



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, Superintendent.

VOL. VI.]

WEDNESDAY, MAY 20, 1863.

[No. 244.]

STATIONERY.

TENDERS for the Supply of Stationery for the year 1864 will be received at this Office till 12 noon of Friday, 12th June, 1863.

Specifications may be seen at this Office on and after Monday, 1st June, next.

By order,

JOHN LOGAN,
Clerk to Superintendent.
Superintendent's Office,
Dunedin, 20th May, 1863.

GAOL RATIONS.

TENDERS for the supply of Rations and Medical Comforts for H. M. Gaol, Dunedin, for six months ending 31st December, 1863, to be sent in to His Honor the Superintendent's office by 31st May.

For further particulars apply at the Gaol.

JOHN LOGAN,
Clerk to Superintendent.

TENDERS will be received at the office of his Honor the Superintendent until 12 o'clock noon, of Tuesday, the 2nd June, for the construction of about 3 miles and 8 chains of road, on the Northern Trunk.

Plans and Specifications may be seen, and Forms of Tender obtained at the

office of the Road Engineer, Dunedin, and the Police Camp, Waikouaiti.

By order, JOHN LOGAN,
Clerk to Superintendent.

May 19th, 1863.

Superintendent's Office,
Dunedin, 19th May, 1863.

HIS HONOR THE SUPERINTENDENT directs it to be notified that he will receive Heads of Departments at his office, from twelve to two, and the Public from two to four daily, Saturdays excepted. Deputations are requested to give notice of their intention to call, in order that an hour may be fixed for receiving them.

By order,
JOHN LOGAN,
Clerk to Superintendent

HOLIDAY.

HIS HONOR THE SUPERINTENDENT directs it to be notified that Monday, the 25th instant, will be observed as a Holiday, in honor of Her Majesty's Birth.

By order,
JOHN LOGAN,
Clerk to Superintendent.

PAYMENT OF PUBLIC ACCOUNTS.

HIS HONOR THE SUPERINTENDENT directs it to be notified that, in future all Accounts will be paid Two Days after presentation at the Treasury.

By order,

ALEXANDER WILLIS,
Acting Provincial Secretary.

Provincial Secretary's Office,
Dunedin, 19th May, 1863.

FERRY.

HIS HONOR THE SUPERINTENDENT directs it to be notified, that a Public Ferry will be forthwith established at the place undermentioned, at which charges will be levied according to the annexed Schedule.

TENDERS will be received at the office of the Provincial Secretary, Dunedin, and at the offices of the Wardens, Dunstan, Manuherikia, Teviot, and Frankton, up to the 26th day of May next, from persons desirous of Leasing the said Ferry.

The tenderers to provide their own boats or punts as may be required, such boats and punts to be subject to the approval of the Government.

SITE OF FERRY.

At the Junction of the Law Burn and Molyneux.

Schedule of Charges from sunrise till one hour after sunset :—

For each Person	1s.
" " horse, mule, or ass, not drawing any carriage	2s.
" " head of great cattle	1s.
" " sheep, goat, and hog, when under 20	4d.
" " sheep, goat, and hog, when 20 and upwards	2d.
" " cart, dray, waggon, and carriage, of what kind soever, exclusive of goods and passengers	2s.
" " horse, mule, ass, and bullock, drawing any cart, dray, waggon, or other carriage	1s.
" " bale of wool	1s.
Other goods at the rate of 4d. per 100 lbs.	

From one hour after sunset till sunrise the above fares and freight and one-half more shall be charged.

The Mail, and persons exhibiting a certificate under the hand of the Superintendent, that they are on duty under the employ of the Government, are exempt from the payment of the said fares and freights.

ALEX. JAMES WILLIS,
Acting Provincial Secretary.

Provincial Secretary's Office,
Dunedin, 18th May, 1863.

PROCLAMATION

Of a Gaol at Queenstown, Wakatipu.

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

WHEREAS power is vested in the Superintendent of the Province of Otago to declare any House, Building, Enclosure, or Place to be a Public Gaol;

Now, therefore, I, John Hyde Harris, Esq., the Superintendent, as aforesaid, do hereby declare and proclaim that the place following, that is to say :—

The Cell, Enclosure, or Compartment No. 2, in the Lock-up or Watch-house at Queenstown, Wakatipu, in the said Province, shall be and be used as a Public Gaol.

Given under my hand at Dunedin, and issued under the Public Seal (L.S.) of the Province of Otago this thirteenth day of May, one thousand eight hundred and sixty-three.

JOHN HYDE HARRIS,
Superintendent.

HIS HONOR THE SUPERINTENDENT directs the publication of the following Rules and Regulations for general information.

By order,

ALEXANDER WILLIS,
Acting Provincial Secretary.

Provincial Secretary's Office,
Dunedin, May 19, 1863.

RULES AND REGULATIONS

To be observed in connection with the reception, opening, and determining of Tenders for Works required by the Provincial Government of Otago.

1st. The amount or nature of the Tenders of the different Contractors will not be published in the *Provincial Government Gazette*, or any public paper, until a Tender has been *bona fide* accepted, and the Contract Bond completed.

2nd. Tenders will be opened on the day and time mentioned in the advertisement calling for the same, at the office of the Provincial Secretary, in the presence of the Contractors or their Agents, who will be previously required to deposit, in cash or by marked cheque, the sum of (5) five per cent on the total amount of the Tender, when that is under (£1000) one thousand pounds, and (2½) two and a-half per cent, when it exceeds that sum. No deposit to be less than (£25) twenty-five pounds.

3rd. Any Contractor having been called upon, and failing to appear, personally or by proxy, in order to take up his Tender and pay the required deposit, shall be precluded from the performance of any Works for the Provincial Government for a period not less than six months thereafter.

4th. Contractors will be required within 10 days from the acceptance of their Tenders, to furnish (2) two sureties, and enter into a Bond for the due fulfilment of the Contract, the sureties to be bound to the amount of (5) five per cent. on the Contract sum.

5th. The Tender of any Contractor having been accepted, and the requisite deposit having been made as a guarantee for his good faith, the said deposit shall be absolutely forfeited, if at the end of the ten days before mentioned the Contractor with (2) two Sureties shall have failed to execute a Contract and Bond in accordance with the terms above specified.

6th. Monthly payments on Contracts will be made at the rate of (80) eighty per cent. on the value of the work done, and in case of non-fulfilment of the Contract the Government will retain—

1st.—The cash deposit.

2nd.—The (20) twenty per cent. on the value of the work executed.

3rd.—Their remedy against the Contractor and his sureties under the before-mentioned Bond.

7th. Tenderers will be required, in all cases, to state the time necessary to complete the work tendered for.

NEW EDUCATIONAL OR SCHOOL DISTRICTS.

NOTICE IS HEREBY GIVEN that the localities of Blueskin and Lower Waipori respectively have been formed by the Education Board into separate Educational or School Districts, in pursuance of the provisions of the "Education Ordinance, 1862," and that the following is a description of the boundaries thereof respectively, viz:—

BLUESKIN DISTRICT

Comprises all that area which is bounded on the north by Blocks 2 and 3, Waikouaiti Survey District; on the east by the Ocean, Blueskin Bay, and the eastern boundary of Block 1, North Harbour and Blueskin Survey District; on the south by the Southern Boundary of Block 1, North Harbour and Blueskin Survey District; and on the west by the western boundaries of Blocks 1 and 2, North Harbour and

Blueskin Survey District, and Block 1, Waikouaiti Survey District.

LOWER WAIPORI DISTRICT

Comprises all that area which is bounded on the north by the northern boundary of Block 7, Clarendon Survey District; on the north-east by Blocks 1 and 4, Maungatua Survey District; on the east and south-east by the Taieri River, and the eastern boundary of Block 7, Clarendon Survey District; on the south by the southern boundaries of Block 6, Maungatua Survey District, and Block 7, Clarendon Survey District; on the west by the western boundaries of Block 7, Clarendon Survey District, and Block 2, Maungatua Survey District; and on the north-west by the north-western boundary of Block 2, Maungatua Survey District.

Notice is hereby also given that the boundaries of the Educational or School Districts of West Taieri and Waihola have been altered by the Education Board, in pursuance of the provisions of the Education Ordinance 1862, Clause 9, and that the following is a description of the boundaries as altered, of the said Districts respectively, viz:—

WEST TAIERI DISTRICT

Comprises all that area which is bounded on the north-west and north by the boundary of the Hundreds; on the east and south-east by the Taieri River; and on the south-west by Lower Waipori District, and the boundary between Blocks 1 and 2, Maungatua Survey District, extended in a right line to the boundary of the Hundreds.

WAIHOLA DISTRICT

Comprises all that area which is bounded on the north by Lower Waipori District; on the east by Lower Waipori District, the Taieri River, and the Ocean; on the south-east by the Ocean; on the south-west and west by Shag Creek, thence by the watershed of the ranges over stations S and J to Gorge Hill, thence to Horseshoe Bush Hill, and thence to the boundary of the Hundreds; and on the north-west by the boundary of the Hundreds.

By order of the Education Board,
JOHN HISLOP,
Secretary.

Education Board Office,

Dunedin, May 13th, 1863.

ANNUAL MEETINGS FOR ELECTING DISTRICT BOARDS OF ROAD TRUSTEES.

NOTICE IS HEREBY GIVEN, that in pursuance of the "Roads Ordinance 1856," and the "Roads Ordinance Amendment Ordinance, 1862," Meet-

ings of the persons liable to be rated for Roads are hereby appointed to be held at the times and places within the several Districts after-mentioned, for the purpose of electing qualified persons to be the Members of the District Boards of Road Trustees for the year ensuing:—

Blueskin Bay District.

At the premises of Mr. John Wilson, in said District, upon Monday, the 22nd day of June, 1863, at 1 o'clock, p.m.

North Harbour District.

At the Brewery at Sawyer's Bay, in said District, upon Monday, the 22nd day of June, 1863, at 1 o'clock p.m.

North-East Valley District.

At the School-house in said District, upon Tuesday, the 23rd day of June, 1863, at 6 o'clock, p.m.

Portobello District.

At the School-house in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

Anderson's Bay District.

At the School-house in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

Waikari District.

At the School-house in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Kaikorai District.

At the premises of Mr. Mason, in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

Caversham District.

At the School-house in said District, upon Monday, the 22nd day of June, 1863, at 1 o'clock, p.m.

Green Island District.

At the School-house in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Silverstream District.

At the premises of Mr. J. B. M'Gregor, in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

North Taieri District.

At the School-house in said District, upon Thursday, the 25th day of June, 1863, at 1 o'clock, p.m.

East Taieri District.

At the School-house in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Saddle Hill District.

At the premises of Mr. Thomas Finnie, in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

West Taieri District.

At the School-house in said District, upon Monday, the 22nd day of June, 1863, at 1 o'clock, p.m.

Moeraki Bush District.

At the School-house in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

Waihola District.

At the School-house in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Akatore District.

At the premises of Mrs. Livingstone, in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Tohomairiro District.

At the School-house in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

Hill-End District.

At the Ferry, (Clutha) in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Kaitangata District.

At the premises of James Rolland, Esq., in said District, upon Thursday, the 25th day of June, 1863, at 1 o'clock, p.m.

Wangaloa District.

At the premises of Mr. Mansford, in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Inch Clutha District.

At the School-house in said District, upon Wednesday, the 24th day of June, 1863, at 1 o'clock, p.m.

Kaihiku District.

At the premises of Mr. Telford, in said District, upon Tuesday, the 23rd day of June, 1863, at 1 o'clock, p.m.

Warepa District.

At the School-house in said District, upon Monday, the 22nd day of June, 1863, at 1 o'clock, p.m.

Molyneux District.

At the School-house in said District, upon Friday, the 26th day of June, 1863, at 1 o'clock, p.m.

By order,

JAMES A. CHEYNE,
Clerk to General Road Board.

DEBTOR'S AND CREDITOR'S ACT.

THE following communication from the Honorable the Colonial Secretary to His Honor the Superintendent, is published for general information:—

Colonial Secretary's Office,
Auckland, 6th May, 1863.

Sir—I have the honor to enclose here-
with a *New Zealand Gazette* (No. 16.) of
this day's date, containing a Proclamation
bringing the "Debtor's and Creditor's
Act, 1862," into operation from the 1st
June next.

I have also to inform your Honor that
the necessary warrants of appointment of
Mercantile Assessors, under that Act, will
be prepared and issued as soon after that
date as possible.

I have the honor to be,
Sir,

Your most obedient servant,

READER WOOD,

In the absence of Mr. Donett.

His Honor the Superintendent,
Otago.

PROCLAMATION

*Bringing into operation "The Debtor's
and Creditor's Act, 1862."*

By His Excellency Sir GEORGE
GREY, Knight Commander
of the Most Honorable Or-
der of the Bath, Governor
and Commander-in-Chief in
and over Her Majesty's Co-

lony of New Zealand and its
Dependencies, and Vice-Ad-
miral of the same, &c., &c.,
&c.

WHEREAS it is provided by "The
Debtor's and Creditor's Act, 1862,"
that the said Act shall not come into ope-
ration until a day to be fixed by the Go-
vernor by Proclamation, to be published
in the *Government Gazette*, and it is ex-
pedient that the said Act shall come into
operation as hereinafter mentioned: Now,
therefore, I, Sir George Grey, the Go-
vernor as aforesaid of the said Colony, do
hereby proclaim and declare that the said
"Debtor's and Creditor's Act, 1862," shall
be in operation in the said Colony from
and after the first day of June next en-
suing.

Given under my hand at New
Plymouth, in the Province
of Taranaki, and issued un-
der the Public Seal of the
said Colony, this second day
of May, one thousand eight
hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

GOD SAVE THE QUEEN!

PUBLICANS' LICENSES.

TWENTIETH LIST.

THE following Applications will be taken into consideration in the Provincial
Secretary's Office, Dunedin, upon the first Tuesday of June, 1863, at 2 o'clock p.m.
Objections (if any) may be lodged at said Office, or stated when the cases are under
consideration. Applicants must attend personally or by Agent.

No.	NAME OF APPLICANT.	SITUATION OF PREMISES PROPOSED TO BE LICENSED.
DEFERRED APPLICATIONS.		BUSH LICENSE.
1	W. G. M'Pherson	Ida Burn Valley
NEW APPLICATIONS.		BUSH LICENSE.
1	A. F. Johnson.....	House at Kyeburn
2	George B. Vause.....	House at Tokomairiro
3	Charles Hopkinson.....	"Golden Fleece Hotel," Waikouaiti
4	Joseph Waterman.....	House at West Taieri
		WINE & BEER LICENSES.
1	Jacob Levien.....	"Arcade Café and Reading Room"
2	John Metcalf.....	"Crown Luncheon Rooms," Stuart-street Dunedin
3	Robert Henderson	House, Maclaggan-street
		BOTTLE LICENSES.
1	James Goodbody.....	"Outram Store," West Taieri
2	Andrew Chalmers	Store at Molyneux
3	Benjamin Dawson.....	"Junction Corn Store," Waiholo
4	David Ure.....	Store, Princes-street South
5	William Peat.....	Store, St. Andrew's, Caversham

By Order,

JOHN LOGAN, Clerk to Superintendent.

RURAL LANDS.

THE FOLLOWING APPLICATIONS FOR RURAL LANDS WERE RECEIVED AT THE LAND OFFICE, DUNEDIN, FROM THE 30th APRIL TO THE 13th MAY, 1863, BOTH DAYS INCLUSIVE.

No. of Application.	APPLICANT.	LOCALITY AND DESCRIPTION.	ACREAGE.		
			A.	R.	P.
6038	John Muir	Clarendon, section 6, Block VI.	69	1	10
6039	John M'Kenzie	Clutha, part of sec. 7, east of Puerua River, Block XVI.	13	1	16
6040	Charles Gordon	Clutha, sec. 6, and $\frac{1}{2}$ 4, Block XLI.	75	0	0
6041	John Hallum	Hawksbury, sec. 39, Block V.	71	1	33
6042	James Maxwell	Hawksbury, secs. 40 and 41, Block V.	137	1	2
6043	Robert Drysdale	Clarendon, $\frac{1}{2}$ sec. 36, Block VI.	31	2	0
6044	James Waddell	Clutha, 8, 10, and 12, Block XLI.	150	0	0
6045	Patrick M'Inroy	Clutha, 12 and $\frac{1}{2}$ 11, Block XLVI.; 2 and 4, Block XLVII.	175	0	0
6046	William Gavan	Clutha, $\frac{1}{2}$ 11, Block XLVI.	25	0	0
6047	Hugh Russel	Clarendon, 5, Block VI.	69	3	26
6048	Richard Craigie	Clarendon, 3 of 39, Block I.	22	3	32
6049	William Gibson	Clarendon, 31, Block I.	98	1	33
6050	James Paterson	Clutha, 4, Block XXI.; 2 and 3, Block XXVI.	150	0	0
6051	James Paterson	Clutha, 2, 4, and remainder of 6, Block XI.	128	0	0
6052	Robert Marshall	North Tuakitoto, 1, Block I; and $\frac{1}{2}$ 1, Block IX.	75	0	0
6053	Wynter Blethwayt	Otokia, south half of 13, Block I.	68	0	11
6054	William Chapman	Clutha, $\frac{1}{2}$ 8, Block XXV.	25	0	0
6055	James Wilson	Clutha, 5 and 7, Block XLII.	100	0	0
6056	Allan Campbell	Waihola, 5, Block XV.	50	0	0
6057	John Young	Moeraki, 52 and 53, Block I.	388	1	26

The above applications will be decided at this office on Thursday, the 28th day of May, 1863.

W. H. CUTTEN, Chief Commissioner.

Waste Land Board Office
Dunedin, 15th May, 1863.

(From New Zealand Gazette, May 4, 1863.)

W. H. Reynolds, Esq., elected to House of Representatives.

Colonial Secretary's Office,
Auckland, 29th April, 1863.

IT is hereby notified that a Writ, issued for the election of a Member of the House of Representatives for the Electoral District of Dunedin and Suburbs South, has been returned with a certificate to the effect that

WILLIAM HUNTER REYNOLDS, Esq.,
has been duly elected.

READER WOOD,
In the absence of Mr. Domett.

POSTAL.

MONEY ORDER BRANCH.

Post Offices at the Arrow River and Manuherikia Junction, in the Province of Otago, to be Money Order Offices.

General Post Office,
Auckland, 24th April, 1863.

NOTICE IS HEREBY GIVEN that His Excellency the Governor has been pleased to appoint the Post Offices at the Arrow River and Manuherikia Junction to be Money Order Offices for the issue and payment of Money Orders.

READER WOOD,
For the Postmaster-General.

John Hyde Harris, Esq., elected Superintendent of the Province of Otago.

Colonial Secretary's Office,
Auckland, 2nd May, 1863.

IT is hereby notified that a Writ issued for the election of a Superintendent for the Province of Otago has been returned with an endorsement to the effect that THE HON. JOHN HYDE HARRIS, M.L.C., has been duly elected.

READER WOOD,
In the absence of Mr. Domett.

POSTAL.

Transmission of Mails for Italy.

General Post Office,
Auckland, 24th April, 1863.

THE following Despatch, received from the General Post Office, London, is published for general information.

READER WOOD,
For the Postmaster-General.

General Post Office,
London, 26th February, 1863.

SIR—Information having been received from the Director-General of the Italian Post Office, that Italian Packets have been established for the purpose of conveying mails twice a month between Alexandria and Ancona, I am directed by the Postmaster-General to request that you will be good enough to cause all correspondence addressed to Italy to be forwarded from New Zealand in the mails made up for the British Post Office at Alexandria, instead of in the mails for Malta, as heretofore, in order that it may be conveyed to its destination by the New Italian Line of Mail Packets direct to Ancona.

The same rates of postage as at present will continue to be chargeable on letters, &c., for Italy.

I have, &c.,
F. HILL.

The Postmaster-General, &c.,
Auckland.

COURT OF APPEAL.

New Zealand

BY virtue of the powers vested in the Judges of the Court of Appeal by the "Court of Appeal Act, 1862," it is ordered that the following rule of practice shall come into operation forthwith, and remain in operation until a further rule shall be made on the subject.

The Registrar of the Supreme Court of New Zealand at Christchurch, Canterbury, shall have, in respect of the Court of Appeal, all such powers and duties as he now hath in respect of the Supreme Court.

GEO. ALFRED ARNEY,
Chief Justice.

ALEXANDER J. JOHNSTON,
(L.S.) Judge.

H. B. GRESSON, Judge.

C. W. RICHMOND, Judge.

Christchurch, 9th Feb., 1863.

IN THE SUPREME COURT OF
NEW ZEALAND.

In the matter of an Ordinance of the Governor and the Legislative Council of New Zealand, Session II., No. 9, entitled an Ordinance to provide for the Registration of Deeds and Instruments affecting Real Property, passed 28th December, 1841, section 44.

WE, the Judges of the Supreme Court of New Zealand, pursuant to the authority of the above Ordinance, having considered the Scale of Fees specified in the Schedule B annexed to the said Ordinance, and the present circumstances of the Colony, order that, in lieu of the said Fees, every Registrar of Deeds and Instruments under the said Ordinance shall be entitled, on and after the first day of July, A.D. 1863, to demand in advance, and to receive as such Registrar, the Fees specified in the Schedule hereunto annexed, and no others.

SCHEDULE.

	s.	d.
For the Registration of any Instrument	10	0
For every section, or part of a section, allotment, or part of an allotment, contained in any map or plan delineated on any instrument presented for Registration (charged as 2 folios)	1	0
For the recording and comparing thereof—for every folio of 72 words.....	0	6
For a copy or extract from any recorded Instrument or deposited Memorial—for every folio of 72 words	0	6
For every copy of, or extract from, the General Index—for every line	0	6
For every search or inspection of		

Indices, or recorded Instru- s. d.
ments, or deposited Memorials 1 0

GEO. ALFRED ARNEY,
Chief Justice.

ALEXANDER J. JOHNSTON,
Judge.

H. B. GRESSON, Judge.

C. W. RICHMOND, Judge.

Christchurch, Canterbury,
7th March, 1863.

GENERAL RULES OF THE COURT
OF APPEAL OF NEW ZEALAND.

MARCH 9TH, 1863.

BY virtue of the powers vested in us by
"The Court of Appeal Act, 1862,"
We, the Judges of the Court of Appeal,
do hereby order that the following Rules
for the practice and procedure of the Court
shall be in force on and after the 7th day
of June, A.D. 1863:—

Affidavits.

1. Affidavits made in matters pending
in the Supreme Court may be used in the
Court of Appeal.

2. Affidavits made in the matter of an
appeal after notice of appeal given or leave
to appeal granted, shall be intituled "In
the Court of Appeal of New Zealand."

3. Affidavits made "In the Court of
Appeal" must be filed with the Registrar
of the Court for the time being; and a
copy of every such affidavit must be trans-
mitted by the Appellant to each Judge of
the Court, along with the special case.

Stating and Transmitting Cases.

4. Whenever a case is stated by parties
under the 28th section of the Act, the
parties shall forthwith submit the same for
approval to a Judge at Chambers, who
shall give directions for the amendment of
the same, if he shall be of opinion that the
same is in any way defective.

5. In all cases, unless a Judge at
Chambers shall otherwise order, there shall
be transmitted to the Registrar of the
Court of Appeal along with, and as part
of, the special case, a copy of the record
and a copy of the Judge's notes of the
trial and of the finding of the Jury, where
a trial has taken place, and a copy of all
affidavits and documentary evidence used
in the Court below.

6. A copy of the special case and of the
documents in the last rule mentioned shall
be forwarded by the Appellant to each of
the Judges of the Court of Appeal within

a certain period to be specified by the
Judge who approves of the case, at the
time of such approval.

Costs.

7. The Costs to be allowed on taxation
as between party and party, shall be on
the same scale as in the Supreme Court,
except as hereinafter mentioned.

8. The fees to be allowed to Counsel^l
shall be on a more liberal scale than in
the Supreme Court:—In each case fees
for two Counsel, at least, shall be allowed;
and to one of the Counsel, if usually resi-
dent at any place other than that where
the Court of Appeal shall sit, a liberal
brief fee and refreshers shall be allowed,
besides reasonable cost of maintenance
and travelling expenses for each day during
which he shall be necessarily absent from
his usual place of abode for the purpose of
attending the Court of Appeal.

If the same Counsel, not resident at the
place where the Court is held, appear in
several cases, his allowance for maintenance
and travelling expenses shall be equally
divided and the proper proportion allowed
in respect of each case.

GEO. ALFRED ARNEY,
Chief Justice.

ALEXANDER J. JOHNSTON,
Judge.

H. B. GRESSON, Judge.

C. W. RICHMOND, Judge.

(From *New Zealand Gazette*, May 6, 1863.)

A. A. Harper appointed a Pilot.

Colonial Secretary's Office,
Auckland, 5th May, 1863.

HIS Excellency the Governor has been
pleased to appoint

ALLEN AUGUSTUS HARPER,
to be a Pilot for the Port of Otago.

READER WOOD,
In the absence of Mr. Domett.

Colonial Secretary's Office,
Auckland, 5th May, 1863.

IT is hereby notified that the Consul
General in Melbourne for Sweden and
Norway, Denmark, Portugal, and Chili
having nominated Edmund Quick, Esq.,
to be Consular Agent at Otago for those
countries, respectively, His Excellency the
Governor has been pleased to accept such
nomination provisionally.

READER WOOD,
In the absence of Mr. Domett.

A. J. Willis, Esq., appointed a Justice of the Peace.

Colonial Secretary's Office,
Judicial Department,
Auckland, 23rd April, 1863.

HIS Excellency the Governor has been pleased to appoint

ALEXANDER JAMES WILLIS, Esq.,
at the Dunstan Gold Fields, Otago, to be a Justice of the Peace for the Colony.

READER WOOD,
In the absence of Mr. Domett.

A. J. Willis, Esq., J.P., appointed a Resident Magistrate.

Colonial Secretary's Office,
Judicial Department,
Auckland, 23rd April, 1863.

HIS Excellency the Governor has been pleased to appoint

ALEXANDER JAMES WILLIS, Esq., J.P.,
at the Dunstan Gold Fields, in the Province of Otago, to be Resident Magistrate under the Resident Magistrates' Court Ordinance.

READER WOOD,
In the absence of Mr. Domett.

SUPREME COURT.

"The Debtor's and Creditor's Act, 1862."

BY virtue of the powers vested in us by the Debtor's and Creditor's Act 1862, it is ordered by us, the Judges of the Supreme Court, that the following Rules shall be in force on and after the 1st day of June, 1863:—

I. PROCEEDINGS IN THE SUPREME COURT.

Proof of Debts.

Debts and claims of creditors under the said Act shall be proved by affidavit.

Any such proof may be contested upon motion or summons made or taken out for the purpose, by or on behalf of any trustee or trustees of the debtor's estate, or by or on behalf of any two or more creditors, who shall have each proved debts or claims against the debtor's estate to the amount of £20 or upwards; and the Court or Judge, if of opinion that the debt or claim is not a just one, either wholly or in part, shall disallow the same either wholly or in part, as the case may require.

Provided, that in cases in which there shall be questions of fact in dispute between the parties or any of them, it shall be lawful for the Court or a Judge to order that such questions be raised in the form of

issues and be tried by a full jury or at minor jury sittings in the same manner as issues joined in an ordinary action; and upon such trial (unless specially ordered to the contrary) the proving creditors shall be the plaintiff, and the said trustee or trustees, or the contesting creditor or creditors, shall be the defendant or defendants.

General.

All proceedings in the Court whatsoever taken under or by virtue of the said Act or of these Rules, in respect of which no specific provision is made to the contrary by the said Act, shall be subject to the General Rules of the Court for the time being in force in relation to other proceedings in the Court of a like nature.

II. MEETINGS OF CREDITORS.

1. Meetings of creditors shall be convened either by the trustees or trustee of the debtor's estate, or in pursuance of a rule or order of the Court or a Judge.

2. Any creditor may apply to the Court or a Judge for a rule or order convening a meeting.

3. At least three days' notice of the place and time (specifying the day and hour) of every such meeting shall be given by advertisement in some local newspaper.

4. The business to be transacted at any meeting convened in pursuance of a Rule or order of the Court or a Judge may be defined by such Rule or Order, in which case no other business shall be transacted at the meeting, or at any adjournment thereof.

5. No person shall be entitled to vote or take a part in any proceeding at any such meeting unless and until he shall have duly proved a debt or claim against the estate to an amount exceeding £10.

6. No business shall be transacted at any such meeting unless there shall be there present, personally or by proxy, one-fourth in number or value of the creditors who shall have proved their debts or claims.

If within half an hour from the time appointed for the meeting there is not a quorum, the meeting shall be dissolved, unless convened in pursuance of a Rule or Order, in which case it shall stand adjourned till the following day, at the same place and hour; and if at such adjourned meeting there is no quorum within half an hour from the time of meeting, the meeting shall be adjourned *sine die*.

7. All questions shall be determined by a majority of the votes of the creditors present personally or by proxy: Provided that no resolution shall be deemed to be adopted by the meeting unless the same is carried by the votes of one-fourth in number or

value of the creditors who shall have proved their debts or claims.

8. Proxies shall not be recognised unless appointed by some writing under the hand of the constituent creditor, which shall be inspected by the chairman and authenticated to his satisfaction.

9. The number of votes to be assigned to, and exercised by, each creditor shall be according to the following scale:—In respect of a proved debt or claim,

Exceeding £10, and not amounting to £50	1 vote
Amounting to £50, and not amounting to £100	2 votes
Amounting to £100, and not amounting to £200	3 votes
Amounting to £200	4 votes

and so on, at the rate of one additional vote for every complete sum of £100, over and above the first £100: Provided that no creditor shall be entitled to more than twelve votes in the whole.

10. Only one of several joint creditors shall in respect of the joint debt or claim be entitled to vote and take a part in the proceedings at any meeting.

11. No creditor having any mortgage, lien, or other specific security upon any property of the debtor shall, in respect of the debt so secured, be entitled to vote or take a part in the proceedings at any meeting, unless he shall give up such mortgage, lien, or other security, for the general benefit of the creditors: Provided that where any such security shall have been realized, and shall have been insufficient to pay the debt in full, the creditor may in respect of the deficiency, and on proof thereof, be entitled to vote and take a part in the proceedings at every such meeting.

12. A chairman shall be appointed, and shall preside at every meeting, and he shall have a casting vote in addition to his original vote or votes.

13. Minutes of the proceedings of every meeting shall be taken, and shall be signed by the chairman, who shall forthwith file the same in the Supreme Court.

14. Meetings may be adjourned from time to time, and from place to place.

(Signed)

GEORGE ALFRED ARNEY, Ch. J.
ALEXANDER J. JOHNSTON, Judge.
H. B. GRESSON, Judge.
C. W. RICHMOND, Judge.

SUPREME COURT OF NEW ZEALAND.

“The Debtor’s and Creditor’s Act, 1862.”

BY virtue of the powers vested in us by “The Debtor’s and Creditor’s Act,

1862,” we, the Judges of the Supreme Court, do hereby settle the following Table of Fees and Scale of Allowances to Witnesses:—

Table of Fees.

Filing Petition for sequestration under the Act by Debtor or Creditor.....£1 0 0
And for all other proceedings the same Fees as are, or may be, payable in respect of other proceedings in the Supreme Court of the like nature.

Scale of Allowances to Witnesses.

The like allowances as are or may be payable to witnesses in civil cases in the Supreme Court.

GEORGE ALFRED ARNEY,
Chief Justice.

ALEXANDER J. JOHNSTON,
Judge,

H. B. GRESSON, Judge,

C. W. RICHMOND, Judge.

Approved in Council.

G. GREY.

New Plymouth, 2nd May, 1863.

COURT OF APPEAL.

Fees to be taken under “The Court of Appeal Act, 1862.”

UNTIL further notice, the Fees to be taken by the Registrar of the Court of Appeal shall be the same as those in the Supreme Court, in respect to similar proceedings.

GEORGE ALFRED ARNEY,
Chief Justice.

ALEXANDER J. JOHNSTON, Judge.

H. B. GRESSON, Judge,

C. W. RICHMOND, Judge.

Approved in Council.

G. GREY.

New Plymouth, 2nd May, 1863.

IN THE SUPREME COURT OF NEW ZEALAND.

REGULÆ GENERALES.—March, 1863.

BY virtue of the powers vested by law in the Judges of the Supreme Court, it is ordered by us, the Judges of the said Court, that the following General Rules shall come into and be in force on and after the first day of June, 1863:—

JUDGMENTS FOR DEFAULT OF PLEA, &c.

1. Applications and orders under Rule 307 of the General Rules of Procedure on default of plea or demurrer, may be made at the expiration of seven days after the time limited for pleading or demurring has elapsed, instead of at the expiration of

fourteen days as in the said Rule mentioned; and for the words "fourteen days," in Rules 317 and 319, the words "seven days" shall be substituted.

2. On Judgments for default of plea or demurrer, execution may be issued on the expiration of seven days after such judgment has been entered up, unless a judge shall direct that it may be issued either at an earlier, or at a later time.

3. When there is no Judge of the Supreme Court actually present at any place at which there is a Registrar or Deputy Registrar of the Supreme Court, such Registrar or Deputy Registrar shall have power to grant leave to enter up judgment on default of plea or demurrer; and the same may be entered up accordingly: Provided that execution shall not issue thereupon until the expiration of seven days after notice given to the Defendant that such judgment has been entered up pursuant to the leave granted by such Registrar or Deputy Registrar; and if the Defendant shall within such seven days find security for the amount for which execution is to be issued, to the satisfaction of the Registrar, execution shall be stayed until an application can be made by the Defendant to a Judge to set aside the Judgment: Provided also that in such last mentioned case the Plaintiff may, after notice to the Defendant, apply to the Judge for leave to issue execution.

ADMINISTRATION AND PROBATE.

4. The inventories and accounts to be filed by Executors and Administrators, shall be filed within such periods as the Judge granting Administration or Probate shall direct at the time of the granting thereof, or within such further period as a Judge on application may direct; and the conditions of Administration Bonds shall be framed accordingly.

5. Those portions of the Affidavits contained in the Schedule of forms annexed to the "Rules touching the Administration of Estates and effects of persons deceased, 1844," which relate to the filing of inventories and accounts, shall be henceforth omitted from such affidavits.

CONVEYANCING.

6. On taxation of the costs of conveyances or other assurances no fee for the drawing, settling, or preparation of such instruments shall be allowed unless the name and address of the Barrister or Solicitor who prepared the same shall be endorsed or shall appear upon the same.

GEORGE ALFRED ARNEY, Chf. J.
ALEXANDER J. JOHNSTON, Judge.
H. B. GRESSON, Judge.
C. W. RICHMOND, Judge.

Superintendent's Office,

Dunedin, 6th May, 1863.

A BSTRACT of ADVERTISEMENTS from the "Provincial Government Gazette," of this date:

NATURE OF WORK, ETC.	TENDERS TO BE LODGED BY TWELVE NOON ON
Nine different Ferries—(In this case tenders may also be lodged at the Offices of the Wardens, Dunstan, Manuherikia, Teviot, and Frankton)	1st June

By order,
JOHN LOGAN,
Clerk to Superintendent.

Superintendent's Office,

Dunedin, 13th May, 1863.

A BSTRACT of ADVERTISEMENTS from the "Provincial Government Gazette," of this date:—

NATURE OF WORK, &c.	TENDERS TO BE LODGED BY TWELVE NOON ON
Repairs, and fencing school master's residence, Waitaha.....	26th May.
To construct 160 chains and 40 links of road at Waitahuna.....	" "
Persons having claims under application for certain lands mentioned in the Gazette to call at the Land Office on or before Monday.....	1st June.

By Order,
JOHN LOGAN,
Clerk to Superintendent.

CROWN RESERVE, PELICHERT BAY.

Bounded by Harbour Terrace and Albany-street, Dunedin.

NOTICE is hereby given that the Lease for the remainder of the year ending 8th April, 1864, of sections 8, 9, and 10, in the above reserve, will be put up to auction in the Land Office on Thursday, the 21st instant, at 12 o'clock noon.

W. H. CUTTEN,
Crown Lands Commissioner.

Crown Lands Office,
Dunedin, 13th May, 1863.

SUPREME COURT, OTAGO.

NOTICE is Hereby Given, that a Sitting of the Supreme Court for the despatch of Criminal Business, will be holden at the Court House, Dunedin, on Monday the 1st day of June next, at Eleven o'clock in the forenoon, and that a sitting for the despatch of Civil Business will be holden at the Court House, aforesaid, on Monday the 15th day of June next, at Eleven o'clock in the Forenoon, at which times and place all persons under recognizance to appear as prosecutors, defendants, or witnesses, are required to give their attendance.

ROBERT CHAPMAN, Registrar.

Supreme Court Office,
Dunedin, 4th May, 1863.

N. R.—In consequence of the New Proclamation of the Otago and Southland District as a Judicial District, the proposed Civil Sitting in this month of May will not take place. Jurors summoned to sit in Civil Cases on 15th May will not now be required to attend.

POLICE DEPARTMENT,
Commissioner's Office,
Dunedin, 11th May, 1863.

MURDER.

IMPORTANT.

INFORMATION is requested concerning the name and address of a man who, on or about Monday, the 23rd of March last, wanted to purchase some flour at the tent of Joseph Smith, otherwise "Yorky" (since murdered), at Miller's Flat. The person sought for enquired the price of flour, and was told that it was sold at ten pence a pound. He expressed himself ready to take ten or twelve pounds of it.

The storeman went inside as if to procure it, but turned round and said, "Will you not take a fifty pound bag?" which the other declined to do. The storeman then said "He did not care about selling."

Should this meet the eye of the man who wanted to buy the flour on the day abovementioned, at Miller's Flat, he is earnestly requested to forward his name and address to the Commissioner of Police, Dunedin, without delay.

Dunedin, 11th May, 1863.

MURDER NOTICE.

THE Mare hereunder described, the property of Joseph Smith, otherwise John Eldon, alias Yorkey, who was recently murdered at Miller's Flat, has not yet been recovered. Notice is hereby given, that a Reward of £10 will be paid to any person who will give such information as may lead to the recovery of the said mare.

DESCRIPTION.

A dark bay mare, branded M or RM on one shoulder, near eye bone fractured in such a manner as to nearly conceal the eye.

Information to any Police Station in the Province.

WANTED a Draughtsman. Apply to the Secretary for gold fields.

TWO Surveyors are wanted for the Road Department; apply by letter, enclosing testimonials at the Road Engineer's office, Dunedin.
1st May, 1863.

**ELECTORAL DISTRICT OF GREEN ISLAND
AND CAVERSHAM.**

IN pursuance of the provisions of an Act of the General Assembly of New Zealand, intituled "The Regulation of Elections Act, 1858; and also of an Act of the aforesaid General Assembly, intituled "The Provincial Elections Act, 1858," I, John Gillies, Returning Officer for the Electoral District of Green Island and Caversham, in the Province of Otago, do hereby give notice that, by virtue of a writ bearing date the 23rd day of April, 1863, issued under the hand of His Excellency the Governor of New Zealand, an Election will be held for the Return of Two qualified persons to serve as members of the Provincial Council, of the said Province of Otago; and that the NOMINATION of Candidates will take place at Caversham on Thursday, the 21st day of May, 1863, at 12 o'clock noon; and that the poll (if necessary) will be taken on Monday, the 25th day of May, 1863.

Dated this 5th day of May, 1863.

JOHN GILLIES,
Returning Officer.

The following are the polling places for the Electoral District of Green Island and Caversham in the Province of Otago:—

The Schoolhouse at Caversham.
The Schoolhouse at Green Island.

THE ship Silistria Laving arrived from the Clyde, with a number of Assisted Immigrants, Families requiring Domestic Servants of a superior class, for town or the country, are requested to apply to the Matron of the Immigration Barracks, every lawful day between 10 a.m. and 4 p.m.
21st April, 1863.

ROAD CONTRACTORS.

TENDERS will be received at the office of his Honor the Superintendent until 12 o'clock noon, of Friday, the 29th inst., for the construction of a portion of road to the Kaikorai Quarry.

Plans and Specifications may be seen, and forms of Tenders obtained at the office of the Road Engineer, Dunedin.

By order, JOHN LOGAN,
Clerk to Superintendent.

20th May, 1863.