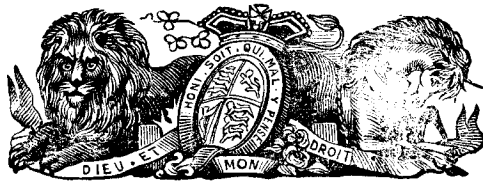


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OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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No. 532.

JAMES MACANDREW,
Superintendent of
the Province of
Otago.

ORDER IN COUNCIL.

At the Provincial Government Buildings, Dunedin,
the Tenth day of March, One thousand
eight hundred and sixty-eight.

Present :

His Honor the Superintendent ;
The Provincial Secretary and Treasurer ;
The Secretary for Land and Works ;
Arthur John Burns, and
John Hughes, Esquires.

WHEREAS by the fourth section of the "Diseased Cattle Act Amendment Act, 1865," it is enacted that the Governor may, by any Order in Council from time to time, annul, make or alter, and vary and make anew, any Orders in Council, Regulations, Appointments or Prohibitory or other Declarations, made and published by the Governor, under the authority of the aforesaid Act, or "The Diseased Cattle Act, 1861." And it is by the said Acts, respectively, also enacted that the Governor in Council may, by warrant under his hand, from time to time delegate to the Superintendent of any Province within the Colony all or any of the powers vested in the Governor or Governor in Council by the said Acts, subject to such regulations as he might think fit : And whereas by "The Governor's Delegation 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 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 may think fit, all or any of such powers as are or may be vested in the Governor, or Governor in Council, and which

by any Act or Ordinance now in force, or by any Act passed during the then present Session of Parliament, may be delegated to the Superintendent of a Province, or to any person or persons by the Governor, or 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, delegated to the Executive Government of the Province of Otago all such powers within the said Province as are by the "Diseased Cattle Act, 1861," and the "Diseased Cattle Act Amendment Act, 1865," vested in the Governor, or the Governor in Council, and by virtue thereof may be delegated to have and exercise such powers within the said Province, subject to the provisions of "The Governor's Delegation Act, 1867 :

And whereas by an Order in Council, made under the said Acts by virtue of the said delegation on the twenty-fourth day of December last, it was declared that from and after the twenty-third day of January, then next, the area of Land thereafter described should be deemed an infected District, within the meaning and for the purposes of the said "Diseased Cattle Act, 1861" :

And whereas it is advisable to annul and make void the said Order in Council, and to Proclaim and Declare the area hereinafter described to be an infected District within the meaning and for the purposes of the "Diseased Cattle Act, 1861," and "The Diseased Cattle Act Amendment Act, 1865."

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 of Otago in this behalf, declare that

from and after the fourteenth day of April next, the said Order in Council of the twenty-fourth day of December last shall be null and void, and that from and after the said fourteenth day of April next, the area of land hereinafter described shall be, and be deemed an infected District within the meaning and for the purposes of the said last-mentioned Acts, that is to say:—

All that area within the Province of Otago bounded towards the north and east from the Awarua River to the mouth of the Waitaki River by the Province of Canterbury; thence by the Ocean to Catlin's River; thence by Catlin's River and the northern boundaries of Runs numbered respectively 129, 258, 251, and 88, to the Mataura River, and by the Mataura River and the northern boundary-line of the Province of Southland to the Manipori Lake; thence by the Waiau River to the Ocean; and thence towards the south and west by the Ocean to the Awarua River, the starting point.

And the said James Macandrew, Esq., as such Superintendent as aforesaid, by and with the advice and consent aforesaid, and by virtue and in exercise of the powers aforesaid, doth hereby further declare that the Regulations under the "Diseased Cattle Act, 1861," proclaimed by Proclamation bearing date the third day of December, 1866, and published in the *Government Gazette* of the Province of Otago numbered 453 on the fifth day of December, 1866, shall be in force in the said District hereby declared an Infected District.

ALEXANDER WILLIS,
Clerk to the Executive Council.

PROCLAMATION.

Opening for purposes of Sale, certain Sections in Waitahuna East, in the Province of Otago.

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

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 twenty-ninth day of January, one thousand eight hundred and sixty-seven, constitute and appoint all the territory therein described (including amongst other Lands the Lands described in the Schedule hereto, comprising certain Sections in Waitahuna East, in the said Province of Otago) 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 XLIX of the "Gold Fields Act, 1866," it is provided, that if a Depasturing Lease or License shall not, at the date of the passing of the said Act, have been granted, or shall have been or shall be cancelled over any Crown Lands within a Gold Field, it shall be lawful for the Governor from time to time by Proclamation, to declare such Lands or any part thereof, open for sale or selection, in Sections of such size and form as he may determine, and any Lands so proclaimed may thereafter be sold at a like price, and subject to the like terms and conditions, or as near thereto as may be as Crown Lands of the same class not within a Gold Field, and it shall not be necessary to withdraw Lands from the operation of the said Act for the purposes aforesaid: And whereas at the date of the passing of the "Gold Fields Act, 1866," all Depasturing Licenses heretofore existing over the Crown Lands mentioned in the Schedule hereto had been cancelled: And whereas the Executive Government of the Province of Otago have determined to open up for sale the said Crown Lands mentioned in the said Schedule in Sections of the size and form in which the same have already been surveyed, and as the same are laid off and delineated on the maps of the Chief Surveyor of the Province of Otago relative thereto.

Now therefore I, James Macandrew, Superintendent of the Province of Otago, by and with the advice and consent of the Executive Council of the said Province, do 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;" and of any and every other power in anywise enabling me in this behalf proclaim and declare, that from and after the day of the date hereof, all the Crown Lands mentioned in the Schedule hereto shall be open for sale in Sections of the size and form in which such lands have already been surveyed, and as the same are laid off and delineated on the map of the Province of Otago relative thereto.

Given under my hand, and issued under the public seal of the Province of Otago, in presence of George Duncan and Arthur John Burns, Esquires, two of the Members of the Executive Council of the said Province, being also Members of the Provincial Council thereof, this twentieth day of March, one thousand eight hundred and sixty-eight.

JAMES MACANDREW,
Superintendent.

By His Honor's command,

GEORGE DUNCAN,
A. J. BURNS,

Members of the Executive Council of the Province of Otago, and of the Provincial Council thereof.

THE SCHEDULE ABOVE REFERRED TO.

Sections numbered respectively 14, 18, 22, 24, 27, 30, and 31, Block V, Waitahuna east, in the Province of Otago.