

NEW ZEALAND



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

Published by Authority.

Vol. VIII.] DUNEDIN, WEDNESDAY, JULY 13, 1864. [No. 312

Provincial Secretary's Office,
Dunedin, 11th July, 1864.

HIS Honor the Deputy Superintendent directs it to be notified that in pursuance and exercise of the powers vested in him he has appointed

JOHN McNALLY,

a member of the Police Force of Otago, to be an Inspector of Slaughter houses, and of Cattle intended for slaughter, within the Oamaru Slaughter house District, acting at Dunstan Creek.

ALEX. WILLIS,
Under Secretary.

Provincial Treasury,
Dunedin, 12th July, 1864.

HIS Honor the Deputy Superintendent has been pleased to appoint

JOHN McNALLY,

a member of the Police Force of Otago, at present an Inspector of Slaughter houses, and of Cattle intended for slaughter, within the Oamaru Slaughter house District, acting at Dunstan Creek, to be a Deputy Registrar of Brands for the District of Otago, as described in the Order in Council, dated the 5th day of July instant, for the purpose of carrying out the provisions of the 11th and 12th sections of the "Cattle Branding Ordinance, 1862."

H. CLAPCOTT,
Provincial Treasurer.

Dunedin, 12th July, 1864.

NOTICE is hereby given that I have appointed

WATSON SHENNAM, Esq.

to be a Sub-Inspector of Sheep for the Province of Otago without salary.

WM. LOGIE,
Chief Inspector of Sheep.

APPOINTMENT TO BE MADE.

DISPENSER FOR DUNEDIN HOSPITAL
For particulars apply to the Provincial Surgeon
Applications to be lodged with the Provincial Treasurer by noon, of Tuesday, 19th July, 1864.

TENDERS will be received, at the office of the Secretary of Public Works, until noon of Thursday, the 21st instant, for the supply and delivery of the following quantities of Road Metal, on the road from Dunedin to Waikouaiti:—

Contract No. 84—300 cubic yards, between the Water of Leith Toll Bar and the third mile post

Contract No. 85—600 cubic yards, between the eleventh and the fifteenth mile posts

Contract No. 86—400 cubic yards, between Mackenzie's contract and the Waikouaiti River

Specifications can be seen and forms of tender obtained at the Road Engineer's office, Dunedin.

The Government does not bind itself to accept the lowest or any tender.

11th July, 1864.

H. J. MILLER.

WANTED, Horses and Drivers for works at Bell Hill.

For particulars apply to the Gaoler, Dunedin.

Tenders to be lodged at the Provincial Secretary's Office by noon of Tuesday, 19th July, current.

JAMES PATERSON,
Provincial Secretary.

12th July, 1864.

TENDERS ACCEPTED.

NORTHERN TRUNK ROAD.—Bridge over Puketapu Creek. Contract, No. 71, for the erection of Bridge at Puketapu Creek, and the approaches thereto.—James Gore, Bridge, £346 6s. 6d.; excavation to approaches, at per cubic yard, 2s.

Road: Taieri Ferry to Tokomairiro—Contract, No. 73, supply of 300 cubic yards of Metal.—James Kellock, £195.

Roads: Main Road through Dunedin—Contract, No. 77, for the supply of 500 cubic yards of Metal, and 500 loads of Spunls, between Hill-side Toll and the Peacock Hotel.—David Proudfoot and Co., £287 10s.

HIGH SCHOOL, DUNEDIN.

THE High School will be opened under the charge of the Head Master, the Reverend F. C. Simmons, B. A., late Scholar of Lincoln College, Oxford, upon

MONDAY, THE 25TH JULY, 1864,

For the Examination of new Pupils, and on the following day for the regular work of the School.

School Fee—£10 per annum, payable quarterly in advance.

In order that the different classes may be organised without loss of time, it is particularly requested that all pupils attend on the first day.

The Head Master is prepared to receive Boarders into his family.

JOHN HISLOP,
Secretary.

THE following additional agents have been appointed for the sale of the Survey Maps:—

W. M. Orr,—Hamilton

Henry Stratford,—Clyde

R. Field,—Laurence

J. S. Worthington,—Queenstown

C. Macindoe,—Arrow

B. R. Baird,—Mount Ida

JAMES' PATERSON,
Provincial Secretary.

WHEREAS, an application for Crown Grants for Section 27, Port Chalmers (now in possession of Mr. Malcolm); Section 13, Sawyer's Bay District; Section 27, irregular block, East Taieri District, has been made by Hannah Carter and Mary Elizabeth Carter, of High Hycombe, Bucks, England, spinsters, and which application has been referred to me by his Excellency to hear and decide upon it. Notice is hereby given that I have appointed Wednesday, the 20th day of July, at 12 o'clock, for the purpose of hearing and deciding the aforesaid claim, when all persons claiming any interest in the said sections are requested to attend, and state their objections, if any, to

the claim of the said Hannah Carter and Mary Elizabeth Carter being granted.

W. H. CUTTEN,
Commissioner.

Land Claims Office,
Dunedin, 7th July, 1864.

DUNEDIN HUNDRED.

BYE-LAWS passed by the Wardens of the Dunedin Hundred, for the regulation of the pasturage of Cattle on the above Hundred:—

1. That no sheep, pigs, or goats, shall be allowed at large on the unenclosed lands within the boundaries of the hundred; and any sheep, pigs, or goats, found at large within the hundred shall be impounded. And the owner or custodian of such sheep, pigs, or goats, so found at large on the unenclosed land within the hundred, shall forfeit and pay any sum not exceeding £5 for every such offence: providing always that this Bye-law shall not be applicable to sheep, pigs, or goats bona-fide travelling through the hundred, if the same shall travel at a rate of not less than four miles per day.

2. That no person shall be allowed to depasture more than one head of cattle to the acre of land, which he or she holds in the hundred, and any person so depasturing more than one head per acre shall forfeit and pay for any such offence a sum not exceeding £5.

3. No unbranded cattle over the age of six months shall be depastured on the hundred, and unbranded cattle above the age of six months found on the hundred may be impounded, to be dealt with according to law.

4. No diseased cattle shall be depastured upon the hundred, and any person or persons who shall turn out or depasture any diseased beast shall forfeit and pay for every such offence any sum not exceeding £5.

5. No entire animal over the age of six months shall be allowed to depasture on the hundred without the consent in writing of the Wardens, or a majority of them; and any person or persons who shall turn out or depasture any entire animal over the above specified age, without having previously obtained the consent in writing of the Wardens, or a majority of them, shall forfeit and pay a sum not exceeding £5 for every such offence: provided always that this Bye-law shall not be applicable to entires bona fide travelling through the hundred, if the same be under control of the parties in charge of such entire.

6. All persons depasturing stock on the hundred shall furnish to the Wardens, on or before a day to be named or fixed by them, by advertisement in one of the local papers, a return shewing the number, brands, and description of all cattle above six months old depasturing on the hundred by each of them, and in the event of any person bringing more stock on the hundred, or taking out a license for depasturing stock thereon after that date, he or she shall make a like return within a week from the time of bringing on said stock or taking out said license, and whosoever shall fail to make such return as aforesaid or shall make a false return, shall forfeit and pay for every such offence a sum not exceeding £5, and the said cattle will be liable to impounded.

7. The Wardens may at any time call upon any license holder to make a return showing the number, description, and brands of cattle depasturing on the hundred belonging to him or her, or in his or her custody; and any license holder neglecting or refusing to make such returns within one week after having been requested by notice in writing to make such return shall forfeit and pay for every such offence any sum not exceeding five pounds.

8th. Any person disturbing or harassing cattle depasturing within the boundaries of the hundred shall forfeit and pay for every such offence any sum not exceeding five pounds, provided always that a holder of a depasturing license within the hundred, or any person duly authorised in his or her behalf, may drive such cattle for the purpose of collecting such as may belong to him or her, and for the free and legitimate of his or her right of pasturage within the hundred; but in the event of its being necessary for such purpose to drive any cattle belonging to any other person a greater distance than half a mile, the person so driving such cattle must take them to the nearest available stock yard, and then separate his own from those of other persons and return the latter to the place from which they were driven. and failing so to do will be liable to the penalty of any sum not exceeding five pounds for every such offence.

9. Any person removing cattle beyond the boundary of the hundred other than those belonging to him, or for the removal of which he shall not have an authority, shall forfeit and pay for every such offence a sum not exceeding five pounds.

10. Any person who shall set fire to the herbage or grass upon the Crown Lands within hundred, without the consent, in writing, of the Wardens or a majority of them, previously obtained, shall forfeit and pay for every such offence a sum not exceeding five pounds.

11. Any cattle not being the property of or in the custody of a license holder, or being the property of or in the custody of a license holder but depastured on the hundred in contravention of any bye-laws duly passed, may be impounded; and the owner or custodian of such cattle may be proceeded against for trespass, and shall forfeit and pay for every such offence a sum not exceeding five pounds.

12. All or any of the acts authorised by these bye-laws to be done by the Wardens, or a majority of them, may be done by any Ranger or other person duly appointed by them or authorised in that behalf.

Nothing herein contained shall prejudice the right of the Waste Land Board or the Commissioner of Crown Lands to proceed against such trespass mentioned in the above regulation for the recovery of the penalty of fifty pounds imposed by the 76th clause of the Waste Land Regulations for the illegal occupation of Crown Lands.

W. H. CUTTEN,
Chief Commissioner.

Waste Land Board Office,
Dunedin, 11th July, 1864.

GOVERNMENT SALE OF RURAL LANDS.—
The application for the Lands after mentioned will be decided by Auction at noon as follows:—

- 18th July—Otepopo, Block VIII
- 19th July—Otepopo, Block III
- 20th July—Moeraki, Block VI
- 21st July—Moeraki, Block VIII
- 25th July—Oamaru, Block VIII
- 26th July—Oamaru, Block IX
- 27th July—Oamaru, Block X
- 28th July—Oamaru, Block XI
- 29th July—Kuriwao, Block I
- 4th Aug.—Waikouaiti, Block III
- 8th Aug.—Glenoamaru, Blocks I and II
- 10th Aug.—Waitahuna, Blocks II, III, and south-east half of Block I
- 11th Aug.—Pomahaka, Blocks IV, V, and XV
- 17th Aug.—Kaitangata, Blocks II and VII

W. H. CUTTEN,
Chief Commissioner.

4th July, 1864. •

LIST of Persons applying for relief under the
“Debtors and Creditors Act, 1862.”

John Samuel Cragg, of Dunedin, Otago, ironmonger
Samuel George Isaacs, of Dunedin, Otago, general dealer

George William Whybrow, of Dunedin, Otago, tobacconist

Ralph Shaw, of Invercargill, Southland, hotel keeper
William Garthwaite, of Invercargill, Southland, wheelwright

Samuel John Innes Symonds, of Dunedin, clerk
James McIntosh, of Dunedin, Otago, coach driver

Ewen McColl, of Saddle Hill, near Dunedin, Otago, hotel keeper

James William Moorhouse, of Dunedin, Otago, veterinary surgeon

ROBERT CHAPMAN, Registrar.

Supreme Court Office,
Dunedin, 12th July, 1864.

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

In the matter of the “Debtors and Creditors Act, 1862”: and of the Petition of JOSEPH HENRY GREVILLE and EDWARD WHITING, both of Invercargill, in the Province of Southland, in the colony of New Zealand, and there carrying on business as contractors, under the style or firm of “Greville, Whiting and Co.,” and of John Parr, of Invercargill, aforesaid, sawyer, a creditor of the said Joseph Henry Greville and Edward Whiting to the extent of £50 and upwards.

NOTICE is hereby given that His Honor Mr. Justice Richmond has appointed Monday, the 8th day of August, now next ensuing, at the hour of 10 o'clock in the forenoon, at the Court House, Dunedin, for hearing the matters of the said Petition.

Dated this 6th day of July, 1864.

HAGGITT and STAMPER,
Solicitors for the above named Petitioners,
19s. 6d. Manse-street, Dunedin,

In the matter of the “Debtors and Creditors Act, 1862”: and of the Petition of HENRY ELLIOTT, of Invercargill, in the Province of Southland, storekeeper, a debtor of Thomas White, the elder, and Thomas White, the younger, of Launceston, in Tasmania, merchants, creditors of the said Henry Elliott to the extent of not less than £50.

NOTICE is hereby given that His Honor Mr. Justice Richmond has appointed Monday, the 8th day of August, now next ensuing, at the hour of 10 o'clock in the forenoon, at the Court House, Dunedin, for hearing the matters of the above Petition.

Dated this 6th day of July, 1864.

HAGGITT and STAMPER,
Solicitors for the above-named Petitioner,
19s. 6d. Manse-street, Dunedin.

In the matter of the Petition of JAMES MCINTOSH, of Dunedin, in the Province of Otago, coach driver: 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 8th day of August, at 10 a.m., in the Supreme Court House, Dunedin, for the hearing of the above Petition.

MATTHEW V. HODGE,
Solicitor for Petitioner,
13s. Princes-street, Dunedin.

[From the *New Zealand Gazette*, No. 23, June 25 1864.]

Colonial Secretary's Office,
Auckland, 19th June 1864.

HIS Excellency the Governor has been pleased to appoint the undermentioned Gentlemen to be Deputies to the Principal Returning Officers for the Provinces set opposite their names, for the Election of Superintendents.

* * * *

John Burnside, Otago.

WILLIAM FOX.

Colonial Secretary's Office,
Auckland, 9th June, 1864.

HIS Excellency the Governor has been pleased to appoint the undermentioned Gentlemen to be Deputies to the Returning Officers, for the Electoral Districts set opposite their names.

WM. FOX.

For the Election of Members of the House of Representatives.

* * * *

John Burnside	-	{ Dunedin and North Suburbs
		{ Dunedin and South Suburbs
John Smith Hickson	-	Gold Fields
Edward Thomas Gillon	-	Tokomairiro
Francis Franks	-	Hampden

* * * *

For the Election of Members of the Provincial Council.

* * * *

James Todd	-	-	East Taieri
John Watt	-	-	Wakatip
John Burnside	-	-	{ Dunedin
			{ Wakari
			{ North Harbor
			{ Green Island
			{ Caversham
James White	-	-	Waihola
John Young Ward	-	-	{ Oamaru Town
			{ Oamaru Country

* * * *

[From the *New Zealand Gazette*, No. 23, June 25, 1864.]

GENERAL ASSEMBLY.

Acts of the General Assembly which Her Majesty has not been advised to disallow.

Colonial Secretary's Office,
Auckland, 24th June, 1864.

THE following Acts, passed by the General Assembly of New Zealand in the Session held in the twenty-seventh year of the reign of Her Majesty Queen Victoria, intituled:

- No. 1. An Act to annex Stewart's Island, in the Colony of New Zealand, to the Province of Southland.
- No. 2. An Act to continue the Arms Act, 1860 (Temporary)
- No. 3. An Act to amend the Nelson Trust Funds Act, 1854
- No. 4. An Act to amend the Colonial Defence Force Act, 1862

- No. 6. An Act to enable Superintendents of Provinces to take and hold Land as Bodies Corporate
- No. 13. An Act to prescribe the mode in which Land shall be taken for Works and Undertakings of a Public Nature
- No. 14. An Act to enable the Governors of Nelson College to sell or exchange certain Trust Property vested in them by an Act of the General Assembly of New Zealand intituled Nelson College Trust Act, 1858
- No. 15. An Act to extend the operation of the Religious, Charitable, and Educational Trusts Act, 1856, to Freehold and Leasehold Property held by way of Mortgage
- No. 16. An Act to amend the Native Purposes Appropriation Act, 1862
- No. 17. An Act to amend the Miners' Representation Act, 1862
- No. 18. An Act to amend the Secondary Punishment Act, 1854
- No. 19. An Act to amend the Sheriff's Act, 1858
- No. 20. An Act for the amendment of the Regulation of Elections Act, 1858
- No. 21. An Act to repeal an act of the General Assembly of New Zealand, intituled An Act for amending the Interpretation Act, 1858, and for defining the time when Acts of the General Assembly shall come into operation
- No. 22. An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand, from any other of the Australasian Colonies
- No. 23. An Act to enable the Governor to grant to the Superintendent of the Province of Auckland the Government House Grounds in Auckland
- No. 24. An Act to enable the Superintendent of Wellington to purchase a certain piece of land near the City of Wellington as a site for the erection of a Patent Slip
- No. 25. An Act to amend the law relating to Juries
- No. 26. An Act to amend the law relating to the Registration of Deeds and Titles to Land
- No. 27. An Act to authorise the issue of Crown Grants of certain Lands situate at Tikokino, in the Province of Hawke's Bay
- No. 30. An Act to amend the Gold Fields Act, 1862
- No. 33. An Act to extend and make compulsory the Practice of Vaccination
- No. 35. An Act to apply certain sums out of the ordinary Revenue and other moneys to the service of the year ending the 30th day of June, one thousand eight hundred and sixty-four
- No. 36. An Act for the Naturalization of certain persons in the Colony of New Zealand

PRIVATE ACTS.

- No. 1. An Act to amend an Act entitled An Act to enable the Superintendent of the Province of Auckland to raise money by way of Debentures on security of the Harbour Endowments of the City and Port of Auckland.
- No. 2. An Act to enable the Superintendent of the Province of Auckland to construct a Railway between the Towns of Auckland and Drury, with a branch to Onehunga in the said Province
- No. 3. An Act to enable the Superintendent of the Province of Southland to make and maintain Branches or Extensions of the Bluff Harbour and Invercargill Railway, and for other purposes

Having been laid before the Queen in conformity with the provisions of the Constitution Act, His Excellency the Governor has been informed by the Secretary of State that Her Majesty will not be advised to exercise her power of disallowance with respect to those Acts.

WILLIAM FOX.