

NEW ZEALAND



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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No. 533.

[WITH SUPPLEMENT.]

**PUBLIC MEETING.—FRIDAY, 27TH MARCH,
4 P.M.—LATE ATTEMPT UPON THE LIFE
OF H.R.H. THE DUKE OF EDINBURGH.**

(Requisition.)

Dunedin, 23rd March, 1868.

To His Honor the Superintendent of Otago.

SIR,—We, the undersigned inhabitants of the Province of Otago, request that your Honor will convene a Meeting of the Public at an early date, for the purpose of adopting an address to His Royal Highness the Duke of Edinburgh, in order to express their abhorrence at the late dastardly attempt upon his life, and to endeavor, if possible, to induce His Royal Highness to fulfil his original intention to visit the Province.

[Here follow the Signatures.]

IN compliance with the foregoing requisition, I hereby convene a Public Meeting, to be held in the Hall of the New Post Office, Dunedin, on Friday next, 27th March, at 4 o'clock, p.m.

JAMES MACANDREW,
Superintendent.

24th March, 1868.

NOTICE

Of certain Land in the Province of Otago, having been reserved as a site for a Mechanics' Institute for the Town of Hampden.

By His Honor JAMES MACANDREW, 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 a site for a Mechanics' Institute for the Town of Hampden, and it is expedient that the said Land should be so reserved for that purpose:—Now, therefore, I, James Macandrew, Esquire, Superintendent of the Province of Otago, in pursuance and exercise of the power and authority vested in me in this behalf, do hereby publish and declare that I have made and dedicated the

Land hereinafter described, a Reserve for a site for a Mechanics' Institute for the Town of Hampden, henceforth to be known as the "Hampden Mechanics' Institute Reserve," that is to say,—

All that area in the Province of Otago containing by admeasurement one (1) rood, more or less, situate in the Town of Hampden, being Section numbered twenty (20) Block twenty-seven (XXVII) on the map of the said Town; bounded towards the North by section numbered eight (8) one hundred (100) links, towards the East by Section numbered twenty-one (21) two hundred and fifty (250) links, towards the South by Chelmsford street one hundred (100) links, and towards the West by Section numbered nineteen (19) two hundred and fifty (250) links.

Dated this twenty-fourth day of March, 1868.

JAMES MACANDREW,
Superintendent.

NOTICE

Of certain Land in the Province of Otago, having been reserved for the purpose of a Mechanics' Institute or Public Library for the Town of Palmerston.

By His Honor JAMES MACANDREW, 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 a Mechanics' Institute or Public Library for the Town of Palmerston, and it is expedient that the said Land should be so reserved for that purpose:—Now, therefore, I, James Macandrew, Esquire, Superintendent, of the Province of Otago, in pursuance and exercise of the power and authority vested in me in this behalf, do hereby publish and declare that I have made and dedicated the Land hereinafter described, a Reserve for the purpose of a Mechanics' Institute or Public Library for the Town of Palmerston, henceforth to be known as the "Palmerston Mechanics' Institute Reserve," that is to say,—

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All that area in the Province of Otago, containing by admeasurement one (1) rood, more or less, situate in the Town of Palmerston, being Section numbered ten (10), Block twenty-one (XXI) on the map of the said Town, bounded towards the north by section numbered 9, one hundred (100) links, towards the east by Runbrake Street, two hundred and fifty (250) links; towards the south by Auskerry Street, one hundred (100) links; and towards the west by section numbered 11, two hundred and fifty (250) links.

Dated this 24th day of March 1868.

JAMES MACANDREW,
Superintendent.

NOTICE

Of certain Land in the Province of Otago having been reserved for purposes of Public Recreation for the Incorporated Town of Lawrence and its Inhabitants.

By His Honor JAMES MACANDREW, 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 Purposes of Public Recreation for the Incorporated Town of Lawrence and its Inhabitants, and it is expedient that the said land should be so reserved for that purpose:—Now therefore I, James Macandrew, Esquire, Superintendent of the Province of Otago, in pursuance and exercise of the power and authority vested in me in this behalf, do hereby publish and declare that I have made and dedicated the land hereinafter described a Reserve for purposes of public recreation for the Incorporated Town of Lawrence and its Inhabitants, henceforth to be known as the "Lawrence Recreation Reserve," that is to say,—

All that area in the Province of Otago containing by admeasurement nineteen (19) acres, three (3) roods, and twelve (12) poles, more or less, situate in the Town of Lawrence, being Sections numbered respectively one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16), Block fourteen (XIV), together with Blocks numbered respectively fifteen (XV); eighteen (XVIII), and nineteen (XIX), on the map of the said Town, bounded towards the north by Stranraer Street five hundred (500) links and two hundred and ninety-eight (298) links, by Section numbered nine (9) Block fourteen (XIV) two hundred and fifty (250) links, also by Harrington Street five hundred (500) links and five hundred and seventeen (517) links; towards the east by Corsewall Street one thousand (1000) links and one thousand (1000) links; towards the east-north-east by Peel Street one thousand and twenty (1020) links and one thousand and nineteen (1019) links; towards the south by Thurso Street seven hundred and seventeen (717) links and five hundred (500) links, by Harrington Street four hundred and eighty (480) links and five hundred (500) links, also by Section numbered nine (9), Block fourteen (XIV), two hundred and fifty (250) links; and towards the west by Ardrossan Street one thousand (1000) links, and one thousand (1000) links by Corsewall Street one thousand (1000) links eight hundred (800) links and one hundred (100) links; also by section numbered nine (9), Block fourteen (XIV), one hundred (100) links.

Dated this 24th day of March, 1868.

JAMES MACANDREW,
Superintendent.

NOTICE

Of certain Land in the Province of Otago, having been reserved for the purpose of a Mechanics' Institute or Public Library for the Incorporated Town of Hawksbury.

By His Honor JAMES MACANDREW, 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 a Mechanics' Institute or Public Library for the Incorporated Town of Hawksbury, and it is expedient that the said Land should be so reserved for that purpose:—Now, therefore, I, James Macandrew, Esquire, Superintendent, of the Province of Otago, in pursuance and exercise of the power and authority vested in me in this behalf, do hereby publish and declare that I have made and dedicated the Land hereinafter described, a Reserve for the purpose of a Mechanics' Institute or Public Library for the Incorporated Town of Hawksbury, thenceforth to be known as the "Mechanics' Institute Reserve" that is to say,—

All that area in the Province of Otago, containing by admeasurement one (1) rood more or less, situate in the Town of Hawksbury, being section numbered six (6) block fourteen (XIV), on the map of the said Town bounded towards the north-west by sections numbered respectively 3, 4 and 5 two hundred and fifty (250) links; towards the north-east by a street line one hundred (100) links; towards the south-east by section numbered 7, two hundred and fifty (250) links; towards the south-west by section numbered 11 one hundred (100) links.

Dated this 24th day of March, 1868.

JAMES MACANDREW, Superintendent.

NOTICE

Of certain Land in the Province of Otago having been reserved for a Municipal Estate for the Town of Balclutha.

By His Honor JAMES MACANDREW, 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 a Municipal Estate for the Town of Balclutha, and it is expedient that the said land should be so reserved for that purpose:—Now therefore I, James Macandrew, Esquire, Superintendent of the Province of Otago, in pursuance and exercise of the power and authority vested in me in this behalf, do hereby publish and declare that I have made and dedicated the land hereinafter described a Reserve for a Municipal Estate for the Town of Balclutha, henceforth to be known as the "Balclutha Municipal Estate," that is to say,—

All that area in the Province of Otago containing by admeasurement thirty-five (35) acres, two (2) roods, and ten (10) poles, more or less, situate in the Town of Balclutha, being Sections numbered respectively one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), and twenty (20), Block sixteen (XVI), and Blocks numbered respectively twelve (XII), thirteen (XIII), fourteen (XIV), and fifteen (XV), together with Reserves numbered respectively one (1), two (2), three (3), and four (4), on the map of the said Town, bounded towards the west-north-west by Greenock Street nine hundred and ninety-two (992) links one thousand (1000) links and one thousand one hundred and fifty-six (1156) links, by Dumbarton Street nine hundred and fifty-four (954) links one thousand (1000) links and seven hundred and ten (710) links, by Section numbered nine (9) Block (XVI) two hundred (200) links, also by Helensburgh Street nine hundred and ten (910) links one thousand (1000) links and one hundred and fifteen (115) links; towards the north-north-east by Rutherglen Street five hundred (500) links two hundred and fifty (250) links one hundred and twenty-five (125)

links and two hundred and ten (210) links, by Section numbered nine (9) Block sixteen (XVI) one hundred and twenty-five (125) links, also by Biggar Street five hundred (500) links five hundred (500) links and six hundred and five (605) links; towards the north-east by River Terrace six hundred and twenty-five (625) links seven hundred and eight (708) links and one hundred and sixty three (163) links; towards the east by Crown Lands five hundred and sixty-eight (568) links five hundred and two (502) links and five hundred and eighteen (518) links; towards the east-south-east by Dumbarton Street nine hundred and sixty-one (961) links one thousand (1000) links and seven hundred and ninety-three (793) links, by Section numbered nine (9) Block sixteen (XVI) two hundred links, also by Helenburgh Street nine hundred and twenty-four (924) links one thousand (1000) links and two hundred and fifteen (215) links; towards the south-south-east by Crown Lands eight hundred and forty-eight (848) links; and towards the south-south-west by Crown Lands eighty (80) links four hundred and ninety-nine (499) links and five hundred and one (501) links, by Biggar Street five hundred (500) links five hundred (500) links and five hundred and sixty-five links, also by Rutherglen Street five hundred (500) links five hundred (500) links and one hundred and seventeen (117) links.

Dated this 24th day of March, 1868.

JAMES MACANDREW,
Superintendent.

NOTICE TO APPLICANTS FOR UNSURVEYED LAND, under "Otago Waste Land Act, 1866." It is hereby notified to the Applicant whose name appears in the subjoined Schedule, that the Waste Land Board has declared him to be the purchaser of the section set opposite to his name in the Schedule, and that the purchase money of the section must be paid to the Receiver of Land Revenue in Dunedin, on or before Thursday, the 9th day of April, 1868, otherwise the application will be deemed withdrawn, cancelled, and void, and the deposit made at the time of lodging the application will be forfeited.

SCHEDULE.

Application.	Applicant.	Section	Block.	District.
171D	John Scott	6	7	Waikaka.

W. H. CUTTEN,
Chief Commissioner.

Waste Land Board Office, Dunedin,
25th March, 1868.

GAZETTE.—There was a Special *Gazette* published on Saturday, 21st March, 1868.

NOTICE TO CREDITORS.—Notice is hereby given that by Deed of Assignment, bearing date the eighteenth day of March, one thousand eight hundred and sixty-eight, and made between Arthur Danscy, of Oamaru, in the Province of Otago, Stockdriver, (hereinafter styled "the debtor,") of the first part: James Bee, of Oamaru aforesaid, Storekeeper; and William Luke, of the same place, Chemist; two of the creditors of the said debtor, (trustees for the purposes hereinafter mentioned) of the second part; and the several other persons whose names and seals are thereunto subscribed and affixed, being severally creditors in their own right or in co-partnership, or being Agents or Attorneys of creditors of said debtor, of the third part: the said debtor did assign and set over unto the said James Bee and William Luke, their heirs, executors, administrators and assigns, All and singular the real and personal estate and effects, whatsoever and wheresoever, of the said debtor, or of or to which he or any

person or persons in trust for him, is or are possessed or entitled, or have or hath any right or interest whatsoever, unto the said James Bee and William Luke, in trust, for the equal benefit of all the creditors of the said debtor: And notice is hereby further given that the said Deed has been filed in the Supreme Court, pursuant to "The Bankruptcy Act, 1867."

Dated this twenty-fourth day of March, 1868.

JULIUS & O'MEAGHER,
Solicitors for the Trustees,
Oamaru.

15/

NOTICE is hereby given that John Adams, of Dunedin, Grocer, has this day been adjudicated a Bankrupt, pursuant to the provisions of "The Bankruptcy Act, 1867," and that a meeting of his creditors will be held at the Supreme Court House, Dunedin, on Saturday first, the 28th instant, at ten o'clock in the forenoon.

Dated this twenty-first day of March, 1868.

WILLIAM DOWNIE STEWART,
Solicitor for John Adams.

5/

NOTICE.—Having received sufficient proof that the portion of the Otago Gold Fields known as the Nevis diggings, cannot be profitably worked in claims of ordinary area, I hereby give notice that within the Valley of the Nevis, from the head to three miles below Korll's Ford, holders of Miners' Rights may occupy claims of treble the ordinary area in alluvial ground, and of double the ordinary length in the River.

H. W. ROBINSON,
Warden.

Gold Fields Department,
Clyde, 17th March, 1868.

BALANCE SHEET of Receipt and Expenditure of the Municipality of the Incorporated Town of Oamaru for the year ending December 31st, 1868:—

RECEIPT.		
Balance, last year	£104 9 5
Rates, Jetty Ward for 1867	£321 7 4	
" " for 1868	3 16 0	
" Thames Ward	192 10 0	
" Severn Ward	159 3 0	
" High Ward	90 17 2	
		767 13 9
Subsidy from Prov. Govt....		1602 11 0
Licenses		13 1 0
Bye-Laws		0 2 0
Weighbridge		2 19 0
Poundage from Prov. Govt.		13 13 6
Balance due, Bank of N.Z.		1855 11 1
		£4360 0 9
EXPENDITURE.		
To Amount paid Mayor	£125 0 0	
" Governor's reception	50 6 0	
" Weighbridge & erection	156 2 6	
" Lamps	77 0 2	
		£408 8 8
" Rent	25 0 0	
" Salaries to Clerk, Surveyor, Assessors, and Collector	419 2 3	
" Printing and Stationery	169 7 10	
" Sundry expenses	232 11 0	
		846 1 1
Contracts	2146 6 3	
" Poundage paid to Provincial Government	7 13 6	
" Wages for day work	951 11 3	
		3105 11 0
		£4360 0 9

GEORGE SUMPTER, Town Clerk.

We hereby certify that we have examined the above

Balance Sheet, with the accounts, vouchers, and Bank pass-book, and found the same correct.

JOHN THOMAS EVANS } Auditors to the Municipal Council of Oamaru.
THOMAS WEBB }

Oamaru, December 31, 1867. 20s

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

In the matter of "The Bankruptcy Act, 1867," and in the matter of JOSEPH BEATTIE, of Oamaru, in the Province of Otago, in the Colony of New Zealand, Contractor, a Debtor.

NOTICE is hereby given that the above-named Joseph Beattie, 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 twenty fourth day of March, 1868.

7/6 A. W. ALLONBY, Oamaru,
Solicitor for the above-named Joseph Beattie.

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

In the matter of "The Bankruptcy Act, 1867," and in the matter of DAVID BUIST, of Oamaru, in the Province of Otago, in New Zealand, Contractor, a Debtor.

NOTICE is hereby given that the above-named David Buist 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 24th day of March, 1868.

7/6 A. W. ALLANBEY, Oamaru,
Solicitor for the above-named David Buist.

DISSOLUTION OF PARTNERSHIP.—The partnership hitherto existing between the undersigned, trading and known under the style of the Alexandra Dredging Co., has this day been dissolved by mutual consent, the affairs of the said Company being wound up. All claims against said Company, and all debts due to same, will be received or paid by Mr. Edward Halliday, of Alexandra. Claims must be rendered before the 30th April next.

EDWARD HALLIDAY,
JOHN M'KENZIE,
PATRICK BRENNAN.

Witness—HENRY JOHN COPE.

Dated, March 13th, 1868. 3s. 22/6.

DISSOLUTION OF PARTNERSHIP.—Notice is hereby given that the Partnership which existed between the undersigned John Richard Jones and MacLeod Clement Orbell, lately carrying on business as Sheep Farmers, in the Province of Otago, under the style of Jones and Orbell, was dissolved by mutual consent on the twenty-first day of February, 1868. All debts due to and by the late firm will be received and paid by the said MacLeod Clement Orbell.

J. R. JONES,
M. C. ORBELL.

Witness to the signatures of John Richard Jones, and MacLeod Clement Orbell,

25/6 3s. EDWARD ORBELL.

(From the *New Zealand Gazette*, March, 9. No. 14.)

G. F. BOWEN, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this seventh day of March, 1868.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the

Governor in Council, from time to time, to make alter and revoke rules regulating the procedure and practice in Courts to be established under the said Act, and in cases of appeal therefrom, and also to fix the fees to be taken in respect of proceedings therein. And whereas by certain Orders in Council heretofore made under the provisions of "The Gold Fields Act, 1862," and by certain other Orders in Council, made under the provisions contained in "The Gold Fields Act, 1866," rules regulating the procedure and practice in Wardens' Courts in New Zealand, and in cases of appeal therefrom, were made, and certain alterations thereof have become advisable :

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council of New Zealand, from and after the sixth day of April next, doth hereby revoke all rules and regulations heretofore made regulating the procedure and practice in Wardens' Courts, and in cases of appeals therefrom, and fixing fees to be taken in respect of proceedings therein, and doth hereby order that the rules and fees respectively set forth in the Schedule hereunto annexed shall be the rules regulating the proceedings and practice in all Wardens' Courts, and in cases of appeal therefrom, and shall be the fees to be taken in respect of proceedings therein.

FORSTER GORING,
Clerk of the Executive Council.

WARDENS' COURTS.
RULES FOR REGULATING THE PROCEDURE AND PRACTICE OF WARDENS' COURTS.

1. The Schedule of Forms and Scale of Fees hereunto annexed shall form part of these rules.

2. In construing those rules and forms, the following terms, in inverted commas, shall bear the several meanings set against them respectively:—

"The Act:" "The Gold Fields Act, 1866," as amended by "The Gold Fields Act Amendment Act, 1867."

"Clerk," "bailiff:" The clerk, bailiff, or person duly appointed and authorized to act as such respectively.

"Oath" shall include affirmation.

Words importing the masculine gender only shall include females; and importing the singular number shall be extended to the plural number.

3. Every Warden's Court shall be holden in such place and time as the Warden shall appoint, and he may from time to time adjourn the court.

4. There shall be for every Warden's Court a clerk who shall be appointed by and hold office during the pleasure of the Governor or the Superintendent, or other person or authority duly delegated by the Governor to exercise such power under the Act.

5. It shall be lawful for the Warden to appoint a deputy to act for the clerk as often as he shall be prevented by illness or other cause from acting in his office, and an entry of such appointment, and the cause of the clerk's absence, shall be made in the minute book of the court.

6. The Clerk of the Court shall issue all summonses, warrants and writs of execution, keep an account of all proceedings, take charge of and keep an account, in a book to belong to the Court, of all fees and fines payable or paid into court, and of all moneys paid into and out of court, adjourn the court to any day he may deem convenient when from any cause a court cannot be held on the day appointed, and shall do and perform all other acts and duties properly incident to the office of clerk.

7. There shall also be a bailiff of the court, who shall be appointed by and hold office during the pleasure of the Warden thereof.

8. The bailiff shall attend the sittings of the court, unless when his absence shall be allowed by the Warden, and shall, when required, serve all summonses and orders, and execute all the warrants and writs issued out of the court, and in other respects shall be subject to the directions of the Warden.

9. The parties in every complaint, action, and pro

ceeding shall appear and act personally or by a barrister or solicitor of the Supreme Court, or in the absence of any barrister or solicitor, and by leave of the Warden, by an agent to be appointed by the plaintiff or defendant, in writing.

10. No officer of the court shall, either by himself or by any partner or person in his employment, be directly or indirectly engaged as counsel, attorney, or agent for any party in any proceeding in the court.

11. Every action shall be commenced by a complaint and summons in the form or to the effect in the Schedule hereto annexed.

12. In the complaint and summons there shall be set forth the Christian and surname, and place of abode and calling, and description of the complainant, and likewise of the defendant; but when the Christian and surname of the latter are not known, he may be designated by any name or names which he may have acquired by usage or reputation.

13. In every complaint and summons there shall be set forth briefly, but distinctly and explicitly, the ground or cause of complaint, and if there be more than one ground or cause of complaint, each shall be stated substantively, and consecutively numbered, and there shall also be set forth the relief claimed.

14. The service of any summons shall be by delivering a copy of the same to the defendant (or if more than one, to each of them) personally; or if he cannot be found, by leaving such copy at his place of abode; or in case of copartners, at the claim, station, or other place of business of the firm, at least twenty-four hours before the time appointed for the hearing, unless the Warden shall otherwise direct at the time of issuing the summons.

15. The summons may be served by the bailiff or by any other person whom the court may authorize, and he shall, by a certificate under his hand, certify the time and mode of such service, to be endorsed on the summons, without prejudice to the Warden taking proof thereof by oath if he think fit.

16. Either party may obtain from the Clerk of the Court, summonses to witnesses, to be served at the option of such party, either by himself or his agent, or by the bailiff of the court, with or without a clause requiring the production of books and writings in their possession or under their control.

17. The parties shall be heard in open court, upon the day appointed, but the Warden may adjourn the hearing of any cause in such manner, and on such terms as to payment of costs or otherwise, as to him may seem fit.

18. If the complainant do not appear at the time appointed, and good cause for his absence be not shown, the Warden shall dismiss the complaint, and award a sum to the defendant as costs, or adjourn the hearing of the same.

19. If the defendant do not appear, the court may either hold him as confessed, and give judgment accordingly, or institute such enquiry into the cause of action as may be deemed necessary, and thereupon pronounce such decision as may be consistent with the ends of justice.

20. The costs for the summoning and attendance of assessors shall be paid into court before they are summoned.

21. It shall not be necessary to summon more than eight assessors to attend any one sitting of the court, and those summoned for the trial of any one cause shall be deemed to have been summoned for the trial of all causes to be tried at the same sittings of the court with the assistance of assessors.

22. It being competent to the court, whenever it shall see fit, to order the working of any miner's claim affected by any matter in dispute brought before the court, to be suspended until such matter shall have been investigated and adjudicated upon, if in any complaint there shall be set forth sufficient grounds, in the opinion of the court, for the interim order or injunction on the person complained against to desist from working

his claim, or from any act or proceeding in the working thereof likely to cause irreparable or serious injury, and if such relief or remedy be then claimed, the Warden may issue such order or injunction in the meantime; and afterwards, on hearing the parties, may recal the same, or otherwise decide, as he may see fit.

23. All the costs of any complaint or proceeding shall be taxed by the Warden, and shall be paid or apportioned by or between the parties or such of them and in such manner as to the Warden shall seem fit, but in default of any special direction, such costs shall abide the event of the action.

24. The Warden shall, in each case, direct what number of witnesses shall be allowed between party and party, and their allowance for attendance shall in no case exceed the highest rate of the allowance mentioned in the Schedule hereto annexed.

25. The cost of witnesses, whether they have been examined or not, may in the discretion of the Warden be allowed, although they may not have been summoned.

26. The Warden may make such order as he may think fit concerning the times, and by what instalments, any sums of money, for which judgment shall be obtained, shall be paid; and all such money shall be paid into Court, unless the Warden shall otherwise direct.

27. The Warden may at all times amend all defects and errors in any proceedings of the court.

28. In default of the payment of any fees, payment thereof, by order of the Warden, may be enforced by such means as may be employed to recover any sum of money adjudged by the court to be paid.

29. The Warden, the clerk, and any other officer may refuse to do any act for which a fee shall be demandable, unless such fee shall first be paid.

30. The Judge may, in pursuance of the ninety-sixth section of the Act, prescribe such additional Regulations as may from time to time be necessary for the orderly transaction of the business of this court.

SCHEDULE OF FORMS.

I.—Complaint.

In the Warden's Court of District in the
of , New Zealand.

Be it remembered that upon the day of 18 ,
cometh before me the undersigned, Judge of the District
Warden's Court sitting at in the said
, A. B., (address, description, &c.) and
complains against C. D., (address, description, &c.)
defendant.

1. That (here set forth briefly, but distinctly and explicitly, the ground or cause of complaint; and if there be more than one ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c.)

Wherefore the complainant claims that the defendant be adjudged to (here state the nature of the claim or relief sought).

Stated before me at aforesaid, this
day of 186 .
.....Judge.

II.—Summons

In the Warden's Court of District, in
the of , New Zealand, A. B.,
(address, description, &c.) complainant, and C. D.
(address, description, &c.) defendant.

Whereas complaint hath this day been made before me the undersigned, the Judge of the said Court, by A. B. (address, description, &c.), complainant, against C. D. (address, description, &c.) defendant.

1. That (here set forth briefly but distinctly and explicitly the ground or cause of complaint, state each substantively, numbering them 1, 2, 3, &c., as in complaint.) Wherefore complainant claims that the defendant be adjudged to (here state the nature of the claim or relief sought, as in the complaint): These are therefore to command you, the said C. D., in Her Majesty's name, to be and appear on the day of 18 , at o'clock in the noon, at the

Court House at _____, before me, to answer to the said complaint and demand (in any case falling under Rule —, in which in the complaint an interim injunction is claimed, here insert). And in the meanwhile you are hereby enjoined to desist from (here state the matter of injunction distinctly) under the penalty, in case of disobedience of this injunction, contained in the Act.

Given under my hand and seal this _____ day
of _____, in the year of our Lord 18 _____,
at _____ in the district aforesaid.
(L.S.) _____ Judge.

III.—Certificate of Service.

I, _____, Bailiff to the Warden's Court at _____, do hereby certify that I served _____, mentioned in the within summons, with a copy thereof on the _____ day of _____ 18 _____, between the hours of _____ and _____ noon.

E. F.

IV.—Summons to a Witness.

In the Warden's Court of _____, holden at _____ between A.B., plaintiff, and C.D., defendant. You are hereby required to attend at the Court House, in _____, on the _____ day of _____, 18 _____, at the hour of _____ in the _____, to give evidence in the above cause, on behalf of (plaintiff or defendant as the case may be), and then and there to have and produce (state any particular documents required) and all other books, papers, writings, and other documents relating to the said action, which may be in your custody, possession, or power. In default of your attendance you will be liable to a penalty of five pounds, under "The Gold Fields Act, 1866."

Dated this _____ day of _____, 18 _____.

C. D.,

Clerk of the Court.

To A.B. (address, description, &c.)

V.—Clerk's Notice of Assessors.

In the Warden's Court of _____ holden at _____, between A.B., plaintiff, and C.D., defendant. Take notice that this case will be tried by Assessors, the plaintiff (or defendant, as the case may be) having demanded a trial by Assessors.

Dated this _____ day of _____, 18 _____.

C. D.,

Clerk of the Court.

To the plaintiff or defendant, as the case may be, (address, description, &c.)

VI.—Summons to Assessor.

In the Warden's Court of _____, holden at _____ You are hereby summoned to appear and serve as an Assessor in this Court at the (Court House), on the _____ day of _____ 18 _____, at the hour of _____ in the _____ noon, upon the trial of the cause or causes to be taken and tried by Assessors, and in default of attendance you will be liable to a penalty of five pounds, under "The Gold Fields Act, 1866."

Dated this _____ day of _____, 18 _____.

C. D.,

Clerk of the Court.

To (address, description, &c.)

VII.—Order fixing an Assessor for Non-attendance.

In the Warden's Court of _____, holden at _____ Whereas _____ was duly summoned to appear and serve this day as an Assessor in this Court, upon the trial of the cause or causes to be tried by Assessors at this Court: And whereas he has neglected without sufficient cause shown, to appear and serve as an Assessor at this Court, it is hereby ordered that he shall forthwith (or on the _____ day of _____, 18 _____), pay to the Clerk of this Court a fine of £ _____ for such neglect.

Dated the _____ day of _____, 18 _____.

C. D.,

Clerk of the Court.

Hours of attendance at the Office of the Clerk (place of office) from _____ until _____, except on (here insert _____)

the days of the week on which the office will be closed) when the office will be closed.

VIII.—Table of Fees.

	£	s.	d.
Summonses	0	2	0
Summonses to Witnesses	0	2	0
Service of Summonses (if within one mile of the Court House)... ..	0	3	0
For every extra mile, one way	0	1	0
Hearing	0	4	0
Adjournment of Hearing, when made on application of plaintiff or defendant	0	2	0
Swearing Witnesses exceeding three on either side	0	2	0
Summoning Assessor	1	4	0
Payment for the Assessors, each day	2	0	0
Entering up Judgment	0	2	0
Filing Notice of Ground of Appeal	0	8	0
Writ of Execution against goods	0	4	0
Writ of Execution against the person	0	4	0
Issuing Warrant to Bailiff to deliver possession to a plaintiff of premises recovered	0	8	0
Executing any Writ of Execution beyond one mile from the Court House, for every extra mile, one way	0	1	0
Poundage on the sum levied or received or for which the body is taken in execution, for every £1	0	1	0
Serving or executing any Writ of Arrest, Injunction, Writ of Attachment, or any Summons, Order, Warrant, Precept, Writ, or other process not hereinbefore provided for, if within one mile of the Court House	0	8	0
For every extra mile, one way	0	1	0
For keeping possession, per diem, any sum not exceeding	0	8	0
For every extra mile beyond one mile one way	0	1	0
Auctioneers' Commission on goods sold, not exceeding five per cent.			
Advertising—For three lines of space, not exceeding, 3s.; and 3d. for every additional line.			
Bailiff's fee for executing Writ against the goods, if satisfied within two hours of the levy	0	4	0
For every search	0	1	0
For any document required in proceedings and not enumerated in the Schedule	0	2	0
For every complete folio of 90 words above one	0	1	0
Copy of any proceedings (first folio)	0	1	0
For every complete folio of 90 words	0	0	8
Cartage of goods seized in execution to Auction Room actually or place of security, reasonable expenses paid.			
IX.—Allowances to Witnesses.			
Professional Men, Merchants, and Esquires, not exceeding, per diem	1	1	0
Tradesmen, Mechanics, Labourers, &c., ditto	0	10	0
Mileage, one way	0	1	0

(From the New Zealand Gazette, March 3, No. 13.)

Colonial Secretary's Office,
Wellington, 28th February, 1868.

HIS Excellency the Governor has been pleased to appoint

SYDNEY WILSON, Esq.,
to be Deputy of the Registrar of Marriages, and of Births, Deaths, and Marriages, for the District of Waitahuna.

E. W. STAFFORD.

SUBSCRIPTIONS will be at the rate of £1 per annum or 5s. per quarter, payable in advance to the Publisher. Single copies of the Gazette not to exceed 6d. Subscriptions may commence at any time, but must terminate not later than 31st December, 1868.