



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, MONDAY, SEPTEMBER 16, 1867.

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by "The Marriage Act Amendment Act, 1858," it is enacted that it shall be lawful for the Governor at any time by proclamation in the *New Zealand Gazette* to divide the Colony of New Zealand for the purposes of the said Act into such and so many districts as he may think fit, and that every such district shall be called by a distinct name, and shall be a Registrar's district; and it is provided that the Governor may at any time revoke the whole or any part of such proclamation, and issue a new proclamation dividing the Colony or any part of it anew into districts, or increasing the number or altering the boundaries of districts as from time to time he may think requisite.

And whereas by proclamations duly made and issued, bearing date respectively the thirtieth day of November, one thousand eight hundred and sixty-five, and the twenty-ninth day of August, one thousand eight hundred and sixty-six, the Governor, in pursuance of the said recited power and authority, did constitute two districts for the purposes of the said Act, called respectively the "Nokomai" and the "Popotuna" Districts, the boundaries of the "Nokomai" District, being set forth in the first-named proclamation, which said proclamation came into operation and took effect on the first day of February, one thousand eight hundred and sixty-six, and the boundaries of the "Popotuna" District being set forth in the last-named proclamation, which said proclamation came into operation and took effect on the first day of October, one thousand eight hundred and sixty-six.

And whereas it is expedient to revoke so much of the said proclamations as relates to the said districts, and to divide anew the territory formerly comprised within such districts:

Now therefore, I, Sir George Grey, the Governor of the said Colony, in pursuance and exercise of the power and authority vested in me by the said recited Act, do hereby revoke the said proclamation so far as relates to the "Nokomai" and "Popotuna" Districts, and do proclaim and declare that the territory formerly comprised within such districts shall be and

is hereby divided for the purposes of the said Act into the two following districts, the names and boundaries whereof shall be as follows:—

POPOTUNA DISTRICT

bounded by a line commencing at the junction of the Waikaka Stream with the River Mataura, thence eastwards along the southern and eastern boundaries of McNab's run No. 111 to Logan's run No. 175A, thence along the south-eastern boundary of Logan's run to the Pomahaka River, thence along the southern and eastern boundaries of McKenzie's run No. 163 to the north-western angle of the Gabriel's Registration District, thence southwards parallel to the Clutha River at a distance of twenty chains therefrom to a point opposite the junction of the Crookburn, thence to the Clutha River at the said junction, thence along the Clutha River to the northern angle of the West Clutha Hundred, thence along the north-western and south-western boundaries of the said hundred and the western boundary of Callin's Hundred to the ocean, thence westwards along the ocean beach to the mouth of the Mataura River, thence northwards up the said Mataura River to the junction of the Waikaka Stream the commencing point.

NOKOMAI AND SWITZERS DISTRICT

bounded by a line from Lorn Peak near the southern extremity of Lake Whakatipu westwards to a point in the boundary of the Province of Southland two miles above the junction of the Allanburn with the River Mataura which forms the said provincial boundary, thence southwards along the said Mataura River downwards to the junction of the Waikaka Stream, thence eastwards along the southern and eastern boundary of McNab's run No. 111 to Logan's run No. 175A, thence along the south-eastern boundary of Logan's run to the Pomahaka River, thence along the southern and eastern boundary of McKenzie's run No. 163 to the north-western angle of Gabriel's Registration District opposite to the junction of the Beaumont Creek with the River Clutha, thence northwards parallel to the said River Clutha to the source of the Spylawburn, thence direct to Wart Hill, thence by the Umbrella Mountains to

ERRATUM.—In *New Zealand Gazette*, No. 43, of 7th August, 1867, page 326, in notice of List of Persons who have been duly Licensed to act as Custom House Agents at the Port of Dunedin, for the year ending 26th July, 1868, the name of Alexander Carrick was erroneously spelt as Alexander Conick.

a point due west of Jordan Creek at its junction with the River Clutha, thence by the ranges to Rocky Mountain, thence direct to Lorn Peak the commencing point.

And I do declare that this proclamation shall come into operation and take effect on the tenth day of October, 1867.

Given under the hand of His Excellency Sir George Grey, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and issued under the Seal of the said Colony at Wellington, this thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN!

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by "The Registration Act, 1858," it is enacted that it shall be lawful for the Governor at any time by proclamation in the *New Zealand Gazette* to divide the Colony of New Zealand for the purposes of the said Act into such and so many districts as he may think fit, and that every such district shall be called by a distinct name, and shall be a Registrar's district; and it is provided that the Governor may at any time revoke the whole or any part of such proclamation, and issue a new proclamation dividing the Colony or any part of it anew into districts, or increasing the number or altering the boundaries of districts as from time to time he may think requisite.

And whereas by proclamations duly made and issued, bearing date respectively the thirtieth day of November, one thousand eight hundred and sixty-five, and the twenty-ninth day of August, one thousand eight hundred and sixty-six, the Governor, in pursuance of the said recited power and authority, did constitute two districts for the purposes of the said Act, called respectively the "Nokomai," and the "Popotuna" Districts, the boundaries of the "Nokomai" District, being set forth in the first-named proclamation, which said proclamation came into operation and took effect on the first day of February, one thousand eight hundred and sixty-six, and the boundaries of the "Popotuna" District, being set forth in the last named proclamation, which said proclamation came into operation and took effect on the first day of October, one thousand eight hundred and sixty-six.

And whereas it is expedient to revoke so much of the said proclamations as relates to the said districts, and to divide anew the territory formerly comprised within such districts:

Now therefore, I, Sir George Grey, the Governor of the said Colony, in pursuance and exercise of the power and authority vested in me by the said recited Act, do hereby revoke the said proclamation so far as relates to the "Nokomai" and "Popotuna" Districts, and do proclaim and declare that the territory formerly comprised within such districts, shall be and is hereby divided for the purposes of the said Act into the two following districts, the names and boundaries whereof shall be as follows:—

POPOTUNA DISTRICT

bounded by a line commencing at the junction of the Waikaka Stream with the River Mataura, thence eastwards along the southern and eastern boundaries of McNab's run No. 111 to Logan's run No. 175A, thence along the south-eastern boundary of Logan's run to the Pomahaka River, thence along the southern and eastern boundaries of McKenzie's

run No. 163 to the north-western angle of the Gabriel's Registration District, thence southwards parallel to the Clutha River at a distance of twenty chains therefrom to a point opposite the junction of the Crookburn, thence to the Clutha River at the said junction, thence along the Clutha River to the northern angle of the West Clutha Hundred, thence along the north-western and south-western boundaries of the said hundred and the western boundary of Callins' Hundred to the ocean, thence westwards along the ocean beach to the mouth of the Mataura River, thence northwards up the said Mataura River to the junction of the Waikaka Stream the commencing point.

NOKOMAI AND SWITZERS DISTRICT

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And I do declare that this proclamation shall come into operation and take effect on the tenth day of October, 1867.

Given under the hand of His Excellency Sir George Grey, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and issued under the Seal of the said Colony, at Wellington, this thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN!

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the third day of September, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Settlements Amendment and Continuance Act, 1865," it is enacted that the Governor in Council shall have power from time to time to make regulations for the practice and procedure of the Compensation Courts, and of arbitrations, umpirages, and appeals under "The New Settlements Act, 1863," "The New Zealand Settlements Act Amendment Act, 1864," and the said "New Zealand Settlements Amendment and Continuance Act, 1865," and for establishing scales of fees in relation to all such proceedings, and may from time to time rescind, alter, and amend such regulations.

And whereas by Order in Council dated sixteenth of June, one thousand eight hundred and sixty-six, certain rules and regulations were made for the practice and procedure of Compensation Courts established under "The New Zealand Settlements

Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865":

And whereas it is expedient to rescind the aforementioned regulations, and substitute others in lieu thereof:

Now therefore, His Excellency the Governor, in pursuance and exercise of the said power in him vested for this purpose, doth hereby, with the advice and consent of the Executive Council of the Colony, rescind all previous rules and regulations made under the aforesaid Acts or either of them, and doth, in further pursuance and exercise of the said power, and with the like advice and consent, make the following rules and regulations for the practice and procedure of the Compensation Courts, and of arbitrations, umpirages, and appeals under the said recited Acts

Rules and Regulations for the practice and procedure of Compensation Courts established under "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865."

1. No Court shall be held until after two months' notice of the intention to hold the same shall have been advertised in the *General Government Gazette*, and in the *Kahiti o Niu Tiren*i, except for the purpose of rehearing a case which shall have been ordered to be reheard as hereinafter provided, for which purpose a Court shall be held at such time and place, and after such notice as shall be appointed by the Governor in Council or the Judge, as the case may be, in the order by which the rehearing shall be directed.

2. In every case before the Court, the claimant shall be deemed the plaintiff, and the Crown the defendant, and either party may appear by counsel or duly authorized agent; and in all cases of opposing claimants the counter claimant to the person whose case is being heard shall be considered as a defendant.

3. The practice and procedure of the Court, and of counsel and agents, where not otherwise provided for by these rules, shall be as nearly as convenient similar to that of a Resident Magistrate's Court in civil cases.

4. On the application of either party for an adjournment for the purpose of procuring evidence, the Court shall grant an adjournment for the time applied for, or until the next sitting of the Court after the expiration of such time, provided the period of such adjournment do not exceed three months.

5. All evidence given in Court shall be taken down in writing, and a copy thereof, together with the particulars of judgment or award, shall be transmitted without delay to the Colonial Secretary.

6. Upon the application of either party within sixty days from the date of the sitting of the Court, the Governor in Council or the Judge before whom any case shall have been tried, may grant a rehearing of the same before not less than two Judges of the Court, one of whom shall not have been present at the first hearing of the case; and such applications, if made to the Governor, must be made in writing, addressed to the Colonial Secretary, and if made to the Judge, may be either in writing or otherwise, and either at a sitting of the Court, or at any time and place appointed by the Judge, at the instance of the party applying.

7. No application for a rehearing of a case shall be received by any Judge after an application for a rehearing of such case shall have been refused by the Governor, and notice of refusal given to the Senior Judge of the Court.

8. The orders or certificates issued by the Court shall be in the forms set forth in Schedules A., B., and C., hereunto annexed, or to the like effect.

9. In all cases where a certain amount of land is awarded in compensation, the land shall be selected by the person to whom such compensation shall have been awarded, and the Agent for the Crown: Provided that if they do not agree upon such selection within six months from the date of award, the Court shall decide between the parties in such manner as to it shall seem meet.

FORSTER GORING,
Clerk of the Executive Council.

FORM A.

In the Compensation Court, }
Colony of New Zealand. } Block.

In the matter of "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865."

Ex parte

At a sittings of the Compensation Court held at _____ in the Province of _____ on the _____ day of _____ and following days, before Esquires, Judges there, upon hearing the claimants to compensation on account of the taking of the _____ Block, under the authority of the said Acts or one of them, by an Order in Council made on the _____ day of _____ 186____, the boundaries whereof are defined in and by the said Order in Council, and upon hearing counsel, agents, and witnesses, as well for the claimants as the Crown, we, the aforesaid Judges of the said Court, do hereby certify and order that _____ entitled to the sum of _____ pounds in respect of interest as owner (amongst other persons) according to Native custom, of land at _____ in the said Block.

Dated at _____ this _____ day of _____ 186____.

FORM B.

In the Compensation Court, }
Colony of New Zealand. } Block.

In the matter of "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865."

Ex parte

At a sittings of the Compensation Court held at _____ in the Province of _____ on the _____ day of _____ and following days, before Esquires, Judges there, upon hearing the claimants to compensation on account of the taking of the _____ Block, under the authority of the said Acts or one of them, by an Order in Council made on the _____ day of _____ 186____, the boundaries whereof are defined in and by the said Order in Council, and upon hearing counsel, agents, and witnesses, as well for the claimants as for the Crown, we, the aforesaid Judges of the said Court, do hereby certify that Mr. _____, duly authorized on behalf of the Colonial Secretary, did, before judgment, elect to give to claimants to land at _____ in the said Block, land instead of money out of any lands within the Province aforesaid, subject to the provisions of the said Act, and we order accordingly that the piece or parcel of land containing _____ acres, whereof a plan and particulars are endorsed hereon or annexed hereto, shall be given as compensation to the said _____ in extinguishment of the claim of themselves, and of all other persons claiming with by through or under them, or any of them, into or out of the land claimed as aforesaid.

Dated at _____ this _____ day of _____ 186____.

FORM C.

In the Compensation Court, }
Colony of New Zealand. } Block.

In the matter of "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865."

Ex parte

At a sittings of the Compensation Court held at in the Province of on the day of and following days, before Esquires, Judges there, upon hearing the claimants to compensation on account of the taking of the Block, under the authority of the said Acts or one of them, by an Order in Council made on the day of 186 , the boundaries whereof are defined in and by the said Order in Council, and upon hearing counsel, agents, and witnesses, as well for the claimants as for the Crown, we, the aforesaid Judges of the said Court, do hereby certify that an agreement was made in our presence between Mr. , duly authorized on behalf of the Crown, and claimants to land at in the said Block, whereby the said are to receive a grant of acres of land at or near in extinguishment of the claims of themselves, and of all other persons claiming by, through, or under them, or any of them, into, or out of the land claimed as aforesaid.

Dated at this day of 186 .

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the third day of September, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council, from time to time, to make alter and revoke rules regulating the procedure and practice in the Courts to be established under the said Act, and in cases of appeal therefrom, and also to fix the fees to be taken in respect of proceedings therein: And whereas by Order in Council made the fifteenth day of September, 1863, certain rules regulating the procedure and practice in the Wardens' Courts within the Province of Otago, and in cases of appeal therefrom, were made, and certain alterations thereof have become advisable:

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of the Colony doth hereby henceforth revoke such and such parts of the said rules and fees as differ from and are not included in the rules and fees respectively set forth in the Schedule hereunto annexed, and doth hereby order that the rules and fees respectively set forth in the Schedule hereunto annexed shall be the rules regulating the proceedings and practice in the Wardens' Courts within the Province of Otago, and in cases of appeal therefrom, and shall be the fees to be taken in respect to proceedings therein.

FORSTER GORING,
Clerk of the Executive Council.

WARDEN'S COURT RULES.

ANALYSIS.

Secs.

1. Schedule of forms and scale of fees to be part of the rules.
2. Interpretation of words in rules.
3. Time and place of holding Courts. Adjournments.
4. The Clerk of Court.

5. Clerk's deputy.
6. Clerk's duties.
7. Parties may appear personally or by solicitor.
8. Officers of Court not to practice in the Court.
9. Action to be commenced by a complaint and summons.
10. Names, &c., of parties to be set forth in complaint and summons.
11. Grounds of action to be briefly set forth in complaint and summons.
12. Summons may be issued in certain cases against a party out of jurisdiction.
13. Service of summons.
14. Service may be made by person authorized.
15. Summons of witnesses.
16. Parties to be heard in open Court. Adjournment of hearing.
17. Procedure if complainant do not appear.
18. Procedure if defendant do not appear.
19. Verdict.
20. Judgment upon verdict.
21. Minute of every decision to be entered by Judge in a book.
22. Costs.
23. Costs of witnesses to be at discretion of a Judge.
24. Court may order payment by instalments of sums of money.
25. Defects and errors may be amended.
26. In absence of warden clerk to adjourn Court. Schedule of forms, and table of fees.

WARDENS' COURTS.

Rules for regulating the procedure and practice of Wardens' Courts within the Province of Otago.

1. The schedule of forms and scale of fees hereunto annexed shall form part of these rules.
2. In construing these rules and forms, the following terms in inverted commas shall bear the several meanings set against them respectively:
 - "The Act." The Gold Fields Act, 1866, 30 and 32 Victoriae, No. 32.
 - "Clerk," "Bailiff." The clerk, bailiff, or other person duly appointed and authorized to act as such respectively.
 - "Oath" shall include affirmation.
 Words importing the masculine gender only shall include females, and importing the singular number shall be extended to the plural number.
3. Every Warden's Court shall be holden at such place and times as the warden may appoint, and he may from time to time adjourn the Court.
4. There shall be for every Warden's Court a clerk who shall be appointed by and hold office during the pleasure of the Governor or other person or authority to whom or which shall for the time being be delegated for the Otago Gold Fields by the Governor all or such of the powers conferred by the Act, on the Governor, or the Governor in Council, as may by the said Act be duly delegated by the Governor.
5. It shall be lawful for the warden to appoint a deputy to act for the clerk as often as he shall be prevented by illness or other cause from acting in his office, and an entry of such appointment and the cause of the clerk's absence, shall be made in the minute book of the Court.
6. The clerk of Court shall issue all summonses, warrants, and writs of execution, keep an account of all proceedings, take charge of and keep an account, in a book to belong to the Court, of all fees and fines payable or paid into Court, and of all moneys paid into and out of Court, adjourn the Court to any day he may deem convenient when from any cause a Court cannot be held on the day appointed, and shall

do and perform all other acts and duties properly incident to the office of clerk.

7. The parties in every complaint, action, or proceeding, shall appear and act personally or by a barrister or solicitor of the Supreme Court, and not otherwise, unless under special circumstances the warden permits any party to appear by an agent, not being a barrister or solicitor.

8. No officer of the Court shall, either by himself or by any partner or person in his employment, be directly or indirectly engaged as counsel, attorney, or agent for any party in any proceeding in the Court.

9. Every action shall be commenced by a complaint and summons in the form or to the effect in the Schedule hereto annexed.

10. In the complaint and summons there shall be set forth the christian and surname, and place of abode and calling, and description of the complainant, and likewise of the defendant; but when the christian and surname of the latter are not known, he may be designated by any name or names which he may have acquired by usage or reputation.

11. In every complaint and summons there shall be set forth briefly but distinctly and explicitly the ground or cause of complaint; and if there be more than one ground or cause of complaint, each shall be stated substantively, and consecutively numbered, and there shall also be set forth the recovery or relief claimed.

12. Such summonses may be issued against any defendant residing or being without the district within which the Court has jurisdiction, provided it clearly appear from the complaint that the cause of action is otherwise within the jurisdiction of the Court.

13. The service of any summons shall be by delivering a copy of the same to the defendant (or if more than one, to each of them) personally; or if he cannot be found, by leaving such copy at his place of abode; or in case of copartners, at the claim, station, or other place of business of the firm.

14. The summons may be served by any person whom the warden may authorize, and he shall by a certificate under his hand certify the time and mode of such service, to be endorsed on the summons without prejudice to the warden taking proof thereof by oath if he think fit.

15. Either party may obtain from the clerk of Court summonses to witnesses, to be served at the option of such party either by himself as his agent, or by the bailiff of the Court.

16. The parties shall be heard in open Court upon the day appointed, but the warden may adjourn the hearing of any cause in such manner and on such terms as to payment of costs or otherwise, as to him may seem fit.

17. If the complainant do not appear at the time appointed, and good cause for his absence be not shown, the warden shall dismiss the complaint, and award a sum to the defendant as costs, or adjourn the hearing of the same.

18. If the defendant do not appear, the Court may either hold him as confessing the claim and give judgment accordingly, or institute such inquiry into the cause of action as may be deemed necessary, and thereupon pronounce such decision as may be consistent with the ends of justice.

19. Every judgment entered up in pursuance of the verdict of assessors, shall have the same force and effect as if such judgment were entered in pursuance of the determination of the judgment of the Court alone.

20. A minute of every decision shall be entered by the warden, in a book to be kept for that purpose, and shall be signed by the warden or by the assessors who concur in making such decision, and no formal

order shall be necessary and a copy of such minute shall, on demand, be given to any of the parties interested therein.

21. All the costs of any complaint or proceeding shall be taxed by the Court, and shall be paid or apportioned between the parties in such manner as to the warden shall seem fit, but in default of any special direction, such costs shall abide the event of the action.

22. The costs of witnesses, whether they have been examined or not, may in the discretion of the warden be allowed, although they may not have been summoned.

23. The warden may make such order as he may think fit, concerning the times, and by what instalments, any sum of money for which judgment shall be obtained shall be paid; and all such money shall be paid into Court unless the warden shall otherwise direct.

24. The warden may at all times amend all defects and errors in any proceeding in this Court.

25. Where by reason of the death or unavoidable absence of the warden a Court cannot be held, the clerk of the Court shall adjourn the Court to such day as he may deem convenient.

SCHEDULE OF FORMS.

1. Complaint.

In the Warden's Court of _____ District, in the Province of Otago, New Zealand.

BE it remembered that upon the _____ day of _____ 18____, cometh before me the undersigned, warden of the Otago Gold Fields, _____ in the said Province, A. B., (address, description, &c.) and complains against C. D. (address, description, &c.) defendant

1. That (*here set forth briefly but distinctly and explicitly the ground or cause of complaint, and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c.*)

Wherefore the complainant claims that the defendant be adjudged to (*here state the nature of the claim or relief sought*)

Stated before me at _____ aforesaid this
day of _____ 18____.

Warden.

2. Summons.

In the Warden's Court of _____ District, in the Province of Otago, New Zealand, A.B. (*address description*) complainant, and C. D. (*address description*) defendant.

1. That (*here set forth briefly but distinctly and explicitly the ground or cause of complaint, and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c., as in complaint.*) Wherefore complainant claims that the defendant be adjudged to (*here state the nature of the claim or relief sought as in the complaint.*)

These are therefore to command you the said C. D., in Her Majesty's name, to be and appear on the
day _____ 18____, at _____ o'clock in the

noon, at the Court House, at _____ before me to answer to the said complaint, and demand (*in any case in which in the complaint an interim injunction is claimed, here insert*) and in the meanwhile you are hereby enjoined to desist from (*here state the matter of injunction distinctly*) under the penalty, in case of disobedience of this injunction contained in the Act.

Given under my hand and seal this _____ day of _____
in the year of our Lord 18____, at
in the district aforesaid.

Warden.

3. Certificate of Service.

I, bailiff to the Warden's Court at do hereby certify that I served mentioned in the within summons with a copy thereof on the day of 18, between the hours of and noon.

E. F.

4. Summons to a Witness.

In the Warden's Court of holden at between A. B. plaintiff, and C. D. defendant. You are hereby required to attend at the Court House in on the day of 18, at the hour of in the noon, to give evidence in the above cause, on behalf of (plaintiff or defendant as the case may be) and then and there to have and produce (state any particular documents required) and all other books, papers, writings, and other documents relating to the said action, which may be in your custody, possession, or power. In default of your attendance you will be liable to a penalty of five pounds, under section 102 of "The Gold Fields Act, 1866."

Dated this day of 18 C. D.,

Clerk of Court.

To A. B. (address, description.)

5. Summons to Assessor.

In the Warden's Court of holden at You are hereby summoned to appear and serve as an assessor in this Court, at the (Court House) on the day of 18, at the hour of in the noon, upon the trial of the cause or causes to be then tried by assessors and in default of attendance you will be liable to a penalty of five pounds, under section 102 of "The Gold Fields Act, 1866."

Dated this day of 18 C. D.,

Clerk of Board.

To (address, description.)

6. Order fining an Assessor for non-attendance.

In the Warden's Court of holden at WHEREAS was duly summoned to appear and serve this day as an assessor in this Court, upon the trial of the cause or causes to be tried by assessors at this Court. And whereas he has neglected, without sufficient cause shown, to appear and serve as an assessor at this Court, it is hereby ordered that he shall forthwith (or on the day of 18) pay to the clerk of this Court a fine of £ for such neglect.

Dated the day of 18 (By the Court)

C. D.,

Clerk of Court.

Hours of attendance at the office of the clerk (place of office) from until except on (here insert the days of the week on which the office will be closed) when the office will be closed at

TABLE OF FEES.

	£	s.	d.
Summonses	0	2	0
Summonses to witnesses	0	2	0
Service of summonses (if within one mile of the Court House)	0	3	0
For every extra mile one way	0	1	0
Hearing	0	4	0
Adjournment of hearing, when made on application of plaintiff or defendant	0	2	0

	£	s.	d.
Swearing witnesses, exceeding three on either side	0	2	0
Summoning assessors	1	4	0
Entering up judgment	0	2	0
Filing notice of ground of appeal	0	8	0
Writ of execution against goods	0	4	0
Writ of execution against the person	0	4	0
Issuing warrant to bailiff to deliver possession to a plaintiff of premises recovered	0	8	0
Executing any writ of execution beyond one mile from the Court House, for every extra mile one way	0	1	0
Poundage on the sum levied or received, or for which the body is taken in execution, for every £1	0	1	0
Serving or executing any writ of arrest, injunction, writ of attachment, or any summons, order, warrant, precept, writ, or other process, not hereinbefore provided for, if within one mile of the Court House	0	8	0
For keeping possession, per diem, any sum not exceeding	0	8	0
For every extra mile one way	0	1	0
Auctioneer's commission on goods sold, not exceeding five per cent.			
Advertising—for three lines of space, not exceeding 3s., and 3d. for every additional line.			
Bailiff's fee for executing writ against the goods if satisfied within two hours of the levy	0	4	0
For every search	0	1	0
For any document required in proceedings, and not enumerated in the Schedule	0	2	0
For every complete folio of 90 words above one	0	1	0
Copy of any proceedings (first folio)	0	1	0
And for every complete folio of 90 words	0	0	8
Cartage of goods seized in execution to auction room or place of security, reasonable expenses actually paid not exceeding 20s. per diem.			

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, &c

WHEREAS by "The Customs Regulation Act, 1858," it is enacted that it shall be lawful for the Governor, in the name and on behalf of Her Majesty, from time to time to appoint and remove a superior officer of customs, who shall have the control and direction of all other officers and persons employed in or about the collection and management of the revenue of customs, and shall be styled "The Commissioner of Customs," and also in like manner from time to time to appoint and remove or to depute to the Commissioner the power to appoint and remove officers and persons subordinate to the Commissioner to collect and manage the Customs Revenue, and to perform the several duties incident to and connected with the collection and management thereof:

Now therefore, I, Sir George Grey, the Governor as aforesaid, in pursuance and exercise of the said power and authority, do hereby delegate to

The Hon. JAMES CROWE RICHMOND,

the Commissioner of Customs appointed as aforesaid, the power to appoint and remove officers and persons subordinate to the Commissioner, to collect and manage the Customs Revenue and to perform the several duties incident to and connected with the collection and management thereof, vested in me by

the said in part recited Act, to be held and exercised by him from time to time as he shall think fit, so long as he shall hold the said office of Commissioner of Customs.

Given under my hand, at Wellington, this tenth day of September, 1867.

G. GREY.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

THE following Ordinance passed by the Provincial Council of the Province of Marlborough, intituled "The Drainage Act, 1867,"

which Ordinance was reserved for the signification of the Governor's pleasure thereon, having been laid before the Governor, His Excellency has been pleased to withhold his assent to the same.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

THE following Ordinances passed by the Provincial Council of the Province of Marlborough, intituled "The Licensing Act Amendment Act 1866 Amendment Act, 1867;"

"The Appropriation Act, 1867-8;"

"The Picton Improvement Act Amendment Act, 1867;"

"The Charitable Trusts Act, 1867;"

which Ordinances were reserved for the signification of the Governor's pleasure thereon, having been laid before the Governor, His Excellency has been pleased to assent to the same.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

THE following Ordinance passed by the Provincial Council, and assented to by the Superintendent of the Province of Taranaki, intituled—

"Appropriation Ordinance, 1867-8,"

having been laid before the Governor, His Excellency has been pleased to leave the same to its operation.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

IT is hereby notified that Writs issued for the election of Members of the Provincial Council of the Province of Southland have been returned with certificates to the effect that

For the District of Waikiwi,

George Hatley, Esq.;

For the District of Aparima,

Christopher Bastian, and John Howell;

For the District of Riverton,

Samuel Hodgkinson, and Theophilus Daniel;

For the District of Waiau,

Francis Frederick Butler;

For the District of Longwood,

Francis A. Monckton;

For the District of Waianawa,

James Wilson;

For the District of Waihopai,

John Blacklock, and Thomas Moriarty Clerke;

For the District of Invercargill,

William Henderson Calder, John Ross, Harry

Armstrong, and George Lumsden;

For the District of Roslyn,

William Johnston, and Thomas Swale;

For the District of Oteramaka,

Walter Henry Pearson, Esq.;

For the District of Oreti,

John Robert Cuthbertson;

For the District of Campbelltown,

Lewis Longuet;

For the District of New River,

James Moreland McClure, Esq.;

have been duly elected.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

IT is hereby notified that in conformity with clause three of "The Otago Municipal Corporation Act, 1865," the names of the following persons have been sent in to this office, by the several Town Clerks, as having been elected Mayors for the places set opposite their names:—

John Hyde Harris	...	Dunedin.
Daniel Rolfe	...	Port Chalmers.
Jean Désiré Ferand	...	Clyde.
Samuel Gibbs	...	Oamaru.
MacLeod Clement Orbell	...	West Hawkesbury.
James Elder Brown	...	Milton.
William Jackson Barry	...	Cromwell.
Robert Finlay	...	Alexandra.
Horace Bastings	...	Lawrence.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

HIS Excellency the Governor has been pleased to appoint the following gentlemen to be Registrars of Marriages, and of Births, Deaths, and Marriages, for the districts set opposite their names respectively, as defined in Proclamation of 13th instant, and published in this *Gazette*:—

JAMES ROY, Esq., Popotuna.

HENRY ALDBOROUGH STRATFORD, Esq., Nokomai and Switzers.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

HIS Excellency the Governor has been pleased to appoint

THOMAS BRUNNER, Esq.,

to the following offices, *vice* John Sharp, Esq., resigned:—

Principal Returning Officer for the Province of Nelson;

Registration Officer for the election of Members of the House of Representatives for the Districts of the City of Nelson, Suburbs of Nelson and Waimea;

Registration Officer for the Province of Nelson to form Provincial Rolls;

Returning Officer for the election of Members of the House of Representatives for the Districts of the City of Nelson, Suburbs of Nelson and Waimea;

Returning Officer for the election of Members of the Provincial Council for the Districts of the City of Nelson, Suburban North, Waimea East, Waimea West, and Waimea South.

E. W. STAFFORD.

Colonial Secretary's Office,
Wellington, 14th September, 1867.

NOTICE is hereby given that all persons holding Land Orders of the New Zealand Company are required to make application for their Crown Grants, and to deliver such Land Orders to the New Zealand Company's Land Claims Commissioner for the Province wherein the lands claimed are situated, within three months from this date.

E. W. STAFFORD.

NOTICE is hereby given that Richard Auguste Hennessy, Frederick Richard Hennessy, Jean Elisée Monsnier Jacques Richard Maurice Hennessy, and Jean Baptiste Richard Hennessy, all of Cognac, in the Department of Charente, in the Empire of France, brandy merchants and exporters of brandy, carrying on business under the style or firm of "Jas. Hennessy and Co.," have applied to register the following trade marks:—

For Brandy in Bottles:

An oblong label, containing, within a square border, a wreath of vine branches, surmounted by an arm with battle axe, and enclosing the words "Jas. Hennessy and Co., Cognac:"

And on the corks, the following characters impressed or burned, "Jas. Hennessy and Co."

*
E. W. STAFFORD,
Registrar of Trade Marks.

Wellington, 14th September, 1867.

Colonial Secretary's Office,
(Judicial Branch.)

Wellington, 5th September, 1867.

HIS Excellency the Governor has been pleased to appoint

ALFRED JULIUS SICKLER,

of Havelock, in the Province of Marlborough, Esquire, to be a Justice of the Peace for the Colony of New Zealand.

E. W. STAFFORD.

Native Secretary's Office,
Wellington, 2nd September, 1867.

HIS Excellency the Governor has been pleased to license

ROBERT PARK, Esq.,

Province of Canterbury, to be a Surveyor under "The Native Lands Act, 1865."

J. C. RICHMOND.

Native Secretary's Office,
Wellington, 3rd September, 1867.

HIS Excellency the Governor has been pleased to appoint

IHATA PORUTU,

to be an Assessor under "The Native Lands Act, 1865."

J. C. RICHMOND.

Native Secretary's Office,
Wellington, 27th August, 1867.

HIS Excellency the Governor has been pleased to license

DAVID PORTER, Esq.,

Province of Wellington, to be a Surveyor under "The Native Lands Act, 1865."

J. C. RICHMOND.

General Post Office,
Wellington, 29th August, 1867.

THE following Notice, received from the General Post Office, London, respecting the extension of and alterations in the Money Order System, is published for general information.

JOHN HALL.

MONEY ORDER OFFICES.

ENGLAND.

1. On the 1st July Money Order Offices will be opened in London and the suburbs at:—

	Postal District.
Battersea Park Terrace	S.
Belsize Park, Hampstead	N.W.
Harlesden Green	N.W.
Kensington Park Road	W.

Lancaster Street, Hyde Park ... W.
Princes Street, Westminster ... S.W.
2. Money Order Offices will be opened in the country at—

	Head Office.	County.
Above Bar, R.O.	Southampton...	Hants.
Bold Street, R.O.	Liverpool ...	Lancaster.
Cam	Dursley ...	Gloucester.
Cobham... ..	Gravesend ...	Kent.
Constitution Hill, R.O.	Birmingham ...	Warwick.
Didsbury	Manchester ...	Lancaster.
Etruria	Stoke-on-Trent	Stafford.
Gorleston	Yarmouth ...	Suffolk.
Kiveton Park	Sheffield ...	York.
Lewes Road, R.O.	Brighton ...	Sussex.
Long Bennington	Grantham ...	Lincoln.
Lumb	Manchester ...	Lancaster.
Rainford	St. Helen's ...	Lancaster.
Standish	Wigan ...	Lancaster.
Stogumber	Taunton ...	Somerset.
Taff's Well	Cardiff ...	Glamorgan
The Docks	Swansea ...	Glamorgan
Windmill Road... ..	Croydon ...	Surrey.

3. The Money Order Offices at Great Hampton Row and Warstone Lane (Birmingham) will be closed.

4. The Money Order Office at Cranley (Guildford) will henceforth be denominated Cranleigh.

SCOTLAND.

5. Money Order Offices will be opened at—

	Head Office.	County.
Rutherglen	Glasgow ...	Lanark.
Stonehouse	Hamilton ...	Lanark.

General Post Office,
Wellington, 12th September, 1867.

HIS Excellency the Governor has been pleased to authorize

WILLIAM WEAVER, Esq.,

District Manager of the Northern Line of Electric Telegraph, to frank, free from prepayment of postage, letters and packets sent by him on the public service only.

JOHN HALL,
Postmaster-General.

Colonial Defence Office,
Wellington, 11th September, 1867.

ENQUIRIES having been made respecting GEORGE CROON, carpenter by trade, who emigrated to New Zealand about two years since, and is supposed to have joined the Colonial Forces, any person who can give any information respecting him is requested to communicate to this office.

J. HOLT,
Under Secretary.

Colonial Defence Office,
Wellington, 11th September, 1867.

HIS Excellency the Governor has been pleased to make the undermentioned appointments, viz.:

In the Wellington Artillery Volunteers.

Ensign Patrick Alphonsus Buckley (Wellington Militia) to be Captain. Date of commission, 31st August, 1867.

In the Invercargill Rifle Volunteers.

James Harvey to be Captain. Date of commission, 23rd August, 1867.

Frederick Henry Geisow to be Lieutenant. Date of commission, 23rd August, 1867.

William Pantin Grigor to be Honorary Assistant-Surgeon. Date of commission, 23rd August, 1867.

T. M. HAULTAIN.

Colonial Defence Office,
Wellington, 11th September, 1867.

HIS Excellency the Governor has been pleased to accept the resignation of the commission held by the undermentioned officer, viz.:—
Captain James A. Poole, Canterbury Rifle Volunteers.

T. M. HAULTAIN.

Office of the Commissioner of Customs,
Wellington, 6th September, 1867.

HIS Excellency the Governor has been pleased to make the following appointments in the Customs Department:—

Auckland.

Alexander Rose to be Landing Surveyor at the Port of Auckland.

R. J. La Nauze to be First Clerk at the Port of Auckland.

Alexander Muir to be Acting Sub-Collector at Mongonui.

Napier.

Joseph Molière Tabateau to be Collector at Napier.

Canterbury.

H. F. Andrews to be Landing Surveyor at the Port of Lyttelton.

Dugald McKeller to be First Clerk at the Port of Lyttelton.

Otago.

G. B. Mitchell to be Sub-Collector at the Port of Molyneux.

J. C. RICHMOND.

Office of the Commissioner of Customs,
Wellington, 6th September, 1867.

THE undermentioned person has been duly licensed to act as Custom House Agent at the Port of Westport—

THOMAS ANCELL.

WILLIAM SEED,
Secretary.

Secretary of Crown Lands Office,
Wellington, 24th August, 1867.

NOTICE is hereby given that the application made by Edmund White, for sixteen (16) acres one (1) rood and thirty-seven (37) perches of land, situate at Skippers Creek, in the district of Queens-town, in the Province of Otago, for gold mining purposes, has been withdrawn; and that the said land is open for occupation by holders of Miners' Rights.

ALFRED DOMETT,
Secretary for Crown Lands.

COMPENSATION CLAIMS.—Notice is hereby given that the Colonial Government will not recognize any claim for compensation for losses arising in the Province of Auckland out of the Native war, unless such claim shall have been formally made on or before the 1st October next, and that no claim for losses sustained previously to the 11th July, 1863, will be admitted.

DANIEL POLLEN,
Agent for General Government.
Auckland, 9th August, 1867.

NGA tangata tono utu mo o ratou taonga i ngaro i roto i te takiwa o te whawhai.—He panuitanga tenei kia mohiotia ai e kore e manaakitia e te Kawanatanga o te Koroni te tono utu a tetahi tangata mo ana taonga i ngaro i roto i te takiwa o te whawhai Maori i te Porowini o Akarana, arai ki te kore ia e tuku mai tana pukapuka tono utu i mua mai o te 1 o nga ra o Oketopa e haere ake nei, a ekore hoki e manaakitia te tono utu a tetahi tangata

mo ana taonga i ngaro i mua atu o te 11 o nga ra o Hurai, 1863.

DANIEL POLLEN

Akarana, 9 Akuhata, 1867.

THE Partnership entered into between the undersigned Julius Vogel and Benjamin Leopold Farjeon, on the fifteenth day of November, one thousand eight hundred and sixty-four, under the firm or style of "J. Vogel and Co.," as Newspaper Proprietors in Dunedin, Otago, is dissolved by mutual consent.

All debts due by the firm will be paid by the said Julius Vogel, who will receive all moneys due to the firm.

Dated the thirteenth day of July, one thousand eight hundred and sixty-seven.

JULIUS VOGEL.

Witness to the signature of Julius Vogel—JOHN HYDE HARRIS, solicitor, Dunedin.

BENJAMIN LEOPOLD FARJEON.

Witness to the signature of Benjamin Leopold Farjeon—EDWARD FRANCIS WARD, solicitor, Dunedin.

IN the Supreme Court of New Zealand: Otago and Southland District.

In the matter of the petition of John Switzer, of Princes Street, Dunedin, in the Province of Otago, New Zealand, boot and shoe importer, a bankrupt; and in the matter of "The Debtors and Creditors Act, 1862," and "The Debtors and Creditors Act Amendment Act, 1865," and "The Debtors and Creditors Acts Amendment Act, 1866."

THE matter of this petition coming on this day for the second hearing thereof, upon reading the order for sequestration and vesting of the estate of the bankrupt made in these matters, and dated the eighteenth day of May last, and upon hearing Mr. Cook, the bankrupt's counsel. It is ordered that George Brodie, of Dunedin, in the Province of Otago, inspector in bankruptcy and interim sequestrator of the said estate, be and he is hereby appointed sole trustee of the estate and effects of the bankrupt. And it is further ordered that all the real and personal estate of the bankrupt which shall vest in the said George Brodie by virtue of his said appointment, shall be held by him, his heirs, executors, and administrators respectively, (except the wearing apparel of the bankrupt, his wife and children, which shall be retained by them,) upon and for the following trusts and purposes, namely—

1. To sell, collect, and get in, such real and personal estate, and receive the moneys arising therefrom, and to execute all necessary conveyances and assurances thereof.

2. To retain and pay all expenses properly incurred of and attending such sale, collection, and getting in.

3. To pay the poundage and fees payable under the abovementioned Acts.

4. To pay the costs properly incurred of and incidental to the petition in these matters and subsequent thereto, such costs to be taxed, and also all costs and expenses in these matters which have been or shall be ordered by this Court, or by any Judge thereof, to be paid out of the estate of the bankrupt.

5. To distribute the net residue of the said trust moneys between and amongst and for the benefit of all the creditors of the bankrupt who were his creditors at the time of the presentation of the said petition, and who shall duly prove their debts by affidavit sworn and filed within three calendar months

from the date of this order, by way of *pro rata* distribution, subject to existing legal priorities (if any), but so that the said creditors shall not receive more than twenty shillings in the pound upon their said respective debts.

6. To pay the ultimate surplus (if any) of the said trust moneys to the bankrupt. And it is further ordered that the matter of the said petition be further adjourned until the thirtieth day of September next.

Dated this fifth day of August, 1867.

By the Court,

(L.S.) **ROBERT CHAPMAN,**
Registrar.

I, the abovenamed George Brodie, do hereby accept the appointment of trustee made by the foregoing order, and consent to hold the real and personal estate therein mentioned, upon and for the trusts and purposes therein expressed.

GEO. BRODIE.

Witness to the signature of the said
George Brodie — S. N. MUIR,
articled clerk to Mr. George
Cook, solicitor, Dunedin.

STATEMENT of Accounts of the Suspension
Water-race Company (Registered), Black's,
No. 1, Otago.

<i>Assets.</i>	£	s.	d.
Race, dams, plant, &c. in three hundred shares £20 each	6,000	0	0
Golden Gate	18	2	0
Rent for water, due and in hand	70	0	0
Messrs. Gaffney and McGarey	4	0	0
	<u>£6,092</u>	<u>2</u>	<u>0</u>

Liabilities.

	£	s.	d.
Mr. Rivers	448	18	9
Mr. McDonald	7	0	6
Mr. Wickham	26	14	6
Mr. Walsh	5	13	6
Mr. Gilligan	3	17	6
Mr. Gannon	9	4	0
Mr. Ennis	3	0	0
Mr. Power	7	1	0
Mr. O. McDonald	17	18	0
Mr. Nihel	16	13	0
Mr. Casey	3	10	0
Mr. Hughes	31	18	0
Golden Gate	15	8	0
Mr. Carlbeck	23	14	11
Mr. McIntosh	23	19	9
Mr. Woodworth	128	0	0
Mr. McCaul	13	13	4
Messrs. Cope and Fache	3	0	0
Messrs. Gaffney and Garey	175	0	0
	964	4	9
Assets over liabilities	5,127	17	3
	<u>£6,092</u>	<u>2</u>	<u>0</u>

JAMES RIVERS, Secretary.

Dated Black's, No. 1, 1st July, 1867.

DISSOLUTION of Partnership.—Notice.—The Partnership hitherto existing between James Ferguson, Melbourne, and John Mitchell, Dunedin, New Zealand, has been dissolved by mutual consent from the thirty-first March last.

The business here will be carried on as formerly by John Mitchell on his own account, under the style of "Ferguson and Mitchell," Stationers, Account-Book Manufacturers, Engravers, Lithographers, and Printers, Dunedin.

John Mitchell will pay all debts due, and receive same.