schedule shall be as valid and effectual as if sections 18 and 27 of the "Otago Municipal Corporations Ordinance, 1865" had not been declared to be applicable to the said Municipalities as if section 78 of the "Otago Municipal Corporations Ordinance, 1865" had not been declared to be applicable to the Municipalities of Naseby Arrowtown and Roxburgh.

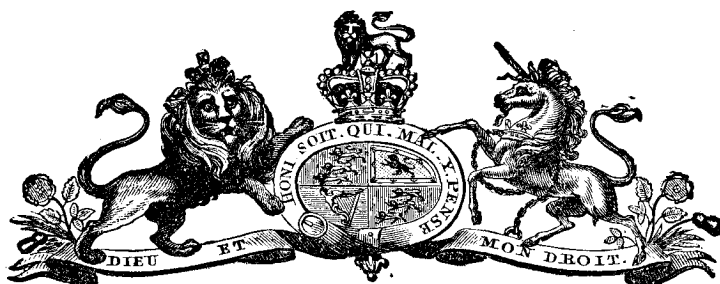
SCHEDULE.

Municipality	Date Proclamation and No. of Gazette		
Invercargill	...	28th June 1871	... 741
Riverton	...	28th June 1871	... 741
Palmerston	...	17th Oct. 1871	... 764
Naseby	13th Dec. 1872	... 829
Arrowtown	...	6th Jan. 1874	... 889
Roxburgh	...	7th July 1874	... 916

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OTAGO, N. Z.



INVERCARGILL PUBLIC OFFICES ORDINANCE, 1875.

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

SESSION XXXIV, No. 490.

ANALYSIS.

Title. Preamble.	1. Short Title. 2 Superintendent may convey. Schedule.
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An Ordinance to authorise the Superintendent of the Province of Otago Title.
to convey to Her Majesty the Queen certain Lands vested in the
Superintendent.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule hereto are vested in the Preamble.
Superintendent under the "Public Reserves Act 1854" and whereas
it is expedient to convey to Her Majesty the Queen the said lands for the
purpose of Public Offices for the Colonial Government of New Zealand :

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 :—

1. This Ordinance may be cited and referred to as the "Invercargill Short Title
Public Offices Ordinance, 1875."

2. It shall be lawful for the Superintendent of the Province of Otago Superintendent may
to convey and assure to Her Majesty the Queen the land described in the convey.
Schedule hereto for the purpose of Public Offices for the Colonial Govern-
ment of New Zealand.

SCHEDULE.

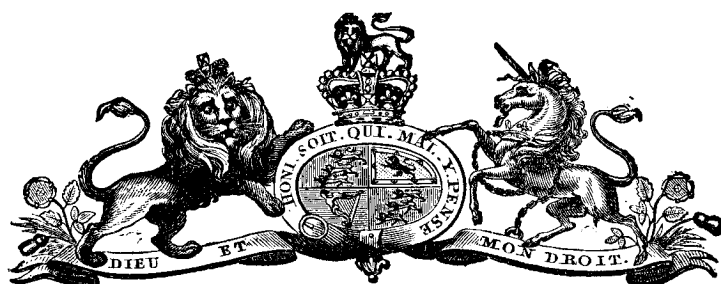
Description of Reserve for Public Buildings in Invercargill.

All that parcel of land in the Province of Otago Colony of New Zealand containing by admeasurement three (3) roods and thirty-four (34) poles more or less being part of Reserve Block in the town of Invercargill enclosed within Dee street Esk street and the Crescent commencing at a point one hundred and one and five-tenths (101.5) links due south from the corner of Dee street and Esk street thence due south along the west side of Dee street two hundred and ninety-seven (297) links thence due west three hundred and two (302) links to the Crescent thence in a north-westerly direction along the line of Crescent seventeen and two-tenths (17.2) links thence due north two hundred and eighty-five and nine-tenths (285.9) links thence due east three hundred and sixteen (316) links to the starting point.

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OTAGO, N. Z.



ARROWTOWN ATHENÆUM ORDINANCE, 1875.

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

SESSION XXXIV. No 491.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Incorporation.
3. Purposes of the Institution.
4. Institution to be managed by a committee.
5. First committee of management.</p> | <p>6. Rules already adopted by members to be rules for the govern-
ment of the institution.
7. Members to have no interest in vested property.
8. Dissolution of Corporation.
9. Vesting of property in the event of dissolution.
10. Power to sell duplicates.</p> |
|--|---|

An Ordinance to incorporate the Arrowtown Athenæum.

Title.

[19TH JUNE, 1875.]

WHEREAS it is desirable that the Arrowtown Athenæum should be Preamble.
now incorporated in order that thereby its usefulness in the diffusion
of knowledge and learning in Arrowtown and its neighbourhood may be pro-
moted and extended and any endowments in land moneys or other grants
whatsoever which have been or may hereafter be made to the institution
may be duly administered:

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

1. The Short Title of this Ordinance shall be the "Arrowtown Athen- Short Title.
æum Ordinance, 1875."

2. The following persons and all others the members of the Institution Incorporation.
for maintaining a Lending and Reference Library and Reading Room and
the providing rational amusement and recreation and for the carrying out
of objects connected with the purposes of an Athenæum and mining Institu-
tion Arrowtown known as the "Arrowtown Athenæum" namely John
Augustus Miller Stewart Richard Angelo Donald Murray Mackay Alex-
ander Innes William McWhirter Henry Brewer Smith Matthew Henry
Elam and Edwin Foord all of Arrowtown settlers shall be a body politic
and corporate by the name of the "Arrowtown Athenæum" and by that
name shall have perpetual succession and shall adopt and have a common
seal and shall by the same name sue and be sued plead and be impleaded
answer and be answered in all Courts of the Colony of New Zealand and

shall be capable in law to take purchase and hold all goods chattels and personal property whatsoever and shall be able and capable in law to receive take purchase and hold for ever not only such lands buildings hereditaments and possessions as may from time to time be required for the purposes of the said institution but also any other lands buildings hereditaments and possessions whatsoever and shall be able and capable in law to grant convey demise mortgage charge alienate or otherwise dispose of all or any of the property real or personal belonging to the said Institution and also to do all other matters or things incidental or appertaining to a body politic and corporate : Provided always that it shall not be lawful for the said corporation to grant convey demise mortgage charge alienate or dispose of except by way of lease for a period not exceeding twenty-one years any lands tenements or hereditaments of which it shall have become seized or to which it may become entitled by grant purchase or otherwise unless with the approval of two-thirds of the members of the said corporation present personally or by proxy at a special general meeting duly convened and any money received from such alienation mortgage demise or otherwise shall be paid and applied solely for the purposes of the said institution.

Purposes of the institution.

3. The purposes for which the said institution has been established and shall in future be maintained are to form or provide and carry on--

1. A Lending and a Reference Library.
2. A Reading Room with a supply of newspapers and periodicals.
3. Meetings for social and intellectual improvement.
4. Educational classes and lectures.
5. The collection of scientific apparatus geological and other specimens or other things illustrative in and of mining and scientific knowledge.
6. The providing of rational amusement and recreation.
7. The carrying out of objects connected with the purposes of an Athenæum

under such regulations as may be made from time to time by the members.

Institution to be managed by a committee.

4. The management of the said institution shall be vested in a Committee of the members thereof to be appointed annually at a general meeting to be held in the month of November in each year or so soon thereafter as may be found convenient.

First committee of management.

5. The following persons shall be the Committee of Management till the next general annual meeting namely John Augustus Miller Stewart Richard Angelo Donald Murray Mackay Alexander Innes William McWhirter Henry Brewer Smith Matthew Henry Elam and Edwin Foord all of Arrowtown settlers.

Rules already adopted by members to be rules for the government of institution.

6. The rules already adopted by the members of the said institution as certified under the hands of the president secretary and treasurer shall be the rules for the government and management of the said institution until altered amended varied or rescinded by two-thirds of the members present at the annual general meeting or at any special meeting called by advertisement on eight days' notice the object of the meeting being fully set forth in the advertisement and a copy of the said rules and amendments certified as aforesaid and of all future advertisements thereof duly certified by the president secretary and treasurer for the time being shall be deposited and remain on the premises for the time being used by the said institution and be accessible to the members thereof for inspection at all reasonable hours.

7. No member or subscriber shall have any personal individual joint Members to have no interest in vested property. or transmissible right or interest in or to the whole or any part of the real or personal estate which may belong to or be vested in the corporation.

8. The corporation may be dissolved on the approval of five-sixths of Dissolution of corporation. the members thereof present personally or by proxy at any general meeting assembled after one calendar month's special notice by advertisement or *de facto* when the number of members shall fall below nine.

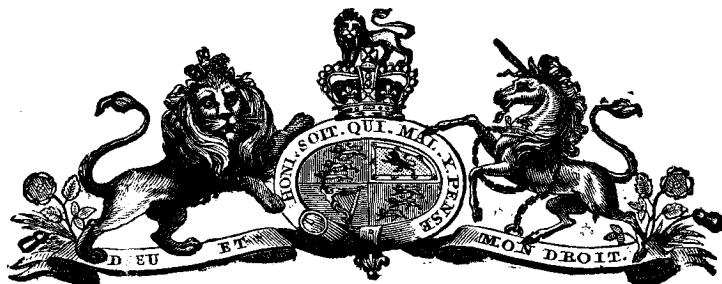
9. In the event of the said corporation being dissolved the whole of Vesting of property in the event of dissolution. the property real and personal belonging to the said corporation shall be vested in the Mayor and Municipal Council of the town of Arrowtown for the time being.

10. The Committee shall have power from time to time to sell or dis- Power to sell duplicates. pose of by public auction or otherwise any unused or duplicate copies of books reviews magazines newspapers or other periodicals and the proceeds of such sales shall be applied only towards the purchase of other books reviews magazines or other periodicals: Provided always that no book or books which have been obtained or which may hereafter be obtained by a grant from the Otago Education Board shall be so sold or disposed of without the consent of the said Board previously obtained.

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OTAGO, N. Z.



OTAGO ROADS ORDINANCE, 1871, AMENDMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 492.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Road Districts may levy general rates though not divided into subdivisions.

An Ordinance to Amend the "Otago Roads Ordinance, 1871." Title.
[19TH JUNE, 1875.]

WHEREAS it is desirable to further Amend the "Otago Roads Ordinance, Preamble.
1871."

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 :--

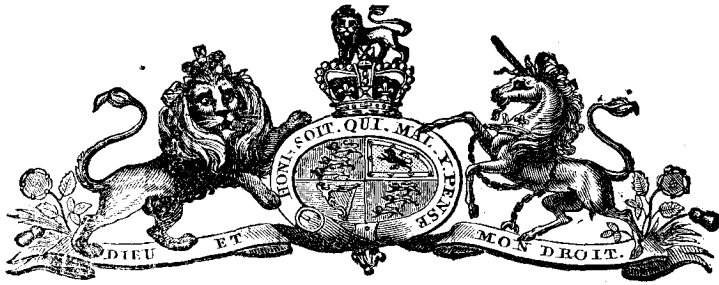
1. This Ordinance may be cited and referred to as the "Otago Roads Short Title.
Ordinance, 1871, Amendment Ordinance, 1875."

2. Notwithstanding anything contained in the "Otago Roads Ordinance, Road Districts may
1871" or in any Amendment thereof to the contrary it shall be lawful for levy general rates
though not divided
into subdivisions.
the Roslyn Road Board and the Mornington Road Board constituted under
the said "Otago Roads Ordinance, 1871" or for either of them to levy a general
rate as if the Roslyn Road District and the Mornington Road District had
been divided into subdivisions and as if the roads in the said districts had
been declared and proclaimed to be main district roads.

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OTAGO, N. Z.



SUPERINTENDENT'S LAND SALE ORDINANCE, 1875.

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

SESSION XXXIV. No. 493.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Superintendent empowered to sell.
3. Moneys arising from sale to be paid into the Provincial Treasury.
Schedule.

An Ordinance to authorise the Superintendent of the Province of Otago Title.
to sell certain Lands now vested in him.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance have Preamble.
been conveyed to and are now vested in the Superintendent of the
Province of Otago in trust for the Province: And whereas it is expedient
that the Superintendent should be authorised to sell the said lands:

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

1. This Ordinance may be cited and referred to as the "Superintendent's Short Title.
Land Sale Ordinance, 1875."

2. It shall be lawful for the Superintendent and he is hereby autho- Superintendent em-
rised and empowered to sell all those parcels of land mentioned and described powered to sell.
in the said Schedule to this Ordinance or any part or parts thereof respec-
tively either altogether or in lots by public auction subject to such conditions
as the Superintendent and Executive Council may think fit and upon pay-
ment of the purchase money the Superintendent may from time to time
execute all necessary conveyances and other assurances in the law for con-
veying and assuring every portion of the said parcels of land which may be
so sold as aforesaid to the purchaser thereof his heirs and assigns for ever.

3. All moneys arising from the sale of the said parcels of land shall be Moneys arising from
paid to the Provincial Treasurer of the Province of Otago and shall be sale to be paid into
subject to appropriation by the Provincial Council of the said Province in Provincial Treasury.
the same manner as the revenues of the said Province subject to the appro-
priation of the Provincial Council may now by law be appropriated.

SCHEDULE.

All that area in the Province of Otago Colony of New Zealand containing by admeasurement two (2) roods and twenty-eight (28) poles more or less situate in the Township of Kensington being sections numbered nineteen (19) and twenty-three (23) and parts of sections numbered respectively twenty (20) twenty-one (21) and twenty-two (22) on the map of the said township bounded towards the north-west by section numbered eighteen (18) one hundred eighty-six and four-tenths (186.4) links and Grosvenor Street two hundred and eighty-three (283) links toward the north-east by Crown Lands eighty-four (84) links towards the east by Railway Reserve three hundred (300) links towards the south-east by part of section ten (10) block seven (VII) town district one hundred and eighteen (118) links and Grosvenor Street one hundred and eighty-three (183) links towards the south-west by section twenty-four (24) two hundred and fifty (250) links and section sixteen (16) eighty-three and three-tenths (83.3) links.

All that piece of land containing one rood and twenty-four poles more or less situate in the Town District of Dunedin in the said Province being part of section numbered twenty-one (21) block VI on the record map of the said district and bounded towards the north one hundred (100) links by the main south road towards the east four hundred (400) links by section numbered 20 of same block towards the south one hundred (100) links by other part of the said section numbered 21 and towards the west four hundred (400) links by other part of the said section numbered 21.

All that piece or parcel of land containing 10 acres 1 rood 8 poles more or less being part of section 18 block II New River Hundred lying east of Railway Reserve : bounded on the north by section 21 193 links on the east by section 19 5900 links on the south by public road 201 links on the west by Railway Reserve 1544 links again on the north by Railway Reserve 25 links again on the west by Railway Reserve 1076 links again on the south by Railway Reserve 38 links again on the west by Railway Reserve 3280 links.

All that piece or parcel of land containing 9a. Or. 7p. more or less being part of section 3 block XIV Invercargill Hundred lying east of Railway Reserve bounded on the west by Railway Reserve 3,240 links on the north by a public road 370 links on the east by sections 2 and 1 of block XIV aforesaid 3,270 links and on the south by the Waikiwi Stream.

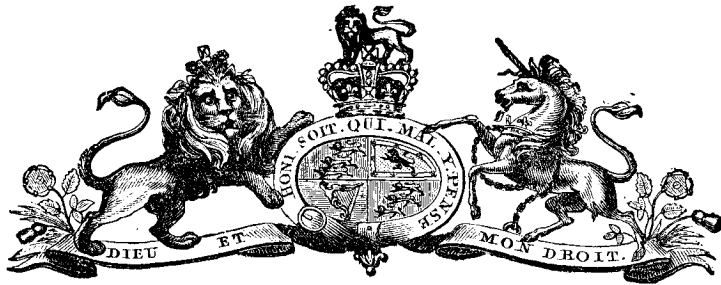
All that piece or parcel of land containing 5a. 2r. 14p. more or less being other part of section 3 block XIV Invercargill Hundred lying east of Railway Reserve bounded on the west by Railway Reserve 2,700 links on the north by Waikiwi Stream on the east by section 1 block XIV aforesaid 2,670 links and on the south by a public road 231 links.

All that piece or parcel of land containing by admeasurement 5a. 2r. 16p. more or less being part of section 2 of 38 block IX Invercargill Hundred bounded on the west by sections 7 and 9 block XIV Invercargill Hundred 4,500 links or thereabouts on the east by Railway Reserve 4,507 links on the south by section 6 block XIV aforesaid 259 links.

All that piece or parcel of land containing by admeasurement 1r. 30p. more or less being part of sections 43 and 44 Harewood Estate bounded on the north by north boundary of section 28 block I Invercargill Hundred 77 links on the east by a public road 452 links on the south by Avenal Road 175 links and on the west by section 45 Harewood Estate 450 links.

DUNEDIN, NEW ZEALAND :

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CLUTHA RIVER CONSERVATORS' BOARD ORDINANCE, 1875.

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

SESSION XXXIV. No. 494.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Board of Conservators constituted.
3. Vacancies how filled.
4. Superintendent may remove members.
5. Powers of Board.
6. Board incorporated.
7. Chairman of Board.
8. Chairman or other member to preside. Quorum.
9. Power to make By-Laws.
10. Appointment of Officers.
11. Officers to find security.
12. Officer exacting fees unlawfully liable to a penalty of £50.
13. Moneys to be paid into Bank and mode of drawing cheques.
14. Duties of Collector.</p> | <p>15. Officer to account when called upon.
16. Officer failing to account liable to a penalty not exceeding £100.
17. Remedy against surety preserved.
18. Board may enter into contracts.
19. Books to be provided and open for inspection.
20. Accounts to be balanced and audited.
21. Statement and account to be open for inspection.
22. Accounts when audited to be produced at annual meeting.
Annual meeting when held.
23. Abstract of accounts to be published.
24. Lands in Act 1874 vested in trust.
25. Board may lease reserves.
26. Appropriation of rent of reserves.
27. Board may not dispose of lands &c. except as herein provided.
28. Interpretation.</p> |
|--|---|

An Ordinance to constitute a Board of Conservators for the Dis- Title.
trict of Clutha River.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS by an Act of the General Assembly of New Zealand intituled ^{Preamble.}
“The Clutha River Trust Reserves Act, 1874” it was enacted that as
soon as the Superintendent and Provincial Council of the Province of Otago
should pass an Ordinance constituting a Board of Conservators for the Dis-
trict of Clutha River the said Board of Conservators should hold the lands
described in the said Act upon trust for such purposes as should be specified
in the said Ordinance: And whereas it is expedient to constitute a Board of
Conservators for the District of the Clutha River and to define the trusts
upon which the Board so to be constituted should hold the said lands:

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:—

1. This Ordinance may be cited and referred to as the “Clutha River ^{Short Title.}
Conservators' Board Ordinance, 1875.”

2. There shall be and there is hereby constituted a Board of Conserv- ^{Board of Conservators}
ators for the District of Clutha River and such Board shall consist of six ^{constituted.}
members to be appointed by the Superintendent by and with the advice of
his Executive Council.

Vacancies how filled.

3. So often as any person being a member of the Board shall die resign become incapable to act or be removed or be absent from the Province of Otago for the space of six consecutive calendar months it shall be the duty of the Superintendent by and with the advice of his Executive Council to appoint by proclamation in the Otago Provincial Government *Gazette* another fit and proper person to be a member of the Board in the room or stead of the person so dying resigning becoming incapable or being removed or absent as aforesaid.

Superintendent may remove members.

4. It shall be lawful for the Superintendent at any time and from time to time upon a resolution being passed by the Provincial Council requesting him so to do to remove all or any one or more of the members of the Board and upon a notification being inserted in the Otago Provincial Government *Gazette* of the fact of the removal of any person as a member of the Board the person named in such notification shall thereupon cease to be a member of the Board.

Powers of Board.

5. The Board shall have full power and authority to do all things necessary for the improvement of the Clutha River and also to erect jetties embankments piers docks wharfs and walls in the said river and to erect bridges and maintain ferries across the said river and also to do all things proper and expedient for the better navigation of the said river and the improvement of the port of Port Molyneux and the said Board shall within the meaning of "The Harbour Boards Act, 1870" be a Harbour Board for the port of Port Molyneux.

Board incorporated.

6. The said Board hereby constituted shall be a corporate body in fact and in law by the name of the "Clutha River Conservators Board" with perpetual succession and a common seal and with full power and authority by that name to sue and be sued plead and be impleaded defend and be defended in all Courts and all causes and suits at law or in equity whatsoever with power to take purchase and hold all goods chattels and personal property whatsoever which may be required for the improvement or management of the Clutha River and port of Port Molyneux and also to take and hold all such lands hereditaments and possessions as may be transferred to or vested in the said Board as sites for wharfs docks or warehouses or as endowments for the said Board or for any other purpose connected with the improvement or management of the said Clutha River and port of Port Molyneux and also to do all other matters and things incidental to or appertaining to a corporate body subject nevertheless to any provisions contained in this Ordinance or in "The Harbour Boards Act, 1870" affecting such powers.

Chairman of Board.

7. The said Board shall have power from time to time to appoint one of their number Chairman of the said Board and such person so appointed shall hold office from date of his appointment until the 30th day of June next then ensuing.

Chairman or other member to preside.

8. At all meetings of the Board the Chairman or in his absence such member of the Board as the members assembled shall choose shall preside and such presiding Chairman shall have a deliberative vote and in all cases of equality of votes a casting vote also: Unless three members are present no meeting of the Board shall be constituted for the transaction of business and all acts to be done by the Board (except where any special provision is made herein) and all questions of adjournment or other questions may be done and decided by the majority of members present provided three at least be present.

Quorum.

Power to make By-Laws.

9. The Board may from time to time make such by-laws as it shall think fit for regulating the manner in which and times at which its meetings

shall be called and held its place of meeting the appointment remuneration and duties of its officers and generally for regulating the conduct of its business and proceedings and the mode in which such by-laws shall be made.

10. The Board may from time to time appoint and employ a treasurer Appointment of Officers. a secretary and such and so many engineers surveyors clerks collectors and other officers to assist in the execution of this Ordinance as it shall think proper and necessary and from time to time remove any of such officers and appoint others in the room of such as shall be so removed or as may die or resign and may out of the funds of the Board pay such salaries and allowances to the said officers respectively as the Board shall think reasonable and any two or more of the said offices may be held by the same person.

11. Before any officer entrusted by the Board with the custody or control of moneys by virtue of his office shall enter upon such office the Board Officers to find security. shall take sufficient security from him for the faithful execution thereof.

12. Every member of the Board and every officer employed by the Board who shall exact or accept on account of anything done by virtue of his office or in relation to the matters to be done under this Ordinance any fee or reward whatsoever other than the salary or allowance (if any) allowed by the Board or who shall be in anywise concerned or interested in any bargain or contract made by the Board shall be liable to a penalty of not exceeding fifty pounds. Officer exacting fees unlawfully liable to a penalty of £50.

13. All moneys of the Board amounting to five pounds and upwards shall within three days after they shall have come to the hands of the proper officers of the Board be paid into such Bank as the Board shall from time to time appoint for that purpose and no such money shall be drawn out of such bank save by cheques signed at a meeting of the Board by the presiding Chairman and countersigned by the Treasurer of the Board or by such other person as the Board may appoint. Moneys to be paid into Bank and mode of drawing cheques.

14. Every collector appointed or employed by the Board by virtue of this Ordinance to collect any rents or dues shall within three days after he shall have received any moneys on account of any such rents tolls or dues pay over the same to the Treasurer to the account of the Board and the receipt of such Treasurer for the moneys so paid shall be a sufficient discharge to the collector and every such collector shall in such time and in such manner as the Board shall direct deliver to it true and perfect accounts in writing under his hand of all moneys received by him and of all moneys paid by him to the said Treasurer by virtue of this Ordinance and also a list of the names of all persons who have neglected or refused to pay any rent due or money owing to it with a statement of the moneys due from them respectively and in respect of what several periods rents and dues the same are due respectively and every such collector shall when required by the Board so deliver such a list embracing the particulars brought down to the day of his delivering such list. Duties of Collector.

15. Every officer appointed or employed by the Board by virtue of this Ordinance shall from time to time when required by the Board make out and deliver to it or to any person appointed by it for that purpose a true and perfect account in writing under his hand of all moneys received by him on behalf of the Board and such account shall state how and to whom and for what purpose such moneys have been applied or disposed of and together with such account such officer shall deliver the vouchers and receipts for such payments and every such officer shall pay to the Board or to any person appointed by it to receive the same all moneys which shall appear to be owing from him upon the balance of such accounts. Officer to account when called upon.

Officer failing to account liable to a penalty not exceeding £100.

16. If any such officer fail to render such accounts as aforesaid or to produce and deliver up the vouchers and receipts relating to the same in his possession or power or to pay the balance thereof when thereunto required or if for five days after being thereunto required any officer of the Board fail to deliver up to the Board or to any person appointed by it to receive the same all papers and writings property matters and things in his possession or power relating to the execution of this Ordinance or belonging to the Board he shall be liable to a penalty of not exceeding one hundred pounds.

Remedy against surety preserved.

17. No such proceeding against or dealing with any officer as aforesaid shall deprive the Board of any remedy which it might otherwise have against any surety of such officer.

Board may enter into contracts.

18. The Board may enter into contracts with any person for the execution of any works directed or authorised by this or any other Ordinance or Act to be done by the Board or for furnishing materials or for any other things necessary for the purposes of this Ordinance and every such contract for the execution of any work shall be in writing and shall specify the work to be done and the materials to be furnished and the price to be paid for the same and the time or times within which the work is to be completed and the penalties to be suffered in case of non-performance thereof and the power hereby granted to the Board to enter into contracts may lawfully be exercised as follows that is to say:—

Any contract which if made between private persons would be by law required to be in writing and under seal the Board may make in writing and under the common seal of the Board and in the same manner may vary or discharge the same :

Any contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith the Board may make in writing signed by the members thereof or any two of their number acting by the direction and on behalf of the Board and in the same manner may vary or discharge the same :

Any contract which if made between private persons would be by law valid although made by parol only and not reduced into writing the members of the Board or any two of them acting by the direction and on behalf of the Board may make by parol only without writing and in the same manner may vary or discharge the same: provided that any agreement made by parol only shall not be valid for any sum exceeding ten pounds.

Books to be provided and open for inspection.

19. The Board shall cause books to be provided and kept in such form (if any) as shall from time to time be appointed by the Superintendent to be used by Harbour Boards and true and regular accounts to be entered therein of all sums received and paid for and on account of this Ordinance and of the several purposes for which such sums of money shall have been received and paid which books shall at all reasonable times be open to the inspection of any of the members of the Board and any person being a creditor of the Board without fee or reward and the members of the Board and every such person as aforesaid or any of them may take copies of or extracts from the said books without paying anything for the same and any clerk or other person having the custody of the said books who shall not on any such reasonable demand of any member of the Board or any such creditor as aforesaid permit him to inspect the said books or to take such copies or extracts as aforesaid shall be liable to a penalty of five pounds for every such offence.

20. The Board shall cause its accounts to be balanced in each year to a period not less than one month before the annual general meeting at which they are to be produced as hereinafter mentioned and twenty-one days at least before such meeting the Board shall cause a full and true statement and account to be drawn out of the amount of all contracts entered into and of all moneys received and expended by virtue of this Ordinance during the preceding year and of all available assets and of all debts then owing by the Board and such statement and account shall be laid before the Provincial Auditor or other the person appointed by the Superintendent to audit the accounts of the Board who shall in the presence of the Clerk of the Board if he desire to be present proceed to audit the accounts of the year preceding such balancing and the Board shall by its Clerk produce and lay before the auditor or such person as aforesaid the accounts so balanced as aforesaid together with the said statement and account accompanied with proper vouchers in support of the same and all books papers and writings in its custody or power relating thereto and any person interested in the said accounts as a creditor of the Board may be present at the audit of the said accounts by himself or his agent and may make any objection to any part of such accounts and if the said accounts of the Board be found correct such auditor or other person shall sign the same in token of his allowance thereof but if such auditor or other person think there is just cause to disapprove any part of the said accounts he may disallow any such parts of the said accounts as shall be disapproved.

Accounts to be balanced and audited.

21. The Board shall cause such statement and account to be fairly copied or printed and shall allow such statement and account to remain for inspection at the office of the Board and every creditor of the Board or person acting on behalf of any such creditor may at all reasonable times inspect such statement and account and compare the same with the books and documents relating thereto in the possession of the Board and the Clerk shall on demand furnish a written or printed copy of the said statement and account to every such creditor without fee if printed and if written upon reasonable payment to be fixed by the Board not exceeding sixpence per folio of seventy-two words and fourteen days at the least before the meeting for examining and settling the said accounts as hereinafter mentioned the Board shall give public notice of such intended meeting stating in such notice that the said statement and account are printed and lie at the office of the Board ready for the inspection of the creditors of the Board.

Statement and account to be open for inspection.

22. The accounts of the Board so balanced as aforesaid and audited and either allowed or disallowed by the auditor or other person as aforesaid together with the said statement and account shall be produced at the annual meeting of the Board or at some adjournment thereof at which meeting all such creditors as aforesaid may be present and the accounts shall be then finally examined and settled by the Board and if the same be found just and true they shall be allowed by the Board and certified accordingly under the hand of the chairman of such meeting and after such accounts have been so allowed and signed by such chairman the same shall be final in regard to all persons whomsoever. The annual meeting of the Board shall be held on the thirtieth day of the month of June in each year unless that day shall happen to fall on a Sunday or holiday in which case the said meeting shall be held on the preceding day or on the first of the preceding days which shall not be a Sunday or holiday.

Accounts when audited to be produced at annual meeting.

Annual meeting when held.

23. The Board shall every year cause an annual account in abstract to be prepared showing the total receipts and expenditure of all funds received by virtue of this Ordinance or otherwise for the year ending on the day down to which its accounts shall have been made up for the said annual

Abstract of accounts to be published.

meeting or on some other convenient day in each year under the several distinct heads of receipt and expenditure with a statement of the balance of such account duly audited and certified by the Chairman of the Board and shall cause the same to be published in the Provincial Government *Gazette* and shall also within one month after such account shall have been audited send a copy of the said account free of charge to the Superintendent who shall cause the same to be forwarded to the Provincial Council within ten days after the commencement of its next Session.

Lands in Act 1874
vested in trust.

24. The lands mentioned and described in the Schedule to "The Clutha River Trust Reserves Act, 1874" shall be held by the Conservators in trust for the various purposes for which the Board has been constituted.

Board may lease re-
serves.

25. It shall be lawful for the Board with the sanction of the Superintendent and his Executive Council subject to the provisions of "The Clutha River Trust Reserves Act, 1874" to lease the said lands at such rents issues and profits and upon such terms and conditions as the Board shall determine so that such leases be for any term not exceeding twenty-one years to take effect from the time of the execution thereof.

Appropriation of rent
of reserves.

26. All moneys received by the Board for the rents issues and profits of the said lands shall be managed by the Board and shall be applied and disposed of for the purpose of this Ordinance in such manner as the Board may from time to time determine.

Board may not dis-
pose of lands &c.
except as herein pro-
vided.

27. It shall not be lawful for the Board to sell or dispose of otherwise than by lease for a term of years as hereinbefore provided any of the lands vested in or held by the Board except and unless under the authority of this Ordinance.

Interpretation.

28. The following words and expressions in this Ordinance 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:—

The word "person" shall include corporation whether sole or aggregate.

The word "Board" and the words "the said Board" shall mean the "Clutha River Conservators' Board."

The word "rents" shall include income and profits of all kinds.

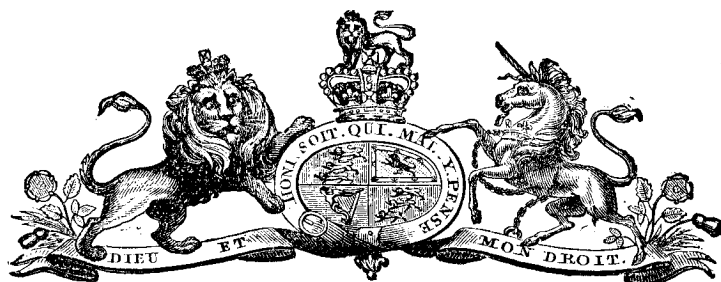
The word "dues" shall include toll dues and charges of all kinds.

The word "wharf" shall include every pier quay jetty and every other construction for facilitating the shipping and landing of passengers and goods.

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OTAGO, N. Z.



PENINSULA DISTRICT THISTLE PREVENTION ORDINANCE, 1875.

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

SESSION XXXIV. No. 495.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Penalty for not destroying Thistles after notice.
2. Where no occupier of land notice may be affixed on some conspicuous place on land.
3. If Thistles not destroyed within seven days parties may enter for the purpose of destroying them.</p> | <p>4. Persons authorised may enter upon lands to search for Thistles.
5. Thistles growing upon Reserves may be eradicated.
6. Interpretation clause.
7. Short Title.
8. Commencement of Ordinance.</p> |
|---|--|

An Ordinance to make provision for the Eradication of Thistles in Title.
the Electoral District of the Province of Otago known as the
Peninsula Electoral District. [19TH JUNE, 1875.]

WHEREAS the plant known as the Thistle has increased to an alarming Preamble.
extent in that part of the Province of Otago known as the Peninsula
Electoral District and great injury and loss may be occasioned by allowing
it to spread and it is desirable to prevent the same :

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 :—

1. If at any time after the passing of this Ordinance any owner lessee Penalty for not de-
or occupier of land within that part of the Province of Otago known as the stroying Thistles after
Peninsula Electoral District upon which land or upon the half of any road notice.
adjacent thereto any of the plants commonly known as the Thistle shall be
growing shall not within fourteen days after any notice in writing that such
Thistles are growing upon such land or upon such adjacent half of any road
signed by the Chairman of any Road Board within the said district shall
have been served upon such owner lessee or occupier or left for him at his
usual or last known place of abode effectually destroy all of the said plants
so known as the Thistle then growing and being upon such land or upon
such adjacent half of the road every such owner lessee or occupier being
convicted thereof shall be liable to a penalty not exceeding fifty pounds and
not less than five pounds to be recovered in a summary way : Provided that
it shall be lawful for any Justices before whom any conviction under this
Ordinance shall take place to suspend such conviction upon its being proved
to their satisfaction that the person so receiving such notice has used and is
using reasonable exertions to destroy such plants and that no information
shall be laid against any owner of lands until the provisions of this Ordinance
shall have been enforced against the occupier or lessee of such land

upon which such Thistles may or shall be found and that no second information against such owner or occupier or lessee shall be laid within thirty days after any previous conviction.

Where no occupier of land notice may be affixed on conspicuous place on land.

2. If there shall be no occupier or lessee of any land or such occupier or lessee or the owner of such land shall be unknown or absent from the said Province and such occupier lessee or owner shall have no known agent resident therein then such notice as aforesaid may be affixed in some conspicuous place upon such land and shall also be published in some newspaper circulating in the neighbourhood thereof and every notice so affixed and published shall be deemed and taken to be sufficient notice to the occupier lessee or owner of such land from the time of its being so affixed and published: Provided that it shall not be necessary for any such last mentioned notice to specify the name of any person as lessee or owner of the land therein referred to but such notice shall contain a description in general terms of the particular portion of the land intended to be affected thereby: Provided also that no owner of any land shall be liable to any payment beyond the expense of and occasioned by the destruction and eradication of the Thistles growing and being upon such land and upon such adjacent half of the road as herein provided together with costs of suit by reason merely of any notice having been so affixed as last aforesaid.

If Thistles not destroyed within seven days parties may enter for the purpose of destroying them.

3. If any such owner lessee or occupier shall for the space of seven days refuse or neglect to destroy the Thistles specified in any such notice it shall and may be lawful for any person authorised in writing in that behalf by the Chairman of any Road Board within the said district to destroy and eradicate the same and for that purpose with sufficient assistants to enter upon any lands in respect whereof any such notice shall have been given as aforesaid and every such person shall be entitled to recover from such owner lessee or occupier the expense of and attending such destruction and eradication.

Persons authorised may enter upon lands to search for Thistles.

4. It shall be lawful for any person authorised in writing in that behalf by the Chairman of any Road Board within the said district without notice to enter upon any lands whether enclosed or not for the purpose of ascertaining if any such Thistles are growing and being thereupon and no such person shall be deemed a trespasser by reason of such entry or be liable to any damage thereby occasioned unless the same was occasioned by such person wilfully and without necessity.

Thistles growing upon Reserves may be eradicated.

5. When any such Thistles shall be growing upon any lands which have been reserved for any public purpose it shall be lawful for the Superintendent to employ the necessary labourers and continue to destroy and eradicate the said Thistles and the expenses of the same shall be defrayed out of any vote of the Provincial Council for such purpose.

Interpretation clause.

6. In the construction of this Ordinance the words "plant commonly known as the Thistle" and the word "Thistle" shall be held to mean the plants known by the botanical names of *Carduus Marianus*, *Carduus Benedictus*, *Carduus Lauceolatus*, *Onopordum Acanthium*, and *Xanthium Spinosum*.

Short Title.

7. This Ordinance shall be termed and recited and referred to as the "Peninsula District Thistle Prevention Ordinance, 1875."

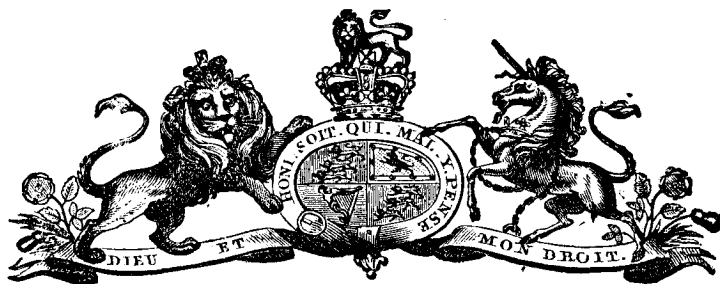
Commencement of Ordinance.

8. This Ordinance shall not come into force until a proclamation bringing it into operation shall be published in the Provincial Government *Gazette* and such Proclamation shall only be published on the petition of a majority of the electors for the time being on the roll of the said Peninsula District praying that this Ordinance may be brought into operation.

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OTAGO, N. Z.



DUNEDIN RECREATION RESERVE CHANGE ORDINANCE, 1875.

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

SESSION XXXIV. No. 496.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Reserve changed.
Schedule.

An Ordinance to amend the "Dunedin Reserves Management Ordinance, 1867" and to change the purposes for which certain sections of land in the City of Dunedin were reserved from a Reserve for Recreation Purposes to a Reserve for Educational Purposes.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS by an Ordinance intituled the "Education Reserves Ordinance, 1864" the land described in the Schedule to this Ordinance was set apart as a Reserve for Educational purposes and whereas by the "Dunedin Reserves Management Ordinance, 1867" the management of the said land was vested in the Corporation of the City of Dunedin in trust for purposes of Public Recreation and whereas it is desirable to change the purpose for which the said land was set apart from a Reserve for purposes of Public Recreation to a Reserve for Educational purposes and to amend the said "Dunedin Reserves Management Ordinance, 1867" in that respect :

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 :—

1. This Ordinance may be referred to and cited as the "Dunedin Recreation Reserve Change Ordinance, 1875."

2. The specific purpose for which the land described in the Schedule to this Ordinance was reserved is hereby changed from a Reserve for purposes of Public Recreation to a Reserve for Educational purposes.

SCHEDULE.

All that parcel of land being sections 33, 34, 35, 36, 37 and 38 block XIII Dunedin.

DUNEDIN, NEW ZEALAND

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OTAGO, N. Z.



NASEBY RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 497.

ANALYSIS.

- Title.
Preamble.
1. Short Title.
2. Repeal of Ordinance 1874.

3. Superintendent authorised to convey lands in Schedule.
4. Corporation to manage and lease lands,
5. Application of moneys.
Schedule.

An Ordinance to transfer to and vest in the Corporation of the Town of Naseby certain Lands now vested in the Superintendent of the Province of Otago and to repeal the Naseby Reserves Management Ordinance, 1874. Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance 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 intituled "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 Naseby were created a corporate body under the style of the "Corporation of the Town of Naseby:" And whereas by "The Public Reserves Act Amendment Act, 1862" it is provided that it shall be lawful for the Superintendent and the 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions Preamble.

and conditions as should in such Act or Ordinance be expressed or declared : And whereas it is expedient that the lands described in the said Schedule hereto should be transferred to and vested in the "Corporation of the Town of Naseby" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared : And whereas a portion of the said lands was affected by the "Naseby Reserves Management Ordinance, 1874" and it is desirable to repeal the said Ordinance :

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 :—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Naseby Reserves Management Ordinance, 1875."

Repeal of Ordinance 1874.

2. The "Naseby Reserves Management Ordinance, 1874" shall be and the same is hereby repealed.

Superintendent authorised to convey land in Schedule.

3. The lands described in the Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Naseby" and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of Recreation for the Town of Naseby and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said land by deed or by memorandum of transfer to the said Corporation.

Corporation to manage and lease lands.

4. It shall be lawful for the "Corporation of the Town of Naseby" to manage the said lands in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said town from using the said lands for Recreation purposes.

Application of moneys.

5. All moneys received by the "Corporation of the Town of Naseby" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

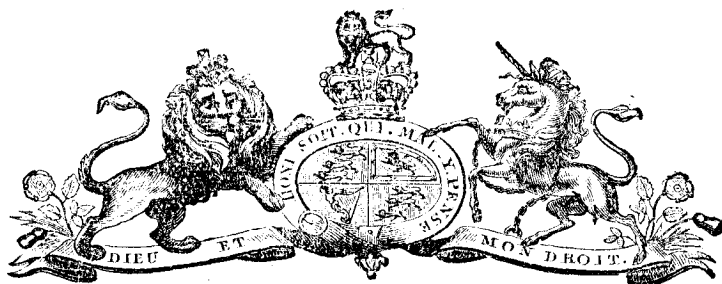
SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand situate in the Town of Naseby being section numbered fifteen (15) block two (II) on the map of the said town containing by admeasurement three (3) acres and seventeen (17) poles more or less : bounded towards the north-west by Derwent street eighty-four (84) links and six hundred and thirty-six (636) links : towards the north-east by Crown Lands two hundred and seventy-seven (277) links and four hundred and ten (410) links : towards the south-east by Crown Lands and section numbered 16 four hundred and sixty-one (461) links and towards the south-west by Crown Lands and a Tail Race three hundred and thirty-three (333) links.

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OTAGO, N. Z.



PALMERSTON RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 498.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Lands described in first Schedule to be vested in the Corporation of the Town of Palmerston.
3. Lands described in second Schedule to be vested in Corporation of Palmerston.</p> | <p>4. Corporation to manage lands described in first Schedule under certain provisions.
5. Corporation to manage described in lands second Schedule under certain provision.
6. Applications of moneys.
Schedules first and second.</p> |
|--|---|

An Ordinance to transfer to and vest in the Corporation of the Town of Palmerston certain Reserves now vested in the Superintendent of the Province of Otaga.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the two Schedules to this Ordinance 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 intituled "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 Palmerston were created a corporate body under the style of the "Corporation of the Town of Palmerston:" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance

be expressed or declared: And whereas it is expedient that the lands described in the said Schedule hereto should be transferred to and vested in the "Corporation of the Town of Palmerston" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared:

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:—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Palmerston Reserves Management Ordinance, 1875."

Lands described in first Schedule to be vested in the Corporation of the Town of Palmerston.

2. The lands described in the first Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Palmerston" and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of public utility for the Town of Palmerston and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said land by deed or by memorandum of transfer to the said Corporation.

Lands described in second Schedule to be vested in Corporation of Palmerston.

3. The lands described in the second Schedule hereto shall be and the same are hereby transferred to and vested in the said Corporation of the Town of Palmerston and its successors as a corporate body to be held by the said Corporation and its successors in trust for the purposes of a public market for the Town of Palmerston and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said land by deed or by memorandum of transfer to the said Corporation.

Corporation to manage lands described in 1st Schedule under certain provisions.

4. It shall be lawful for the Corporation of Palmerston to manage the lands in the first Schedule in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding twenty-one years to take effect from the time of the execution thereof.

Corporation to manage lands described in 2nd Schedule under certain provisions.

5. It shall be lawful for the Corporation of Palmerston to manage the lands in the second Schedule in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that the said land shall be used for a public market.

Applications of moneys.

6. All moneys received by the "Corporation of the Town of Palmerston" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

FIRST SCHEDULE.

All that area in the Province of Otago containing by admeasurement 12a. Or. 27p. more or less situate in the Municipal Sections in the Town of Palmerston.

Section 10	block I.	Section 14	block XVII.
" 1	" II.	" 5 and 15	" XVIII.
" 11	" II.	" 5	" XIX.
" 2	" III.	" 15	" XIX.
" 12	" III.	" 3	" XX.
" 2 and 22	" IV.	" 13	" XX.
" 12	" IV.	" 3	" XXI.
" 10	" V.	" 13	" XXI.
" 3	" VI.	" 4 and 14	" XXII.
" 13	" VI.	" 7	" XXIV.
" 3	" VII.	" 1	" XXV.
" 13	" VII.	" 11	" XXV.
" 1	" VIII.	" 1 and 21	" XXVI.
" 11	" VIII.	" 11	" XXVI.
" 5 and 15	" IX.	" 17	" XXVIII.
" 5	" X.	" 8 and 9	" XXIX.
" 15	" X.	" 1	" XXX.
" 3	" XI.	" 11	" XXX.
" 13	" XI.	" 21	" XXX.
" 6 and 16	" XII.	" 15	" XXXI.
" 6 and 16	" XIII.		

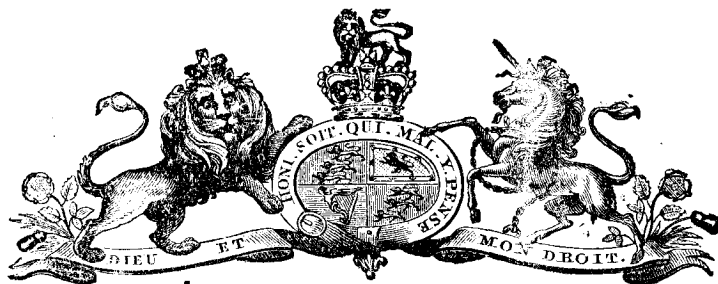
SECOND SCHEDULE.

All that area in the Province of Otago being section numbered eighteen (18) block thirty-three (XXXIII) Town of Palmerston containing by admeasurement five (5) acres and two (2) poles more or less bounded towards the north by sections numbered respectively 16 and 17 one thousand and three (1003) links towards the east by a road line five hundred (500) links towards the south by reserve one thousand and four (1004) links and towards the west by sections numbered respectively 19 and 20 five hundred (500) links.

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[OTAGO, N. Z.]



FAIRFAX SCHOOL LANDS SALE ORDINANCE, 1875.

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

SESSION XXXIV. No. 499.

ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Superintendent authorised to sell.</p> | <p>3. Superintendent's receipts sufficient discharges for purchase money.
4. Proceeds of sale to be paid to Provincial Treasurer and appropriated by Provincial Council. Schedule.</p> |
|---|--|

*An Ordinance to authorise the Sale of certain Land in the Town^{Title.}
of Fairfax now vested in the Superintendent of the Province of
Otago in trust for Educational purposes.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS by Crown Grant numbered 14761 bearing date the 16th^{Preamble.}
day of November 1874 all that parcel of land described in the Schedule
to this Ordinance was granted to the Superintendent of the Province of
Otago and his successors in trust for Educational purposes under the provi-
sions of "The Public Reserves Act, 1854" and "The Public Reserves Act
Amendment Act, 1862": And whereas the said lands are no longer neces-
sary for Educational purposes and it is desirable and expedient that the said
Superintendent should be authorised and empowered to sell the said lands :

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

1. This Ordinance may be cited and referred to as the "Fairfax School^{Short Title.}
Lands Sale Ordinance, 1875."

2. It shall be lawful for the Superintendent and he is hereby autho-^{Superintendent}
rised and empowered to sell the said parcel of land comprised in the said^{authorised to sell.}
recited Crown Grant or any part or parts thereof either altogether or in lots
and either by public auction or private contract or by both of such means
and subject to such conditions as the Superintendent and his Executive
Council may think fit and upon payment of the purchase money the Super-
intendent may from time to time execute all necessary conveyances and
other assurances in the law for conveying and assuring every portion of the
said parcel of land which may be so sold as aforesaid to the purchaser or re-
spective purchasers thereof his or their heirs and assigns for ever.

Superintendent's receipt sufficient discharge for purchase money.

3. The receipt of the Superintendent for any moneys arising from the sale of the said parcel of land or any part or parts thereof shall be a sufficient discharge for the same and no purchaser shall be concerned to enquire as to the application of or be responsible for the misapplication or non-application thereof.

Proceeds of sale to be paid to Provincial Treasurer and appropriated by Provincial Council.

4. All moneys arising from the sale of the said parcel of land or any part or parts thereof respectively shall be paid to the Provincial Treasurer of the Province of Otago and shall form part of the revenue of the said Province and shall be appropriated in the same manner as the revenues of the said Province subject to the appropriation of the Provincial Council may now by law be appropriated.

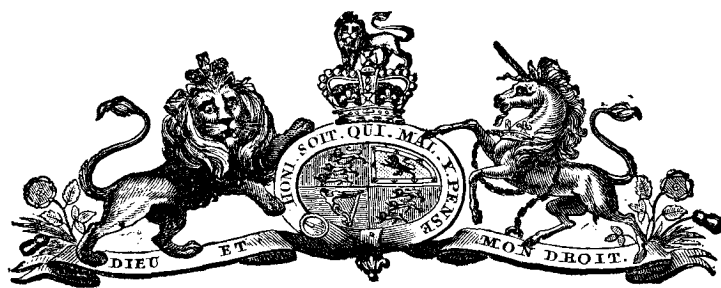
SCHEDULE

All that parcel of land in the Province of Otago containing by admeasurement one (1) acre one (1) rood and twenty-eight (28) poles more or less being block numbered twenty-one (XXI) on the map of the said town bounded towards the north-west by block numbered fourteen (XIV.) one thousand two hundred and twenty-nine (1229) links towards the north-east by Leman-street one hundred and fifty-nine (159) links towards the north-east by Newport-street one thousand two hundred and forty-two (1242) links and towards the south-west by Loup-street one hundred and sixty-seven (167) links.

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OTAGO, N. Z.



LAWRENCE RESERVE SALE ORDINANCE, 1875.

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

SESSION XXXIV. No. 500.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Superintendent empowered to sell.
3. Moneys arising from sale to be paid into Provincial Treasury.
Schedule.

An Ordinance to Authorise the Sale of Certain Lands in the Town ^{Title.}
of Lawrence vested in the Superintendent in trust as a site for
Public Buildings.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the parcel of land specified and described in the Schedule ^{Preamble.}
to this Ordinance has by Crown Grant bearing date the twentieth
day of October one thousand eight hundred and seventy-four and numbered
15125 been granted to and the same is now vested in the Superintendent of
the Province of Otago and his successors under the provisions of "The
Public Reserves Act, 1854" and "The Public Reserves Act Amendment
Act, 1862" in trust as a site for public buildings : And whereas the said
parcel of land is no longer required for the purposes for which the same was
granted and it is expedient that the Superintendent should be authorised to
sell the said parcel of land :

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 :—

1. This Ordinance may be cited and referred to as the "Lawrence ^{Short Title.}
Reserve Sale Ordinance, 1875."

2. It shall be lawful for the Superintendent and he is hereby authorised ^{Superintendent em-}
and empowered to sell the said parcel of land described in the said Schedule ^{powered to sell.}
hereunto annexed or any part thereof either altogether or in lots by public
auction subject to such conditions as the Superintendent and Executive
Council may think fit and upon payment of the purchase money the Super-
intendent may from time to time execute all necessary conveyances and other
assurances in the law for conveying and assuring every portion of the said
parcel of land which may be so sold as aforesaid to the purchaser thereof his
heirs and assigns for ever.

Moneys arising from
sale to be paid into
Provincial Treasury.

3. All moneys arising from the sale of the said parcel of land shall be paid to the Provincial Treasurer of the Province of Otago and shall form part of the revenue of the said Province and shall be appropriated in the same manner as the revenues of the said Province subject to the appropriation of the Provincial Council may now by law be appropriated.

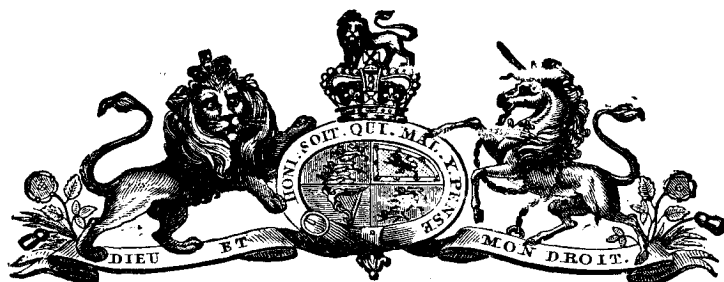
SCHEDULE.

All that parcel of land in the Province of Otago and Colony of New Zealand situate in the town of Lawrence, being sections numbered respectively one (1) two (2) three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) ten (10) and eleven (11) block forty-three (XLIII) on the map of the said town containing by admeasurement two (2) acres two (2) roods and fourteen (14) poles more or less bounded towards the north by Campbelltown street five hundred and sixty-eight and seven-tenths (568.7) links towards the east by Lancaster street five hundred and two (502) links towards the south by Lismore street four hundred and sixty-seven and seven-tenths (467.7) links and towards the south-west by Peel street five hundred and twelve and one-tenth (512.1) links.

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OTAGO, N. Z.



INVERCARGILL ATHENÆUM RESERVE MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 501.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Land to be transferred to be vested in and held by the Invercargill Athenæum.</p> | <p>3. Superintendent authorised to convey.
4. Power to lease lands.
5. Application of moneys.
6. Committee to keep accounts and furnish balance sheets to be audited. Schedule.</p> |
|--|---|

An Ordinance intituled the "Invercargill Athenæum Reserve Management Ordinance, 1875." ^{Title.}

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands and hereditaments described in the Schedule to ^{Preamble.} 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 intituled "The Public Reserves Act, 1854" and "The Public Reserves Act Amendment Act, 1862:" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas by the "Invercargill Athenæum Ordinance, 1871" the members of the said institution were incorporated by the name of "The Invercargill Athenæum:" And whereas it is expedient to make provision for the management of the said parcel of land in manner hereinafter appearing:

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:—

short Title.

1. This Ordinance may be cited and referred to as the "Invercargill Athenæum Reserve Management Ordinance, 1875."

Land to be transferred to be vested in and held by the Invercargill Athenæum.

2. The said parcel of land described in the Schedule hereto shall be transferred to and vested in and held by "The Invercargill Athenæum" in trust for the purposes of the said institution subject to the powers provisions and conditions herein expressed and declared.

Superintendent authorised to convey.

3. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the "Invercargill Athenæum Corporation" and its successors the land described in the said Schedule hereto.

Power to lease lands.

4. It shall be lawful for the Committee of Management of the Invercargill Athenæum Corporation by deed under their corporate seal to lease from time to time at such rent and on such conditions as they may think reasonable the whole or any part of the said parcel of land specified in the said Schedule hereto not required for the purposes of the said institution for any term of years not exceeding twenty-one years at any one time.

Application of moneys.

5. All moneys received by the Invercargill Athenæum Corporation for the rents issues and profits of the said parcel of land shall after deducting therefrom all necessary expenses incurred in the management thereof be applied in and towards the purposes of the said institution as the Committee of Management may from time to time determine.

Committee to keep accounts and furnish balance sheets to be audited.

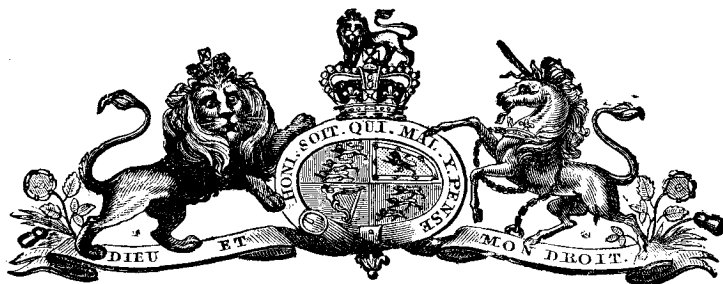
6. The Committee of Management shall keep accurate accounts of all sums of money received for rents issues and profits on account of the said parcel of land and of all costs charges expenses and disbursements in connection with the management and maintenance thereof and within one week after the day of the annual meeting of the said institution a copy of the balance sheet showing the receipts and disbursements of the Committee in duplicate shall be forwarded 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, 1866" 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.

SCHEDULE.

All that parcel of land situated in the Province of Otago aforesaid containing by admeasurement one thousand and ninety-seven acres and thirty-two perches more or less and being and comprising the sections marked and numbered one two three four five six seven eight nine and ten of block number ten and sections one and two twenty-four twenty-five and twenty-six of block number eleven on the Crown grant map of the Invercargill Hundred and being the whole of the land included in a certain Crown grant dated the thirty-first day of March one thousand eight hundred and seventy-five recorded in volume four folio two hundred and eighty-nine in the books of the District Land Registrar Southland District.

1-10 block 10
20-26 block 11
Cant. Wellington

OTAGO, N. Z.



TOKOMAIRO SCHOOL RESIDENCE AND GLEBE LAND SALE VALIDATION ORDINANCE, 1875.

IN THE THIRTY EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIV. No. 502.

ANALYSIS.

Title.
Preamble.

1. Short Title.
2. Sale validated.

*An Ordinance to amend the "Tokomairiro School Residence and Glebe^{Title.}
Land Sale Ordinance, 1870" and to validate a certain conveyance
dated the sixth day of November 1874, executed by the Superin-
tendent in pursuance of the said Ordinance.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS in the preamble to the "Tokomairiro School Residence and ^{Preamble.}
Glebe Land Sale Ordinance, 1870" the land described in a certain
Crown Grant No. 10694 was described as block ten on the map of the Town
of Fairfax whereas in fact the land described was in block fourteen on the
map of the Town of Fairfax: And whereas the Superintendent has con-
veyed by virtue and in pursuance of the said Ordinance the said parcel of
land as block fourteen and doubts have been raised as to his power so to do
and whereas it is desirable to remove such doubts:

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

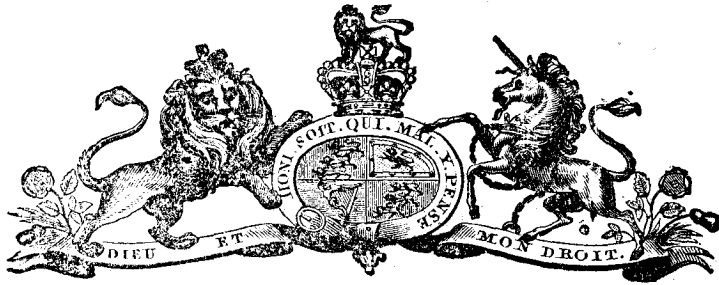
1. This Ordinance may be cited and referred to as the "Tokomairiro ^{Short Title.}
School Residence and Glebe Land Sale Validation Ordinance, 1875."

2. Every sale heretofore made and every conveyance heretofore exe- ^{Sale validated.}
cuted by the Superintendent of the land described in a Grant from the
Crown No. 10694 and bearing date the seventh day of January 1870 being
block No. fourteen on the map of the Town of Fairfax shall be and is hereby
ratified and confirmed and declared to be valid.

DUNEDIN, NEW ZEALAND

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said Provincial Government for the time being.

OTAGO, N. Z.



INVERCARGILL EDUCATION RESERVE EXCHANGE ORDINANCE, 1875.

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

SESSION XXXIV. No. 503.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Short Title.
2. Superintendent authorised to convey land.</p> | <p>3. Land obtained in exchange to be held upon the like trusts as land exchanged was held.
Schedules.</p> |
|--|--|

An Ordinance to authorise the exchange of a section of land in the^{Title.}
Town of Invercargill vested in the Superintendent of the Province
of Otago in trust for Educational purposes for a corresponding area
in the same town.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS it is expedient that the section of land described in the first^{Preamble.}
Schedule hereto vested in the Superintendent of the Province of Otago
for Educational purposes should be exchanged for the section of land
described in the second Schedule hereto :

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 :—

1. This Ordinance may be cited and referred to as the "Invercargill^{Short Title.}
Education Reserve Exchange Ordinance, 1875."

2. It shall be lawful for the Superintendent and he is hereby authorised^{Superintendent}
and empowered to exchange the section of land described in the first Schedule^{authorised to convey}
hereto for the section of land described in the second Schedule hereto and^{land.}
to execute all necessary conveyances and other assurances in the law for
conveying and assuring the fee of the said section of land in the first
Schedule described on receiving a good and valid conveyance of the said
section of land in the second Schedule described to the Superintendent and
his successors.

3. The said section of land so to be conveyed to the Superintendent as^{Land obtained in ex}
aforesaid shall be held upon and subject to the like trusts and conditions as^{change to be held up-}
the section of land hereby authorised to be exchanged was held.^{on the like trusts as}
^{land exchanged was}
^{held.}

FIRST SCHEDULE.

All that piece or parcel of land containing by admeasurement one rood being section fourteen (14) block fifty-three (LIII) as marked on the record map of the said Town of Invercargill bounded towards the west by section fifteen of the said block 250 links towards the north by section nine (9) of the said block 100 links towards the east by section 13 of the said block 250 links towards the south by Tay street 100 links.

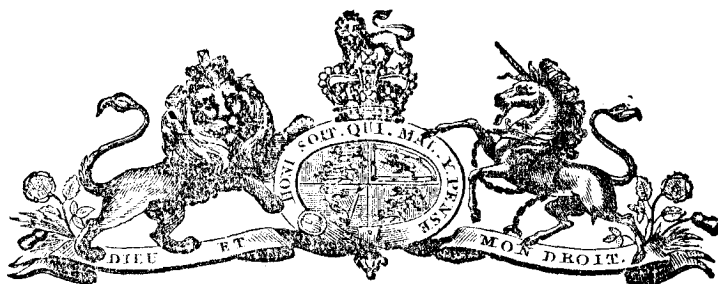
SECOND SCHEDULE.

All that piece or parcel of land containing by admeasurement one rood being section twenty-two (22) block sixty-two (LXII) as marked on the record map of the said Town of Invercargill bounded towards the west by Deveron street 250 links towards the north by section one (1) of the said block 100 links towards the east by section twenty-one (21) of the said block 250 links towards the south by Don street 100 links.

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OTAGO, N. Z.



INVERCARGILL RECREATION RESERVE CHANGE ORDINANCE, 1875.

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

SESSION XXXIV. No. 504.

ANALYSIS.

Title.
Preamble.

1. Short Title.
2. Purposes of reserve changed. Schedule.

An Ordinance to amend the "Invercargill Reserves Management Ordinance, 1872" and the "Invercargill Reserves Management Ordinance Amendment Ordinance, 1874" and to change the purposes for which a certain portion of land was reserved from a Reserve for Recreation Purposes to a Reserve for Educational Purposes.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS by an Ordinance intituled the "Invercargill Reserves Management Ordinance, 1872" and an Ordinance intituled the "Invercargill Reserves Management Ordinance Amendment Ordinance, 1874" the land described in the Schedule to this Ordinance was set apart as portion of a Reserve for Recreation purposes and whereas it is desirable to change the purpose for which the said land was set apart from a Reserve for purposes of public recreation to a Reserve for Educational purposes and to amend the said "Invercargill Reserves Management Ordinance, 1872" and "Invercargill Reserves Management Ordinance Amendment Ordinance, 1874":

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:—

1. This Ordinance may be referred to and cited as the "Invercargill Recreation Reserve Change Ordinance, 1875."

2. The specific purpose for which the land described in the Schedule to this Ordinance was reserved is hereby changed from a Reserve for purposes of public Recreation to a Reserve for Educational purposes.

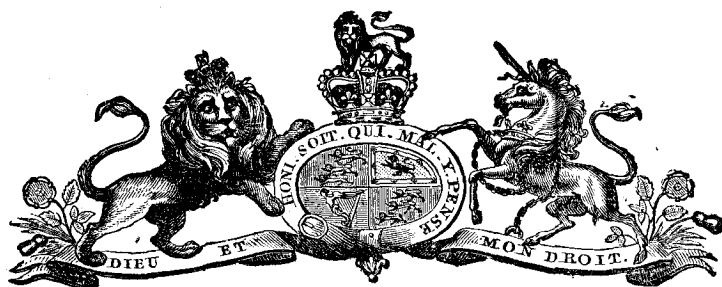
SCHEDULE.

All that piece or parcel of land containing one acre more or less bounded on the south by south boundary of section one (1) of subdivision of Park Reserve continued west 316 links on the west by the west boundary of said section one (1) continued south 316 links on the north by said section one (1) 316 links and on the east by said section one (1) 316 links as the same is more particularly shown on the record map deposited in the survey office Invercargill.

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OTAGO, N. Z.



LAWRENCE RESERVES MANAGEMENT ORDINANCE, 1875.

IN THE THIRTY EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIV. No. 505.

ANALYSIS.

Title.

Preamble.

1. Short Title.

2. Lands described in first Schedule to be vested in the Corporation of the Town of Lawrence.

3. Lands described in second Schedule to be vested in the Corporation of Lawrence.

4. Corporation to manage lands described in first Schedule under certain provisions.

5. Corporation to manage lands described in second Schedule under certain provisions.

6. Applications of moneys.
Schedules first and second.

An Ordinance to transfer to and vest in the Corporation of the Town of Lawrence certain Lands now vested in the Superintendent of the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedules to this Ordinance 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 intituled "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 Lawrence were created a corporate body under the style of the "Corporation of the Town of Lawrence:" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance

be expressed or declared: And whereas it is expedient that the lands described in the said Schedules hereto should be transferred to and vested in the "Corporation of the Town of Lawrence" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared:

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:—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Lawrence Reserves Management Ordinance, 1875."

Lands described in first Schedule to be vested in the Corporation of the Town of Lawrence.

2. The lands described in the first Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Lawrence" and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of Recreation for the Town of Lawrence and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said land by deed or by memorandum of transfer to the said Corporation.

Lands described in second Schedule to be vested in the Corporation of Lawrence.

3. The lands described in the second Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Lawrence" and its successors as a corporate body to be held by the said Corporation and its successors in trust for the purposes of a public market for the Town of Lawrence and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said land by deed or by memorandum of transfer to the said Corporation.

Corporation to manage lands described in 1st Schedule under certain provisions.

4. It shall be lawful for the "Corporation of the Town of Lawrence" to manage the said lands described in the first Schedule in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said Town from using the said lands for Recreation purposes.

Corporation to manage lands described in 2nd Schedule under certain provisions.

5. It shall be lawful for the "Corporation of the Town of Lawrence" to manage the said lands described in the second Schedule in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said Town from using the said lands for a public market.

Applications of moneys.

6. All moneys received by the "Corporation of the Town of Lawrence" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

FIRST SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand situate in the Town of Lawrence being section number six (6) block fifty-three (LIII) on the record map of the said Town.

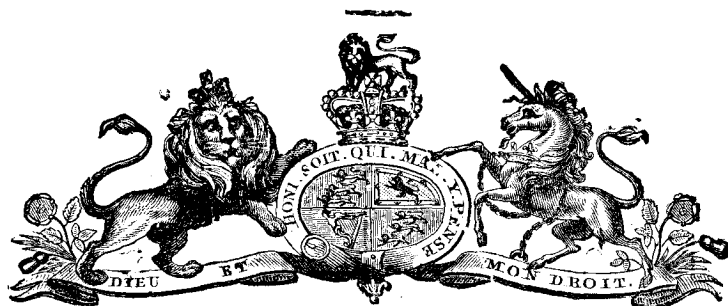
SECOND SCHEDULE.

All that parcel of land in the Province of Otago and Colony of New Zealand situate in the Town of Lawrence being block number sixty-two (LXII) on the record map of the said Town.

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OTAGO, N. Z.



RIVERTON ATHENÆUM RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 506.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Short Title.
2. Land to be transferred to be vested in and held by the Riverton Athenæum.</p> | <p>3. Superintendent authorised to convey.
4. Power to lease lands.
5. Application of moneys.
6. Committee to keep accounts and furnish balance sheets to be audited. Schedule.</p> |
|--|---|

An Ordinance intituled the "Riverton Athenæum Reserves Management Ordinance, 1875." Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands 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 intituled "The Public Reserves Act, 1854" and "The Public Reserves Act Amendment Act, 1862" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas by the "Riverton Athenæum Ordinance, 1873" the members of the said institution were incorporated by the name of "The Riverton Athenæum": And whereas it is expedient to make provision for the management of the said parcels of land in manner hereinafter appearing:

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:

1. This Ordinance may be cited and referred to as the "Riverton Athenæum Reserves Management Ordinance, 1875." Short Title.

2. The said parcels of land described in the Schedule hereto shall be transferred to and vested in and held by "The Riverton Athenæum" in trust for the purposes of the said institution subject to the powers provisions and conditions herein expressed and declared. Land to be transferred to be vested in and held by the Riverton Athenæum.

3. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the Riverton Athenæum Corporation and its successors the lands described in the said Schedule hereto. Superintendent authorised to convey.

4. It shall be lawful for the Committee of Management of the Riverton Athenæum Corporation by deed under their corporate seal to lease from time to time at such rent and on such conditions as they may think reasonable the whole or any part of the said parcels of land specified in the said Schedule hereto not required for the purposes of the said institution for any term of years not exceeding twenty-one years at any one time. Power to lease lands.

5. All moneys received by the Riverton Athenæum Corporation for the rents issues and profits of the said parcels of land shall after deducting therefrom all necessary expenses incurred in the management thereof be applied in and towards the purposes of the said institution as the Committee of Management may from time to time determine. Application of moneys.

6. The Committee of Management shall keep accurate accounts of all sums of money received for rents issues and profits on account of the said parcels of land and of all costs charges expenses and disbursements in connection with the management and maintenance thereof and within one week after the day of the annual meeting of the said institution a copy of the balance sheet showing the receipts and disbursements of the Committee in duplicate shall be forwarded to the Superintendent who shall cause the same to be forwarded for examination by the Provincial Auditors in manner described by the "Provincial Audit Act, 1866" 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. Committee to keep accounts and furnish balance sheet to be audited.

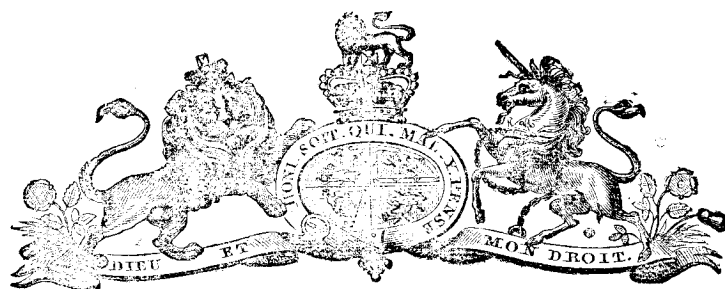
SCHEDULE.

(1.) All that parcel of land containing by admeasurement 613a 0r 13p being sections numbered 44 45 46 55 56 and 64 to 62 block VI Jacob's River Hundred: (2.) Section 21 block I Town of Riverton containing 0a 1r 0p being Riverton Athenæum Site Reserve.

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OTAGO, N. Z.



OAMARU RESERVES MANAGEMENT ORDINANCE, 1875.

IN THE THIRTY EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIV. No. 507.

ANALYSIS.

- | | |
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| <p>Title.
Preamble.
1. Short Title.
2. Lands described in Schedule to be vested in the Corporation of the Town of Oamaru.</p> | <p>3. Corporation to manage lands described in Schedule under certain provisions.
4. Applications of moneys. Schedule.</p> |
|---|--|

An Ordinance to transfer to and vest in the Corporation of the Town of Oamaru certain Lands now vested in the Superintendent of the Province of Otago. ^{Title.}

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance ^{Preamble.} 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 intituled "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 Oamaru were created a corporate body under the style of the "Corporation of the Town of Oamaru." 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance

be expressed or declared: And whereas it is expedient that the lands described in the said Schedule hereto should be transferred to and vested in the "Corporation of the Town of Oamaru" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared:

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:—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Oamaru Reserves Management Ordinance, 1875."

Lands described in Schedule to be vested in the Corporation of the Town of Oamaru.

2. The lands described in the Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Oamaru" and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of Recreation for the Town of Oamaru and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said lands by deed or by memorandum of transfer to the said Corporation.

Corporation to manage lands described in Schedule under certain provisions.

3. It shall be lawful for the "Corporation of the Town of Oamaru" to manage the said lands in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said Town from using the said lands for Recreation purposes.

Applications of moneys.

4. All moneys received by the "Corporation of the Town of Oamaru" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

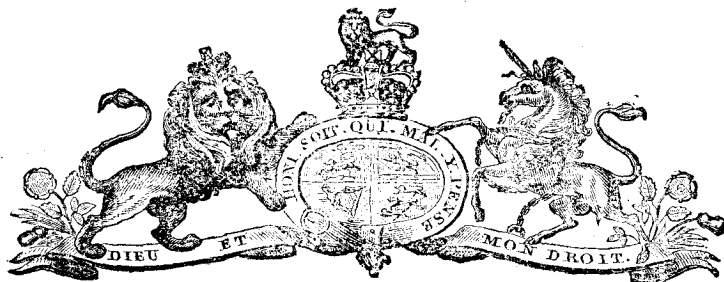
SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand situate in the Town of Oamaru being block ninety-six (XCVI) on the record map of the said Town.

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OTAGO, N. Z.



INVERCARGILL RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 508.

ANALYSIS.

- | | |
|---|---|
| <p>Title.
Preamble.
1. Short Title.
2. Lands described in first Schedule to be vested in the Corporation of the Town of Invercargill.
3. Corporation to manage lands described in first Schedule under certain provisions.
4. Moneys to be applied as provided by the 94th section of the "Otago Municipal Corporations Ordinance, 1865."</p> | <p>5. Superintendent authorised to transfer lands described in second Schedule to the Corporation of the Town of Invercargill.
6. Lawful for the said Corporation to manage the said lands under certain provisions.
7. Moneys received from such lands to be expended on improvements thereon.
Schedules first and second.</p> |
|---|---|

An Ordinance to transfer to and vest in the Corporation of the Town of Invercargill certain Lands now vested in the Superintendent of the Province of Otago in trust for purposes of public utility for the Town of Invercargill and its inhabitants and to authorise the Superintendent to vest the management of certain other Lands now held by him in trust for purposes of public recreation for the Town of Invercargill and its inhabitants in the said Corporation.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands tenements and hereditaments described in the Schedules 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 intituled "The Public Reserves Act, 1854" and "The Public Reserves Act Amendment Act, 1862:" And whereas by proclamation in the Government *Gazette* of the Province of Otago made 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 provisions of the said Ordinance were extended to the Town of Invercargill and the citizens of Invercargill were created a corporate body under the style of the "Corporation of the Town of Invercargill:" And whereas by "The Public Reserves Act Amendment Act, 1862" aforesaid it is provided that it shall be lawful for the Superintendent and Provincial Council of any Province by any Act to be from time to time duly passed in that behalf to direct and declare that any land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act,

1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas by the same Act it is also 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 lands as aforesaid reserved for public gardens or recreation grounds 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 lands and hereditaments vested in the Superintendent of the said Province of Otago and respectively described in the first Schedule hereto should be transferred to and vested in the Corporation of the Town of Invercargill upon the trusts and with and subject to the powers provisions and conditions hereinafter declared and the management of the lands and hereditaments vested in the said Superintendent and respectively described in the second Schedule hereto should be vested in the said Corporation under the restrictions and limitations hereinafter mentioned:

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:—

Short title.

1. This Ordinance may be cited and referred to as the "Invercargill Reserves Management Ordinance, 1875."

Lands described in first Schedule to be vested in the Corporation of the Town of Invercargill.

2. The lands and hereditaments mentioned and described in the first Schedule hereto shall be and the same are hereby transferred to and vested in the Corporation of the Town of Invercargill and its successors as a corporate body to be held by the said Corporation and successors its in trust for the like purposes for which such lands are now held.

Corporation to manage lands described in first Schedule under certain provisions.

3. It shall be lawful for the said Corporation of the Town of Invercargill to manage the said lands and hereditaments in such manner in every respect as to them shall seem fit and with the sanction and consent of the Superintendent for the time being of the Province of Otago to lease the same lands and hereditaments at such rents issues and profits as it may deem expedient so that such leases be for any term not exceeding twenty-one years to take effect from the time of the execution thereof.

Moneys to be applied as provided by the 94th section of the "Otago Municipal Corporations Ordinance 1865."

4. All moneys received by the said Corporation of the Town of Invercargill for the rents issues and profits of the said lands and hereditaments shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

Superintendent authorised to transfer lands described in second Schedule to the Corporation of the Town of Invercargill.

5. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the Corporation of the town of Invercargill and its successors as a corporate body the lands and hereditaments described in the second Schedule to this Ordinance in trust for purposes of public recreation for the Town of Invercargill and its inhabitants under such restrictions and limitations as shall secure the full maintenance of the several purposes for which such lands respectively have been reserved:

6. It shall be lawful for the Corporation of the Town of Invercargill with the sanction and consent of the Superintendent to lease the said last-mentioned 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 seven years to take effect from the time of the execution thereof and so that the inhabitants of the Town of Invercargill shall not be excluded therefrom except in furtherance of the purposes for which such lands have been respectively reserved.

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

7. All moneys received by the Corporation of the Town of Invercargill for rents and profits arising from the lease and management of such last-mentioned 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.

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

FIRST SCHEDULE.

Reserve for the Improvement and Benefit of the Town of Invercargill.

All that parcel of land containing by admeasurement one rood more or less situated in the town of Invercargill aforesaid being section number twenty-two of block number sixty-one on the Crown Grant record map of the said town bounded on the north by section number one of the same block one hundred links on the east by section number twenty-one of the same block two hundred and fifty links on the south by Spey street one hundred links and on the west by Deveron street two hundred and fifty links.

SECOND SCHEDULE.

Reserve for Recreation.

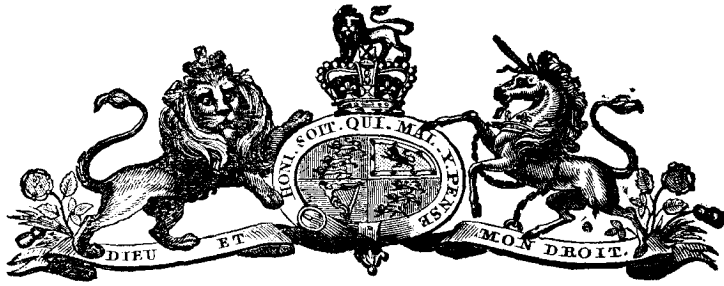
All that parcel of land containing by admeasurement forty-three acres two roods and ten poles more or less situate in the Town of Invercargill and being a Recreation Reserve for the inhabitants of the said town bounded on the north by a public road one thousand two hundred and twenty-one links or thereabout towards the east by the Invercargill and Winton Railway Reserve two thousand four hundred and ninety-four links on the south by the Railway Station Reserve two hundred and forty-five links on the east by the said Railway Station Reserve two hundred and forty-five links or thereabout and towards the south-west and west by the Waihopai Estuary and being block number seventy-seven on the Crown Grant record map of the said Town of Invercargill.

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OTAGO, N. Z.



EDUCATION RESERVES MANAGEMENT AND LEASING ORDINANCE, 1875.

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

SESSION XXXIV. No. 509.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Superintendent empowered to lease for 21 years.
3. Leases to be by deed under the public seal of the Province of Otago.
4. Education Board to have management of lands.</p> | <p>5. Superintendent to set apart lands as sites for schools playgrounds for scholars and residences for masters as well as glebe lands for such masters &c.
6. Rents and profits of such reserves to be accounted for to the Provincial Treasurer.
7. Education Board to keep accounts of the disbursements in connection with the management. Schedule.</p> |
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An Ordinance to provide for the management and administration of certain Educational Reserves and to empower the Superintendent of the Province of Otago to lease the same.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS Crown Grants for the several parcels of land specified in the Schedule hereto have under and by virtue of "The Public Reserves Act, 1854" been signed by the Governor of New Zealand in the name and on behalf of Her Majesty and issued under the Public Seal of the Colony and the said parcels of land are now vested in the Superintendent of the Province of Otago and his successors in trust for Educational purposes: And whereas it is expedient to make provision for the administration and management of the said parcels of land and to empower the Superintendent to lease the same or any of them for a longer term than three 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:—

1. This Ordinance may be cited and referred to as the "Education Reserves Management and Leasing Ordinance, 1875."

2. It shall be lawful for the Superintendent from time to time to demise by public auction and grant leases of the several parcels of land specified in the Schedule hereto or of any of them or any parts thereof respectively 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.

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

3. 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.

4. The management and administration of the said several parcels of land 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.

5. It shall be lawful for the Superintendent to appropriate and set apart any of the said parcels of land 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 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 the lands so appropriated or set apart except under the authority of a special Ordinance of the Superintendent and Provincial Council of Otago passed for the purpose.

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

6. All the rents issues profits and proceeds arising from any of the said parcels of land 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 the person having the custody or control of the Public Funds of the Province 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 or other such person as aforesaid 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.

7. 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 parcels of land 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 for the examination of the Provincial Auditor in manner prescribed by "The Provincial Audit Act, 1866" and the said "Provincial Audit Act, 1866" shall apply to the rents issues profits and proceeds of or from the said parcels of land and to the management and administration thereof 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.

SCHEDULE.

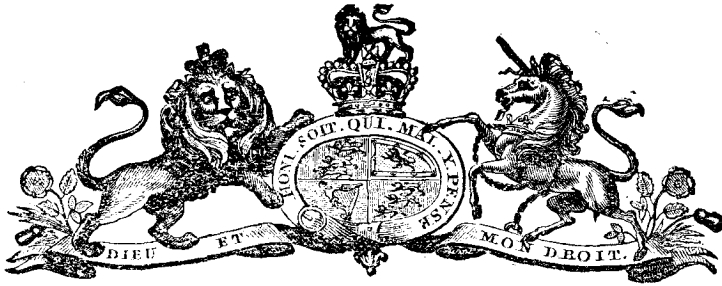
	Locality.	Block.	Section.	Area.			Date of Crown Grant.
				a.	r.	p.	
Site	Coast District	VIII	Part of 8	10	0	0	(1) 11th May, 1872.
Site	Wyndham District	I	17	10	0	03	(4) 13th October, 1872.
Endowt.	Moeraki District	XIII	1	100	1	03	(2) 27th October, 1874.
Endowt.	Moeraki District	XIV	1	180	3	22	" " "
Endowt.	Kauroo District	X	5	160	0	0	" " "
Endowt.	Hawksbury District	IX	1	100	0	0	" " "
Endowt.	Maungatua District	XV	1	91	0	05	" " "
Endowt.	Clarendon District	XI	1	37	0	0	" " "
Endowt.	Wyndham District	IV	6	139	3	30	" " "
Endowt.	Wyndham District	VII	1	195	1	0	" " "
Endowt.	Wyndham District	XI	1	133	0	25	" " "
p	Town of Fairfax	XXI	Sec. Ord.	1	1	28	(3) 16th November, 1874
Site	Benger District	VI	2	10	0	0	" "
Site	Oamaru District	V	74	7	1	24	" "
Site	Town of Greytown	XX	2	3	2	26	" "
Site	South Wakatipu District	I	18	11	0	03	" "
Site	Town of Kaitangata	III	3 and 5	0	2	0	" "
Site	Town of Kaitangata	III	7, 8 and 9	0	3	0	" "
Site	Papakao District	II	113	5	1	10	" "
Site	Town of Waipori	IX	1	1	0	26	" "
Site	Town of Dunkeld	VI	8, 9 and 10	0	3	0	" "
Endowt.	Jacob's River Hundred	VI	27	117	3	24	" "
Endowt.	Mataura Hundred	I	58 and 59	295	3	28	" "
Endowt.	Aparima Hundred	II	13	60	0	28	" "
Endowt.	Invercargill Hundred	VII	25	135	0	6	" "
Site	Town of Riverton	III	2	0	1	0	" "
Endowt.	Waikouaiti District	XI	1	65	0	0	19th April, 1875.
Endowt.	Tuturu District	VI	1	229	0	0	" "
Endowt.	Tuturu District	VII	2	182	0	0	" "
Endowt.	Toetoes District	VI	1	207	0	0	" "
Endowt.	Toetoes District	IV	6	212	1	16	19th May, 1875.
Endowt.	Toetoes District	V	1	204	0	0	" "
Endowt.	Toetoes District	IX	1	170	3	08	" "
Endowt.	Toetoes District	X	1	182	0	0	" "
Endowt.	Toetoes District	XI	1	80	1	20	" "

DUNEDIN, NEW ZEALAND :

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OTAGO, N. Z.



ROADS DIVERSION ORDINANCE, 1875.

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

SESSION XXXIV. No. 510.

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.</p> | <p>4. After expiration of notice Superintendent to determine whether the road shall be stopped up.
5. Superintendent authorised to contract for the sale &c of land over which stopped up portions of road passed.
6. Superintendent empowered to exchange land.
7. Map of road to be deposited.
8. Interpretation.
Schedule.</p> |
|---|---|

An Ordinance to authorise and empower the Superintendent of Otago ^{Title.}
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 or portions of Roads passed.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS by an Act of the General Assembly of New Zealand intituled ^{Preamble.}
"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 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 maps hereinafter mentioned 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 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 or portions of roads passed:

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 :—

Short Title.

1. This Ordinance may be cited and referred to as the "Roads Diversion Ordinance, 1875."

Superintendent authorised to stop up certain portions of roads.

2. 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 and are delineated on the maps and are therein coloured red: Provided that such power shall be exercised within twelve months from and after the time when this Ordinance shall receive the Governor's assent.

Sixty days' notice of intention to stop up to be given.

3. Before any of the roads or any portions 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 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 road to state in writing any well grounded objections they may have to the stopping up of such road or portions of road 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 publication of the said notice a copy of the 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 road intended to be stopped up is or are situated or pass or if there be no 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 road 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 road intended to be stopped up or copies thereof respectively.

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

4. At the expiration of the 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 road or portions of road 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 road.

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

5. 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 land.

6. 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 roads 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.

7. At all times after the passing of this Ordinance 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 maps. Map of road to be deposited.

8. The terms hereinafter mentioned shall for the purpose of construing this Ordinance have the force and signification hereby attached to them that is to say: The term "the maps" shall mean the map or maps or plan or plans bearing an inscription signed by the Speaker of the Provincial Council referring to this Ordinance and which map or maps or 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 roads mentioned in the Schedule to this Ordinance and particularly delineated in the maps certified by the Speaker of the Provincial Council and deposited at the office of the Superintendent of Otago. Interpretation.

SCHEDULE.

1. Aparima Road District
2. Clutha "
3. Crichton "
4. Half-way Bush Road District
5. Hawksbury "
6. Invercargill "
7. Makarewa "
8. North-East Valley "
9. North Taieri "
10. Otepopo "
11. Peninsula "
12. Portobello "
13. South Molyneux "
14. Tuapeka East Survey District
15. Waipori Road District
16. Waireka "
17. Waitahuna West Survey District
18. Shotover Survey District
19. Waitahuna East Survey District

1.—Aparima Road District.

1. All that area in the Province of Otago containing by admeasurement 6a. 3r. 21p. more or less being a road line situate in block X Jacobs River Hundred bounded towards the north by section numbered 33 five thousand three hundred and fourteen (5314) links more or less and section numbered 34 one thousand five hundred and fifty four (1554) links more or less and towards the south by section numbered 57 four thousand one hundred and thirty (4130) links more or less and section numbered 40 two thousand seven hundred and sixty-seven (2767) links more or less.

2. All that area in the Province of Otago containing by admeasurement 5a. 3r. 30p. more or less being a road line situate in block X Jacobs River Hundred bounded towards the east by section numbered 1 of 2 of aforesaid

block X one thousand and thirty-three decimal seven (1033·7) links section 3 two thousand one hundred (2100) links section 4 two thousand one hundred and twenty-five (2125) links part of section 5 one hundred (100) links towards the south by part of section 5 six hundred and seventy (670) links towards the west by a line running in a northerly direction one hundred (100) links towards the north by section 61 six hundred (600) links again on the west by section 61 two thousand one hundred and twenty-five (2125) links section 60 two thousand one hundred (2100) links section 1 one thousand and four (1004) links and towards the north by a public road one hundred and four (104) links.

3. All that area in the Province of Otago containing by admeasurement 3a. Or. 11p. more or less being a road line situate in block V New River Hundred bounded towards the north-west by parts of sections numbered 3 and 4 three thousand and sixty-eight (3068) links more or less and towards the south-east by other parts of said sections numbered 3 and 4 three thousand and sixty-eight (3068) links more or less.

4. All that area in the Province of Otago containing by admeasurement 9a. 2r. 26p. more or less being a road line situate in the Jacobs River Hundred bounded towards the north by section numbered 1 four thousand and seventy-six (4076) links section 2 eight hundred and forty-six (846) links section 12 block IV four thousand seven hundred and ninety (4790) links and towards the south by section numbered 34 five thousand six hundred and sixty-seven (5667) links section 1 block III four thousand and twenty-three (4023) links.

5. All that area in the Province of Otago containing by admeasurement 6a. 1r. 32p. more or less being a road line situate in the Jacobs River Hundred bounded towards the north-east by the Waimatuka River one hundred and twenty (120) links more or less towards the east by section numbered 36 block XV six thousand four hundred and fifty (6450) links more or less towards the south-west by a road line one hundred and twenty (120) links more or less and towards the west by section numbered 48 block XIV six thousand four hundred and fifty (6450) links more or less.

2.—*Clutha Road District.*

1. All that area in the Province of Otago containing by admeasurement 0a. 3r. 28p. more or less being a road line situate in the Clutha Survey District bounded towards the north-east by part of section numbered 1, block XXXIX. one thousand five hundred and forty-five (1545) links more or less towards the south-east by a road line sixty (60) links towards the south-west by part of section numbered 11, block XXXVIII one thousand five hundred and fifty (1550) links more or less and towards the north-west by the main Port Molyneux Road seventy-five (75) links more or less.

2. All that area in the Province of Otago containing by admeasurement 1a. 1r. 2p. more or less being a road line situate in the Clutha Survey District bounded towards the north-east by part of section numbered 2 block XXVI two thousand one hundred and ten (2110) links more or less towards the south-east by a district road line sixty-five (65) links more or less towards the south-west by part of section numbered 12, block XXV two thousand one hundred and ten (2110) links more or less and towards the north-west by a road line sixty (60) links more or less.

3. All that area in the Province of Otago containing by admeasurement 0a. 3r. 9p. more or less being a road line situate in the Clutha Survey District bounded towards the north-east by part of section numbered 2 block XXVI one thousand three hundred and fifty (1350) links more or less towards the south-east by part of section numbered 1 block XXVI sixty-five (65) links more or less towards the south-west by other part of said section numbered 2 one thousand three hundred and fifty (1350) links more or less and towards the north-west by a district road line one hundred and fifteen (115) links more or less.

3.—*Crichton Road District.*

1. All that area in the Province of Otago containing by admeasurement 1a. 1r. 18p. more or less being a road line situate in block III Table Hill Survey District bounded towards the north-west by the Tokomairiro River two thousand one hundred (2100) links more or less towards the south-west by part of section numbered 37 six hundred (600) links more or less towards the north-east by other part of said section numbered 37 six hundred (600) links more or less and towards the south-east by other part of said section numbered 37 and section 41 two thousand one hundred and fifty (2150) links more or less.

2. All that area in the Province of Otago containing by admeasurement 18a. Or. 4p. more or less being a road line situate in block V Kaitangata Survey District bounded towards the north-east and north-west by sections numbered 34 36 32 and 27 eighteen thousand and fifty (18,050) links more or less and towards the south-east and south-west by sections numbered 35 33 and 29 eighteen thousand (18,000) links more or less.

3. All that area in the Province of Otago containing by admeasurement 6a. Or. 32p. more or less being a road line situate in part of blocks V and VIII Kaitangata Survey District bounded towards the north and north-east by parts of sections numbered 35 and 33 block V and 19 and 16 block VIII twelve thousand four hundred (12,400) links more or less and towards the south and south-west by other parts of said sections numbered 35 and 33 block V and 19 and 16 block VIII twelve thousand four hundred (12,400) links more or less.

4. All that area in the Province of Otago containing by admeasurement 3a. Or. 9p. more or less being a road line dividing section numbered 1 block III North Tuakitoto District from section numbered 9 block VIII South Tuakitoto District bounded towards the north by part of section numbered 1 block III five thousand and forty-four (5,044) links more or less and towards the south by section numbered 9 block VIII five thousand one hundred and forty-four (5,144) links more or less excepting those portions which are crossed by the main south road and the new district road.

4.—*Half-Way Bush Road District.*

1. All that area in the Province of Otago containing by admeasurement 0a. 3r. 02 poles more or less being a road line situate in the Wakari Survey District bounded towards the north-east by parts of sections numbered 108, 109, 110, one thousand one hundred and sixty (1,160) links more or less and a road line two hundred and twenty (220) links more or less towards the south east by a road line sixty-five (65) links more or less and towards the south-west by other parts of said sections numbered 108, 109, and 110, one thousand four hundred (1,400) links more or less.

5.—*Hawksbury Road District.*

1. All that area in the Province of Otago containing by admeasurement 2a. 0r. 22 poles more or less being a road line situate in block V Hawksbury Survey District bounded towards the north-east by parts of sections numbered 9 and 10, four thousand two hundred and seventy-five (4,275) links more or less and towards the south-west by other parts of said sections numbered 9 and 10 four thousand two hundred and seventy-five (4,275) links more or less excepting that portion which is crossed by the new District Road.

2. All that area in the Province of Otago containing by admeasurement 1a. 1r. 0p. more or less being a road line situate in block V, Hawksbury Survey District bounded towards the north-east and east by parts of sections numbered 24, 25 and 26 two thousand six hundred (2,600) links more or less and towards the south-west and west by other parts of said sections numbered 24, 25, and 26 two thousand four hundred (2400) links more or less.

3. All that area in the Province of Otago containing by admeasurement 0a. 2r. 03p. more or less being a road line situate in block V., Hawksbury Survey District bounded towards the north by part of section numbered 2 of 30, six hundred and fifty (650) links more or less and towards the south by part of section numbered 3 three hundred and ninety (390) links more or less.

4. All that area in the Province of Otago containing by admeasurement 0a. 3r. 08p. more or less being a road line situate in block V Hawksbury Survey District bounded towards the east by part of section numbered 1 of 30 and a new road line one thousand six hundred (1,600) links more or less and towards the west by other part of said section numbered 1 of 30 one thousand six hundred (1,600) links more or less.

5. All that area in the Province of Otago containing by admeasurement ~~2a. 0r. 0p.~~^{0. 2. 03.} more or less being a road line situate in block V Hawksbury Survey District bounded towards the east by part of section numbered 1 of 30 one thousand and thirty-seven (1,037) links more or less and towards the west by other part of said section numbered 1 of 30 one thousand and thirty seven (1,037) links more or less.

6.—*Invercargill Road District.*

~~1. All that area in the Province of Otago containing by admeasurement 6a. 1r. 20p. more or less being a road line situate in the Invercargill Hundred bounded towards the north-west by parts of sections numbered 3 4 5 6 and 7 block I and towards the north-east by parts of sections numbered 4 5 13 14 15 16 22 23 and 24 block II six thousand four hundred (6,400) links more or less towards the south-east by other parts of said sections numbered 3 4 5 6 and 7 block I and towards the south-west by other parts of said sections numbered 4 5 13 14 15 16 22 23 and 24 block II six thousand three hundred and fifty (6,350) links more or less excepting those portions which are crossed by road lines.~~

*Not included
on account of
imperfect description*

~~2. All that area in the Province of Otago containing by admeasurement 3a. 1r. 08p. more or less being a road line situate in the Invercargill Hundred bounded towards the north-west by parts of sections numbered 16 17 18 19 20 22 24 25 26 27 and 28 block II three thousand three hundred (3,300) links more or less and towards the south-east by other parts of said sections numbered 16 17 18 19 20 22 24 25 26 27 and 28 block II three thousand three hundred (3,300) links more or less excepting that portion which is crossed by a road line.~~

7.—*Makarewa Road District.*

1. All that area in the Province of Otago containing by admeasurement 10a. 0r. 0p. more or less being a road line dividing sections numbered 1 and 24 block I Winton Hundred from section numbered 66 and 65 and part of 44 block IX New River Hundred bounded towards the north by said sections numbered 1 and 24 block I ten thousand two hundred and sixty-one (10,261) links more or less towards the east by the North Road one hundred (100) links more or less towards the south by part of said section numbered 44 and sections numbered 65 and 66 nine thousand seven hundred and thirty-nine (9,739) links more or less and towards the south west by a new district road one hundred and ninety (190) links more or less.

2. All that area in the Province of Otago containing by admeasurement 1a. 3r. 8p. more or less being a road line situate in the Winton Hundred bounded towards the north-east by part of section 4 four hundred (400) links more or less and by other part of said section 4 one thousand four hundred (1,400) links more or less towards the south-east by a road line one hundred (100) links more or less towards the south-west by part of section numbered 22 one thousand four hundred and fifty (1,450) links more or less and by other part of said section 22 three hundred and eighty (380) links more or less and towards the north-west by a road line one hundred (100) links more or less excepting that portion which is crossed by the new district road.

3. All that area in the Province of Otago containing by admeasurement 11a. 2r. 1p. more or less being a road line situate in the New River Hundred bounded towards the east by sections numbered 71 72 73 74 and 75 block IX eleven thousand five hundred and ten (11,510) links more or less and towards the west by sections numbered 54 55 56 57, and 58 block XIII eleven thousand five hundred and ten (11,510) links more or less.

4. All that area in the Province of Otago containing by admeasurement 7a. 3r. 8p. more or less being a road line dividing sections numbered 34 and 35 block VII Winton District from sections numbered 40 and 63 block XIII New River Hundred bounded towards the north by said sections numbered 34 and 35 seven thousand eight hundred (7,800) links more or less and towards the south by said sections numbered 40 and 63 seven thousand eight hundred (7800) links more or less.

5. All that area in the Province of Otago containing by admeasurement 5a. 3r. 0p. more or less being a road line situate in block IV Invercargill Hundred bounded towards the north-east by part of section numbered 20 five thousand five hundred (5,500) links more or less and towards the south-west by another part of said section numbered 20 six thousand (6,000) links more or less.

8.—North-East Valley Road District.

1. All that area in the Province of Otago containing by admeasurement 4a. 1r. 28p. more or less being a road line situate in the North Harbour and Blueskin District bounded towards the north and north-west by parts of sections numbered 70 and 1 of 71 and 72 block XI and sections 4 and 5 block X four thousand four hundred and sixty (4,460) links more or less and towards the south and south-east by other parts of said sections numbered 70 and 1 of 71 and section 69 block XI and sections 4 and 5 block X four thousand four hundred (4,400) links more or less excepting that portion which is crossed by the new district road.

2. All that area in the Province of Otago containing by admeasurement 2r. 3p. more or less being a road line situate in the Sawyer's Bay Survey District bounded towards the north-east by parts of sections numbered 30 and 32 eight hundred and sixty (860) links more or less and towards the south-west by parts of sections numbered 31 and 33 eight hundred and eighty (880) links more or less.

3. All that area in the Province of Otago containing by admeasurement 6a. 1r. 27p. more or less being a road line situate in the North Harbour and Blueskin Survey District bounded towards the north-west by parts of sections numbered 75 2 4 6 8 10 12 14 and 16 block XI and 45 61 and 62 block VIII twelve thousand eight hundred and thirty-seven (12,837) links more or less and towards the south-east by other parts of said sections numbered 75 2 4 6 8 10 12 14 and 16 block XI and 45 61 and 62 block VIII twelve thousand eight hundred and thirty-seven (12,837) links more or less excepting those portions which are crossed by the new district road.

4. All that area in the Province of Otago containing by admeasurement 2a. 2r. 32p. more or less being a road line situate in block VII North Harbour and Blueskin Survey District bounded towards the north-west by sections numbered 51 50 49 48 47 46 45 44 43 42 and part of 41 block VII five thousand three hundred and eight (5,308) links more or less and towards the south-east by sections numbered 87 85 83 81 79 77 75 73 71 and part of 69 North East Valley District five thousand five hundred (5,500) links more or less.

5. All that area in the Province of Otago containing by admeasurement 1a. 0r. 33p. more or less being a road line situate in the North East Valley District bounded towards the north-east by section numbered 77 two thousand and twenty (2,020) links more or less and towards the south-west by section numbered 75 two thousand and twenty (2,020) links more or less.

9.—North Taieri Road District.

1. All that area in the Province of Otago containing by admeasurement 1a. 1r. 32p. more or less being a road line situate in the East Taieri District bounded towards the north-east by parts of sections numbered 6 and 12 block XIII two thousand eight hundred and fifty (2,850) links more or less and towards the south-west by parts of sections numbered 1 and 7 block V two thousand nine hundred and sixty (2,960) links more or less.

2. All that area in the Province of Otago containing by admeasurement 4a. 1r. 31p. more or less being a road line situate in the East Taieri District bounded towards the north-west by sections numbered 1 2 3 4 5 and 6 block XIII eight thousand eight hundred and ninety (8,890) links more or less and towards the south-east by section numbered 4 block VI Dunedin and East Taieri District and sections numbered 45 and 46 irregular block Taieri eight thousand eight hundred and ninety (8,890) links more or less.

10.—Otepopo Road District.

1. All that area in the Province of Otago containing by admeasurement 2a. 2r. 30p. more or less being a road line situate in block XXIX town of Herbert bounded towards the north-west by section numbered 4 one thousand and nine (1,009) links and part of section numbered 3 one hundred (100) links towards the south-west by section numbered 5 and other part of said section 3 seven hundred (700) links towards the south-east by section numbered 6 and part of section 7 one thousand seven hundred and nine (1,709) links and again towards the south-east by the cemetery reserve one thousand and nine (1,009) links towards the north-east by other part of said reserve five hundred (500) links and by two road lines one hundred (100) links and again towards the north-east by other part of said reserve nine hundred and seventy-nine (979) links.

2. All that area in the Province of Otago containing by admeasurement 1a. 1r. 4p. more or less being a road line situate in block VI Otepopo Survey District bounded towards the north-west by sections numbered 86 and 23 two thousand five hundred and sixty (2,560) links more or less and towards the south-west by sections numbered 87 and 46 two thousand five hundred and sixty (2560) links more or less.

11.—Peninsula Road District.

1. All that area in the Province of Otago containing by admeasurement 1a. 1r. 24p. more or less being a road line situate in block II Otago Peninsula Survey District bounded towards the east by part of section

numbered 77 fourteen hundred (1,400) links more or less and towards the west by other part of said section numbered 77 fourteen hundred (1400) links more or less.

2. All that area in the Province of Otago containing by admeasurement 2a. 1r. 8p. more or less being a road line situate in block II Otago Peninsula Survey District bounded towards the east by parts of sections numbered 60 and 1 of 61 two thousand two hundred (2,200) links more or less and towards the west by other parts of said sections numbered 60 and 1 of 61 two thousand four hundred (2,400) links more or less.

12.—*Portobello Road District.*

1. All that area in the Province of Otago containing by admeasurement 1a. 3r. 28p. more or less being a road line situate in block VI Otago Peninsula Survey District bounded towards the north-east by part of section numbered 19 three thousand eight hundred and fifty (3,850) links more or less and towards the south-west by other part of said section numbered 19 three thousand eight hundred and fifty (3,850) links more or less.

13.—*South Molyneux Road District.*

1. All that area in the Province of Otago containing by admeasurement 2a. 3r. 16p. more or less being a road line dividing section numbered 7 block I Warepa Survey district from section numbered 15 and part of 16 block I Glenomaru Survey District bounded towards the north by said section numbered 7 block I two thousand eight hundred (2,800) links more or less and towards the south by said section numbered 15 and part of 16 block I two thousand nine hundred (2900) links more or less.

14.—*Tuapeka East Survey District.*

1. All that area in the Province of Otago containing by admeasurement 0a. 2r. 21p. more or less being a road line situate in block III Tuapeka East Survey District bounded towards the north-west by section numbered 13A one thousand two hundred and ten (1,210) links more or less and towards the south-east by sections numbered 12 and part of 13 one thousand three hundred and twenty-six (1,326) links more or less.

2. All that area in the Province of Otago containing by admeasurement 1a. 2r. 4p. more or less being a road line situate in block V Tuapeka East Survey District bounded towards the north-east by section numbered 30 and part of 2 three thousand and seventy (3,070) links more or less and towards the south-west by section numbered 8 three thousand and forty-nine (3,049) links more or less.

3. All that area in the Province of Otago containing by admeasurement 0a. 1r. 28p. more or less being a road line situate in block V Tuapeka East Survey District bounded towards the north-west by section numbered 14 and part of 2 nine hundred (900) links more or less and towards the south-east by part of section numbered 8 eight hundred and seventeen (817) links more or less.

15.—*Waipori Road District.*

1. All that area in the Province of Otago containing by admeasurement 1a. 0r. 4p. more or less being a road line situate in block X Clarendon Survey District bounded towards the north-west by part of section numbered 7 two thousand one hundred (2,100) links more or less and towards the south-east by other part of said section numbered 7 two thousand (2,000) links more or less.

16.—*Waireka Road District.*

1. All that area in the Province of Otago containing by admeasurement 1r. 34p. more or less being a road line situate in block III Oamaru Survey District bounded towards the north by part of section numbered 21 nine hundred and fifty (950) links more or less and towards the south by part of section numbered 1 of 20 nine hundred (900) links more or less.

17.—*Waitahuna West Survey District.*

1. All that area in the Province of Otago containing by admeasurement 2a. 2r. 6p. more or less being a road line situate in block VI Waitahuna West Survey District bounded towards the east and north-east by section numbered 26 five thousand and fifty (5,050) links more or less and towards the west and south-west by sections numbered 4 and 6 five thousand one hundred and twenty (5,120) links more or less.

18.—*Shotover Survey District.*

1. All that area in the Province of Otago containing by admeasurement 1a. 2r. 25p. more or less being a road line situate in block II Shotover Survey District bounded towards the north-east by parts of sections numbered 62 34 35 36 and 30 three thousand three hundred and twenty-five (3,325) links more or less and towards the south-west by other parts of said sections numbered 62 34 35 36 and 30 three thousand three hundred and fifty (3,350) links more or less.

2. All that area in the Province of Otago containing by admeasurement 2a. 3r. 39p. more or less being a road line situate in block II Shotover District bounded towards the north-east by parts of sections numbered 11 12 13 14 15 16 17 18 and 19 five thousand nine hundred and eighty-seven (5,987) links more or less and towards the south-west by other parts of said sections numbered 11 12 13 14 15 16 17 18 and 19 five thousand nine hundred and eighty-seven (5,987) links, more or less.

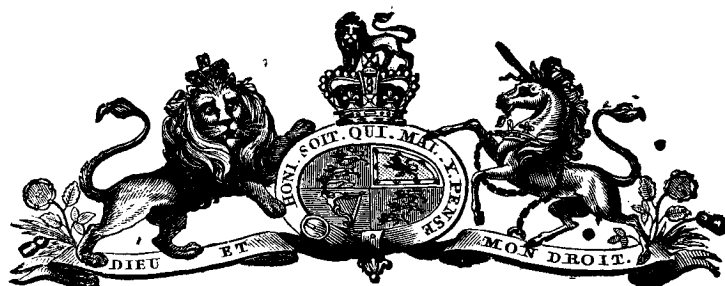
19.—*Waitahuna East Survey District.*

1. All that area in the Province of Otago containing by admeasurement 4a. 1r. 13p. more or less being a road line situate in block V Waitahuna East Survey District bounded towards the north-west by parts of sections numbered 13 6 5 and 65 eight thousand six hundred and sixty-two (8,662) links more or less and towards the south-east by other parts of said sections numbered 13 6 5 and 65 eight thousand six hundred and sixty-two (8,662) links more or less.

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OTAGO, N. Z



CROMWELL RESERVES MANAGEMENT ORDINANCE, 1875.

IN THE THIRTY EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIV. No. 511.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Lands described in Schedule to be vested in the Corporation of the Town of Cromwell.</p> | <p>3. Corporation to manage lands described in Schedule under certain provisions.
4. Applications of moneys. Schedule.</p> |
|---|--|

An Ordinance to transfer to and vest in the Corporation of the Town of Cromwell certain Lands now vested in the Superintendent of the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance 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 intituled "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 Cromwell were created a corporate body under the style of the "Corporation of the Town of Cromwell:" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance

be expressed or declared: And whereas it is expedient that the lands described in the said Schedule hereto should be transferred to and vested in the "Corporation of the Town of Cromwell" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared:

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:—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Cromwell Reserves Management Ordinance, 1875."

Lands described in Schedule to be vested in the Corporation of the Town of Cromwell.

2. The lands described in the Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Cromwell" and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of Recreation for the Town of Cromwell and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said lands by deed or by memorandum of transfer to the said Corporation.

Corporation to manage lands described in Schedule under certain provisions.

3. It shall be lawful for the "Corporation of the Town of Cromwell" to manage the said lands in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said Town from using the said lands for Recreation purposes.

Applications of moneys.

4. All moneys received by the "Corporation of the Town of Cromwell" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

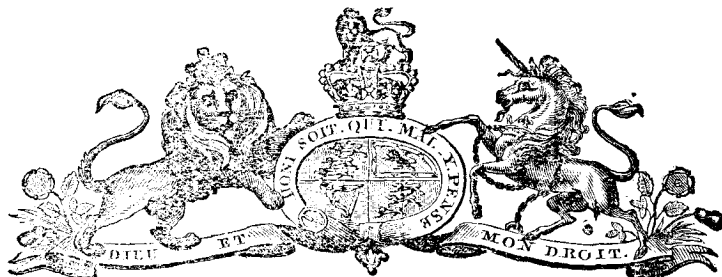
SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand situate in the Town of Cromwell being section one (1) block fifteen (XV) on the record map of the said Town.

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OTAGO, N. Z.



QUEENSTOWN RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 512.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Lands described in first Schedule to be vested in the Corporation of the Town of Queenstown.</p> | <p>3. Corporation to manage lands under certain provisions.
4. Lands described in second Schedule vested in Corporation.
5. Application of moneys.
Schedules first and second.</p> |
|---|--|

An Ordinance to transfer to and vest in the Corporation of the Town of Queenstown certain Lands now vested in the Superintendent of the Province of Otago. ^{Title.}

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedules to this Ordinance 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 intituled "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 Queenstown were created a corporate body under the style of the "Corporation of the Town of Queenstown:" 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 land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas it is expedient that the lands described in the said Schedules

hereto should be transferred to and vested in the "Corporation of the Town of Queenstown" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared :

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

Short Title.

1. This Ordinance may be cited and referred to as the "Queenstown Reserves Management Ordinance, 1875."

Lands described in first Schedule to be vested in the Corporation of the Town of Queenstown.

2. The lands described in the first Schedule hereto shall be and the same are hereby transferred to and vested in the Corporation of the Town of Queenstown and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of recreation for the Town of Queenstown and its inhabitants and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said lands by deed or by memorandum of transfer to the said Corporation.

Corporation to manage lands under certain provisions.

3. It shall be lawful for the "Corporation of the Town of Queenstown" to manage the said lands in such manner in every respect as to the said Corporation shall seem fit and with the sanction and consent of the Superintendent to lease the same lands and every or any part thereof at such rents issues and profits as the said Corporation may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said Town from using the said land for Recreation purposes.

Lands described in second Schedule vested in Corporation.

4. The lands described in the second Schedule hereto shall be and the same are hereby transferred to and vested in the "Corporation of the Town of Queenstown" and its successors as a corporate body to be held by the said Corporation in trust for the purposes therein named and the said Superintendent is hereby authorised to perfect such transfer by conveying and assuring the said lands by deed or by memorandum of transfer to the said Corporation.

Application of moneys.

5. All moneys received by the "Corporation of the Town of Queenstown" for the rents issues and profits of the said lands shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

FIRST SCHEDULE.

All that parcel of land containing 35 acres more or less for public purposes and for purposes of Recreation to the town of Queenstown and its inhabitants.

All that parcel of land containing one rood and twenty poles as a Reserve for Recreation for the use of the inhabitants of Queenstown.

All that parcel of land containing eight acres and nine poles as a Reserve for Recreation for the use of the inhabitants of Queenstown.

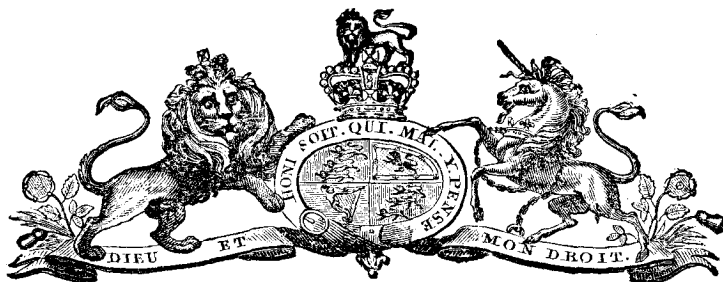
SECOND SCHEDULE.

All that parcel of land situate in the Town of Queenstown being section 1 block IX on the record map of the said town as a site for a Fire Engine Station.

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OTAGO, N. Z.



GAOL STREET DIVERSION ORDINANCE, 1875.

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

SESSION XXXIV, No. 513.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Superintendent authorised to stop up certain portion of public street.
3. Sixty days' notice of intention to stop up to be given.</p> | <p>4. After expiration of notice Superintendent to determine whether the portion of the public street shall be stopped up.
5. Superintendent authorised to contract for the sale &c of land over which stopped up portions of public street passed.
6. Superintendent empowered to exchange land.
7. Map of portion of public street to be deposited.
8. Interpretation.
Schedule.</p> |
|--|--|

An Ordinance to authorise and empower the Superintendent of Otago to stop up a portion of a certain public street in the City of Dunedin in the Province of Otago and to dispose of the Lands over which such portion of such public street passed.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS by an Act of the General Assembly of New Zealand intituled *Preamble.*
"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 a certain street in the City of Dunedin in the said Province of Otago it has been found that a certain portion of the said public street is from its situation or other causes unsuitable for the proper construction of a good public street: And whereas another public street on the map of the said City of Dunedin has been surveyed laid out and opened to the public in lieu of such portion of the said public street so found to be unsuitable: And whereas in consequence of the permanent streetway having been laid out over other lands the portion of the public street so found to be unsuitable for a good public street as aforesaid has become disused as a public street or thoroughfare and it is expedient that such portion of the said public street so disused should be stopped up and should cease to be a public street and thoroughfare and it is also expedient that the Superintendent should be empowered to sell exchange or otherwise dispose of the lands over which such portion of the said public street passed:

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:—

Short Title.

1. This Ordinance may be cited and referred to as the "Gaol Street Diversion Ordinance, 1875."

Superintendent authorised to stop up certain portion of public street.

2. It shall be lawful for the Superintendent of Otago and he is hereby authorised and empowered to stop up all or any of such portion of the public street as is particularly described with regard to its situation course boundaries and admeasurements in the Schedule to this Ordinance annexed and is delineated on the map of the said City of Dunedin and is therein coloured red.

Sixty days' notice of intention to stop up to be given.

3. Before the said portion of the said public street is 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 maps and describing in general terms the situation length and course of the said portion of the said public street intended to be stopped up and calling upon all persons objecting to the stopping up of such portion of such public street to state in writing any well grounded objections they may have to the stopping up of such portion of such public street 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 publication of the said notice a copy of the maps shall be deposited at one or more of the public schools in the said City of Dunedin 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 said portion of the said public street intended to be stopped up 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 is delineated the said portion of the said public street intended to be stopped up or copies thereof respectively.

After expiry of notice Superintendent to determine whether the public street shall be stopped up.

4. At the expiration of the sixty days' notice if no objections have been made or if the Superintendent upon consideration of the objections made shall determine nevertheless that the said portion of the said public street ought to be stopped up the Superintendent shall declare by proclamation in the Government *Gazette* of the said Province that such portion of such public street shall thenceforth cease to be a public street or thoroughfare and shall no longer form part of the streets of the City of Dunedin and the Superintendent may thereupon take such proceedings as he may think fit for stopping up such portion of the said public street.

Superintendent authorised to contract for the sale &c. of land over which stopped up portion of public street passed.

5. 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 the said portion of the said public street stopped up under the provisions of this Ordinance passed.

Superintendent empowered to exchange land.

6. It shall be lawful for the Superintendent to exchange any of the said lands over which the said portion of the said public street 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 a new public street has been made in lieu of the said portion of the said public street stopped up under the provisions of this Ordinance so soon as the lands over which such new public street has been made shall have been conveyed to the Superintendent

in exchange for any lands over which the stopped up portion of the said public street passed and the lands so conveyed in exchange to the Superintendent shall be by the Superintendent dedicated to the public as a public street 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 street or highway.

7. At all times after the passing of this Ordinance maps of the said portion of the said public street referred to in this Ordinance and which is 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 maps. Map of portion of public street to deposited.

8. The terms hereinafter mentioned shall for the purpose of construing this Ordinance have the force and signification hereby attached to them that is to say: The term "the maps" shall mean the map or maps or plan or plans bearing an inscription signed by the Speaker of the Provincial Council referring to this Ordinance and which map or maps or plan or plans are hereafter to be deposited in the office of the Superintendent of the Province of Otago: The term "the portion of the public street" shall mean the area mentioned in the Schedule to this Ordinance and particularly delineated in the maps certified by the Speaker of the Provincial Council and deposited at the office of the Superintendent of Otago. Interpretation.

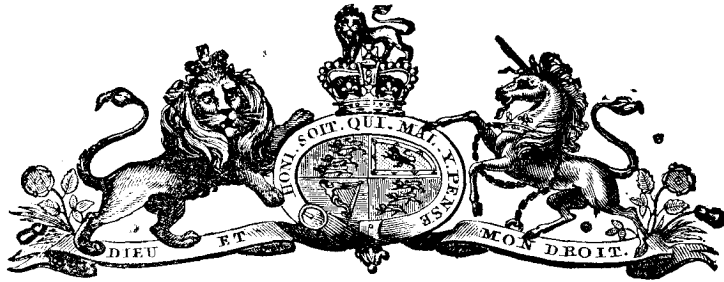
SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand containing by admeasurement two (2) roods and thirty-six (36) poles more or less situate in the City of Dunedin and marked Gaol Street on the map of the said City: bounded towards the west-north-west by block numbered XV and Crown lands seven hundred and seventy-seven (777) links towards the north-north-east by Stuart Street one hundred (100) links towards the east-south-east by Reserve numbered 3 and Crown lands six hundred and sixty-seven (667) links and towards the south-south-east by High Street one hundred and forty-one and four-tenths (141.4) links.

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OTAGO, N. Z.



PORT MOLYNEUX RESERVES MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 514.

ANALYSIS.

Title.
Preamble.
1. Short Title.
2. Transfer of Lands.

3. Licenses may be issued.
4. Application of moneys received.
5. Interpretation.
Schedule.

An Ordinance to transfer to and vest in the Road Board of South Molyneux District certain Reserves now vested in the Superintendent of the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the lands described in the Schedule to this Ordinance 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 intituled "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 Roads Ordinance, 1871" the inhabitants of the South Molyneux District were created an incorporate body under the name of the "District Board and Ratepayers of South Molyneux Road District:" 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 land vested or that might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas it is expedient that the lands described in the said Schedule hereto be transferred to and vested in the South Molyneux Road Board upon the trusts and with and subject to the powers provisions and conditions hereinafter declared:

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

1. This Ordinance shall be intituled and may be cited and referred to as the "Port Molyneux Reserves Management Ordinance, 1875." Short Title.

2. The lands described in the Schedule hereto shall be and the same are hereby transferred to and vested in the South Molyneux Road Board and its successors as a corporate body to be held by the said Road Board and its successors in trust for Commonage for the inhabitants of the Port Molyneux Subdivision of the South Molyneux Road District and the Superintendent is hereby empowered to convey transfer and assure the said lands to the said Road Board by deed or by memorandum of transfer. Transfer of lands.

3. It shall be lawful for the South Molyneux Road Board to manage the lands in the said Schedule in such manner in every respect as to the said Road Board shall seem fit and with the sanction and consent of the Superintendent to issue yearly licenses to the inhabitants of the said Port Molyneux Subdivision of the South Molyneux Road District to use the said lands as a Commonage for Cattle. Licenses may be issued.

4. All moneys received by the South Molyneux Road Board for the rents issues license-fees and profits of the said lands shall be managed and disposed of by the said Road Board as the said Board is by law empowered to dispose of special rates levied in the said Port Molyneux Subdivision and also in the improvement of the said lands by fencing planting and otherwise. Application of moneys received.

5. The expression "South Molyneux Road Board" shall be taken to mean the district Road Board constituted under or by virtue of the "Otago Roads Ordinance, 1871." The expression "Port Molyneux Subdivision of the South Molyneux Road District" shall be taken to mean the subdivision constituted under or by virtue of the Otago Roads Ordinance, 1871. Interpretation.

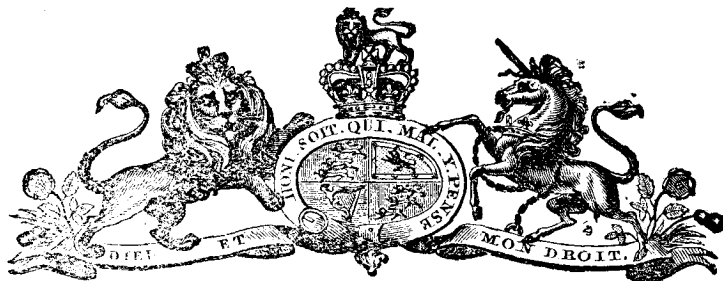
SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand situate in the Clutha and South Molyneux Districts containing by admeasurement five hundred and fifty-four (554) acres and four (4) poles more or less bounded towards the north by sections numbered respectively 4 11 and 12 block IV Clutha District and section 5 block VI three thousand five hundred (3500) links also by sections numbered respectively 5 6 7 8 9 10 and 11 block VI Clutha District seven thousand (7000) links towards the east by section numbered 1 of the said block IV one thousand three hundred (1300) links by street lines and Cemetery Reserve six thousand seven hundred and fifty (6750) links also by the remaining half of the said section numbered 7 one thousand five hundred (1500) links towards the south by the other part of section numbered 3 of the said block IV three thousand one hundred (3100) links by section numbered 11 block I South Molyneux District five hundred (500) links by section numbered 5 block III South Molyneux District one thousand seven hundred and fifty (1750) links and by remaining half of the said section numbered 7 one thousand seven hundred and fifty (1750) links also by section numbered 6 of the said block III three thousand five hundred (3500) links and towards the west by the remaining half of section numbered 7 one thousand five hundred (1500) links also by a road line four thousand five hundred (4500) links and three thousand (3000) links and intersected by eight (8) road lines each one hundred (100) links wide also by two (2) other road lines each sixty (60) links wide.

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OTAGO, N. Z.



ROXBURGH RESERVE MANAGEMENT ORDINANCE, 1875.

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

SESSION XXXIV. No. 515.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Land described in Schedule to be vested in the Corporation of the Town of Roxburgh.</p>	<p>3. Corporation to manage land described in Schedule under certain provisions. 4. Moneys to be applied as provided by the 94th section of the "Otago Municipal Corporations Ordinance, 1865." Schedule.</p>
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An Ordinance to transfer to and vest in the Corporation of the Town of Roxburgh a certain Reserve now vested in the Superintendent of the Province of Otago. Title.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 19TH JUNE, 1875.]

WHEREAS the parcel of land particularly described in the Schedule hereto has under and by virtue of "The Public Reserves Act, 1854" and "The Public Reserves Act Amendment Act, 1862:" 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 and is now vested in him and them: 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 Roxburgh were created a corporate body under the style of the "Corporation of Roxburgh:" 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 or which might thereafter be vested in the Superintendent of any Province under the provisions of the said "Public Reserves Act, 1854" upon trust for any public purposes should be transferred to and vested in and held by any corporation commission 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 purpose 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 powers provisions and conditions as should in such Act or Ordinance be expressed or declared:

And whereas it is expedient that the lands described in the said Schedule hereto should be transferred to and vested in the "Corporation of the Town of Roxburgh" upon the trusts and with and subject to the powers provisions and conditions hereinafter declared :

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 :—

Short Title.

1. This Ordinance shall be intituled and may be cited and referred to as the "Roxburgh Reserve Management Ordinance, 1875."

Land described in Schedule to be vested in the Corporation of the Town of Roxburgh.

2. The land described in the Schedule hereto shall be and the same is hereby transferred to and vested in the "Corporation of the Town of Roxburgh" and its successors as a corporate body to be held by the said Corporation and its successors in trust for purposes of Recreation for the inhabitants of the Town of Roxburgh and the said Superintendent is hereby authorised and empowered to perfect such transfer by conveying and assuring the said land by deed or by memorandum of transfer to the said Corporation.

Corporation to manage land described in Schedule under certain provisions.

3. It shall be lawful for the said "Corporation of the Town of Roxburgh" to manage the said land and hereditaments in such manner in every respect as to it shall seem fit and with the sanction and consent of the Superintendent for the time being of the Province of Otago to lease the same land and hereditaments at such rents issues and profits as it may deem expedient so that such leases be for any term not exceeding seven years to take effect from the time of the execution thereof and so that such leases shall not prevent the inhabitants of the said Town from using the said lands for Recreation purposes.

Moneys to be applied as provided by the 94th section of the of the Otago Municipal Corporations Ordinance, 1865.

4. All moneys received by the "Corporation of the Town of Roxburgh" for the rents issues and profits of the said land shall be managed by the said Corporation and shall be applied and disposed of in manner provided by the ninety-fourth section of the "Otago Municipal Corporations Ordinance, 1865."

SCHEDULE.

All that parcel of land in the Province of Otago in the Colony of New Zealand situate in the Teviot District being section numbered thirty-three (33) block two (II) on the map of the said District containing by admeasurement three hundred (300) acres more or less bounded towards the north by Crown Lands and the town of Roxburgh four thousand nine hundred (4900) links towards the east by the Clutha River nine thousand one hundred (9100) links towards the south by Crown Lands one thousand (1060) links and by part of section numbered 31 block II Teviot District six hundred and ninety-six (696) links and towards the west by a road-line one thousand two hundred and thirty (1230) links also by Crown Lands six thousand nine hundred and sixty (6960) links and intersected by a road-line one hundred (100) links wide also by two (2) water races.

DUNEDIN, NEW ZEALAND :

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