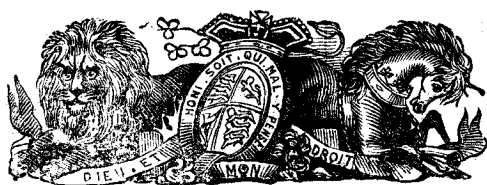


NEW ZEALAND.



# OTAGO PROVINCIAL GOVERNMENT GAZETTE.

Published by Authority.

Vol. XI.

DUNEDIN, THURSDAY, JANUARY 17, 1867.

No. 461

**HIS HONOR THE SUPERINTENDENT** directs it to be notified that he has appointed  
**WILLIAM MASON**, Esquire, R.M.,  
**WILLIAM HUNTER REYNOLDS**, Esquire, J.P.,  
**WILLIAM DICK MURISON**, Esquire, J.P.,  
 to be Visiting Justices of the Gaol, Dunedin.  
**JOHN MOUAT**,  
 Provincial Secretary.  
 2nd January, 1867.

**HIS HONOR THE SUPERINTENDENT** has received and accepted the resignation of  
**CHARLES BROAD**  
 as Visiting Justice of the Gaol, Naseby.  
**JOHN MOUAT**, Provincial Secretary.  
 10th January, 1867.

**HIS HONOR THE SUPERINTENDENT** directs it to be notified, that he has appointed  
**JOHN NUGENT WOOD**, Esquire,  
 to be Visiting Justice of the Gaol at Naseby, *vice* Charles Broad resigned.  
**JOHN MOUAT**, Provincial Secretary.  
 10th January, 1867.

*Commissioners of the Waste Land Board Appointed.*

**HIS HONOR THE SUPERINTENDENT** directs it to be notified that, by virtue of the powers conferred on him by the "Otago Waste Lands Act, 1866," he has, by warrants under his hand, duly nominated, constituted, and appointed  
**JULIUS VOGEL**, Esquire,  
 Provincial Treasurer of the Province of Otago, and  
**JOHN MOUAT**, Esquire,  
 Provincial Secretary of the Province of Otago, to be Commissioners of the said "Waste Lands Board of the Province of Otago."

**JOHN LOGAN**,  
 Secretary to Superintendent.  
 Superintendent's Office,  
 Dunedin, 14th January, 1867.

WARRANT

*Of appointment of Mr. Gerard Spooner, as an Assistant Inspector of Diseased Cattle.*

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

**PURSUANT** to the powers delegated to me by His Excellency the Governor in this behalf, and under and by virtue of the "Diseased Cattle Act, 1861," and the "Diseased Cattle Amendment Act, 1865," I, **THOMAS DICK**, Esquire, Superintendent of the Province of Otago, do hereby appoint

**MR. GERARD SPOONER**,

of Clutha Ferry, as and to be an Assistant Inspector of Diseased Cattle, to perform the duties required by the said Acts or either of them, but without salary: and I do hereby prescribe that the appointment hereby made, shall take effect from and after the fifth day of February one thousand eight hundred and sixty-seven.

Given under my hand at Dunedin, this fourteenth day of January, one thousand eight hundred and sixty-seven.

**THOMAS DICK**,  
 Superintendent of the Province of Otago.

NOTICE

*Of certain land in the incorporated town of Oamaru having been reserved for the purpose of holding Exhibitions of Live Stock and Agricultural Produce.*

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

**WHEREAS** the Provincial Council of Otago have, under and by virtue of Section 62 of the "Otago Waste Lands Act, 1866," recommended that the Land hereinafter described should be reserved for the purpose of holding exhibitions of live stock and agricultural produce for the Incorporated Town of Oamaru, and it is expedient that the said Land

should be so reserved for these purposes; Now, therefore I, THOMAS DICK, Esquire, Superintendent of the Province of Otago, in pursuance and exercise of the power and authority vested in me in this behalf by the "Otago Waste Lands Act, 1866," do hereby publish and declare that I have made and dedicated the Land hereinafter described a Reserve for the purpose of holding Exhibitions of Live Stock and Agricultural Produce, henceforth to be known as the "Oamaru Agricultural and Pastoral Reserve," (that is to say)

All that parcel of Land in the Province of Otago, in the Colony of New Zealand, situate in the Town of Oamaru, being Reserve marked G on the map of the said town, containing, by admeasurement, six acres and four poles, more or less, bounded towards the north by Arun-street one thousand one hundred links, towards the east by Wharf-street five hundred and fifty links, towards the south by a street line one thousand one hundred links, and towards the west by Hull-street five hundred and fifty links, as the same is delineated on the plan drawn in the margin of the Crown Grant thereof.

Dated this 14th day of January, 1867.

THOMAS DICK,  
Superintendent.

#### NOTICE

*Declaring the West Taieri Bridge Free of Toll to Foot Passengers.*

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

WHEREAS by Section V, of the "Bridge Ordinance, 1864," it is provided among other things that it should be lawful for the Superintendent at any time, by a notice published in the Provincial Government "Gazette," to declare any Public Bridge to be open Free of Toll to Foot Passengers: And whereas it is expedient to declare the West Taieri Bridge to be open Free of Toll in the manner above mentioned. Now, therefore, I, Thomas Dick, Esquire, Superintendent of the Province of Otago, in pursuance and exercise of the power and authority vested in me, in this behalf by the "Bridge Ordinance, 1864," do hereby publish and declare, that from and after the 31st day of December now last past, and until further notice, the West Taieri Bridge shall be open and Free of Toll to Foot Passengers.

Dated this 2nd day of January, 1867.

THOMAS DICK,  
Superintendent.

*The following Rules and Regulations have been submitted to the Superintendent and Executive Council, in terms of the "Cemetery Reserves Management Ordinance, 1864, and are published for general information.—15th January, 1867.*

#### ARROWTOWN CEMETERY.—RULES AND REGULATIONS.

1. All charges must be paid in advance when orders are given.
2. Any person or persons making a vault, placing a tombstone, or erecting a monument in the Cemetery, by and with the permission of the Managers for the time being, and upon payment of the required charges, shall maintain, and keep up such vault, tombstone, or monument, according to the terms of such permission, to and for the sole and separate use of such person or persons, heirs, near relations, and friends, for ever.
3. Application for such permission must be made to the Secretary, or to one of the Managers; and a certificate of such permission, in the form in Schedule B, or to the like effect, may be granted to the party applying for such permission, on payment of the charges in Schedule A.

4. The cost and charges of the burial of any person in such Cemetery, will be remitted, on proof being given to the satisfaction of the Managers that such person was a pauper at the time of his death, and that there are no funds applicable, and no person is liable for the payment of costs and charges.

5. Orders for interment must be given to the Sexton at least six working hours prior to the hour fixed for the funeral, otherwise an extra charge will be made in terms of Schedule A. No free interment will be allowed without the above notice of six hours.

6. The Managers will cause all ordinary graves to be dug, but parties desiring brick graves or vaults will be required to construct them under the direction of a Surveyor appointed by the Managers, and in case interment is to be made in any private grave or vault, the consent in writing of the party entitled thereto must be left with the order.

7. The information required by schedule C, must be stated at the time of giving the order.

8. The time fixed for the funeral must be the time when the procession is to be at the Cemetery, and the same must be punctually observed.

9. Until otherwise ordered, the usual hours fixed for funerals will be from 8 o'clock a.m. to 5 o'clock p.m. from the 1st day of September to the 30th day of April, and from 8 o'clock a.m. to 4 o'clock p.m. in the other four months of the year, except on Sundays, when the usual and only funerals will be from 2 to 5 o'clock p.m. throughout the year. No funeral will be allowed to take place between the hours of 7 o'clock p.m. and 7 o'clock a.m.

10. All monuments, vaults, graves, and gravestones must be kept in repair and proper condition by and at the expense of the owners.

11. Every coffin in a vault or brick grave must be bricked in, cemented, and covered by a slab of stone, slate, or iron; and every coffin in a private grave must have on the lid a metal plate, with the name of the deceased stamped or painted thereon.

12. A drawing of every stone, tomb, pedestal, and plan of every fence, monument, or tablet proposed to be erected, and a copy of every epitaph or inscription, must be submitted to the Managers, and approved of by them.

13. No servant or any other person employed by or engaged in any duty on behalf of the Managers, shall receive any gratuity, under penalty of dismissal.

14. The ground will be open daily to the public from sunrise to sunset.

15. A plan of the Cemetery, showing the situation of the graves, shall be kept by the Secretary, and may be inspected on payment of the charge mentioned in Schedule A; and registers of all grants shall be kept by the Secretary.

16. The Sexton shall have power to expel from the cemetery, or to take into custody (as the case may require) any person who shall behave indecorously, or commit any trespass or injury to the trees, flowers, or erections, or otherwise infringe the Ordinance relating to the Cemetery, or the Regulations for the protection of the same; and such person shall be proceeded against according to the provisions of the "Cemeteries Reserve Management Ordinance, 1864."

17. No funeral will be allowed to take place in the Cemetery without a certificate from a Deputy Registrar of Deaths, or the Coroner holding the inquest or inquiry, or a Magistrate; and such certificate must be delivered to the Sexton at the Cemetery, before the funeral enters the gates.

18. All ordinary meetings of the Managers shall be held on the first Monday of each month, at 8 o'clock p.m. Special meetings may at any time be called by the Secretary, and two of the Managers shall form a quorum, who are empowered to do all matters and things which the Managers are authorised to do.

19. The Managers reserve the right to make any alterations from time to time in these Charges and Regulations.

LOWTHER BROAD,  
HENRY CORNING RICHMOND,  
GEORGE CHARLES BOWMAN,  
ROBERT FAULDS WILLIAMSON,  
SAMUEL GOLDSTON, } Managers.

SCHEDULE A—CHARGES.

<i>Public Graves.</i>	
Single interment in open ground ...	£1 0 0
Do. do. of children under 5 years...	0 10 0
Do. do. of still-born children ...	0 5 0

<i>Private Graves.</i>	
Special land for family graves, for each block of 8 feet by 4 feet, as per plan. .	2 2 0
Sinking each grave 6 feet ...	1 0 0
Do. for each additional foot ...	0 5 0
Do. for children under six years ...	0 10 0
Re-opening each grave or vault ...	1 0 0
Certificate of right of Burial in all private graves ...	0 2 6

*Miscellaneous Charges.*

For all interments that take place not in the usual hours, or of which six hours' notice has not been given, an extra charge of ...	0 10 6
If a public grave, an extra charge of ...	0 10 6
If a private grave, an extra charge of ...	1 1 0
Charge for copy of register...	0 1 0
Charge for inspecting plan of register ..	0 1 0

SCHEDULE B.—FORM OF CERTIFICATE OF RIGHT OF BURIAL IN THE ARROWTOWN CEMETERY.

On the application of \_\_\_\_\_, and upon the payment of the sum of \_\_\_\_\_, which is hereby acknowledged to have been received, the Managers of the Arrowtown Cemetery, in terms of and as authorised by the "Cemetery Reserves Management Ordinance, 1864," have agreed to grant, and do hereby grant unto the said \_\_\_\_\_ permission to dig or make a grave or vault on that piece of ground \_\_\_\_\_ feet long by \_\_\_\_\_ feet broad, lying within that portion of the said Cemetery, appropriated for \_\_\_\_\_ burials, and marked No. \_\_\_\_\_ compartment on the plan of the said Cemetery, kept by the said Managers, with permission to erect or place on the said piece of ground a tombstone or monument on payment of such charges as may from time to time be established. And it is hereby declared that the said \_\_\_\_\_ shall be entitled to have, maintain, and keep up such vault, tombstone, or monument, according to the terms of this permission, to and for the sole and separate use of the said \_\_\_\_\_ and his or her or their heirs and near relations for ever; provided always, and it is hereby declared that this grant is made subject to the terms and conditions following, viz.:—First, that the said piece of ground shall be kept and used by the said \_\_\_\_\_, his heirs, near relations, and friends, solely as a burying place, and that no other use shall be made thereof. Second, that no enclosing wall, fence, building, tombstone, or monument, shall be placed or erected on said piece of ground until a plan thereof shall have been exhibited to the said Managers, and their authority given for the erection thereof. Third, that the said grave or vault, and the said wall or fence, building, tombstone, or monument, shall be maintained and kept up by the said \_\_\_\_\_, and his or her heirs, relatives, and friends, in proper repair, to the satisfaction of the Managers. Fourth, that the said \_\_\_\_\_ and his or her heirs and near relatives and friends shall, in the use of the said piece of ground and access thereto, be subject in every respect to such rules and regulations as the Managers of the said Cemetery may from time to time make with the consent of the Superintendent, and shall not be entitled to exercise the right to bury or inter

therein, except on payment of such charges as shall from time to time be fixed by the said Managers.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_\_  
[Signature of Manager or Managers.]

SCHEDULE C.—FORM OF INSTRUCTIONS FOR GRAVES.

Answers to be written opposite to the following questions at the time of giving orders.

1. What Denomination?
2. Name of the deceased?
3. Late place of residence of deceased?
4. Rank of deceased?
5. Age of deceased?
6. Where born?
7. Minister to officiate?
8. Day of funeral?
9. What hour?
10. Number of grave on plan issued?
11. If a public grave?
12. If special land for private graves, what width?
13. If a family vault or brick grave, what width?
14. What depth?
15. If first or second interment?
16. Nature of disease or supposed cause of death?

Signature of \_\_\_\_\_  
Representative (or undertaker).  
Orders received this \_\_\_\_\_ day of \_\_\_\_\_  
186\_\_\_\_\_, at \_\_\_\_\_ o'clock.  
[Signature of Manager or Managers.]

RECEIPTS and DISBURSEMENTS on behalf of the CLYDE CEMETERY, 1866.

RECEIPTS.

1866.			
Aug. 7.	Interment of child ...	£0 10 0	
" 27.	Do. adult ...	1 0 0	
" 30.	Do. 2 adults ...	2 0 0	
" 31.	Allotment of ground, 8 feet x 4 feet	2 2 0	
Oct. 15.	Do. do. do.	2 2 0	
" "	Do. do. do.	2 2 0	
" "	Do. do. do.	2 0 0	
Nov. 24.	Do. do. 8 feet x 8 feet	4 4 0	
Dec. 1.	Interment of adult ...	1 0 0	
" "	Allotment of ground, 8 feet x 4 feet	2 2 0	
" "	Interment of adult ...	0 15 0	
" "	Do. child ...	0 10 0	
			<u>£20 7 0</u>

DISBURSEMENTS.

1866.			
Aug. 27.	Grave-digger, interment of child	£0 7 6	
" 30.	Do. do. 3 adults, 15s.		
	each ...	2 5 0	
Sept. 3.	Minute Book ...	0 10 0	
" "	Stationery ...	0 2 6	
Oct. 16.	Printing Forms ...	5 14 0	
" 20.	Survey of Cemetery ...	1 1 0	
" 26.	Registry Book ...	3 10 0	
" "	Stationery and Cash Book ...	1 5 0	
" "	Grave-digger, Interments ...	1 17 6	
" "	Balance in hand ...	3 14 6	
			<u>£20 7 0</u>

We, the undersigned, do solemnly and sincerely declare, that the foregoing is a true and faithful account of all monies collected by us as Managers of the Clyde Cemetery, for the period from July 23 to December 31, 1866; and we make this solemn declaration conscientiously believing the same to be true.

W. GRINDLEY.  
EDW. G. RYAN.  
D. M'PHERSON.  
ROBERT BARLOW.

Declared before me, at Clyde, this third day of January, 1867.

H. W. ROBINSON, R.M.

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

In the matter of the Petition of SYDNEY JAMES, of Dunedin, in the Province of Otago, livery stable keeper, a debtor; and in the matter of John Hyde Harris, of Dunedin aforesaid, solicitor, a creditor of the said Sydney James to the extent of not less than fifty pounds; and in the matter of "The Debtors' and Creditors' Act, 1862," "The Debtors' and Creditors' Act Amendment Act, 1865;" and "The Debtors' and Creditors' Acts Amendment Act, 1866."

The seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty-six.

**T**HE matter of the above petition coming on this day for the second hearing thereof,—upon hearing Mr Macassey, of counsel for the above named bankrupt, and upon reading the order of Henry Samuel Chapman, Esquire, one of the Judges of the Supreme Court of New Zealand, Otago and Southland District, made herein, and bearing date the twenty-second day of September, one thousand eight hundred and sixty-six, whereby it was ordered that the estate and effects of the said bankrupt mentioned and set out in the schedule annexed to the petition of the said bankrupt, should be, and the same were thereby placed under sequestration in the hands of Joseph Sykes Webb, of Dunedin aforesaid, accountant, to be held by him until the further order of this Honorable Court; and it was thereby further ordered and declared, that the said order now in recital should be deemed a vesting order. Now, therefore, it is ordered, that the said Joseph Sykes Webb be, and he is hereby appointed trustee of the estate and effects of the said bankrupt: And it is further ordered, that the real and personal estate of the said bankrupt, which shall vest in the said Joseph Sykes Webb, by virtue of his said appointment, shall be held by him, his heirs, executors, and administrators respectively, (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 to receive the monies to arise therefrom, and execute all necessary conveyances and assurances thereof.
2. To retain and pay all expenses properly incurred and attending such sale, collection, and getting in.
3. To pay the poundage and all other fees payable under the above-mentioned Act.
4. To pay the costs properly incurred, of and incidental to the petition in these matters and subsequent thereto, such costs to be first 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 monies 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 Petition, and who shall duly prove their Debts by affidavit filed in the office of the Registrar of this Honorable Court within three calendar months from the date of this order, by way of *pro rata* distribution, subject to existing legal priorities (if any), 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 monies to the said bankrupt.

And it is further ordered, that a meeting of the creditors of the said bankrupt be held at the Supreme Court House, Dunedin, aforesaid, on Saturday, the second day of February next, at ten o'clock in the forenoon, for the purpose of taking into consideration the advisability of the above named bankrupt obtaining at once relief under the above mentioned Act: And it is further ordered, that the consideration of the matters

of the said petition be, and the same is hereby further adjourned until the fourth day of January next.

(L.S.) By the Court.

ROBERT CHAPMAN, Registrar.

I, the above named Joseph Sykes Webb, hereby accept the appointment of Trustee made by the foregoing order, and consent to hold the real and personal estate herein mentioned, upon and for the trusts and purposes therein expressed.

J. S. WEBB.

Signed by the said Joseph Sykes Webb, ]  
in the presence of

W. TURTON,

Clerk to Messrs Harris, Macassey & Turton,  
50s Solicitors for the above named bankrupt.

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

In the matter of the several Petitions of SAMUEL TAYLOR, of Dunedin, in the Province of Otago, Express Driver; WILLIAM RYAN, of Dunedin, aforesaid, Comedian; and JOHN BLANDFORD, of Dunedin aforesaid, Grocer, Debtors; and in the matter of the "Debtors and Creditors Acts 1862, 1865, and 1866."

**N**OTICE is hereby given that the above-named Petitioning Debtors have severally filed their Petitions for relief under the above acts, and that His Honor the Judge has appointed Monday, the fourth day of February, 1867, at the hour of ten in the forenoon, for the hearing of the said Petitions.

WILSON, KIDSTON, & STAMPER,

8s 6d Temple Chambers, Princes-street, Dunedin,  
Solicitors for the Petitioners.

In the matter of the Petition of JOHN ANDREW SMITH, of Dunedin, in the Province of Otago, late of Hokitika, in the Province of Canterbury, Baker, a Debtor; and in the matter of the Debtors and Creditors' Acts.

**N**OTICE is hereby given, that His Honor Mr. Justice Richmond has appointed the 4th day of February, 1867, at 10 a.m., at the Supreme Court House, Dunedin, for hearing the above Petition. 10s.

**N**OTICE is hereby given that the Partnership between the undersigned CHARLES HENRY ARMYTAGE and ANGUS ALPHONSE McDONALD, as Sheep Farmers and Runholders, carried on by them upon the Islay Station in the Province of Otago, under the firm of "Armytage and McDonald," expired by the effluxion of time on the first day of December, One thousand eight hundred and sixty-six.

All debts due by the firm will be paid by Mr. Armytage, who is to receive all monies due to the firm.

Dated at Dunedin this fifteenth day of January, 1867.

CHARLES HENRY ARMYTAGE,  
(By his Attorney Robert N. Bell.)  
ANGUS A. MACDONALD.

Witness—

JOHN CREAGH,  
Clerk to Geo. Cook, Solicitor,  
Dunedin. 10s.

**H**AMILTON UNITED WATER RACE SLUICING COMPANY, REGISTERED.

Return pursuant to Act of Parliament.

Liabilities ..... Nil.  
Assets—Value of Race Claims & Tools 5,400. 0 0

THOMAS B. TURNER, Manager.

Hamilton, 5th January, 1867. 4s