



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.

JOHN HYDE HARRIS, Deputy Superintendent.

Vol. V.]

MONDAY, AUGUST 4, 1862.

[No. 199.]

EXTENSION OF THE TUAPEKA GOLD FIELD.

PROCLAMATION.

By His Honor John Larkins Cheese
Richardson, Esquire, Superintendant
of the Province of Otago.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1858," it is enacted, that it shall be lawful for the Governor from time to time, by Proclamation, to constitute and appoint any portion of the Colony to be a "Gold Field," under the provisions of the said Act, and the limits of such Gold Field, from time to time, to alter as occasion may require.

And whereas by the said Act it is provided, that it shall be lawful for the Governor in Council, under his hand and the public seal of the colony, from time to time to delegate to the Superintendent of any Province, or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor, or the Governor in Council, by the said Act, except the powers conferred by section seven, eight, twenty-seven, and forty thereof, subject or not subject to any limitation or restrictions as he may think fit.

And whereas, by virtue of a commission bearing date the eighth day of June, in the year of our Lord one thousand

eight hundred and sixty-one, given under the hand of His Excellency Thomas Gore Browne, at the Government House at Auckland, and under the public seal of the colony, His Excellency Thomas Gore Browne, the Governor as aforesaid of the said colony, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for that purpose in him vested, did delegate, absolutely and without restriction, unto me, John Larkins Cheese Richardson, Esquire, as Superintendent of the Province of Otago, all the powers vested in him, under or by virtue of "The Gold Fields Act, 1858," except the powers contained in sections seven, eight, fifteen, twenty-seven, and forty of the said Act, to have, hold, and exercise within the Province of Otago, the said powers by the said commission given. And whereas, on the seventeenth day of July, one thousand eight hundred and sixty-one, I, the said Superintendent proclaimed a Gold Field, bounded as described in a Proclamation published in the *Provincial Government Gazette* of Otago, on the nineteenth day of July, one thousand eight hundred and sixty-one, No. 149; and whereas, on the eighth day of October, 1861, I, the said Superintendent altered and extended the limits of the said "Gold Field" by a Proclamation in the *Provincial Government Gazette* of Otago, numbered 153, and dated on the six-

teeth day of October, 1861. And whereas, it is expedient further to alter the limits of the said Gold Field as hereinafter mentioned.

Now, therefore, I, John Larkins Cheese Richardson, Superintendent of the Province of Otago, do hereby, in pursuance of the power and authority so vested in me as aforesaid, alter the limits of the said Gold Field, and declare that the same shall comprise all those Crown Lands, not being public reserves situate in the South-Eastern District of the said Province, and within the boundaries hereinafter set forth, that is to say:—

Commencing at the junction of the Scrub-Burn and the Clutha River, thence by the Scrub-Burn to its sources; thence by the water sheds of the Tuapeka stream and Clutha River to the Lammerlaw; thence by the water sheds of the Waipori and Lee, and Traquhar streams to Mangatua; thence by the boundary of the west Taieri and North Tokomairiro Hundreds to the north branch of the Tokomairiro River; thence by the Tokomairiro River to the main south road; thence by the said road to its intersection with Lovell's Creek; thence by Lovell's Creek to the boundary of run numbered 54; thence by the boundary of the said run to a point situated north-east of the sources of the Crook-Burn; thence by a south-westerly line to the sources of Crook-Burn; thence by the Crook-Burn to its junction with the Clutha River; thence by the Clutha River to the starting point.

Given under my hand this twenty-first day of July, one thousand eight hundred and sixty-two.

J. L. C. RICHARDSON,
Superintendent of the Province of Otago.

ADDITIONAL
RULES AND REGULATIONS
OF THE
OTAGO GOLD FIELDS.

PROCLAMATION.

By His Honor John Larkins Cheese Richardson, Superintendent of the Province of Otago.

WHEREAS by warrant under the hand of His Excellency Thomas Gore Browne, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand, dated at Auckland the eighth day of June, in the year of our Lord one thousand eight hundred and sixty-one, and issued under the Seal of the said Colony, Thomas Gore Browne,

the Governor as aforesaid of the said Colony, by and with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for that purpose in him vested, did thereby delegate absolutely and without restriction unto me, John Larkins Cheese Richardson, as Superintendent of the Province of Otago, all the powers vested in him under or by virtue of "The Gold Fields Act, 1858," except the powers contained in sections seven, eight, fifteen, twenty-seven, and forty of the said Act, to have, hold, and exercise the powers within the Province of Otago thereby given: And whereas, I, the said John Larkins Cheese Richardson, upon the twenty-seventh day of June, one thousand eight hundred and sixty-two, in pursuance of the powers delegated to me as aforesaid, issued a Proclamation of certain Rules and Regulations; and whereas it is expedient to issue additional Rules and Regulations;

Now, therefore, I, John Larkins Cheese Richardson, by virtue of the powers so delegated to me as aforesaid, do hereby issue the following additional Rules and Regulations:—

XII.—REGULATIONS RELATING TO
RESIDENCE.

1. *Area which may be occupied for Residence.*

Subject to the conditions hereinafter set forth, the holder of a Miner's Right shall be entitled to occupy for residence an area of Crown lands not exceeding half an acre, or 2,240 square yards.

2. *Residence Areas to be Registered.*

Any person desirous of occupying land under the preceding regulation, shall mark the corners of the area which he proposes to occupy with || trenches, or substantial posts standing at least three feet above the surface, and shall give notice in writing in the form hereunto appended, to the Warden of the district, and a copy of such notice shall be posted and maintained in some conspicuous part of such area for the space of seven clear days, at the expiration whereof, if no valid objection has been entered thereagainst, the Warden may grant a Residence Certificate to the applicant.

3. *Discovery of Auriferous Deposits.*

If any auriferous deposit shall be traced to the boundaries of any land occupied for residence, the Warden may, upon satisfactory proof thereof, authorise any surveyor or other person, by writing under his hand, to enter thereupon, and at such times, and in such manner as he may ap-

point to search the land so occupied for a continuation of the said auriferous deposit.

4. *Auriferous Areas may be Worked.*

If any residence area shall be proved to be auriferous, the Warden may, upon application, order the whole or any part thereof to be given up for mining purposes to such persons as he shall nominate: Provided that the original occupier shall be entitled to one full claim therein.

5. *Compensation to be paid.*

In all cases compensation for *actual damage or loss* shall be estimated by assessors, and paid to the occupier of such area by the persons desirous of mining thereon, prior to their taking possession thereof.

6. *Conditions of Working.*

The Warden shall make such orders relative to the mode of working the ground, the restoration of the soil, and other conditions as he may deem necessary or desirable.

7. *Transfer or Assignment.*

The right and interest in any area occupied under a Residence Certificate may be transferred or assigned by the holder thereof, but such transfer or assignment shall, in all cases, be registered with the Warden, and endorsed on the original certificate.

8. *Registration Fees.*

The fees payable for registering any such application shall be five shillings (5s.), and the fee for registering any transfer or assignment shall be two shillings and sixpence (2s. 6d.)

FORM OF NOTICE REFERRED TO.

No..... District of.....186

I hereby give notice that I desire to Occupy for Residence ... (*state the extent*)... of land, situate at and that I have this day marked the corners of such land with (*posts or trenches*), in conformity with the Regulations herein made and provided.

Signature of the applicant, {
and the number and date {
of his Miner's Right: {

ADDITIONAL REGULATIONS RELATING TO PROTECTION.

2A. *Information to the holders of Miners' Rights.*

When any claim is under protection for a longer period than seven days, the occupier thereof shall post and at all times maintain on some conspicuous part of the said claim, a board not less than nine inches square, with the word "PROTECTED" and the number of his Certificate painted legibly thereon.

ALTERATION OF REGULATION RELATING TO LICENSES.

1A. *Business Licenses.*

The first Section of Regulation No. X. is cancelled, and the following is substituted in lieu thereof:—

Every person engaged in trade or business of any kind within the limits of the Gold Field, shall obtain from the Warden a Business License, for which he shall pay the sum of five pounds (£5) annually, and shall be entitled to occupy an area not exceeding 800 square feet, the frontage whereof shall not exceed 20 feet.

Given under my hand, this twenty-first day of July, eighteen hundred and sixty-two.

J. L. C. RICHARDSON,

Superintendent of the Province of Otago.

A PROCLAMATION

Altering the limits of Gabriel's District of the Gold Field within the Province of Otago, and prescribing in what manner erroneous Returns of Elections of Members of the Mining Board of the said District shall be corrected.

By His Honor John Larkins Cheese Richardson, Esquire, Superintendent of the said Province.

WHEREAS, by the "Gold Fields Act, 1858," it is amongst other things enacted, that it shall be lawful for the Governor in Council, by Proclamation, to declare any Gold Field, or any part thereof, containing not less than one hundred persons holding Miners' Rights, or Leases, to be a district for the purpose of forming a Mining Board with the powers and authority therein described, and to declare the name of such district, and define the limits thereof, and from time to time to alter such limits and make others, and to revoke such Proclamation, if he shall think fit. And it is also thereby enacted, that the Governor, by Order in Council, shall among other things from time to time, prescribe in what manner the election of members of each such Mining Board shall be conducted, and erroneous returns of such elections shall be corrected.

And whereas, by warrant under the hand of His Excellency Thomas Gore Browne, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand, dated at Auckland the eighth day of June, in the year of our Lord one thousand eight hundred and sixty-one, and issued under the seal of the said colony, Thomas Gore Browne, the Governor

as aforesaid of the said Colony, by and with the advice and consent of the Executive Council thereof, and in exercise of the power and authority in him vested for that purpose, did thereby delegate absolutely and without restriction unto me, John Larkins Cheese Richardson, as Superintendent of the Province of Otago, all the powers vested in him under or by virtue of the "Gold Fields Act, 1858," (except the powers contained in sections 7, 8, 15, 27 and 40 of the said Act,) to have, hold, and exercise the powers within the Province of Otago thereby given.

And whereas by a Proclamation made on the fifth day of March, one thousand eight hundred and sixty-two, in pursuance of the powers delegated to me as aforesaid, I proclaimed and declared Wetherstone's and Gabriel's Gullies, and the lands adjacent thereto, to be a district of the said Gold Field for the purpose of forming a Mining Board with the powers and authority in the said Act described, and named the same Gabriel's District, and defined the limits thereof to be as therein set forth, and prescribed certain rules for regulating the elections of the Mining Board of the said district. And whereas, it is expedient to alter the limits of the said district, and to make additional rules for regulating the elections of the Mining Board thereof,

Now, therefore, I, John Larkins Cheese Richardson, by virtue of the powers delegated to me as aforesaid, do hereby revoke the said Proclamation in so far, but in so far only, as it defines the limits of Gabriel's District aforesaid, and do now proclaim and define the limits of Gabriel's District to be the following, viz.:—Towards the west by the boundary of the Tuapeka Gold Field; towards the north and east by the Watershed between the Tuapeka and the Waipori and Waitahuna Rivers to the south-western boundary of run No. 54; and thence by the boundary of the Tuapeka Gold Field to the starting point.

And further, I do hereby prescribe the following regulations in addition to those contained in the before-mentioned Proclamation:—

1. Any petition disputing the validity of the election of any member of the Board, must be signed by at least six duly qualified electors, and forwarded to the Superintendent within fourteen days from the day on which the Returning Officer shall have declared any member so petitioned against to have been duly elected; and every such petition must be accompanied by a deposit of ten pounds to cover any expenses not hereinafter specially provided for; and any balance which may remain after the payment of such expenses shall be returned to the depositor.

2. On receipt of any petition and deposit as aforesaid, the Superintendent will appoint a Chairman, who shall, in conjunction with such members of the Mining Board as are not petitioned against, constitute a Board of Enquiry to try the validity of the election or elections so petitioned against; and every such Board of Enquiry shall have power to hear and receive evidence, and to examine witnesses on oath.

3. It shall be lawful for the Chairman of such Board of Enquiry to issue a summons (in the form hereunto appended, or to the like effect) to any party petitioning as aforesaid, calling upon any person named to give evidence in the matter of the election so petitioned against, and to produce any documentary evidence relating thereto which may be in the custody or possession of the party named in the summons: Provided that no such summons shall be granted unless the applicant shall have previously deposited with the Clerk of the Mining Board an amount sufficient to allow to each witness a mileage of one shilling per mile, and a further sum of twenty shillings for the expenses of such witness during the time of his attendance when such witness shall reside at any greater distance than two miles from the place where such Board of Enquiry shall be held, or ten shillings when such witness shall reside at any less distance.

4. The decision of such Board of Enquiry shall be taken by a majority of the votes of the members thereof, and if the members are equally divided in opinion, then, and not otherwise, the Chairman shall have a casting vote; and such decision shall be reported to the Superintendent, and shall in all cases be final.

FORM OF SUMMONS.

You are hereby summoned to appear on the day of, at the hour of o'clock in thenoon, at before the Board of Enquiry appointed to try the validity of the election of as a Member of the Mining Board, and to give evidence therein, (if any documentary evidence is required, insert here) "And you are hereby required to produce at the same time and place the undermentioned documents relating to the said election"
—(here mention the documents.)

A. B.,

Chairman of the board of Enquiry.

Given under my hand this twenty-first day of July, one thousand eight hundred and sixty-two.

J. L. C. RICHARDSON,
Superintendent.

ABSTRACT of Advertisements which appeared in the *Gazette* dated 23rd July, 1862 :—

1. Tenders for Fencing at Warepa and South Clutha School Reserves will be received till 8th August, 1862.
2. Blocks 4 and 5, Akatore, will be open for application on Monday, the 11th August, 1862.
3. Section No. 65, Block XVI., Dunedin, to be sold at Land Office, 26th August, 1862.

PROCLAMATION

Of Governor having Assented to the Dunedin Improvement Ordinance.

By the Honorable John Hyde Harris,
Esq., Deputy-Superintendent of
the Province of Otago.

WHEREAS in the Session of the Provincial Council of the Province of Otago, held in the twenty-fifth year of the reign of Her Majesty Queen Victoria, an Ordinance was passed, intituled, "The Dunedin Improvement Ordinance, 1862," and was presented to the Superintendent for the Governor's assent, and the said Superintendent reserved the same for the signification of the Governor's pleasure thereon: And whereas His Excellency has been pleased to assent to the said Ordinance,

Now, therefore, I, the said John Hyde Harris, Deputy-Superintendent of the said Province, do hereby proclaim, that His Excellency Sir George Grey, the Governor of New Zealand, assented to the said Ordinance upon the 20th day of June, 1862.

Given under my hand, and issued under the public seal of the Province of Otago, at Dunedin, this twenty-fifth day of July, one thousand eight hundred and sixty-two.

JOHN HYDE HARRIS,
Deputy Superintendent.

PROCLAMATION,

Bringing the "Dunedin Improvement Ordinance, 1862," into operation.

By the Honorable John Hyde Harris,
Esquire, Deputy-Superintendent of
the Province of Otago.

WHEREAS by the "Dunedin Improvement Ordinance, 1862," it is enacted, that the said Ordinance shall come into force on and after a day to be fixed by the Superintendent of the Province of Otago, by Proclamation in the *Provincial Government Gazette*, and that such Proclamation shall not be made unless and until the Governor shall intimate that he has left the said Ordinance to its operation: And whereas His Excel-

lency the Governor upon the 20th day of June, 1862, assented to the aforesaid Ordinance: And whereas I, the Honorable John Hyde Harris, Esquire, Deputy-Superintendent of the said Province, am authorised to exercise and perform, during the absence of the Superintendent from the Province, all the acts and powers (except such powers as are conferred by the Constitution Act, 15 and 16 Vic., chap. 72), which might be exercised and performed by him; Now, therefore, I, the said John Hyde Harris, Deputy-Superintendent of the said Province, in pursuance and exercise of the powers vested in me as aforesaid, do hereby proclaim that the said "Dunedin Improvement Ordinance, 1862," shall come into force on and after Wednesday, the thirteenth day of August, one thousand eight hundred and sixty-two.

Given under my hand, and issued under the public seal of the Province of Otago, at Dunedin, this twenty-fifth day of July, one thousand eight hundred and sixty-two.

JOHN HYDE HARRIS,
Deputy-Superintendent.

Dunedin, 8th July, 1862.

HIS Honor the Superintendent directs it to be notified that he has appointed

JOHN NUGENT WOOD, Esquire;
JOHN SMITH HICKSON, Esquire; and
JUSTIN AYLMEY, Esquire,

to be Mining Registrars for the Tuapeka Gold Field.

By order,
THOMAS DICK,
Provincial Secretary.

Superintendent's Office,
Dunedin, 1st August, 1862.

HIS Honor the Deputy-Superintendent directs it to be notified that he has appointed

JOHN DRUMMOND, Esquire,

to be a Mining Surveyor for the Province of Otago.

By order,
W. H. REYNOLDS,
For Provincial Secretary.

Superintendent's Office,
Dunedin, 4th August, 1862.

HIS Honor the Deputy-Superintendent directs it to be notified that the undermentioned members of the Police Force have been authorised to require exhibition of Registration Tickets, and to sue for penalties under the Dog Nuisance Ordinance of the Provincial Council of Otago, Session 11, No. 17, viz. :—

Sergeant John Black.
" James Grennan.
" John Joyce.

Constable James Nimon.
 " Thomas Curran.
 " Robert Foster.
 " Richard Pilkington.
 " Thomas Ryan.

By order,
 JOHN LOGAN,
 Clerk to Superintendent.

GENERAL BOARD OF ROAD
 TRUSTEES.

NOTICE is hereby given, that a Meeting of the General Board of Road Trustees will be held in the Provincial Secretary's Office, at Dunedin, upon Thursday, the 7th day of August, 1862, at 11 o'clock forenoon, for the despatch of business.

By order,
 JAMES A. CHEYNE,
 Clerk to Road Board.

NORTH HARBOR ROAD DISTRICT.

MEETING to Elect a District Board of Road Trustees.—No Trustees having

as yet been elected for the North Harbor District, Notice is hereby given, in pursuance of the Roads Ordinance, 1856, and the Roads Ordinance Amendment Ordinance, 1862, that a meeting of the persons liable to be rated for roads within said District, is hereby appointed to be held at the premises lately occupied as the Brewery, at Sawyers' Bay, upon Friday, the 8th day of August, 1862, at 1 o'clock p.m.

JAMES A. CHEYNE,
 Clerk to General Road Board.

TENDERS will be received at the Office of His Honor the Superintendent, till 4 o'clock of Friday, the 8th inst., for the Erection of a Fence to enclose the Court House Grounds, Dunedin.

Plans and specifications may be seen, and forms of tender obtained, at the Office of the Provincial Engineer.

By order,
 JOHN LOGAN,
 Clerk to Superintendent.

August 1, 1862.

RURAL LANDS.

A APPLICATIONS FOR RURAL LAND received at the Land Office, Dunedin, from 1st July to 23th July, 1862, inclusive.

NO. OF APPLICATION.	APPLICANT.	ACREAGE.	LOCALITY AND DESCRIPTION.
5236	Owen Kyre	106	Otokia, Block II, Section 20
5237	John Stuchair	60	Maungatua, Block II, Section 5
5238	A. Gordon	25	Clutha, Block LVIII $\frac{1}{2}$ Section 5
5239	Angus Macdonald	73	Dunedin and East Taieri, IV, Section 33
5240	James M'Kay	17	Maungatua, Block II, Section 1 of 3
5242	Owen Kyre	104	North Harbour and Blueskin, Block II, Section 24
5244	William Kirkland	16	Dunedin and East Taiera, Block VII, Section 57
5245	Robert Hening	400	Clutha, Block CIV, Sections 4 to 11
5246	George Hardie	30	Otokia, Block I, part of Section 36
5247	Samuel George Isaacs	73	Dunedin and East Taieri, Block V, Section 34
5248	Samuel Hyslop Dobbie	29	Dunedin and East Taieri, Block VI, Section 2 of 3
5249	Archibald Carrick	25	Waihola, Block XVII, half Section 6
5250	Robert Melville	200	" Block X, 1, 2, 3, Block XI, Section 1
5251	Matthew V. Hodge	162	Dunedin and East Taieri, Block VII, Sections 23, 24, 30
5252	Matthew V. Hodge	150	Block VII, Sections 7, 8, 9
5253	Robert Turnie	40	Otokia, Block I, part of 38
*5254	Samuel Turner	21	Clarendon, 2 of 14, Block VI
5255	Andrew Christie	200	Clutha, Block XLI, Sections 8, 10, 11, 12
5256	W. Dun Dickson	50	" Block XLV, Section 5
*5257	J. Augustus Avarne	26	Clarendon, north part 1 of 45, Block VI
*5258	Alexander Merglees	26	" south part 1 of 45, Block VI, between the two roads, and at back of Section 6, Waihola
5259	James Dawson	25	Clutha, Block XLI $\frac{1}{2}$ 1 next Block XL
5260	Martin Fahey	25	" Block XLI $\frac{1}{2}$ 4, next Section 2
5261	James Dickson	50	Waihola, Block XV, Section 4
*5262	Joseph Butcher	65	Clarendon, Block VI, Section 1 of 45
5263	John Smart Crake	273	Dunedin and East Taieri, 23, 24, 29, Block V
5264	Duncan M'Gann	19	" $\frac{1}{2}$ 50, next 41 and 42, Block V
*5265	John Hall	81	Clarendon, Section 15, Block VI.
*5266	Peter Whellen	21	" Section 2 of 14, Block VI.
5267	James Scott	100	South Molyneux, Sections 10 and 11, Block VI
5268	Andrew Christie	75	Clutha, Sections 11 and $\frac{1}{2}$ 12, adjoining Block XXX.
5269	Ronald M'Coll	30	Dunedin and East Taieri, $\frac{1}{2}$ 26, Block VII
5270	James M'Coll	11	" $\frac{1}{2}$ 22, Block VII.
5271	James Selby	100	Clutha, 1 and 3, Block XCI
5272	Matthew Patterson	100	" 214, Block LXXXVII
5273	James Main	100	" 11 and 12, Block LXXXIX
5274	Alexander Brown	45	Dunedin and East Taieri, Section 12, Block VII
5275	William Munro	13	Maungatua, 1 of 1, Block II
5276	William Dickson	250	Clutha, 4, 6, 8, 10, 11, Block XXXVI
5278	William Halliday	50	" 6, Block XXV
5279	Duncan M'Lellan	50	" 3, Block XV.
5280	J. R. and G. B. Elder	87	Waihola, Sections 3 and 4, Block XVII, and halves of sections 5 and $\frac{1}{2}$ 6, fronting road line
5281	J. R. and G. B. Elder	150	South Tuakitoto, 6, 7, and 8, Block V
5282	F. T. Cumming	36	Dunedin and East Taieri, Sections 54, Block VII
5283	John Ross	200	Maungatua, 13, 15, 16, 17, Block II
5284	Alexander Muir	183	Clutha, 10 and 11, Block 25
5285	Duncan M'Coll	15	Otokia, part of 18, Block I, adjoining 10
5286	James Howorth	84	Dunedin and East Taieri, Section 51 and remainder of Section 52, Block VII.
5287	Richard Henry Leary	100	Clutha, 11 and 12, Block XLVI.
5288	William Clarkson	102	North Harbor and Blueskin, Section 4, Block II
5289	James Buckley	77	Maungatua, Section 6, Block II
5290	William Shand	610	Dunedin and East Taieri, 16, 18, 19, 20, 21, 27, Block V
5291	William Arthur	16	" 39, Block V
5292	William Shand	95	" 51 and 52, Block V
5293	John Callender	41	Otokia, 2 of 34, Block I

The above Applications will be decided at this Office, on Friday, the 15th day of August, 1862. Those marked * by auction, at 12 o'clock noon.

W. H. CUTTEN,
Chief Commissioner.

Waste Land Board Office,
Dunedin, 25th July, 1862.

