



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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[WITH SUPPLEMENT.]

PROCLAMATION.

Appointment of Kerosene Warehouse.

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

WHEREAS the warehouse hereinafter mentioned has been approved of by me as a secure and fit place for the storing and keeping Kerosene and Paraffin Oils;—Now, therefore, I, Thomas Dick, Esquire, Superintendent of the Province of Otago, under and by virtue of the powers vested in me by the “Kerosene and Paraffin Oils Ordinance, 1863,” and the “Kerosene and Paraffin Oils Ordinance 1863 Amendment Ordinance, 1864,” do hereby proclaim, declare, and appoint the building now standing and erected near the Gas Works, on the Anderson’s Bay Road, on part of section numbered 7 of block VII., of the Town District, to be a Public Kerosene Warehouse for the purposes of the before-mentioned Ordinances; and I do hereby appoint

HENRY DUCKMANTON,

of Anderson’s Bay Road, aforesaid, to be Keeper of the said Public Kerosene Warehouse; and I do further fix the amount of rent and charges hereinafter mentioned, to be the rent payable in respect of any Kerosene and Paraffin Oils deposited in the said warehouse, and the charges payable for the receiving and delivery of Kerosene and Paraffin Oils so deposited; (that is to say)—

RENT—Three halfpence per case per week or portion of a week.

CHARGES—

Receiving—Three halfpence per case.

Delivery—Three halfpence per case.

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

THOMAS DICK,
Superintendent.

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

PROCLAMATION

Of Regulations under “Diseased Cattle Act, 1861,” for preventing the spread of the Disease called Pleuro-pneumonia, and for the Destruction of Cattle infected with such Disease.

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

WHEREAS by virtue of the powers delegated to and vested in him in that behalf, John Hyde Harris, Esquire, the then Superintendent of the Province of Otago, did, by a Proclamation published in the *Government Gazette* of the said Province, and dated the 26th day of February, 1864, make, publish, and proclaim certain Regulations for the destruction of Diseased Cattle in the Infected Districts therein mentioned, and for prohibiting the removal and transportation of cattle out of the said Infected Districts, and for preventing the further spread of the disease called Pleuro-pneumonia: And whereas, by virtue of the powers vested in me in that behalf, I did, by a Proclamation published in the said *Government Gazette* of the said Province, and dated the tenth day of October, 1865, make, publish, and proclaim certain other Regulations, permitting the removal of cattle from Infected Districts in certain cases: And whereas it has seemed to me expedient that the said Regulations should be revoked: And whereas, by virtue of the powers delegated to and vested in me in that behalf, I did, by a Proclamation published in the said *Government Gazette* of the said Province, and dated the 26th day of November, 1866, 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;”

Now therefore I, Thomas Dick, Esquire, Superintendent of the Province of Otago, by virtue of the powers delegated to and vested in me in this behalf, do hereby revoke and cancel the said Regulations so made, published, and proclaimed, dated the 26th day of February, 1864, and the 18th day of October, 1865, as aforesaid, and do make, publish, and proclaim the following Regulations, which shall, from and after the 26th day of December instant, be the Regulations for the destruction of diseased cattle within the said Infected District, and for prohibiting the removal and trans-

portation of cattle out of the said Infected District, and for preventing the further spread of the disease called Pleuro-pneumonia (that is to say)—

Regulations for the Infected District proclaimed by Proclamation bearing date the 26th day of November last above referred to.

1. If any Inspector appointed under these Regulations, or otherwise under the "Diseased Cattle Act, 1861," for the Infected District above referred to shall at any time have reasonable grounds to suspect that any Cattle within the Infected District above referred to are infected with Pleuro-pneumonia, it shall be his duty, and he is hereby authorised forthwith, or as soon as he conveniently can, to proceed to and enter into and upon the place, whether inclosed or otherwise, where such Cattle are or are supposed by him to be, and by inspecting such Cattle, or in any other manner shall satisfy himself whether such Cattle, or any of them, are infected, or may be reasonably suspected to be infected with Pleuro-pneumonia, or whether the same are free from Pleuro-pneumonia.

2. If such Inspector shall be satisfied that such cattle or any of them are actually infected with Pleuro-pneumonia, he shall forthwith give to the owner or the person having the custody, charge, or possession of the said cattle notice of which of the said cattle he deems actually infected with such disease, and such owner or person aforesaid shall within twenty-four hours after such notice destroy the cattle so deemed infected, and shall forthwith bury four feet under ground or burn the carcasses of the cattle so destroyed; and if the owner or person having the custody or possession of the cattle deemed by the Inspector to be infected cannot readily be found, or if such owner or person neglect to destroy the cattle deemed infected after the receipt of the notice aforesaid, any Inspector for the said infected district may seize and destroy, or cause to be seized and destroyed, such cattle so deemed infected.

3. If any owner of cattle, or any person having the custody or charge of cattle, shall, after having received such notice as aforesaid, neglect or refuse to destroy the same or any of them within twenty-four hours after such notice, such owner or person aforesaid shall be liable to a fine or penalty of Fifty Pounds for every head of cattle which he shall have neglected or refused to destroy.

4. If any owner of cattle which any such Inspector as aforesaid has notified to be infected, or if any person having the custody, care, or possession of any such cattle shall, after the same or any of them have been destroyed, neglect or refuse to bury four feet under ground, or to burn the carcasses thereof, within twenty-four hours after the destruction thereof, such owner or person aforesaid shall be liable to a penalty of Ten Pounds for every carcass which he shall neglect or refuse to bury or burn.

5. If any Inspector for any of the said infected district shall suspect that any cattle within the infected district are infected with Pleuro-pneumonia but shall not be satisfied that such cattle are actually infected, he may if he shall think fit, give to the owner or to the person having the custody, charge, or possession of such cattle, notice in writing of what cattle he suspects to be infected with Pleuro-pneumonia, and shall in and by such notice order and require such owner or such person having the custody, charge, or possession of such cattle to drive or cause to be driven the cattle mentioned in the said notice to such place within the said infected district as such Inspector shall think fit, and such Inspector may in and by such notice direct and fix by what roads and route the said cattle shall be so driven, and if any person being the owner of any cattle, or having in his custody, care, or possession any cattle within said infected districts, shall after the expiration of forty-eight hours after such last-mentioned notice has been served upon him or left at his usual place of business or residence, neglect or refuse to obey such

order, or shall neglect or refuse to drive or cause to be driven the cattle mentioned in the said notice to the place and by the roads and route directed and fixed on by the said notice, such person shall be liable to a penalty of Ten Pounds for every head of cattle included in such last-mentioned notice, and after the expiration of the said period of forty-eight hours it shall be lawful for any such Inspector if such owner or person as aforesaid shall neglect or refuse to obey such order, to seize and take into his possession the cattle included in such notice, and drive, or cause to be driven, the said cattle to the place and by the roads and route mentioned and fixed in the said notice.

6. The Inspectors of diseased cattle under these Regulations and under the said Act shall forthwith cause to be publicly posted or exhibited at and about all the main thoroughfares leading into the said infected district, notices that the said infected district has been proclaimed and declared infected.

7. If any person shall drive or remove, or cause to be driven or removed, or assist in driving or removing, any cattle out from the said infected district, such person shall be liable to a fine of Fifty Pounds for every head of such cattle so driven out from the said infected district. And if any cattle shall stray out of or from the said infected district into a district not proclaimed to be infected, the owner or person having the care or possession of such cattle shall be liable to a fine of One Pound for every head of cattle which shall have so strayed out of such district.

8. It shall be lawful for any Inspector for the said infected district, or any Police Constable having reasonable grounds to suspect that any cattle are about to be driven out from the said infected district, to seize the same and take charge thereof until he shall be satisfied that no attempt will be made to drive such cattle out from the said infected district. And it shall be lawful for any Inspector of the said district, or any Police Constable, to seize any cattle that have strayed or been driven out of or from the said infected district, and to take charge of the same and to drive, or cause to be driven the said cattle back into the district from which they had been driven; and if such Inspector or Constable shall deem it expedient so to do to keep the said cattle under his control until the owner or the person having the right to the possession thereof shall be found or made known to him.

9. In case any person shall wilfully impede or obstruct any Inspector or any Police Constable acting under the authority of these Regulations, every person so offending shall and may be seized and detained by such person so acting as aforesaid, or any person or persons he may call to his assistance, until such offender or offenders can be taken before two Justices of the Peace, and shall be liable to a penalty of Fifty Pounds.

10. All owners or persons having the custody, care, or possession of any Cattle within the said Infected District shall within fourteen days from the said 26th day of December instant, give a notice in writing to the Officer in charge of the Police Station nearest to the place where such Cattle are kept or are, containing the number of such Cattle, the particulars as nearly as can be of the place or places where such Cattle are kept or are, and the brands with which they are branded, and if such owners or persons shall neglect or refuse to obey this Regulation they shall be liable to a penalty of Ten Pounds.

11. Every Inspector for the said Infected District shall make a Report in writing to the said Superintendent of all things done by him under these Regulations and under the said Act, as and when he shall be required so to do.

12. Any Inspector may, if he shall think fit, grant a Certificate to the owner of any Cattle destroyed under or by virtue of the said Act, or these Regulations, recommending a grant to such owners of compensation for such destruction; but compensation shall in no case exceed £3 per head for Cattle under two years, or £6 per head for Cattle above that age.

13. The Superintendent of Otago shall from time to time, as occasion may require, appoint proper persons to be called Inspectors and Assistant Inspectors, to carry out and enforce these Regulations in the Districts for which they are appointed.

14. The Assistant Inspectors shall have all the powers and authorities conferred upon Inspectors of Districts, except the power and authority conferred by the second of these Regulations, to seize and destroy, or to be caused to be seized and destroyed, infected or diseased cattle, or cattle deemed to be infected or diseased, and except also the power or authority to grant any certificate recommending compensation for the destruction of such cattle, and it is hereby expressly declared that with the said exceptions, wherever in these Regulations the word Inspector occurs, it is to be deemed and construed to include in its meaning the words Assistant Inspector. Provided always that no order of any Assistant Inspector or Assistant Inspectors shall override or render void any order or notice of an Inspector.

15. Any person who is desirous of driving or removing, or of causing to be driven or removed, any cattle from or out of the said infected district, shall first obtain, after inspection, a certificate from the Inspector, or one of the Inspectors, of the said infected district in the form of the Schedule hereto annexed, or to the effect thereof, which certificate shall be a sufficient authority to drive or remove such cattle from and out of such infected district at any time within the period specified in such certificate; provided that such certificate shall have no force or validity unless the cattle shall be so driven or removed within the time specified therein.

16. Any Inspector upon being required by notice in writing, containing the number and kind, description and marks, and brands of the cattle to be inspected from any person, and served personally upon him, or left at such Inspector's usual place of abode, and upon payment or tender to him of the fees, which by the 19th Regulation he is entitled to receive, shall attend at any place mentioned in such notice within the said district forthwith after the receipt of such notice, or within a reasonable time thereafter, for the purpose of examining any cattle which it is proposed to drive or remove from or out of the said district, with a view to decide whether he shall grant the certificate required by the 17th Regulation.

17. Every Inspector, after examining, when requested as aforesaid, any cattle which it is proposed to drive or remove from and out of his district, and after obtaining from the proprietor or person in charge of such cattle a written declaration that they have been free from disease for a period of six months prior to such examination, shall, if he be satisfied by such examination and declaration, or otherwise, that such cattle, or any of them, are free from disease, and have been so during the immediately preceding six months, grant a certificate in the form contained in the Schedule hereto annexed, or to the like effect, which certificate shall be a sufficient authority for the removal of such cattle from the infected district at any time within the period prescribed by the said certificate: And it shall be lawful for any such Inspector to defer granting such certificate for any time not longer than fourteen days in cases where he suspects that such cattle have incurred risk of infection, and such Inspector may, by inquiry, and such other means as he thinks fit, satisfy himself whether there is reason to believe that such cattle are infected.

18. The Inspector's certificate for the driving or removal of cattle out of the said infected district shall be in the form contained in the Schedule hereto annexed, or to the like effect, and shall authorise the removal of the cattle in the certificate specified within a time to be fixed therein.

19. The Inspector, provided he is not a salaried Government Officer, shall be entitled to fees at the

rate of Two Pounds per diem, during the time he may be employed, and every Inspector shall be entitled to travelling expenses at the rate of one shilling and sixpence per mile one way, for granting certificates for the removal of such cattle out of the district, which fees shall be paid before inspection by the person applying for such examination and certificate as aforesaid.

20. No Penalty to be inflicted under these Regulations shall exceed the sum of five hundred pounds.

SCHEDULE.

I do hereby certify that I have authorised (*name, residence, and description of owner of Cattle, or person having charge thereof,*) to drive or remove the under-mentioned Cattle from and out of the Infected District of ().

Number and Kind.	Description and Marks.	Brands.

This Certificate to be in force for () days from the date hereof.

Date.....

A. B.,

Inspector of Cattle ().

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

THOMAS DICK,
Superintendent.

By His Honor's command,
JOHN MOUAT,
Provincial Secretary.

HAVELOCK CEMETERY MANAGERS.—His Honor the Superintendent directs it to be notified that he has been pleased to appoint the following persons—

MR. JOHN TANTON
MR. JOHN NORMAN
MR. JOHN EDIE
MR. DANIEL CLARKE
MR. JOHN M'HATTIE
MR. WILLIAM BOLT
MR. JAMES DUKE

—to be managers of the Reserve set aside for the purpose of a Public Cemetery in the town of Havelock, by the "Cemetery Reserves Ordinance, 1864."

JOHN MOUAT,
Provincial Secretary.

1st December, 1866.

EDUCATIONAL MEETINGS.—Notice is hereby given, that the Annual Statutory Meeting of the owners and occupiers of land and householders in each Educational District, established under the provisions of the "Education Ordinance, 1864," for the election of a new School Committee, will be held upon Monday, the 14th day of January, 1867, at 7 o'clock p.m., at the following mentioned places respectively, viz:—
At Dunedin, in the Middle District School-house, between York Place and Dowling Street.
At East Clutha, in the Main District School-house.
At Tokomairiro, in the Main District School-house, Milton.

At Inch Clutha, in the Main District School-house.

At West Taieri, in the Main District School-house.

At Wakari, in the Main District School-house; and in the respective School-houses, or Buildings used as School-houses, in the following mentioned districts, viz.—Port Chalmers, Portobello, North-East Harbor, Anderson's Bay, North-East Valley, Mornington, Caversham, Green Island, East Taieri, Saddlehill, North Taieri, Lake Waipori, Waiholo, Balclutha, Warepa, Kaihiku, Blueskin, Waikouaiti, Hampden, Otepopo, Oamaru, Lawrence, and Queenstown.

JOHN HISLOP,
Secretary to the Education Board.

N.B.—By the 14th section of the "Education Ordinance, 1864," it is enacted, that "on the second Monday in the month of January in each year excepting in the month of January 1865 a public meeting of the owners and occupiers of land and householders in every Educational District being male persons above twenty-one years of age shall be held at a time and place to be fixed by the Secretary of The Board and notified by public advertisement at least one month previously and in such other manner as The Board shall direct and at such meeting a Chairman shall be chosen and the School Committee for the preceding year shall give a full report of their proceedings and thereupon the electors present shall proceed to elect either by show of hands or by ballot as shall be determined upon by the said meeting a new School Committee for the ensuing year of not less than five nor more than nine persons possessing the qualifications prescribed by clause 13 and may re-elect all or any of the persons going out of office to be members of such new Committee and every Committee so to be appointed shall hold office until the appointment of their successors."

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

In the matter of the Petition of ALEXANDER MONTGOMERIE, of Waikouaiti, in the Province of Otago, Debtor, and John Jones, of Dunedin, in the Province of Otago aforesaid, Creditor of the said Alexander Montgomerie, to the extent of not less than Fifty Pounds; and in the matter of the "Debtors and Creditors Act, 1862," and the "Debtors and Creditors Act Amendment Act, 1865."

THE matter of this Petition, coming on this day for the second hearing thereof: Upon reading the order for sequestrating and vesting the estate and effects of the above-named bankrupt, made in these matters, dated the fourteenth day of August last, and upon hearing Mr. Maddock, his counsel, it is ordered that Frederick Horatio Evans, of Dunedin aforesaid, Accountant, be, and he is hereby appointed, Trustee of the estate and effects of the bankrupt; and it is further ordered, that all the real and personal estate of the bankrupt shall vest in the said Frederick Horatio Evans, by virtue of his said appointment, and shall be held by him, his heirs, executors, and administrators (except the wearing apparel of the bankrupt, his wife, and children, which shall be retained by them), upon and for the following trusts and purposes, namely:—

1. To sell, collect, and get in such real and personal estate, and receive the moneys arising therefrom, and execute all necessary conveyances and assurances thereof.

2. To retain and pay all expenses, properly incurred, of and attending such collection and getting in.

3. To pay the poundage and fees payable under the above-mentioned Acts.

4. To pay the costs, properly incurred, of and incidental to the Petition in these matters, and subsequent thereto; such costs to be taxed, and also all costs and expenses in these matters, which have been or shall be ordered by this Court, or by any Judge thereof, to be paid out of the estate of the bankrupt.

5. To distribute the net residue of the said trust moneys between and amongst and for the benefit of all the creditors of the bankrupt, who were his creditors at the time of the presentation of his said Petition, and who shall duly prove their debts by affidavit, within three calendar months from the date of this order, by way of *pro rata* distribution, subject to existing legal priorities, but so that the said creditors shall not receive more than twenty shillings in the pound upon their said respective debts.

6. To pay the ultimate surplus (if any), of the said trust moneys to the bankrupt.

Dated this sixth day of November, 1866.

By the Court,

ROBT. CHAPMAN,
Registrar.

I, the above-named Frederick Horatio Evans, hereby accept the appointment of Trustee made by the foregoing order, and consent to hold the real and personal property therein mentioned, upon and for the purposes and trusts therein mentioned.

FRED. H. EVANS.

WM. D. STEWART,

Witness to the Signature of the said
Frederick Horatio Evans.

PRENDERGAST, KENNYON & MADDOCK,
39s. Solicitors for the Trustee.

NOTICE is hereby given that the partnership subsisting between the undersigned Mathew Holmes and Michael Sherlock Gleeson, carrying on the business of Sheep and General Farmers in the District of Moeraki, in the Province of Otago, under the style or firm of "Holmes and Gleeson," has been this day formally dissolved by mutual consent, as from the twenty-seventh day of July, one thousand eight hundred and sixty-five.

Dated this twenty-ninth day of November, 1866.

MATHEW HOLMES.
M. S. GLEESON.

Witness to both signatures—

GEORGE COOK,
Solicitor, Dunedin. 8s.

NOTICE is hereby given, that the Partnership heretofore subsisting between the undersigned, carrying on business at Clyde as Coal Dealers, has this day been dissolved by mutual consent, and that the business will in future be carried on by James Holt. All debts will be received by Francis Dakin, who is empowered to give receipts for same.

his
FRANCIS X DAKIN.
mark.
JAMES HOLT.

Witness—

WM. S. BAILEY.
Clyde, 1st November, 1866.

3—20s

THE Red Cow, advertised to be sold on the 14th instant, at West Taieri Pound, has been claimed.