




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,

THOMAS WILLIAM MAUDE,

Provincial Secretary.

VOL. IX.]

THURSDAY, NOVEMBER 13, 1862.

[No. XX.]

ORDER IN COUNCIL.

CONVICT PRISON REGULATIONS OF THE PROVINCE OF CANTERBURY.

At the Government House, at Auckland, the 17th day of October, 1862. Present:—
HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, by an Act of the General Assembly of New Zealand, intituled "The Secondary Punishment Act, 1854:"

It was enacted amongst other things that every person except as thereafter mentioned who shall be kept in penal servitude, shall, during the term of his servitude, be employed on the Roads or Public Works, or otherwise be kept to hard labor in such part of the colony of New Zealand as the Governor shall in that behalf direct, and subject to such correction as may be necessary for his safe custody and strict discipline, and, for the purpose of being so employed as aforesaid, every such convict may be removed from place to place, either by sea or land, and may be confined in such Public Gaol, at such Penal Station, or in such place of confinement, or may otherwise be kept in custody as the Governor shall from time to time direct, subject to certain provisoes in the said Act contained: And whereas it was further enacted that it should be lawful for

the Governor from time to time to make such Rules and Regulations as to him should seem meet for the employment, safe custody, management and discipline of the convicts under sentence of penal servitude, and to enforce the observance of such Rules and Regulations by solitary confinement as in the said Act provided, and by such other prison discipline as may be prescribed in that behalf, provided always that no Rule or Regulation awarding any such punishment as aforesaid should come into operation until a copy thereof shall have been first published in the 'New Zealand Government Gazette.'

Now therefore, I, Sir George Grey, the Governor of the colony of New Zealand, do hereby, under and by virtue of the powers in the said Act contained, and of all other powers and authorities me enabling in this behalf, publish the following Regulations for the employment, safe custody, management and discipline of convicts under sentence of penal servitude, and for other the purposes in the said Act mentioned and specified to be in force within the Province of Canterbury.

PENAL STATION AND LIMITS WITHIN WHICH CONVICTS MAY BE KEPT TO HARD LABOR.

Every male person sentenced to penal servitude within the said Province, shall, during the term of his servitude, be kept to hard labor within the precincts of the Gaol at Lyttelton, or on the Roads or Public Works in the vicinity of such Gaol.

CLASSIFICATION.

All such convicts shall be divided into two classes. The first class shall consist of such convicts as shall, by superior and continued good conduct, merit indulgence.

No prisoner shall be placed upon the first class without instructions from the Visiting Justices, or one or more of them to that effect, upon the recommendation of the Gaoler and without having previously served a probationary term of six months at least.

The second class shall not consist of convicts whose general behaviour shall not merit indulgences, and of such as shall have been degraded by a Visiting Justice from the first class. All prisoners in this class shall, if necessary, be worked in irons.

PUNISHMENT REGULATIONS.

Every person confined within the said prison under authority of the said Act and who shall be guilty of any of the offences next hereinafter mentioned, that is to say:

1. Refusing or neglecting to obey the lawful orders of any officer of the Gaol.
2. Holding, or attempting to hold intercourse with others than officers of the Gaol, without lawful permission.
3. Assaulting a prisoner.
4. Insolence to any officer or officers of the Gaol.
5. Destruction of the property of the Government.
6. Profane swearing or obscene language, or playing at games, or gambling.
7. Smoking or supplying to, or leaving in the way of a prisoner to whom the indulgence is prohibited, tobacco, pipes, or other articles forbidden.
8. Any prisoner of the first class supplying another of an inferior class with any article prohibited to such inferior class, shall be punishable as follows, that is to say:—

If the offender belong to the first class, by being reduced to the second class.

If the offender be of the second class by being placed in solitary confinement for any period not exceeding forty-eight hours, and a diminution of his rations according to scale No. 2.

Every convict who shall be guilty of any of the offences next hereinafter mentioned, that is to say:—

1. Attempting to escape.
2. Conniving at and concealing prisoners in attempting to escape.
3. Threatening violence to any officer of the Gaol.

shall be punishable by solitary confinement for any period not exceeding fourteen days, and diminished rations as mentioned in the former Regulation, and also by reduction to second class.

Every person who may be so confined as aforesaid and who shall be guilty of any of

the offences next hereinafter mentioned, that is to say:—

1. Mutiny or outbreak.
2. Assaulting an officer with intent to do grievous bodily harm.
3. Setting on fire, or attempting to set on fire, the Gaol building, or other property,

shall be punishable by solitary confinement for any period not exceeding fourteen days at any one time, and not to be repeated at a less interval than forty two days, and not exceeding six calendar months in the whole, by placing in irons and with reduction to second class, if belonging to the first class, and such person shall not be entitled to the privileges of the first class until he shall have undergone a probation of at least one year.

The above punishments may be awarded and inflicted by any Visiting Justice upon due proof, upon oath, of the commission of the offence in respect of which such punishment is awarded.

Every sentence of punishment awarded under the above Regulations, with the nature of the offence and the name of the Visiting Justice, shall be entered in the "Defaulters' Book," and signed by the Visiting Justice or one of them.

DUTIES OF KEEPER.

The Keeper of the said Gaol shall see that the Regulations are duly enforced. He is responsible for the discipline, management, and safe custody of the convicts. He will see that every officer under his charge performs his allotted duties. He will have power in case of attempted escape or flagrant breach of discipline or of any of these Regulations, to place at once in solitary confinement and in irons, if necessary, the prisoner or prisoners so offending, provided always that the same shall be reported by him within twenty-four hours to a Visiting Justice, by whom the matter shall be investigated and dealt with.

He is also to search all prisoners and take possession of, for the Crown, any property found at any time in their possession. He shall cause every prisoner to be strictly searched, the irons and cells minutely examined, and the names of all prisoners to be called over by the officer on duty at the time of rising in the morning and locking up at night, and also at noon and on the return from work of the hard labor gang.

DUTIES OF OVERSEERS.

Overseers to have charge of the working parties. To direct the work of the prisoners and to supervise the duties of the guard.

The overseer to muster his gang in going to and returning from work. To acquaint the guard with each muster, morning, noon, and afternoon. The overseers will prevent all unauthorised persons from holding any communication with any prisoners under their charge.

DUTIES OF GUARDS.

Guards, except when acting as overseers, not to be allowed to hold any communication with prisoners except on matters of discipline.

Guards, when on duty, never to be allowed without arms—to consist of a musket, bayonet and pistols, with twelve rounds of ball-cartridge.

Guards, when on duty, not to allow any prisoner to approach any nearer to them than ten paces, nor to permit any prisoner to go beyond the prescribed limits without the order of the overseer or other officer in charge.

On any person passing, or attempting to pass the prescribed boundary, it is the duty of the guard to challenge him by calling out "stand prisoner," with the prisoner's name or number. On this challenge being repeated twice, and the prisoner neglecting or refusing to stand, then it shall be lawful for the guard or other officer to use his weapons, and in case of inability to prevent escape by other means, to fire on the prisoner to prevent his escaping.

On the escape of any prisoner the guard shall give an alarm, but on no account shall he leave the gang without the orders of the keeper.

On an alarm being heard all overseers and guards are to turn out fully armed to await the orders of the officer in charge.

Guards are justified in using their arms to prevent prisoners from assaulting each other or any other person.

The guards of each gang are to receive from the overseer in charge the number of the gang. They are to count the same at least every quarter of an hour. They are to report to the overseer any irregularity in the conduct of the prisoners.

TRAFFIC.

No guard or any other officer is to be allowed to buy from, or to sell anything to any prisoner, or furnish any prisoner with any goods except by permission.

LABOR.

Hours of labor in summer from eight, a.m. to five, p.m., with one hour's cessation for dinner. In winter from eight, a.m., to four, p.m., with one hour's cessation for dinner.

Prisoners are invariably to be called and made to rise at day-light, and to be locked up before dark.

DIVINE SERVICE AND INSTRUCTION.

Before labour every day, and at least once on the Sabbath day, prayers will be read or divine service performed, at which every prisoner who attends must behave in a decent and orderly manner. Books approved of by the Visiting Justice will be permitted. Any prisoner damaging, or making any book dirty, to forfeit the privilege of using books in future.

LETTERS.

Prisoners are allowed to write letters once in two months only, more frequently if de-

sired, or by permission of a Visiting Justice. All letters are to pass through the gaoler's hands.

Any guard or other officer in the establishment conveying letters to or from prisoners in violation of this rule to be subject to immediate dismissal.

VISITING.

Prisoners of the first class allowed to receive visitors, being near relatives, once a month, on Saturdays, between the hours of twelve and one o'clock in the day, for a period not exceeding twenty minutes.

All visits to be made only in the presence of a guard or other officer.

Prisoners of the second class not allowed to receive visitors, except by special order of the visiting Justice.

Provided however that until the term of probation shall have expired those prisoners who have merited such indulgences may be allowed by the Visiting Justice to send and receive letters, and to receive visits at the times prescribed by the last two clauses headed "Letters" and "Visiting."

ATTEMPT TO ESCAPE.

Any prisoner leaving his allotted place while at work with intent to escape, or otherwise making any attempt to escape, will render himself liable to be shot by the guard or other persons in whose charge he may be; and each prisoner is hereby cautioned that if he infringes this rule he does so at his own risk and peril.

CLOTHING.

Every prisoner will be supplied with the following articles of clothing, viz:—two cotton shirts, two pairs of trousers, one red serge shirt, one pair of boots, one hat or cap, one rug and two blankets, the whole of which will be marked and numbered with the prisoner's number, the Government brand, and the letter L.

No prisoner will be allowed to wear any private clothing whatever, except under-clothing by order of the medical officer. The same to be marked as above.

Each pair of trousers and boots and each cotton shirt must last six months. Each serge shirt and hat or cap nine months.

WASHING.

Each prisoner to have one clean shirt twice a week. Trousers to be washed once every month. Blankets and rugs every three months.

Prisoners to have their hair cut close once a month and to be close shaved once a week.

RATIONS.

Each prisoner will be entitled to the following scale of rations daily:—

FOR NO. 1 CLASS.

1 lb. fresh meat, 2 lbs. potatoes, 1 lb. bread; $\frac{1}{2}$ oz. soap, $\frac{1}{4}$ oz. tea, $\frac{1}{4}$ oz. salt, 2 oz. sugar, 6 oz. oatmeal or 4 oz. cocoa, also 2 sticks of tobacco weekly.

FOR NO. 2 CLASS.

1 lb. bread, 1lb. potatoes, 1 lb. fresh meat,
 $\frac{1}{2}$ oz. soap, $\frac{1}{4}$ oz. salt, 4 oz. flour.

PRISONERS IN SOLITARY CONFINEMENT.

One-and-a-half pounds of bread, water, *ad libitum*.

Prisoners of the first class will be allowed to smoke for fifteen minutes during the time set apart for breakfast and dinner, but at no other time.

Prisoners of the second class will not be allowed to smoke at any time.

FEMALE CONVICTS.

Females sentenced to penal servitude within the said Province shall, until further provision be made, be confined within the precincts of the Gaol in Lyttelton, and be there kept to suitable hard labor.

FORSTER GORING,
 Clerk of Executive Council.

ELECTRIC TELEGRAPH, CANTERBURY.—NOTICE.

Provincial Secretary's Office,
 Christchurch, 7th November, 1862.

THE Offices in Colombo Street, Christchurch, will be opened for the Transmission of Messages on and after Monday, the 10th instant.

The Office in the Heathcote Valley is also now open for business.

THOS. WM. MAUDE,
 Provincial Secretary.

Provincial Secretary's Office,
 Christchurch, 11th Nov. 1862.

HIS Honor the Superintendent directs the publication for general information of the following Resolution of the Provincial Council, passed on Tuesday, the 28th ult. :—

THOS. WM. MAUDE,
 Provincial Secretary.

“That this Council, desiring to record its deep sense of the loss which the Province of Canterbury has sustained by the death of its founder, and deeming it right to preserve for ever amongst the inhabitants of the Province the memory of labours to which it is so deeply indebted, as well as an example of worth and excellence in private life, and of wisdom and uprightness in the administration of public affairs—resolves that a statue of the late John Robert Godley be erected in the city of Christchurch, in such public place as his Honor the Superintendent shall direct; and that his Honor the Superintendent be respectfully requested to take such

steps as may be necessary to carry this Resolution into effect, and this Council undertakes to make due provision for the cost of such a work out of the public revenues of the Province.”

Provincial Secretary's Office,
 Christchurch, 11th November, 1862.

HIS Honor the Superintendent directs the following notification to be published for general information.

THOS. WM. MAUDE,
 Provincial Secretary.

I, William Sefton Moorhouse, Superintendent of the Province of Canterbury, in pursuance of the powers vested in me by the 19th Clause of the Waste Lands Regulations in force within the said Province, do hereby, upon the recommendation of the Provincial Council, make the following Reserve for the undermentioned purposes; viz.—

No. 262, in red.—Thirteen acres for public garden and pleasure-ground at Timaru; bounded on the north by the south side of Browne Street, 720 links; on the east by the west side of Rose Street, 1820 links; on the south by the north side of Catherine Street, 700 links; and on the west by the western boundary of the Town of Timaru; subject nevertheless, to the Boulevard along the Town Boundary, two chains wide.

W. S. MOORHOUSE,
 Superintendent.

PUBLIC NOTICE.

SIGNALS AT THE RAKAIA FERRY.

Provincial Secretary's Office,
 Christchurch, 5th November, 1862.

THE Public are informed that Signal Poles are fixed at the Rakaia Ferry on the line of the South Road.

The signals to be used are as follows :—

When the river is *passable*, the ball on the North Bank will be kept *mast high*.

When it is *dangerous to cross*, the ball will be kept *half mast high*.

Travellers arriving from the south and requiring the ferry boat, will raise the ball on the South Bank, and the signal will be answered by lowering and again raising the ball on the North Bank.

THOS. WM. MAUDE,
 Provincial Secretary.

STATEMENT OF RECEIPTS AND PAYMENTS BY THE PROVINCIAL TREASURER FOR THE YEAR 1877-78.

RECEIPTS.		TOTALS.			EXPENDITURE.	
		£	s.	d.		
Auctioneers' Licenses	...	440	0	0	Railway	...
Publicans' Licenses	...	278	0	0	Permanent Charges—	...
Incidental Receipts	...	212	18	0	Education	...
Harbour	...	152	13	5	Interest on Loans	...
Lyttelton Jetty	...	68	0	9	Executive—	...
Quarantine Ground	...	50	0	0	Superintendent	...
Immigration	...	1244	4	10	Secretary	...
Crown Lands	...	28,530	16	4	Treasurer	...
Customs	...	5019	17	0	Auditor	...
Bank Interest on Current Account	...	1557	12	8	Solicitor	...
Telegraph	...	79	7	6	Messenger	...
Refund of Revenue	...	6	12	0	Legislative—	...
Sub-Treasury, Timaru, for Sum at Debit in March Quarter	...	231	5	11	Provincial Council	...
Ditto for Balance of Account	...	11	12	7	Electoral	...
Correcting Entries:—Public Works: For the following sums originally charged against Public Works, now transferred to their respective accounts:—					Administration of Justice—	...
Railway	£1 5 0				Supreme Court	...
General Miscellaneous	51 9 11				Gaol	...
Supplementary Estimates	110 12 0				Police	...
		163	6	11	Inspection of Sheep	...
					Public Plantations	...
					Waste Lands Board	...
					Survey Office	...
					Contract Surveys	...
					Preparation of Crown Grants	...
					Allowance on Field Work	...
					Drawing Materials	...
					Keep of Five Horses	...
					Road Surveyor	...
					Geological Survey	...
					Harbor	...
					Charitable Aid—	...
					Hospital	...
					Lunatics	...
					Pauper Relief	...
					Erection of Outbuildings to Hospital	...
					Immigration	...
					General Miscellaneous—	...
					Printing, Advertising, &c.	...
					Postages and Sundries	...
					Fuel	...
					Painting, Cleansing, &c.	...
					Furniture	...
					Addition to Provincial Council Library	...
					Librarian	...
					Extra Clerical Assistance	...
					Hospital Library, Lyttelton	...
					Grant to Enlarge Town Hall	...
					Proposed New Buildings—	...
					Lyttelton Gaol	...
					Repairs to Lock-up	...
					Incidental Repairs to Buildings	...
					Steam Service	...
					Church Building Grant	...
					Supplementary Estimates	...
					Honorarium to Mr. Selve	...
					Foreman to Hard Labor Gang	...
					Inspector of Weights and Measures	...
					Post Office Accommodation	...
					Contingencies	...
					Christchurch Hospital	...
					Telegraph	...
					Imprest for Public Works	...
					Public Works for Quarter	...
					Correcting Entries—	...
					For the following sums now transferred to the Public Works Account:—	...
					Railway	£1 5 0
					General Miscellaneous	51 9 11
					Supplementary Estimates	110 12 0
Balance at Credit of Treasury in Bank of New Zealand on 1st July	...	38,046	7	11	Balance at Credit of Treasury in Bank of New Zealand, 30th September	...
	...	96,576	8	1		...
		134,622	16	0		...

ARTER ENDING 30TH SEPTEMBER, 1862.

RIES.		CONTINGENCIES.			TOTALS.			TOTALS CLASSIFIED.		
s.	D.	£	s.	D.	£	s.	D.	£	s.	D.
0	0	8330	4	0	8505	4	0	8505	4	0
0	0	1287	0	0	1362	10	0	2574	10	0
		1212	0	0	1212	0	0			
0	0	62	10	0	237	10	0			
10	0				182	10	0			
0	0				125	0	0			
0	0				75	0	0	720	0	0
0	0				75	0	0			
0	0				25	0	0			
16	8	54	5	0	250	1	8	254	12	5
		4	10	9	4	10	9			
0	0	142	18	3	167	18	3	2360	2	3
1	0	279	6	0	428	7	0			
6	6	549	10	6	1763	17	0			
10	0	45	0	0	232	10	0			
16	0	196	19	2	261	15	2			
4	0				188	4	0			
14	6	25	0	0	1331	14	6			
		2106	0	3	2106	0	3			
		94	5	6	94	5	6			
		68	0	8	68	0	8			
		205	10	4	205	10	4			
		29	3	0	29	3	0	4042	17	9
12	0	103	11	6	208	3	6			
0	0				375	0	0			
15	4	177	10	0	326	5	4	375	0	0
								326	5	4
5	0	145	0	4	318	5	4	986	9	0
5	0	58	0	11	106	5	11			
		249	7	9	249	7	9			
		312	10	0	312	10	0			
6	8	4370	8	11	4453	15	7			
		620	18	0	620	18	0			
		60	19	0	60	19	0			
		116	7	6	116	7	6			
		77	5	6	77	5	6			
		485	17	7	485	17	7			
		6	16	6	6	16	6			
		20	0	0	20	0	0			
		78	5	0	78	5	0			
		9	18	9	9	18	9	1776	7	10
		300	0	0	300	0	0			
		91	10	0	91	10	0	191	12	3
		32	3	4	32	3	4			
		67	18	11	67	18	11			
		1750	0	0	1750	0	0	1750	0	0
		400	0	0	400	0	0	400	0	0
		200	0	0	200	0	0	661	15	5
		32	4	0	32	4	0			
		187	10	0	187	10	0			
		131	18	4	131	18	4			
		110	3	1	110	3	1			
		782	11	3	782	11	3			
		187	3	10	187	3	10			
		200	0	0	200	0	0			
								22,344	16	9
								165	6	11
2	8	26,058	13	5	31,230	16	1	53,738	19	9
								80,883	16	3
								134,622	16	0

ABSTRACT OF RE

RECEIPTS

Waste Lands	...	...
Auctioneers' Licenses	...	...
Publicans' Licenses	...	...
Incidental Receipts	...	...
Harbor	...	...
Jetty	...	...
Quarantine Ground (Rent of)	...	...
Immigration	...	...
Customs	...	...
Bank Interest (Current Account)	...	...
" (Deposit Account)	...	...
Telegraph	...	...
Registration	...	...
Survey of Runs	...	...
Refund of Revenue	...	...
Adjustment of Revenue	...	...
Railway—Price of Siding transferred	...	...

Balance at Credit, 1st October, 1861

Errata in Comparative Statement (General Acc
expenditure on police is £4

PROVINCE OF CANTERBURY.

AND EXPENDITURE FOR THE YEAR ENDING 30th SEPTEMBER, 1862.

			PAYMENTS.								
£	s.	D.		£	s.	D.	£	s.	D.		
207,668	14	3	Railway				48,621	10	9		
600	0	0	Permanent Charges—								
1523	0	0	Interest	3612	0	0					
968	1	2	Sinking Fund	1200	0	0					
420	16	6	Arrears on ditto and Bank charges	248	9	9					
329	19	9	Education	4612	10	0	9,672	19	9		
50	0	0									
3813	12	5	Executive—								
17,364	11	10	Superintendent	870	16	8					
1557	12	8	Secretary's Department	669	3	4					
406	2	9	Treasurer's ditto	470	16	8					
79	7	6	Auditor's ditto	289	0	0					
164	13	1	Solicitor	275	0	0					
613	13	0	Messenger	91	13	4	2,666	10	0		
124	12	0					737	15	10		
563	18	11	Legislative—Provincial Council				153	16	0		
1650	0	0	Electoral								
			Administration of Justice—								
			Crown Prosecutor	91	13	4					
			Expenses of Sessions	446	7	3					
			Gaol	535	6	8					
			Contingencies	808	11	6					
			Police	4434	4	4					
			Registration	138	4	7	6,454	7	8		
			Inspection of Sheep				802	10	0		
			Public Plantations				434	18	2		
			Waste Lands Board				699	7	4		
			Survey Office	4514	2	4					
			Contract Surveys	4624	13	0					
			Contingencies	1514	14	0	10,653	9	4		
			Geological Survey				1,375	0	0		
			Harbor				913	4	5		
			Charitable Aid—								
			Hospital	2356	4	3					
			Orphan Asylum	250	0	0					
			Erection of Outbuildings	412	10	0	3,018	14	3		
			Immigration				19,457	1	3		
			General Miscellaneous (see Comparative Statement)				5,855	19	4		
			Public Buildings—								
			Hospital: due on Contract	916	10	0					
			Ventilation of Council Chamber	26	13	1					
			Fitting up Clock	11	9	2					
			Proposed New Buildings—								
			Clock Tower	29	3	8					
			Lyttelton Gaol	199	9	9					
			Repairs and Additions to Lock-up	102	3	4					
			Incidental Repairs	84	18	11	1,370	7	11		
			Steam Service				3,576	13	4		
			Church Building Grant				2,700	0	0		
			Supplementary Estimates (see Comparative Statement)				2,880	19	0		
			Public Works				51,822	13	9		
			Siding, Price of, Transferred from Railway				1,650	0	0		
							175,517	18	1		
237,895	15	10	Balance at Credit of Treasury (Bank of New Zealand Current								
18,502	18	6	Account) 1st October, 1862				80,883	16	3		
256,401	14	4					256,401	14	4		

WM. THOMSON, Auditor.

Under the head "Expenses of Members," the expenditure ought to be £258 12s. 6d., instead of £259 12s. 6d. as printed; and the 4d., instead of £4434 15s. 8d.—The gross expenditure, £173,867 18s. 1d., instead of £173,867 9s. 5d.—W.T.