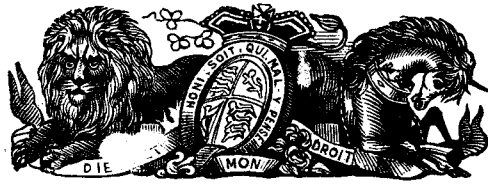


NEW ZEALAND



# OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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DUNEDIN, WEDNESDAY, OCTOBER 16, 1867.

No. 504.

[WITH SUPPLEMENT.]

## PROCLAMATION.

### *Road District of Taieri Beach formed.*

By His Honor JAMES MACANDREW, Esquire, Superintendent of the Province of Otago.

WHEREAS by an Ordinance passed by the Superintendent and Provincial Council of the Province of Otago, intituled the "Otago Roads Ordinance, 1865" it is amongst other things enacted that, until otherwise provided, pursuant to the provisions of the said Ordinance, there should be sixty-one districts which should be named as specified in the Schedule to the said Ordinance annexed, marked B: And it is also by the said Ordinance provided, that it should be lawful for the Superintendent, with the advice and consent of the Otago General Road Board, from time to time, by Proclamation in the *Gazette*, to alter, vary, diminish, or enlarge the boundaries of any or all of such districts, and to increase the number of districts by forming and naming new districts.

And whereas it is expedient to form a new Road District, to be named the Taieri Beach Road District:— Now therefore I, JAMES MACANDREW, Esq., Superintendent of the Province of Otago, with the advice and consent of the Otago General Road Board, do hereby proclaim and declare that the area bounded as described in the Schedule hereto, shall, from the day of the date, hereof, be constituted a Road District, and shall be named the Taieri Beach Road District.

### SCHEDULE.

The Taieri Beach Road District shall comprise all that area commencing at the mouth of the Taieri River, and bounded on the north-east by said Taieri River to the eastern boundary of the Waihola East Road District; thence on the west by the said eastern boundary; thence on the south and west by the northern and eastern boundarn of the Glenavon Road District; thence again on the south by the southern boundary of Block VI, Clarendon Survey District, to the mouth of the Akatore River; thence on the east by the ocean, to the point of commencement.

Given under my hand, and issued under the public seal of the Province of Otago, this fourteenth day of October, one thousand eight hundred and sixty-seven.

(L.S.)

JAMES MACANDREW,  
Superintendent.

By his Honor's command,  
GEO. DUNCAN,  
Secretary for Land and Works.

HIS Honor the Superintendent directs it to be notified that the Holiday in observance of the Birthday of H.R.H. the Prince of Wales, will be on Monday, 11th November, instead of Saturday, 9th November.

JULIUS VOGEL,  
Provincial Secretary.

14th October, 1867.

In the Supreme Court of New Zealand }  
Otago and Southland District. }  
NOTICE IS HEREBY GIVEN that His Honor Mr. JUSTICE CHAPMAN has appointed a Sitting of the Court, to be holden at the Court House, Dunedin, on Monday, the 11th day of November next, at ten o'clock in the forenoon, for the purpose of transacting all business arising out of the Debtors and Creditors Acts.

*Notice is hereby further given that the said Sitting will be adjourned to Wednesday, the 13th day of November next, at ten o'clock in the forenoon.*

ROBT. CHAPMAN, Registrar.

Supreme Court Office,  
Dunedin, 18th October, 1867.

In the matter of the Petition of WILLIAM GEORGE BOHNING, of St. Bathans, in the Province of Otago, miner.

TAKE NOTICE that the said Petitioner has presented and filed his Petition for the sequestration of his estate for the benefit of all his creditors, and for relief according to the provisions of the Debtors and Creditors' Acts; and that the said Petition has been

accepted by his Honor the Judge, who has appointed the 11th day of November, 1867, at 10 A.M., at the Supreme Court House, Dunedin, for the hearing of the said Petition.

HENRY SMYTHIES,  
Solicitor to the Insolvent.

5/-

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

In the matter of the Petition of James Dodds, formerly of Riverton in the Province of Southland, but now of Dunedin, in the Province of Otago, butcher, a debtor; and in the matter of the Petition of George Whittingham and John Whittingham, of Dunedin, in the Province of Otago aforesaid, merchants, and co-partners, creditors of the said James Dodds 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.

Monday, the fifth day of August, 1867.

UPON reading the Petition of the above named bankrupt, and the several paper-writings thereunto annexed, and upon hearing Mr. Bryan Cecil Haggitt of counsel for the said bankrupt, it is ordered that George Brodie, of Dunedin, in the Province of Otago, Inspector in Bankruptcy, be, and he is hereby appointed sole trustee of the estate and effects of the bankrupt; and it is further ordered that all real and personal estate of the bankrupt which shall vest in the said George Brodie by virtue of his said appointment shall be held by him, his heirs, executors, and administrators respectively (except the wearing apparel of the bankrupt, which shall be retained by him), upon and for the following trusts and purposes, namely:—

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

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

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

4. 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 the said Petition, and who shall duly prove their debts, by affidavit sworn and filed within three calendar months from the date of this order, by way of *pro rata* distribution, and administration, subject to existing legal priorities (if any such there shall be) but so that the said Creditors shall not receive more than twenty shillings in the pound upon their said respective debts.

5. To pay the ultimate surplus (if any,) of the said Trust monies to the Bankrupt.

By the Court,

(L.S.) ROBERT CHAPMAN, Registrar.

I, the above named George Brodie do hereby accept the appointment of Trustee made by the foregoing Order, and consent to hold the real and personal Estate therein mentioned, upon and for the trusts and purposes therein expressed.

GEO. BRODIE.

Witness to the signature of }  
the said George Brodie }

30s.

T. W. HISLOP,

(From the *New Zealand Gazette*, September 27, No. 47.)

Colonial Secretary's Office,  
(Judicial Branch),

Wellington, 14th September, 1867.

HIS Excellency the Governor has been pleased to appoint

SAMUEL GIBBS,

of Oamaru, in the Province of Otago, Esquire, to be a Justice of the Peace for the Colony of New Zealand.

E. W. STAFFORD.

WHEREAS by "The Steam Navigation Act 1866," it is enacted that it shall be lawful for the Postmaster-General for the time being, at any time, and from time to time, as he shall think fit, by any document in writing under his hand, to delegate to any person or persons, all or any of the powers, duties, or authorities by the same Act conferred or imposed upon him, and that such delegation or authority may be either generally for the whole Colony, or specially for any particular part or parts thereof, to be specified in the document whereby the powers, duties, and authorities shall be delegated: I, John Hall, Esquire, Postmaster-General of New Zealand, do hereby delegate unto

JAMES MELVILLE BALFOUR, Esq.,  
Marine Engineer for the Colony of New Zealand, all the powers, duties, or authorities conferred or imposed upon the Postmaster-General of New Zealand for the time being by the said Act, except such of the said powers, duties, or authorities as are so conferred or imposed by section twelve of the said Act.

Witness my hand, at Wellington, the thirteenth day of October, one thousand eight hundred and sixty-seven.

JOHN HALL.

(From the *New Zealand Gazette*, October 3, (No. 49.)

Colonial Secretary's Office,  
Wellington, 2nd October, 1867.

HIS Excellency the Governor has been pleased to appoint

JACKSON KEDDELL, Esq.,  
to be Deputy Registrar of Marriages, and of Births, Deaths, and Marriages, for the district of Cambridge.

E. W. STAFFORD.

(From the *New Zealand Gazette*, October 10, No. 50)

G. GREY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, the tenth day of October, 1867.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The Marine Act, 1867," it is enacted that it shall be lawful for the Governor in Council, from time to time, to make such Regulations as may be found necessary respecting the watering and ballasting and discharging of ballast of or from vessels, and respecting cargo and passenger vessels and boats, and to fix the fees to be paid for licenses to be issued for or in respect of cargo boats, ballast boats, tank boats, lighters, watermen's and other boats, and the fees for licenses to be paid by watermen, masters, boatmen, and others, employed in working or navigating the same:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, in pursuance and exercise of the above cited power and authority, doth hereby make the following Regulations as to ballast, ballasting, ballast lighters, and tank boats, and respecting cargo and passenger vessels and boats, for the Province of Otago; and doth order that the same shall come into operation and take effect from and after the twelfth day of October, one thousand eight hundred and sixty-seven.

#### REGULATIONS.

##### *Ballast, Ballast Lighters, and Tank Boats.*

1. No ballast, shingle, stone, or shells, or any part of the soil on public reserves, or below high-water mark, shall be removed without the permission of the Harbour Master, or in the absence of the Harbour Master, of a Resident Magistrate, under a penalty of five pounds.

2. No rubbish or filth is to be landed or deposited on any lands belonging to the Crown, except in such places as the Harbour Master may point out, under a penalty of five pounds, to be paid by the person landing or depositing such rubbish or filth.

3. No ballast, rubbish, gravel, earth, stones, earthenware, glass, or filth, is to be thrown overboard from any vessel or boat within the harbour, but is to be landed and placed where the Harbour Master may direct; and no gravel, earth, stones earthenware, glass bottles, filth, or rubbish, is to be placed by any other means at any place below the high water mark within the harbour; and proper tarpaulins are to be used in discharging or taking in ballast, coals, rubbish, gravel, earth, or filth of any kind, so as to prevent any part thereof falling into the harbour; and no ballast is to be taken on board or discharged from any vessel after sunset or before sunrise without permission in writing, from the Harbour Master; and any person who shall offend against any of the provisions of this regulation shall be liable to a penalty not exceeding twenty pounds.

4. All ballast lighters must be licensed by the Superintendent, the license to be granted and be in force from the date of issue till the first of July then next ensuing. Every such license shall be numbered, and shall contain the name of the vessel for which the same is granted, and of the master and owner thereof, and shall be carried by the person in charge of such vessel, and, upon demand, produced to any person employing the same. All such lighters or boats employed in carrying ballast shall have the numbers of their respective licenses painted on both bows, and shall have a mark cut upon the stem and stern posts, showing the draught of water for every five tons weight they carry—such marks and corresponding draughts of water to be endorsed upon their licenses; and for every such license the person obtaining the same shall pay the sum of two guineas. Any person offending against this regulation shall be liable to a penalty of ten pounds.

5. The head of the Harbour Department or any person authorised by him may at any time inspect or so measure any ballast lighter, or test the accuracy of such measurement, and appoint the time, place, and manner, when, where, and in which such measurement or inspection shall be made; and any person failing to comply with any order of such authorised person shall be liable to a penalty not exceeding ten pounds.

6. The expense of measuring, remeasuring, and marking ballast lighters shall be borne and paid by the owner or owners of such ballast lighters.

7. All water-tank boats must be licensed by the Superintendent, the license to be in force from the date of issue till the first of July then next ensuing. Every such license shall be numbered and contain the name of the vessel for which the same is granted, the master and owner thereof, and the number of gallons she carries when full; and for every such license the person obtaining the same shall pay one pound. Any person supplying water from, or plying with any water-tank boat without such license, or committing any offence against this regulation, shall be liable to a penalty not exceeding ten pounds.

#### *Cargo and Passenger Vessels and Boats.*

8. Every person who shall be in charge of any vessel whether propelled by steam or not, plying for hire in any port within the Province of Otago, shall obtain from the Superintendent a license to ply for hire, for which he shall pay the sum of two pounds two shillings. Such license when granted shall be in force from the date of issue till the first of July then next ensuing. Every such license shall be numbered, and contain the name of the person to whom the same is granted, and, upon demand, shall be produced to any person by whom he may be employed. Any person offending against this regulation shall be liable to a penalty of ten pounds.

9. Any licensed master found guilty of dishonest or improper conduct, or of using abusive or insulting language, shall be liable to be deprived of his license.

10. Every vessel or boat used for the purpose of carrying passengers or cargo for hire in any harbour or river in the Province of Otago, whether propelled by steam or not, and whether decked or undecked, shall be licensed for that purpose by the Superintendent of the

said Province, and such license, being granted by the inspecting officer, shall be in force for six months from the date of issue; and a certificate of license shall be given to the owner of the boat upon his paying a half-yearly port charge not exceeding sixpence per register or measured ton of the burthen of such vessel or boat, and shall be produced for inspection when demanded by the Harbour Master or his deputy; and the name and the number of the boat for which the certificate of license is issued, and the name of the owner and the quantity of cargo or number of passengers which the vessel or boat is licensed to carry shall be stated in the certificate, and shall also be legibly painted on some conspicuous part of the boat; and the owner of any boat which shall be used for carrying passengers or cargo for hire, who shall not comply with the above regulation, shall forfeit for every offence a sum not exceeding ten pounds.

11. All cargo boats shall be constructed with good and sufficient bulkheads, so that when the cargo hatches are ordered to be battened down and locked by the officer of customs, or other officer authorised to order the same, all communication from the fore-castle, cabin, or deck to the hold shall be completely stopped; and the master and owner of any such cargo boat shall not receive a license until he shall have fitted such bulkheads to the satisfaction of the Harbour Master, or other inspector duly authorised by the Superintendent to inspect such fittings; and if the bulkheads become out of repair, and the master or owner of such cargo boat fail to make such repairs as shall be satisfactory to the Harbour Master or other inspector as aforesaid, the license of the vessel may be cancelled or suspended by the Superintendent at his discretion.

12. The Harbour Master, or any person authorised by him, may at any time inspect any cargo or other boats, and if found to be not fully equipped with proper gear, and not in a seaworthy condition, or if found to be overloaded, the license of said vessel may be cancelled.

13. Every boatman not being in charge, but employed in any boat plying for hire, shall be licensed by the Superintendent of the Province, after having been examined by the Harbour Master or other competent authority, and found by him to possess a competent knowledge of seamanship and of the management of a boat, and such license being granted by the inspecting officer, upon payment of a fee not exceeding one pound one shilling, shall be in force for one year from the date of issue, and every person plying for hire as a boatman without being so licensed shall forfeit a sum not exceeding five pounds.

14. Every boatman shall carry his license, which, together with a printed copy of the regulations, fares, and rates, he shall produce to any person by whom he may be employed, on their being demanded, or forfeit a sum not exceeding forty shillings.

15. Any licensed boatman found guilty of dishonest or improper conduct, or of using abusive or insulting language, or plying with a boat which the Harbour Master or other duly authorised officer shall consider to be not fully equipped with proper gear, and not in a seaworthy condition, shall be liable to be deprived of his license.

16. Any licensed boatman lending his license to any other person shall be liable to a penalty of forty shillings.

17. But any licensed boatman being in charge of or employed in any such boat, who by sickness may be prevented from plying, may, on depositing with the Harbour Master a certificate from a duly qualified medical practitioner to that effect, together with his license, be permitted to nominate a substitute, and should the Harbour Master be satisfied of the efficiency of the said substitute, he may issue a certificate authorising him to serve in the place of the licensed boatman who is disabled by sickness for a period not exceeding one month, and such certificate may from time to time be renewed during the illness of the said licensed boat-

man so long as his license shall be so deposited with the Harbour Master.

18. No boat shall be of less beam than four feet six inches. Boats under five feet beam shall be allowed to carry one person for every three feet in length; boats of five feet beam, and not less than five feet six inches beam, shall be allowed to carry one person for every two feet in length; and for every six inches of additional beam above five feet six inches, one person in addition may be carried for every two feet in length. The above numbers to include the crew of each boat.

19. Each boat shall carry eight pounds of luggage (if required) with every passenger, without extra charge, or one hundredweight of luggage in lieu of every person less than the complement allowed.

20. Every licensed boatman who shall carry in any boat more passengers or cargo than the boat has been licensed to carry, shall be liable to a penalty of not less than three pounds nor more than twenty pounds, and any such boatman who shall demand more than the proper fare, or who shall without sufficient reason refuse or neglect to employ his boat when required, shall be liable in a penalty not exceeding five pounds.

21. Any person desirous of returning by a boat which he had engaged may do so by paying half-fare, in which case he may detain the boat for fifteen minutes, and no longer, without incurring an extra charge, and any person detaining a boat over fifteen minutes shall pay one shilling, and an additional shilling for every quarter of an hour's detention.

22. Any crew consisting of four men, when required by any person or persons, shall be entitled to charge treble fare.

23. Whenever a blue flag is hoisted half-mast high at the Dunedin Jetty, Jetty Street, and at the flagstaff, Port Chalmers, one-half more than the regular fares

may be charged, and a waterman will not then be required to carry passengers against his will, even at the advanced rate of fare. Between sunset and sunrise double fares may be charged.

24. The following are the ordinary fares authorised to be charged by licensed watermen:—

One shilling for the first quarter of a mile for each passenger, and sixpence for every additional quarter of a mile.

Each hundredweight of luggage over the eight pounds authorised to be carried free being charged for as a passenger.

25. To prevent disputes, the distances between the points specified shall be reckoned according to the following

TABLE OF DISTANCES.

|   | Miles. |
|---|--------|
| From Dunedin Jetty, Jetty Street—       |        |
| To Burns' Point, Anderson's Bay ...     | 1½     |
| "    Pelichet Bay Jetty ...             | 1½     |
| "    Red Beacon, Western Channel ...    | 2½     |
| "    Burke's Brewery ...                | 4½     |
| "    Arden Bay ...                      | 5½     |
| "    Sawyer's Bay ...                   | 7      |
| "    Half-way Island ...                | 8      |
| "    Port Chalmers ...                  | 9      |
| "    Macandrew's Bend ...               | 4½     |
| From Port Chalmers—                     |        |
| To No. 4 Black Buoy ...                 | 0¾     |
| "    Taylor's Point ...                 | 2½     |
| "    Maori Village, Landing Place... .. | 5      |
| "    The Heads ...                      | 7      |
| "    Portobello ...                     | 2½     |

FORSTER GORING,  
Clerk of the Executive Council.