



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.

By His Honor's Command,
THOMAS DICK,
Provincial Secretary.

Vol. VI.]

WEDNESDAY, OCTOBER 28, 1863.

[No. 272.]

PROVINCE OF OTAGO.

REVENUE AND EXPENDITURE OF THE DEPARTMENT OF CROWN LANDS, FOR THE QUARTER ENDING 30TH SEPTEMBER, 1863.

REVENUE.	EXPENDITURE.
Deposits on Application for Rural Lands £2220 2 0	Salary of Receiver of Land Revenue, from 1st July to 30th September 1863 £12 10 0
Auction Sales—Town Lands ... 2905 14 0	Refunds—Deposits on Runs ... 20 0 0
Depasturing Licenses 197 4 0	Paid Provincial Treasurer available Balance—
Assessment on Stock 440 13 3	For month of July £3731 9 4
Timber Licenses 205 10 0	" August 2985 5 6
Quarrying Licenses 20 0 0	" September 2847 15 5
Fees on Transfer of Rural Certificates 63 0 0	9564 10 3
Fees for examining Records..... 0 5 0	Paid General Government Sub-Treasurer—
Gold Fields' Revenue—	Twenty-sixth instalment of N. Z. Co.'s Debt..... 945 0 0
Tuapeka £431 14 6	Balance on 30th September, 1863—
Waitahuna 209 7 0	Deposits on Runs 580 0 0
Dunstan 530 14 0	
Mount Benger.. 401 4 0	
Wakatip (Arrow) 1237 4 0	
Do. (Queens-town) 1558 3 6	
Manuherikia ... 64 5 0	
Dunedin Gold Office 37 0 0	
4469 12 0	
Balance on 30th June, 1863 ... 600 0 0	
£11,122 0 3	£11,122 0 3

CHAS. LOGIE,
Receiver of Land Revenue.

PROCLAMATION,
*Extending the limits of the Nokomai
Gold-Field.*

By the Honorable JOHN HYDE HARRIS,
Superintendent of the Province of
Otago.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields' Act, 1862," it is enacted that it shall be lawful for the Government 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 that whenever any District shall have been proclaimed a "Gold Field," the same shall be subject to the provisions of the said Act: And whereas by the said Act it is also enacted 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 Sections XIX, XXXI, XXXII, XXXIII, and LXI thereof, subject or not subject to any limitation or restrictions as he may think fit: And whereas by warrant or deed of delegation, given under the hand of His Excellency Sir George Grey, Knight Commander of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand aforesaid, at the Government House, at Auckland, on the fifteenth day of September last, His Excellency by and with the advice and consent of his Executive Council, and in exercise of the power and authority for that purpose in him vested, did delegate absolutely and without restriction unto me, John Hyde Harris, Superintendent of the Province of Otago, all the powers vested by the "Gold Fields' Act, 1862," in him, and in him and his Council, except the powers contained in Sections XIX, XXXI, XXXII, XXXIII, and LXI of the said Act, to have, hold, and exercise within the said Province of Otago the powers by the said Act given: And whereas on the fifteenth day of September last, I, the said Superintendent, in exercise of the powers in me vested in that behalf, did by Proclamation in the Provincial Government Gazette, constitute and appoint a certain portion of the Province of Otago to be a Gold Field under the provisions of the said Act, under the name of the "Nokomai Gold Field," and the limits of which Gold Field I did by the said Proclamation define: And whereas it has become expedient to alter the limits of the said

Nokomai Gold Field as hereinafter mentioned:—

Now therefore I, John Hyde Harris, Superintendent of the Province of Otago, by virtue of the powers delegated to me by His Excellency the Governor, under and by virtue of the "Gold Fields Act, 1862," do hereby proclaim and declare that the limits of the Nokomai Gold Field shall be extended and altered, so that all the territory hereinafter described shall be henceforth included within and shall form part of the Nokomai Gold Field under the provisions of the said Act (that is to say, All the territory commencing at the south-west corner of the Nokomai Gold Field as defined by the said Proclamation of the Fifteenth day of September last, thence by the Mataura River to the southern boundary of Run No. 193, thence east along the said boundary about four miles, thence by the watershed of the Wakaia River to the Black Umbrella Mountain, thence east along Parasol Creek to its junction with Pomahaka River, thence by the western bank of the said river to its junction with Spylaw Burn, thence by Spylaw Burn to its southern source, thence due east to the Mount Bengier Gold Field, thence by the western boundary of the said Mount Bengier Gold Field to the Dunstan Gold Field, thence by the southern boundary of the said Dunstan Gold Field to the Nokomai Gold Field, as defined by the said Proclamation of the said Fifteenth day of September last, thence by the south-eastern and southern boundaries of the said Nokomai Gold Field to the starting point: And I do Proclaim and Declare that henceforth the limits of the Nokomai Gold Field shall be the limits by which the said Gold Field is defined in the said Proclamation of the Fifteenth day of September last, together with the limits of the territory hereby declared to be within the said Nokomai Gold Field.

And I Declare that this Proclamation shall come into operation and take effect upon and after the day of the date hereof.

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

JOHN HYDE HARRIS,
Superintendent.

By His Honor's Command,

THOMAS DICK,
Provincial Secretary.

DEED OF RELEASE

*from Contract to Lease certain Ferries in
the Province of Otago held by*

HENRY HILL.

THIS DEED made the twenty-second day of October one thousand eight hundred and sixty-three Between HENRY HILL of Dunedin in the Province of Otago New Zealand and the Honorable JOHN

HYDE HARRIS Superintendent of the said Province: Whereas the said Henry Hill has at his own cost and expense constructed erected and built a Bridge across the River Clutha at or near the junction of that river with the River Kawarau and has likewise at his own cost and expense formed approaches to the said Bridge: And whereas the said Henry Hill did on or about the eighteenth day of May last make a tender to the said John Hyde Harris as Superintendent aforesaid for the leasing of nine several Ferries namely of a Ferry on the River Clutha at the Teviot Junction of a certain other Ferry on the Clutha River at the Lower Dunstan Township and of a certain other Ferry on the Manuherikia River at the Lower Dunstan Township, and of a certain other Ferry on the Clutha River at the Upper Dunstan Township and of a certain other Ferry on the Clutha River at the Kawarau Junction and of a certain other Ferry on the Kawarau River at the Clutha Junction and of a certain other Ferry on the Clutha River at a point south of the Lindis Stream and of a certain other Ferry on the Shotover River on the line of road from Arrow Town to Frankton and of a certain other Ferry on the Kawarau River below the Falls at Frankton: And whereas the said tender of the said Henry Hill was on or about the fourth day of June last accepted by the said Superintendent under and subject to certain conditions: And whereas the said Henry Hill did some time after the said acceptance enter into possession of the sites appointed for the Ferry Houses and necessary buildings for the said Ferries and did build at the Clutha Bridge or Ferry Kawarau Junction a Ferry House and at the Lower Dunstan a certain other Ferry House and has made constructed and built at the places appointed for the said nine Ferries hereinbefore mentioned certain landing stages and approaches: And whereas after the acceptance of the said contract by the said Superintendent it appeared to him the said Superintendent necessary and proper for the benefit of the public to reduce the rate of some of the tolls authorised by law to be taken at the said nine Ferries: And whereas the said reduction of tolls and other circumstances have caused the said Henry Hill to apply to the said Superintendent for a cancellation of and release from the said contract to lease the said nine Ferries: And whereas upon the said application it has been agreed by and between the said Henry Hill and the said Superintendent that the said Henry Hill should be released by the said Superintendent from his said contract to lease the said nine Ferries and should receive from and be paid by the said Superintendent the sum of three thousand pounds out of the Revenues of the Province of Otago upon and in consideration of the

said Henry Hill making and executing to the said Superintendent and his successors a full release and discharge of and from the said contract or agreement between the said Henry Hill and the said Superintendent to lease to him the said Henry Hill the said nine Ferries and upon and in consideration of the said Henry Hill assigning to the said Superintendent all the right title and interest of the said Henry Hill of to and out of the said Bridge at the Kawarau Junction and the approaches thereto and the said Ferry House at the Kawarau Junction and the said Ferry House at the Lower Dunstan and all the right title and interest of him the said Henry Hill of in to and out of all buildings of any kind whatever approaches landing stages and any other improvement of any kind whatever by him the said Henry Hill built made or constructed at or upon any of the sites appointed for the said nine Ferries or at any place under and by virtue of the said contract: Now this Deed Witnesseth that for and in consideration of the premises and of the sum of three thousand pounds paid by the said Superintendent to the said Henry Hill the receipt of which the said Henry Hill doth hereby acknowledge and of and from the same doth acquit release and discharge the said Superintendent and his successors He the said Henry Hill doth hereby assign and release to the said Superintendent and his successors the said Bridge built by the said Henry Hill across the River Clutha at the Junction of Kawarau River and the approaches thereto and the Ferry House at the said Bridge and the Ferry House at the Lower Dunstan and all buildings approaches landing stages improvements of every kind whatever built erected made or constructed by the said Henry Hill at and upon all and every of the sites appointed for the said Ferries or at or upon any other places or sites on which the said Henry Hill may have made built erected or constructed any buildings erections landing stages or improvements under the said contract in lieu or instead of the sites appointed for the said Ferries: And all the right title claim and interest property and claim of every kind whatever both at law and in equity of him the said Henry Hill of in to or out of the said Bridge Ferry Houses approaches buildings erections landing stages improvements and premises or any of them or any part thereof To have and to hold the said Bridge and approaches and Ferry Houses and approaches landing-places buildings improvements and premises unto the said Superintendent and his successors absolutely and as his and their own property: And the said Henry Hill for himself his heirs executors and administrators, covenants with the said Superintendent and his successors in manner following that he

the said Henry Hill is the owner of the said Bridge and approaches Ferry Houses landing-places erections buildings improvements and premises and that he now hath in himself the good right full power and lawful authority to assign transfer and release the said Bridge and approaches the Ferry Houses approaches landing-stages buildings improvements and premises hereinbefore assigned transferred or released or expressed or intended so to be and all and every part thereof unto the said Superintendent and his successors: And that he hath not at any time heretofore assigned transferred or disposed of or agreed to transfer assign or dispose of the said Bridge and approaches Ferry Houses landing-places buildings erections improvements or premises hereby assigned or any part thereof: And further that he the said Henry Hill his executors and administrators shall and will upon the request of the said Superintendent and his successors and at any time or times hereafter do and execute or cause to be done and executed all such further and other acts matters deeds and assignments whatsoever for the further and more perfectly and absolutely assigning transferring and releasing the said Bridge and approaches Ferry Houses landing places approaches buildings and premises to the said Superintendent and his successors: And this Deed further Witnesseth that in consideration of the premises he the said Henry Hill doth hereby remise acquit release and discharge the said John Hyde Harris personally his heirs executors and administrators and the said John Hyde Harris as Superintendent of the Province of Otago and his successors and the Revenues of the Provincial Government of Otago of and from the said contract or agreement to grant leases of the said nine Ferries and any of them to the said Henry Hill or his executors administrators or assigns: And of and from the performance of the said contract and every part thereof and of and from all and every breach of the said contract (if any) before now made done or committed by the said Superintendent or by any person for whose acts he the said John Hyde Harris personally or as Superintendent or his successors are or might be answerable: And of and from all actions suits damages accounts reckonings claims and demands whatsoever for or on account of the said contract or the cancellation thereof or any breach or breaches thereof or for or on account or in respect of any matter or thing whatsoever by him the said John Hyde Harris personally or as Superintendent of Otago made done or permitted neglected or omitted: In witness whereof the said Henry Hill hath hereto set his hand and seal and the said John Hyde Harris hath hereto set his hand and caused

the Public Seal of the Province of Otago to be affixed hereto.

HENRY HILL.
J. HYDE HARRIS.

Signed, Sealed, and Delivered
by the above-named Henry
Hill and John Hyde Harris
in the presence of

JOHN LOGAN,
Secretary to the said Superintendent.

ADDRESS OF HIS HONOR THE SUPERINTENDENT when Proroguing the PROVINCIAL COUNCIL, 7th October 1863.

Mr SPEAKER and GENTLEMEN of the Provincial Council—

I HAVE to thank you for the zeal and continuous application which have characterized the discharge of your duties throughout the present Session, and for the supplies which you have voted for the Public Service.

In addition to the Bill intituled, the "Executive Council Amendment Ordinance, 1863," to which I have already assented on behalf of the Governor, I now in like manner assent to the following Bills:

- Bread Ordinance, 1863.
- The Lake Steam Navigation Ordinance, 1863.
- Vaccination Ordinance, 1863.
- The Distress Ordinance, 1863.
- The Superintendent's Incorporation Ordinance, 1863.
- Kerosene and Paraffin Oils Ordinance, 1863.
- Town and Country Police Ordinance Extension and Amendment Ordinance, 1863.
- Watermen's Licensing Ordinance, 1863.
- The Dunedin Waterworks Company Guaranteed Interest Ordinance, 1863.
- Otago Dock Companies Guaranteed Interest Ordinance, 1863.
- Otago Loan 1862 Coupons Signature Ordinance, 1863.
- Appropriation Ordinance, 1863-4.
- Sunday Observance Ordinance, 1863.

The following Bills which you have passed, I have reserved for the signification of the Governor's pleasure thereon:—

- The Port of Otago Marine Board Ordinance, 1863.
- Otago Representation Ordinance 1862 Amendment Ordinance, 1863.
- Mechanics' Institute Reserve Ordinance, 1863.

And to the Bills intituled

The Dunedin Building Ordinance 1862
Amendment Ordinance, 1863; and
The Town Roads and Streets Ordinance,
1863;

I deem it necessary to withhold the assent
of the Governor.

The Resolutions which you have adopted
on various important subjects will, during
the recess, receive the careful consideration
of the Government.

I have now the pleasure to relieve you
from your legislative duties, and I declare
the Provincial Council of Otago to stand
prorogued until Thursday, the 24th day of
March, 1864, unless special circumstances
require it to be assembled at an earlier
date.

JOHN HYDE HARRIS,
Superintendent.

Dunedin, 7th October, 1863.

*Messages to the Provincial Council of the
Province of Otago.*

MESSAGE, No. 13.

THE Superintendent intimates that he
has this day assented to the "Execu-
tive Council Amendment Bill, 1863."

JOHN HYDE HARRIS,
Superintendent.

Dunedin, 17th September 1863.

MESSAGE No. 21.

THE SUPERINTENDENT observes
that the alterations recommended by
him in Message No. 11 of date 14th Sep-
tember ultimo, to be made in the "Dune-
din Building Ordinance, 1862, Interpreta-
tion Bill, 1863" are considered to exceed
what may be fairly termed amendments,
and contain all the ingredients of a new
measure.

The opinion of the Provincial Solicitor
being that alterations to the extent recom-
mended are desirable, the most convenient
course for adoption appears to be for the
Superintendent to withhold the Governor's
assent to the Bill as passed by the Council,
and transmit for their consideration the
Draft of a new Ordinance.

The Superintendent accordingly inti-
mates to the Council that he withholds the
assent of the Governor to the "Dunedin
Building Ordinance, 1862, Interpretation
Bill, 1863," passed by them on the 21st of
August last, and, at the same time, trans-
mits for their consideration the draft of a
Measure intituled "The Dunedin Building
Ordinance 1862 Amendment Ordinance,
1863."

JOHN HYDE HARRIS,
Superintendent.

Dunedin, 2nd Oct., 1863.

Provincial Secretary's Office,
Dunedin, 7th Oct., 1863.

THE following Bills were passed by the
Provincial Council of the Province of
Otago, in the seventeenth Session thereof,
and assented to by His Honor the Super-
intendent on behalf of the Governor, the
first-mentioned on the 17th September and
the others on the 7th October.

The Executive Council Amendment
Ordinance, 1863.

The Bread Ordinance, 1863.

The Lake Steam Navigation Ordinance,
1863.

Vaccination Ordinance, 1863.

The Distress Ordinance, 1863.

The Superintendent's Incorporation
Ordinance, 1863.

Kerosene and Paraffine Oils Ordinance,
1863.

Town and Country Police Ordinance
Extension and Amendment Ordinance,
1863.

Watermen's Licensing Ordinance, 1863.

The Dunedin Waterworks Company
Guaranteed Interest Ordinance, 1863.

Otago Dock Companies Guaranteed
Interest Ordinance, 1863.

Otago Public Buildings Loan 1862,
the Otago Harbour Loan 1862, and the
Otago Loan 1862 Coupons' Signature
Ordinance, 1863.

Appropriation Ordinance, 1863-4.

Sunday Observance Ordinance, 1863.

The following Bills passed in the said
Session of the said Council were reserved
on the date after-mentioned for the signifi-
cation of the Governor's pleasure thereon:

The Port of Otago Marine Board Bill—
7th October 1863.

The Otago Representation Ordinance
1862 Amendment Bill, 1863—7th Octo-
ber 1863.

The Mechanics' Institute Reserve Bill,
1863—7th October 1863.

And to the Bills after-mentioned, passed
by the said Council in the said Session, the
assent of the Governor was withheld on
the dates after-mentioned:—

The Dunedin Building Ordinance 1862
Interpretation Bill, 1863—2nd October
1863.

The Dunedin Building Ordinance 1862
Amendment Bill, 1863—7th October 1863.

The Town Roads and Streets Bill, 1863
—7th October 1863.

THOMAS DICK.

Provincial Secretary.

POLICE FORAGE.

Provincial Secretary's Office,

Dunedin, 26th October, 1863.

TENDERS will be received at this Office
till noon of 5th November 1863, for
supplying the Police Stations after-

named with Forage for the ensuing Six Months, commencing on the 1st November 1863.

	Oats.	Bran.	Hay.	Straw.
Dunedin,	80 bush.	15 bush.	24 tons.	1 ton.
W. Taieri,	60 "	13 "	2½ "	½ "
Blueskin,	15 "	9 "	1½ "	"

Full particulars, with forms of Tender, may be obtained on application to the officer in charge of the District at either of the above Stations.

THOMAS DICK,
Provincial Secretary.

NOTICE.

Provincial Secretary's Office,
Dunedin, 27th Oct., 1863.

HIS HONOR THE SUPERINTENDENT has directed it to be notified, that from and after the 1st of November next the office hours at the various Public Offices will commence at 9 a.m.

THOMAS DICK,
Provincial Secretary.

Provincial Treasury,
Dunedin, 19th October 1863.

HIS HONOR THE SUPERINTENDENT directs it to be notified that he has been pleased to appoint

Mr. JOHN NICKLIN MERRY

to be Storekeeper at the Dunedin Hospital, *vice* Mr. Henry Smith resigned.

JOHN L. GILLIES,
Provincial Treasurer.

NOTICE.

THE Reserve placed upon a portion of Section No. 21, Block 4, Otakia, has been withdrawn.

W. H. CUTTEN,
Chief Commissioner.

Waste Land Board Office,
23rd October 1863.

TENDERS will be received at the Office of the Secretary of Public Works till noon of Tuesday, the 10th November, for the erection of the Middle and South Dunedin Schools.

Plans and Specifications may be seen at the office of the Provincial Engineer.

GEORGE DUNCAN,
Secretary of Public Works
Dunedin, 26th October, 1863.

EXHIBITION BUILDING.

THE Provincial Government require Tenders for the erection of a Building for the New Zealand Industrial Exhibition, 1865.

Tenders will be received at the Public Works Office, Dunedin, on or before Thursday, 26th November, 1863.

Plans and Specifications may be seen at the Office of William Mason, Esq., Belgrave Chambers.

GEORGE DUNCAN,
Secretary of Public Works.

Public Works Office,
Dunedin, October 27th, 1863.

TENDERS will be received at the Office of the Secretary of Public Works, until noon of Tuesday, the 24th of November, for the erection of the undermentioned Toll Houses and Gates.

Plans and Specifications may be seen and Forms of Tender obtained at the Office of the Provincial Engineer.

SCHEDULE.

1. At Town Belt, Dunedin, on Main South Road.
2. At Junction of East and West Taieri Roads.
3. At Lower Taieri Bridge.
4. At Junction of Clarendon and Main South Roads.
5. At Junction of Tuapeka and Main South Roads.
6. At West Taieri Bridge.
7. At the Water of Leith.

GEORGE DUNCAN,
Secretary of Public Works.
Dunedin, 27th Oct., 1863.

TENDERS will be received at the Office of the Secretary of Public Works until noon of Tuesday, the 1st of December, for the Supply, Delivery, Erection, and Maintenance of Telegraphic Posts between the Mataura and the Waitaki Rivers. The above distance is divided into four (4) sections, for which separate Tenders will be received.

Plans and Specifications may be seen at the Office of the Provincial Engineer.

GEORGE DUNCAN,
Secretary of Public Works.

IMPOUNDED on the 16th day of October, 1863, by Constable Rooney, one Bay Mare, brand DB on back; one Bay Mare, brand HS near shoulder; one Roan Mare, brand S near shoulder, owner unknown, for trespassing on Princes-street. In default of being released, the above cattle will be sold at the Public Pound,

Dunedin south, on the eleventh (11th) day of November, 1863, at twelve o'clock noon.

JOHN BARR,
Poundkeeper of the South Dunedin Pound.

IMPOUNDED on the 24th day of October, 1863, by Constable Cruikshanks, one Black Horse, with a white streak on its forehead, brand C on the near shoulder, owner unknown, for trespassing on Princess-street south. In default of being released, the above horse will be sold at the Public Pound, South Dunedin, on the eighteenth (18th) day of November, 1863, at twelve o'clock noon.

JOHN BARR,
Poundkeeper of the South Dunedin Pound.

LIST OF PERSONS APPLYING FOR RELIEF UNDER "THE DEBTORS AND CREDITORS ACT, 1862."

ALEXANDER McNEILL, of Dunedin, in the Province of Otago, Miner, a prisoner for debt in Her Majesty's Gaol at Dunedin.

THOMAS CARROLL, of High-street, Dunedin, Livery Stable-keeper, a debtor, not in custody.

JOHN DUNCAN, of Dunedin, Master Mariner, a prisoner for debt in Her Majesty's Gaol at Dunedin.

GEORGE LEOPOLD MORTON, of Dunedin, Engineer, a prisoner for debt in Her Majesty's Gaol at Dunedin.

ROBERT BLAKE, of Dunedin, lately a Licensed Victualler, now a prisoner for debt in Her Majesty's Gaol at Dunedin.

JAMES SMITH, of Dunedin, late a Livery-stable Keeper, a debtor, not in custody.

IN THE SUPREME COURT OF NEW ZEALAND, OTAGO AND SOUTH-LAND DISTRICT.

In the matter of the Petition of ALEXANDER McNEILL of Dunedin, in the Province of Otago, Miner, now a prisoner for Debt in Her Majesty's Gaol at Dunedin; and in the matter of "The Debtors and Creditors Act, 1862."

NOTICE is hereby given, that His Honor Mr. Justice Richmond has appointed Monday, the 23rd day of November next, at 10 o'clock in the forenoon, at the Court-house, Dunedin, for hearing the Petition of the above-named Alexander McNeill.

ROBERT CHAPMAN,
Registrar.
Supreme Court Office,
Dunedin, 14th October, 1863.

IN THE SUPREME COURT OF NEW ZEALAND, OTAGO AND SOUTH-LAND DISTRICT.

In the matter of the Petition of THOMAS CARROLL, of High-street, Dunedin, Livery-stable Keeper, a debtor not in custody; and in the matter of the "Debtors and Creditors Act, 1862."

NOTICE is hereby given, that His Honor Mr. Justice Richmond has appointed Monday the 23rd day of November next, at ten o'clock in the forenoon, at the Court-house, Dunedin, for hearing the Petition of the above-named Thomas Carroll; and also granted interim protection to the person and estate of the said Thomas Carroll until and during the said 23rd day of November next.

ROBERT CHAPMAN,
Registrar.
Supreme Court Office,
Dunedin, 17th October, 1863.

IN THE SUPREME COURT OF NEW ZEALAND, OTAGO AND SOUTH-LAND DISTRICT.

In the matter of the Petition of JOHN DUNCAN, of Dunedin, Master Mariner, a prisoner for debt in Her Majesty's Gaol at Dunedin; and in the matter of the "Debtors and Creditors Act, 1862."

NOTICE is hereby given, that His Honor Mr. Justice Richmond has appointed Monday the 23rd day of November next, at ten o'clock in the forenoon, at the Court-house, Dunedin, for hearing the Petition of the above-named John Duncan.

ROBERT CHAPMAN,
Registrar.
Supreme Court Office,
Dunedin, 19th October, 1863.

IN THE SUPREME COURT OF NEW ZEALAND, OTAGO AND SOUTH-LAND DISTRICT.

In the matter of the Petition of GEORGE LEOPOLD MORTON, of Dunedin, in the Province of Otago, Master Mariner, a prisoner for debt in Her Majesty's Gaol at Dunedin; and in the matter of the "Debtors and Creditors Act, 1862."

NOTICE is hereby given, that His Honor Mr. Justice Richmond has appointed Monday, the 23rd day of November next, at ten o'clock in the forenoon, at the Court-house, Dunedin, for

hearing the Petition of the above-named George Leopold Morton.

ROBERT CHAPMAN,
Registrar.

Supreme Court Office,
Dunedin, 19th October, 1863.

IN THE SUPREME COURT OF NEW
ZEALAND, OTAGO AND SOUTH-
LAND DISTRICT.

In the matter of the Petition of ROBERT BLAKE of Dunedin, in the Province of Otago, lately a licensed victualler, now a prisoner for debt in Her Majesty's Gaol at Dunedin; and in the matter of "The Debtors and Creditors Act, 1862."

NOTICE is hereby given that His Honor Mr. Justice Richmond has appointed Monday, the 23rd day of November next, at the hour of 10 o'clock in the forenoon, at the Court-house, Dunedin, for hearing the Petition of the above-named Robert Blake.

ROBERT CHAPMAN,
Registrar.

Supreme Court Office,
Dunedin, 17th October, 1863.

IN THE SUPREME COURT OF NEW
ZEALAND, OTAGO AND SOUTH-
LAND DISTRICT.

In the matter of the Petition of JAMES SMITH, of Dunedin, late a Livery-Stable Keeper; and in the matter of "The Debtors and Creditors Act, 1862."

NOTICE is hereby given that His Honor Mr. Justice Richmond has appointed Monday, the 23rd day of November 1863, at the hour of 10 o'clock in the forenoon, at the Court-house, Dunedin, for hearing the Petition of the above-named James Smith; and also granted interim protection to the person of the said James Smith until the said 23rd day of November next.

ROBERT CHAPMAN,
Registrar.

Supreme Court Office,
Dunedin, 16th October, 1863.

[From the New Zealand Gazette, Sept. 15, 1863.]

A PROCLAMATION

Intimating Her Majesty's assent to a certain Bill passed by the General Assembly.

By His Excellency Sir GEORGE GREY,
Knight Commander of the Most
Honorable Order of the Bath,

Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act passed in the Session of Parliament held in the fifteenth and sixteenth years of Her Majesty's reign, entitled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New Zealand until the Governor of the said Colony shall signify by speech or message to the Legislative Council and House of Representatives of the said Colony, or by Proclamation, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same:

And whereas a certain Bill passed by the Legislative Council and House of Representatives of the said Colony, intituled "An Act to amend and consolidate the Law relating to Gold Fields," was presented to the Governor of the said Colony for Her Majesty's assent, and the said Bill was reserved for the signification of Her Majesty's pleasure thereon:

Now therefore, I, Sir GEORGE GREY, the Governor of New Zealand, in pursuance of the provisions of the said in part recited Act, do by this Proclamation signify and proclaim to all whom it may concern, that the said Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same.

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September, in the year of our Lord, One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,

ALFRED DOMETT.

GOD SAVE THE QUEEN.

Delegation of the Governor's powers under the "Gold Fields Act, 1862," to the Superintendent of Otago.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1862, 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 sections nineteen, thirty-one, thirty-two, thirty-three, and sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers:

Now therefore I, Sir GEORGE GREY, 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 this purpose in me vested, Do hereby delegate unto

JOHN HYDE HARRIS, Esq.,

as Superintendent of the Province of Otago, all the powers vested in me under or by virtue of the "Gold Fields Act, 1862," except the powers contained in sections nineteen, thirty-one, thirty-two, thirty-three, and sixty-one of the said Act, to have, hold, and exercise within the Province of Otago, the said powers hereby given the said John Hyde Harris, so long as he shall continue and remain Superintendent of the said Province, and no longer:

Provided always, that copies of all Rules and Regulations, made under the Delegation aforesaid, shall be forthwith transmitted to the Colonial Secretary, in order that the same may be laid before the General Assembly, in accordance with the provisions of the sixty-third clause of the "Gold Fields Act, 1862."

Given under my hand at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this fifteenth day of September, in the Year of our Lord, One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,
ALFRED DOMETT.

ORDER IN COUNCIL.

Costs of management of Otago Gold Fields to be regulated by Acts of Provincial Council.

G. GREY,
Governor.

At the Government House, at Auckland, the fifteenth day of September, 1863.

Present:—His Excellency the Governor in Council.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1862" 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 sections nineteen, thirty-one, thirty-two, thirty-three, and sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers.

And whereas it is further provided that whenever the Governor shall have delegated to the Superintendent of any Province all or any of the aforesaid powers, it shall be lawful for the Governor, by Order in Council, to appoint and declare that all the costs, charges, and expenses incident to the management and administration of the Gold Fields within such Province shall be regulated by Acts or Ordinances to be passed by the Superintendent and Provincial Council of such Province.

And whereas by an instrument in writing of even date herewith, issued under the Seal of the Colony, the Governor, with the advice and consent of the Executive Council of the Colony, and in exercise of the before recited power, hath delegated unto John Hyde Harris, Esquire, as Superintendent of the Province of Otago, in the said Colony, all the aforesaid powers, excepting those before recited to be excepted, to hold and exercise the said powers within the Province of Otago aforesaid;

Now, therefore, His Excellency the Governor, in pursuance and exercise of the power and authority for this purpose by the said Act conferred, Doth hereby, with the advice and consent of the Executive Council of the Colony, appoint and declare that all the costs, charges, and expenses incident to the management and administration of the Gold Fields within the Province of Otago shall be regulated by Acts to be passed by the Superintendent and Provincial Council of the said Province.

FOSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL,

Constituting Wardens' Courts within the Otago Gold Fields.

G. GREY,
Governor.

At the Government House, at Auckland, 15th day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR
IN COUNCIL.

WHEREAS by the "Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from

time to time to constitute for any Gold Field, or for any part thereof, Wardens' Courts for the administration of justice therein, and to appoint Wardens as Judges of such Courts, with power to act alone, or with Assessors or Juries, and in such manner, and to exercise all or any of the powers thereafter mentioned as the Governor shall think fit to direct ;

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, doth hereby constitute for the respective parts or districts after-mentioned of the Gold Fields of the Province of Otago, Wardens' Courts, for the administration of justice within the said districts respectively, that is to say :—

For the district known as GABRIEL'S DISTRICT.

For the district known as WAITAHUNA DISTRICT, including Waipori and the Woolshed.

For the district known as the DUNSTAN DISTRICT.

For the district known as the NOKOMAI DISTRICT.

For the district known as the MOUNT BENDER DISTRICT.

FOSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL,

Appointing Wardens within the Otago Gold Fields.

G. GREY,
Governor.

At the Government House, at Auckland, the 15th day of September, 1863.

Present :—

HIS EXCELLENCY THE GOVERNOR
IN COUNCIL.

WHEREAS by the "Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from time to time to constitute for any Gold Field, or for any part thereof, Wardens' Courts for the administration of justice therein, and to appoint Wardens as Judges of such Courts, with power to act alone or with Assessors or Juries, and in such manner, and to exercise all or any of the powers thereafter mentioned as the Governor shall think fit to direct.

And whereas by an order in Council of even date herewith there have been constituted for certain districts of the Gold Field of the Province of Otago Wardens' Courts, for the administration of justice within the said districts respectively :

Now, therefore, His Excellency the Governor with the advice and consent of the

Legislative Council of New Zealand, doth hereby appoint the persons under-mentioned, being Justices of the Peace and Resident Magistrates, that is to say :—

EDWARD CROKER, Esq.
CHARLES WORTHINGTON, Esq.
JOHN NUGENT WOOD, Esq.
RICHMOND BEETHAM, Esq.
HENRY WIRGHAM ROBINSON, Esq.
ALEXANDER JAMES WILLIS, Esq.
JOHN SMITH HICKSON, Esq.
CHARLES WILLIAMSON, Esq., and
EDWARD HARDCASTLE, Esq.,

to be Wardens and Judges of all Wardens' Courts now or hereafter to be constituted, with power to them and each of them to act alone or with Assessors or Juries, and in such manner, and to exercise all or any of the powers mentioned in the 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, and 30th Sections of the "Gold Fields Act, 1862," as the Governor shall think fit to direct.

FOSTER GORING,
Clerk of Executive Council.

ORDER IN COUNCIL,

Fixing Wardens' Court Rules for the Province of Otago.

G. GREY,
Governor.

At the Government House, at Auckland the fifteenth day of September, 1863.

Present :—

HIS EXCELLENCY THE GOVERNOR IN
COUNCIL.

WHEREAS, by the "Gold Fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from time to time to make, alter, and revoke Rules regulating the procedure and practice in the Courts to be established under the said Act, and in cases of appeal therefrom, and also to fix the fees to be taken in respect of proceedings therein :

Now, therefore, His Excellency the Governor, by and with the advice and consent of his Executive Council, Doth hereby order that the rules and fees, respectively set forth in the Schedule hereunto annexed, shall be the Rules regulating the procedure and practice in the Wardens' Courts, within the Province of Otago, and in cases of appeal therefrom, and shall be the fees to be taken in respect to proceedings therein.

FOSTER GORING,
Clerk of the Executive Council

WARDEN'S COURT.

RULES.

ANALYSIS.

- Secs.
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 2. Interpretation of words in Rules.
 3. Time and place of holding Courts. Adjournments.
 4. The Clerk of Court.
 5. Clerk's Deputy.
 6. Clerk's Duties.
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 8. His duties.
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 10. Officers of Court not to practice in the Court.
 11. Action to be commenced by a complaint and summons.
 12. Names, &c., of parties to be set forth in complaint and summons.
 13. Grounds of action to be briefly set forth in complaint and summons.
 14. Summons may be issued in certain cases against a party out of jurisdiction.
 15. Service of summons.
 16. Service to be made by the Bailiff or other person authorised.
 17. Summons of witnesses.
 18. Parties to be heard in open Court. Adjournment of hearing.
 19. Procedure if complainant do not appear.
 20. Procedure if defendant do not appear.
 21. Re-hearing.
 22. Procedure if both parties appear.
 23. View.
 24. The Judge to be sole Judge, except in cases where Assessors or Jurors are appointed.
 25. The Assessors or Jurors to consist of four persons of full age.
 26. Summons to Assessors or Jurors.
 27. Assessors or Jury List, how to be made and Jury chosen.
 28. Number to be summoned.
 29. Mode of service of Summons.
 30. Jury to be reduced to four by challenge.
 31. Jury to be sworn.
 32. Payment to Jurors.
 33. Procedure if either party refuse to challenge Jury.
 34. The evidence on the trial to be only of the causes of action or defence.
 35. Verdict.
 36. Judgment upon verdict.
 37. Minute of every decision to be entered by Judge in a book.
 38. Injunctions.
 39. Costs.
 40. Judge to direct what number of Witnesses to be allowed.
 41. Costs of Witnesses to be at discretion of Judge.

42. Costs to Complainant's Solicitor.
43. Costs to Defendant's Solicitor.
44. Court may order payment by instalments of sums of money for which judgment given.
45. Mode of enforcing decrees of Court.
46. Defects and errors may be amended.
47. Fees.
48. Pre-payment of Fees.
49. Appeal.
50. Judge may make additional Rules. Schedule of Forms.

WARDENS' COURTS.

RULES FOR REGULATING THE PROCEDURE AND PRACTICE OF WARDENS' COURTS WITHIN THE PROVINCE OF OTAGO.

1. The Schedule of Forms and Scale of Fees hereunto annexed shall form part of these Rules.
2. In construing these Rules and Forms, the following terms, in inverted commas, shall bear the several meanings set against them respectively:
 - "The Act." The Gold Fields Act, 1862. (26 Victoria, No. 21.)
 - "Clerk," "Bailiff." The Clerk, Bailiff, or person duly appointed and authorised to act as such respectively.
 - "Oath" shall include affirmation.
- Words importing the masculine gender only shall include females; and importing the singular number shall be extended to the plural number.
3. Every Warden's Court shall be holden at such place and times as the Judge shall appoint, and he may from time to time adjourn the Court.
4. There shall be for every Warden's Court a Clerk, who shall be appointed by and hold office during the pleasure of the Governor or the Superintendent, or other person duly delegated by the Governor to exercise such power under the Act.
5. It shall be lawful for the Judge of the Court to appoint a Deputy to act for the Clerk as often as he shall be prevented by illness or other cause from acting in his office, and an entry of such appointment; and the cause of the Clerk's absence, shall be made in the Minute Book of the Court.
6. The Clerk of Court shall issue all Summonses, Warrants, and Writs of Execution, keep an account of all proceedings, take charge of and keep an account, in a book to belong to the Court, of all fees and fines payable or paid into Court, and of all monies paid into and out of Court, adjourn the Court to any day he may deem convenient when from any cause a Court cannot be held on the day appointed, and shall do and perform all other acts and duties properly incident to the office of Clerk.

7. There shall also be a Bailiff of Court, who shall be appointed by and hold office during the pleasure of the Judge thereof.

8. The Bailiff shall attend the sittings of the Court, unless when his absence shall be allowed by the Judge, and shall, when required, serve all Summonses and Orders, and execute all the Warrants and Writs issued out of the Court, and in other respects shall be subject to the directions of the Judge.

9. The parties in every Complaint, Action, and Proceeding shall appear and act personally or by a Barrister or Solicitor of the Supreme Court, and not otherwise, unless under special circumstances the Judge permits any party to appear by an agent, not being a Barrister or Solicitor.

10. No officer of the Court shall, either by himself or by any partner or person in his employment, be directly or indirectly engaged as Counsel, Attorney, or Agent for any party in any proceeding in the Court.

11. Every action shall be commenced by a complaint and summons in the form or to the effect in the Schedule hereto annexed.

12. In the Complaint and Summons there shall be set forth the Christian and Surname and place of abode and calling and description of the Complainant, and likewise of the Defendant; but when the Christian and Surname of the latter are not known, he may be designated by any name or names which he may have acquired by usage or reputation.

13. In every Complaint and Summons there shall be set forth briefly but distinctly and explicitly the ground or cause of complaint; and if there be more than one ground or cause of complaint, each shall be stated substantively, and consecutively numbered, and there shall also be set forth the recovery or relief claimed.

14. Such Summonses may be issued against any Defendant residing or being without the District within which the Court has jurisdiction (but not out of the Province) provided it clearly appear from the complaint that the cause of action is otherwise within the jurisdiction of the Court.

15. The service of any Summons shall be by delivering a copy of the same to the Defendant (or if more than one, to each of them) personally; or if he cannot be found, by leaving such copy at his place of abode; or in case of co-partners, at the claim, station, or other place of business of the firm.

16. The Summons may be served by the Bailiff or by any other person whom the Court may authorise, and he shall by a certificate under his hand certify the time and mode of such service, to be en-

dorsed on the Summons, without prejudice to the Judge taking proof thereof by oath if he think fit.

17. Either party may obtain from the Clerk of Court Summonses to Witnesses, to be served at the option of such party either by himself as his agent, or by the Bailiff of the Court, with or without a clause requiring the production of books and writings in their possession or under their control.

18. The parties shall be heard in open Court upon the day appointed, but the Judge may adjourn the hearing of any cause in such manner and on such terms, as to payment of costs or otherwise, as to him may seem fit.

19. If the Complainant do not appear at the time appointed, and good cause for his absence be not shown, the Judge shall dismiss the complaint, and award a sum to the Defendant as costs, or adjourn the hearing of the same.

20. If the Defendant do not appear, the Court may either hold him as confessed, and give judgment accordingly, or institute such inquiry into the cause of action as may be deemed necessary, and thereupon pronounce such decision as may be consistent with the ends of justice, either alone or with the assistance of Assessors or Jurors.

21. Whenever the Court shall make a Decree, in the absence of any party interested in the subject matter of the suit, binding the rights of such party, the Judge may in his discretion, at the same or any subsequent Court, set aside such Decree, or any part thereof, and grant a rehearing of the suit upon such terms, if any, as to payment of costs, giving security or otherwise as he may think fit, on sufficient cause shown for that purpose.

22. When both parties appear, and from the nature of the cause or the conflicting statements of the parties it shall be necessary to take evidence, either party may before, but not after, any evidence is taken, move that the cause be tried with the assistance of Assessors or Jurors.

23. If from the nature of the case (e.g. an encroachment on an unlawful or injurious operation) the Court deem it necessary to repair to the spot, and there on view investigate and determine the matter, the Court may proceed forthwith, or appoint a time for that purpose, and order the parties and witnesses then and there to attend.

24. In all actions brought before the Court, the Judge shall be sole Judge, unless he think fit to take the assistance of Assessors or Jurors, or unless either of the parties shall move that the complaint be tried by Assessors or Jurors, and shall pay

into Court the costs for the summoning and attendance of the Assessors or Jurors.

25. The Assessors or Jurors shall consist of four persons of full age and good repute, who may be selected by the parties in the cause, from indifferent persons present in Court, if the said parties concur in this mode of proceeding. If they do not so concur, the trial shall be adjourned to another day, to be then fixed.

26. The Clerk of Court shall thereupon cause to be summoned twelve Assessors or Jurors residing within the district, for the trial of the cause upon the day appointed.

27. The Assessors or Jurors so summoned shall be chosen from time to time in alphabetical order, as their names shall appear in the Jury List for the district, which List shall be yearly, or oftener if he think proper, prepared by the Judge of the Court, and shall contain the names of all men residing within the jurisdiction of the Court, being holders of Miners' Rights or Business Licenses.

28. It shall not be necessary to summon more than twelve Assessors or Jurors to attend any one sitting of the Court, and those summoned for the trial of any one cause shall be deemed to have been summoned for the trial of all causes to be tried at the same sittings of the Court with the assistance of Assessors or Jurors.

29. Every summons of an Assessor or Juror shall be served on him personally, or by leaving the same at his ordinary place of abode, at least one clear day before the sitting of the Court.

30. When the Assessors or Jurors shall be in attendance, if their number shall be odd, the Clerk shall strike off one, and the number being even, the complainant and defendant alternately shall each strike off one until the number be reduced to four.

31. The four thus remaining shall be empannelled and sworn to give their verdict in the cause to be brought before them.

32. Every such Juror thus empannelled shall be entitled to receive from the Clerk of the Court the sum of ten shillings, and the expense thereby incurred shall be costs in the cause.

33. If either party shall neglect or refuse to strike the Jury as above provided, or if the defendant shall be absent, it shall be lawful for the Clerk of the Court to strike the Jury instead of such neglecting, refusing, or absent party.

34. No evidence shall be given by either party on the trial of any case, except such evidence as may be material to the right of action, or to the defence.

35. It shall not be necessary that the Assessors or Jurors give an unanimous

verdict, but judgment shall be entered up in pursuance of the verdict of the majority.

36. Every judgment entered up in pursuance of the verdict of a Jury shall have the same force and effect as if such judgment were entered in pursuance of the determination of the judgment of the Court alone.

37. A minute of every decision shall be entered by the Judge, in a book to be kept for that purpose, and shall be signed by the persons, whether Assessors or Jurors, who concur in making such decision, and no formal order shall be necessary, and a copy of such minute shall, on demand, be given to any of the parties interested therein.

38. It being competent to the Court, whenever it shall seem fit, to order the working of any miner's claim, affected by any matter in dispute brought before the Court, to be suspended until such matter shall have been investigated and adjudicated upon, if in any complaint there shall be set forth sufficient grounds, in the opinion of the Court, for an interim order or injunction on the person complained against, to desist from working his claim; or from any act or proceeding in the working thereof likely to cause irreparable or serious injury, and if such relief or remedy be then claimed, the Judge may issue such order or injunction in the meantime. And afterwards on hearing the parties, may recall the same, or otherwise decide as he may see fit.

39. All the costs of any complaint or proceeding shall be taxed by the Court, and shall be paid or apportioned between the parties in such manner as to the Judge shall seem fit, but in default of any special direction, such costs shall abide the event of the action.

40. The Judge shall, in each case, direct what number of witnesses shall be allowed between party and party, and their allowance for attendance shall in no case exceed the highest rate of the allowance mentioned in the schedule.

41. The costs of witnesses, whether they have been examined or not, may in the discretion of the Judge be allowed, although they may not have been summoned.

42. The complainant's solicitor shall be entitled to receive in full, for his fees and costs, in addition to the costs actually paid by him, a sum not exceeding £

43. The defendant's solicitor shall in every case in which judgment shall be given for or against the defendant, be entitled to recover in full of his costs and fees, in addition to the costs actually paid by him, a sum not exceeding £

44. The Judge may make such order as he may think fit, concerning the times, and by what instalments, any sum of money for which judgment shall be obtained shall be paid; and all such money shall be paid into Court unless the Judge shall otherwise direct.

45. Every Order, Decree, or Judgment made by the Court, shall be carried out and enforced in the same manner as any order or judgment of a Resident Magistrate, may be enforced according to the Law for the time being in force for regulating summary proceedings before Justices of the Peace.

46. The Judge may at all times amend all defects and errors in any proceeding in this Court.

47. In default of the payment of any Fees, payment thereof, by order of the Judge, may be enforced by such means as may be employed to recover any sum of money adjudged by the Court to be paid.

48. The Judge, the Clerk, and any other Officer, may refuse to do any act for which a fee shall be demandable, unless such fee shall be first paid.

49. The appeal allowed by Section 25 of the Act shall be in the form of a case, agreed on by both parties or their Solicitors; and if they cannot agree, the Judge of the Warden's Court, upon being applied to by them or their Solicitors, shall settle the case and sign it, and such case shall be transmitted by the Appellant to the Registrar of the Court of Appeal.

50. The Judge may, in pursuance of the 27th section of the Act, prescribe such additional Regulations as may from time to time be necessary for the orderly transaction of the business of this Court.

SCHEDULE OF FORMS.

1. Complaint.

In the Warden's Court of District, in the Province of Otago, New Zealand.

Be it remembered that upon the day of 18 cometh before me the undersigned, Judge of the District Warden's Court, sitting at

in the said Province, A. B., (address description, &c.) and complains against C. D., (address, description, &c.) Defendant.

1. That (here set forth briefly but distinctly and explicitly the ground or cause of complaint, and if there be more than one ground or cause of complaint state each substantively, numbering them 1, 2, 3, &c.)

Wherefore the Complainant claims that the Defendant be adjudged to (here state the nature of claim or relief sought.)

Stated before me at afore-said this day of 18

.....Judge.

2. Summons.

In the Warden's Court of District, in the Province of Otago, New Zealand, A. B. (address, description, &c.) Complainant, and C. D. (address, description, &c.) Defendant.

Whereas complaint hath this day been made before me the undersigned, the Judge of the said Court, by A. B. (address, description, &c.) Complainant, against C. D. (address, description, &c.) Defendant.

1. That (here set forth briefly but distinctly and explicitly the ground or cause of complaint, and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c., as in complaint). Wherefore Complainant claims that the Defendant be adjudged to (here state the nature of the claim or relief sought as in the complaint.) These are therefore to command you the said C. D., in Her Majesty's name, to be and appear on the day of

18 at o'clock in the noon, at the Court-House at

before me to answer to the said complaint and demand (in any case falling under Rule 39, in which in the complaint an interim injunction is claimed, here insert) and in the meanwhile you are hereby enjoined to desist from (here state the matter of injunction distinctly) under the penalty, in case of disobedience of this injunction, contained in the Act.

Given under my hand and Seal this day of in

(L.S.) the year of our Lord 18 at in the District aforesaid.

.....Judge.

3. Certificate of Service.

I, Bailiff to the Warden's Court at , do hereby certify that I served mentioned in the within Summons, with a copy thereof, on the day of 18 , between the hours of and noon.

E. F.

4. Summons to a Witness.

In the Warden's Court of holden at between A. B., Plaintiff, and C. D., Defendant.

You are hereby required to attend at the Court House in on the day of 18 , at the hour of in the noon, to give evidence in the above cause, on behalf of (plaintiff or defendant as the case may be), and then and there to have and produce (state any particular documents required), and all other books, papers, writings and other

documents relating to the said action, which may be in your custody, possession, or power. In default of your attendance you will be liable to a penalty of Five Pounds, under section 54 of the "Gold Fields Act, 1862."

Dated this day of 18

C. D.
Clerk of Court.

To A. B. (address, description, &c.)

5. *Clerk's Notice of Jury.*

In the Warden's Court of
holden at , between A. B., plaintiff,
and C. D., defendant.

Take notice that this case will be tried by a Jury, the plaintiff (or defendant as the case may be) having demanded a Jury therein.

Dated this day of 18 .

C. D.
Clerk of Court.

To the plaintiff or defendant, as the case may be. (Address, description, &c.)

6. *Summons to Juror.*

In the Warden's Court of
holden at

You are hereby summoned to appear and serve as a Juror in this Court, at the (Court-house) on the day of 18 , at the hour of in the noon, upon the trial of the cause or causes to be then tried by a Jury, and in default of attendance you will be liable to a penalty of Five Pounds, under section 54 of the "Gold Fields Act, 1862."

Dated this day of 18 .

C. D.
Clerk of Court.

To——. (Address, description, &c.)

7. *Order fining a Juror for non-attendance.*

In the Warden's Court of
holden at

Whereas was duly summoned to appear and serve this day as a Juror in this Court, upon the trial of the cause or causes to be tried by Jury at this Court. And whereas he has neglected, without sufficient cause shown, to appear and serve as a Juror at this Court, it is hereby ordered that he shall forthwith (or on the day of 18), pay to the Clerk of this Court a fine of £ for such neglect.

Dated this day of 18 .

By the Court.

C. D.
Clerk of Court.

Hours of attendance at the office of the Clerk (place or office) from until except on (here insert the days of the week on which the office will be closed) when the office will be closed.

8. *Bond—Where Plaintiff is Appellant.*

Know all Men by these presents, that we, A. B., of , C. D., of and E. F., of , are jointly and severally held and firmly bound unto G. H., of , in £ ,* to be paid to the said G. H., or his certain Solicitor, Executors, Administrators, and Assigns, for which payment to be made we bind ourselves, and each and every of us in the whole, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, Sealed with our Seals, and dated this day of one thousand eight hundred and

Whereas a cause is now depending in the Warden's Court of holden at wherein the above-bounden A. B. is Plaintiff, and the above-named G. H. is Defendant, and whereas the above cause came on for trial in the said Court on the day of when a judgment was given for the said G. H., and whereas the said A. B. being dissatisfied with such judgment, gave due notice to the said G. H. of his the said A. B.'s intention to appeal from the same to the Supreme Court of New Zealand, at according to the "Gold Fields Act, 1862." And whereas it is thereby provided that the party who shall appeal as aforesaid shall give security to the satisfaction of the Court aforesaid, to appear and try such appeal and abide the judgment of the Court of Appeal therein and to pay such costs as shall be awarded. AND WHEREAS the above-bounden C. D. and E. F., at the request of the said A. B., have agreed to enter into the above-written obligation for the purposes aforesaid, and the security intended to be hereby given has been approved by the Judge of the said Court, as appears by his allowance on the margin hereof.† Now the condition of this obligation is such that if the above-bounden A. B. shall appear and try the said appeal, and abide the judgment of the Supreme Court therein; and if the above-bounden A. B., C. D., and E. F., or any or either of them, shall pay unto the said G. H., his executors, administrators, or assigns, such costs as the said Supreme Court shall

* A sum sufficient to cover the costs of appeal, say £ , being double the estimated amount.

† I approve of this Bond.

(L.S.)

J. J., Judge.

* award, then this obligation shall be void, otherwise shall remain in full force.

Signed, sealed, and delivered by the above-bounden.

L. S.
L. S.

In the presence of—L. S.

9. *Bond—Where Defendant is Appellant.*

Know all Men by these presents, that we, A. B. of , C. D. of , and E. F. of , are jointly and severally held and firmly bound to G. H. of in £ ,* to be paid to the said G. H. or his certain solicitor, executors, administrators, or assigns, for which payment to be made, we bind ourselves and each and every of us in the whole, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, sealed with our seals, and dated this day of , one thousand eight hundred and

Whereas a cause is now depending in the Warden's Court of , holden at , wherein the above-named G. H. is Plaintiff, and the above-bounden A. B. is Defendant, and whereas the same cause came on to be tried in the said Court on the day of last, when a judgment was given for the said G. H., in the sum of £ , and whereas the said A. B. being dissatisfied with such judgment, gave due notice to the said G. H. of his intention to appeal from the same to the Supreme Court of New Zealand, at , according to the provisions of the Gold Fields Act, 1862. And whereas it is thereby provided that the party who shall appeal as aforesaid, shall give security to the satisfaction of the Court aforesaid to appear and try said appeal and abide the judgment of the Court of Appeal therein, and to pay such costs as shall be awarded. And whereas the above-named C. D. and E. F., at the request of the said A. B., have agreed to enter into the above-written obligation for the purpose aforesaid, and the security intended to be given has been approved of by the Judge of the said Warden's Court, as appears by his allowance in the margin hereof.† Now the condition of this obligation is such that if the above-bounden A. B. shall appear and try said appeal, and abide the judgment of the Court therein, and if the above-bounden A. B., C. D., and E. F., or any or either of them, shall pay unto the said G. H., his Executors, Administrators, or Assigns, such costs as shall be

* A sum sufficient to cover the costs of appeal, say £ , being double the estimated amount.

† I approve of this Bond.
(L. S.)

J. J. Judge.

awarded by the Court, then this obligation shall be void, otherwise shall remain in full force.

Signed, sealed, and delivered by the above-bounden

L. S.
L. S.
L. S.

In the presence of

10. *Case on Appeal.*

In the Warden's Court of holden at , between A. B. Plaintiff, and C. D. Defendant.

This is a suit (here state the cause of action, and the facts.)

The question for the opinion of the Supreme Court is—First (here state the question for the opinion of the Court.)

(Signature of the Judge.)

11. *Table of Fees.*

Summonses	0	2	0
Summonses to Witnesses	0	2	0
Service of Summonses (if within one mile of the Court House).....	0	3	0
For every extra mile one way	0	1	0
Hearing	0	4	0
Adjournment of Hearing, when made on application of Plaintiff or Defendant ...	0	2	0
Swearing Witnesses exceeding three on either side	0	2	0
Summoning Jury	1	4	0
Payment for the Jury	2	0	0
Entering up Judgment	0	2	0
Filing Notice of Ground of Appeal.....	0	8	0
Writ of Execution against Goods	0	4	0
Writ of Execution against the person	0	4	0
Issuing Warrant to Bailiff to deliver possession to a Plaintiff of premises recovered	0	8	0
Executing any Writ of Execution beyond one mile from the Court House, for every extra mile one way.....	0	1	0
Poundage on the sum levied or received, or for which the body is taken in execution, for every £.....	0	1	0
Serving or Executing any Writ of Arrest, Injunction, Writ of Attachment, or any Summons, Order, Warrant, Precept, Writ or other process, not herein before provided for, if within one mile of the Court House	0	8	0
For every extra mile one way..	0	1	0

For keeping possession, per diem, any sum not exceeding	0 8 0
Auctioneers' Commission on goods sold, not exceeding five per cent.	
Advertising—For three lines of space, not exceeding 3s.; and 3d. for every additional line.	
Bailiff's Fee for Executing Writ against the Goods, if satisfied within two hours of the levy	0 4 0
For every search	0 1 0
For any Document required in Proceedings, and not enumerated in the Schedule..	0 2 0
For every complete folio of 90 words above one	0 1 0
Copy of any Proceedings (first folio)	0 1 0
And for every complete folio of 90 words	0 0 8
Cartage of Goods seized in Execution to Auction Room or place of security, reasonable expenses actually paid not exceeding 20s. per diem.	

ORDER IN COUNCIL,

Establishing Regulations for the granting of Gold Mining Leases in the Province of Otago.

G. GREY,
Governor.

At the Government House at Auckland,
this fifteenth day of September, 1862.

Present:—

HIS EXCELLENCY THE GOVERNOR IN
COUNCIL.

WHEREAS it is provided by "The Gold Fields Act, 1862," that it shall be lawful for the Governor in Council from time to time to make such Regulations, not being contrary to the provisions of the said Act, as he shall think fit, for regulating the granting of Leases for mining purposes, and the terms and conditions on which such Leases shall be granted, and such Regulations from time to time to alter and abolish;

Now, therefore, His Excellency the Governor, in pursuance and exercise of the said recited power and authority, doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, make the following Rules and Regulations for the granting of Leases for Gold Mining within the District of the Otago Gold Fields;

And doth further declare that this Order shall take effect from the day of date hereof.

FOSTER GORING,
Clerk of Executive Council.

GOLD MINING LEASE REGULATIONS.

1. *What Lands may be Leased.*

Auriferous Crown Lands in the Province of Otago may be leased under these Regulations, except:—

- (1) The whole or any part of any land which any person other than the applicant is entitled to occupy and actually does occupy for mining purposes, or for residence, by virtue of a miner's right or business license.
- (2) The whole or any part of any land in or over which any person other than the applicant has any interest or authority other than those above mentioned, which he may lawfully use or exercise for mining purposes, or for discovering the existence of gold or other metal or mineral.
- (3) Lands containing within their boundaries any river, stream of permanent water, or spring, which may be required for public purposes, or for the use of the miners generally.

2. *Boundaries of Land applied for to be defined.*

Persons intending to apply for a lease of Auriferous Crown Lands shall, previous to making application as hereinafter directed, erect or cause to be erected, at each angle of the land proposed to be leased, a post, three inches square, and standing at least three feet in height above the surface of the ground, and such posts shall be maintained at the expense of the applicant until the application shall have been granted or refused by the Governor.

3. *Mode of application.*

Application shall be made in the form in the Schedule hereunto annexed marked A, and shall be addressed in duplicate to the Warden of the Gold Field within which the land so applied for is situated.

4. *Applicant to make a deposit.*

At the time of applying for such lease the applicant must deposit with the Warden the sum of twenty pounds (£20) as a guarantee for the payment of any expenses which may be incurred for the survey of the land applied for, or by reason of any objection to such application being allowed, and such Warden shall give to the applicant a receipt therefor, in the form in the Schedule hereunto annexed, marked B, and any surplus which may remain

over such expenses shall be returned to the applicant.

5. *Official Survey.*

Upon receipt of such application and deposit, the Warden aforesaid shall, as soon as may be, direct a Surveyor to proceed to the land applied for, and to survey the same, and to report as to the area, boundaries, and description thereof, the character of the ground, the likelihood of any river, creek, or permanent water spring, or artificial reservoir, which may be included within the boundaries of the said land, being required for, or the feasibility of the same being applied to public purposes, or for the use of miners of the district generally, and also as to any claims to prior occupancy which shall come to his knowledge, enquiry as to which it shall be his duty to make, while making the said survey; and to furnish a plan of such land on a scale of sixteen inches to the mile, together with a tracing of so much of the general map of the district as will be sufficient to connect the particular area applied for with at least one trigonometrical station, or in the absence of any such, with some fixed point.

6. *Surveyor to affix notice.*

The Surveyor shall at the time of making the survey hereinbefore directed, place a notice, in the form in Schedule hereunto annexed, marked C, in some conspicuous place on the ground; and shall post a copy of such notice on the outside of the Warden's office.

7. *Priority of application.*

In the event of more than one application being made for the same land, or any part thereof, such one of such applications as shall have been first left with the Warden shall be first considered; and in case any two or more of such applications shall be left with the Warden at the same time, it shall be in the discretion of the Governor to which of the applicants the lease shall be granted.

8. *Objectors to give notice.*

Any persons objecting to the issue of a lease so applied for, shall, within twenty-one days after the posting of the notice by the Surveyor, forward to the Warden full notice of all such objections, and shall (except in cases of encroachment) deposit the sum of Ten pounds (£10); and such Warden shall give to the person making such deposit a receipt, in the form in the Schedule annexed marked D, as security for the due prosecution of his objections, and in satisfaction of any expenses to which the Applicant may be put by such objections if disallowed; and if such objections should not be prosecuted or should fail, so much of such Deposit shall be handed over to the Applicant as may be necessary to

repay the expenses of such Applicant; and the balance (if any) shall be refunded to the person so objecting.

9. *Cases of Encroachment.*

When application shall have been made for a lease of any land to the whole or any part of which any person other than the Applicant shall claim to be entitled by virtue of prior occupation under a miner's right or business license, the objection to the granting of such lease may be heard by the Warden in the same way as a case of encroachment under the Gold-fields Act; and such Warden shall immediately report the hearing of any such objection, and the decision arrived at therein, to the Superintendent of the Province.

10. *Enquiry into Application.*

After the expiration of twenty-one days allowed for objections, the Warden shall appoint a time and place for holding an enquiry into the truth of the particulars alleged by the Applicant, and of the objections (if any) made by each objector, and two clear days' notice of the holding of such enquiry shall be given to each of the persons interested therein.

11. *Proceedings at Enquiry.*

At such enquiry the Warden shall take evidence in relation to the application and objections, and immediately thereafter he shall forward to the office of the Provincial Secretary the application and objections, if any, thereto, and the evidence taken by him as aforesaid, with his opinion thereon, together with the report, plan, and tracing furnished to him by the Surveyor as hereinbefore directed.

12. *Governor to issue Leases.*

The Governor will, if he shall think fit, upon the recommendation of the Superintendent of Otago, issue to any Applicant a lease of the land applied for, or any part thereof, after the time prescribed by the thirty-second section of the Gold-fields Act, 1862; viz., three months after notice of the intention to grant the same shall have been published in the Government Gazette, and at least one of the local newspapers best calculated, in the opinion of the Governor, to give publicity to the same amongst the persons specially interested.

13. *Date of Lease.*

Every lease will bear date the day of execution thereof by the Governor, and will be transmitted to the Warden, at whose office the same may be obtained, and the Warden shall deliver the same to the Applicant, or such person as shall be duly authorised to receive and execute the same, upon his application therefor, and execution thereof, within the time hereinafter prescribed, and upon delivery to the Warden

of a Receipt, showing that a fee of one pound, together with the first half-year's rent, has been paid to the Receiver of Land Revenue or Gold Receiver for the District.

14. Execution of Lease.

Upon receiving the lease the Warden aforesaid shall cause notice to be given to the Lessee or Lessees requesting his or their attendance at the Warden's Office, or other convenient place, to execute and take delivery thereof, within a reasonable time not exceeding Thirty days from the date of such notice, and should the said lessee or lessees or his or their lawful Attorney, as hereinafter provided for, fail to comply therewith, or to show reasonable cause for an extension of the time allowed for the purpose, the Warden shall report the circumstances to the Provincial Secretary, and the Superintendent may thereupon declare the lease forfeited, or take such other action therein as he may think fit.

15. Proceedings in case of refusal of Lease.

If any lease so applied for shall be refused, either in the first instance, or after a failure to comply with the terms of the notice in the last preceding section mentioned, or if any application for a lease shall be withdrawn, a notice thereof shall be published in the Government Gazette, and the Warden shall thereupon instruct a Mining Surveyor to proceed without delay to the ground described in such mining lease, and cause all posts, notices, &c., by which such ground shall have been distinguished, as applied for under the leasing regulations, to be removed; and further to notify, for the information of the miners in the vicinity, that such ground is open to persons holding Miners' Rights or Business Licenses, or to applicants for a lease, as if no lease of the said ground had ever been applied for.

16. Costs.

All costs and expenses incurred by, or on behalf of, or by direction of, the Government, by reason of the withdrawal of any application for Mining leases, or of the non-execution of any such lease within the time aforesaid, shall be considered expenses within the meaning of the second clause of these Regulations.

17. Term.

The term of the lease cannot in any case exceed fifteen years.

18. Areas of Leases.

The extent of any lease granted under these regulations shall be, except in special cases hereinafter provided for, on quartz lodes or veins, not less than one hundred (100) yards, nor more than four hundred (400) yards in length along the line of the

lode, by a width of not less than fifty (50) yards, nor more than two hundred (200) yards measured across the lode; and in alluvial workings an area not exceeding ten (10) acres.

19. Rents.

The rents received shall in all cases be at the rate of five pounds per acre, and the said rents shall be made payable *half-yearly in advance*, during the entire term; and the day of the execution of the lease by the Governor shall be deemed to be the day upon which the first payment shall be due.

20. Special Cases.

In cases where it shall be shown that a departure from the foregoing areas or rents would, under special circumstances, be desirable, the same may be extended, diminished, or otherwise altered, and such covenants, conditions, and stipulations may be imposed, and such rents and royalties reserved, as may be considered necessary.

21. Attorney may be appointed.

In case of the inability of any lessee or lessees, by reason of absence, sickness, or any other lawful impediments, to execute a lease, the lawful attorney or attorneys of such lessee or lessees shall be permitted to execute such lease for and on his or their behalf.

22. Power of Attorney.

All such attorneys shall be appointed under power of attorney, in the form, or to the effect, set forth in the schedule hereunto annexed, marked E, and the execution thereof shall be attested by a Justice of the Peace, and every such power of attorney shall be registered in the office of the Registrar of Deeds before it shall be acted upon.

SCHEDULE A.

(Form of Application for Lease).

Place and Date.

To

Sir,—I herewith deposit the sum of Twenty pounds as required by the Mining Lease Regulations of Otago, and I agree, if my application (the particulars of which are hereunder set forth) be investigated, that such sum shall in all respects be held subject to the terms of such regulations, and that upon the approval of this application, I will execute a lease upon the basis therein stated if the Governor shall think fit to grant the same.

I have &c.,

(Signature of Applicant.)

SCHEDULE B.

General remarks.	
Time of commencing operations.	
Term for which lease required.	
Precise locality.	
Proposed mode of working the land.	
Amount of capital proposed to be invested.	
Minimum number of men to be employed by the Lessee.	(1.) For the first months men. (2.) Subsequent when in full work men.
Extent of land applied for.	
Style under which it is intended to conduct the business.	
Name and address in full of applicant.	

(Form of Receipt for deposit with Warden.)

In the matter of the application for a lease under the Mining Lease Regulations.

Received from the above named parties the sum of Twenty (20) pounds, pursuant to the Regulations for leases of Lands for Gold Mining.

Dated, &c.

(Signature of Warden.)

SCHEDULE C.

(Form of Notice to be posted by the Surveyor.)

To all persons whom it may concern.

I hereby give notice that residing at did on the

day of apply to the Warden at for a Gold Mining Lease of (acres or yards) of land, which I have this day marked out, and that any person desiring to object to the issue of such lease must, within twenty-one clear days from the date of this notice, forthwith enter his objection at the office of the said Warden. And I further give notice that the said land is exempted from occupation for any purpose whatsoever until the application of the aforesaid has been finally dealt with.

Signature of Surveyor.

Dated the day of 18

SCHEDULE D.

(Form of Receipt for deposit with Warden.)

In the matter of the application of for a lease under the Mining Lease Regulations, and of objections there-to lodged by A. B., C. D., &c.

Received from the sum of Ten (£10) pounds pursuant to the Regulations for leases of Crown Lands for Gold Mining.

Dated, &c.

(Signed) Warden.

J. K. } Names of applicants and addresses.
L. M. }

SCHEDULE E.

Know all men by these presents, that I, A.B., (or we A.B. and C.D.,) do hereby make, nominate, constitute and appoint, and in my (or our) place and stead put E. F. of (residence and addition) to be my (or our) true and lawful attorney for me (or us), and in my name (or our names) to accept the lease of auriferous Crown Land for mining purposes for which I (or we) on the day of 18 applied, and the deed of which was on the day of 18 executed by His Excellency the Governor, and for me (or us) and in my name, (or our names), and as my (or our) act and deed to sign, seal and deliver such deed of lease, and for me (or us) and in my name (or our names) to enter into all such covenants and agreements as I (or we) shall be required to enter into in and by said deed or otherwise, in the matter of said lease, and generally for me (or us) and in my name (or our names) to do, execute, and perform all such other acts, deeds, and things as may be necessary, or may be required to be done, executed, or performed in and about the acceptance and execution respectively for me (or us) and in my name (or our names) of such lease and deed of lease respectively, and I (or we) do hereby ratify and confirm

and covenant that I (or we) will ratify and confirm all and whatsoever the said E. F. shall lawfully do, or cause to be done, in or about the premises by virtue of this power.

In witness whereof, &c.

N.B.—Printed copies of the forms in these schedules will be issued at the Wardens' office free of expense.

ORDER IN COUNCIL.

Regulations respecting delegation of powers to Superintendents under "Diseased Cattle Act, 1861."

G. GREY,
Governor.

At the Government House, at Auckland, the fifteenth day of September, one thousand eight hundred and sixty-three.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by Warrants under the hand of His Excellency the Governor, bearing date this fifteenth day of September, one thousand eight hundred and sixty-three, the Governor has, with the advice and consent of the Executive Council of New Zealand, delegated to the Superintendents respectively of the Provinces of Auckland, Taranaki, Wellington, Hawke's Bay, Nelson, Marlborough, Canterbury, Otago, and Southland, certain powers conferred on him by the "Diseased Cattle, Act, 1861," subject to certain Regulations to be made by the Governor in Council under the said recited Act;

Now, therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, by virtue of the authority given to him by the 14th section of the above recited Act, doth hereby make and ordain the following Regulations:—

1. The delegation of powers under the said Warrants shall continue to be in force for the period of one year from this date, subject to be rescinded according to the provisions of the above recited Act.

2. Each Superintendent shall, immediately after exercising any of the delegated powers, notify the same to the Governor, and he shall transmit to the Governor particulars of all appointments and copies of all Regulations made by him.

3. He shall, so soon as conveniently can be, notify all Regulations made by him to the Colonial Secretary or Chief Secretary of each of the Australian Colonies, and cause the same to be published in England in the *Times* newspaper.

4. In the exercise of powers delegated under the 9th section of the said Act, the Superintendent of any Province may, either in the first instance or afterwards, from time to time by Proclamation in the *Government Gazette* of the Province, except out of any district proclaimed as infected under the said Act, any port or place within the limits of such district; and every such excepted port and place shall be deemed not to be within the proclaimed district; and the Superintendent may also from time to time by Proclamation as aforesaid, rescind any Proclamation of an infected district wholly or as to any part thereof, and also the Proclamation of any such exception as aforesaid.

5. In the exercise of powers delegated under the 10th section of the Act, the Superintendent of any Province may prohibit the importation, either by land or by sea, of cattle into such Province from any other Province or any particular port or place in any other Province, or across the borders of a Province or any particular part thereof.

6. In all such last mentioned cases such Superintendents shall cause notice as speedily as possible of such prohibition to be given to the Superintendent of the Province from which the importation shall be prohibited, and also to the Governor.

7. The Superintendent of any Province may in his discretion suspend or forbear to exercise all or any of the powers delegated to him under the said Act.

8. The Superintendent of each Province shall, as soon as can be after the commencement of each sitting of the Provincial Council of such Province, lay before such Council copies and particulars of all the Appointments, Regulations, Acts and Proceedings whatever issued, made, or done by him under the delegated powers of the said Act.

9. If the Provincial Council of any Province shall by resolution declare their dissent from all or any of such Appointments, Regulations, Acts and Proceedings, such Resolution shall be forthwith transmitted by the Speaker to the Governor for his consideration.

FORSTER GORING,
Clerk of Executive Council.

Colonial Secretary's Office,
Auckland, 15th September, 1863.

HIS Excellency the Governor, with the advice and consent of the Executive Council, has been pleased to delegate under the "Diseased Cattle Act, 1861," to the Superintendents respectively of the Provinces of

Auckland	Nelson
Taranaki	Marlborough
Wellington	Canterbury
Hawke's Bay	Otago

and Southland.

the several powers vested in the Governor by the 2nd, 4th, 5th, 7th, 9th, and 10th Sections of the said Act, subject to be rescinded as in the said Act provided, and subject to the Regulations contained in the Order in Council of even date herewith.

ALFRED DOMETT.

Waikouaiti, October 20, 1863.

THE Partnership hitherto existing between D. Stephenson and A. S. Baird, under the title of D. Stephenson & Co., was this day dissolved by mutual consent.

D. STEPHENSON.
A. S. BAIRD.

Witness to both Signatures—

ROBT. MACINTYRE.

ABSTRACT of Advertisements from the Provincial Government Gazette, of date 21st October, 1863:—

Tender for the construction of 40 chains of fencing, on the road from Waikouaiti to the Government Bush, to be lodged by noon of 3rd November, 1863.

Clutha Ferry to be let for the year 1864. Tenders to be lodged by 10th November, 1863.

Tenders for erection of a Court-House at the Molyneux, to be lodged at noon of 10th November, 1863.

Tenders for laying down moorings in Oamaru and Molyneux Bay, to be lodged by noon of 17th November, 1863.

Applications for Rural Land received between 29th September and 14th October, 1863, to be decided on 28th October.

JOHN LOGAN,
Secretary to the Superintendent.

OTAGO GOVERNMENT TOWN LAND SALES.

WAIHOLA

At the School House there, on ~~Thursday~~ the 24th day of November, at 12 o'clock

FAIRFAX, TOKOMAIRIRO,

At the Court House, Tokomairiro, on Wednesday, the 25th day of November, at 12 o'clock noon.

MOLYNBUX TOWNSHIP,

At the Crown Hotel, Clutha Ferry, on Friday, the 27th day of November, at 12 o'clock noon.

BALCLUTHA, CLUTHA FERRY.
At the Crown Hotel, Clutha Ferry, on Friday, the 27th day of November, after the sale of the Sections in the Molyneux Township.

OUTRAM.

At the West Taieri Ferry, on Tuesday, the 1st day of December, at 12 o'clock noon.

W. H. GUTTEN,
Chief Commissioner.

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

POSTAL
MAILS BETWEEN DUNSTAN AND
QUEENSTOWN.

TENDERS will be received at this Office on or before the 14th November, proximo, from persons willing to carry Mails between the Post Offices, Dunstan and Queenstown *via* Arrow River, and Franktown, thence weekly each way from 1st December to 31st December, 1864, but to be terminable at any previous period by six weeks notice in writing given by either the Government or the Contractor.

Tenders to be at per annum and mode of conveyance to be stated.

Days and Hours of Arrival and departure to be fixed by the Postmaster, and Security will be required.

The Government will not be bound to accept the lowest nor any of the Tenders.

ARCH. BARR,
Chief Postmaster.

Chief Post Office,
Dunedin, 26th October, 1863.

POSTAL.

MAILS TO TAIERI DIGGINGS.

TENDERS will be received at this office on or before the 30th inst., from persons willing to carry Mails thrice weekly each way between the Post Office, West Taieri, and a Post Office to be established on the West Taieri gold field, from as early a date as possible, and to be terminable by one month's notice, in writing, given by either the Government or the contractor.

Tenders to be at per annum, and mode of conveyance to be stated.

Days and hours of arrival and departure to be fixed by the Postmaster, and security will be required.

The Government will not be bound to accept the lowest nor any of the tenders.

ARCH. BARR,
Chief Postmaster.

Chief Post Office,
Dunedin, 27th October, 1863.

POSTAL.

MAILS BETWEEN MANUHERIKIA
JUNCTION
AND SWITZER'S DIGGINGS.

TENDERS will be received at this office on or before the 25th November next, from persons willing to carry mails weekly each way between the Post Office, Manuherikia Junction, and the camp on Switzer's Diggings, from as early a date as possible, and to be terminable by six weeks' notice, in writing, given by either the Government or the contractor.

Tenders to be at per annum, and mode of conveyance to be stated.

Days and hours of arrival and departure to be fixed by the Postmaster, and security will be required.

The Government will not be bound to accept the lowest nor any of the tenders.

ARCH. BARR,
Chief Postmaster.

Chief Post Office,
Dunedin, 27th October, 1863.

NOTICE.

APPPLICATIONS will be received by the Town Board of Dunedin on or before Wednesday, 4th November, for the appointment of Clerk to the Board. Salary, £400 per annum.

CHAS. REID,
Clerk to the Town Board of Dunedin.