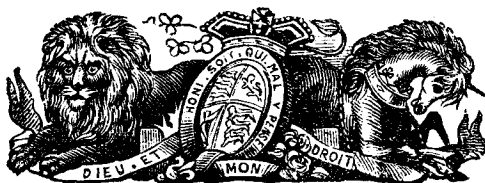


NEW ZEALAND



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

Published by Authority.

Vol. X.

DUNEDIN, WEDNESDAY, MAY 16, 1866.

No. 429

[WITH SUPPLEMENT.]

PROCLAMATION

Rescinding Proclamation of the 27th day of March last, and substituting another Proclamation in lieu thereof, Reserving and Withdrawing from the Mount Benger Gold Field certain Waste Lands of the Crown in the Province of Otago.

By His Honor THOMAS DICK, Esquire, Superintendent of the said Province.

WHEREAS it is expedient to rescind the Proclamation of the twenty-seventh day of March last in so far as it relates to the description of certain lands therein described to belong to the Tuapeka and Mount Benger Gold Fields: And whereas by Proclamation, bearing date the fifteenth day of September, one thousand eight hundred and sixty-three, published in the *Government Gazette* of the Province of Otago, certain Lands therein particularly described were constituted a Gold Field under the name of the "Mount Benger Gold Field," and the limits of the said Gold Field were in the said Proclamation defined: And whereas the Lands hereinafter described are within the limits of the said Gold Field, and it is necessary and expedient to withdraw the same from the said Gold Field;—Now therefore I, Thomas Dick, Superintendent of the Province of Otago, by virtue of the powers delegated to me in this behalf by His Excellency the Governor of New Zealand in Council, under the authority of the "Gold Fields Acts Amendment Act, 1865," do hereby proclaim and declare, that I do rescind the said Proclamation of the twenty-seventh day of March last, in so far as it relates to the description of certain lands therein described, to belong to the Tuapeka and Mount Benger Gold Fields; and in lieu thereof I hereby proclaim and declare that I do withdraw from the said Mount Benger Gold Field the lands hereinafter described, that is to say—

All that area situate in the Mount Benger Gold Field, and commencing at a point opposite the junction of the Scrubburn with the Molyneux River; thence westward for a distance of twenty (20) chains to the boundary of the Mount Benger Gold Field; thence

northward following the boundary of the said Gold Field to a point opposite the junction of the Sowburn with the Molyneux River; thence for a distance of twenty (20) chains eastward to the Molyneux River; and thence along the said River to the starting point, containing approximately one thousand four hundred and forty (1440) acres.

And by virtue and in exercise of the powers delegated to me in this behalf, I do proclaim and declare all the said Lands hereinbefore described to be exempt from occupation under any Miner's Right or Business License.

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

THOMAS DICK,
Superintendent.

By His Honor's command,
H. J. MILLER,
Provincial Secretary.

PROCLAMATION

Of Governor having assented to certain Ordinances.

By His Honor THOMAS DICK, Esquire, Superintendent of the Province of Otago.

WHEREAS in the twenty-first Session of the Provincial Council of the Province of Otago, held in the twenty-ninth year of the Reign of Her Majesty Queen Victoria, there were passed by the said Council the following Bills, that is to say—

"Oamaru Town Reserves Management Bill, 1865."
"Roads Diversion Bill No. 2, 1865."

And whereas the said Bills above-named were, upon the fifth day of January last, presented to the Superintendent of the Province of Otago, for the assent of the Governor of the Colony of New Zealand: And whereas the said Superintendent did declare that he reserved the said Bills for the signification of the Governor's pleasure thereon: And whereas the said Bills have been laid before the said Governor, and he has assented to the same: Now therefore I, the said

Thomas Dick, Superintendent of the Province of Otago, do hereby proclaim that the said Bills have been laid before His Excellency the Governor of New Zealand, and that he has assented to the same.

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

THOMAS DICK,
Superintendent.

By His Honor's command,
H. J. MILLER,
Provincial Secretary.

OTAGO HARBOR STEAM TUG SERVICE CONTRACT.

(Published for general information.)

THIS Deed made the twelfth day of May, one thousand eight hundred and sixty-six, between Robert Dyason, of Port Chalmers, in the Province of Otago, in the Colony of New Zealand, Agent of the one part; and Thomas Dick, Esquire, Superintendent of the said Province, of the other part. Whereas the Provincial Government of Otago have resolved upon granting a subsidy for the Steam Tug Service of the said Province, in the Harbor of Otago: And whereas the said Robert Dyason, sole owner of the steam tug or vessel "Favorite," has proposed and agreed with the said Thomas Dick, as such Superintendent as aforesaid, that in consideration of the subsidy hereinafter agreed to be paid by the said Thomas Dick, as such Superintendent as aforesaid, the said steam tug or vessel shall ply when required on the said Harbor and Approaches, commencing and to be computed from the twenty-seventh day of April last until the thirtieth day of September next (both dates inclusive), and shall tow vessels at the rates mentioned in the Schedule hereunder written. Now this Deed witnesseth that in pursuance of the said agreement, and in consideration of a subsidy or payment at the rate of one thousand pounds per annum, to be paid monthly as hereinafter mentioned by the said Thomas Dick, or his successors, Superintendents of Otago, to the said Robert Dyason, his executors, administrators, or assigns, he, the said Robert Dyason, for himself, his heirs, executors, and administrators, doth hereby covenant, promise, and agree to and with the said Thomas Dick, Superintendent as aforesaid, and his successors in office, that he the said Robert Dyason, his executors or administrators, shall and will, whenever required, cause the said steam tug or vessel "Favorite" to ply in and on the Harbor of Otago and its approaches, for and during the period commencing and to be computed from the twenty-seventh day of April last, until the thirtieth day of September next, and to tow vessels at the rates mentioned in the schedule hereto; and shall and will during the said period uphold and maintain the said steam-tug or vessel, engines, and all necessary gear and appliances so to be employed as aforesaid in good and substantial repair, and in good working order and condition, in all respects, and will keep the said vessel always afloat, fully manned, and properly supplied with the necessary stores and fuel. And the said Thomas Dick, as such Superintendent as aforesaid, for himself and his said successors, doth hereby covenant, promise, and agree, to and with the said Robert Dyason, his executors and administrators, that if he the said Robert Dyason, his executors, administrators, or assigns, shall duly perform the covenants and agreements on his and their parts hereinbefore contained, he the said Thomas Dick, or his successors, will pay, or cause to be paid to the said Robert Dyason, his executors or administrators, for the period aforesaid, the said subsidy or payment, at the rate of one thousand pounds per annum, by monthly instalments of eighty-three pounds six shillings and eightpence each, on the last day of every month of the said period, or such proportion thereof as shall be earned conformably to the conditions of this contract. And it is hereby declared and agreed, by and between the parties hereto, that a copy of the table of

the rates of towage contained in the said schedule shall be at his own proper costs and charges, advertised by the said Robert Dyason in one or more newspapers published in Dunedin once in every two months of the said term, and a printed copy of the said table shall be fastened to a conspicuous place on board the said steam-tug. And further, that in case the said steam-tug shall at any time during the said term become disabled, through accident or want of repair, or any other cause, and shall in consequence cease to ply and tow as aforesaid, and shall not be refitted or repaired, or some other approved steam-tug or vessel substituted in lieu thereof, within the period of one calendar month, then and from thenceforth this contract shall be deemed to be wholly at an end. And also, that the said Robert Dyason shall not be entitled to claim, and shall not be paid any subsidy whatever, in respect of the period during which the said vessel or steam-tug "Favorite," or some other approved steam-tug or vessel to be substituted for her, shall fail to tow and ply as aforesaid. In witness whereof, the said Robert Dyason hath hereunto set his hand and seal; and the said Thomas Dick hath hereunto set his hand, and hath caused the public seal of the said Province to be hereto affixed.

Schedule above referred to.—Heads to Port Chalmers, and vice versa.

Tons Register.	Tons Register.	Inwards Net.	Outwards Net.
From 100	to 150 inclusive,	£8 0 0	£7 12 0
" 151	" 200 "	10 0 0	9 10 0
" 201	" 250 "	12 0 0	11 8 0
" 251	" 350 "	15 0 0	13 10 0
" 351	" 400 "	17 0 0	15 0 0
" 401	" 500 "	20 0 0	16 10 0
" 501	" 600 "	22 0 0	17 12 0
" 601	" 700 "	25 0 0	20 0 0
" 701	" 800 "	27 0 0	21 12 0
" 801	" 900 "	28 10 0	22 16 0
" 900	" 1000 "	30 0 0	24 0 0
" 1001	" 1200 "	32 0 0	25 12 0
" 1201	" 1500 "	35 0 0	28 0 0

Port Chalmers to Dunedin, and vice versa.

Tons Register.	Tons Register.	Inwards or Up, Net per Ton.	Outwards or Down, Net per Ton.
From 60	to 100 inclusive,	£0 1 6	£0 1 3
" 101	" 200 "	0 1 4	0 1 0
" 210	" 300 "	0 1 2	0 1 0
" 301	" 350 "	0 1 1	0 0 9
" 351	" 450 "	0 1 0	0 0 9

Larger tonnages than above, per agreement.

Note.—Any vessel anchoring off Acheron Head, or other place in the vicinity of the Harbor, will be charged the same as if towed direct into Port Chalmers; and if afterwards shifted into Port or otherwise, will be liable to the usual charge for such work. Shifting in the Bay or Harbor, and other special work, as per agreement.

Signed, sealed, and delivered by the
said Robert Dyason, in presence
of WM. THOMSON,
Harbor Master, Port Chalmers. } ROBT. DYASON

Signed, sealed, and delivered by the
said Thomas Dick, in presence of
A. FINDLATER,
Provincial Solicitor's Department,
Dunedin. } THOMAS DICK.

NOTICE is hereby given that the General Road Board has appointed

MR. JAMES DOUGHTY
to be Clerk of the said Board.

THOMAS DICK,
Superintendent of the Province of Otago,
Chairman of the said Board.

15th May, 1866.

HIS Honor the Superintendent directs it to be notified that he has been pleased to make the following appointments:—

Sergeant L. J. WEIDNER, No. 336,
to be Inspector of Slaughter Yards, and of Cattle intended for Slaughter for the District of Tokomairiro, *vice* Constable Albert, removed;

Mounted Constable J. ALBERT, No. 296,
to be Inspector of Slaughter Yards, and of Cattle intended for Slaughter for the Dunedin District, *vice* Kingcombe, discharged.

H. J. MILLER,
Provincial Secretary.

IT is hereby notified that a Writ, issued for the election of a person to serve as Member of the Provincial Council for the Taieri District, in place of Alexander Rennie, Esquire, has been duly returned, with a certificate dated 8th May, 1866, to the effect that

HENRY DRIVER, Esquire,
has been duly returned.

H. J. MILLER,
Provincial Secretary.

9th May, 1856.

METEOROLOGICAL OBSERVATIONS taken at Dunedin, for the month of April, 1866.

Lat. 45° 52' 11" S.; Long. 170° 31' 7" E.; altitude above sea, 550 feet.

BAROMETER, REDUCED TO 32° FAH. AND SEA LEVEL.

Mean atmospheric pressure for month	:	29.892	inches
Highest pressure (on 16th)	:	30.380	"
Lowest pressure (on 23th)	:	29.809	"
Range for month	..	1.291	"

TEMPERATURE IN SHADE.

Approximate mean temperature for month	:	50.8°	Fah.
Mean maximum temperature	:	59.0	"
Mean minimum temperature	:	42.6	"
Mean daily range of temperature	:	16.4	"
Highest maximum temperature (13th)	:	74.0	"
Lowest minimum temperature (7th)	:	34.0	"
Extreme range for the month	:	40.0	"

SOLAR RADIATION.

Maximum (on 16th)	:	89	"
Minimum (on 29th)	:	61	"
Mean for month	:	76	"

TERRESTRIAL RADIATION.

Maximum (on 12th)	:	45	"
Minimum (on 6th)	:	29	"
Mean for month	:	37	"

Mean degree of humidity (Saturation=100)	} Computed from the	70.9	"
Mean elastic force of Vapour			
Mean temperature of the dew point	} observations.	.252	inches
Total rainfall on 17 days			
Greatest rainfall in one day (on 16th)	servations.	40.5°	Fah.
Mean amount of sky covered (overcast =10)	0.732	inches
	0.130	"
	5	

WIND.

Mean velocity per day for month	206	miles
Greatest velocity observed for 24 hours (on 18th)	715	"

Number of days on which the wind blew from each point, at 9.30 a.m.:—N., 1; N.E., 2; E., 1; S.E., 0; S., 1; S.W., 5; W., 12; N.W., 2; calm, 6.

REMARKS.

Lunar halo seen on 27th.
Hail fell on 7th.
Fog prevailed on 21st and 24th.
Great Storm on 18th from West.
Gale on 28th from West.

HENRY SKEY.

NOTICE is hereby given that the Partnership at one time subsisting between us, DENNIS HEENAN and DANIEL HEENAN, as Hotelkeepers, at and in the British Hotel, in George-street, Dunedin, and as carriers, was upon the 11th day of April, 1865, in accordance with certain terms set forth in a deed of partnership made between us, and by mutual consent, dissolved as and from that date.

Dated the seventeenth day of April, one thousand eight hundred and sixty-six.

DENNIS HEENAN.

Witness—JOHN FLANAGAN.

7s. 6d.

DISSOLUTION OF PARTNERSHIP.

THE partnership hitherto existing between William Fuller and George Perriman has this day been dissolved by mutual consent.

(Signed) W. FULLER,
GEORGE PERRIMAN.

Witness—RICHARD CREETH.

Dunedin, 30th April, 1866.

3—15s.

NOTICE.

IN THE INSOLVENT ESTATE OF BAYLEY PIKE, OF CARISBROOK, NEAR DUNEDIN, SHEEP FARMER.

A FINAL Dividend, not exceeding 1s. 3½d. in pound, has been declared, and will be payable at the offices of the undersigned on and after Monday the 14th instant.

Dated at Dunedin the 10th day of May, 1866.

SMITH AND DEMPSEY,

5s.

Solicitors.

Colonial Defence Office,

Wellington, 26th April, 1866.

HIS Excellency the Governor has been pleased to make the undermentioned appointments viz:—

* * * * *

In the Otago Volunteers.

North Dunedin Company:

Arthur John Burns, to be Captain. Date of Commission, 30th December, 1865.

John McKellar, to be Ensign. Date of Commission, 29th December, 1865.

Bruce Company:

George Tait, to be Lieutenant. Date of Commission, 27th December, 1865.

Mark Scott, to be Ensign. Date of Commission, 30th December, 1865.

Waikari Rangers:

John Tough, to be Ensign. Date of Commission, 30th December, 1865.

East Taieri Company:

Thomas Shand, to be Lieutenant. Date of Commission, 30th December, 1865.

John Andrew, to be Ensign. Date of Commission, 30th December, 1865.

T. M. HAULTAIN.

Colonial Defence Office.

Wellington, 26th April, 1866.

HIS Excellency the Governor has been pleased to accept the resignation of the Commissions held by the under-mentioned Officers, viz:—

Captain V. Pyke, North Dunedin Rifle Volunteers.

* * * * *

T. M. HAULTAIN.

Colonial Secretary's Office,

Wellington, 26th April, 1866.

THE following Ordinances, passed by the Provincial Council of Otago, intituled—

"Otago Provincial Representation Ordinance, 1864, Amendment Ordinance, 1866;"

"Education Reserves Ordinance, 1865;"

"Education Ordinance 1864 Amendment Ordinance, 1865;"

having been laid before the Governor, His Excellency has been pleased to leave the same to their operation.

E. W. STAFFORD.

(From the *New Zealand Gazette*, May 7, 1866, No. 25.)

ORDER IN COUNCIL.

G. GREY, Governor.

Approved in Council this twenty-third day of March, one thousand eight hundred and sixty-six.

Present:

THE PRESIDENT AND MEMBERS OF THE EXECUTIVE COUNCIL.

WHEREAS by "The Otago Loan Ordinance, 1861," passed by the Superintendent and Provincial Council of the Province of Otago, provision was made for raising a Loan of fifty thousand pounds for the public service of the said Province, and for liquidation of its public debt.

And whereas by "The Otago Loan Ordinance, 1861-2," provision was made for the appointment by the Governor of Trustees for receiving such sums as by the said Ordinance are required to be paid to them.

And whereas by the said last-mentioned Ordinance it is further provided that every sum so paid should be invested on the security of Debentures issued by the General Government, or otherwise as His Excellency the Governor and the Superintendent should direct.

And whereas by the "Otago Loan Ordinance, 1862," provision was made for raising a Loan of five hundred thousand pounds for the public service of the Province of Otago, and for providing a Sinking Fund for the liquidation thereof.

And whereas by the said Ordinance it was further provided that every sum so paid should be invested in the security of Debentures issued by the General Government or otherwise, as His Excellency the Governor and the Superintendent should direct.

And whereas Alfred Royland Chetham Strode, of Dunedin, and John Jones, of Waikouaiti, have been duly appointed Trustees under and by virtue of the powers in the said respective Ordinances in that behalf contained.

And whereas the said Trustees have received and now hold for the purpose of the said Sinking Funds, by the said respective Ordinances provided for, certain sums as hereinafter mentioned, that is to say, for the purposes of the "Otago Loan Ordinance, 1861," and the "Otago Loan Ordinance, 1861-2," the sum of four hundred and thirty-three pounds five shillings and tenpence.

And whereas it is expedient that the said sum of four hundred and thirty-three pounds five shillings and tenpence, and every sum which shall hereafter be so held by the said Trustees until a further direction varying the mode of investment shall be made, should be invested on the security of Debentures issued by the Government of New Zealand.

Now therefore His Excellency the Governor, in exercise of the power vested in him by the said recited Ordinances, doth hereby with the advice and consent of the Executive Council of the Colony, order and direct that the said sum of four hundred and thirty-three pounds five shillings and tenpence, and every sum which shall hereafter be so held by the said Trustees, shall, until a direction otherwise directing the investment of any sum so held shall be made, shall be invested on the security of Debentures issued by the Government of New Zealand.

FORSTER GORING,
Clerk of the Executive Council.

Colonial Defence Office,
Wellington, 7th May, 1866.

HIS Excellency the Governor has been pleased to make the undermentioned appointments, viz.:

* * * * *

In the Otago Militia.

John James Atkinson, Adjutant of Volunteers, to be Captain and Adjutant. Date of Commission, 29th January, 1866.

In the Dunedin Artillery Volunteers.
Lieutenant Andrew M'Farland to be Captain. Date of Commission, 20th April, 1866.

T. M. HAULTAIN.

Colonial Defence Office,
Wellington, 7th May, 1866.

HIS Excellency the Governor has been pleased to accept the resignation of the Commission held by the undermentioned Officer, viz.:-

Captain C. Ross, Dunedin Artillery Volunteers.

* * * * *

T. M. HAULTAIN.

Delegation under the "Prisoners' Removal Act, 1865."

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, the sixth day of May, 1866.

Present: HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the "Prisoners' Removal Act, 1865," it is enacted that the Governor may by Warrant under his hand from time to time when and as he may deem necessary, direct the removal from any Gaol or Hulk of any Prisoner confined therein to any other Gaol or Hulk within New Zealand; and that upon every such removal every such Prisoner shall be subject to be kept at such Gaol or Hulk for the residue of his sentence, or until removed by legal authority: And further, 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 the powers by the said Act vested in the Governor, to be exercised within such Province, and not elsewhere.

Now therefore His Excellency Sir George Grey, the Governor, by and with the advice and consent of the Executive Council of the Colony, doth by this Order in Council delegate unto Thomas Dick, Esquire, as Superintendent of the Province of Otago, the powers by the said Act vested in the Governor, to be exercised within the Province of Otago, and not elsewhere.

Given under the hand of 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, at the Government House, at Wellington, and issued under the Seal of the said Colony, this sixth day of May, in the year of our Lord one thousand eight hundred and sixty-six.

FORSTER GORING,
Clerk of the Executive Council.

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