

BRANDING OF CATTLE AMENDMENT ORDINANCE.

PROVINCE OF TARANAKI.

BRANDING OF CATTLE
ORDINANCE 1865 AMEND-
MENT ORDINANCE 1874.

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

SESSION XXIII., NO. 12.

AN ORDINANCE TO AMEND THE "BRANDING OF CATTLE
ORDINANCE 1865."

A N A L Y S I S.

Title.	5. Registered brand &c. <i>prima</i>
Preamble.	<i>facie</i> evidence of owner-
1. Registering brands.	ship.
2. Brands now in use to be re-	6. Penalties how recoverable.
registered.	7. Reduction of registration fees.
3. Penalty for usurping registered	8. Disposal of fines.
brand or earmark of another	9. Coming of operation of Ord-
person &c.	nance.
4. Penalty for removing more than	10. Short Title.
a-third of the ear of a sheep.	

An Ordinance to amend the "Branding of Cattle Ordinance Title.
1865."

WHEREAS it is expedient to make provision for the marking Preamble.
and branding of sheep and further provision for the branding
of cattle and on that behalf to amend the "Branding of Cattle
Ordinance 1865" BE it therefore enacted by the Superinten-
dent of the Province of Taranaki with the advice and consent
of the Provincial Council thereof as follows :—

BRANDING OF CATTLE AMENDMENT ORDINANCE.

Registering
brands.

1. Every Cattle or Sheep owner in the Province of Taranaki shall after the expiration of one month after the proclamation of the Governor's assent to this Act on payment of a fee of Five Shillings register at the office of the Registrar of Brands in New Plymouth or at the office of any Sub-Registrar appointed by the Superintendent with the advice and consent of the Provincial Council for any out district of the Province the brands or earmarks which he proposes to use. Provided that it shall not be lawful for any person to register any brand or earmark and brand already registered by another cattle or sheep owner unless within three months from the coming into operation of this Ordinance as aforesaid such brand or earmark be not registered under this Act.

Brands now
in use to be
re-regis-
tered.

2. Any brand registered previous to the passing of this Ordinance shall be null and void unless registered within three months from the passing of this Ordinance and the fee paid thereon as above and such brand shall be removed from the registry.

Penalty for
usurping
registered
brand or ear-
mark of
another
person &c.

3. Any person after the passing of this Ordinance usurping or pirating the registered brand or earmark and brand of another person or who shall brand or earmark any sheep or cattle without having previously registered such brand or earmark under this Ordinance shall be subjected to a penalty not exceeding £10 for each offence and such penalty may be cumulative from month to month until the cause of action be finally removed.

Penalty for
removing
more than
a-third of the
ear of a
sheep.

4. Any person removing more than a-third of the ear of any sheep shall be liable to a penalty not exceeding £1 for each offence.

Registered
brand &c.
prima facie
evidence of
ownership.

5. Any sheep or cattle marked or branded with brand or earmark registered under this Act such brand or earmark marked upon such cattle or sheep shall be *prima facie* evidence of ownership.

Penalties
how recover-
able.

6. All penalties and fees recoverable under this Ordinance may be recovered in a summary manner.

Reduction of
registration
fees.

7. The Superintendent with the advice and consent of the Provincial Council may by proclamation in the Government *Gazette* of the Province reduce the amount payable as a fee for the registration of brands or earmarks and brands.

EDUCATIONAL ORDINANCE.

PATEA EDUCATIONAL DISTRICT.

Bounded as follows—By the sea coast from the Patea to the Waingongoro River thence by No. 1 District to the Taumatamahoe path and thence by the boundary of the Province to the sea.

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this twenty-first day of May one thousand eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this twenty-second day of May one thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.

EDUCATIONAL ORDINANCE.

(2.) The Superintendent shall upon the receipt of the said resolutions notify in the *Gazette* that the said Boards desire to amalgamate and he is hereby empowered and directed to declare that they are amalgamated and thereupon the said two Boards shall become one Educational Board for the two Districts aforesaid.

29. The amalgamated Board shall be called the Taranaki Educational Board and shall consist of all the members of the two original Boards who shall continue in office as members of the new Board for the period for which they were elected.

Designation of amalgamated Boards.

30. The Taranaki Educational Board shall be a body corporate and shall possess all the rights privileges and powers over the whole of the Province of Taranaki which are conferred by this Ordinance upon the Boards for their respective Districts.

Powers of Taranaki Educational Board.

31. The Taranaki Educational Board after the term of office of the original members has expired shall still consist of Twelve members seven to be chosen by the qualified householders in the New Plymouth Educational District and five to be chosen by the qualified householders in the Patea Educational District and the elections for the said members shall be conducted as provided in this Ordinance for the election of members to serve upon the Boards and the members so elected shall hold office for a like period and upon the same terms and subject to the same conditions as members of the Boards.

Number of members.

32. The Taranaki Educational Board shall carry out all contracts agreements undertakings leases or other engagements or liabilities which may have been entered into or incurred by each or either of the Boards before amalgamation.

Contracts agreed on before amalgamation to be carried out.

SCHEDULE.

Schedule.

NEW PLYMOUTH EDUCATIONAL DISTRICT.

Bounded as follows—By the sea coast from the Waingongoro River to the River Mokau thence by the north and east boundaries of the Province to a point on the Wanganui River where it is met by the Taumatamahoe path thence by a straight line to the summit of Mount Egmont thence to the source of the Waingongoro River and thence by the said river to the sea.

EDUCATIONAL ORDINANCE.

Powers of
School Com-
mittee,

25. Each School Committee shall have power :—

- (1.) To recommend for approval and appointment by the Board all teachers within their sub-district.
- (2.) To recommend the Board to suspend or remove any such teacher.
- (3.) To recommend to the Board what remission if any should be made in the school fees of any children and what remission should be made to any householder in the householders' rate.
- (4.) To report generally to the Board any matter connected with education requiring attention within their sub-district.

Tax on
house-
holders,

26. For raising part of the necessary funds for establishing and maintaining Schools there shall be levied yearly upon every householder in the Province of Taranaki an uniform rate of Twenty Shillings.

Payment of
tax,

27. The rate shall be paid by the occupier or occupiers of every house to the Treasurer of the Board for the District in which the said house is situated or to such other person or persons as may be appointed by the said Board in that behalf on a day or days and at a place or places to be fixed by the said Board by public notice in some newspaper circulating in the District not being less than twenty-one days from the time of giving such notice nor less than nine months from the previous day so appointed for the collection of the rate and if the rate or any part thereof shall not be paid on the day so to be fixed for that purpose the same may be recovered in a summary manner and the proof that any householder is not liable to pay the said rate shall rest upon such householder.

Amalgama-
tion of
Boards,

28. The Boards shall have power to amalgamate and to constitute themselves one Board at any time in the manner following :—

- (1.) Each Board shall pass a resolution expressing their desire to amalgamate with the other Board and forward the said resolution to the Superintendent.

EDUCATIONAL ORDINANCE.

certain number of scholars shall be entitled to receive instruction gratuitously or at a reduced rate of charge Each Board may also employ teachers to travel from place to place and give instruction to children at places other than schools such instruction to be of a character approved or prescribed by the Board.

19. Each Board shall prepare yearly reports showing the condition of their respective Districts as regards education setting forth the number of existing Schools the number of scholars attending them the course of instruction pursued by them and all other such matters as may be seen to be of interest and desirable to communicate and such reports shall be transmitted to the Superintendent as soon as conveniently may be and shall be published in the *Gazette*. Preparation of Reports.

20. The Treasurer of each Board shall in books to be kept for that purpose enter true accounts of all sums of money by him received and paid and of the several matters in respect whereof such sums shall have been received and paid and all accounts with all vouchers and papers relating thereto with a full abstract and balance-sheet thereof signed by three at least of the members of the Board shall at the end of each year be audited by the Provincial Auditor and a copy of such abstract or balance sheet shall when audited be forwarded to the Superintendent and be by him published in the *Gazette*. Duties of Treasurer.

21. Each Board shall divide their District into convenient sub-districts for the purpose of obtaining local supervision of the school or schools therein established. Division of districts into sub-districts.

22. In every sub-district there shall be a local school managing Committee hereinafter called the School Committee consisting of three members who shall be elected from the residents in the said sub-districts in the same manner as members for the Boards are elected except that the Board shall appoint the presiding officer who shall possess the same powers for the purpose of conducting the elections in the sub-districts as are hereinbefore given to the presiding officer appointed by the Superintendent. School Committee.

23. Each member of a School Committee shall hold office upon the same terms and conditions and for a similar period as a member of a Board. Period of office of School Committee.

24. Each School Committee shall have the same power and duties as to the election of a chairman as the Boards. Chairman School Committee.

EDUCATIONAL ORDINANCE.

- (3.) To build or buy furnish and keep in repair and insure all necessary schoolhouses and buildings.
- (4.) To build or buy and keep in repair and insure teachers' houses.
- (5.) To make from time to time all necessary regulations for the orderly conduct of school business and the attendance of scholars.
- (6.) To fix from time to time the amount of school fees if any to be paid by scholars not exceeding in the case of primary schools a fee of 6s 6d per quarter for each scholar.
- (7.) To remit the school fees of any children whose parents the Board may determine are unable to pay the same from any cause whatsoever.
- (8.) To determine what is a householder within the meaning of this Ordinance and their decision shall be final and conclusive.
- (9.) To remit the household rate payable by any householder whom the Board shall determine is unable to pay the same from any cause whatsoever.
- (10.) To control and determine generally all matters connected with education and schools established by this Ordinance.

Disposal of
land by
Board.

17. Each Board may hold land to any extent and of any tenure for the purposes of this Ordinance and shall occupy let and dispose of the same in such a manner as shall be directed by the instrument whereby such land shall be vested in the Board or by other lawful authority.

Application
of monies at
disposal of
Board.

18. Each Board may apply such part of the monies at their disposal as they shall think fit in aiding schools in the Province not established under this Ordinance provided that the teacher of every such school be deemed by the Board as fully qualified to be a teacher of a school established under this Ordinance and that the education given at every school so aided be of a character at least equal to that given at schools established under this Ordinance and the Board may if they think fit make it a condition of granting such aid that

EDUCATIONAL ORDINANCE.

12. As soon as may be after the expiration of three years from the election of members for each Board new members shall be elected and the election shall be conducted in the same manner as the first election except as to the qualification of electors as specified in section six of this Ordinance At every such election any member actually holding office shall if otherwise qualified be capable of being re-elected.

Election of new members.

13. When new members have been elected and their names notified in the *Gazette* the old members who have not been re-elected shall cease to be members.

Old members not re-elected cease to be members.

14. The Superintendent shall appoint the time and place for the first meeting of each new Board At such first meeting the members present shall elect a chairman At all meetings of each Board each member including the Chairman shall have one vote and if the votes be equal the Chairman shall have a casting vote In the event of the death resignation or disqualification of the Chairman the Board may elect another Chairman Each Board may from time to time make regulations not inconsistent with this Ordinance for the conduct of business at their meetings for fixing a quorum of the members of the Board and for regulating the time and place of holding their meetings and from time to time suspend vary and revoke such regulations.

Appointment of time and place for first meeting.

15. Each Board shall appoint some person to be Treasurer and shall appoint some person to be Secretary of the Board at such salary in each case or without salary as they shall think fit and may from time to time suspend or remove either of the said officers and in every case of vacancy appoint a new Treasurer or Secretary as the case may be Provided that no member of the Board shall hold office as either Secretary or Treasurer.

Appointment of Secretary and Treasurer to Board.

16. Each Board within their respective Districts shall have power :—

Powers of Boards.

- (1.) To establish schools under this Ordinance at such places as they may think necessary and from time to time to appoint suspend or remove teachers to such school and to fix the amount of salaries for such teachers.
- (2.) To appoint suspend or remove from time to time one or more Inspectors of Schools and to fix the amount of remuneration for each such Inspector.

EDUCATIONAL ORDINANCE.

- (4.) Every person qualified and desirous to vote at such election shall appear in person at the appointed time and at one of the appointed places and shall state to the presiding officer or to one his assistants the name or names of the candidate or candidates for whom he desires to vote and the said presiding officer or assistant shall enter the same in a poll book and cause the voter to sign his name or set his mark thereto.
- (5.) The presiding officer shall as soon as conveniently may be after the close of the poll compare the several poll books and ascertain the number of votes (rejecting any which may have been recorded more than once) given for each candidate and shall declare those candidates elected in whose favor the greatest number of votes have been given. In case of equality of votes for any two or more candidates the presiding officer shall give a casting vote in favor of one such candidate.

Names of
elected can-
didates to be
forwarded to
Superinten-
dent for noti-
fication in
Gazette.

9. When the presiding officer has declared any candidates elected he shall forthwith send to the Superintendent in writing notice of the names of such candidates and the Superintendent shall notify the names of all members elected in the *Government Gazette*.

Members to
hold office
for three
years.

10. The members of the Boards shall subject to the provisions hereinafter contained continue to be members of such Boards respectively for the period of three years from the date of the *Gazette* in which their names shall have been notified as aforesaid and thereafter until new members have been elected.

Resignation,
&c.

11. If any member shall by writing addressed to the Chairman of the Board or which he is a member resign his seat die or become of unsound mind or become bankrupt or compound with his creditors or be convicted of any felony or indictable misdemeanor or absent himself without the leave of the Board from four consecutive meetings of the Board or become interested either solely or jointly with any other person in any contract with the Board otherwise than as a member of any incorporated or registered company or of any body corporate or accept or hold any place of profit other than Treasurer or Secretary to the said Board under the Board he shall immediately cease to be a member of the Board. When under any of the provisions of this section the place of a member shall become vacant the Board shall appoint a member in his place who shall continue in office so long as the member in whose place he is appointed would have continued in office.

EDUCATIONAL ORDINANCE.

Plymouth Educational District and at the Court House at Carlyle for the Patea Educational District by a notice published in one or more newspapers circulating in the District.

- (2.) At each such meeting a person appointed by the Superintendent shall preside. Such person is hereinafter called the presiding officer.
- (3.) Every candidate for the office of member shall be proposed by one qualified voter and seconded by another.
- (4.) If only the required number of candidates is proposed and seconded the presiding officer shall declare such candidates elected.
- (5.) If more than the required number of candidates is proposed and seconded the presiding officer shall put the names of all the candidates to the meeting in the order in which they were proposed and shall call for a show of hands in respect of each candidate successively and if the show of hands for two or more candidates is equal the presiding officer shall give a casting vote and the candidates in whose favor the presiding officer shall declare the show of hands to be shall be by him declared to be elected unless a poll be forthwith demanded by another candidate.

8. If a poll be demanded the presiding officer shall fix the day of polling and the polling place or places and declare to the meeting the day and places at which the poll shall be taken and on such day and at such place or places the poll shall be taken accordingly in the manner following :—

Mode of conducting elections.

- (1.) The poll shall begin at nine o'clock in the forenoon and continue till four o'clock in the afternoon.
- (2.) The presiding officer with such assistants as he shall think necessary shall attend at the chief of the appointed polling places furnished with poll books and pens and ink.
- (3.) The presiding officer shall appoint competent persons to attend at such other places as may have been appointed polling places and shall furnish such persons with poll books and pen and ink.

EDUCATIONAL ORDINANCE.

Title. *An Ordinance to make better provision for the establishment and maintenance of Schools in the Province of Taranaki.*

Preamble. WHEREAS it is expedient to make more efficient provision for the establishment and maintenance of schools in the Province of Taranaki BE it therefore enacted by the Superintendent of the said Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

Short Title. 1. The Short Title of this Ordinance shall be the “ Educational Ordinance 1874.”

Ordinance, 1868, repealed. 2. The “ Educational Ordinance 1868 ” is hereby repealed.

Educational Districts. 3. The Province of Taranaki shall be divided into Two Educational Districts which shall be called the New Plymouth Educational District and Patea Educational District and the boundaries of the said Districts are set forth in the first Schedule to this Ordinance.

Educational Boards. 4. For each Educational District there shall be an Educational Board called respectively the New Plymouth Educational Board and the Patea Educational Board and each of the said Boards shall be a body corporate having perpetual succession and a common seal with power to alter break or renew the same Each of the bodies corporate are hereinafter called the Board.

Number of members of Boards. 5. The New Plymouth Educational Board shall consist of *seven* members and the Patea Educational Board shall consist of *five* members to be elected as hereinafter provided.

Qualification to vote at election of members. 6. Every householder in actual occupation of a house for the first election and for every subsequent election every householder in actual occupation of a house and paying the Educational Rate imposed by this Ordinance and who shall not be in arrear in the payment of the said rate shall be qualified to vote for the election of the members of the Board for the District in which the said house is situated.

Election of members. 7. The election of members to serve upon the Boards shall be conducted as follows :—

(1.) The Superintendent shall before the first day of July next convene a meeting of the householders as above at the Court House in New Plymouth for the New

EDUCATIONAL ORDINANCE.

PROVINCE OF TARANAKI.

EDUCATIONAL ORDINANCE
1874.

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

SESSION XXIII., NO. 11.

AN ORDINANCE TO MAKE BETTER PROVISION FOR THE
ESTABLISHMENT AND MAINTENANCE OF SCHOOLS IN
THE PROVINCE OF TARANAKI.

ANALYSIS.

- | | |
|--|--|
| Title. | 16. Powers of Board. |
| Preamble. | 17. Disposal of land by Board. |
| 1. Short Title. | 18. Application of monies at disposal of Board. |
| 2. Ordinance 1868 repealed. | 19. Preparation of reports. |
| 3. Educational Districts. | 20. Duties of Treasurer. |
| 4. Educational Boards. | 21. Division of Districts into Sub-districts. |
| 5. Number of Members of Boards. | 22. School Committee. |
| 6. Qualification to vote at election of members. | 23. Period of office of School Committee. |
| 7. Election of members. | 24. Chairman School Committee. |
| 8. Mode of conducting election. | 25. Powers of School Committee. |
| 9. Name of elected candidates to be forwarded to the Superintendent for notification in <i>Gazette</i> . | 26. Tax on householders. |
| 10. Members to hold office for three years. | 27. Payment of tax. |
| 11. Resignation, &c. | 28. Amalgamation of Boards. |
| 12. Election of new members. | 29. Designation of amalgamated Board. |
| 13. Old members not re-elected cease to be members. | 30. Powers of Taranaki Educational Board. |
| 14. Appointment of time and place for first meeting. | 31. Number of members. |
| 15. Appointment of Secretary and Treasurer to Board. | 32. Contracts agreed on before amalgamation to be carried out. |
| | Schedule. |



APPROPRIATION ORDINANCE.

Brought forward...	...	...	...	£1,848	0	0
<i>Police Department—</i>						
Sergeant	...	...	...	80	0	0
Sergeant, for forage...	...	...	...	20	0	0
Two Privates...	...	...	...	192	0	0
						292 0 0
<i>Gaol Department—</i>						
Surgeon to Gaol and Lunatic Asylum	...	...	...	25	0	0
Gaoler and Matron	...	...	...	108	0	0
Warder	...	...	...	75	0	0
Rations and Fuel	...	...	...	100	0	0
Contingencies	...	...	...	70	0	0
						378 0 0
<i>Inspector of Sheep and Cattle and Registrar of Brands Department—</i>						
Inspector and Registrar	...	...	...	...	...	150 0 0
<i>Charitable Aid...</i>						
	...	...	...	...	...	150 0 0
<i>General Contingencies ...</i>						
	...	...	...	...	...	350 0 0
<i>Miscellaneous—</i>						
Taranaki Northern Agricultural Society...	...	...	...	20	0	0
Printing and Stationery	...	...	...	280	0	0
Librarian of Institute	...	...	...	25	0	0
Board of Hospital	...	...	...	200	0	0
Lunatic Asylum	...	...	...	250	0	0
Prizes for rifle practice	...	...	...	10	0	0
Interest on mortgage for Waitara Bridge...	...	...	...	207	0	0
Owners of Go-ahead...	...	...	...	50	0	0
						1,042 0 0
<i>Advances—</i>						
Hospital	...	...	...	...	...	50 0 0
						50 0 0
						£4,260 0 0

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this first day
of April one thousand eight hundred
and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this first day of April
one thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.

Printed under the authority of the Government of the Province of Taranaki, by
C. BROWN, of Brougham-street, New Plymouth, Printer to the
Provincial Government for the time being.

APPROPRIATION ORDINANCE.

Provision for certain expenditure in 1873. 2. And whereas the hereinafter mentioned sum amounting to £70 18s 5d was for the year 1873 under the warrants of the Superintendent issued and applied to purposes in excess of any sums appropriated for such purposes and whereas the said several expenditures were necessary to the public service Be it further enacted that the said several expenditures shall be deemed and taken to have been made under the authority of this Ordinance and the Provincial Treasurer shall take credit for the said sums accordingly that is to say—

1873 £70 18 5

Short Title. 3. The Short Title of this Ordinance shall be the "Appropriation Ordinance 1874."

Schedule.

SCHEDULE.

	£	s.	d.	£	s.	d.
<i>Superintendent's Department—</i>						
Superintendent	300	0	0			
Clerk	100	0	0			
Contingencies... ..	10	0	0			
				410	0	0
<i>Executive Council Department—</i>						
Provincial Secretary				150	0	0
<i>Provincial Council Department—</i>						
Speaker	25	0	0			
Clerk	50	0	0			
Sergeant-at-Arms	20	0	0			
Payment to members	130	0	0			
Contingencies... ..	15	0	0			
				240	0	0
<i>Provincial Treasury Department—</i>						
Provincial Treasurer				200	0	0
<i>Survey Department—</i>						
Chief Surveyor	250	0	0			
Cadet	25	0	0			
Contingencies... ..	50	0	0			
				325	0	0
<i>Harbor Department—</i>						
Harbor Master	200	0	0			
Signalman, New Plymouth... ..	80	0	0			
Signalman and Pilot, Waitara	70	0	0			
Signalman and Pilot, Opunake	26	0	0			
Ferryman and Pilot, Patea... ..	77	0	0			
Contingencies... ..	70	0	0			
				523	0	0
Carried forward				£1,848	0	0

APPROPRIATION ORDINANCE.

PROVINCE OF TARANAKI.

APPROPRIATION
ORDINANCE 1874.

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

SESSION XXIII., NO. 10.

AN ORDINANCE TO APPROPRIATE MONEY FOR THE PUBLIC
SERVICE OF THE PROVINCE OF TARANAKI FOR THE
FINANCIAL YEAR ENDING 31st DECEMBER, 1874.

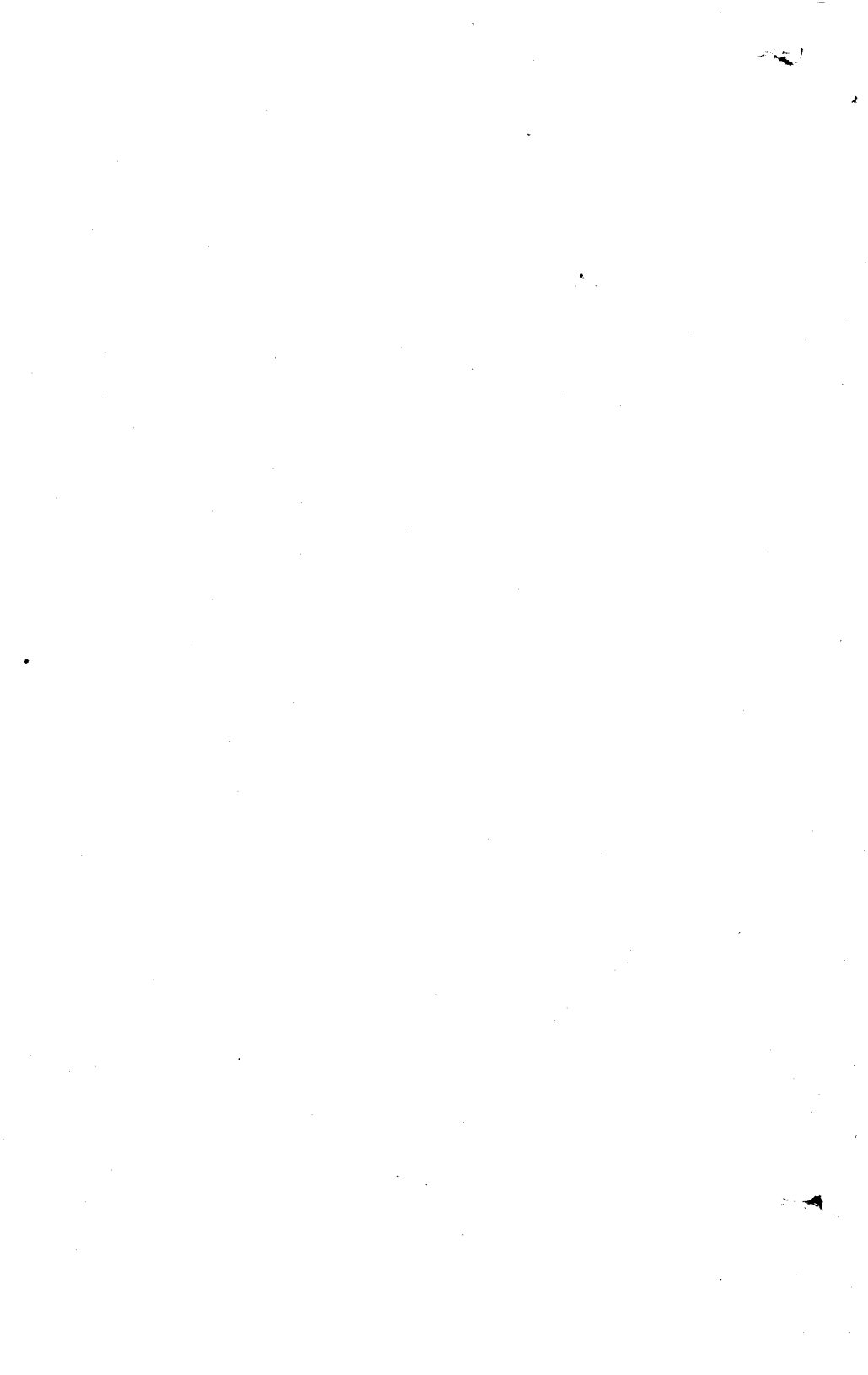
A N A L Y S I S.

- | | | |
|--|--|--------------------------------------|
| Title. | \| | 2. Provision for certain expenditure |
| Preamble. | | in 1873. |
| 1. Grant for services specified in Schedule. | \| | 3. Short Title. |
| | | Schedule. |

An Ordinance to appropriate money for the Public Service Title.
of the Province of Taranaki for the financial year ending
31st December, 1874.

WHEREAS it is expedient to make further provision for ^{Preamble.}
defraying the charge of the Provincial Government of the
Province of Taranaki for the period ending 31st December
1874 BE it therefore enacted by the Superintendent of the
Province of Taranaki with the advice and consent of the
Provincial Council thereof as follows :—

1. For defraying the charge of the Provincial Government ^{Grant for}
of the said Province for the period ending on the 31st day of ^{services}
December 1874 there may be issued and applied out of the ^{specified in}
revenue of the said Province for the several purposes and ^{Schedule.}
services specified in the Schedule hereto the sum of £4,260.



SCOTCH THISTLE REPEAL ORDINANCE.

PROVINCE OF TARANAKI.

**THE SCOTCH THISTLE
ORDINANCE 1863 REPEAL
ORDINANCE 1874.**

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

SESSION XXIII., NO. 8.

AN ORDINANCE TO REPEAL THE "SCOTCH THISTLE
ORDINANCE 1863."

A N A L Y S I S.

Title.
Preamble.

1. Ordinance of 1863 repealed.
2. Short Title.

An Ordinance to repeal the "Scotch Thistle Ordinance 1863." Title.

WHEREAS it is advisable to repeal the "Scotch Thistle Ordinance 1863" BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

1. The "Scotch Thistle Ordinance 1863" is hereby repealed.
2. The Short Title of this Ordinance shall be "The Scotch Thistle Ordinance 1863 Repeal Ordinance 1874."

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this first day
of April one thousand eight hundred
and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this first day of April one
thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.

Printed under the authority of the Government of the Province of Taranaki, by C. BROWN, of Brougham-street, New Plymouth, Printer to the Provincial Government for the time being.

NEW PLYMOUTH PUBLIC WORKS AMENDMENT ORDINANCE.

Sections of Ordinance 1864 repealed.

1. Sections 7 8 9 10 11 12 13 14 15 and 16 of the "Town of New Plymouth Public Works Ordinance 1864" are hereby repealed.

Rate to be imposed.

2. An annual rate of not less than 3d in the £ and not exceeding 8d in the £ shall be imposed by the Town Board on the value of all land within the Town of New Plymouth exclusive of all building erections and improvements whatever on the land so assessed.

Estimate to be prepared of money required.

3. The Town Board before proceeding to make any rate shall cause an estimate to be prepared of the money required for the several purposes in respect of which they are authorised to expend or apply the Town Rates showing the several sums already available for such purposes the several sums required the rateable value of the property assessable and the rate on each £ of such value necessary to raise the money required which estimate shall after being approved by the Town Board be posted at the Court House together with a notice of the time when and the place where the Board will attend to hear any objections that may be made to such assessment.

Town Board to attend to hear objections.

4. The Town Board shall attend to hear any objection that may be made to such assessment at such place as they may appoint as above not less than 14 days nor more than 30 days after the posting of the estimate in the Court House.

Notice to be given by Secretary of intention of making rate.

5. Notice of the intention of making every rate authorised to be made under the provisions of this Ordinance and of the time at and the period for which the same is intended to be made and the place where a statement of the proposed rate is deposited for inspection by the ratepayers shall be given by the Secretary to the Town Board by advertisement in each paper published in the Town of New Plymouth for 2 consecutive weeks.

By whom rate shall be paid and how recoverable.

6. The said rates shall be paid by the occupier for the time being of the lands rateable or in default of occupier or in case there shall be no occupier then by the owner thereof to such person as shall be duly authorised by the Town Board to receive the same and shall be recoverable by such person by summary proceeding before any Justice of the Peace having jurisdiction within the District on the expiration of one month after the same shall have become due and shall be leviable by

PROVINCE OF TARANAKI.

TOWN OF NEW PLYMOUTH
PUBLIC WORKS ORDINANCE
1864 AMENDMENT ORDINANCE 1874.

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

SESSION XXIII., NO. 7.

AN ORDINANCE TO AMEND THE "TOWN OF NEW
PLYMOUTH PUBLIC WORKS ORDINANCE, 1864."

A N A L Y S I S.

- | | |
|---|--|
| Title. | from occupier for time being |
| Preamble. | 8. Burden of proof that sum demanded is greater than rent due to be upon such occupier. |
| 1. Sections of Ordinance, 1864, repealed. | 9. Provisions contained in Sections 3 to 7 of "The Sale of Land for Nonpayment of Rates Act, 1862," &c., to apply to rates imposed under this Ordinance. |
| 2. Rate to be imposed. | 10. Ordinance to be read with and form part of "Town of New Plymouth Public Works Ordinance, 1864." |
| 3. Estimate to be prepared of money required. | 11. Short Title. |
| 4. Town Board to attend to hear objections. | |
| 5. Notice to be given by Secretary of intention of making rate. | |
| 6. By whom rates shall be paid, and how recoverable. | |
| 7. Rates unpaid for three months may be demanded by Treasurer or Collector for Town Board | |

An Ordinance to amend the "Town of New Plymouth Public Works Ordinance 1864." Title.

WHEREAS it is expedient to make better provision for the Preamble.
construction and maintenance of public works generally in the
Town of New Plymouth and whereas it is advisable that certain
provisions of the "Town of New Plymouth Public Works
Ordinance 1864" be repealed and other provisions made in lieu
thereof BE it therefore enacted by the Superintendent of the
Province of Taranaki with the advice and consent of the Pro-
vincial Council thereof as follows :—

NEW PLYMOUTH PUBLIC WORKS AMENDMENT ORDINANCE.

Short Title. 11. The Short Title of this Ordinance shall be the "Town of New Plymouth Public Works Ordinance 1864 Amendment Ordinance 1874."

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this twenty-fifth day of March one thousand eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

This Ordinance was presented to me on the first day of April one thousand eight hundred and seventy-four and I hereby declare that I reserve the same for the signification of the Governor's pleasure thereon.

FRED. A. CARRINGTON,
Superintendent.

I hereby assent to this Ordinance this first day of July one thousand eight hundred and seventy-four.

JAMES FERGUSSON,
Governor.

NEW PLYMOUTH PUBLIC WORKS AMENDMENT ORDINANCE.

distress and sale upon any goods and chattels which may be found upon the lands rateable at any time after such rate shall have become due.

7. When the owner of any rateable property is rated in respect thereof and the rate remains unpaid for three months the Treasurer or Collector for the Town Board may demand the amount of such rate or any part thereof from the occupier for the time being of such rateable property and on non-payment thereof may recover the same before any Justice in like manner as rates may be recovered from any occupier liable to be rated and every such occupier shall be entitled to deduct from the rent payable by him to such owner so much as was so paid or recovered from him.

Rates unpaid for three months may be demanded by Treasurer or Collector for Town Board from occupier for time being.

8. Provided always that no such occupier shall be required to pay any farther sum than the amount of rent due from him at the time of the demand made upon him for such amount of rate or which after such demand and after notice not to pay the same to his landlord at any time accrues and becomes payable by him unless he refuse on application being made to him for that purpose by or on behalf of the Town Board truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable but the burden of proof that the sum demanded of such occupier is greater than the rent due by him at the time of such notice or which has since accrued shall be upon such occupier.

Burden of proof that sum demanded is greater than rent due to be upon such occupier.

9. The provisions contained in the sections numbered from three to seven inclusive of "The Sale of Land for Nonpayment of Rates Act 1862" and the Schedule thereto and of "The Sale of Lands for the Payments of Rates Act 1870" shall apply to any rate imposed under this Ordinance whether such rate shall have been made on the occupier or owner of the rateable property.

Provisions contained in Sections 3 to 7 of "The Sale of Land for Nonpayment of Rates Act, 1872," &c., to apply to rates imposed under this Ordinance.

10. This Ordinance shall be read with and form part of the "Town of New Plymouth Public Works Ordinance 1864."

Ordinance to be read with and form part of "Town of New Plymouth Public Works Ordinance, 1864."

DOG NUISANCE AMENDMENT ORDINANCE.

Occupiers of not less than 40 acres in extent empowered to keep one sheep or cattle dog on payment of 1s tax.

2. Any person in actual occupation of a farm of not less than forty acres in extent situate in any Rural or Suburban District of the Province of Taranaki is hereby empowered to keep one sheep or cattle dog the same not being a setter pointer retriever or other sporting dog on paying to the Registrar of the Rural District in which he resides the fee of One Shilling for such dog and in other respects complying with the provisions of the "Dog Nuisance Ordinance 1872" Provided always that for every other dog owned by such person shall be paid the full registration fee of Five Shillings.

Short Title. 3. The Short Title of this Ordinance shall be the "Dog Nuisance Ordinance 1872 Amendment Ordinance 1874."

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this twenty-fifth day of March one thousand eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this first day of April one thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.

DOG NUISANCE AMENDMENT ORDINANCE.

PROVINCE OF TARANAKI.

DOG NUISANCE ORDINANCE
1872 AMENDMENT ORDINANCE
1874.

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

SESSION XXIII., NO. 6.

AN ORDINANCE TO AMEND THE "DOG NUISANCE
ORDINANCE 1872."

A N A L Y S I S.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Portion of clause 4 of "Dog Nuisance Ordinance, 1872," amended.</p> | <p>2. Occupiers of not less than 40 acres in extent empowered to keep one sheep or cattle dog on payment of 1s tax.
3. Short Title.</p> |
|--|---|

An Ordinance to amend the "Dog Nuisance Ordinance 1872." Title.

WHEREAS it is expedient to amend certain provisions of the "Dog Nuisance Ordinance 1872" and to make other provisions in lieu thereof BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

1. So much of clause 4 of the above recited Ordinance as enacts that the owner of any dog or dogs shall pay to the Registrar of the Rural or Suburban District in which he resides the fee of Five Shillings for each dog above the age of three months owned by him is hereby amended and shall not be taken to prevent any person in actual occupation of a farm of not less than forty acres in extent in any rural district of this Province from keeping one dog as hereinafter provided.

PROVINCIAL COUNCIL AMENDMENT ORDINANCE.

2. For the Grey and Bell District ... Six members.
3. For the Omata District ... Three members.
4. For the Patea District ... Three members.

Ordinance
when to take
effect.

2. This Ordinance shall take effect immediately after the Governor's assent thereto shall have been signified and shall continue in force until the next general election of members for the Provincial Council.

Short Title.

3. The Short Title of this Ordinance shall be the "Provincial Council Ordinance 1873 Amendment Ordinance 1874."

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this twenty-third day of March one thousand eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

This Ordinance was presented to me on the first day of April one thousand eight hundred and seventy-four and I hereby declare that I reserve the same for the signification of the Governor's pleasure thereon.

FRED. A. CARRINGTON,
Superintendent.

I hereby assent to this Ordinance this twenty-sixth day of May one thousand eight hundred and seventy-four.

JAMES FERGUSSON,
Governor.

PROVINCIAL COUNCIL AMENDMENT ORDINANCE.

PROVINCE OF TARANAKI.

PROVINCIAL COUNCIL
ORDINANCE 1873 AMEND-
MENT ORDINANCE 1874.

SESSION XXIII., NO. 5.

AN ORDINANCE TO FURTHER AMEND THE REPRESENTATION OF THE PROVINCE OF TARANAKI 1873.

ANALYSIS.

Title.	Council and numbers.
Preamble.	2. Ordinance when to take effect.
1. Members of the Provincial	3. Short Title.

An Ordinance to further amend the representation of the Province of Taranaki 1873. Title.

WHEREAS by an Ordinance of the Superintendent and Provincial Council of Taranaki entitled "The Provincial Council Ordinance 1873" it was enacted that the Provincial Council shall consist of fifteen members and whereas it is expedient to make provision for giving an additional member to the Patea District BE it therefore enacted by the Superintendent of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

1. The Provincial Council shall consist of sixteen members and the number of members to be elected for each district shall be as follows :—

- 1. For the Town of New Plymouth District
Four members.



TOWN BOARD LOAN EMPOWERING ORDINANCE.

SCHEDULE.

Schedule.

New Plymouth, New Zealand.

Debentures for

In consideration of the sum of _____ this day paid
by _____ to the Treasurer of the Town Board of
New Plymouth in the Province of Taranaki in the Colony of New Zealand
I hereby declare that the same sum with interest thereon at the rate
of _____ per centum per annum from the date hereof is charged
upon revenue derivable from the Rates of the Town of New Plymouth
under the authority of the Provincial Ordinance intituled the "Town
Board of New Plymouth Loan Empowering Ordinance 1874 Amendment
Ordinance 1874."

I further declare that the principal sum hereby secured is repayable
at the expiration of _____ years from the date hereof and
that the interest is payable half-yearly on the _____ day
of _____ 18 _____

Treasurer.

Chairman.

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this twentieth
day of March one thousand eight hundred
and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

This Ordinance was presented to me on the twenty-first day of
March one thousand eight hundred and seventy-four and
I hereby declare that I reserve the same for the signifi-
cation of the Governor's pleasure thereon.

FRED. A. CARRINGTON,
Superintendent.

I hereby assent to this Ordinance this twenty-seventh day of June
one thousand eight hundred and seventy-four.

JAMES FERGUSSON,
Governor.

TOWN BOARD LOAN EMPOWERING ORDINANCE.

Town Board empowered to borrow a sum of £2,000 on security of rates.

1. It shall be lawful for the Town Board of New Plymouth to borrow a sum not exceeding in amount the sum of Two Thousand Pounds (£2,000) upon the security of the rates payable under this Ordinance by the ratepayers of the Town of New Plymouth the said sum to be applied to the construction of works necessary for raising the lower levels of Devon-street and Brougham-street in the Town of New Plymouth aforesaid to the proper level of the said Town and for other necessary works.

Chairman of Town Board to issue debentures.

2. The Chairman of the Town Board shall issue Debentures in the form and to the effect prescribed in the Schedule hereto for the sums borrowed and such sums shall bear interest from the date of the said Debentures securing the same at a rate not exceeding eight per centum per annum.

Debentures when payable.

3. The Debentures to be issued under this Ordinance shall be payable at the expiration of Seven and Fourteen (7 and 14) years from the date of the same.

Provision for paying Interest and principal.

4. For the purpose of paying the Interest and providing for the liquidation of the principal sum hereby authorised to be raised there shall be paid yearly by the Town Board out of the rates leviable on the property in the Town of New Plymouth such sum as shall not exceed eight per cent. per annum interest on the principal sum together with such annual sum as Sinking Fund as shall be sufficient to make provision for the payment of the principal sums in Seven and Fourteen years respectively and the moneys so raised shall be applied only to payment of Interest and Sinking Fund on the sum so borrowed.

Town Board empowered to raise sum by an annual rate sufficient to make provision as above.

5. The Town Board of New Plymouth is hereby empowered to raise such sum by an annual rate on the property in the Town of New Plymouth based on the valuation of property in the Town made under the powers of the Town of New Plymouth Public Works Ordinance as shall be sufficient to make provision as above anything in the Town of New Plymouth Public Works Ordinance to the contrary notwithstanding.

Short Title.

6. The Short Title of this Ordinance shall be the "Town Board of New Plymouth Loan Empowering Ordinance 1874."

PROVINCE OF TARANAKI.

TOWN BOARD OF NEW PLYMOUTH LOAN EMPOWERING ORDINANCE 1874.

SESSION XXIII., NO. 3.

AN ORDINANCE TO EMPOWER THE TOWN BOARD OF NEW PLYMOUTH TO BORROW A SUM OF TWO THOUSAND POUNDS.

A N A L Y S I S.

Title.	4. Provision for paying interest and principal.
Preamble.	5. Town Board empowered to raise sum by an annual rate sufficient to make provision as above.
1. Town Board empowered to borrow a sum of £2,000 on security of rates.	6. Short Title.
2. Chairman of Town Board to issue Debentures.	Schedule.
3. Debentures when payable.	

An Ordinance to empower the Town Board of New Plymouth to borrow a sum of Two Thousand Pounds.

WHEREAS it is expedient to make provision for the construction of such work as may be rendered necessary in Devon-street and also in Brougham-street in the Town of New Plymouth consequent on the raising of the lower level of these streets to the proper level of the Town And whereas in order to place the Town Board of New Plymouth in a position to raise funds for the execution of such work and to make provision for the punctual payment of interest accruing on such loan together with the Sinking Fund thereof it is advisable that the said Town Board of New Plymouth be empowered to raise a loan BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :--

LOTTERIES ORDINANCE.

Proceedings
to be taken
in a sum-
mary way.

3. All fines and penalties hereby imposed shall be recovered in a summary way in the manner provided by the "Justices of the Peace Act 1866" so far as the same relates to summary convictions or by any Act repealing or amending the same or for the like purposes.

Short Title.

4. The Short Title of this Ordinance shall be "The Lotteries Ordinance 1874."

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this seven-
teenth day of March one thousand
eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this twenty-first day of
March one thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.

LOTTERIES ORDINANCE.

PROVINCE OF TARANAKI.

THE LOTTERIES
ORDINANCE 1874.

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

SESSION XXIII., NO. 2.

AN ORDINANCE TO FACILITATE THE SUPPRESSION OF
LOTTERIES IN THE PROVINCE OF TARANAKI.

A N A L Y S I S.

Title.	lotteries.
Preamble.	3. Proceedings to be taken in a summary way.
1. Penalty on person keeping open unlawful lottery.	4. Short Title.
2. Penalty on playing at unlawful	

An Ordinance to facilitate the suppression of Lotteries in the Province of Taranaki.

BE it enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows:—

1. That any person or persons whatsoever who shall within the limits of the Province of Taranaki publicly or privately exercise keep open show or expose to be played at drawn at or thrown at any lottery now by law unlawful shall for every such offence forfeit and pay a sum not less than Two Pounds nor exceeding Twenty Pounds and in default of payment shall be imprisoned for any term not exceeding Six Months with or without hard labor.

2. That every person or persons who shall play throw or draw at any such lottery as aforesaid shall for every such offence forfeit and pay a sum not less than Five Shillings nor exceeding Five Pounds and in default of payment shall be imprisoned for any term not exceeding Two Months with or without hard labour.

ROADS DIVERSION ORDINANCE.

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this seventeenth
day of March one thousand eight hundred
and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

This Ordinance was presented to me on the twenty-first day of
March one thousand eight hundred and seventy-four and
I hereby declare that I reserve the same for the signifi-
cation of the Governor's pleasure thereon.

FRED. A. CARRINGTON,
Superintendent.

I hereby assent to this Ordinance this twenty-sixth day of
May one thousand eight hundred and seventy-four.

JAMES FERGUSON,
Governor.

ROADS DIVERSION ORDINANCE.

SCHEDULE B.

No. on Plan.	Name of Road.	Lineal measurement in links.	Breadth in Links.	Position.
				OMATA DISTRICT.
65	Sealy.	10.00	60 downwards	Abutting on allot. No. 63.
				GREY DISTRICT.
66	Not named	109.30	60 downwards	From N.E. corner of allotment No. 487 to north boundary of allotment 773.
67	Not named	49.50	60 downwards	From N.E. corner of allotment No. 512 to Carrington Road.
68	Not named	109.00	60 downwards	From N.E. corner of allotment No. 59 to S.E. corner of allotment No. 497.
69	Not named	26.55	60 downwards	From N.W. corner of allotment No. 486 to Carrington Road.
70	Carrington	19.25	100 downwards	Through allot. No. 774s.
				WAITARA WEST.
71	Te Arei	32.55	100 downwards	From Waitara Road through allotment No. 131.
				PATEA DISTRICT.
72	Not named	65.70	100 downwards	Abutting on allotments Nos. 103 and 106.
				FITZROY DISTRICT.
73	Nobs' Line	15.25	60 downwards	From Devon Road to N.W. corner of allotment No. 91.

ROADS DIVERSION ORDINANCE.

said map or maps immediately on the stoppage of such roads or parts of roads.

Interpreta-
tion of
terms.

7. 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 terms "the map" and "the maps" shall mean the map or maps plan or plans bearing an inscription signed by the Speaker of the Provincial Council referring to this Ordinance and which map or maps plan or plans are hereafter to be deposited in the office of the Superintendent of the Province of Taranaki. The term "the roads" shall mean the public roads in the several road districts in the Province of Taranaki mentioned in the first schedule to this Ordinance annexed marked A and which road or roads are more particularly delineated in a map or maps certified by the Speaker of the Provincial Council and deposited at the Office of the Superintendent of Taranaki.

Short Title.

8. The Short Title of this Ordinance shall be the "Roads Diversion Ordinance 1874."

SCHEDULE A.

Schedule

Omata District Grey District Waitara West Patea
District Fitzroy District.

ROADS DIVERSION ORDINANCE.

statement in writing of any well grounded objection they may have if any to such stopping up as above and to leave within thirty days from the first publication of such notice such statement addressed to the Superintendent.

3. After the expiration of the said thirty 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 roads portion of road or portions of roads shall thenceforth cease to be a public road or thoroughfare or public roads and thoroughfares 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 portion of road.

Roads stopped up to be proclaimed by Superintendent in "Gazette."

4. It shall be lawful for the 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 may contract for sale or exchange of land over which such roads passed.

5. It shall be lawful for the Superintendent to enter into a contract for the sale or exchange of any of the said lands stopped up under the provisions of this Ordinance Provided always that where a new line of road may be required the person to whom the old line of road is to be given in exchange for the new line shall first surrender to the Superintendent the lands over which such new line of road is to be carried and the land so conveyed in exchange to the Superintendent shall be by him 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.

New roads taken over lands conveyed to Superintendent in exchange to be dedicated as public highways.

6. At all times after the passing of this Ordinance a map or maps of the roads referred to in this Ordinance and which are particularly described in the Schedule hereto shall be kept at the Office of the Superintendent of Taranaki for the time being and be at all convenient times open for public inspection and all persons may at all convenient times examine gratis at such office such map or maps And all roads or parts of roads stopped under this Ordinance shall be colored brown on the

Map of roads referred to to be kept in Superintendent's office.

ROADS DIVERSION ORDINANCE.

vincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to stop up any public street road highway or thoroughfare in any such Province and also to sell exchange or otherwise dispose of the land over which such public street road highway or thoroughfare so stopped up was laid out or passed and whereas in making the permanent formation of the roads in the Province of Taranaki 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 or are situate in places where roads are not required And whereas other roads which on the map or maps hereinafter mentioned are delineated and therein colored brown have been surveyed laid out and opened to the public in lieu of such roads or portions of roads so found to be unsuitable And whereas in consequence of the permanent roadway having been laid out over other lands the roads and the portions of the roads so found to be unsuitable for good roads as aforesaid have become disused as public roads or thoroughfares and it is expedient that such roads and such portions of roads so disused should be stopped up and should cease to be public roads and thoroughfares and it is also expedient that the Superintendent should be empowered to sell exchange or otherwise dispose of the lands over which such roads and portion of roads passed BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

Superintendent empowered to stop up roads.

1. It shall be lawful for the Superintendent of the Province of Taranaki and he is hereby authorised and empowered to stop up 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 of this Ordinance marked B and are delineated on the map or maps and are therein colored red.

Notice of stopping up roads to be published in "Gazette" and any objections thereto to be made within thirty days from such publication.

2. Before any of the roads or any portion of the roads are stopped up by the Superintendent he shall cause to be advertised a notice in the Government Gazette of the Province of Taranaki or in at least one newspaper published in New Plymouth or elsewhere in the said Province referring to the map or maps and describing in general terms the situation length and course of that one or more of the roads or that portion or those portions of the roads intended to be stopped up and calling upon all persons objecting to the stopping up of such road roads portion of road or portions of roads to set forth a

ROADS DIVERSION ORDINANCE.

PROVINCE OF TARANAKI.

ROADS DIVERSION ORDINANCE
1874.

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

SESSION XXIII., NO 1.

AN ORDINANCE TO AUTHORISE AND EMPOWER THE
SUPERINTENDENT OF TARANAKI TO STOP UP CERTAIN
ROADS AND PORTIONS OF ROADS IN THE PROVINCE OF
TARANAKI AND TO SELL EXCHANGE OR OTHERWISE
DISPOSE OF THE LANDS OVER WHICH SUCH ROADS AND
PORTIONS OF ROADS PASSED.

ANALYSIS.

- | | |
|--|--|
| Title. | 4. Superintendent may contract for sale or exchange of land over which such roads passed. |
| Preamble. | 5. New roads taken over lands conveyed to Superintendent in exchange to be dedicated as public highways. |
| 1. Superintendent empowered to stop up roads. | 6. Map of roads referred to to be kept in Superintendent's Office. |
| 2. Notice of stopping up roads to be published in <i>Gazette</i> , and any objections thereto to be made within thirty days from such application. | 7. Interpretation of terms. |
| 3. Roads stopped up to be proclaimed by Superintendent in <i>Gazette</i> . | 8. Short Title. |
| | Schedule. |
-
-

An Ordinance to authorise and empower the Superintendent ^{Title:}
of Taranaki to stop up certain Roads and portions of Roads
in the Province of Taranaki and to sell exchange or other-
wise dispose of the lands over which such roads and portions
of such roads passed.

WHEREAS by an Act of the General Assembly of New Zealand ^{Preamble.}
intituled the "Highways and Watercourses Diversion Act
1858" it is enacted that it shall be lawful for the Superinten-
dent of any Province with the advice and consent of the Pro-

BRANDING OF CATTLE AMENDMENT ORDINANCE.

8. All fees fines and penalties accruing or imposed under Disposal of this Ordinance shall be paid into the Provincial Treasury for ^{finer.} public purposes within the Province of Taranaki.

9. This Ordinance shall come into operation one month after ^{Coming of} notification of the Governor's assent thereto in the *New Zealand* ^{operation of} *Gazette*. ^{Ordinance.}

10. The Short Title of this Ordinance shall be the "Branding ^{Short Title.} of Cattle Ordinance 1865 Amendment Ordinance 1874."

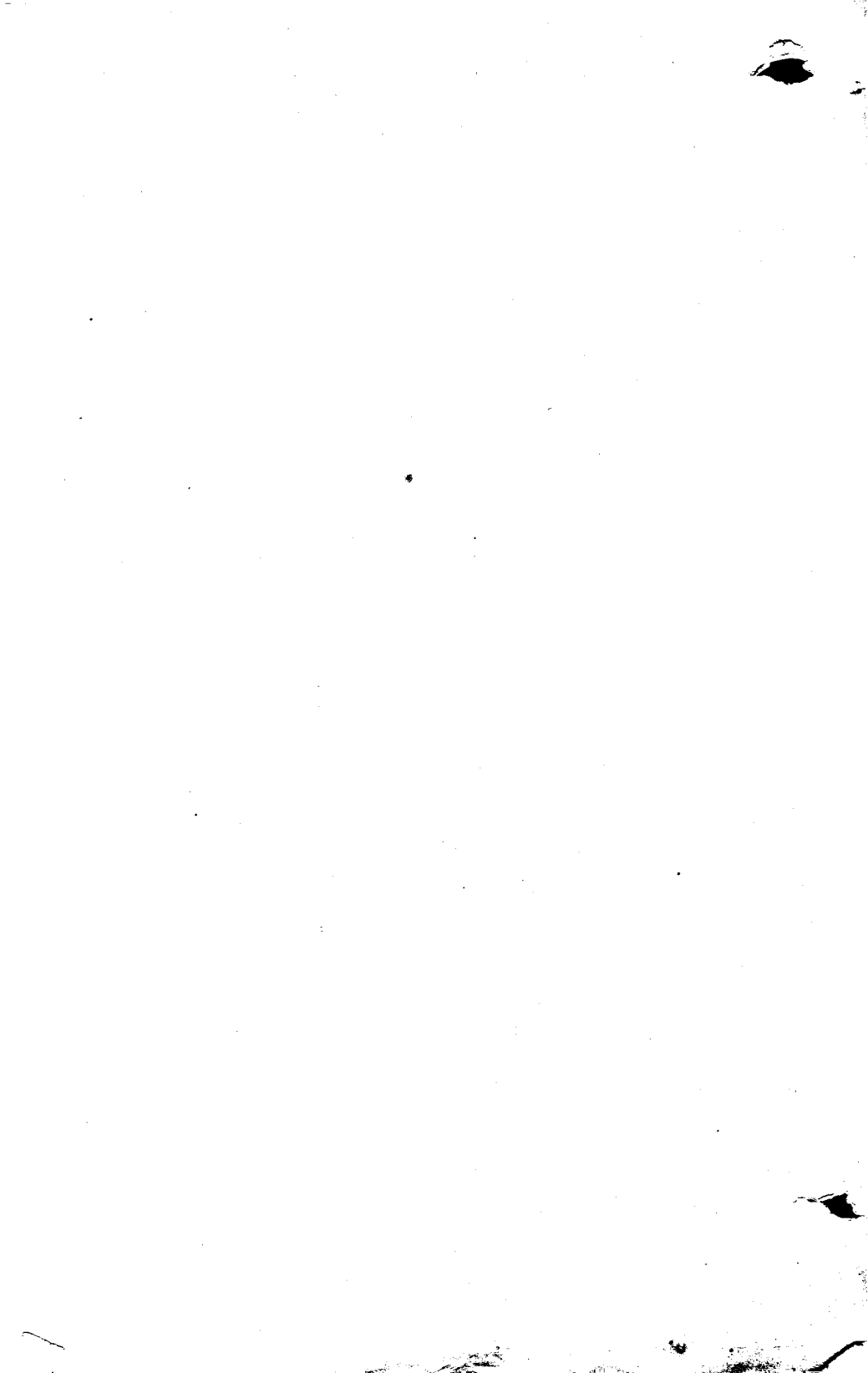
W. M. CROMPTON,
Speaker.

Passed the Provincial Council this twenty-second day of May one thousand eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this twenty-third day of May one thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.



PROVINCE OF TARANAKI.

SUPPLEMENTARY
A P P R O P R I A T I O N
ORDINANCE 1874.

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

SESSION XXIII., NO. 13.

AN ORDINANCE TO APPROPRIATE MONEY FOR THE PUBLIC
SERVICE OF THE PROVINCE OF TARANAKI FOR THE
FINANCIAL YEAR ENDING 31ST DECEMBER 1874.

A N A L Y S I S.

Title.	Schedule.
Preamble.	2. Short Title.
1. Grant for services specified in	Schedule.

*An Ordinance to appropriate money for the Public Service
of the Province of Taranaki for the financial year ending
31st December 1874.* Title.

WHEREAS it is expedient to make further provision for Preamble.
defraying the charge of the Provincial Government of the
Province of Taranaki for the period ending 31st December
1874 BE it therefore enacted by the Superintendent of the
Province of Taranaki with the advice and consent of the
Provincial Council thereof as follows :—

1. For defraying the charge of the Provincial Government Grant for
of the said Province for the period ending on the 31st day of services
December 1874 there may be issued and applied out of the specified in
revenue of the said Province for the several purposes and Schedule.
services specified in the Schedule hereto the sum of £20,535.

SUPPLEMENTARY APPROPRIATION ORDINANCE.

Short Title, 2. The Short Title of this Ordinance shall be the "Supplementary Appropriation Ordinance 1874."

Schedule,

SCHEDULE.

ESTIMATED SUPPLEMENTARY EXPENDITURE FOR THE YEAR ENDING
31st DECEMBER, 1874.

	£	s.	d.
<i>Roads and Bridges—</i>			
North Roads	1,700	0	0
<i>South Road—</i>			
Metalling Allen's Hill to Poutoko 900 0 0 } Tataraimaka Main South Road ... 300 0 0 } Repairs South Road 100 0 0 }	1,300	0	0
Sixty chains gravelling, Kaihihi and Katikara, at 75s per chain	225	0	0
Egmont Road, six miles felling	200	0	0
Making 37 chains of road from Waiwakaiho Inland Bridge to Egmont Road—97 feet of culverts, 1,011 cubic yards earthwork	80	0	0
Required to complete blockhouse, school, &c., in Egmont Village	39	0	0
To connect Kelly Road and Township of Manutahi with bridge over Mangarewa River... ..	150	0	0
Manutahi Bridge—the General Government will give £300—required to complete, with approaches from Provincial Funds	220	0	0
Bridge over Henui at Carrick's, or further inland, Mangorei	200	0	0
Kelly Road Bridge, and aid to Te Arai Road	50	0	0
Town of New Plymouth... ..	500	0	0
Frankley Road, Hawke's Hill	50	0	0
Carrington Road, Rata Nui Hill	50	0	0
Road from Mangorei Road to Albert Road, connecting it with Carrington Road	65	0	0
Kent Road, deviation near Coleman's... ..	30	0	0
Avenue Road, metalling and improving at Henui Bridge	100	0	0
Henwood Road, Mangaone and Mangoraka	50	0	0
Urenui North Road	50	0	0
Ford at Waitara, Bertrand Road	40	0	0
Plymouth Road, approaches to bridge... ..	30	0	0
Hurford Road, approaches to bridge	30	0	0
Barrett Road, Burton's Hill and hills beyond	40	0	0
Patea District	500	0	0
Roads, surveys, and incidental expenses for opening up new blocks of lands for sale and settlement ...	10,000	0	0
<i>Education—</i>			
Grant in aid of New Plymouth Education Board ...	900	0	0
Grant in aid of Patea Education Board	500	0	0
Carried forward	17,099	0	0

SUPPLEMENTARY APPROPRIATION ORDINANCE.

	Brought forward	...	...	...	...	17,099	0	0
<i>Provincial Council Department—</i>								
	Payment to members	...	...	...	70	0	0	
	Speaker (additional)	...	...	...	25	0	0	
	Clerk (additional)...	...	...	...	25	0	0	
	Contingencies	...	...	...	12	0	0	
								132 0 0
<i>Roads and Public Works—</i>								
	Lunatic Asylum and Hospital	...	...	...	125	0	0	
	Contingencies	...	...	...	250	0	0	
								375 0 0
<i>Gaol Department—</i>								
	Gaoler	...	...	...	12	0	0	
	Warder	...	...	...	12	0	0	
								24 0 0
<i>Advances—</i>								
	Waiwakaiho Inland Bridge	...	...	...	...	...	...	200 0 0
<i>Miscellaneous—</i>								
	Cutting thistles on Public Lands	...	...	...	...	...	...	20 0 0
	Steam Tug for Waitara...	...	...	...	...	...	...	300 0 0
	Emigration Agent, travelling expenses and salary	...	...	...	...	...	...	500 0 0
	Vivian's guarantee	...	...	...	...	...	...	250 0 0
	Taranaki Rifle Association (additional)	...	...	...	...	...	...	10 0 0
	Introduction of Trout	...	...	...	...	...	...	25 0 0
	Waitara (Contingencies)	...	...	...	...	...	...	50 0 0
	Reward for discovery of Mine of Copper, or other valuable mineral	...	...	...	...	...	...	500 0 0
	Discovery of payable Goldfield	...	...	...	...	...	...	1,000 0 0
<i>Survey Department—</i>								
	Chief Surveyor (additional)	...	...	...	...	...	...	50 0 0
								<u>£20,535 0 0</u>

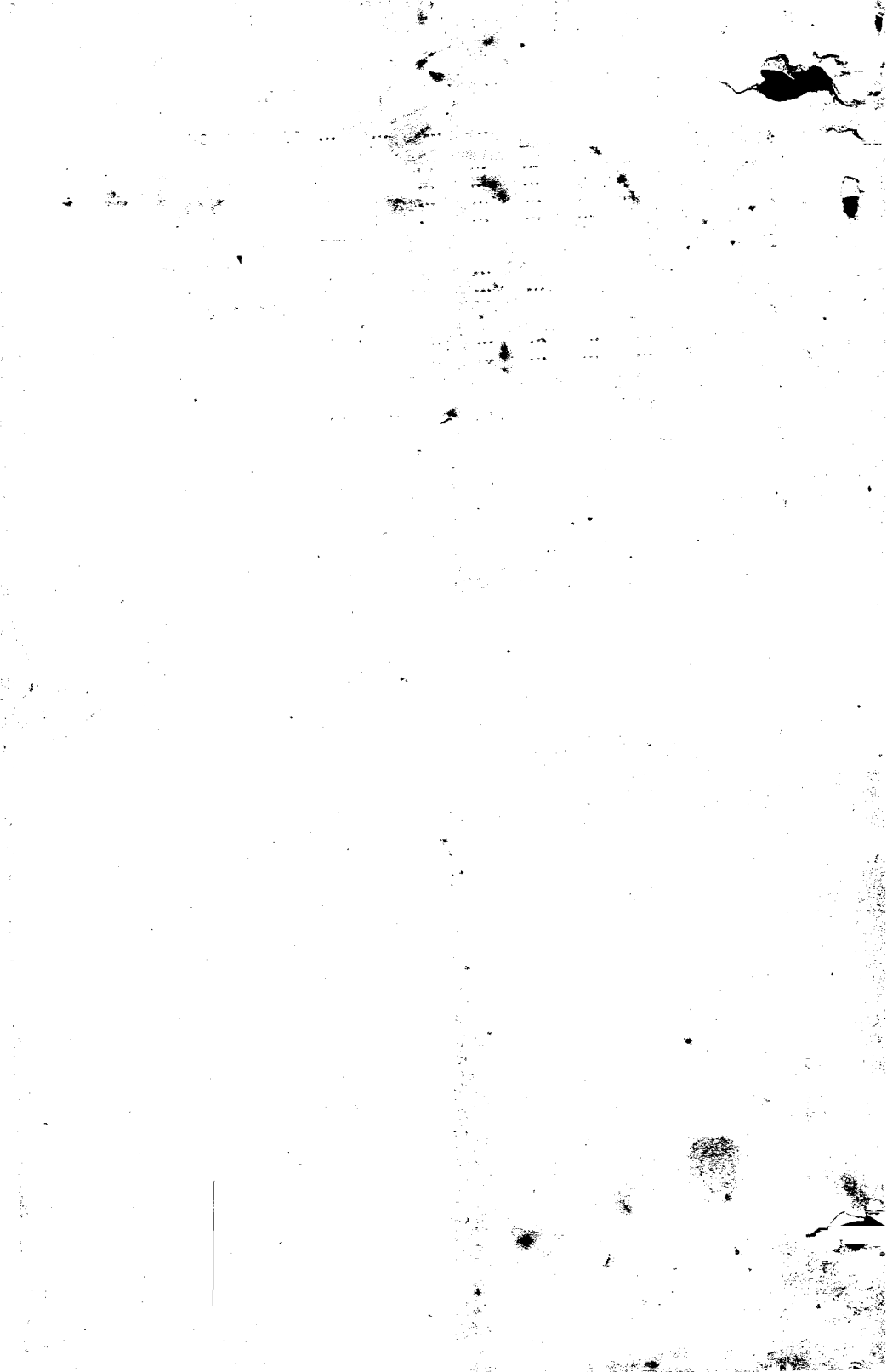
W. M. CROMPTON,
Speaker.

Passed the Provincial Council this thirtieth day of May one thousand eight hundred and seventy-four.

JAMES B. LAWSON,
Clerk to the Provincial Council,

Assented to on behalf of the Governor this thirtieth day of May one thousand eight hundred and seventy-four.

FRED. A. CARRINGTON,
Superintendent.



PROVINCE OF TARANAKI.

NEW PLYMOUTH HARBOUR BOARD ORDINANCE, 1875.

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

SESSION XXIV., No. 1.

A N A L Y S I S :

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| <p>Title.
Preamble.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Repeal of "Harbour Trust Ordinance 1866." 3. Interpretation. 4. Constitution of Harbour Board. 5. Election of six members by Provincial Council. 6. Superintendent may appoint members if no election by Provincial Council takes place. 7. Superintendent to inform Governor of election of members: Governor to appoint three members. 8. Board a corporate body with power to construct Harbour at New Plymouth. 9. Retirement of members of Board. 10. Election of members to fill vacancies caused by annual retirement. 11. Disqualification of members. 12. Penalty for illegally sitting. 13. Resignation of seat at Board. 14. Board may elect members in certain cases. | <ol style="list-style-type: none"> 15. Names of persons elected or appointed to be notified in <i>Gazette</i>. 16. Appointed members retiring from office. 17. One fourth land revenue vested in Board. 18. Superintendent may vest lands in Board. 19. Board may lease lands. 20. Rents at disposal of Board. 21. Board may levy a rate. 22. Rate levied on land. 23. Persons entitled to pay rate: exemptions. 24. Rates recoverable by Collector. 25. List of persons liable to be published. 26. Appeals to be heard and determined by Board. 27. Superintendent to call first meeting. 28. Board to elect a chairman. 29. Chairman to have deliberative and casting vote. Quorum. 30. Board may make bye laws. 31. Board may appoint and pay officers. |
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| <p>32. Officers having control of money to give security.</p> <p>33. Officers not to take fee or reward.</p> <p>34. Receipt and payment of moneys of Board.</p> <p>35. Collectors to pay moneys to Board</p> <p>36. Officer to give proper account of moneys received by him.</p> <p>37. If officer fail to give proper accounts shall be liable to penalty.</p> <p>38. Proceedings against officer not to affect liability of surety.</p> <p>39. The Board authorised to enter into contracts.</p> <p>40. Board to keep regular accounts.</p> <p>41. Accounts to be balanced once a year.</p> <p>42. Yearly statement and accounts to be open for inspection to creditors.</p> <p>43. Accounts to be audited and proved at meeting of Board.</p> <p>44. Annual abstract of accounts to be published in <i>Gazette</i>.</p> <p>45. Rights of drainage reserved to Town Board of New Plymouth.</p> <p>46. Board may reclaim land.</p> <p>47. Ordinance subject to the provisions of "Harbour Works Act, 1874."</p> <p>48. Board may borrow money on security of revenue.</p> <p>49. Board may give mortgage on lands, &c., as security for money borrowed.</p> <p>50. Mortgages to be numbered consecutively.</p> | <p>51. Board may make arrangements for paying interest in or out of Colony.</p> <p>52. No priority given to holders of mortgages.</p> <p>53. Board may appoint agents to raise loan.</p> <p>54. Mortgages a first charge on land and revenue.</p> <p>55. Board not to sell or lease except for a term of years.</p> <p>56. Sinking Fund.</p> <p>57. Application of sinking fund.</p> <p>58. Order of taking up mortgages.</p> <p>59. One per centum to be set apart as sinking fund.</p> <p>60. Interest on mortgages to be paid off to cease after certain date.</p> <p>61. Mortgage holder may petition Superintendent to appoint a receiver of revenue.</p> <p>62. Superintendent may appoint a receiver of revenue.</p> <p>63. Receiver when appointed may enter into possession of property of Board.</p> <p>64. Payment of revenues by receiver.</p> <p>65. Board may apply that receiver be withdrawn.</p> <p>66. Superintendent may comply with prayer of petition.</p> <p>67. Receiver may again be appointed.</p> <p>68. Powers of receiver.</p> <p>69. Receiver to be remunerated.</p> <p>70. Persons obstructing receiver liable to penalty.</p> |
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Title. AN ORDINANCE to constitute a Harbour Board and to provide for the construction of a Harbour at New Plymouth.

Preamble. WHEREAS by the "New Plymouth Harbour Board Endowment Act 1874" it is enacted that from and after the constitution of a Harbour Board by or under any Ordinance of the Provincial Council of the Province of Taranaki passed in pursuance of the provisions of the "Harbour Board Act 1870" there shall from time to time be paid over to such Harbour Board one-fourth part or such less part as shall be fixed by the legislature of the said Province of all revenues arising from the sale occupation or other disposal of the Waste Lands of the Crown within the said Province: And whereas it is desirable that such Board be constituted and that such one-fourth part of the land

revenue together with such other lands properties tolls or dues as are hereinafter particularly mentioned be vested in the Board for the construction of a harbour at New Plymouth.

Be it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

1. The short title of this Ordinance shall be the “New Plymouth Harbour Board Ordinance 1875.” Short Title.

2. From and after the date on which this Ordinance shall receive the Governor's assent the “Harbour Trust Ordinance 1866” shall be repealed and the lands described in the first and second schedules to the said Ordinance shall on coming into operation of this Ordinance be vested in the Board for the purposes of this Ordinance subject nevertheless to any contracts or leases for the time being affecting such lands. Repeal of “Harbour Trust Ordinance 1866.”

3. 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 “Board” shall mean the New Plymouth Harbour Board. The words “Port of New Plymouth” shall mean the Port of New Plymouth as defined under the “Marine Act 1867” and shall also include the limits of the Port of New Plymouth as the same may at any time hereafter be defined under the said Act or any Act amending the same. The word “mortgage” shall mean a mortgage made and issued under this Ordinance. The word “lands” shall include messuages lands tenements and hereditaments. The word “rents” shall include land revenue rates income and profit of all kinds. The word “dues” shall include tolls 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 and shall also include the beach from high to low-water mark. The word “Superintendent” shall mean the Superintendent of the Province of Taranaki acting with and by the advice of his Executive Council. Interpretation.

4. There shall be a Harbour Board for the Port of New Plymouth and the name of the said Board shall be “The New Plymouth Harbour Board” and such Board shall consist of nine members. Constitution of Harbour Board.

Election of
six members
by Provin-
cial Council.

5. Six members of such Board shall be elected by the members of the Provincial Council and the first election shall be held at the meeting of such Council at which this Ordinance shall be passed and such members shall be elected as herein-after provided. Any person who shall be duly registered as an elector for any electoral district in the said Province for the election of members of the House of Representatives shall be qualified to be elected as a member of such Board. The election of such members of the Board shall be by ballot by a majority of the Provincial Councillors present at the meeting at which the election is held and shall be conducted by such person as the Superintendent shall appoint for that purpose not being a candidate for election and the Superintendent shall fix a time and place for such election. The Superintendent shall have power to determine any question which shall be raised as to the validity of any disputed election or appointment under this section.

Superinten-
dent may
appoint
members if
no election
by Provin-
cial Council
takes place.

6. If from any cause whatever no election of a member of such Board or of a sufficient number of members shall take place on the day to be appointed as hereinbefore provided it shall be lawful for the Superintendent to appoint the whole of such members or such a number of members as may be required with those already elected to make up the required number of such members.

Superinten-
dent to
inform
Governor
of election of
members:
Governor to
appoint
three mem-
bers.

7. Immediately after an election of members or on the appointment of such members as the case may be the Superintendent shall inform the Governor of the names of the persons who have been elected or appointed under the last preceding section and the Governor in Council shall thereupon appoint three other persons to be members of such Board.

Board a cor-
porate body
with power
to construct
Harbour
at New
Plymouth.

8. The Board so constituted shall be a corporate body in fact and in law by the name of the "New Plymouth Harbour 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 in all cases 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 construction improve-ment or management of a harbour at New Plymouth and also to take and hold all such lands hereditaments and possessions as may be transferred to or vested in the Board as sites for harbour piers wharves jetties docks or warehouses or as endowments

for the Board or for any other purpose connected with the construction improvement or management of the said harbour and also to do all other matters and things incidental to and appertaining to a corporate body subject nevertheless to any provision contained in this Ordinance or in the "Harbour Boards Act 1870" or in the "Harbour Works Act 1874" affecting such powers.

9. Two of the members elected by the Provincial Council or appointed by the Superintendent and one of the members appointed by the Governor in Council shall retire annually on the thirtieth day of the month of November and the members so to retire shall be those longest in office without re-election or re-appointment. Provided that any retiring member shall be eligible for re-election and if any question shall arise as to who are the persons who ought to retire under this provision the same shall be decided by the Superintendent.

Retirement
of members
of Board.

10. After the first election of members the two members who shall be elected in the place of those retiring under the last preceding section shall be elected in the first session of the Provincial Council that shall be held after the month of November in each year and the provisions of section 5 so far as applicable shall extend to every such election. Provided that if no session of the said Council shall be held for a period of three calendar months after the expiration of the said month of November then it shall be lawful for the Superintendent to appoint two members in lieu of those who have retired as aforesaid.

Election of
members to
fill vacancies
caused by
annual
retirement.

11. If any member of the Board shall be directly or indirectly concerned in any contract with the Board or shall receive or be entitled to receive any money or emolument for any work done or to be done for the Board or shall be absent from three consecutive meetings without the consent of the Board or shall become bankrupt or shall become an insolvent debtor within the meaning of the laws relating to insolvent debtors or shall become a public defaulter or shall become convicted of felony his seat in such Board shall become vacant.

Disqualifica-
tion of
members.

12. If any person disqualified from holding a seat at the Board shall presume to sit he shall thereby forfeit the sum of £50 for each and every day he so sits and such sum may be recovered from him by any person who may sue for the same in any court of competent jurisdiction.

Penalty for
illegally
sitting.

Resignation of seat at Board. 13. It shall be lawful for any member of the Board by writing under his hand addressed to the Superintendent to resign his seat in the Board and upon the receipt by the Superintendent of such resignation the seat of such member shall become vacant.

Board may elect members in certain cases. 14. And if any such member shall so resign his seat or if the seat of any such member shall become vacant from any of the causes hereinbefore provided it shall be lawful for the Board to elect a member who shall for the purposes of section 9 and for all other purposes be taken to stand in the place and stead of the member who shall so have resigned or whose seat has so become vacant.

Names of persons elected or appointed to be notified in 'Gazette.' 15. The names of the persons who shall from time to time be elected or appointed to be members of the Board shall be notified in the *Government Gazette* of the Province.

Appointed members retiring from office. 16. In all cases where the member retiring from office shall have been appointed by the Governor in Council the vacancy shall be filled up by a person to be appointed in like manner.

One fourth of land revenue vested in Board. 17. From and after the passing of this Ordinance there shall be paid to the Board in the terms of the "New Plymouth Harbour Endowment Act 1874" one-fourth part of all revenues arising from the sale occupation or other disposal of the waste lands of the Crown within the Province and such moneys shall form part of the funds of the Board and be applied by the Board in or towards the construction of a Harbour at New Plymouth.

Superintendent may vest lands in Board. 18. The Superintendent is hereby authorised by deed under his hand and sealed with the seal of the Province to convey to and vest in the Board all lands which already have been or may hereafter be granted to the Superintendent in trust for the endowment of or for purposes of public utility for the construction of a harbour at New Plymouth subject nevertheless to any contracts leases mortgages and other charges and debts for the time being affecting such lands.

Board may lease lands. 19. It shall be lawful for the Board 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.

20. 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 purposes of this Ordinance in such manner as the Board may from time to time determine.

Rents at disposal of the Board.

21. It shall be lawful for the Board in order to provide a contingent fund to pay interest and sinking fund on any moneys raised by way of mortgage for the purpose of constructing a harbour at New Plymouth to levy a rate on all lands within the district the boundaries of which are described in the third schedule hereto excepting such lauds as are excepted under section 23.

Board may levy a rate.

22. Such rate shall be levied on the value of the lands exclusive of all buildings erections and improvements whatsoever thereon. Provided that no such rate shall in any one year exceed the sum of twopence in the pound of such value to sell.

Rate levied on land.

23. The rate shall be paid by the tenant or occupier of the land or premises or in case there be no tenant or occupier by the proprietor thereof. Provided that no land belonging to and occupied by the Crown or held in trust for the public uses of the Province or land occupied by buildings used for public schools or by buildings used for places of public worship shall be liable to be rated under the authority of this Ordinance or land belonging to or occupied by any of the aboriginal inhabitants of the Colony except the title thereto be derived from the Crown.

Persons entitled to pay rate: exemptions.

24. All rates shall be recoverable at the suit of any Collector appointed by the Board by summary proceedings.

Rates recoverable by Collector.

25. Previous to levying a rate for any year the Board shall cause to be collected the names and residences of every person who under this Ordinance may be liable to be rated as hereinafter mentioned in consideration of any land occupied or held by such persons within the boundaries of the district described in the third schedule hereto and shall cause a list thereof to be made a copy or copies thereof to be publicly exhibited on some conspicuous part of one or more places of public resort within the said district together with a notice of the time when and place where the Board will attend to hear any objections that may be made to such list and at the time and place so named being some convenient locality within the boundaries of such district such Board shall attend enquire

List of persons liable to be published

into hear and determine any such objections and the decision of such Board shall be final and conclusive in regard to any or every objection made against such list and the said list when thus settled and revised shall be transcribed into a book to be called the ratepayers' roll and shall be lodged with the books and papers of such Board.

Appeals to be heard and determined by Board.

26. When the Board finds it necessary to levy a rate it shall in each year when the levying of a rate is required to aid the revenue cause a written or printed statement to be posted in some conspicuous place within the district setting forth the amount of rate to be levied with a list of the names of the persons liable for the payment thereof with the sum payable by each of such persons and the property in respect whereof the same shall be payable and to such statement shall subjoin a notice that all objections thereto will be heard and determined by the Board at a time and place to be in such notice mentioned such time being not less than fourteen days from the date of such notice and the Board shall hear and determine such objections accordingly.

Superintendent to call first meeting

27. The first meeting of the Board shall be called by the Superintendent at such time and place as he shall think fit.

Board to elect a chairman.

28. The members of the Board present at the first meeting shall elect a chairman whose term of office shall be one year from the date of such election and in the event of the office of chairman becoming vacant at any time the Board shall in the same manner elect another chairman.

Chairman to have deliberative and casting vote.

29. 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 five members are present no meeting

Quorum.

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 that five at least be present.

Board may make bye-laws.

30. The Board may from time to time make such bye 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 bye laws shall be made.

31. The Board may from time to time appoint and employ a treasurer or secretary and all such 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 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.

Board may
appoint and
pay officers.

32. 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 shall take sufficient security from him for the faithful execution thereof.

Officers hav-
ing control
of money to
give security

33. Every officer employed by the Board who shall exact or accept on account of anything done by virtue of his office or in relation to the matters to be done under this ordinance any fee or reward whatsoever other than the salary or allowance allowed by the Board or who shall be in any wise concerned or interested in any bargain or contract made by the Board shall be liable to a penalty of not exceeding £50.

Officers not
to take fee or
reward.

34. All moneys of the Board amounting to £5 and upwards shall within three days after they shall come into the hands of the proper officer 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 chairman and countersigned by the treasurer of the Board or by such other person as the Board may appoint.

Receipt and
payment of
moneys of
Board.

35. Every collector appointed or employed by the Board by virtue of this ordinance to collect any rates rents tolls or dues shall within three days after he shall have received any moneys on account of any such rates 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

Collectors to
pay moneys
to Board.

shall direct deliver to the Board 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 rates or rent due or money owing to the Board with a statement of the moneys due from them respectively and in respect of which several periods rates rents and dues the same are due respectively and every such collector shall when required by the Board so to do deliver such list embracing the particulars brought down to the day of his delivering such list.

Officer to give proper account of moneys received by him.

36. 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 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.

If officer fail to give proper accounts shall be liable to penalty.

37. 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.

Proceedings against officer not to affect liability of surety.

38. 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.

The Board authorised to enter into contracts.

39. The Board may enter into contracts with any person or persons 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 :—

1. 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.
2. 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.
3. 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.

40. The Board shall cause books to be provided and kept 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.

Board to
keep regular
accounts.

Accounts to be balanced once a year.

41. The Board shall cause their 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 herein-after 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 any other 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 agents 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 thinks 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.

Yearly statement and accounts to be open for inspection to creditors.

42. 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 statements and accounts 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.

Accounts to be audited and produced at meeting of Board.

43. 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.

44. 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 meeting or on some other convenient day on 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 sent to the Superintendent for publication in the Provincial Government *Gazette*.

Annual abstract of accounts to be published in 'Gazette.'

45. There shall be and is hereby reserved to the Town Board of New Plymouth for the benefit of the inhabitants of New Plymouth full rights privileges and easements of drainage and sewerage in through and over such of the said land as may be adjacent or contiguous to the Town of New Plymouth and the Board in any lease granted by it of any lands vested or to be vested in it under this Ordinance shall expressly reserve such rights privileges and easements as are hereinbefore referred to and should any dispute or difference arise between the Board and the said Town Board as to the exercise of the rights privileges and easements aforesaid such difference or dispute shall be referred to the Superintendent and his decision shall be final and conclusive on the matter in dispute.

Rights of drainage reserved to Town Board of New Plymouth.

46. The Board is hereby authorised and empowered to reclaim from the sea all land which may be or become vested in it or which may hereafter be vested in it and for such purpose

Board may reclaim land

may construct and maintain such retaining walls and embankments and may provide such dredges and other machines as shall be by the Board thought necessary.

Ordinance
subject to the
provisions of
"Harbour
Works Act
1874."

47. It is hereby expressly declared that the provisions of this Ordinance are subject to the provisions of the Act of the General Assembly of which the Short Title is "The Harbour Works Act 1874" and subject thereto the Board may construct such retaining walls docks quays wharves piers and jetties as shall be by it considered necessary for the purposes of this ordinance and also such cranes sheds breasts or other works for the construction and improvement of a harbour at the said Port of New Plymouth as shall be by the Board judged necessary and proper for the safety convenience or reception of ships and vessels resorting to the said port or for the more convenient loading and unloading of such ships and vessels. If at anytime it shall appear to the Governor in Council that any of such works commenced or undertaken under the provisions hereof are not being prosecuted or carried out in accordance with the detailed plans and specifications approved of by the Governor in Council under the provisions of "The Harbour Works Act 1874" then and in any such case and as often as occasion shall require it shall be lawful for the Governor in Council to appoint some fit and proper person who shall on behalf of the Board have the entire control and direction of the said works and who shall do all things necessary to have such works and every of them and every part thereof faithfully constructed carried out and completed in accordance with the said plans and specifications and every contract made or entered into by the Board or by any person on behalf of the Board respecting any such works shall be made subject to the provisions of this Ordinance and shall contain stipulations to the effect of this clause.

Board may
borrow
money on
security of
revenue.

48. In order to raise money for the purpose of constructing such works as aforesaid it shall be lawful for the Board from time to time to borrow on the security of the land revenue vested in the Board by section 17 of this Ordinance and of the lands which may for the time being be vested in the Board and of the rents thereof and of the rates which the Board is herein authorised from time to time to levy and of the dues chargeable or receivable by the Board under this Ordinance any sums of money not exceeding in the aggregate the sum of three hundred and fifty thousand pounds at any rate not exceeding six pounds per centum per annum payable half-yearly and so often as such sum shall be repaid the Board may re-borrow the same or any less sum.

49. Every such security shall be by mortgage of the said land revenue lands rents rates and dues and shall be in the form or to the effect set forth in the first Schedule to this Ordinance and shall be sealed with the common seal of the Board and the consideration therefor shall be truly stated therein. No such mortgage shall create any liability against the revenues of the Colony or of the Province of Taranaki except such one-fourth of the land revenue vested in the Board by section 17 hereof and the holder shall have no claim whatsoever on such revenues in respect thereof and every such mortgage may be assigned or transferred by deed in the form or to the effect set forth in the second Schedule hereto.

Board may give mortgage on lands, &c. as security for money borrowed.

50. Such mortgages shall be numbered consecutively commencing with number one and may have coupons attached thereto for every half-year's interest payable to bearer.

Mortgages to be numbered consecutively.

51. The Board may from time to time make such arrangements as it may think fit for the payment of any of the mortgages or coupons at any office or bank in the Colony of New Zealand or elsewhere as to the Board may seem desirable.

Board may make arrangements for paying interest in or out of Colony.

52. No holder of any mortgage shall have any preference over any other holder by reason of any priority of date or otherwise but all holders shall rank alike and be entitled to equal rights.

No priority given to holders of mortgages.

53. It shall be lawful for the Board under its Common Seal from time to time to appoint an agent or agents for the purpose of raising any loan by this Ordinance authorised to be raised and such agent or agents shall have power to do all acts that may be specified in the instrument by which such appointment is made.

Board may appoint agents to raise loan.

54. All mortgages under this Ordinance together with the interest thereon shall be a first charge on all lands of which the Board may become seized or possessed and on all rents and dues which shall be payable to or receivable by the Board.

Mortgages a first charge on land and revenue.

55. 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.

Board not to sell or lease except for a term of years.

56. For the purpose of providing a sinking fund for the payment of mortgages under this Ordinance there shall be on

Sinking Fund.

the thirtieth day of June in such year as shall be fixed by the Board not being later than the thirtieth day of June next after the expiration of ten years after the date of the first mortgages issued be set apart out of the said rents and dues a sum equal to one per cent. on all mortgages issued at that time.

Application
of sinking
fund.

57. Such sums shall be applied in taking up so many mortgages as the sum so set apart will cover and the balance (if any) shall be invested at interest and added together with the interest to the amount set apart for the same purpose in the next succeeding year.

Order of
taking up
mortgages.

58. The order in which the mortgages shall be taken up shall be determined by lot in such convenient manner on a day and at a place to be from time to time fixed by the Board.

One per
centum
to be set
apart as
sinking
fund.

59. On the thirtieth day of June in every subsequent year a sum equal to one per cent. on the total amount for which mortgages have then been issued with the addition of a sum equal to the interest on all mortgages already paid off shall be applied in taking up so many mortgages to be determined by lot as aforesaid as such two sums with any balance from the preceding year and interest thereon added together will cover and the balance (if any) shall be invested at interest and added together with the interest thereon to the amount to be set apart for the same purpose in the next succeeding year.

Interest on
mortgages
to be paid
off to cease
after certain
date.

60. When it shall be so decided by lot that any mortgage shall be paid off interest thereon shall be paid to the thirtieth day of September following but no longer: Provided that the full amount of the mortgages with interest thereon to that date be paid on presentation and such mortgages with the coupons belonging thereto and not then due shall be given up to some person authorised by the Board to receive the same.

Mortgage
holder may
petition
Superinten-
dent to ap-
point a re-
ceiver of
revenue.

61. In case any interest due in respect of any mortgage shall be in arrear or any sum due in respect of the sinking fund shall not be applied as hereinbefore provided for six calendar months it shall be lawful for the holder of any mortgage to apply by petition to the Superintendent praying that a Receiver may be appointed.

Superinten-
dent may
appoint a
receiver of
revenue.

62. On being satisfied that such default as alleged has been made the Superintendent shall by writing under his hand appoint some fit and proper person to be Receiver with the powers hereinafter mentioned.

63. Upon his appointment the Receiver shall enter into possession of all lands which may be vested in the Board and thenceforth all rents arising therefrom and due in respect of any wharf or dock of the Board or rates or moneys derived from the sales of the waste lands or funds to which the Board is entitled under section 17 hereof or rates herein authorised to be levied shall be paid to the Receiver or some person appointed by him in writing and all books papers accounts muniments of title and other documents relating to the matters aforesaid shall be handed over to the Receiver by the person in whose possession the same may be.

Receiver when appointed may enter into possession of property of Board.

64. The money so received shall be applied first in payment of the expenses incurred in the execution of the powers hereby vested in the Receiver: Secondly in or towards payment rateably amongst the several holders of mortgages of arrears of interest and future interest from time to time accruing: Thirdly in discharge of any sums due and accruing in respect of the sinking fund and if there be any surplus the same may be expended in improving any portion of the property held in security and the balance if any shall be temporarily deposited at interest at some bank in the Province so as to be available when required for any of the purposes aforesaid.

Payment of revenues by receiver.

65. At any time when the arrears of interest and sinking fund have been fully paid and discharged it shall be lawful for the Board to apply to the Superintendent by petition praying that the Receiver may be withdrawn and possession given to the Board.

Board may apply that receiver be withdrawn.

66. It shall be lawful for the Superintendent on being satisfied that all arrears of interest and sinking fund have been paid and discharged and that there is a reasonable probability that the same will not again be allowed to run into arrear to comply with the prayer of the petition.

Superintendent may comply with prayer of petition.

67. Whenever at any future time any interest or sinking fund is again permitted to get into arrear for six calendar months it shall be lawful for the Superintendent from time to time upon a like petition and in like manner to appoint a Receiver with the same powers as are by this Ordinance given to the first appointed Receiver and such Receiver to withdraw in manner hereinfore provided,

Receiver may again be appointed

Powers of
receiver.

68. During the time any Receiver is in possession he shall have the following powers namely--

- (1) To keep all wharves houses and other buildings in repair.
- (2) To insure against loss or damage by fire.
- (3) To exercise all the powers and perform all the functions and duties given to and imposed on the Board by this Ordinance: Provided that no lease shall be granted without the approval of the Superintendent.
- (4) To employ and pay all persons as may be necessary to assist in the discharge of the duties imposed by this Ordinance.
- (5) Subject to the approval of the Superintendent to impose and alter dues for the use of wharves and docks and for that purpose to exercise all the necessary powers.

Receiver to
be remuner-
ated.

69. The Receiver shall be paid such remuneration out of the money received under this Ordinance by way of salary or commission or otherwise as shall be from time to time fixed by the Superintendent in that behalf.

Persons ob-
structing
receiver
liable to
penalty.

70. Any person who shall in any way obstruct or interfere with the Receiver or any person appointed by him while in the exercise of the powers or performance of the duties given or imposed by this Ordinance or who after being applied to shall neglect or refuse to give up to the Receiver any books papers accounts muniments of title or other documents directed to be handed over to him by this Ordinance shall for every such offence forfeit and pay any sum not exceeding one hundred pounds.

THE FIRST SCHEDULE ABOVE REFERRED TO.

PROVINCE OF TARANAKI, NEW ZEALAND.

NEW PLYMOUTH HARBOUR BOARD LOAN, £350,000.

No.

Mortgage for £

No.

This Deed made between the New Plymouth Harbour Board of the one part and C D of of the other part Witnesseth that in consideration of the sum of £ sterling this day paid to the New Plymouth Harbour

Board for the purposes of the "New Plymouth Harbour Board Ordinance 1874" by the said C D (the receipt whereof is hereby acknowledged) the New Plymouth Harbour Board, hereinafter called "the said Board" by virtue and in pursuance of the said Ordinance do hereby convey and assign by way of Mortgage unto the said C D all and singular lands tenements and hereditaments whatsoever and wheresoever situate of the said Board and all and singular the rents income and profits thereof And also all and singular the land revenue vested in the Board by section 17 thereof and the rates the Board are herein authorised to levy And also all and singular the tolls dues and charges payable to or receivable by the said Board under or by virtue of the said Ordinance To hold the premises unto the said C D his heirs and assigns (or their successors and assigns as the case may be) until the said principal sum of £ together with interest for the same at the rate of per centum per annum be satisfied And it is hereby agreed and declared between and by the said parties hereto that such principal and interest respectively shall be repaid at the times and in manner respectively hereinafter mentioned (that is to say)—

1. The said principal sum by the application to annual drawings of a one per cent accumulative sinking fund the liability of the said Board continuing at the rate of (£1 more than the rate of interest) per centum per annum on the total amount of debt contracted until the whole shall have been extinguished and the balance after paying the interest on the outstanding Mortgages to be applied to the annual drawings.

2. The holder for the time being of this Mortgage will be entitled to receive from the said Board the sum of £ sterling on the day of following that on which this Mortgage shall have been drawn for payment.

3. Such holder will also be entitled to receive interest on the said principal sum half-yearly at the rate of per centum per annum to be computed from the day of 187 to the day on which the principal sum shall have become due and payable by reason of this Mortgage having been drawn.

4. The drawings aforesaid shall take place in the month of in each year commencing in the year 18 and shall be conducted in the presence of such of the Mortgage holders as may be pleased to attend and of a Notary Public.

5. The Mortgages drawn shall be paid off at par on the day of next following the date on which the same shall have been drawn and together with the amount of such Mortgage interest thereon shall be paid up to the said day of and no longer.

6. No holder of this Mortgage shall have any claim whatever on the revenues of the Colony of New Zealand or of the Province of Taranaki in respect of this Mortgage.

In witness whereof The New Plymouth Harbour Board have hereunto set their Common Seal and the said hath hereunto set his hand this day of 187

Sealed with the Common Seal of the New Plymouth } (L.S.)
Harbour Board, in presence of }

THE SECOND SCHEDULE ABOVE REFERRED TO.

FORM OF TRANSFER OF MORTGAGE.

This Deed made between the within named C D of the one part and E F of the other part *Witnesseth* that in consideration of the sum of £ (the receipt whereof is hereby acknowledged) the said C D doth hereby transfer to the said E F and his assigns the within written mortgage security and all benefit and advantage thereof.

Dated this day of 18

C D.

Signed by the said C D in the presence of

THE THIRD SCHEDULE ABOVE REFERRED TO.

BOUNDARY OF RATING DISTRICT.

Bounded by a straight line from the mouth of the Mokau River to the point on the Wanganui River where it is intersected by the 39th parallel of latitude thence in a southerly direction by the last mentioned river until it is met by the Taumatamahoe path thence by a straight line in prolongation of the N.E. boundary of the said allotment to the Waingonoro River thence by the said River to the sea and thence by the sea coast to the Mokau River.

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this
fifteenth day of January. one
thousand eight hundred and seventy-
five.

J. B. LAWSON,
Clerk to the Provincial Council.

This Ordinance was presented to me on the sixteenth day of
January one thousand eight hundred and seventy-five and I
hereby declare that I reserve the same for the signification
of the Governor's pleasure thereon.

FRED. A. CARRINGTON,
Superintendent.

I hereby assent to this Ordinance this eighteenth day of February
one thousand eight hundred and seventy-five.

NORMANBY,
Governor.

PROVINCE OF TARANAKI.

FENCING ORDINANCE, 1875.

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

SESSION XXIV., No. 2.

AN ORDINANCE TO AMEND THE LAWS RELATIVE TO FENCES.

A N A L Y S I S :

Title.	9. Reference of nature of fence to arbitration be made in writing.
Preamble.	10. Arbitrators to appoint referee.
1. Short Title.	11. All decisions to be in writing and binding.
2. Repeal.	12. Cost of arbitrators to be recovered as proportioned by arbitrators.
3. Save action taken under repealed Ordinance.	13. Occupier may recover from owners half cost of fence in certain cases.
4. Sufficient fence defined in Schedule A.	14. Owners or occupiers may make a ditch on adjoining land to make dividing fence.
5. Notice to be given to fence. Purchaser of Crown Lands to pay half cost of fence.	15. Repairing or trimming dividing fences.
6. If occupier or owner absent from Province notices to be published.	16. Limit of cost of fence recoverable.
7. If giver and receiver do not agree as to nature of fence arbitrators to decide.	
8. If either neglect to make fence the other may within six months make fence and recover half cost.	

AN ORDINANCE TO AMEND THE LAWS RELATIVE TO FENCES. Title.

WEHEREAS it is expedient to amend the laws now in force in Preamble.
the Province of Taranaki relative to the fencing of land :

Be it therefore enacted by the Superintendent of the Province of Taranaki 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 "Fencing Ordinance 1875."

Repeal. 2. The "Fencing Ordinance 1858" shall be and is hereby repealed.

Save action taken under Repealed Ordinance. 3. Where before the coming into operation of this Ordinance any notices have been given or any liability incurred under the Ordinance mentioned in the said Schedule or 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 notice matter or thing shall be of the same force and effect and very such liability shall continue and every such action suit or other proceeding shall be prosecuted continued and defended as if such Ordinance was not repealed.

Sufficient fence defined in Schedule A. 4. In the construction of this Ordinance the term "sufficient fence" or "substantial fence" shall be taken to include all fences of the description in Schedule A hereunto annexed : Provided always that no person shall be entitled to erect any such fence as is described in Clauses Nos. 1 and 2 and 13 of Schedule A within the limits of a town : And provided also that where a sufficient fence has already been erected under the provisions of the Ordinance hereby repealed it shall not be necessary that any such fence should until its re-erection be made a sufficient fence within the meaning of this Ordinance.

Notice to be given to fence. 5. Before any person shall erect or make a sufficient fence dividing his land from land adjoining thereto such person is hereby required to give to the occupier or if there be no occupier to the owner of such adjoining land or if the owner be absent from the Province or Colony then by delivering the same to or leaving the same at the residence or place of business of his known agent resident in the Province a notice in writing in the form or to the effect of that contained in Schedule B hereunto annexed of such person's intention to erect or make such sufficient fence : And if such person shall erect the fence without giving notice as aforesaid the occupier or owner as the case may be of such adjoining land shall not be liable to pay any portion of the value of such

fence: Provided also that in the event of any adjoining lands being Crown lands at the time of the erection of any fence within the meaning of this Ordinance the purchaser occupier or Crown lessee of such adjoining lands shall not later than six calendar months after the time of his becoming the purchaser occupier or lessee upon notice being given as aforesaid pay to the owner occupier or Crown lessee who has erected the fence one-half of the then value of such fence.

Purchaser of Crown Lands to pay half cost of fence.

6. Every such notice may be served upon such occupier or owner either personally or by leaving the same with some adult inmate at his usual residence or if such owner shall be absent from the Province then by delivering the same or by leaving the same at the residence of his known agent in the same manner and if there shall be no such agent resident in the Province then it shall be sufficient to insert such notice at least three consecutive times in a newspaper having circulation in the district: Provided always that the burden of proving the due service or publication of every such notice shall rest with the giver of the notice.

If occupier or owner absent from Province notices to be published.

7. If within two months when the land to be fenced is open land and within six months when the land is covered with standing bush after the service of such notice or publication thereof as herein before provided the giver and receiver thereof do not enter into an agreement as to the nature of the fence to be made the person giving such notice may refer the dispute as to the nature of the fence to be made to arbitration and the arbitrator arbitrators or referee as the case may be shall determine the nature of the fence to be made and if within seven days after the decision is made known the giver and receiver do not enter into an agreement as to the cost thereof and the mode and time of making the same the person giving such notice may proceed to erect a sufficient fence within the meaning of this Ordinance as decided by the arbitrator arbitrators or referee and the owner or occupier of such adjoining land to whom such notice shall have been given shall be liable for and shall pay to such person or any other in his right within three months after a demand made upon him personally or at his dwelling-place if within the Province or upon or at the residence of his known agent if absent from the Province or by intimation in a newspaper having a circulation in the district unless he earlier avails himself of the fence in which case he shall be liable for and shall pay within one month from the time of so availing himself of it one-half of the original value of such fence as divides the said several properties.

If giver and Receiver do not agree as to nature of fence arbitrators to decide.

If either neglect to make fence the other may within six months make fence and recover half cost.

8. If either party shall neglect or fail for the space of one month to perform his part of any such agreement which may be so made the other party may thereupon or at any time within six months thereafter make a fence of the kind or description so agreed upon or may at his discretion make any other sufficient fence within the meaning of this Ordinance and may immediately thereupon or at any time thereafter recover from the defaulting party one-half of the actual cost of making such fence.

Reference of nature of fence to arbitration be made in writing,

9. The reference to arbitration of a dispute as to the nature of fence to be made shall be by a notice in writing and if within fourteen days after the notice is delivered the receiver has not appointed an arbitrator the arbitrator who acts on behalf of the giver of the notice shall decide on the nature of the fence to be made.

Arbitrators to appoint referee,

10. Before the arbitrators proceed to act they shall appoint a referee and if the arbitrators cannot come to a decision in the matter in dispute it shall be referred to the referee who shall decide. Provided that the arbitrator arbitrators or referee make a decision within seven days from the day they are respectively authorised to act.

All decisions to be in writing and binding.

11. All decisions made by an arbitrator or by arbitrators or by a referee shall be in writing and such decisions shall be final and binding on both parties.

Cost of arbitrators to be recovered as proportioned by arbitrators.

12. The cost and expenses if any attending any award or decision made or given under the provisions of this Ordinance shall be recoverable by summary proceedings from either or both parties and in such proportions as the arbitrator arbitrators or referee shall therein decide.

Occupier may recover from owners half cost of fence in certain cases.

13. Any occupier shall be entitled at the expiration of the time for which he shall hold the land fenced under this Ordinance to recover from the owner thereof the half of the then value of any fence made under this Ordinance: Provided that where the occupancy is for a term of which less than two years shall be unexpired at the time of the making of the fence it shall not be lawful for the occupier of any land to recover from the owner thereof the value of any such fence unless he shall previously to the making thereof have received notice from an adjoining occupier to make such fence or unless he shall have obtained the consent in writing of the owner of such land to

the making thereof: Provided always that nothing herein contained shall make void or affect any covenant or agreement relative to fencing which shall be now subsisting or shall be hereafter entered into between adjoining occupiers or owners or between landlord and tenant under any lease or by implication of law or otherwise.

14. The owner or occupier of any land in the Province of Taranaki not being within the limits of any town may in making a fence of the description No. 1 Schedule A dividing his land from the land thereto adjoining make a ditch on such adjoining land and use the soil taken therefrom towards the making of a bank and he may also place the half of the bank on such adjoining land: Provided always that it shall not be lawful to make any ditch or bank upon any such adjoining land in any case where a hedge of live thorns gorse or other suitable hedge plant may have been planted and kept in good thriving condition thereon so as to disturb or injure such hedge without the consent of the owner or occupier of such land first obtained: And where a dividing fence is made of the description No. 2 of Schedule A the posts of such fence shall be placed on the boundary line.

15. When any sufficient dividing fence shall require cutting trimming cleansing or repairs or shall become insufficient the same shall be cut trimmed cleansed and repaired at the joint expense of the owner and occupier of the adjoining land and any owner or occupier of land adjoining such fence (having given notice in writing to the other occupier or owner of the land divided by such fence or to his or her agent in the said Province) may on refusal or neglect of such last-mentioned person for the space of one month to agree to contribute one-half of such expense cause the same to be cut trimmed cleansed or repaired and made a sufficient fence and shall thereupon be entitled to recover from such adjoining owner or occupier one-half the cost of so cutting trimming cleansing or repairing such fence.

14. No greater sum shall be recovered under the provisions of this Ordinance in respect of the making of any fence than the sum of twenty shillings per chain in country districts and thirty shillings per chain in the proclaimed towns of the Province of Taranaki for the half cost of any fence.

SCHEDULE A.

1. A bank or dyke not less than four feet high substantially formed with turf on both sides on a base not less than three feet six inches

broad and having a ditch not less than three feet wide and three feet deep on each side of such bank.

2. A bank or dyke not less than two feet six inches high substantially formed with turf on both sides on a base not less than three feet broad and a ditch not less than two feet six inches wide and two feet deep on each side of such bank with posts not less than four feet six inches high from the surface of the ground and not more than nine feet apart with not less than two rails or four wires and in the case of a three feet bank three wires.

3. A fence of posts and four rails the posts to be not less than four feet six inches high from the surface of the ground and not more than nine feet apart inserted not less than two feet into the ground the upper rail to be not less than four feet from the ground.

4. A fence of posts and seven wires with posts not more than seven feet apart inserted not less than two feet into the ground the upper wire to be not less than four feet from the ground.

5. Any paling fence four feet three inches high with posts and two rails and having split or sawn timber placed perpendicularly and well nailed to both rails there being not more than three inches of opening betwixt each perpendicular piece of timber.

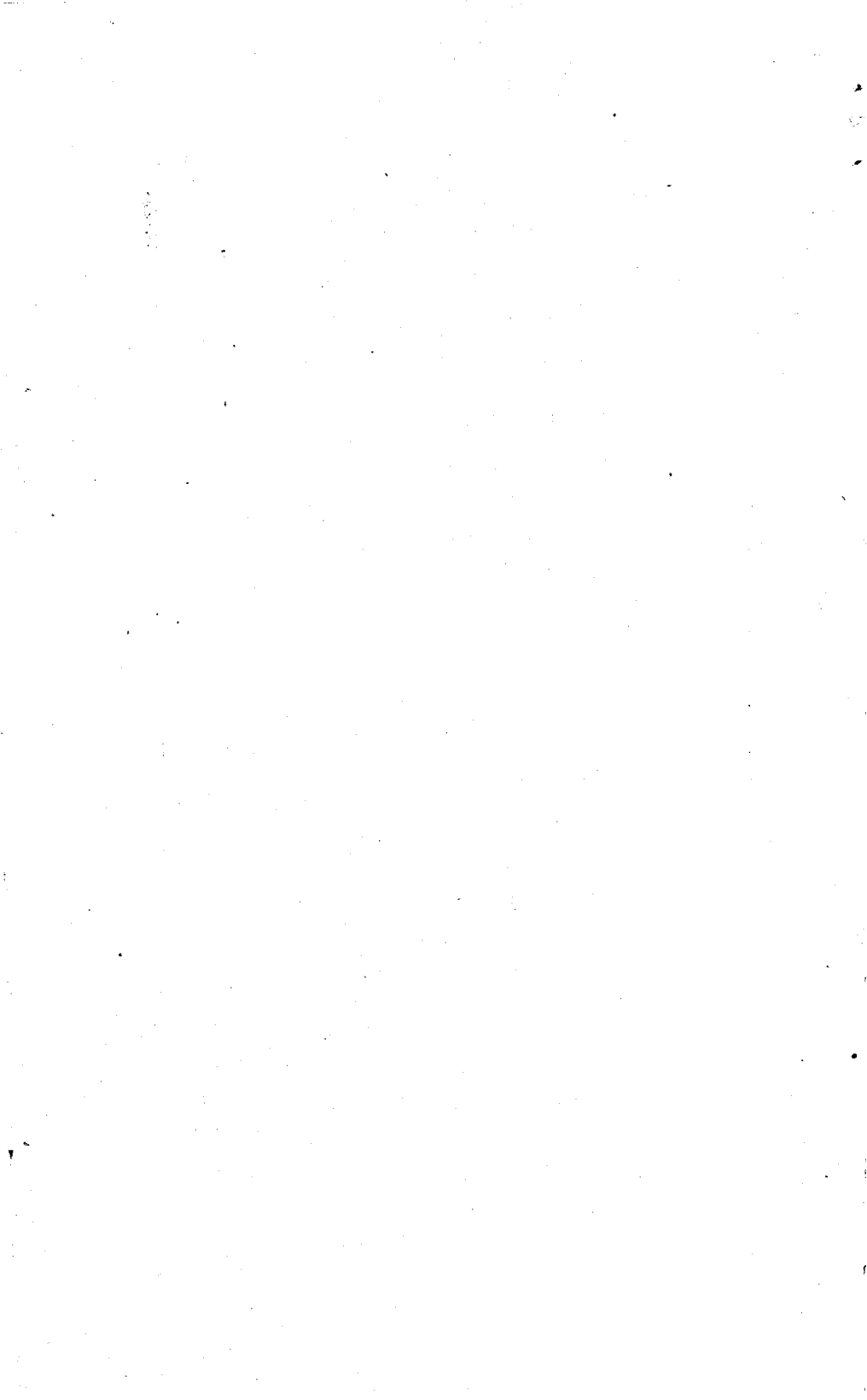
6. A log fence not less than five feet high from the surface of the ground substantially built of logs or trunks of trees laid horizontally the top log not being less than six inches in diameter and properly secured.

7. A stockade fence not less than five feet high from the surface of the ground made of posts sunk not less than two feet in the ground placed side by side there being not more than three inches of opening between the posts. The posts to contain not less than twelve superficial inches to the foot or equal to twelve inches in sectional area.

8. The posts for all post and rail fences shall contain not less than eighteen superficial inches to the foot or equal to eighteen square inches in sectional area if sawn or split or twenty-four superficial inches to the foot or equal to twenty-four square inches in sectional area if round posts be used.

9. The posts for all post and wire fences shall contain not less than twelve superficial inches to the foot or equal to twelve square inches in sectional area if sawn or split or sixteen superficial inches to the foot or equal to sixteen square inches in sectional area if round posts be used. Straining posts for wire fences shall contain not less than forty superficial inches to the foot or equal to forty square inches in sectional area and shall be inserted into the ground not less than four feet and not more than five chains apart.

10. The rails for all fences where the posts are nine feet apart shall contain not less than eight superficial inches to the foot or equal to eight square inches in sectional area if sawn or split not less than twelve superficial inches to the foot or equal to twelve square inches in sectional area if round rails be used.



PROVINCE OF TARANAKI.

APPROPRIATION ORDINANCE,
1875.

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

SESSION XXIV., No. 3.

AN ORDINANCE TO APPROPRIATE MONEY FOR THE PUBLIC
SERVICE OF THE PROVINCE OF TARANAKI FOR THE
FINANCIAL YEAR ENDING 31st DECEMBER 1875.

A N A L Y S I S :

Title.	sums paid.
Preamble.	4. Superintendent authorised to transfer sums from contingencies to other votes.
1. Grant for services specified in Schedule.	5. Provision for certain expenditure in 1874.
2. Treasurer to pay money under warrant of Superintendent.	6. Short Title.
3. Treasurer allowed credit for	

AN ORDINANCE *to appropriate money for the Public Service of the* Title.
Province of Taranaki for the financial year ending 31st
December 1875.

WHEREAS it is expedient to make provision for defraying the Preamble.
charge of the Provincial Government of the Province of
Taranaki for the period ending 31st December 1875. BE it
therefore enacted by the Superintendent of the Province of
Taranaki with the advice and consent of the Provincial Council
thereof as follows :—

Grant for services specified in Schedule.

1. For defraying the charge of the Provincial Government of the said Province for the period ending on the 31st day of December 1875 there may be issued and applied out of the revenue of the said Province for the several purposes and services specified in the Schedule hereto the sum of £30,127 15s.

Treasurer to pay money under warrant of Superintendent.

2. The Treasurer of the said Province shall issue and pay the said several sums to such persons for the purposes hereinbefore mentioned upon such days and in such proportions as the Superintendent of the said Province shall by any warrant to be signed by him after the same shall have been certified by the Provincial Auditor in the manner prescribed by the Provincial Audit Act, 1866," order and direct and the payment to be made shall be charged upon and payable out of such revenue as aforesaid.

Treasurer allowed credit for sums paid.

3. The said Treasurer shall in his accounts be allowed credit for all sums of money paid by him in pursuance of such warrant and the receipt of all such persons to whom such sums shall have been paid shall be a valid discharge to the said Treasurer in passing his said accounts for any such sum as therein mentioned.

Superintendent authorised to transfer sums from contingencies to other votes.

4. The Superintendent with the advice of his Executive Council is hereby authorised to transfer any sum or sums of money from the vote for contingencies under the head of public works to any other item under the same head and to transfer from the vote for 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 case 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 before the Council at its next session.

Provision for certain expenditure in 1874.

5. And whereas the hereinafter mentioned sum amounting to £239 19s. 9d. was for the year 1874 under the warrants of the Superintendent issued and applied to purposes in excess of any sums appropriated for such purposes and whereas the said several expenditures were necessary to the public service BE it further enacted that the said several expenditures shall be deemed and taken to have been made under the authority of this Ordinance and the Provincial Treasurer shall take credit for the said sum accordingly that is to say—

1874 £239 19s. 9d.

6. The Short Title of the Ordinance shall be the "Appropriation Ordinance, 1875." Short Title.

SCHEDULE.

Schedule.

	£	s.	d.	£	s.	d.
<i>Superintendent and Executive Council—</i>						
Superintendent	300	0	0			
Provincial Secretary	150	0	0			
Clerk	100	0	0			
Clerical assistance	50	0	0			
Contingencies	50	0	0			
	<hr/>			650	0	0
<i>Provincial Council—</i>						
Speaker	50	0	0			
Clerk	75	0	0			
Sergeant-at-Arms	20	0	0			
Payment to Members	300	0	0			
Contingencies	50	0	0			
	<hr/>			495	0	0
<i>Provincial Treasury—</i>						
Provincial Treasurer	200	0	0			
Clerical assistance	50	0	0			
	<hr/>			250	0	0
<i>Waste Lands Board and Surveys—</i>						
Commissioners	250	0	0			
Clerk	150	0	0			
Chief Surveyor	200	0	0			
Assistant Surveyors—one at £300, one at £275, and one at £250	825	0	0			
Draftsman	25	0	0			
Cadet	80	0	0			
Printing, Advertising, and Stationery	400	0	0			
Surveys	3000	0	0			
Contingencies	200	0	0			
	<hr/>			5130	0	0
<i>Roads and Public Works—</i>						
Main North Road	2546	0	0			
Main South Road	2092	0	0			
Inland Road from Meeting of Waters to Moa Block, including approaches to Waiwakaiho Bridge	580	0	0			
To connect Kelly Road with bridge over Mangarewa River	150	0	0			
Opening up Maunahi Road with Lepper Road and Manutahi	100	0	0			
Kelly Road Bridge and aid to Te Arei Road	50	0	0			
Frankley Road (Hawke's Hill)	100	0	0			
Carrington Road	129	0	0			
	<hr/>			£5,747	0	0
Carried forward				£6,525	0	0

APPROPRIATION ORDINANCE.

Brought forward	£5,747	0	0	£6,525	0	0
Road from Mangaoraka to Albert Road connecting with Carrington Road...	65	0	0			
Avenue Road	158	0	0			
Henwood Road	100	0	0			
Urenui Road (North)	100	0	0			
Ford at Waitara, Bertrand Road ...	40	0	0			
Plymouth Road, approach to bridge ...	30	0	0			
Hurford Road, approach to bridge ...	49	0	0			
Tikorangi Road	30	0	0			
Barrett Road, Burton's Hill, and hills beyond	80	0	0			
Improving and maintaing roads leading to Moa Block	300	0	0			
Roads and Public Works, Patea District	1,500	0	0			
Roads and Public Works in newly ac- quired land — Mountain Road, bridges, culverts, and earthwork ...	1,000	0	0			
District Roads in Moa and other blocks —roads, bridges, culverts, and earth- work	1,000	0	0			
Felling bush along roads and on town sites—burning and grassing ...	1,000	0	0			
New Waste Lands and Survey Office, or rent of offices	600	0	0			
Repairs to public buildings	200	0	0			
Lock-up, Patea	200	0	0			
Pilot and Harbour Master's house, Patea	150	0	0			
Lock-up, Waitara	100	0	0			
Repairs to bridges	200	0	0			
Lunatic Asylum building	500	0	0			
Survey and engineering assistance— roads and bridges	250	0	0			
Bridle track to Mountain by Ranges, in- cluding Hut	100	0	0			
Contingencies	1,500	0	0			
						14,999 0 0
<i>Harbour Department—</i>						
Chief Harbour Master	225	0	0			
Signalman, New Plymouth	90	0	0			
Assistant Harbour Master and Pilot, Waitara	95	0	0			
Signalman and Pilot, Opunake	26	0	0			
Assistant Harbour Master and Pilot, Patea	100	0	0			
Contingencies—New Plymouth	100	0	0			
—Waitara	50	0	0			
—Patea	50	0	0			
						736 0 0
<i>Police Department—</i>						
Sergeant	120	0	0			
Two Privates	220	0	0			
Private, Waitara	25	0	0			
Carried forward	£365	0	0	£22,260	0	0

APPROPRIATION ORDINANCE.

5

Brought forward	£365 0 0	£22,260 0 0
Uniforms	30 0 0	
Contingencies, including forage	70 0 0	
		465 0 0
<i>Gaol Department—</i>		
Surgeon to Gaol and Lunatic Asylum	50 0 0	
Gaoler and Matron	130 0 0	
Warder	90 0 0	
Rations and fuel	200 0 0	
Contingencies	100 0 0	
		570 0 0
<i>Inspector of Sheep and Cattle and Registrar of Brands Department—</i>		
Inspector and Registrar, including travelling expenses	200 0 0	
Contingencies	25 0 0	
		225 0 0
<i>Education Department—</i>		
New Plymouth Board of Education	500 0 0	
Patea Board of Education	200 0 0	
		700 0 0
<i>Miscellaneous—</i>		
Charitable aid	200 0 0	
Chairman Relief Fund	25 0 0	
Do. do. for 1874	25 0 0	
Hospital Board, New Plymouth	250 0 0	
Hospital Board, New Plymouth (with approval of Superintendent and Executive Council)	250 0 0	
Hospital Committee, Patea	100 0 0	
Lunatic Asylum	400 0 0	
Unpaid Hospital and Lunatic Asylum accounts	125 0 0	
Maintenance of prisoners in Wellington Gaol	80 15 0	
Taranaki Agricultural Society	40 0 0	
Patea Agricultural Society	40 0 0	
Prizes for rifle practice	20 0 0	
Interest on mortgage of Waitara Bridge	207 0 0	
Tug for Waitara	300 0 0	
Printing and stationery	400 0 0	
Librarian of Institute	25 0 0	
Widow of late Sergeant Dunn—compassionate allowance	250 0 0	
Emigration Agent—travelling expenses and salary	600 0 0	
Introduction of trout	25 0 0	
Introduction of insectivorous birds	20 0 0	
Cost of Commission to investigate claims to Volunteer and Militia scrip	25 0 0	
General contingencies	500 0 0	
Unforseen contingencies	500 0 0	
Carried forward	£4,407 15 0	£24,220 0 0

APPROPRIATION ORDINANCE.

Brought forward	£4,407 15 0	£24,220 0 0
Advances to purchase supplies for im- migrants, to be stored at Govern- ment depôt, Inglewood	500 0 0	
Harbour Board—estimated share of land fund before passing of Harbour Bill	1,000 0 0	
		<u>5,907 15 0</u>
		<u>£30,127 15 0</u>

W. M. CROMPTON,
Speaker.

Passed the Provincial Council this
twenty-first day of January one
thousand eight hundred and seventy-
five.

J. B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor this twenty-second day of
January one thousand eight hundred and seventy-five.

FRED. A. CARRINGTON,
Superintendent.

