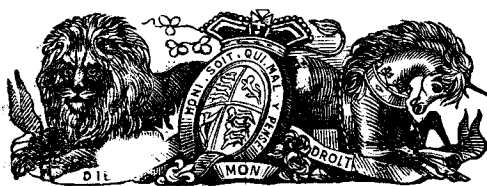


NEW ZEALAND



OTAGO

PROVINCIAL GOVERNMENT

GAZETTE.

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DUNEDIN, WEDNESDAY, JANUARY 8, 1868.

No. 519.

[WITH SUPPLEMENT.]

JAMES MACANDREW,
Superintendent of
the Province of
Otago.

ORDER IN COUNCIL,

Exempting from Mining Operations all Public Roads, Tracks, and Footpaths within the "Otago Gold Field."

At the Provincial Government Buildings, Dunedin, the third day of December, one thousand eight hundred and sixty-seven.

Present:

His Honor the Superintendent;
The Provincial Secretary and Treasurer; and
Arthur John Burns, Esquire,

Members of the Executive Council of the Province of Otago.

WHEREAS Thomas Dick, Esquire, then Superintendent of the Province of Otago, by virtue and in exercise of the powers delegated to and vested in him in that behalf, did, by proclamation in the *Government Gazette* of the said Province, bearing date the twenty-ninth day of January last past, constitute and appoint all the territory therein described to be a Gold Field under the provisions of the "Gold Fields Act, 1866," to be called "Otago Gold Field": And whereas by "The Gold Fields Act Amendment Act, 1867," it is enacted that within any Province in which by any Act or Ordinance it is provided that the Superintendent shall, in the administration of the government thereof, act by and with the advice and consent of an Executive Council, it shall be lawful for the Governor in Council, under his hand and under the Public Seal of the Colony, from time to time as occasion may require, to delegate to the Executive Government for the time being of such Province, subject or not to any restrictions or limitations as he shall think fit, all or any of such powers vested in the Governor or the Governor in Council by the "Gold Fields Act, 1866," as under or by virtue of the one hundred and ninth section of the said Act may be delegated by the Governor in Council, and in like manner to revoke any such delegation: And whereas by an Ordinance of the

Superintendent and Provincial Council of the Province of Otago, intituled the "Executive Council Ordinance, 1861," it is provided that the Superintendent of the said Province shall, in the administration of the government thereof, act by and with the advice and consent of an Executive Council: And whereas the Governor hath, with the advice and consent of the Executive Council of New Zealand, and in pursuance of the power and authority for that purpose vested in him by the "Gold Fields Act, 1866," and subject to its provisions, delegated unto the Executive Government for the time being of the Province of Otago all such powers vested in the Governor or the Governor in Council by the said last-mentioned Act as, under or by virtue of the one hundred and ninth section of the said last-mentioned Act, may be delegated by the Governor in Council, to have, hold, and exercise the said powers within the said Province of Otago: And whereas by Clause X. of the "Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor in Council at any time, either by a particular or general description, to exempt from occupation for mining purposes, or for residence, or for business, under any Miner's Right or Business License, any specific portion of Crown Lands within a Gold Field: And whereas it is deemed necessary to exempt from occupation for mining purposes, or for residence, or for business, under any Miner's Right or Business License, all public roads, bridle-tracks, and footpaths within the said "Otago Gold Field," being Crown Land:

Now, therefore, his Honor James Macandrew, Esquire, Superintendent of the Province of Otago, by and with the advice and consent of the Executive Council of the said Province, doth hereby, by virtue and in exercise of the powers delegated to the Executive Government of the said Province in this behalf by his Excellency the Governor of New Zealand in Council under the authority of "The Gold Fields Act Amendment Act, 1867," declare that all public roads, bridle-tracks, and footpaths within the said "Otago Gold Field," being Crown Land, shall, from and after the date hereof, be exempt from occupation for mining purposes, or for

residence, or for business, under any Miner's Right or Business License.

ALEX. WILLIS,
Clerk of the Executive Council of the
Province of Otago.

CITY OF DUNEDIN.—APPEALS AGAINST THE CITY ASSESSMENT, YEAR 1868.—It is hereby notified that Thursday, the 9th day of January, 1868, has been fixed as the day for hearing appeals against this assessment.

The appeals will be heard at the Resident Magistrate's Court, Dunedin, and a copy of each notice of appeal, as already served upon the City Council, must be delivered by the Appellant to the Clerk of the Resident Magistrate's Court, six clear days before the day of hearing.

J. M. MASSEY,
Town Clerk.

31st December, 1867.

In the Supreme Court of New Zealand, }
Otago and Southland District, }
In the matter of Patrick Ryan, of the Horse Shoe Bend, in the Province of Otago, miner, a debtor, and in the matter of the Bankruptcy Act, 1867.

NOTICE IS HEREBY GIVEN, that the above named Patrick Ryan, has this day filed in the Supreme Court of New Zealand, Otago and Southland District, at Dunedin, a declaration of Insolvency under the provisions of the above mentioned Act.

Dated this third day of January, 1868.

HAGGITT AND HAGGITT, Manse-st., Dunedin,
9s. Solicitors for the above named Patrick Ryan.

In the Supreme Court of New Zealand, }
Otago and Southland District, }
In the matter of "The Bankruptcy Act, 1867."

NOTICE IS HEREBY GIVEN, that I have this day filed in this Court, a declaration of Insolvency, pursuant to the provisions of the above act.

Dated this 7th day of January, 1867.

ROBERT RENNIE,
Hotel-keeper and Farmer, Green Island.
Edward Francis Ward, Solicitor,
Temple Chambers, Dunedin. 6s.

NOTICE IS HEREBY GIVEN, that John M'Garrigle, a prisoner for debt, has filed a declaration of Insolvency in the Supreme Court, at Dunedin.

HENRY SMYTHIES,
Solicitor to the Insolvent.

7th January, 1868. 3s.

In the Supreme Court of New Zealand, }
Otago and Southland District, }
In the matter of the Bankruptcy Act, 1867.

NOTICE IS HEREBY GIVEN that JOHN GROVES, late of Portobello District, in the Province of Otago, publican, but now of Dunedin, has this day filed in this Court, at Dunedin, a Declaration of Insolvency, under the provisions of the above Act.

Dated this seventh day of January, 1868.

J. A. J. MACGREGOR,
6s. Solicitor, Dunedin.

IMPOUNDED on the 3rd January, 1868, by Walter Millar, Esq., one bay mare, branded P near shoulder, for trespassing on his run and paddock, for which five pounds sterling damages are claimed, and in default of being released, will be sold at the Public Pound at Tokomairiro on Friday, the 31st January, at 12 o'clock noon.

JAMES GOODALL,
Poundkeeper, Tokomairiro.

LOST a Bank of New Zealand fixed Deposit Receipt, numbered 13137, dated 3rd October, 1867, for 6 months, for £10.—Marked in body as H1/1. 4s. 2t.

(From the *New Zealand Gazette*, December 21st, No. 69.)

G. GREY, GOVERNOR.

A PROCLAMATION.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Resident Magistrates Act, 1867," power is given to the Governor of New Zealand, by proclamation in the *New Zealand Gazette*, to constitute throughout the Colony, or in any part thereof, districts to be called Resident Magistrates' Districts, and in any such proclamation to fix a time on and from which any such district shall be constituted: And whereas power is also given by the said Act to the Governor, by proclamation in the said *Gazette*, to declare that the limit of Jurisdiction of the Resident Magistrate's Court of any district shall be extended to fifty pounds or to one hundred pounds as he may think fit:

Now therefore, I, Sir George Grey, K. C. B., the Governor of the Colony of New Zealand, in pursuance and exercise of the powers and authorities so vested in me, do hereby proclaim and constitute the several districts described in the Schedule hereto to be on and from the first day of January, one thousand eight hundred and sixty eight, Resident Magistrates' Districts within the meaning and for the purposes of the said Act.

SCHEDULE.

* * * * *

Otago Gold Fields.

This district is bounded as follows:—Commencing at Fox Peak, thence by the north-eastern watersheds of the Shotover and the Arrow Rivers to Mount Cardrona, thence to the junction Boundary Creek with the Cardrona River, thence by that creek to its source, thence to the Kirtle Burn, and by the Kirtle Burn to its first feeder, thence by that feeder and a line to the source of Park Burn, thence by Park Burn to the Clutha, thence by a line in a north-easterly direction to Mount St. Bathans, thence by a line to the Hawkdun Mountains, thence by the summit of that range to Kyeburn Hill, thence by the summit of the Kakanui Mountains and the Spur leading to the junction of the Deepdell Creek with the Waihemo or Shag River, thence by the watershed between the Taieri and the Waikouaiti Rivers to Silver Peak, thence by Silver stream to where it crosses the road leading to Dunedin, thence by that road to the boundary of the Hundreds, and by the boundary of the Hundreds to the North Branch of the Tokomairiro River, thence by that branch to the Main South Road, thence by that road to its intersection with Lovell's Creek, thence by that creek to the south-western boundary of run numbered fifty four, thence by that boundary to a point situated north-east of the sources of the Crook Burn, thence by a south-westerly line to the Crook Burn, thence by the Crook Burn to the Clutha River, thence by that river to its junction with the Black Cleugh Creek, thence by that creek to its source, thence to the summit of the Tapanui Ranges, thence by those ranges to the source of Spylaw Burn, thence by Spylaw Burn to its junction with the Pomahaka River, thence by that river to its junction with the Parasol Creek, thence by that creek to its source, thence by a line to Black Umbrella, thence by the watershed of the western branch of the Waikaka River to the South boundary of run numbered one hundred and ninety-three, thence to that boundary to the Mataura River, thence by that river to Eyre Peak, thence by the summit of the western and northern watersheds of Lake Wakatipu to the commencing point at Fox Peak.

Oamaru.

This district is bounded towards the North by the southern boundary of the province of Canterbury from a point where a line drawn due North from Cosmos Peak meets that boundary to the mouth of the Waitangi River; thence towards the south-east by the sea to the mouth of the Waihemo Creek, thence on the south by

that creek to Double Hill, thence by the summit of the watershed of the South branch of the Waikouaiti River to Silver peak, thence towards the West, and again towards the South by the boundary of the Otago Gold Fields District hereinbefore defined, to the point where it meets the line first above mentioned; thence by that line to the commencing point.

Dunedin.

This district is bounded towards the North by part of the southern boundary of the Oamaru District hereinbefore defined, that is to say—from the Silver Peak to the mouth of the Waihema Creek in Blueskin Bay, towards the north-east and south-east by the sea from the mouth of the Waihema to the mouth of the Taieri River, towards the south-west by that river from its mouth to the Waipori Lake, and by the Waipori Lake and River to the boundary of the Otago Gold Fields District, hereinbefore defined, and toward the north-west by part of the south-eastern boundary of the Otago Gold Fields District, that is to say—from its intersection by the Waipori River to Silver Peak. Including the adjacent islands.

Clutha.

This district is bounded towards the north-east by the south-western boundary of the Dunedin District hereinbefore defined, towards the south-east and South by the sea from the mouth of the Taieri River to the mouth of the Mataura River, towards the West by the Mataura River from its mouth to the southern boundary of the Otago Gold Fields District hereinbefore defined, and towards the North by the Otago Gold Fields District.

Te Anau.

This district is bounded towards the north by the southern boundary of the Province of Canterbury from the mouth of the Awarua River to the western boundary of the Oamaru District hereinbefore defined; thence by part of the western boundaries of the Oamaru and Otago Gold Fields Districts hereinbefore defined, and the northern and western boundaries of the Province of Southland to the sea at the mouth of the Waiarau River; and on the south and west by the sea from the mouth of that river to the mouth of the Awarua River, including the adjacent islands.

* * * * *

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 twenty-ninth day of November, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN !

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by "The Intestate Estates Act, 1865," it is enacted that the said Act shall come into force in each Province of the Colony respectively, on such day as the Governor may fix by proclamation in the *New Zealand Gazette*: Now, therefore, I, Sir George Grey, the Governor, as aforesaid, in pursuance and exercise of the said power and authority in me vested, do hereby appoint and fix the first day of January next to be the day on and from which the said "Intestate Estates Act, 1865," shall come into force within each of the following Provinces, viz. :—

THE PROVINCE OF TARANAKI,
THE PROVINCE OF OTAGO, and
THE PROVINCE OF SOUTHLAND,

in the said Colony.

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, and issued under the Seal of the said Colony, at Wellington, this seventh day of December, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN !

G. GREY, Governor.

A PROCLAMATION.

WHEREAS by "The Intestate Estates Act Amendment Act, 1866," it is enacted that it shall be lawful for the Governor, by proclamation published in the *New Zealand Gazette*, from time to time to divide the Colony for the purposes of "The Intestate Estates Act, 1865," and the said "Intestate Estates Act Amendment Act, 1866," into such and so many districts as he shall think fit, and every such district shall be called by a distinct name and shall be a Curator's district; and in like manner from time to time, and as he shall think fit, to abolish any such district, or alter or vary the boundaries of any district, or increase the number of such districts:

Now, therefore, I, Sir George Grey, the Governor of the Colony of New Zealand, in pursuance and exercise of the said power and authority in me vested, do hereby proclaim and appoint the districts comprised within the boundaries of the Provinces of Taranaki, Otago, and Southland respectively, to be Curators' districts for the purposes of the above-mentioned Acts, and to be respectively called

THE TARANAKI DISTRICT,
THE OTAGO DISTRICT, and
THE SOUTHLAND DISTRICT.

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 seventh day of December, in the year of our Lord one thousand eight hundred and sixty-seven.

E. W. STAFFORD.

GOD SAVE THE QUEEN !

Colonial Secretary's Offices,
(Judicial Branch)

Wellington, 19th December, 1867.

HIS Excellency the Governor has been pleased to appoint the undermentioned gentlemen to be Resident Magistrates, under "The Resident Magistrates' Act, 1867," for the districts set opposite their names, as the same are defined in the proclamation dated the 29th day of November last;—

Alfred Rowland Chetham Strode, Esq., Dunedin District.
James Fulton, Esq., Dunedin District.
Thomas Windle Parker, Esq., Oamaru District.
Wilson Gray, Esq., Oamaru District.
John Wallace Murdoch, Esq., Oamaru District.
James Pillans Maitland, Esq., Clutha District.
Wilson Gray, Esq., Clutha District.
Edward Croker, Esq., Otago Gold Fields District.
John Nugent Wood, Esq., Otago Gold Fields District.
William Lawrence Simpson, Esq., Otago Gold Fields District.
Henry Wirgman Robinson, Esq., Otago Gold Fields District.

Richmond Beetham, Esq., Otago Gold Fields District.
 Lowther Broad, Esq., Otago Gold Fields District.
 John Smith Hickson, Esq., Otago Gold Fields District.
 Henry Aldborough Stratford, Esq., Otago Gold Fields District.

E. W. STAFFORD.

Colonial Secretary's Office,
 (Judicial Branch),

Wellington, 19th December, 1867.

IT is intended that a proclamation shall be issued, as soon as possible after the 1st January next, extending the jurisdiction of the districts hereinafter mentioned to the limit set opposite to the name of each of such districts:—

* * * * *	*	*	*	*	*	*	*	*	*
						£			
Oamaru District	...	...	...	...	...	100			
Dunedin District	...	...	...	...	...	100			
Clutha District	...	...	...	...	...	100			

E. W. STAFFORD.

Colonial Secretary's Office,
 (Judicial Branch),

Wellington, 19th December, 1867.

HIS Excellency the Governor has been pleased to appoint

WILLIAM SMITH ATKINSON,
 ALFRED ROWLAND CHETHAM STRODE, and
 FREDERICK NUTTER,

Esquires, to be Curators of Intestate Estates in the respective Provinces and Districts of Taranaki, Otago, and Southland.

These appointments to date from the 1st January, 1868.

E. W. STAFFORD.

Colonial Secretary's Office,
 (Judicial Branch),

Wellington, 19th December, 1867.

COSTS to Crown Solicitors and Crown Prosecutors, and Expenses to Witnesses, in Criminal Prosecutions, will be allowed as follows, from the 1st of January, 1868:—

Solicitor preparing case for and attending trial	£	s.	d.
...	3	3	0
Counsel's fee on trial, if indictment found	2	2	0
When Subpoena required, same to be issued by Solicitor and served by police.			
Attendance for each Subpoena	0	3	4
Each copy of Subpoena	0	1	0
For each Subpoena <i>duces tecum</i> , in addition to the fee for attending for Subpoena, a fee for preparing, exclusive of formal matter, for each folio	0	1	0
For each copy of Subpoena <i>duces tecum</i> , in addition to above-mentioned fee for Subpoena, exclusive of formal matter, for each folio	0	0	6
For preparing any notice to produce, for each folio	0	1	0
Each copy for service, per folio	0	0	6
Instructing police as to service of Subpoena, or notice to produce	0	3	4

ALLOWANCES TO PROSECUTORS AND WITNESSES.

	£	s.	d.
Labourers, per diem	0	6	0
Journeymen, &c., per diem	0	10	0
Master tradesmen, farmers, yeomen, and auctioneers, per diem	0	15	0
Professional men, per diem	1	1	0
Female witnesses at the rate of two-thirds the allowance to male witnesses of similar rank.			

Travelling Expenses.

Witnesses residing at a distance exceeding one mile from the place of trial, expenses not exceeding 1s. 6d. per mile one way.

If there is a steamer or coach or other public conveyance, either the whole or part of the way, the actual cost of such conveyance in lieu of mileage. Where they travel by water, fore-cabin fare will be allowed to the first and second class of witnesses, and chief-cabin fare to the latter classes.

Witnesses in the pay of the General or Provincial Governments will not be paid for their time, but only for extra costs occasioned by their attendance.

E. W. STAFFORD.