



OTAGO

PROVINCIAL GOVERNMENT

GAZETTE.

Published by Authority.

Vol. VII.]

DUNEDIN, WEDNESDAY, MARCH 23, 1864.

[No. 296.]

PROCLAMATION.

Declaring a certain portion of the Province of Otago to be an Infected District, under the "Diseased Cattle Act, 1861."

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

WHEREAS by virtue of the powers delegated to and vested in me in that behalf, I John Hyde Harris, Superintendent of the Province of Otago, did by a proclamation in the *Government Gazette* of the said Province, and dated the sixteenth day of January last, proclaim and declare a certain district or portion of the said Province, in the said Proclamation particularly described, to be an Infected District within the meaning and for the purposes of the "Diseased Cattle Act, 1861." **AND** WHEREAS it is expedient to extend the limits of the said district, so as to include that portion of the said Province hereinafter described, as lies to the north of the northern boundary of the said District defined in the said Proclamation. **AND** WHEREAS, by a Proclamation issued by me on the twenty-sixth day of February last, I did make, publish, and proclaim certain Regulations for the destruction of Diseased Cattle within certain districts by the said last-mentioned Proclamation, declared to be Infected districts, and for prohibiting the removal of cattle out of the said last-mentioned districts. **AND** WHEREAS it is expedient that similar Regulations should be in force in and be applicable to the District hereinafter declared to be an infected District: **Now, THEREFORE, I, the said John Hyde Harris, by virtue of the powers delegated to and vested in me in this behalf, do hereby PROCLAIM and DECLARE that**

from and after the date hereof, and until further notice, that portion of the Province of Otago, in the Colony of New Zealand hereinafter described, shall be deemed to be an Infected District within the meaning and for the purposes of the "Diseased Cattle Act, 1861," (that is to say, ALL that area bounded towards the north by Deep Stream to Clutha River; thence by Allen's Creek to its source; thence by a direct line to Trigonometrical Station **O** Waikouaiti Survey District; thence towards the east by a direct line to Trigonometrical Station **L** in the said Waikouaiti Survey District; thence by a direct line to Brim's Point; thence towards the south by the ocean to the mouth of the Taieri River; thence towards the West by the Taieri River to the Waipori Lake; thence by the Waipori Lake and the Waipori River to Lammerlaw Creek; thence by Lammerlaw Creek to its source; and thence by a line due north to the Deep Stream the starting point.) **AND, by virtue of the powers in me vested in this behalf, I do further PROCLAIM and DECLARE that the Regulations made, published, and proclaimed by me in a Proclamation dated the twenty-sixth day of February last, for the destruction of cattle diseased with pleuro-pneumonia in the Infected districts mentioned in the said Proclamation, and for prohibiting the removal of cattle therefrom, and for preventing the further spread of the said disease, shall be in full force and effect in the district hereinbefore proclaimed to be an infected district; and the said Regulations as proclaimed and published as aforesaid, I do hereby MAKE, PUBLISH, and PROCLAIM to be Regulations for the destruction of Cattle diseased with Pleuro-pneumonia within the District hereinbefore proclaimed to be an Infected District, and for prohibiting the removal and transportation of Cattle out of the said last-mentioned District,**

and for preventing the further spread of the said disease.

(L.S.) Given under my hand, at Dunedin, in the Province of Otago and Colony of New Zealand, and issued under the Public Seal of the said Province, this twenty-second day of March, One Thousand Eight Hundred and Sixty-Four.

JOHN HYDE HARRIS,
Superintendent.

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

WARRANT.

Appointing a Judge of Wardens' Courts within the Province of Otago, under the Goldfields Acts.

By the Honorable John Hyde Harris,
Superintendent of the said Province.

I, JOHN HYDE HARRIS, Superintendent of the Province of Otago, in pursuance and exercise of the power delegated to me in this behalf, do hereby appoint

JUSTIN AYLMEER, Esq.,

to be a Warden and Judge of all Wardens' Courts, now or hereafter to be constituted within the Province of Otago, with power to him to act alone or with assessors or juries, and to exercise all or any of the powers conferred upon Wardens and Judges of Wardens' Courts constituted by the "Gold Fields Act, 1862," and the "Gold Fields Act Amendment Act, 1864." But I declare that such appointment shall be deemed to be provisional only, until the same shall have been confirmed and allowed by the Governor, and that the Governor shall have power to disallow the same.

(L.S.) Given under my hand, at Dunedin, the twenty-first day of March, One Thousand Eight Hundred and Sixty-Four, and issued under the Public Seal of the Province of Otago.

JOHN HYDE HARRIS,
Superintendent.

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

TOWN OF PORT CHALMERS EXTENSION COMMISSION.

To all to whom these presents shall come, Greeting:—

KNOW ye, that I, John Hyde Harris, Superintendent of the Province of Otago, do hereby appoint

JOHN TURNBULL THOMSON, Esq.,

And

WILLIAM THOMSON, Esq.,

to be Commissioners to enquire and report what lands adjoining or near the Town of Port Chalmers, should, in their opinion, be reclaimed from the sea, having regard to the present and the prospective requirements

of the Port, the cost of reclamation, and the comparative suitability of the lands for operations incidental to a Shipping Port; and also to prepare the necessary plans and estimates of the said reclamation; and to have, hold, and exercise all the powers competent to or devolving upon them by virtue of this commission during my pleasure.

(L.S.) Given under my hand, and issued under the Public Seal of the Province of Otago, at Dunedin, this twenty-first day of March, One Thousand Eight Hundred and Sixty-four.

J. HYDE HARRIS,
Superintendent.

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

Provincial Secretary's Office,
Dunedin, 19th March, 1864.

HIS Honor the Superintendent directs it to be notified that he has received, and been pleased to accept, the resignation of

WILLIAM HUNTER REYNOLDS, Esq.,

as a Commissioner under the Town of Port Chalmers Extension Commission.

THOMAS DICK, Provincial Secretary.

PORT CHALMERS TOWN BOARD ELECTION OF FIVE MEMBERS.

Provincial Secretary's Office,
Dunedin, 15th March, 1864.

IT is hereby notified that the following gentlemen were this day duly elected members of the Port Chalmers Town Board, viz.:—

THOMAS TAYLER, SEN.

GEORGE DODSON

JOHN MAINS

JAMES BLAIR ROBERTSON

JAMES MATHESON.

THOMAS DICK, Provincial Secretary.

CLAIMS FOR REGISTRATION, in addition to the names already advertised, Forms may be had from—

Richard Beetham, Esq., R.M., Queenstown

Lowther Broad, Esq., R.M., Arrow

Charles Williamson, Esq., R.M., Maori Point.

THOMAS DICK,
Provincial Secretary.

Provincial Secretary's Office,
Dunedin, 15th March, 1864.

THE following names of Agents for the Sale of the Survey Maps, within the Province of Otago, viz.,

Alexander Robert Livingston, Dunedin.

Smith and Hibbard, Tokomairiro.

John Barr, Clutha Ferry.

John Smith, Waikouaiti.

John Young, Hampden.

Frank Pinkerton and Co., Oamaru.

are published for general information.

THOMAS DICK, Provincial Secretary.

PUBLIC WORKS.

TENDERS will be received at the office of the Secretary of Public Works, until noon of the following Mondays,

11th April, 1864, for the Reclamation of about 15½ acres of land from Otago Harbor.

Plan and Specification may be seen, and forms of tender obtained at the office of the Provincial Engineer.

11th April, 1864, for the Erection of a Signal Station, &c., at Port Chalmers.

Plan and Specification may be seen, and forms of tender obtained at the Office of the Provincial Engineer, till 2nd April, and after that date at the Harbor Office, Port Chalmers.

GEORGE DUNCAN,
Secretary of Public Works.

21st March, 1864.

EXTENSION OF TIME.—Teviot and Beaumont Ferries.—The time for receiving Tenders for Punts, Approaches, and other works, is hereby extended till noon of Monday, 4th April.

Plans and specifications may be seen at the Marine Engineer's Office, Dunedin. Tenders to be lodged at my office.

GEORGE DUNCAN,
Secretary of Public Works.

TENDERS ACCEPTED.

South Clutha School.—McKinlay and Meikle, £464.

GEORGE DUNCAN,
Secretary of Public Works.

PROVINCE OF OTAGO, NEW ZEALAND TO WIT.

I HEREBY certify that DANIEL CAMERON, of Tokomairiro, in the Province of Otago, has this day submitted for my examination a diploma constituting him a Licentiate of the Faculty of Physicians and Surgeons of Glasgow, and also a certificate of registration of the said diploma, in accordance with the provisions of an Ordinance passed by the Legislative Council of New Munster, Session 1, No. 2, of 1849, intituled "An Ordinance to define the Qualifications and to provide for the remuneration in certain cases of Medical Practitioners."

Dated at the Resident Magistrate's Court, Tokomairiro, the first day of March, 1864.

JOHN DEWE,
Resident Magistrate.

APPLICATION FOR PATENT.

NOTICE is hereby given that I, ABRAHAM LOWENTHAL, of Rattray-street, Dunedin, in the Province of Otago, New Zealand, bootmaker, have, in accordance with the provisions of the "Patent Act, 1860," applied to His Excellency the Governor of New Zealand, for the issue to me of Letters Patent as the discoverer of an improvement in the manufacture of Boots; and that any person who may wish to prefer any objection to the granting of such letters patent is hereby required to send within four months from the publication hereof, to the office of Charles Wright, Esquire, Government Buildings, in Auckland, New Zealand, aforesaid, a statement in writing setting forth the grounds of such objection, subscribed with his proper name and address.

Dated this twenty-second day of March, 1864.

A. LOWENTHAL.

IN THE SUPREME COURT OF NEW ZEALAND
OTAGO AND SOUTHLAND DISTRICT.

"Debtors and Creditors Act, 1862."

NOTICE IS HEREBY GIVEN that a sitting of the said Court will be holden at the Court House, Dunedin, on Monday the 9th day of May next, at the hour of 10 o'clock in the forenoon, for the despatch of all Business accruing under the provisions of "the Debtors and Creditors Act, 1862."

ROBERT CHAPMAN,
Registrar.

Supreme Court Office,
Dunedin, 21st March, 1864.

DISSOLUTION OF PARTNERSHIP.

WE, the Undersigned, hereby give notice that the Partnership hitherto existing between us, is this day dissolved by mutual consent.

GEORGE D. CAMERON,
L. W. BUSCH.

(Witness) PETER DONALD,
W. EGGERS.

Hamilton, Taieri Goldfield,
March 3rd, 1864.

IMPOUNDED on the fifteenth day of March, 1864, by Constable George Cruickshanks,

TWO RED AND WHITE HEIFERS, SHORT HORNS, branded **O** on rump, milking side, owner unknown, for trespassing on Stewart-street, Moray-place, Dunedin, and in default of being released, the above cattle will be sold at the Public Pound at North Dunedin, on the fifth day of April, 1864, at 12 o'clock noon.

JAMES TURNER,

Poundkeeper of the North Dunedin Pound.

IMPOUNDED on the eighth day of March, 1864, by Constable Donnelly,

ONE STRAWBERRY COW,

branded **NK** on back and **NK** on fore hip, owners unknown, for trespassing on Caversham road, and in default of being released, the above cattle will be sold at the Public Pound at South Dunedin Pound, on the sixth (Wednesday) day of April, 1864, at 12 o'clock noon.

JOHN BARR,

Poundkeeper of the South Dunedin Pound.

[From the *New Zealand Gazette*, No. 8, March 3, 1864.]

A PROCLAMATION,

Abolishing Districts Constituted under the Districts "Courts Acts, 1858."

By 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 and its Dependencies, and Vice-Admiral of the same, &c., &c.

WHEREAS by the "Districts Courts Act, 1858," it is provided that there shall be within the Colony Courts of Record possessing Civil and Criminal Jurisdiction, to be called District Courts, and the Governor is empowered from time to time as he shall think fit by Proclamation in the *New Zealand Gazette*, to constitute throughout the Colony, or any part thereof, Districts within which such Courts shall be respectively held, and such Districts to abolish, and the boundaries thereof to define, or alter, and also to declare by what local name each such Court shall be designated.

And whereas under and in pursuance of the said recited Act sundry Districts have from time to time been established and courts held in divers places in the Colony And whereas several of such Courts have ceased to be in operation, but doubts have existed whether such Courts have been validly discontinued. And whereas it is expedient to remove such doubts and to abolish the remainder of the Courts and districts so constituted as aforesaid.

Now, therefore, I, Sir GEORGE GREY, the Governor as aforesaid of the said Colony, in pursuance and execution of the power and authority in me vested under the provisions of the said recited Act, do hereby proclaim and declare that the Districts of Taranaki, Otago, Auckland, Nelson, Wellington, and Wanganui, so constituted as aforesaid, are and from henceforth shall be abolished, and that the Districts of Hawke's Bay, The Hutt, and Marlborough, shall be and remain abolished from and after the Twenty-eighth day of March next ensuing

Given under my hand at the Government House, at Auckland, and issued under the Seal of the Colony this twenty-seventh day of February, in the year of our Lord One thousand eight hundred and sixty-four.

G. GREY,
Governor.

By His Excellency's command,
WILLIAM FOX.

GOD SAVE THE QUEEN!

[From the *New Zealand Gazette*, No. 8, March 3, 1864.]

CRIMINAL PROSECUTIONS.

THE Law in reference to Criminal Prosecutions is the same in New Zealand as in England. Some person in all cases is or ought to be bound over to prosecute, and that person has a right to conduct the prosecution in the Supreme Court, or to employ a Solicitor and Counsel to do so.

It has been thought advisable not to alter the Law here, but, having regard to the difference of circumstances between England and New Zealand, there are certain details for which some special provision should be made, and especially specific instructions given to those whose duty it is to conduct prosecutions both before Justices of the Peace and in the Supreme Court. The following Regulations will for the future be acted on;—

1. In all prosecutions, except in special cases, where Solicitors are employed by direction of the Government, or by prosecutors, the management of the case in the usual manner before Justices of the Peace will be left to the Police.

2. An allowance will be made to Prosecutors and witnesses of expenses actually and necessarily incurred by them in attendance before Justices: the amount to be fixed by the Committing Justices immediately after the hearing of the case, and a certificate granted. The amount stated in the certificate will be paid on presentation at the Colonial Treasury or Sub-Treasury.

3. The Committing Justice, or his Clerk, shall ascertain from the prosecutor, as soon as a committal for trial takes place, whether he intends to take charge of the conduct of the prosecution, or authorises a Solicitor appointed by the Crown to act on his behalf.

4. If the prosecution is left to such Solicitor, the Committing Justice or his Clerk will make a memorandum on the depositions to that effect, and forthwith transmit them to the Registrar of the Supreme Court of the District in which the trial is to take place.

5. On receipt of the depositions, the Registrar will cause a copy to be made without delay, and transmit the same to the Crown Solicitor for the District.

6. It will be the duty of the Crown Solicitor to carefully consider the depositions at once, and prepare the case for the Supreme Court, taking special care that any additional witnesses that can be obtained in support of the case are subpoenaed. The Police will render assistance in serving subpoenas.

7. The Crown Solicitor or Counsel employed by him will conduct the prosecution at the trial. The Police will render assistance in procuring the attendance of witnesses and having them ready to be examined when required, but the Solicitor will be responsible that this duty is properly performed.

8. It will be competent for the Judge presiding at the trial to give such directions as he may think fit as to the disallowance of the whole or any part of the costs of the prosecution, including allowances to witnesses.

9. Subject to such directions, the Solicitor who has conducted the prosecution, whether at the instance of the Prosecutor or of the Crown, will make out a Bill of Costs, including allowances to witnesses.

10. The Registrar of the Supreme Court at the place at which the trial takes place will tax the Bill of Costs, giving effect to any directions the presiding Judge may have given, and grant a certificate of the amount allowed in each case.

11. The amount allowed to the Crown Solicitor will be according to the following scale; and the amount specified in such certificate will be paid at the Treasury or Sub-Treasury on presentation of the certificate to the Solicitor having charge of the prosecution, who will pay the witnesses their allowances.

Proposed Scale of Costs in every Case.

	£	s	d
Solicitor preparing case for and attending trial	2	2	0
	4	4	0

When subpoena required, same to be issued by Solicitor and served by Police.

Costs allowed Solicitor as follow.

	£	s	d
Attendance for each subpoena	3	4	
Each copy	1	0	
Instructing Police as to service	3	4	

FRED. WHITAKER.

Attorney-General's Office,
Auckland, February 23, 1864.

[From the *New Zealand Gazette*, No. 8, March 3rd 1864.]

Colonial Secretary's Office

Auckland, 22nd Feb., 1894.

WITH reference to the reward of £300 offered in a notice dated 5th June, 1861, to any person or persons who would give such information as would lead to the conviction of any person or persons who might in any manner have aided Natives in obtaining gunpowder or other munitions of war: it is hereby notified for general information that that notice is cancelled, and that in future a reward of ONE HUNDRED POUNDS only will be paid in each case.

Wm. Fox.

THE PROVINCIAL GOVERNMENT GAZETTE.

SUBSCRIPTIONS will be at the rate of £1 per annum, of 5s. per quarter, payable in advance to the publisher. Single copies of the Gazette not to exceed 6d. Subscriptions can commence at any time, but must terminate not later than 31st December.

PRIVATE ADVERTISEMENTS will be charged by the Publisher at the rate of 6s. 6d. for every inch or fraction of an inch.

THE GAZETTE is published every Wednesday morning and Notices for Insertion must be received at the Superintendent's Office not later than 10 o'clock on the Tuesday preceding. Any irregularity in the receipt of the Gazettes which are given gratis by the Government should be reported at once to the Provincial Secretary.