



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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DUNEDIN, WEDNESDAY, MAY 17, 1865.

No. 364

THE following Notice of the resignation and appointment of Commissioners for the City of Dunedin, are re-published from *Gazette* No. 362, of May 3, 1865, as a few copies of that *Gazette* did not contain the said notice.

Provincial Secretary's Office,
Dunedin, 2nd May, 1865.

HIS Honor the Superintendent directs it to be notified that he has received and accepted the resignation of

JOHN BATHGATE, Esquire,
RICHARD BOWDEN MARTIN, Esquire,
JAMES MELVILLE BALFOUR, Esquire, C.E.,

as Commissioners for the City of Dunedin; also, that he has received and accepted the resignation of the said John Bathgate as Chief Commissioner.

THOMAS DICK,
Provincial Secretary.

NOTICE

Of appointment of Commissioners for the City of Dunedin.

HIS Honor the Superintendent of Otago directs it to be notified that in exercise of the powers vested in him by the "Dunedin Town Board Dissolution Ordinance, 1865," he has nominated and appointed

ROBERT HENRY FORMAN, Esq.,
HORACE BASTINGS, Esq., M.P.C.,
JOHN GREY, Esq.,

to be Commissioners for the City of Dunedin under the said Ordinance; and further, that he has appointed the said Robert Henry Forman to be Chief Commissioner.

Dated this 2nd day of May, 1865.

THOMAS DICK,
Provincial Secretary.

Provincial Secretary's Office,
Dunedin, 15th May, 1865.

HIS Honor the Superintendent directs it to be notified that he has received and accepted the resignation of

JAMES HOWORTH, Esq.,

as a Commissioner of the Waste Land Board of the Province of Otago.

THOMAS DICK,
Provincial Secretary.

In the Supreme Court, Otago }
and Southland District, }

INSOLVENCY JURISDICTION.

NOTICE is hereby given that a Sitting of the said Court will be holden within the Court House, Dunedin, on Monday, the 3rd day of July next, at

ten 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, 12th May, 1865.

In the Supreme Court of New Zealand, } In Insolvency.
Otago and Southland District. }

In the matter of the Petition of REUBEN HARRIS, of Queenstown, in the Province of Otago, an insolvent debtor, and in the matter of the "Debtors and Creditors Act, 1862."

By His Honor Mr. Justice Richmond.

UPON reading the affidavit of Nicholas Leader Chapman and Christopher Caldwell, sworn herein, and the petition of the above named insolvent, and upon hearing Mr. William James Dempsey, the solicitor for the Bank of Australasia, a creditor of the said insolvent,

I order that Christopher Caldwell, Esq., be, and he is hereby appointed, the Interim Sequestrator in the estate of the said Reuben Harris, with power and authority to take possession of stock in trade and other assets in the said estate, to sell the said stock if he shall think fit, and the proceeds thereof to retain, until the appointment of a Trustee or Trustees, or until further order of this Court.

I further order that the said Christopher Caldwell shall, before proceeding to act as such interim sequestrator as aforesaid, give security by bond, to the satisfaction of the Registrar of this Court, for the due performance of his duties as such interim sequestrator; and that he shall account in due form for such monies or effects as shall be received by him as such sequestrator as aforesaid.

Dated the fifth day of May, one thousand eight hundred and sixty-five.

18s. (L. S.) C. W. RICHMOND.

In the Supreme Court of New Zealand, }
Otago and Southland District. }

In the matter of the Petition of CATHERINE PONSONBY, of Dunedin, in the Province of Otago, teacher, 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 the Judge has appointed Monday the third day of July, 1865, at ten o'clock in the forenoon, at the Supreme Court House Dunedin, for hearing the above Petition.

Dated at Dunedin, this twelfth day of May, 1865.

7s. 6d. HOWORTH, BARTON & HOWORTH,
Solicitors for the Petitioner.

In the Supreme Court of New Zealand, }
Otago and Southland District. }

In the matter of the Petition of ROBERT PLATT, of Dunedin, in the Province of Otago, Lighterman, a Debtor; and of Thomas Moodie, of Dunedin aforesaid, Master Mariner; and Samuel Herriott, of Dunedin, in the Province of Otago aforesaid, Storekeeper, Creditors of the said Robert Platt to the extent of not less than Fifty Pounds; and in the matter of the "Debtors and Creditors Act, 1862."

NOTICE is hereby given that His Honor Mr. Justice Richmond has this day appointed Monday the third day of July next, at ten o'clock in the forenoon, at the Court House, Dunedin, for hearing the matters of the above Petition.

Dated this fifteenth day of May, eighteen hundred and sixty-five.

B. C. HAGGITT,
Solicitor for the Petitioner.

9s.

In the Supreme Court of New Zealand, }
Otago and Southland District. }

In the matter of the Petition of HENRY NATHAN, of Dunedin, in the Province of Otago, merchant; and in the matter of the "Debtors and Creditors Act, 1862."

NOTICE is hereby given that His Honor Mr. Justice Richmond has accepted the Petition of the above named Insolvent, and has appointed Monday the 3d day of July, 1865, at 10 o'clock in the forenoon, at the Supreme Court House, Dunedin, for hearing the said Petition.

Dated at Dunedin the tenth day of May, eighteen hundred and sixty-five.

SMITH & DEMPSEY,
Solicitors for the said Petitioner.

7s.

In the Supreme Court of New Zealand, }
Otago and Southland District. }

In the matter of the Petition of ALEXANDER WILLIAMSON, of Princes-street, Dunedin, in the Province of Otago, Grocer and Storekeeper, trading under the firm of "Jones and Williamson," a Debtor; and in the matter of the "Debtors and Creditors Act, 1862."

WHEREAS the said Alexander Williamson did, on the twentieth day of February last, with the concurrence of Messrs. M'Landress, Hepburn and Co., of Dunedin aforesaid, Auctioneers, who were creditors of the said Alexander Williamson to the extent of not less than Fifty Pounds, present his Petition to Christopher William Richmond, Esquire, one of the Judges of this Court, resident at Dunedin aforesaid, praying for sequestration of his estate for the benefit of his creditors, and for relief, pursuant to the provisions of the "Debtors and Creditors Act, 1862." And whereas the said Petition was accepted by Henry Samuel Chapman, Esquire, another Judge of this Court, resident at Dunedin aforesaid, who being satisfied of the truth of the matters contained in the said Petition, did thereupon appoint Saturday, the eighteenth day of March now last, for hearing the same, on which day, and again by adjournment on the first day of April last, the Petitioner duly attended before this Court; and on the last mentioned day this Court did order that the said Petitioner should, on or before this day, or within such extended time as this Court should grant for that purpose, cede and deliver, convey and assign unto James Taylor M'Kerras, of Dunedin, Merchant, and William Alexander Tolmie, also of Dunedin, Merchant, their heirs, executors, administrators, and assigns respectively, according to the nature and quality thereof respectively, all the estate and effects of the Petitioner, except as in the said order is excepted, upon trust for the purpose of selling and disposing of, getting in and receiving, or otherwise realising the same; and in the first place paying, satisfying, and discharging all costs, charges, and expenses incurred by order of this Court, or incidental to the execution of the trusts of the conveyance and assignment to be made in pursuance of the said order, and all fees of Court, and all payments to the Insolvent Estates Fund, payable under the thirty-ninth section of the said Act, and such other sums of money (if any) as should be ordered by this Court, and subject thereto for the purpose of justly distributing and administering

the clear residue of the said monies between and amongst and for the benefit of all the creditors of the said Petitioner at the time of the presentation of his said Petition, and who should duly prove their debts by affidavit within six calendar months from the date of the said order, by way of *pro rata* distribution, subject to existing legal priorities; and if there should be any surplus of the said monies after answering the purposes aforesaid, should pay such surplus to the said Petitioner: And it was further ordered that the Registrar of this Court at Dunedin should make and execute such cession and delivery, conveyance and assignment, in the name and on behalf of the Petitioner, and that such conveyance and assignment should contain all requisite powers for enabling the said James Taylor M'Kerras and William Alexander Tolmie to recover and receive debts, monies, goods, chattels, estate and effects in any way belonging to or due and payable to the Petitioner, or any of such debts or monies, goods, chattels, estate, or effects in particular, upon the trusts as aforesaid; and the further consideration of the matters of the said Petition was further adjourned until this day: And whereas Robert Chapman, Esquire, the said Registrar, has made and executed a deed of conveyance and assignment in the name and on behalf of the said Petitioner, and in conformity in all respects with the terms of the said recited order; Now, upon production of the said deed of conveyance and assignment, and this Court being satisfied that the said Petitioner has complied with the terms of the said order, and upon hearing Mr. Cook, of Counsel for the said Petitioner, it is ordered that the said Petitioner, Alexander Williamson, be, and he is hereby released and discharged from all his debts, liabilities, and engagements, specified in his said Petition, and in the schedule thereto.

Dated this fifteenth day of May, 1865.

By the Court,

ROBERT CHAPMAN,

£2 10s.

(L.S.)

Registrar.

In the Supreme Court of New Zealand, }
Otago and Southland District. }

In the matter of the Petition of GERARD SPOONER, of Popotunoa, in the Province of Otago, New Zealand, Runholder, a Debtor; and in the matter of the Petition of William Walter Cargill, John Cargill, and Edward Bowes Cargill, all of Dunedin, in the Province of Otago aforesaid, Merchants and Copartners, Creditors of the said Gerard Spooner to the extent of not less than Fifty Pounds; and in the matter of the "Debtors and Creditors Act, 1862."

NOTICE is hereby given that His Honor Mr. Justice Richmond has this day appointed Friday next, the 19th May instant, at 10 o'clock in the forenoon, at the Court House, Dunedin, for the examination of the above-named Gerard Spooner, and Saturday the 20th instant, at the same time and place, for a meeting of the Creditors of the said Gerard Spooner; and notice is hereby further given that His Honor has also appointed Monday the 3rd day of July next, at 10 o'clock in the forenoon, at the Court House aforesaid, for hearing the matters of the above Petition.

Dated this fifteenth day of May, eighteen hundred and sixty-five.

B. C. HAGGITT,

Solicitor for the Petitioner.

11s.

DUNEDIN TO WAIKOUAITI, AND WEST
TAIERI TO DUNSTAN.

TENDERS will be received at the Office of the Secretary for Public Works until noon of Monday, the 29th of May instant, for Contract No. 122, for Supply of 550 Cubic Yards of Maintenance Metal, for a portion of the Road from Dunedin to Waikouaiti; also, Contract 123, Graveling about 8 Chains of Road, being the western approach to the West Taieri Bridge.

Specifications may be seen, and forms of tender obtained at the Office of the Engineer of Roads and Works, Dunedin.

Tenders to be endorsed, "Roads and Works, Tender for Contract No. 122 and 123," respectively.

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

FREDERICK J. MOSS,
Secretary for Public Works.

Dunedin, 17th May, 1865.