



NEW ZEALAND  
GOVERNMENT GAZETTE.

PROVINCE OF CANTERBURY.

Published by Authority.

*All Public Notifications which appear in this Gazette, with any Official signature, are to be considered as Official Communications made to those persons to whom they may relate, and are to be obeyed accordingly.*

By His Honor's command,

GEORGE A. E. ROSS,

Provincial Secretary.

VOL VI.]

MONDAY, NOVEMBER 14, 1859.

[No. IX.]

Provincial Secretary's Office,  
8th November, 1859.

**H**IS Honor the Superintendent directs it to be notified that

JOHN OLLIVIER, Esq.,  
THOMAS CASS, Esq.,  
CHARLES CHRISTOPHER BOWEN, Esq.,  
THOMAS SMITH DUNCAN, Esq.,

have resigned their seats in the Executive Council.

By his Honor's command,

GEORGE A. E. ROSS,

Provincial Secretary.

Provincial Secretary's Office,  
Christchurch, 8th November, 1859.

**H**IS Honor the Superintendent directs it to be notified that

JOHN OLLIVIER, Esq.,

has this day resigned the Offices of Provincial Secretary, and of Keeper of the Public Records.

By his Honor's command,

GEORGE A. E. ROSS,

Provincial Secretary.

Provincial Secretary's Office,  
Christchurch, 8th November, 1859.

**H**IS Honor the Superintendent directs it to be notified that

THOMAS SMITH DUNCAN, Esq.,

has this day resigned the Offices of Provincial Solicitor and Crown Prosecutor.

By his Honor's command,

GEORGE A. E. ROSS,

Provincial Secretary.

Provincial Secretary's Office,  
Christchurch, 8th November, 1859.

**H**IS Honor the Superintendent directs the notification of the following appointments:—

RICHARD JAMES STRACHAN HARMAN, Esq.,

to be President of the Executive Council.

GEORGE ARTHUR EMILIUS ROSS, Esq.,

to be a Member of the Executive Council.

GEORGE ARTHUR EMILIUS ROSS, Esq.,

to be Provincial Secretary.

CHARLES WILLIAM WYATT, Esq.,

CHARLES JOSEPH BRIDGE, Esq.,

AUGUSTUS EDWARD WHITE, Esq.,  
to be Members of the Executive Council.  
GEORGE ARTHUR EMILIUS ROSS, Esq.,  
to be Keeper of the Public Records.  
By his Honor's command,  
GEORGE A. E. ROSS,  
Provincial Secretary.

Provincial Secretary's Office,  
Christchurch, 8th November, 1859.

**H**IS Honor the Superintendent directs the notification of the following appointments:—

CHARLES WILLIAM WYATT, Esq.,  
to be Provincial Solicitor.

CHARLES WILLIAM WYATT, Esq.,  
to be Crown Prosecutor.

By his Honor's command,  
GEORGE A. E. ROSS,  
Provincial Secretary.

Provincial Secretary's Office,  
Christchurch, 1st November, 1859.

**H**IS Honor the Superintendent directs it to be notified that he has appointed  
THOMAS WILLIAM MAUDE, Esq.,  
to be Chief Clerk in the Office of the Provincial Secretary, and Clerk to the Executive Council.  
By his Honor's command,

JOHN OLLIVIER,  
Provincial Secretary.

#### ELECTION NOTICE.

##### ELECTORAL DISTRICT OF THE RAKAIA.

**I**N pursuance of the provisions of an Act of the General Assembly of New Zealand, intituled "The Regulation of Elections Act, 1858," I, John Hall, Returning Officer for the Electoral District of the Rakaia, do hereby give notice, that by virtue of a writ bearing date the ninth day of November, 1859, issued under the hand of his Honor the Superintendent of the Province of Canterbury, an election will be held for the return of a qualified person to serve as a member of the Provincial Council for the said electoral district; and that the nomination of candidates will take place at Mr. Ross's house on the river Selwyn, on Thursday, the seventeenth day of November, 1859; and that the poll (if necessary) will be taken on Monday, the 21st day of November, 1859.

Dated this ninth day of November, 1859.

JOHN HALL,  
Returning Officer.

The following are Polling Places for the Electoral District of the Rakaia:—

Mr. Ross's house, river Selwyn  
Mr. E. Chapman's house, river Rakaia.

JOHN HALL,  
Returning Officer.

Dated the ninth day of November, 1859.

#### ELECTION NOTICE.

##### ELECTORAL DISTRICT OF THE AVON.

**I**N pursuance of the provisions of an Act of the General Assembly of New Zealand, intituled "The Regulation of Elections Act, 1858," I, John Hall, Returning Officer for the Electoral District of the Avon, do hereby give notice, that by virtue of a writ bearing date the ninth day of November, 1859, issued under the hand of his Honor the Superintendent of the Province of Canterbury, an

election will be held for the return of a qualified person to serve as a member of the Provincial Council for the said electoral district; and that the nomination of candidates will take place at the School house, Papanui, on Friday, the eighteenth day of November, 1859; and that the poll (if necessary) will be taken on Saturday, the nineteenth day of November, 1859.

Dated this ninth day of November, 1859.

JOHN HALL,  
Returning Officer.

The following are Polling Places for the Electoral District of the Avon:—

The School House, Papanui  
The School House, Riccarton.

JOHN HALL,  
Returning Officer.

Dated this ninth day of November, 1859.

#### HARBOUR REGULATIONS.

AT THE GOVERNMENT HOUSE AT AUCKLAND,  
THE 25th DAY OF OCTOBER, 1859.

Present:—

His Excellency the Governor  
Col. Gould | Mr. Whitaker  
Mr. Richmond | Mr. Tancred.

**W**HEREAS by the Harbour Regulations Ordinance, No. 15, of Session 2, it is enacted that it shall be lawful for the Governor in Council from time to time to make all such Regulations respecting Pilots and Pilotage, Quarantine, and Harbours, as in the said Ordinance provided:

Now, therefore, His Excellency the Governor, by and with the advice and consent of his Executive Council, doth hereby make the following Regulations for the Port and Harbour of Port Victoria.

#### PILOT AND MASTERS OF VESSELS.

1. No person shall be deemed a Pilot unless he be duly licensed by his Excellency the Governor.
2. All persons so licensed shall be provided with a license according to the form hereto annexed.
3. Every Pilot shall carry his license with him, and shall produce it to the Master of any ship or vessel on its being demanded, or forfeit a sum not exceeding forty shillings.
4. The master of any vessel employing any other than a duly licensed Pilot, if such shall have offered his services, shall forfeit double the amount of pilotage.
5. The master of any vessel requiring a Pilot to conduct her to sea must make an application at the Harbour Master's office, 24 hours previously to sailing.
6. The rate of pilotage into or out of Port Victoria, from or to the distance of one league from the pilot station is two-pence per ton inwards or outwards, and one penny per ton upon each occasion that a vessel is shifted from one part of the harbour to another.
7. Pilots are not bound to conduct any vessel to sea until payment of the pilotage has been satisfactorily secured.
8. Pilots on being appointed to outward bound vessels, before taking charge, are to ascertain that their decks are clear, and that they are sufficiently manned, and in a proper state for working as regards masts, rigging, sails, anchors, and boats.
9. Any master who shall make a signal for a Pilot, or cause a Pilot to be sent for to take his vessel to sea, and shall not, within 12 hours from the time of the arrival of the Pilot on board such vessel, proceed to sea, shall pay a sum at the rate of one pound per day for every day such Pilot may be detained on board such vessel, in addition to the regular pilotage. And the Pilot shall not be compelled to conduct such vessel to sea until such ad-

ditional payment and pilotage shall have been paid or satisfactorily secured.

10. Every Pilot detained on board a vessel longer than 48 hours, whether by stress of weather, quarantine, or otherwise, is to be paid eight shillings per day in addition to the regular pilotage.

11. Pilots refusing or neglecting their duty to forfeit a sum not exceeding twenty pounds.

12. The master of every vessel (except as hereinafter mentioned), arriving from beyond seas, and not being a coasting vessel, shall pay the full amount of pilotage, whether taking a pilot or not.

13. All vessels trading to or from the neighbouring colonies shall be exempted from taking a Pilot, upon paying half the usual rate of pilotage, whatever that may be; if a Pilot is taken, however, full pilotage is to be paid.

14. All vessels under 100 tons trading from or to the neighbouring colonies shall, upon the Master proving himself qualified, be furnished with a Certificate of Exemption from pilotage, but shall, in lieu thereof, pay one full pilotage inwards and outwards per annum.

15. Every master so qualified and not requiring a Pilot shall, on approaching the harbour within two leagues, hoist a white flag at the main, or forfeit a sum not exceeding full pilotage.

16. The master of every vessel shall anchor or moor where the Harbour Master or Pilot may direct, and he shall not unmoor or quit the anchorage until notice be given in writing at the Harbour Master's office, and any Master offending against this regulation shall forfeit a sum not exceeding five pounds.

17. All vessels moored or at anchor are to have both cables clear and in readiness to slack away when required. And in default thereof the Master shall forfeit and pay a sum not exceeding ten pounds.

18. All vessels are when it is so ordered by the Harbour Master or Pilot to have buoys and buoy ropes to their anchors, to shew their position, and to hoist a conspicuous light at their peak end from dark to daylight, and in default thereof the Master shall forfeit and pay a sum not exceeding ten pounds.

19. And any anchor, kedge, or cable, slipped or cut from, if not weighed within twenty-four hours, may be weighed by order of the Harbour Master or Pilot, at the risk of and the expense of the owner. And when no buoy rope has been attached, the anchor, kedge, or cable shall be forfeited.

20. After a vessel has been unloaded and properly ballasted, it will be at the option of the Harbour Master to remove her out clear of the shipping, to make room for vessels requiring berths to unload, and if there shall not be on board any vessel which has been unloaded sufficient men or ballast or requisite tackle to enable her to be removed, the Harbour Master or Pilot may remove such vessel at the expense and risk of the owner thereof.

21. Any person obstructing or impeding the navigation of any channel, river, inlet, or creek, or obstructing any public landing place by placing a vessel, cable, boat, or warp, or other article in the way, shall be liable to a penalty not exceeding ten pounds; and in case any person causing such obstruction or impediment will not remove or cause to be removed the same when ordered by the Harbour Master or Pilot, the Harbour Master or Pilot may cast off or cut any such obstruction.

22. The owner or part owner in, or the commander of, any vessel or boat which has been sunk, stranded, or run on shore, or the owner of any baulk of timber, or other bulky article which is in the water who does not clear the Harbour of such vessels or boats, or remove such baulk of timber or other bulky article upon being required so to do, by notice in writing under the hand of the Harbour Master, or any Justice of the

Peace, within such reasonable time as may be mentioned for the purpose in such notice shall, for every such offence, forfeit a penalty not exceeding ten pounds.

23. And any Justice upon the complaint of the Harbour Master or any other person may issue his warrant for the clearing of the Harbour or removing of such baulk of timber or other bulky article in such manner as such Justice shall direct, and for causing such vessel or boat, baulk of timber, or other bulky article to be sold, and out of the money arising from such sale may pay the charges of such clearing or removal as the case may be, paying the surplus to the Harbour Master to be accounted for as fees collected by him.

24. Any person who makes any vessel, boat, timber, or other article fast to any buoy, beacon, or sea mark, and any master or owner of a vessel being navigated without having a pilot on board, or the owner of any boat by which any such buoy, beacon, or sea mark is accidentally removed, injured, or destroyed, who does not forthwith make good such damage, or pay to the Harbour Master a sum sufficient to cover the expense of so doing, shall for every such offence forfeit a penalty not exceeding twenty pounds.

25. Whenever a vessel not employed in coasting only arrives within the Harbour, the Harbour Master shall appoint the place where she is to cast anchor or be moored; and as often as the master of any vessel is desirous of removing her from one place of anchorage to another, he shall notify in writing such his desire to the Harbour Master, who shall thereupon, unless he sees sufficient reason to the contrary, direct the removal accordingly; and the Harbour Master may remove any vessel, timber, or any other article from any berth alongside any Wharf or elsewhere, if such removal is, in the opinion of the Harbour Master, desirable and proper for the general accommodation of the shipping; and for any such service so to be performed by such Harbour Master there shall be paid by the master or owner of such vessel to such Harbour Master, the sum of 7s. 6d. for each vessel under 100 tons register, and for each of the articles; and a sum at the rate of 1d. per ton register for each vessel above 100 tons register, to be accounted for as aforesaid.

26. In the performance of any such service by the Harbour Master, the master of the vessel and the crew thereof are required to give and afford to such Harbour Master all possible aid and assistance to effect the same, and in effecting any such service, or any other service in the execution of his duty, the Harbour Master is empowered to make fast and attach any rope or other tackle to any other vessel, and if there is no crew of the vessel to be removed or the crew thereof refuse or fail to aid and assist as aforesaid, or if the crew or tackle or quantity of ballast on board of such vessel is not sufficient to enable the Harbour Master to effect such removal, he is empowered to hire and employ such other assistance and tackle, and to purchase and put on board such vessel such other quantity of ballast as to him seems requisite, at the cost or charges of the master or owner of such vessels, and such cost and charges such master or owner is required to pay to the Harbour Master, to be accounted for as aforesaid; and if any person without the consent or authority of the Harbour Master cuts or casts off any such rope or tackle so made fast and attached to any other vessel as aforesaid, or in any other manner infringes this regulation, such person shall forfeit a penalty not exceeding twenty pounds.

27. Any person without due authority resisting, impeding or obstructing the Harbour Master, Pilot, or other person deputed by either of them, in the execution of his duty, or using threatening or abusive language to them, or any of them, shall forfeit and pay a sum not exceeding five pounds.

28. No rubbish or filth is to be landed on any

lands belonging to the Crown, except in such places as the Harbour Master may point out, under a penalty of five pounds, to be paid by any person landing such rubbish or filth.

29. No ballast, rubbish, gravel, earth, stones, earthenware, glass, or filth is to be thrown overboard from any vessel or boat, but is to be landed and placed at such place as the Harbour Master may direct; and no gravel, earth, stones, earthenware, glass bottles, filth or rubbish, is to be placed by any other means at any place below the high water mark within the Harbour; and proper tarpaulins are to be used in discharging or taking in ballast, coals, rubbish, gravel, earth, or filth of any kind, so as to prevent any part thereof falling into the harbour; and any person who shall offend against any of the provisions of this regulation shall be liable to a penalty not exceeding twenty pounds.

30. No pitch, tar, rosin, or other combustible matter shall be lighted or heated on board any vessel or boat whilst lying alongside or near any wharf or vessel in the harbour; and any person who shall offend against this regulation shall be liable to a penalty not exceeding twenty pounds.

31. No wreck is to be left standing in any part of the harbour, but must be conveyed on shore above high-water mark; and if any wreck is so left the owner thereof shall be liable to a penalty not exceeding twenty pounds.

32. Any person throwing a dead animal into the harbour, or placing any dead animal below high water mark within the limits of the anchorage, shall be liable to a penalty not exceeding five pounds, and to an additional penalty of one pound for every day during which any such animal remains in the harbour, or below high water mark, or unburied on the beach above high water mark. Provided that no such penalty and additional penalty shall together exceed the sum of twenty pounds.

33. All vessels, unless specially permitted by the Harbour Master, are prohibited from firing guns between the hours of sunset and sunrise and on Sunday, except in cases of distress, and any person who shall offend against this regulation shall be liable to a penalty not exceeding five pounds.

34. Any person removing shingle, stones, shells, or any part of the soil below high-water mark without the permission of the Harbour Master, or, in the absence of the Harbour Master, of a Resident Magistrate, shall forfeit a sum not exceeding five pounds.

35. No waterman, or other person in charge of any boat, shall go alongside, or board, or suffer or permit any person to board any vessel arriving at port from beyond sea, until such vessel is properly secured at her anchorage; and any person offending against this Regulation shall forfeit and pay a sum not exceeding five pounds. Provided that this regulation shall not be construed to prevent the boarding of any vessel by the owner or agent, or any other person having the written

permission of the owner or agent, or by any Immigration Agent, Pilot, Boarding Officer, Officer of Customs, or Health Officer, or other person acting in the execution of his duty.

36. All vessels carrying ballast for shipping shall have the stem and stern post of such vessel marked with a plate of iron in inches, shewing its tonnage, according to the draught of water when laden.

#### GUNPOWDER.

37. The master of every vessel arriving with gunpowder on board, exceeding the quantity necessary as ship's stores, shall give immediate notice thereof to the Pilot on his boarding the vessel, and shall land the same at the Powder Magazine before anchoring at the usual anchorage ground, or forfeit a sum not exceeding twenty pounds.

38. No gunpowder is to be either received or issued by the Keeper of the Magazine, except between the hours of seven in the morning and five in the afternoon.

39. The Master of every vessel shall cause all gunpowder to be conveyed to the Magazine immediately after its being landed, or forfeit a sum not exceeding ten pounds.

40. All gunpowder so landed to be packed in barrels containing not more than one cwt. each, closely joined and hooped, without any iron about the packages, and so secured that no portion of the gunpowder be in danger of being scattered in the passage; and any person offending against this regulation shall incur a penalty of any sum not exceeding ten pounds.

#### SIGNALS

To be made from all Vessels in Harbour when a Pilot is required—

Sea Pilot—Union Jack at the fore.

Police Boat—Ensign at the main.

Ditto ditto—At Night, two lights vertical at the peak, four feet between each.

Customs Boat—Union Jack at the peak.

Medical Assistance—Union Jack over the Ensign at the peak end.

#### PILOT'S LICENSE.

By virtue of the power in me vested, you are hereby authorised and directed to act as Pilot for the Port of

and you are enjoined to use your best skill and knowledge in all duties appertaining to that office, strictly conforming to the Regulations of the Harbour aforesaid, and obeying such Orders and Instructions as you may from time to time receive from me.

Given under my hand this twenty-fifth day of October, in the year of Our Lord 1859, at Government House, at Auckland, New Zealand.

T. GORE BROWNE,