



Auckland Provincial Government Gazette.

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MONDAY, MAY 30, 1870.

[No. 26.]

NOTICE.

THE attention of Legal Managers is directed to the following sections of "The Mining Companies' Limited Liability Act Amendment Act, 1869."

Section 13. The Manager of every Company registered under the said Act shall, in the months of June and December in the year one thousand eight hundred and seventy, and in every succeeding year make out a true and faithful statement of the affairs of such Company in the form in the Schedule C. hereto annexed, and shall publish the same in the *New Zealand Gazette* and in the *Gazette* of the Province or County in which such Company carries on business.

Section 14. If any Manager shall fail to make and publish such statement as last aforesaid, he shall forfeit and pay a penalty of not exceeding two hundred pounds; or if any Manager shall knowingly insert in such statement any false matter whatsoever, he shall be guilty of a misdemeanour.

THOMAS B. GILLIES,
Superintendent.

Auckland, 26th May, 1870.

HAURAKI GOLD FIELD.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 30th May, 1870.

IT is hereby notified that Leases have been refused to the applicants named in the Schedule hereunder, and that the land therein mentioned, in so far as not occupied under Miners' Rights, is now open for occupation.

Plans may be seen at the Engineer's Office, Grahamstown.

THOMAS B. GILLIES,
Superintendent.

SCHEDULE.

DANIEL GARVEY, for the *Mount Macedon* Gold

Mining and Quartz Crushing Company; 15 years' lease of 10 acres, more or less; situate on the Waiho, Karaka Creek, adjoining the "Queen of Sheba" Claim; comprising the "Last Chance," "Adelaide," and "Leisure Hour" Claims, and adjoining ground; application notified in *Gazette* No. 56, dated 23rd August, 1869, page 780.

N. W. MASSEY, for the *Proof Positive Extension* Gold Mining Company, Registered; 15 years' lease of fifteen acres; bounded by the "Proof Positive" lease on the North, "Grahamstown Consols" Lease on the East, by the Beach on the West, and by Karaka Creek on the South; application notified in *Gazette* No. 54, dated 18th August, 1869, page 734.

JOHN MCGREGOR, for the *Bell Rock* Extended Gold Mining Company; 15 years' lease of 16 acres, more or less; situate at the head of Karaka Creek, near the Kauaeranga Creek, and adjoining the "Bell Rock" Claim; application notified in *Gazette* No. 60, dated 1st September, 1869, page 904.

JOHN GOODALL, for Self and party; 15 years' lease of 4 acres; bounded by the "Bendigo," "Lucks' All," "Columbia," "Eureka," "Pai Marire," "Volunteer," and "Golden Terrace," Claims; comprising "Holland's Park," "Sleeping Beauty," and "Kuranui Star"; application notified in *Gazette* No. 79, dated 16th October, 1869, page 1350.

ALEXANDER THOMSON, for the *Great Australian* Gold Mining Company, Registered; 15 years' lease of 16 acres; situate on the top of Tinkers' Gully, next the "British Queen," and "Burke's" Claim, and formerly known as the "Yellow Star," and "Star of Ireland," and "Star of Glengarry" Claims, and unoccupied ground adjoining; application notified in *Gazette* No. 56, dated 23rd August, 1869, page 789.

PUBLIC NOTIFICATION.

By THOMAS BANNATYNE GILLIES,
Esquire, Superintendent of the
Province of Auckland.

IN pursuance of the powers in me vested by "The Highways Act, 1867," I do hereby notify for general information, that I have altered and amended the boundaries of the several Highway Districts, as hereunder set forth.

Given under my hand at Auckland,
this twenty-sixth day of May,
One thousand eight hundred and
seventy.

THOMAS B. GILLIES,
Superintendent.

THE TITIRANGI HIGHWAY DISTRICT.

Amended Boundaries.

Bounded towards the North-east by the Whau Creek, from the bridge known as the Whau Bridge to the Whau portage road, and by said road to high water mark of Manukau Harbour; towards the East by high water mark of the Manukau Harbour aforesaid to Big Muddy Creek; towards the South by Big Muddy Creek aforesaid, from its mouth to the Southernmost angle of allotment No. 74 of the parish of Waikomiti; towards the West by part of the Eastern boundary of the Waitakerei South Highway District (as described in *Gazette* No. 21, dated 30th April, 1870, page 166) from the Southernmost angle of allotment No. 74 of the parish of Waikomiti aforesaid, to the Creek known as Parr's Creek, at the North-eastern angle of allotment No. 68 of the parish of Waikomiti aforesaid, thence by North-eastern boundary of allotment No. 68 aforesaid to the road at its South-eastern angle; and towards the North-west by the South-eastern boundary of the Waikomiti Highway District (as detailed in *Gazette* No. 21, dated 30th April, 1870, page 166) from the South-eastern angle of allotment No. 68 aforesaid to the Whau Creek, at the bridge first-named, the place of commencement.

THE ARARIMU NORTH HIGHWAY DISTRICT.

Amended Boundaries.

Bounded towards the North by the Kaukapakapa River from the Westernmost point of allotment No. 21 of the parish of Ararimu to the Northern angle of allotment No. 306 of the parish of Pukeatua; towards the North-east by part of the Eastern and Southern boundaries of said lot No. 306 to the North-western angle of allotment No. 308 of said parish, thence by the Western boundary of last-named lot No. 308 to its junction with the road at its South-western angle, thence by the centre of the road which forms the South-eastern boundary of allotment No. 306 of the parish of Pukeatua aforesaid, to the North-western angle of allotment No. 34 of the said parish of Pukeatua, thence following the North-eastern boundary of allotment No. 34 last-named, and the North-eastern boundaries of allotments Nos. 33, 32, 31 and 30, to the road which forms the North-western boundary of allotment No. 39 of the parish of Pukeatua before-named, thence crossing said road and continuing along the dividing line between the North-eastern and the South-western portions of allotment No. 39 aforesaid to the Western boundary of allotment No. 41, and following said Western boundary of allotment No. 41 aforesaid, to the road which forms its Southern boundary, thence crossing said road to the North-western angle of allotment No. 37 of the parish of Pukeatua aforesaid, and continuing along the

Western boundary of said lot to its South-western angle, thence following the Southern boundary of the parish of Pukeatua, to the North-western angle of allotment No. 77 of the parish of Paremoremo; towards the East by the Western boundaries of allotments Nos. 77 and 78 of the Parish of Paremoremo aforesaid, and part of the Eastern and the whole of the Southern boundaries of allotment No. 57 of said parish, to the Rangitopuni Creek, and by said Creek to the Waitati Stream; and towards the South-west by the Waitati Stream aforesaid, to the Easternmost angle of allotment No. 55 of the parish of Paremoremo, thence by the Northern boundary of allotment No. 55 aforesaid, and by the said boundary produced in a straight line to the North-eastern angle of allotment No. 53 of the parish of Paremoremo aforesaid, thence following the North-eastern boundary of said allotment No. 53 to the Ararimu River, thence Northward by the Ararimu River aforesaid to the South-western boundary of allotment No. 41 of the parish of Paremoremo aforesaid, thence by part of the South-western boundary of said allotment No. 41, to its Westernmost angle, thence in a straight line from said angle to the South-western angle of allotment No. 60 of the parish of Ararimu, thence by the Western boundaries of allotments Nos. 60, 59, and 58 of the parish of Ararimu aforesaid, to the Southern boundary of Kaukapakapa South Block, thence by the Southern and South-western boundaries of said Block to the road which forms part of the Western boundaries of allotments Nos. 26 and 20 of the parish of Ararimu aforesaid, thence by said road to the Southern boundary of allotment No. 21, and by said Southern boundary to the Kaukapakapa River aforesaid, the point of commencement.

THE WEITI HIGHWAY DISTRICT.

Amended Boundaries.

Bounded towards the North by the Southern boundary of the Wainui Highway District, as described in *Gazette* No. 19, dated 14th April, 1870, page 155; towards the East by the sea, including the Whangaparaoa Peninsula, to the Okura River; towards the South by the Northern boundaries of the Lake District, thence by the centre of the road leading from Dacre's Claim on the Okura River to Mary Fair's Claim at Lucas' Creek, and by said road continued to the Southern boundary of the Parish of Pukeatua; and towards the South-west by the Southern boundary of the Parish of Pukeatua aforesaid from Mary Fair's Claim at Lucas' Creek aforesaid to the South-western angle of allotment No. 37 of the Parish of Pukeatua aforesaid, thence by the Western boundary of said allotment No. 37 of the parish last-named to the road at its North-western angle, and crossing said road to the Western boundary of allotment No. 41, and continuing along said Western boundary to the dividing line between the North-eastern and South-western portions of allotment No. 39, thence following said dividing line to the road which forms the North-western boundary of allotment No. 39 last-named, thence crossing said road and following the North-eastern boundaries of allotments Nos. 30, 31, 32, 33, and 34, all of the Parish of Pukeatua aforesaid, to the road which forms the South-eastern boundary of allotment No. 306, of said Parish of Pukeatua, thence continuing along the centre of said road to the South-western angle of allotment No. 308, thence following the Western boundary of allotment No. 308 to its North-western angle; thence following the Southern and part of the Eastern boundaries of allotment No. 306 of the Parish of Pukeatua aforesaid to the Waipapa Kauri Stream, being portion of the

Southern boundary of the Wainui District aforesaid the place of commencement.

THE ONE TREE HILL HIGHWAY DISTRICT.
Amended Boundaries.

Bounded towards the North-east by the Great South Road, from the Junction Hotel, to Hamlin's Creek; towards the South by the Creek aforesaid and high-water mark of the Manukau Harbour to the Western boundary of Section No. 17, of the suburbs of Auckland; towards the West by the Western boundary of suburban Section No. 17 before mentioned, from high-water mark of the Manukau Harbour aforesaid at the Southernmost angle of Allotment No. 4 of said Section, to the Mount Smart Road; towards the South by the Mount Smart Road aforesaid, from the North-western angle of Allotment No. 15 of suburban Section last-named, to the Epsom Road at the Royal Oak Hotel; and again towards the West by the Epsom Road aforesaid from the point last-named to the Junction Hotel first mentioned, the place of commencement

PUBLIC NOTIFICATION.

By THOMAS BANNATYNE GILLIES,
Esquire, Superintendent of the
Province of Auckland.

BY virtue of the powers in me vested by the third clause of "The Highways Act, 1867," I do hereby notify that all that portion of the Province of Auckland which is hereunder described, shall be a District under the said Act, and that such District shall be known by the name thereto prefixed, that is to say,—

THE MANUKAU HIGHWAY DISTRICT.

Bounded towards the North by Big Muddy Creek from a line being the production (in a North-easterly direction) of the South-eastern boundaries of allotments Nos. 79 and 80 of the parish of Karangahape to the Manukau Harbour; towards the East and South-east by high water mark of Manukau Harbour aforesaid, from the mouth of Big Muddy Creek to the North Head at entrance of said Harbour; towards the South-west by high water mark of the sea from North Head of Manukau Harbour aforesaid to the Southern boundary of the Waitakerei South District; and towards the North-west by said boundary of last named District, as the same is detailed in *Gazette* No. 21, dated 30th April, 1870, page 166, to Big Muddy Creek, the place of commencement.

Given under my hand, at Auckland,
this twenty-sixth day of May,
One thousand eight hundred and
seventy.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 27th May, 1870.

I HEREBY notify that the Chairman of the First Meeting of the Electors of the MATAKOHE District, under "The Highways Act, 1867," has reported, in writing, to me the names and designations of the undermentioned gentlemen, duly elected Highway Trustees for that District:—

- MR. JOHN DAVIS, Settler.
- MR. JOSEPH HARDY, Settler.
- MR. JOHN ISBISTER, Settler.
- MR. ALDER FISHER, Junior, Settler.
- MR. JAMES JARVIE, Settler.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 28th May, 1870.

I HEREBY notify that the Chairman of the First Meeting of the Electors of the KAITO District, under the Highways Act, 1867," has reported, in writing, to me the names and designations of the undermentioned gentlemen, duly elected Highway Trustees for that District:—

- MR. ISAAC SHEPHERD, Farmer.
- MR. JAMES CHRISTIE, Storekeeper.
- MR. BENJAMIN GOULTON, Farmer.
- MR. WILLIAM LANE, Farmer.
- MR. GEORGE SHEPHERD, Farmer.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

By THOMAS BANNATYNE GILLIES,
Esquire, Superintendent of the
Province of Auckland.

I IN pursuance of the fourth clause of "The Highways Act, 1867," I do hereby bring the said Act into operation within the

TITIRANGI HIGHWAY DISTRICT,

and appoint the First Meeting of Electors to take place at Mr. Pugh's residence, Titirangi, on Saturday, the 18th day of June proximo, at twelve o'clock, noon.

Given under my hand, at Auckland,
this twenty-sixth day of May,
One thousand eight hundred and
seventy.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 23rd May, 1870.

I HEREBY notify that the Chairman of the Board of Highway Trustees for the MOUNT WELLINGTON District, has reported, in writing, to me the election of

MR. BARTON IRELAND,
as a Highway Trustee for that District, in the room of Mr. William Head, resigned.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 26th May, 1870.

I HEREBY notify that the Chairman of the Board of Highway Trustees for the RUATANGATA District has reported, in writing, to me the election of

MR. JOSEPH MASLEN,
as a Highway Trustee for that District, in the place of Mr. Andrew D. Lang, deceased.

THOMAS B. GILLIES,
Superintendent.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 23rd May, 1870.

IT is hereby notified that the Secretary to the Board of Highway Trustees for the HOWICK TOWNSHIP District, has reported, in writing, to the Superintendent the election of

MR. RICHARD BISHOP,
as a Trustee for the said District, in the room of
Mr. P. Bryan, resigned.

JOHN R. NICHOLSON,
Provincial Secretary.

THE HIGHWAYS ACT, 1867.

Superintendent's Office,
Auckland, 26th May, 1870.

THE undermentioned Case in reference to the interpretation of the 28th and 30th Clauses of "The Highways Act, 1867," and the Opinion of Counsel thereon, are hereby published for the information of Highway Trustees and others.

JOHN R. NICHOLSON,
Provincial Secretary.

CASE.

By the 30th clause of the Highways Act, "Every rate authorised to be levied shall be paid to a Collector appointed by the Trustees to receive the same on demand at the place of abode, &c., and shall on non-payment thereof be recoverable at the suit of such Collector by summary proceeding before any Resident Magistrate or two Justices."

The rate is levied, however, for the current year from January to December (*vide* clause 10).

The Act is hereto appended.

The Opinion of Counsel is requested on the following questions:—

1. When does the rate become due and payable?

Is it on demand at any time during the currency of the year, after being duly settled; or does it not become payable till demand made subsequent to December?

2. Being recoverable by "summary proceeding," does the rate cease to be recoverable, if not sued for within six months after demand made, as in the case of offences, &c., the penalties for which are recovered summarily?

THOMAS B. GILLIES,
Superintendent.

Superintendent's Office,
Auckland, May 20, 1870.

OPINION.

1. I am of opinion that the rate becomes due and payable as soon as the provisions of section 28 of the Highways Act, 1867, have been complied with, and is payable on demand after that time.

2. I am of opinion that section 5 of the Justices of the Peace Act, 1866, has reference only to offences liable to punishment on summary conviction, and not to a proceeding for the recovery of rates, which is rather a suit for the recovery of money in the nature of a debt, though the form of proceeding is to be by summary proceeding.

FREDK. WHITAKER.

May 23, 1870.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 27th May, 1870.

IT is hereby notified that
MR. ALEXANDER BEVERIDGE,
Pilot, has been appointed by His Excellency the Governor to be also Harbourmaster for the Port of Hokianga.

JOHN R. NICHOLSON,
Provincial Secretary.

PUBLIC NOTIFICATION.

Superintendent's Office,
Auckland, 27th May, 1870.

IT is hereby notified that
MR. WILLIAM CRACKNELL
has been appointed Collector of Tolls on the Grahamstown Wharf, from the 21st instant.

JOHN R. NICHOLSON,
Provincial Secretary.

SCALE OF CHARGES for the insertion of Advertisements and other Notices in this *Gazette*.

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For the first fifty words and under	...	3
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TABLE.

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Advertisements should be written on one side of the paper; and names, signatures, &c., must be written in a legible hand, to save mistakes.

The number of insertions required should be written across the face of the advertisement.

The Government will not guarantee the publication of any notice or advertisement within a given date; nor will the same be inserted unless pre-paid.

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The above are to be obtained at this office.

VINCENT E. RICE,
Chief Clerk.

Superintendent's Office,
May 25th, 1870.