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*Proclamation authorizing the Construction of certain Waterworks commonly known as the "Waipori Drainage Channel," in the Province of Otago.*

(L.S.)          NORMANBY, Governor.

A PROCLAMATION.

**WHEREAS** by "The Immigration and Public Works Act, 1870," it is enacted that the Governor may, on the request of the Superintendent and Provincial Council of any province in which any proclaimed gold field is, cause to be constructed, completed, extended, repaired, or maintained, such works for supplying water to such gold field as he may from time to time think fit, and may enter into contracts for the construction, completion, or extension of such works, or for purchasing or otherwise acquiring any drains, dams, water-races, reservoirs, or other works already constructed, which may appear to the Governor suitable for any such purpose aforesaid: And it is also thereby enacted that, whenever the Governor shall determine to construct any waterworks under the powers conferred by Part III. of the said Act, he shall from time to time, by Proclamation published in the *New Zealand Gazette*, declare and specify the waterworks which he proposes to construct, and the lands and streams of water proposed to be taken for the purposes of such waterworks, and any such Proclamation may refer to maps, plans, or drawings to be deposited in the office of the Registrar or Deputy Registrar of the Supreme Court in the province in which such waterworks are proposed to be constructed, and any maps, plans, or drawings so referred to shall be deemed to form part of such Proclamation; and upon the publication of such Proclamation, the provisions and regulations contained in the Eighth Part of the said Act shall be applicable to the lands and streams and the waterworks to which the Proclamation relates:

And whereas by "The Immigration and Public Works Act, 1872," it is enacted that the provisions of Part III. and of Part VIII. of "The Immigration and Public Works Act, 1870," and, so far as they

apply to waterworks, of Part VIII. of "The Immigration and Public Works Act Amendment Act, 1871," shall apply not only to works for the supply of water, but also to sludge channels, drains, and other works for removal of the wash and refuse matter oozing or flowing from gold-mining claims:

And whereas by "The Immigration and Public Works Act, 1873," it is enacted that it shall be sufficient, in any Proclamation under and for the purposes of Part III. of the said Act, to describe in general language the waterworks to be constructed and the lands and streams of water proposed to be taken; and it shall not be necessary that such waterworks, lands, and streams shall have been surveyed, or be specified by name or boundaries or area:

And whereas by a resolution passed by the Provincial Council of the Province of Otago, on the twenty-eighth day of July, 1873, and assented to and concurred in by the Superintendent of the said Province, the Governor was requested to construct works for the drainage of water from part of the Otago Gold Field (the same being a duly proclaimed gold field): And whereas, in accordance with the terms of the said resolution, the Governor has determined to construct and maintain certain works for the said gold field:

Now therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, in exercise and pursuance of the powers and authorities conferred on me by the hereinbefore in part recited Acts, and in exercise of every other power enabling me in this behalf, do hereby proclaim, declare, and specify that I propose to construct waterworks for the purpose of draining water from the Waipori Creek and its tributaries, and other streams as mentioned in the Schedule hereto, to a portion of the Otago Gold Field aforesaid, together with all such drains, races, aqueducts, pipes, culverts, buildings, and other works as may be requisite or necessary for the said waterworks; and I do hereby also proclaim and declare that the lands and streams of water proposed to be taken for the purpose of such waterworks are those as are described in general language in the Schedule hereto.

## SCHEDULE.

*Limits, Description, Line, and Limits of Deviation of a portion of the Waterworks, commonly known as or called the "Waipori Drainage Channel," in the Province of Otago, and Lands, Roads and Watercourses proposed to be taken for the purposes of the said Waterworks.*

COMMENCING at the Waipori River at or near a point which is situated about two miles, more or less, below the Township of Waipori; thence following generally the course of the Waipori River, and terminating at the Waipori River at or near a point which is situated about six and a half miles, more or less, below the same township, as the limits, description and line thereof are set forth in the plan, and which plan is authenticated for the purposes of this Proclamation by the signature of the Honorable Edward Richardson, Minister for Public Works, to be deposited in the office of the Registrar of the Supreme Court at Dunedin; or within the limits of deviation set forth in the said plan by dotted red lines, being generally not more than 330 yards on either side of the said line, except where otherwise delineated on the plan, and passing in, through, over or into the several places, lands, roads, reserves, rivers and watercourses generally referred to hereinafter, and comprising so much of the lands, roads, and watercourses hereinafter mentioned as are required for the said portion of the said waterworks, along the line of the said waterworks hereinbefore defined or within the limits of deviation aforesaid.

All that part or parcel of land lying between the point of commencement and the point of termination hereinbefore described, and comprised within the limits of deviation hereinbefore mentioned, and including the Waipori River, all its tributaries, and all adjoining and intervening places, lands, roads, ponds, lakes, streams, creeks and watercourses.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this ninth day of December, in the year of our Lord one thousand eight hundred and seventy-five.

H. A. ATKINSON.

GOD SAVE THE QUEEN!

*Making and confirming By-Laws, Rules, and Regulations on the Lines of Railway in New Zealand—Picton to Blenheim.*

NORMANBY, GOVERNOR.

ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-fifth day of November, 1875.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS under the provisions of "The Immigration and Public Works Act, 1870," and the several Acts amending the same, and other Acts,

the line of railway mentioned and described in the Second Schedule hereto has been constructed by the Governor within the Colony of New Zealand:

And whereas under the provisions of the said hereinbefore mentioned Acts and the enactments incorporated therewith, the Governor in Council is empowered to make Regulations and By-laws for the following purposes, that is to say,—

For regulating the mode by which, and the speed at which, carriages using the said railway are to be moved or propelled.

For regulating the times of the arrival and departure of any such carriages.

For regulating the loading or unloading of such carriages, and the weights which they are respectively to carry.

For regulating the receipt and delivery of goods and other things which are to be conveyed upon such carriages.

For preventing the smoking of tobacco and the commission of any other nuisance in or upon such carriages, or in any of the stations or premises occupied by the Superintendent in connection with the said railway.

And generally, for regulating the travelling upon or using and working of the said railway.

And whereas it is expedient that the Regulations and By-laws as contained and set forth in the First Schedule hereto should be made in respect of the said railway:

Now therefore, His Excellency the Governor of New Zealand, with the advice and consent of the Executive Council thereof, and in exercise and pursuance of all powers and authorities enabling him in this behalf, doth hereby make the By-laws, Rules, and Regulations set forth in the First Schedule hereto, as the By-laws, Rules, and Regulations to be in force with regard to all the said railway so made and constructed by the Governor as aforesaid, and which is more particularly mentioned in the Second Schedule hereto annexed.

FORSTER GOBING,  
Clerk of the Executive Council.

## FIRST SCHEDULE.

BY-LAWS, RULES, AND REGULATIONS for regulating the travelling upon and using of the New Zealand Railways.

*Passenger Traffic.*

1. In the interpretation of these Regulations, the term "General Manager" shall mean the person who shall be General Manager of the railway, in accordance with the provisions of "The Railways Regulation and Inspection Act, 1873." The word "railway" shall mean and include each of the lines of railway described in the Second Schedule hereto.

2. No person will be admitted to the booking office at any station whilst the door is closed for making up and despatching any train; and no passenger will be allowed to take his or her seat in or upon any carriage used on the railway, or to travel therein upon the railway, without first having paid his or her fare, and obtained a ticket.

3. Any person wilfully altering or defacing his ticket, so as to render the date, number, or any material portion thereof, illegible, shall be liable to a penalty not exceeding two pounds, and shall, in addition, be liable to pay the fare from the station whence the train originally started.

4. Tickets will be issued conditionally—that is to say, in case there shall be room in the train for all the passengers to whom tickets shall have been issued. If there shall not be room for all such passengers, the holders of periodical tickets shall have priority over holders of return and single tickets, and the fare will be returned, on application to the Station Clerk, to the holders of such return and single tickets as shall be unable to obtain seats.

5. If any person travel or attempt to travel in any carriage on the railway without having previously paid his fare, and with intent to evade payment thereof; or if any person, having paid his fare for a certain distance, knowingly and wilfully proceed in any such carriage beyond such distance without previously paying the additional fare for the additional distance, and with intent to evade payment thereof; or if any person knowingly and wilfully refuse or neglect, on arriving at the point to which he has paid his fare, to quit such carriage,—every such person shall for every such offence be liable to a penalty not exceeding forty shillings.

6. If any person be discovered either in or after committing or attempting to commit such offence as in the preceding clause mentioned, all officers and servants and other persons on behalf of the General Manager, and all constables, gaolers, and peace officers, may lawfully apprehend and detain such person until he can be conveniently taken before some Justice, or until he be otherwise discharged by due course of law.

7. No return or periodical ticket will be available for special trains.

8. Every passenger, on arriving at the station for which he or she may have taken a ticket, or to or from which he or she may hold a periodical ticket, shall quit the station and premises of the railway; and no person shall be allowed to loiter about the stations, wharf, or premises, or any part thereof; and if any passenger or other person shall refuse to quit the station, wharf, or premises aforesaid, on being requested so to do by any Station Clerk or any servant attached to the railway or wharf, such passenger or person may be expelled by such Station Clerk or other servant as aforesaid from the railway premises.

9. No gunpowder or other explosive or dangerous material shall be carried by any passenger train.

10. Each passenger, on paying his fare, will be furnished with a ticket, which he is to show whenever required by any Station Clerk or authorized Porter, or by the Guard in charge of the train; and if it be a return ticket, he must allow it to be marked when required; and every ticket (whether single, return, or periodical) must be delivered up on the demand of any porter or servant authorized to collect tickets. Single tickets not used on the day of issue, or a return ticket not used within the prescribed time, shall be deemed to be cancelled. Any person offending against the provisions of this regulation shall be liable to a penalty not exceeding five pounds.

11. Tickets are not transferable; and any person using or attempting to use a transferred ticket, or a ticket the time for the proper use of which has expired, shall be liable to a penalty not exceeding five pounds.

12. Any person knowingly, and with intent to defraud, travelling upon the railway in a carriage of a superior class to that for which he is provided with a ticket, or altering a return or other ticket, shall be liable to a penalty not exceeding ten pounds.

13. Tickets, whether single or return, shall be used by passengers only to convey them to the station named thereon, or to a station short of that destination. In no case, however, shall any "cheap excursion" ticket be used for any other station than that for which such ticket is issued. Any person using or attempting to use a ticket in violation of the provisions of this section shall be liable to a penalty not exceeding two pounds.

14. No person will be allowed to break his journey by stopping at any intermediate station, and thereafter proceeding by a subsequent train with the same ticket, under a penalty not exceeding two pounds.

15. Any person, not duly authorized by the General

Manager, who shall sell or offer for sale any free pass ticket or portion of a return ticket, shall be liable to a penalty not exceeding two pounds.

16. No male passenger shall be allowed to enter any waiting-room or carriage set apart for the accommodation of females; and any person remaining in any such room or carriage after being warned to leave the same shall be liable to a penalty not exceeding two pounds.

17. Any person entering a carriage or compartment of a carriage containing the full number of persons which it is constructed to convey, except with the consent of the persons in such carriage or compartment, and refusing to go out when requested by the Guard or other officer of the railway to do so, shall be liable to a penalty not exceeding two pounds.

18. Any person, not being a railway servant, who shall open any carriage for the purpose of entering the same after the tickets have been examined and the carriage doors locked by the person appointed for that purpose, or who shall let himself out of any carriage, or attempt to do so, at any station or at any time during the journey, by the use of a private key or other instrument, shall be liable to a penalty not exceeding two pounds.

19. No person shall, without the consent of the General Manager or other authorized officer, travel outside a carriage on any railway under any circumstances, or get into or upon or quit any railway carriage when the train is in motion; and any person doing so, or attempting to do so, shall be liable to a penalty not exceeding two pounds.

20. Loaded firearms are on no account to be taken into or placed upon any carriage, waggon, truck, or other vehicle forming or intended to form a train or any portion of a train on the railway; and every person so offending shall be liable to a penalty not exceeding five pounds.

21. Smoking is strictly prohibited in any of the railway sheds, offices, or waiting-rooms; and any person found so smoking shall be liable to a penalty not exceeding two pounds.

22. Smoking is strictly prohibited in any railway carriage, except those set apart for the purpose; and any person found smoking in a carriage not set apart for the purpose shall forfeit a penalty not exceeding two pounds, and may be removed from the carriage by any railway servant.

23. Dogs will be conveyed and charged for according to printed conditions, but will not on any account be allowed to accompany passengers in the carriages. Any person persisting in taking a dog into a passenger carriage shall be liable to a penalty not exceeding two pounds.

24. No gratuity shall be, under any circumstances, allowed to be received by a railway servant on pain of dismissal. Any person giving or offering a gratuity to any such servant shall be liable to a penalty not exceeding two pounds.

25. Any person making use of insulting or abusive language to any railway officer or servant while in the execution of his duty, or obstructing any such officer while in the execution of his duty, or making use of indecent or blasphemous language in any carriage or upon any railway platform or premises, shall be liable to a penalty not exceeding five pounds.

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

27. Any person crossing or attempting to cross any level crossing with any cattle, horse, or other animal, or with a vehicle of any kind, when an

approaching engine or train is in sight, or the whistle or bell can be heard at such crossing, shall be liable to a penalty not exceeding five pounds.

28. Any person driving or attempting to drive vehicles, sheep, horses, cattle, or other animals across the railway, on the level, either at an authorized crossing-place or elsewhere, when an approaching train is in sight, or when otherwise warned, shall be liable to a penalty not exceeding five pounds.

29. If any person pull down or injure any board put up or affixed for the purpose of publishing any list of tolls or notices, or any mile-post, or shall obliterate any of the letters, marks, or figures on any such board or post, he shall forfeit for every such offence a sum not exceeding five pounds.

30. The General Manager shall publish the short particulars of the several offences for which any penalty is imposed by these or any other by-laws of the railway, and of the amount of every such penalty, and shall cause such particulars to be painted on a board, or printed upon paper and pasted thereon, and shall cause such board to be hung up or affixed on some conspicuous part of the principal station of the railway; and, where any such penalties are of local application, shall cause such boards to be affixed in some conspicuous place in the immediate neighbourhood to which such penalties are applicable or have reference; and such particulars shall be renewed as often as the same, or any part thereof, is obliterated or destroyed.

31. Any person in or upon any railway carriage or station, being in a state of intoxication, or committing any nuisance, or gambling, or wilfully interfering with the comfort of any passenger, shall be liable to a penalty not exceeding five pounds, and to removal from such carriage or station as soon as shall be practicable.

32. No driver or conductor of any cab, hackney carriage, omnibus, express, or other public vehicle, shall ply for hire within the railway premises without a license in writing from the General Manager or other authorized officer; and any person offending contrary to this section shall be liable to a penalty not exceeding five pounds.

33. No person will be allowed to come upon any railway platform for the purpose of removing any passenger or luggage, unless required by a passenger and engaged by him for such purpose; and no person will be allowed to come upon any railway premises for the purpose of soliciting custom or hire. Any person attempting to evade or being guilty of a breach of this section, or not quitting the premises when required by a Station Clerk or other railway servant, shall be liable to a penalty not exceeding two pounds.

34. Any person, unless authorized by the General Manager, who shall post or stick any placard or bill within or on any of the property or premises, shall be subject to a penalty not exceeding two pounds.

35. Any person who shall wilfully injure, wholly or in part, any of the linings or blinds, or break or deface any of the windows, or remove or injure any number-plate or advertisement, or remove or extinguish any of the lamps, or otherwise damage any railway carriage, shall be liable to a penalty not exceeding five pounds, in addition to the payment of the amount of damage done.

36. No article shall be sold on any railway premises without the consent of the General Manager, and every person offending against the provisions of this section shall forfeit a sum not exceeding five pounds.

37. All persons employed on or about the railway or wharf are strictly prohibited from using the refreshment-room; and every such person partaking of intoxicating liquor at such refreshment-room will be liable to instant dismissal.

38. Any person attending upon the refreshment-room who shall supply an employé on or about the railway or wharf with intoxicating liquor shall be liable to a penalty not exceeding two pounds, and shall be dismissed from his employment.

#### *Merchandise.*

39. Neither Her Majesty the Queen nor the lessee of any railway will be accountable for any articles unless the same be signed for as received by some clerk or agent; nor will they, or any of them, be responsible for the loss of or damage to money in cash, or bills, or promissory notes, or securities for money, or jewellery, trinkets, rings, precious stones, bullion, gold and silver plate, clocks, watches, mirrors, marbles, lace, furs, silks, writings, title deeds, prints, paintings, maps, or other valuables; nor for damage done to china, glass, musical instruments, furniture, toys, castings, or any other such hazardous or brittle articles, unless they shall have been declared as such, and a special agreement entered into for the same; nor for any loss or damage to any goods in their hands as carriers, or in their warehouse, or on their landing-places, arising from fire (except from their own engine or apparatus), the act of God, civil commotion, or foreign enemies; nor for the loss of or damage done to goods put into boxes or packages described as empties; nor for damage of any goods or packages insufficiently or improperly packed, or containing a variety of articles liable by breaking to damage each other or other articles; nor for leakage, nor for any loss or damage whatsoever by reason of accidental or unavoidable delays in transit or otherwise.

40. No claim for loss or damage will be allowed unless specified in writing, and made within two days after delivery in case of partial loss or damage, or within seven days after the due time of delivery in case of total loss.

41. The General Manager will refuse to receive for carriage any goods which in the judgment of the officers of the railway may be of a dangerous nature; and senders of any dangerous articles will be held accountable for any damage arising therefrom, unless the contents shall have been declared at the time of delivery.

42. Fruit, fish, meat, poultry, and any other perishable articles not taken away within six hours after arrival at the station to which they are consigned may be forthwith sold, by auction or otherwise, without notice to the sender or consignee; and payment or tender of the net proceeds of any such sale, after deduction of freight and expenses, shall be accepted as equivalent to delivery.

43. All empties not taken away within one month after arrival will be sold to defray expenses.

44. All goods are received and will be held by the railway subject to a general lien for money due, not only for the carriage of such goods, and for wharfage and warehouse rent, but also for any general balance that may be due for the owner. And in case any goods should not be claimed within three calendar months after their arrival at the station to which they are consigned, they will be sold by auction or otherwise, and the proceeds applied towards satisfaction of such general lien and expenses.

45. All goods and merchandise, whether bonded or free, and all luggage, having arrived at its destination, shall be removed by the consignees from the platform and sheds within twelve working hours; and any free goods, merchandise, or luggage not removed by that time, may be stored at the risk and expense of the consignees or owners, and will become subject to such charges as may from time to time be duly fixed with respect to the railway; and any bonded goods or merchandise which shall not be removed within the period aforesaid shall be

subject to the payment of the sum of two shillings per ton per day until the removal of the same from the railway premises.

46. Any goods, merchandise, or luggage, arriving at any station, which shall not be removed from the railway premises within twelve working hours, may be stored at risk and expense of the consignee or owner.

47. All tolls and charges and warehousing charges must be paid immediately to the person duly authorized to receive the same.

48. The above conditions, numbered from 39 to 48, both inclusive, apply to all parcels and goods received by the proper officers of the railway at the offices and warehouses thereof, wherever situate.

SECOND SCHEDULE.  
*Picton to Blenheim Railway.*

*Fixing Rates and Charges for Goods, &c., on the Kaipara to Riverhead Railway (Wharf at Riverhead, Wharf at Helensville).*

NORMANBY, Governor.  
ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-fifth day of November, 1875.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS under the provisions of "The Immigration and Public Works Act, 1870," and the several Acts amending the same, and other Acts, the line of railway mentioned and described in the Second Schedule hereto has been constructed by the Governor within the Colony of New Zealand: And whereas under the provisions of the said hereinbefore mentioned Acts, and the enactments incorporated therewith, the Governor in Council is empowered to make rates and charges for the following purposes, that is to say,—

For regulating the receipt and delivery of goods and other things in connection with the said railway:

And whereas it is expedient that the rates and charges, as contained and set forth in the First Schedule hereto, should be made in respect of the said railway:

Now therefore, His Excellency the Governor of New Zealand, with the advice and consent of the Executive Council thereof, and in exercise and pursuance of all powers and authorities enabling him in this behalf, doth hereby make and approve of the rates and charges set forth in the First Schedule hereto, as the rates and charges to be in force with regard to the wharves in connection with the said railway so made and constructed by the Governor as aforesaid, and which is more particularly mentioned in the Second Schedule hereto annexed.

FORSTER GORING,  
Clerk of the Executive Council.

FIRST SCHEDULE.  
WHARF RATES.

Goods.	£	s.	d.
At per ton ... ..	0	2	0
Receiving and delivering, per ton ...	0	1	0
Storage will be charged on goods not taken away within 12 working hours, at per ton, per week ... ..	0	1	0
<i>Timber.</i>			
Wharfage, either wharf, at per 100 superficial feet ... ..	0	0	5
Receiving and delivering ... ..	0	0	2
Storage will be charged on timber not taken away within one week, at per 100 superficial feet, per week ... ..	0	0	6

NOTE.—The above rates apply to use of one wharf at either RIVERHEAD or HELENSVILLE, but in case

goods are shipped through from steamer at one end to steamer at the other end of railway, wharfage will be charged on one wharf only.

Until proper cranes are erected at Helensville wharf, no charge will be made for wharfage on timber coming down the river, but the shipper must load into trucks which will be placed at end of wharf by the railway servants.

SECOND SCHEDULE.

Kaipara to Riverhead Railway (Wharf at Riverhead, Wharf at Helensville).

*Polling Place for Arahura Road Board appointed.*

NORMANBY, Governor.

WHEREAS by the thirty-ninth section of "The County of Westland Act, 1868," it is, amongst other things, enacted that in and for each road district, within fifteen days after the commencement of the now reciting Act, the Governor shall, and at any time afterwards when occasion shall require, the Governor from time to time, if it shall seem fit, on the application of the Road Board, may appoint a sufficient number of Polling Places for such road district at which the poll shall be taken at all elections held for the same, and may from time to time, on the like application, alter and vary the same: And whereas the Board of the Arahura Road District have applied to have a Polling Place appointed in addition to those hitherto appointed in the said Arahura Road District:

Now therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, in accordance with such application, and in exercise of the powers and authorities vested in me by the said recited Act, do hereby appoint the place hereunder mentioned to be a Polling Place for the Arahura Road District in the said Act mentioned, and in addition to the places hitherto appointed, that is to say,—

The Literary Institute, Big Dam.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; at the Government House, at Wellington, this eighth day of December, in the year of our Lord one thousand eight hundred and seventy-five.

DANIEL POLLEN.

*Warrant appointing Polling Places.*

NORMANBY, Governor.

TO ALL TO WHOM THESE PRESENTS SHALL COME,  
GREETING:

WHEREAS by "The Regulation of Elections Act, 1870," it is enacted that it shall be lawful for the Governor, by Warrant under his hand, from time to time to appoint Polling Places for each Electoral District within or within one mile of the limits thereof, and to appoint any one of such Polling Places to be the Principal Polling Place for the district, and all or any of such Polling Places

from time to time to abolish, and, if he think fit, to appoint other Polling Places in lieu of those abolished, and that every such Warrant shall be published in the *New Zealand Gazette*: Provided always that no Polling Place shall be appointed by the Governor under the said Act unless he shall be first satisfied that the place to be appointed is more convenient than any other for at least twenty electors to record their votes thereat:

Now know ye that I, George Augustus Constantine, Marquis of Normanby, the Governor of New Zealand, in pursuance of the power and authority in me vested by the said Act, do hereby appoint the following places to be Polling Places for the Electoral District hereinafter specified, for the election of Members of the House of Representatives for the District of Taieri, namely,—

The Drill Shed, Mosgiel.  
The School House, Otakia.  
The School House, North Taieri.  
The Court House, Outram.  
The School House, Maungatua.

And I do further appoint the Polling Place hereinafter specified to be the Principal Polling Place for such district, namely,—

The Drill Shed, Mosgiel.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; at Wellington, this ninth day of December, in the year of our Lord one thousand eight hundred and seventy-five.

DANIEL POLLEN.

*Regulations for the use of the Race or Channel known as the "Waipori Channel," at Waipori, in the Province of Otago.*

NORMANBY, Governor.

WHEREAS by the 88th section of "The Immigration and Public Works Act, 1870," it is enacted that the Governor may from time to time make, alter, and repeal regulations prescribing the rates and charges to be paid for use of any water supplied under the said Act, and the terms and conditions upon which the same may be supplied, received, and used: And whereas by the 50th section of "The Immigration and Public Works Act Amendment Act, 1872," it is enacted that the provisions of Part III. and of Part VIII. of "The Immigration and Public Works Act, 1870," and, as far as they apply to water-works, of Part VIII. of "The Immigration and Public Works Act Amendment Act, 1871," shall apply not only to works for the supply of water, but also to sludge channels, drains, and other works for removal of the waste and refuse matter oozing or flowing from gold-mining claims: And whereas under and by virtue of the powers contained in "The Immigration and Public Works Act, 1870," and the several Acts amending, the Governor has caused to be constructed, at Waipori, in the Province of Otago, a sludge channel and other works connected therewith; and it is expedient that rates and charges should be pre-

scribed for the use of the said channel, as hereinafter provided:

Now therefore, I, George Augustus Constantine, Marquis of Normanby, Governor of the Colony of New Zealand, in pursuance of the provisions of the hereinbefore in part recited Acts, and in exercise of the powers thereby vested in me, do hereby make the Regulations following, prescribing the rates and charges to be paid for the use of the Waipori Drainage Channel so constructed as aforesaid, and the terms and conditions upon which the same may be used.

#### REGULATIONS.

1. The Waipori Drainage Channel shall be under the control of the Gold Fields Warden of the district, who shall be assisted by an Inspector to be appointed by the Superintendent of Otago.

2. The said Inspector shall be subject to the direction and control of the Warden, have the general supervision and management of the channel, and shall collect the rates and charges which may be imposed pursuant to these Regulations, or of any other regulations which may be made in addition to or in lieu thereof.

3. No person shall cause or allow any head water or any tailings, or any water used for sluicing, to flow or find its way into the channel.

4. All openings for drainage into the channel shall be provided with a box not less than 12 feet in length, to be placed within the bank of 33 feet to be left unworked, and at that part of the bank nearest to the channel. Every such box shall be fitted with a sufficient gate, which shall be kept closed during floods. Every such opening shall be filled up from the box to the level of the surface of the adjoining ground, and for a distance of not less than 22 feet from the channel.

5. All fees, rates, and charges as may be provided by these Regulations, or by any other regulations which may be made in addition to or in lieu thereof, shall be paid weekly in advance to the Inspector.

6. The fees, rates, and charges which shall be payable to the Inspector under these Regulations shall be as follows:—

For every permission in writing under the hand of the Warden ... 10s. 0d.

For each and every person owning, occupying, or working any claim, right or privilege, within a distance of one half-mile of any portion of the Waipori Drainage Channel, a weekly payment of ... 1s. 6d.

Provided that the Warden may remit any fees, rates, or charges, in any case where it is proved to his satisfaction that any person receives no benefit from the said channel.

As witness the hand of His Excellency the Governor, this eighth day of December, one thousand eight hundred and seventy-five.

H. A. ATKINSON.

*Despatch from Secretary of State, notifying appointment of Consuls.*

Colonial Secretary's Office,  
Wellington, 8th December, 1875.

THE following despatch from Her Majesty's Principal Secretary of State for the Colonies is published for general information.

DANIEL POLLEN.

(New Zealand, No. 54.)

Downing Street, 7th September, 1875.

MY LORD,—I have the honor to inform you, with reference to your Despatches Nos. 50 and 51, of the

3rd of July, that the Queen's Exequaturs empowering Mr. E. Pearce and Mr. W. Montgomery to act as Swedish and Norwegian Consuls at Wellington and Christchurch respectively, received Her Majesty's signature on the 3rd instant, and that the notification of Her Majesty's approval of these appointments appears in the *Gazette* of this day.

I have, &c.,  
CARNARVON.

The Officer Administering the  
Government of New Zealand.

*Regulations for Water Rights.*

Colonial Secretary's Office,  
Wellington, 8th December, 1875.

THE following Regulations for Water Rights in the Province of Auckland, recommended by his Honor the Superintendent and Commissioner of Crown Lands of that province, and approved by His Excellency the Governor, are published for general information.

DANIEL POLLEN.

*Regulations for granting Water Rights, under Part VII., Section 73, of "The Auckland Waste Lands Act, 1874."*

1. The words "water right" shall be understood to mean and include the right to take, divert, or use any water flowing in, through, over, or along any Crown lands, or in, through, over, or along any lands of any person applying hereunder for such right, for the purpose of forming any dam, reservoir, lead, or flume, and any embankment in connection therewith.

2. Every water right under Part VII., section 73, of "The Auckland Waste Lands Act, 1874," shall be granted for a period to be so fixed in the grant not exceeding twenty-one years, subject nevertheless to the determination thereof, as in manner hereinafter provided.

3. Every grant of such water right shall be subject to the reservation of a certain sum of money annually, by way of rent; the amount of such rent, and the time and manner of payment thereof, to be fixed by the Superintendent, and to be specified in the grant.

4. Every person to whom any water right shall hereafter be granted for any of the purposes contained in the said section of the said Act, shall build or construct securely, safely, and in a proper and workmanlike manner, any dams, reservoirs, leads, flumes, embankments, or other works constructed under the authority of such water right, and shall keep and maintain the same in a proper state of repair.

5. It shall be lawful, in every case where the land over which the water flows concerning which any water right as aforesaid is sought, or the land surrounding or contiguous to such water is not the property of the Crown, for the Superintendent, or any person appointed by him, at all reasonable times, to enter upon such lands as aforesaid and view the state of repairs of all dams, reservoirs, leads, flumes, embankments, or other works constructed under the authority of any such water right thereupon, and to transmit or deliver to the grantee, or his assigns or agents, or leave at his or their place of abode, a notice in writing of any defect, requiring him or them, within a reasonable time to be therein prescribed, to repair or make good the same.

6. It shall be lawful for the Superintendent, at any time whatsoever during the term of the grant, upon breach of any condition contained in the grant or these regulations to be observed by any grantee, forthwith to determine the said right, for whatever purpose granted, by serving a written notice to that

effect, signed by him, upon the grantee, any provision contained in Regulation Number Nine to the contrary notwithstanding.

7. All notices required by these regulations to be delivered to the grantee or his assigns or agents shall be deemed to be sufficiently served by posting the same on any part of the ground over which the water right in respect of which such notices may be given shall be or shall have been exercised.

8. And any such person as aforesaid, upon the determination by effluxion of time or otherwise of such water right, or upon his ceasing to exercise such water right, shall leave all such dams, reservoirs, leads, flumes, embankments, or other works in such state or condition as the Waste Lands Commissioner shall, for the safety of life or property, or otherwise in the public interest, require and direct.

9. Every such right as aforesaid may be determined by the Superintendent at any time by giving the grantee six months' notice to that effect, and payment of compensation to be fixed by arbitration.

10. The foregoing regulation shall apply with equal force in the case respectively where the water to or over which any right as aforesaid shall be sought lies in or between or adjoining or flows through or over any land possessed by the Crown or any applicant.

11. The applicant for any such right shall pay to the Commissioner of Crown Lands, on application, the sum of five (5) pounds to cover the cost of preparing the grant. If the application is not granted, the said sum will be returned to him; but if the application is granted, the said fee will be retained and paid to the Receiver of Land Revenue for the time being, as directed by section 11, Part II., of the Act.

12. Every person desirous of obtaining a water right under these regulations shall make written application for the same to the Superintendent, and, as soon thereafter as conveniently may be, notice of such application shall be given to every owner or occupier of land affected thereby, and no water right shall be granted until such notice shall have been duly given as aforesaid.

13. Every such notice of application shall be given by the applicant in writing, and shall be served upon every owner or occupier as aforesaid personally, or by leaving the same at his last-known place of abode or business.

*Consul appointed.*

Colonial Secretary's Office,  
Wellington, 8th December, 1875.

IT is hereby notified, that Her Majesty's Principal Secretary of State for the Colonies has instructed His Excellency the Governor to recognize the appointment of

CHARLES JOHN JOHNSTON, Esq.,  
as Consular Agent for Italy, at Wellington.

DANIEL POLLEN.

*Deputy Registrar of Marriages &c. appointed.*

Colonial Secretary's Office,  
Wellington, 8th December, 1875.

HIS Excellency the Governor has been pleased to appoint

JAMES THOMAS PAIN, JUN.,  
to be the Deputy of the Registrar of Marriages, and of Births, Deaths, and Marriages, for the District of Waimate, as the same is defined in Proclamation of the 8th day of May, 1873, and published in the *New Zealand Gazette*, No. 28, of the 9th day of May, 1873.

DANIEL POLLEN.

*District Judge appointed.*

Department of Justice,  
Wellington, 8th December, 1875.

**H**IS Excellency the Governor has been pleased to appoint

LOWTHER BROAD, Esq.,

Barrister, to be District Judge, under "The District Courts Act, 1858," for the District of Nelson.

This appointment supersedes the one notified in the *New Zealand Gazette* of November 11, 1875.

CHARLES C. BOWEN.

*Deputy Registrar Supreme Court resigned.*

Department of Justice,  
Wellington, 8th December, 1875.

**H**IS Excellency the Governor has been pleased to accept the resignation by

LOWTHER BROAD, Esq.,

of his appointment as Deputy Registrar, at Nelson, of the Supreme Court of New Zealand.

CHARLES C. BOWEN.

*Money Order and Savings Bank Office opened.*

General Post Office,  
Wellington, 8th December, 1875.

**I**T is hereby notified for general information, that a Money Order and Savings Bank Office will be opened at

ST. BATHANS,

in the Province of Otago, from the 1st January next.

By order.

W. GRAY,

Secretary.

*Medical Referee appointed.*

Government Insurance Office,  
Wellington, 8th December, 1875.

**T**HE under-mentioned gentleman has been appointed Medical Referee, under "The Government Insurance and Annuities Act, 1874," for the Districts of Howick, Panmure, and Tamaki, Province of Auckland:—

CHARLES PENRUDDOCKE FITZGERALD,  
M.R.C.S.E., and L.S.A. London.

W. GISBORNE,

Commissioner.

*Application for Registration of a Trade Mark.*

**N**OTICE is hereby given, that Charles White, Esq., Patents Agent, and Agent for the Registration of Trade Marks, of Wellington, has applied, on behalf of LANE, CAMPBELL, AND Co., of Dunedin, in the Province of Otago, to register, under "The Trade Marks Act, 1866," the Trade Mark of which the following is a description, viz. :—

On a paper label, the whole illuminated on a white ground, and standing about five inches high by two and a quarter inches broad, the following words, designs, and figures :

At the top or head of the label, within a space formed by golden lines in a semi-circular form, having a radius of about one and a quarter inch, serrated at each end, the word "Singleton's" in red letters of "sanserif shaded" type, with black edges, the letters standing about three-eighths of an inch high.

Beneath the semicircle aforesaid, and partially within the arch formed by it, four small flags, represented as being suspended on golden poles or staffs, two of which bear or incline to the right, the other two to the left ; the first (commencing from the left) representing and showing the colours of the national

flag of France ; the second a red flag with a blue cross ; the third representing and showing the colours of the English Union Jack ; and the fourth representing and showing the national colours of the North German State of Mecklenburg, the poles on which such flags are suspended appearing as being supported by a figure of the earth, and arising or standing from that portion of the figure representing the North Pole.

The globe or figure of the earth last mentioned has represented upon it the Continents of Europe, Asia, Africa, and Australia, with various islands, having also the lines of latitude and longitude indicated thereon ; so much of the figure as represents the sea being blue, and the land red.

Suspended from the figure last mentioned, upon golden poles or staffs, and appearing on the left and right of it, are two larger flags showing the colours and representing the English and American national ensigns respectively.

To the right and left of such last-mentioned flags the words "Trade Mark" in black letters.

Beneath the figure of that portion of the earth as aforesaid, representing the South Pole, and so as to connect the two lower innermost corners of the ensigns aforesaid, printed in semicircular form, is the word "Registered" in black letters, having beneath it again the words "Renowned" and "Sarsæ Radix" in red "sanserif" letters respectively, the word "Renowned" forming one line in itself, and the words "Sarsæ Radix" forming one line, the latter words in larger type than the former.

Underneath the last-mentioned words is a red line, and beneath that the word "Sarsaparilla," printed as a segment of a circle in red "sanserif shaded" letters with black edges, the letters being about half an inch high.

Underneath the word "Sarsaparilla" last mentioned is a red line.

*Nature of Article to which it is intended such Trade Mark shall apply.*

A medicinal compound known as Sarsaparilla.

AMELIUS M. SMITH,

(for the Registrar).

Wellington, 6th December, 1875.

## LAND TRANSFER ACT NOTICES.

**N**OTICE is hereby given, that the several parcels of land hereinafter described will be brought under the provisions of "The Land Transfer Act, 1870," unless caveat be lodged forbidding the same in each case on or before the 17th day of January, 1876.

1721. WALTER KITSON.—District of Timaru, 8 acres, part of Rural Section No. 1766. In occupation of Thomas Harris Parsons.

2352. ELEANOR GARRETT.—Town of Timaru, 2 roods, being Sections Nos. 250 and 294. Unoccupied.

2405. JAMES TAYLOR and GEORGE KAY.—District of Timaru, 1 rood, part of Lot No. 15, part of Rural Section 1959. In occupation of James Taylor.

2438. ROBERT MARSHALL CRESSWELL.—District of Ashley, 50 acres, Rural Section No. 8152. In occupation of Joseph Patrick.

2439. WILLIAM DEARSLEY.—City of Christchurch, 20 perches, part of Lot No. 86, Town Reserves. In occupation of James Baldwin.

2440. ARTHUR APPLEBY.—Lincoln District, 20 acres, Rural Section No. 7979. In occupation of Henry Francis Gray.

Diagrams may be inspected at this office.

Dated this 3rd day of December, 1875, at the Lands Registry Office, Christchurch.

EDWARD DENHAM,

Deputy District Land Registrar.

669