



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

PUBLISHED BY AUTHORITY.

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

W. CARGILL, Superintendent.

VOL. III.]

SATURDAY, JANUARY 31, 1857.

[No. 47.]

SPEECH OF HIS HONOR THE SUPERINTENDENT on opening the Provincial Council, 2nd December, 1856.

GENTLEMEN,—It has been necessary for me to call you together at this particular time, in order that you may provide the Supplies for the current year, and consider some important measures which are to be laid before you.

I have caused Estimates to be prepared of the probable revenue of the present year, and of the expenditure which it may be requisite or desirable to make; and I have no doubt that, in your deliberations upon them, you will be guided at once by a due regard to economy, and an enlarged view of the requirements of the invaluable public interests committed to your care. Connected with these is the Statutory Report of the Board of Education, which I shall transmit to you.

One of the measures to be brought before you relates chiefly to claims of compensation which may arise where, in consequence of the character of the original Surveys, deviations from Lines of Roads may be necessary, fixed rules for the regulating of which it is advisable to establish. In a Special Message, I shall call your attention to the subject of through lines of road, so as to facilitate intercourse over the whole Province.

The ground appropriated for a Cemetery in Dunedin has been long considered unsuitable. A Bill to close that Cemetery, and to authorise others to be opened elsewhere, will be laid before you.

A Bill to amend the Law as to Trespass of Cattle in Towns will also be submitted to your consideration.

The subject of Ferries will again claim your attention, in connection with a Bill for establishing Regulations with a view to their greater efficiency.

The necessity at the present juncture of having a Fund for Public Improvements, and for Immigration from home, to the extent of finding hands for Contractors as well as for Colonists, has been strongly felt. Our Colony is at a point which calls for an appliance which its ordinary resources could not supply, but which, if timely afforded, would send it rapidly and independently ahead; and it is therefore proposed, that, out of the twenty millions of acres or thereby, of which the Province is composed, a fraction should be sold at 10s. an acre, and without conditions. Resolutions will be laid before you to this effect, and an arrangement proposed, by which large capitalists would be benefitted to the extent of that fraction—the demands of agricultural colonists, as secured by our Land Regulations, maintained—and Grazing Leases for 14 years made secure; these being the points desiderated in Australasia for being placed in harmony with each other. A Report upon this subject, by the Surveyor-General of New Zealand and the Principal Surveyor of Otago, jointly, will be laid before you.

Following out a Resolution passed in the last Session of the Council, enquiries were instituted so as to ascertain what amendments could be made satisfactory in the law for the Prevention of Disease among Sheep. After collating the information obtained, a Bill has been prepared giving effect to the recommendations and suggestions offered by those consulted. It being of the utmost importance to the valuable interests involved, that the subject should be well and maturely considered, I recommend it to your careful attention.

The following subjects, viz., the Local Municipal Estate, Colonial Inter-course by Steam, and Immigration, I think it my duty especially to recommend also to a share in your deliberations.

A letter from Mr. Ligar, on the existence of gold, will be laid before you for public information. It is right, however, to observe, that gold has been found for years past in Auckland and Nelson, but hitherto quite unremunerative; and that in no circumstances would it be advisable to allow any searcher to go upon a run without leave of the Lessee, or upon a native reserve without leave of the natives.

W. CARGILL,
Superintendent.

Dunedin, 2nd December, 1856.

SPEECH OF HIS HONOR THE SUPERINTENDENT on proroguing the Provincial Council, 11th December, 1856.

GENTLEMEN,—I thank you for the zeal and assiduity with which you have discharged the duties of the present session of the Provincial Council.

Especially do I warmly thank you for adopting the large and liberal policy indicated by your measures, and, in a very marked manner, by the supplies which you have voted. The confidence you repose in me and the members of my Executive Council in granting those supplies is extremely gratifying; and I should ill requite that confidence did I not, under such encouragement, put forth my most strenuous efforts for realising those desirable objects which, in common with me, you contemplate; and at same time observe the most rigid economy consistent with their full accomplishment.

The measures which you have passed are pregnant with results that will affect in no ordinary degree the well-being of this Province—will give an enduring impress to its character, and will ensure to it a larger influence in the general councils of the colony than it now enjoys.

I have given my assent to the Cemeteries' Ordinance, 1856; Town Cattle Trespass Ordinance, 1856; Ferries' Ordinance Amendment Ordinance, 1856; Sheep Ordinance, 1856; Provincial Council Amendment Ordinance, 1856; Loan Ordinance, 1856; Appropriation Ordinance, 1856.

The Land Sales and Leases Bill, the Roads Ordinance Amendment Bill, and the Local Municipal Estate Bill, it is incumbent on me to reserve for the signification of the Governor's pleasure thereon.

It now remains for me, Gentlemen, to release you from further attendance. And I do now declare the Provincial Council to stand prorogued until Wednesday, the 28th day of October, 1857, at 12 o'clock, noon.

W. CARGILL,
Superintendent.

Dunedin, 11th December, 1857.

PROCLAMATION

By His Honor WILLIAM CARGILL,
Esquire, Superintendent of the
Province of Otago.

WHEREAS by the "Towns' Cattle
Trespass Ordinance, 1856," it is
enacted that if any Cattle shall be
found wandering at large within such
limits of Dunedin and any other Town
or Village within the Province of
Otago as shall be from time to time
proclaimed by the Superintendent, or
shall be found grazing in or upon any
street or public place within the limits
of such Towns or Villages so to be
proclaimed, the owners or persons
having the charge of such cattle shall
forfeit and pay for every head of cat-
tle so wandering or grazing, any sum
not exceeding Twenty Shillings, to be
recovered in a summary way: And
whereas it is further enacted that in
the interpretation of said Ordinance
the word "cattle" shall be taken to in-
clude horned and neat cattle, horses,
mules, asses, sheep, goats, and swine:
Now, THEREFORE, I, the Superinten-
dent, do hereby proclaim that the said
Ordinance shall, on and after the Fif-
teenth day of February, One Thousand
Eight Hundred and Fifty-seven, come
into and be in operation within the
whole limits of the Town of Dunedin,
as laid down on the Government Maps,
exclusive of the Town Belt.

Given under my hand at Dunedin,
in the Province of Otago, this
Fifth day of January, One
Thousand Eight Hundred and
Fifty-seven.

W. CARGILL,
Superintendent.

GOD SAVE THE QUEEN!

Superintendent's Office, Dunedin,
January 12, 1857.

HIS Honor the Superintendent has
been pleased to direct it to be
notified that he has made the following
appointments, viz.:—

MR. ALEXANDER GARVIE,

to be an assisting Surveyor in the Sur-
vey Department, appointment to date
from 1st October, 1856.

MR. CHARLES WHEELER MOUNTFORT,
to be Draftsman in Survey Office, ap-
pointment to date from 18th Novem-
ber, 1856.

MR. ROBERT TOWNSEND,
to be an assistant Surveyor in the Sur-

vey Department, appointment to date
from the 11th December, 1856.

MR. LEWIS ACKER,

to be Pilot at the New River, provi-
sionally, appointment to date from the
14th November, 1856.

MR. and MRS. JAMES BARR,

to be Keepers of the Hospital, Dune-
din, appointment to date from the 1st
January, 1857.

EDWARD HULME, Esq., M.D.,

to be Provincial Surgeon, appointment
to date from the 8th January, 1857.

WILLIAM PINKERTON, Esq.,

to be Chief Inspector of Sheep for the
Southern District.

WILLIAM LOGIE, Esq.,

to be Chief Inspector of Sheep for the
Northern District.

MR. JAMES ADAM, M.P.C.,

Agent, for the purpose of proceeding
to Great Britain and co-operating with
the Agents there for this Province, in
promoting Emigration from thence to
the said Province.

By His Honor's command,
JOHN LOGAN,
Clerk to Superintendent.

Superintendent's Office,
Dunedin, January 13, 1857.

HIS Honor the Superintendent has
been pleased to direct it to be
notified for general information that
His Excellency the Governor has been
pleased to appoint

PETER PROUDFOOT, Esq.

to receive all monies arising from the
sale, letting, disposal, and occupation
of Crown Lands in this Province.

By His Honor's command,
JOHN LOGAN,
Clerk to Superintendent.

Superintendent's Office,
Dunedin, January 14, 1857.

HIS Honor the Superintendent has
been pleased to authorise

MR. WILLIAM HENRY CUTTEN

to print and publish the Otago Pro-
vincial Government Gazette, &c., un-
til further notice.

By command,
JOHN LOGAN,
Clerk to Superintendent.

REVENUE—(Continued.)		£	s.	D.
Brought forward.....	£3154	1	5	
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Total amount of Revenue	£3154	1	5	
Balance due to Treasurer	650	4	2	
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	£3804	5	7	

EXPENDITURE—(Continued.)		£	s.	D.
Brought forward.....	£2593	7	9	
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LIABILITIES—				
Paid Drafts due at sight on account of Immigration from Britain, and Education	198	13	0	
Paid Debentures which fell due on 31st December, 1856	550	0	0	
Paid Interest and Bank Charges on Debentures	19	2	6	
Paid one moiety of Bonus for Packet ship running between Otago and Melbourne	250	0	0	
Repayment to Colonial Sub-Treasurer of Balance of Fees received by mistake from Registrar of Births, Marriages, and Deaths, the same being due to the General Government	14	6	6	
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	1032	2	0	
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MISCELLANEOUS—				
Public Buildings (furnishings and repairs)	27	14	3	
Printing	30	11	6	
Firewood	40	5	7	
General Contingencies	80	4	6	
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	178	15	10	
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Total amount of Expenditure	£3804	5	7	

J. M'GLASHAN, *Provincial Treasurer.*

DUNEDIN, 14th January, 1857.—We, the Auditors appointed in pursuance of the Board of Audit Ordinance, Session II., No. 2, having examined the Provincial Treasurer's Accounts for the Quarter ending 31st December, 1856, find that they are correctly stated, duly authorised, and properly vouched, that the Receipts amount to £3154 1s. 5d., and the Expenditure to £3804 5s. 7d., shewing a Balance due to the Treasurer of £650 4s. 2d.

A. CHETHAM STRODE,
JOHN HYDE HARRIS,
JAMES KILGOUR.

PROVINCE OF OTAGO.

REVENUE AND EXPENDITURE OF THE DEPARTMENT OF CROWN LANDS for the Quarter ending 31st December, 1856.

EXPENDITURE.		£	s.	D.	REVENUE.		£	s.	D.
DEPARTMENT OF CROWN LANDS—					Deposits on Applications for Rural Lands		4821	13	0
Fixed Salaries	120	0	0	„ Auction Sales—Town Lands		774	4	0	
Contingencies	18	4	4	Fees on Depasturing Licenses		120	5	6	
DEPARTMENT OF GOVERNMENT SURVEYOR—					Assessment on Stock		51	16	0
Fixed Salaries	220	2	1	Fees on Timber Licenses		3	0	0	
Contingencies	126	2	1	Fees on Crown Grants		3	0	0	
REFUNDS—					Deposits on Applications for Depasturing Licenses		340	0	0
J. M'Lean deposit on run Provincial Treasurer, available Balance	20	0	0						
	2344	4	1	Balance on 30th September, 1856		2897	4	1	
BALANCE on 31st December, 1856—									
Payable to Provincial Treasurer	5286	10	0						
In Deposit	876	0	0						
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	6162	10	0						
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	£9011	2	7						

P. PROUDFOOT, *Commissioner and Treasurer.*

Waste Land Board Office, Otago,
14th January, 1857.

LOCAL POSTS.

PROCLAMATION.

By His Honor WILLIAM CARGILL,
Esquire, Superintendent of the Province of Otago.

WHEREAS by an Act of the General Assembly of New Zealand, intituled the "Local Posts Act, 1856," it is among other things enacted that it shall be lawful for the Superintendent of any Province, by Proclamation in the Government Gazette thereof, to fix the Rates of Postage payable for the transmission by any post or postal communication, established under the authority of the said Act, of Letters, Newspapers, and other Papers and Parcels; and that all Postage from time to time to become payable by virtue of any such Proclamation shall be payable accordingly.

NOW, THEREFORE, I, the Superintendent of the said Province, by virtue of the powers in me vested by the said Act, Do hereby Proclaim and Declare that on and after the second day of February 1857, there shall be charged and be payable upon all Letters and Newspapers conveyed along the whole or any part of the line, by the Local Posts established under the authority of the said Act, and to be in operation on and after the above date between Waitangi River and Invercargill, in addition to all other postage payable thereon, the sums hereinafter mentioned, that is to say,—

On every Letter not exceeding half an ounce in weight—TWO PENCE.

On every Letter exceeding half an ounce in weight, for every half ounce or fractional part of an ounce—TWO PENCE.

On all Letters sent by post, on being re-directed and again forwarded by the post, there shall be charged and paid a new and distinct rate of postage, according to the scale and rate of postage hereinbefore mentioned, in addition to all other rates of postage payable thereon.

No Letter or Packet exceeding Sixteen ounces in weight shall be forwarded by the post, except letters to and from places beyond the seas, and letters on the public service.

NEWSPAPERS.

Printed Newspapers shall be conveyed for a charge of ONE PENNY each, provided they be sent without cover, or in a cover open at the sides, and there be no writing thereon, or upon the cover of the same, excepting the name and address of the person to whom sent, and that no paper or thing be enclosed in or with any such paper. And every paper or packet which shall be contrary in any respect to the conditions hereby required to be observed shall be charged with the rate of postage to which it would have been liable as a letter.

Printed Prices Current and Commercial Lists not exceeding two ounces in weight, shall be forwarded through the Post under the same regulations and privileges as Newspapers.

Given under my hand and issued under the public seal of the Province of Otago, at Dunedin, this twenty-first day of January, one thousand eight hundred and fifty-seven.

W. CARGILL,
Superintendent.

GOD SAVE THE QUEEN!

Superintendent's Office,
Dunedin, 15th January, 1857.

HIS Honor the Superintendent has been pleased to direct the republication, from the New Zealand Government Gazette, dated 3rd December, 1856, of the following Notification and Regulations:—

By His Honor's command,
JOHN LOGAN,
Clerk to Superintendent.

Colonial Secretary's Office,
Auckland, December 1st, 1856.

THE following Harbour Regulations for the Province of Otago, were approved by His Excellency the Governor in Council, November 25th, 1856.

E. W. STAFFORD.

HARBOUR REGULATIONS.
PROVINCE OF OTAGO.

PILOTS 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 other than a duly licensed Pilot, if such shall have offered his services, shall forfeit double the amount of pilotage.

5. Pilots are not bound to conduct any vessel to sea until the payment of pilotage has been satisfactorily secured.

6. Every Pilot detained on board a vessel longer than forty-eight hours, whether by stress of weather, quarantine, or otherwise, is to be paid 8s. per day in addition to the regular pilotage.

7. Any Master who shall make a signal for a Pilot to take his vessel to sea, and shall not, within twelve hours of the arrival of the Pilot on board such vessel, proceed to sea, shall forfeit and pay a sum at the rate of £1 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 compellable to take such vessel to sea until such forfeiture

and pilotage shall have been satisfactorily secured.

8. Pilots refusing or neglecting their duty, to forfeit a sum not exceeding £20.

9. 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, or forfeit a sum not exceeding £5.

10. The rate of pilotage shall be 3s. per foot in Harbour, and 1s. per foot in any outer Roadstead.

11. The master of any vessel neglecting to heave-to and take on board the first duly licensed Pilot who shall offer his services, or refusing to accept of his services when offered, shall be liable to the same amount of pilotage as if the services of such Pilot had been accepted, unless the Master of such vessel is provided with a certificate of exemption (which may be granted by the Governor of the colony or by the Superintendent of the Province) and has flown the exemption flag at the main from the time of his approaching within two leagues of any harbour in the Province, such exemption flag to consist of not less than six breadths of white bunting.

12. Any person who shall board any vessel arriving from a foreign port, before such vessel shall have been boarded by some person duly authorised in that behalf, shall be liable to a penalty not exceeding £5.

POST OFFICE AND MAILS.

13. The Master of every vessel shall give notice at the Post Office, at least twenty-four hours before clearing at the Custom House, except Masters of Coasters, who are exempted from this regulation, unless when bound from one port of entry to another, or forfeit a sum not exceeding £10.

14. Every Master of a vessel is also to deliver to the Custom House Officer, or other authorised person, his Cockets and Clearances from the last port, also all public despatches, letters, parcels, and all Post Office Mails, and letters, whether in parcels or loose, obtaining a receipt for the same; and repairing to the Post Office he is there to make a declaration as per Schedule B, of his having duly delivered up all letters as before mentioned, and is to produce the said declaration at the Custom House before making his re-

port at these places under a penalty of a sum not exceeding £5.

GUNPOWDER.

15. The Master of every vessel arriving with Gunpowder on board, exceeding the quantity necessary as ships' 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 £20.

16. 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.

17. 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 £10.

18. All Gunpowder so landed to be packed in barrels, containing not more than one hundred weight each, closely joined and hooped without any iron about the packages, and so secure that no portion of the Gunpowder be in danger of being scattered in the passage, under a penalty of any sum not exceeding £10.

NOTE.—The principal Officer of Customs and Harbour Masters, at different Ports, are specially authorised, in accordance with the provisions of Arms Importation Ordinance, Session 6, No 1, to permit the landing of Powder by Masters of vessels.

HARBOURS.

19. 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 any sum not exceeding £5.

20. No timber or any bulky article is to be left on any Public Wharf or landing place, under a penalty of any sum not exceeding £5.

21. No ballast, rubbish, gravel, earth, stone, or filth, is to be thrown overboard from any vessel or boat, but is to be landed at any place the Harbour Master may direct, under a penalty of any sum not exceeding £20.

22. Any person removing, wilfully injuring, or destroying any Buoy, Beacon, or Sea Mark, shall forfeit the sum of £20.

23. Any person throwing a dead animal into the Harbour, (within the limits of the anchorage) without at-

taching to it sufficient weight to sink it, is liable to a penalty of not more than 20s. or not less than 5s.

24. Vessels are prohibited from firing guns between the hours of sunset and sunrise, and on the Sabbath, (except in case of distress), under a penalty of any sum not exceeding £5.

25. Any person removing shingle, stone, shells, or any part of the soil below high water mark without permission from the Harbour Master, or in the absence of the Harbour Master, the Resident Magistrate, shall forfeit a sum not exceeding £10.

26. To the Master of every vessel not required to take a Pilot, or in the absence of the Master, to the principal Officer on board, a copy of the Harbour Regulations shall be delivered by the Harbour Master, provided however, that it shall not be necessary in any case to issue a second copy of the Regulations to the Master or Officer in charge of the same vessel, unless on demand of such Master or Officer, and in such case only on the payment of a fee of 2s. 6d., to be accounted for as other fees collected by the Harbour Master.

27. Every Master or other Officer of a ship or vessel to whom a copy of the Harbour Regulations shall have been delivered, shall give on demand an acknowledgment thereof, to the Pilot or other Officer delivering the said copy, and any Pilot failing to demand, or any Master of a ship or vessel refusing on demand to give such acknowledgment, shall forfeit and pay a fine of not more than £5.

28. The Passengers' Act, 18 and 19 Victoria, cap. 119, has been extended to this Colony by Proclamation dated the 19th day of March, 1856.

POWER TO RESIDENT MAGISTRATES IN CERTAIN CASES.

29. The Resident Magistrate, at any port for which no Harbour Master is appointed, shall have all such powers as are hereinbefore given to Harbour Masters. All penalties hereby imposed, shall be recoverable in a summary way.

SCHEDULE A.

Questions required to be answered by the Master or other person in command of any ship or vessel arriving in the Port of _____ from any infected place:—

1. What is the name of the vessel and tonnage?

Answer.

2. What is the Master's name, and are you the Master?

Answer.

3. From whence do you come, and when did you sail?

Answer.

4. At what ports have you touched on your passage?

Answer.

5. What vessels have you had intercourse or communication with on your passage, and from whence did they come?

Answer.

6. Have you any, and what Bills of Health?

Answer.

7. Did the Cholera or any other highly infectious and dangerous disease prevail at the place from which you sailed, or at any of the places at which you may have touched, or on board of any vessel with which you have had communication? If so, state when and where?

Answer.

8. In the course of your voyage, have any persons on board suffered from sickness of any kind, what was the nature of such sickness, and when did it prevail? How many persons were affected by it, and have any of them died in the course of the voyage?

Answer.

9. What number of Officers, Mariners, and Passengers have you on board?

Answer.

10. What was the whole number of persons on board your vessel when you sailed?

Answer.

11. What is the whole number of persons now ill on board your vessel?

Answer.

12. If there be no sickness now on board, when did the last attack of disease appear, and when did it entirely disappear?

Answer.

PILOT'S LICENSE.

By virtue of the power in me vested, you are hereby authorized 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 _____ day
of _____ in the year of our
Lord 185 _____, at _____
New Zealand.

SCHEDULE B. DECLARATION.

I, A. B., of the _____ solemnly declare that I have delivered all Public Despatches, Letters, Parcels, Newspapers, and all Post Office Mails and Letters, both in parcels and loose, which were on board my vessel.

(Signature of Master.)

Witness.

RATES OF PILOTAGE.

Three shillings per foot in any harbour.
One shilling per foot in any outer roadstead.