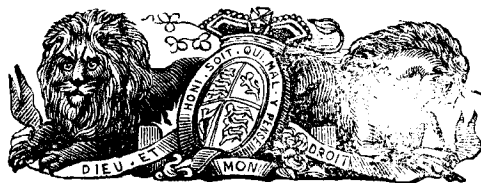


NEW ZEALAND.



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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DUNEDIN, WEDNESDAY, MAY 20, 1868.

No. 545.

[WITH SUPPLEMENT.]

JAMES MACANDREW,
Superintendent of
the Province of
Otago.

ORDER IN COUNCIL.

At the Provincial Government Buildings, Dunedin, the
19th day of May, one thousand eight
hundred and sixty-eight.

Present :

His Honor the Superintendent ;
The Provincial Secretary and Treasurer ;
The Secretary of Land and Works ;
Arthur John Burns ; and
John Hughes, Esquires,
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 twenty-ninth day of January, one thousand eight hundred and sixty-seven, 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 thirty (30) of the "Gold Fields Act 1866," it is enacted that it shall be lawful for the Governor in Council, from time to time, to make such regulations not being contrary to the provisions of the said Act, as he should think fit, for regulating the granting of leases for mining purposes, and the terms and conditions on which such leases should be granted, the amount of rent or royalty to be paid, whether in advance or otherwise, by the grantees of such leases, the manner in which persons desirous of having such leases granted to them should mark out the land for which they might apply, the mode and time of making and investigating, and of determining upon applications for, and objections to, the granting of leases, the amount of deposit to be paid by the applicant and objector respectively, as a security

for the costs connected with such determination, and the terms and conditions upon which such leases might be held, occupied, worked, assigned and forfeited or cancelled, and such regulations from time to time to alter, amend, or revoke :

And whereas by section CXIII of the said last-mentioned Act it is provided that all lawful rules and regulations existing at the time of the commencement thereof should, until annulled or revoked, be deemed to be and should continue in force as rules and regulations under the said last-mentioned Act : And whereas by the Orders in Council and the Proclamation respectively after-mentioned, regulations were made under section thirty-three (33) of the "Gold Fields Act 1862," which regulations were continued in force by the said 113th section of the "Gold Fields Act 1866," and have not since been annulled or revoked : And whereas it is expedient to revoke the said regulations so made as aforesaid, and to make other regulations in lieu thereof—

Now, therefore, His Honor James Macandrew, Superintendent of the Province of Otago, by and with the advice and consent of the Executive Council of the said Province, and by virtue and in exercise of the powers delegated to the Executive Government of the said Province of Otago in this behalf, doth hereby order that from and after the day of the date hereof all the regulations made by the Orders in Council, and the Proclamation respectively after-mentioned, shall be annulled and revoked—that is to say :—

I. Order in Council establishing Regulations for the granting of Gold Mining Leases in the Province of Otago, bearing date the 15th day of September, 1862.

II. Order in Council establishing Regulations as aforesaid, bearing date the 14th day of September, 1864.

III. Order in Council establishing Regulations as aforesaid, bearing date the 29th day of December, 1864.

IV. Proclamation declaring the exceptions to be made, and the clauses, provisoes, conditions, and agreements to be implied in "Gold Mining Leases" under the "Gold Fields Act 1862," under the public seal of the colony of New Zealand, bearing date the 5th day of August, 1865.

V. Order in Council making the additional Regulations set forth in the Schedule thereto for regulating the granting of Leases for mining purposes in the Province of Otago, bearing date the 9th day of May, 1866.

And His Honor the said James Macandrew, as such Superintendent as aforesaid, by and with the advice and consent aforesaid, and by virtue and in exercise of the powers so delegated as aforesaid, and of the said Gold Fields Act 1866, doth hereby make the Regulations following in lieu thereof (that is to say) :—

REGULATIONS

For the Granting of Gold Mining Leases in the Province of Otago :—

PART I.—APPLICATIONS.

1. *What lands may be leased.*

Auriferous Crown Lands in the Province of Otago may be leased under these Regulations, except—

- (1.) The whole or any part of any land which any person other than the applicant is entitled to occupy and actually does occupy for mining purposes, or for residence, by virtue of a miner's right or business license.
- (2.) The whole or any part of any land in or over which any person other than the applicant has any interest or authority other than those above mentioned, which he may lawfully use or exercise for mining purposes, or for discovering the existence of gold or other metal or mineral.
- (3.) Lands containing within their boundaries any river, stream of permanent water, or spring, which may be required for public purposes, or for the use of the miners generally.

2. *Boundaries of land applied for to be defined.*

Persons intending to apply for a lease of auriferous Crown lands shall, previous to making application as hereinafter directed, erect or cause to be erected, at each angle of the land proposed to be leased, a post, three inches square, and standing at least three feet in height above the surface of the ground ; and such posts shall be maintained at the expense of the applicant until the application shall have been granted or refused by the Superintendent.

3. *Mode of application.*

Applications shall be made in the form in the Schedule hereunto annexed marked A, and shall be addressed in duplicate to the Warden of the Gold-field within which the land so applied for is situated.

4. *Applicant to make a deposit.*

Before applying for such lease, the applicant must deposit with the Receiver of Gold Revenue the sum of Twenty Pounds (£20), as a guarantee for the payment of any expenses which may be incurred for any survey or surveys of the land applied for, or by reason of any objection to such application being allowed ; and such Receiver shall give to the applicant a receipt therefor, in the form in the Schedule hereunto annexed marked B, and any surplus which may remain after payment of such expenses shall be returned to the applicant.

5. *Application to be advertised.*

A notice of every such application, and of the date fixed for the hearing thereof, with full particulars of the locality of the land applied for, shall be advertised not less than twice, by and at the expense of the applicant, in such newspaper circulating in the district as the Warden shall direct ; and copies of the newspapers containing such notice shall be produced to the Warden before he shall proceed to hear the application.

6. *Priority of application.*

In the event of more than one application being made for the same land, or any part thereof, such one of such applications as shall have been first left with the Warden shall be first considered ; and in case any two or more of such applications shall be left with the Warden at the same time, it shall be in the discretion of the Superintendent to which of the applicants the lease shall be granted.

7. *Protection during application.*

All applications for gold mining leases will be reserved for the final decision of the Executive Government of the Province ; and land for which application shall have been made in the manner aforesaid shall be "protected" from the date of such application until such decision shall have been made known to the Warden.

8. *Applications to be recorded.*

The Warden shall cause every such application to be duly recorded in the "Leases Record Book" of his office, and a copy of the application shall be forwarded to such person as the Superintendent may from time to time direct.

PART II.—SURVEY.

9. *Official survey.*

Upon receipt of such application and deposit, the Warden aforesaid shall, as soon as may be, direct a Surveyor to proceed to the land applied for, and to survey the same, and report as to the area, boundaries, and description thereof, the character of the ground, the likelihood of any river, creek, or permanent water spring, or artificial reservoir, which may be included within the boundaries of the said land, being required for, or the feasibility of the same being applied to public purposes, or for the use of miners of the district generally, and also as to any claims to prior occupancy which shall come to his knowledge, inquiry as to which it shall be his duty to make, while making the said survey ; and to furnish a plan of such land together with a tracing of so much of the general map of the district as will be sufficient to connect the particular area

applied for with at least one trigonometrical station, or in the absence of any such, with some fixed point.

10. *Surveyor to affix notice.*

The surveyor shall at the time of making the survey hereinbefore directed, place a notice, in the form in Schedule hereunto annexed, marked C, in some conspicuous place on the ground; and shall post a copy of such notice on the outside of the Warden's office.

PART III.—HEARING.

11. *Objectors to give notice.*

Any person objecting to the issue of a lease so applied for, shall, within twenty-one days after the posting of the notice by the surveyor, forward to the Warden full notice of all such objections, and shall (except in cases of encroachment) deposit the sum of five pounds (£5) with the Receiver of Gold Revenue, and such Receiver shall give to the person making such deposit a receipt, in the form of the Schedule annexed marked D, as security for the due prosecution of his objections, and in satisfaction of any expenses to which the applicant may be put by such objections if disallowed; and if such objections should not be prosecuted or should fail, so much of such deposit shall be handed over to the applicant as may be necessary to repay the expenses of such applicant; and the balance (if any) shall be refunded to the person so objecting.

12. *Cases of encroachment.*

When application shall have been made for a lease of any land to the whole or any part of which any person other than the applicant shall claim to be entitled by virtue of a prior occupation under a miner's right, or business license, the objection to the granting of such lease may be heard by the Warden in the same way as a case of encroachment under the Gold-fields Act; and such Warden shall immediately report the hearing of any such objection, and the decision arrived at therein, to the Superintendent of the Province.

13. *Date to be fixed for hearing.*

Upon receipt of an application, the Warden shall appoint a day for the hearing thereof, being not less than fourteen (14) nor more than thirty (30) days from the date of the receipt of such application, and upon the day appointed as aforesaid, the Warden shall proceed to hear the application; but such hearing may be adjourned from time to time, if any sufficient or reasonable cause shall be assigned, or known to the Warden.

14. *Warden to report.*

Immediately after the hearing the Warden shall forward the application, together with the Surveyor's report, and all other documents relating to the application, to such person as the Superintendent may from time to time direct. And therewith the Warden shall report whether any objection has been made, or is otherwise known to him, why such application should not be granted, and shall set forth the nature of any such objection; and also whether the applicant is the holder of or applicant for any other lease under the Gold Mining Leases Regulations; and, if so, specifying the extent and area of any such holding or application. And such report shall include the Warden's recommendation as to the granting or refusal of the application.

PART IV.—CERTIFICATES.

15. *Certificates.*

After the approval of any application, and pending the issue of a lease, notice of the intention to grant which has been given as provided by Section 29 of the Gold Fields Act 1866, a certificate in the form in the Schedule E annexed hereto will be issued to the applicant by such person as the Superintendent may from time to time direct, and such certificate will bear date from the first day of the month wherein the application shall have been granted.

16. *Failure to take up Certificate.*

If any applicant fails or neglects to take up his certi-

cate within thirty days after service of notice from the Warden that such certificate is ready for issue, such certificate may be forthwith cancelled, and upon such cancellation the deposit paid upon the application will be forfeited.

17. *Certificates to be exchanged for Leases.*

The holder of such certificate shall exchange the same for a lease whenever it is notified to him that such lease is ready for execution; and if the holder of such certificate shall neglect for the space of thirty (30) days from the time of such notification to execute such lease and a counterpart thereof, the said certificate shall become void, and shall no longer entitle the holder thereof to possession of the land therein mentioned; and, after the expiration of such thirty (30) days, the holder of such certificate shall, if he remain in possession of such land, be deemed a trespasser on Waste Lands of the Crown, and may be proceeded against accordingly.

18. *Rent to be paid before issue of Certificates.*

Before the issuing of any such certificate there shall be produced to the Warden a receipt for the first half year's rent signed by the Gold Receiver of the district; and such receipt shall be in the form in Schedule F hereunto annexed.

PART V.—LEASES.

19. *Term of lease.*

Leases will be granted upon such applications as may be approved by the Executive Government for a period of not exceeding fifteen (15) years, from the first day of January, or the first day of July next ensuing after the date of the certificate hereinbefore mentioned.

20. *Execution of lease.*

Upon receiving the lease, the Warden aforesaid shall cause notice to be given to the lessee or lessees requesting his or their attendance at the Warden's office, or other convenient place, to execute and take delivery thereof, within a reasonable time not exceeding thirty days from the date of such notice; and should the said lessee or lessees, or his or their lawful attorney, as hereinafter provided for, fail to comply therewith, or to show reasonable cause for an extension of the time allowed for the purpose, the Warden shall report the circumstances, and the Superintendent may thereupon declare the lease forfeited, or take such other action therein as he may think fit.

21. *Proceedings in case of refusal of lease.*

If any lease so applied for shall be refused, either in the first instance, or after a failure to comply with the terms of the notice in the last preceding section mentioned, or if any application for a lease shall be withdrawn, a notice thereof shall be published in the *Gazette*, and the Warden shall thereupon instruct a surveyor to proceed without delay to the ground described in such mining lease, and cause all posts, notices, &c., by which such ground shall have been distinguished, as applied for under these Regulations, to be removed; and further to notify, for the information of the miners in the vicinity, that such ground is open to persons holding miners' rights or business licenses, or to applicants for a lease, as if no lease of the said ground had ever been applied for.

22. *Costs.*

All costs and expenses incurred by, or on behalf of, or by direction of the Government, by reason of the withdrawal of any application for mining leases, or of the non-execution of any such lease within the time aforesaid, shall be considered expenses within the meaning of these regulations.

23. *Fine for withdrawal.*

Out of the sum of twenty pounds (£20) deposited by any person making application for a gold mining lease, shall be deducted the sum of two pounds (£2) in addition to the previously authorised costs and expenses, in case such person shall withdraw his application, or forfeit or abandon his claim, or not accept the lease within one month after notice by the Warden.

24. *Arrears to be paid on execution of lease.*

Upon the execution of every such lease, the rent shall be computed, and paid up to the first day of January or July next following the date to which payment has been made under the certificate; and, thenceforth, rent shall be payable half-yearly in advance, on the first day of January and the first day of July, in each year.

25. *Attorney may be appointed.*

In case of the inability of any lessee or lessees by reason of absence, sickness, or any other lawful impediments, to execute a lease, the lawful attorney or attorneys of such lessee or lessees shall be permitted to execute such lease for and on his or their behalf.

26. *Power of attorney.*

All such attorneys shall be appointed under power of attorney, in the form, or to the effect, set forth in the Schedule hereunto annexed, marked G, and the execution thereof shall be attested by a Justice of the Peace.

27. *Rent.*

Rent will be charged at the rate of Two Pounds and Ten Shillings (£2 10s.) per acre per annum; and any fractional part of an acre will be considered as a full acre, and any fractional part of a month will be considered as a full month, and charged for accordingly; and such rent shall be payable half-yearly, in advance, during the term of the lease, subject always to the condition set forth and expressed in Regulation No. 24.

28. *Return of deposit.*

The unexpended balance of the amount paid by way of deposit on any application shall, in the event of the approval of such application, be returned to the applicant on payment of the first half-year's rent.

PART VI.—CONDITIONS.

29. *Right of ingress and egress.*

Her Majesty the Queen reserves to her Government of New Zealand, and all officers and servants thereof, the right of ingress, egress, and regress to, from, and across the land hereby demised, and the mines thereon or thereunder; and of granting to any person or persons, or to the public, such right of ingress, egress, and regress; and of granting to any holder of a miner's right the privilege of entering on such land for the purpose of cutting water races or tail races, and of leading head water or tail water through the same: Provided always, that all such operations shall be sanctioned by the Warden, and due compensation given to the said lessee or lessees, his or their heirs, executors, administrators, and assigns.

30. *To determine lease, if mining be discontinued four months.*

And it is hereby declared and agreed by and between the said parties hereto, that if the said lessee or lessees, his or their executors, administrators, or assigns, shall for four months discontinue the *bonâ fide* mining on the said land hereby demised to him or them, it shall and may be lawful for the said lessor, or any person duly appointed by him in that behalf, to enter into and upon the land and premises hereby demised, and thereby determine the estate of the lessee or lessees therein.

31. *Rent in arrear, to distrain machinery, tools, &c.*

Provided also, that if the rents, dues or duties, reserved in this lease, shall be in arrear and unpaid for the space of twenty-one days next after any of the days hereinbefore fixed for payment thereof, it shall and may be lawful for the said lessor, or any person duly authorised in that behalf, to enter upon the premises hereby demised, and to distrain the machinery, tools, buildings, or other property of the said lessee or lessees for the time being in, under, or upon any part of the premises

hereby demised, for or in respect of any such rent, dues, or duties, which ought to have been paid to the lessor or any person duly authorised to receive the same.

32. *Plan of section of mines.*

Provided also, that they, the said lessee or lessees, his or their executors, administrators, or assigns, will and shall at all times during the continuance of this demise, if required so to do by the said lessor or any person duly authorised in that behalf, prepare and keep a proper plan or section of all the workings and actual condition of the mines and premises hereby demised.

33. *To furnish returns, &c.*

Provided also, that he or they, the said lessee or lessees, his or their executors, administrators, or assigns, shall and will at all times during the continuance of this demise furnish true and accurate quarterly returns, and certify to the same on oath to the Warden or other officer duly authorised in that behalf, of the average number of men on or about the mines and premises hereby demised; and shall from time to time, whenever so required by the Warden, surveyor, or such other duly authorised officer, up to the period when the full sum hereby agreed to be expended in or about the said mines and premises shall have been so expended, furnish a true and accurate account, certified as aforesaid, of the amount at such date expended as aforesaid.

34. *Not to work out of limits.*

Provided also, that the said lessee or lessees, his or their executors, administrators, or assigns, shall not, nor will during the continuance of this demise, work the said mines out of or beyond the limits and boundaries hereinbefore mentioned.

35. *On Breach of covenants Lessor to re-enter and determine lease.*

Provided lastly, and it is hereby declared and agreed by and between the said parties hereto, that in case the said lessee or lessees, his or their executors, administrators, or assigns shall fail or neglect to perform and keep all and every of the covenants, conditions, or provisoes and agreements hereinbefore contained, and implied by virtue of the "Gold-fields Act 1866," or of any regulations made under the authority of the said Act referring to leases for gold mining within the Province of Otago, and which are in force at the time of the execution hereof, it shall and may be lawful for the said lessor, or any person duly appointed in that behalf, forthwith, or at any time or times thereafter, to enter into and upon the land and premises hereby demised, and thereby determine this lease.

36. *Transfer and assignment.*

Gold mining leases or certificates issued under these regulations shall not be transferred or assigned without the sanction of the Executive Government; and any lease or certificate otherwise transferred or assigned shall be liable to forfeiture.

SCHEDULES.

SCHEDULE A.

(Place and date.)

To _____

SIR,—I herewith deposit the sum of twenty pounds (£20), as required by the Gold Mining Lease Regulations of Otago, and I agree, if my application (the particulars of which are hereunder set forth) be investigated, that such sum shall in all respects be held subject to the terms of such Regulations, and that upon the approval of this application, I will execute a lease upon the basis therein stated, if the Executive Government shall think fit to grant the same.

I have, &c.,

Signature of Applicant.

Name and Address in full of Applicant.	Style under which it is intended to conduct the business.	Extent of Land applied for.	Minimum number of Men to be employed by the Lessee.	Amount of Capital proposed to be invested.	Proposed mode of working the land.	Precise locality.	Term for which Lease required.	Time of commencing operations.	General Remarks.
			(1.) For the first months men.						
			(2.) Subsequently when in full work men						

SCHEDULE B.

In the matter of the application for a lease under the Mining Lease Regulations.

Received from the above-named parties the sum of Twenty Pounds (£20), pursuant to the Regulations for Leases of Lands for Gold Mining.

Dated, &c.,

(Signature of Receiver.)

SCHEDULE C.

To all persons whom it may concern.

I hereby give notice that residing at _____ do hereby apply to the Warden at _____ for a Gold Mining Lease of (acres or yards) of land, which I have this day marked out, and that any person desiring to object to the issue of such lease must, within twenty-one clear days from the date of this notice, forthwith enter his objection at the office of the said Warden. And I further give notice that the said land is exempted from occupation for any purpose whatsoever until the application of the aforesaid has been finally dealt with.

(Signature of Surveyor.)

Dated the _____ day of _____ 18

SCHEDULE D.

In the matter of the application of _____ for a lease under the Gold Mining Lease Regulations, and of objections thereto lodged by A. B., C. D., &c.

Received from the sum of Five (£5) Pounds pursuant to the regulations for Leases of Crown Lands for Gold Mining.

Dated, &c.

(Signed) Receiver.

J. K. } Names of applicants and addresses
L. M. }

SCHEDULE E.

(Not Transferable without the Sanction of the Executive Government.)
PROVINCE OF OTAGO.

District of _____ 186

Whereas the application of _____ for a Gold Mining Lease of Crown Lands, situated at _____ and containing _____ acres _____ roods _____ perches, was heard before me on _____ 186 _____, and Whereas no objection thereto has been lodged at my office, and there is no cause known to me why such application should not be granted: This is to certify that the said _____ is hereby authorised to take possession of the land so applied for, and the same to hold, use, and enjoy, subject to the terms and conditions specified in the Gold Mining Lease Regulations in force at the date of the issue hereof.

N.B.—This certificate is to be exchanged for a lease when the said _____ is notified that such lease is ready for his acceptance.

SCHEDULE F.

District and date.

No.

Received from _____ the sum of _____ Pounds, _____ Shillings, and _____ Pence, being a half-year's rent due on the first day of _____, for Gold-Mining Lease No. _____

(Signed)

Receiver.

SCHEDULE G.

Know all men by these presents, that I, A.B., (or we, A.B. and C.D.,) do hereby make, nominate, constitute, and appoint, and in my (or our) place and stead put E.F., of (residence and addition), to be my (or our) true and lawful attorney for me (or us), and in my name (or our names) to accept the lease of auriferous Crown land for mining purposes for which I (or we) on the _____ day of _____, 18 _____, applied, and the deed of which was on the _____ day of _____, 18 _____, executed by His Excellency the Governor, and for me (or us) and in my name (or our names) and as my (or our) act and deed to sign, seal, and deliver such deed of lease, and for me (or us) and in my name (or our names) to enter into all such covenants and agreements as I (or we) shall be required to enter into in and by said deed or otherwise, in the matter of said lease, and generally for me (or us) and in my name (or our names) to do, execute, and perform all such other acts, deeds, and things as may be necessary, or may be required to be done, executed, or performed in and about the acceptance and execution respectively for me (or us) and in my name (or our names) of such lease and deed of lease respectively, and I (or we) do hereby ratify and confirm and covenant that I (or we) will ratify and confirm all and whatsoever the said E.F. shall lawfully do, or cause to be done, in or about the premises by virtue of this power.

In witness whereof, &c.

N.B.—Printed copies of the forms in these Schedules will be issued at the Warden's office free of expense.

ALEX. WILLIS,
Clerk of the Executive Council.

NOTICE

Of certain Land in the Province of Otago having been reserved from Sale, and set aside for, and appropriated to, the establishment and maintenance of a University in the City of Dunedin, and of Public Schools in different parts of the Province of Otago.

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 from sale, and set aside for, and appropriated to, the establishment and maintenance of a University in the City of Dunedin, and of Public Schools in different parts of the Province of Otago, 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 Establishment and Maintenance of a University in the City of Dunedin and of Public Schools in different parts of the Province of Otago— that is to say:—

All that area in the Province of Otago, containing

by admeasurement seven thousand one hundred and thirty-seven (7137) acres, more or less, situate in the Wyndham district, being section numbered two (2), block X (10), on the map of the said district, bounded towards the north by section numbered one (1), also by blocks numbered respectively VI (6) and VII (7), towards the east by bush reserve and block numbered XI (11), towards the south by the Toetoes district and bush reserve, and towards the west by the said section numbered one (1), and block numbered IX (9), Wyndham district, and intersected by three (3) road lines each one hundred (100) links wide.

And, also, all that area in the Province of Otago, containing by admeasurement one (1) acre and one (1) rood, more or less, situate in the township of Alexandra, being sections numbered respectively twelve (12), thirteen (13), fourteen (14), fifteen (15) and sixteen (16), block six (VI), on the map of the said town, bounded towards the north-west by section numbered seventeen (17), two hundred and fifty (250) links; towards the north-east by sections numbered respectively seven (7), eight (8), nine (9), ten (10) and eleven (11), five hundred (500) links; towards the south-east by Shannon street, two hundred and fifty (250) links, and towards the south-west by Ventry street, five hundred (500) links.

Given under my hand, and issued under the Public Seal of the Province of Otago, at Dunedin, this twentieth day of May, one thousand eight hundred and sixty-eight.

(L.S.) JAMES MACANDREW,
Superintendent.

By His Honor's command—

GEORGE DUNCAN,
Secretary for Land and Works.

WARRANT.

WHEREAS by the second section of the Act of the General Assembly of New Zealand, intitled the "Diseased Cattle Act 1861," it is enacted that the Governor shall from time to time appoint proper persons at such ports and places as to him shall seem fit to be Inspectors of Diseased Cattle to perform the duties required by the said Act, and may from time to time remove such persons, and appoint other persons in their respective places:

And by the said Act it is 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 Act, 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 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, intitled 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":

Now, therefore, I, James Macandrew, Esquire, 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 of Otago in this behalf, by this warrant appoint

ROBERT SHANKS

of the Minihaw, in the Mataura district, in the Province of Otago, Settler, as, and to be an Honorary Inspector of Diseased Cattle, to perform the duties required by the "Diseased Cattle Act 1861," in the Mataura District aforesaid, and in other places in the said Province of Otago adjacent thereto: and I declare that this appointment shall take effect from the tenth day of April, one thousand eight hundred and sixty-eight.

Given under my hand, at Dunedin, in the Province of Otago, and issued under the Public Seal of the said Province of Otago, in the presence of Julius Vogel, Esquire, and George Duncan, Esquire, two of the members of the Executive Council of the said Province, being also members of the Provincial Council thereof, this twentieth day of May, one thousand eight hundred and sixty-eight.

(L.S.) JAMES MACANDREW,
Superintendent.

By His Honor's command—

JULIUS VOGEL,
GEO. DUNCAN,

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

ADDITIONAL BYE-LAWS to those already in existence in the Town of Oamaru:—

12. *A Bye-Law to prevent the erection of wooden Buildings abutting on to any main Streets within the Town of Oamaru.*

Whereas it is expedient to prevent persons erecting, or causing to be erected, within the Town of Oamaru wooden buildings abutting on to any of the main streets: Be it therefore ordered and directed by the Council of the said Town of Oamaru, by virtue of the authority in them vested, that from and after the day on which this bye-law shall come into operation, it shall not be lawful for any person, unless with the written consent of the Council, to erect or cause to be erected any building composed of wood, or other inflammable material, abutting on to any main street in the Town of Oamaru, which the said Council may notify by advertisement in a local paper or in the *Provincial Government Gazette*. The occupier or owner of any section or part of a section, in any street, notified as above, shall, before proceeding with the erection of any building abutting on such street, lodge with the Town Clerk, for the inspection of the Council, a plan or plans of the building intended to be erected, and the erection of such building shall not be commenced until such plan or plans shall have received the sanction of the Council, and a notification in writing to that effect, signed by the Town Clerk, shall have been delivered to such occupier: Any person offending against this bye-law, shall be liable to a penalty of Ten Pounds.

15. *A Bye-Law to provide for the more effectual drainage of the Town of Oamaru.*

Whereas it is expedient to provide for the more effectual drainage of the Town of Oamaru: Be it there-

fore ordered and directed by the Council of the Town of Oamaru, that from and after the day on which this bye-law shall come into operation, the following Regulations shall be in force within the said Town of Oamaru :—

That any person under an order signed by the Mayor or Town Clerk, shall be allowed to enter upon any land or premises in the Town of Oamaru (a notice to that effect under the hand of the Mayor or Town Clerk having been served at least one week previously, on the occupier or owner of such land or premises,) for the purpose of carrying through such land or premises any main or sub-main sewer or drain that may, in the opinion of the Town Surveyor, be required; and any person offering any obstruction in the execution of such work, shall be subject to a penalty for every such offence, of the sum of Two Pounds to the Corporation of the Town of Oamaru: Provided that the land or premises so entered upon shall be restored, as nearly as possible, to the same state as before the construction of such drain.

16. *A Bye-law to provide for the construction and regulation of private drains in the Town of Oamaru.*

Whereas it is expedient to provide for the construction and regulation of private drains in the Town of Oamaru: Be it therefore ordered and directed by the Council of the Town of Oamaru, that from and after the day on which this bye-law shall come into operation, the following Regulations shall be in force within the said Town of Oamaru :—

The occupier or owner of any section or part of a section within the said Town of Oamaru shall, upon receiving notice under the hand of the Mayor or Town Clerk to that effect, within one month from the date of such notice, construct, or cause to be constructed, a side drain, together with cesspool and grating, in accordance with a plan furnished by the Town Surveyor, and under his direction, and cause such drain to communicate with any main or sub-main drain as may be required after the expiration of such notice, the Council shall have power to have the same constructed at the sole cost and expense of such occupier or owner, such cost or expense to be recovered in a summary way in the Resident Magistrate's Court at Oamaru, and any person or persons obstructing the execution of such works, shall forfeit and pay a sum not exceeding Two Pounds. Such cesspool shall be emptied and cleansed at such times as may be required by the Inspector of Nuisances, subject to the before-mentioned fine.

17. *A Bye-Law to prevent the straying of cattle, &c.*

Whereas much damage arises both to public and private property by the straying of horses, cows, bullocks, bulls, sheep, goats, and pigs, within the Town of Oamaru, and it is advisable for the prevention thereof that the penalties hereinafter named should be imposed upon the owners of any such horses, cattle, sheep, goats, and pigs so straying within the Town of Oamaru—

Be it therefore ordered and directed by the Council of the said Town of Oamaru, by virtue of the authority in them vested, that from and after the day and date of this bye-law coming into operation, any policeman or other person shall be empowered to drive or take to the public pound any horse, cow, bullock, bull, sheep, goat, pig, or other animal found trespassing or at large in the Town of Oamaru. The owner of any horse, cow, bullock, bull, sheep, goat, pig, or other animal, who shall allow the same to stray within the limits of the Town of Oamaru, shall be liable to a penalty of one shilling for each and every such animal so allowed to stray as aforesaid, provided that no penalty for any one offence shall exceed the sum of ten pounds.

18. *A Bye-Law for compelling owners of dead animals or offensive matter to bury the same.*

Be it therefore ordered and directed by the Council

of the Town of Oamaru, by virtue of the authority in them vested, that from and after the day on which this bye-law shall come into operation, it shall not be lawful for any person to deposit any dead animal or offensive matter except in such place or places as may be appointed by the Council, and that it shall be compulsory upon the person removing the said animal or offensive matter (which removal shall be effected before the expiry of twenty-four hours) to bury the same, in or upon such place as directed by the said Council, at least two feet underground, or in such other manner as directed by the Inspector of Nuisances, or such other person as the Corporation may appoint, such animal or offensive matter to be buried within twenty-four hours from its removal to such place. Every person who shall fail to observe the provisions of this bye-law shall forfeit and pay for every such offence a sum not less than ten shillings and not exceeding five pounds.

Passed by the Council of the Town of Oamaru, this fifteenth day of April, 1868.

S. GIBBS,

Mayor of Oamaru.

GEORGE SUMPTER,

Town Clerk.

The foregoing bye-laws having been laid before the Provincial Council of this Province for fourteen days, have been submitted to me for confirmation, and it having been made to appear to me that none of the said bye-laws are repugnant to the "Otago Municipal Corporations Empowering Act 1865," or to the "Otago Municipal Corporations Ordinance 1865," or to the "Otago Municipal Councils Empowering Act 1865, Amendment Act 1866," or to an Ordinance intituled "An Ordinance to amend the Otago Municipal Corporations Ordinance 1865," or to the "Otago Municipal Corporations Ordinance Amendment Ordinance 1866," or to the general spirit and intentment of the laws in force within the Colony and the Province, I do hereby, with the advice and consent of my Executive Council, confirm the said bye-laws.

As witness my hand at Dunedin, this sixteenth day of May, one thousand eight hundred and sixty-eight.

JAMES MACANDREW,

Superintendent of the Province of Otago.

HIS HONOR THE SUPERINTENDENT directs it to be notified that he has appointed

Mr. Adam Bell
Mr. Edward Downes
Mr. William Drysdale
Mr. Adam Dumars
Mr. Alexander Pullar
Mr. John McFarlane
Mr. Elias Jones

to be managers of the Blueskin Village Cemetery.

JULIUS VOGEL,

Provincial Secretary.

11th May, 1868.

NASEBY CEMETERY MANAGERS.

HIS HONOR THE SUPERINTENDENT directs it to be notified that he has been pleased to appoint

Mr. John Bremner
Mr. William Grumitt
Mr. Walter Inder
Mr. David Birrell Millar
Mr. Luis William Busch

to be managers of the Naseby Cemetery Reserve.

JULIUS VOGEL,

Provincial Secretary.

20th May, 1868.

BALCLUTHA CEMETERY MANAGERS.

HIS HONOR THE SUPERINTENDENT directs it to be notified that he has appointed
 Mr. James Sanderson
 Mr. Robert Houlison
 Mr. John Barr
 to be managers of Balclutha Cemetery Reserve.
 JULIUS VOGEL,
 Provincial Secretary.

20th May, 1868.

NOTICE IS HEREBY GIVEN, that THOMAS JOHN HILL, of Dunedin, master mariner, has been this fifth day of May, 1868, adjudicated a bankrupt. A meeting of the bankrupt's creditors is appointed to be held at the Supreme Court House, Dunedin, on Friday, the 22nd day of May, 1868, at the hour of 10 in the forenoon.

HENRY SMYTHIES,
 Bankrupt's Solicitor.
 3s 6d.

NOTICE IS HEREBY GIVEN, that OLIVER LUCAS, of Dunedin, carpenter, has been this fifth day of May, 1868, adjudicated a bankrupt. A meeting of the bankrupt's creditors is appointed to be held at the Supreme Court House, Dunedin, on Friday, 22nd day of May, 1868, at the hour of 10 in the forenoon.

HENRY SMYTHIES,
 Bankrupt's Solicitor.
 3s 6d.

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

In Bankruptcy.

In the matter of ALEXANDER MUIRHEAD, a bankrupt, and in the matter of "The Bankruptcy Act 1867."

NOTICE IS HEREBY GIVEN, that Monday next, the 25th instant, has been appointed by His Honor Mr. Justice Chapman, as a public sitting of this Honorable Court for the said bankrupt to pass his last examination: And the said bankrupt will then make application for his final discharge, pursuant to the above-mentioned Act.

Dated this 19th day of May, 1868.

HENRY HOWORTH,
 Solicitor for the said Bankrupt.
 8s.

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

In Bankruptcy.

In the matter of EDWIN PHILP, a bankrupt, and in the matter of "The Bankruptcy Act, 1867."

NOTICE IS HEREBY GIVEN, that Monday next, the 25th inst., has been appointed by His Honor Mr. Justice Chapman, as a public sitting of this Honorable Court for the said bankrupt to pass his last examination: And the said bankrupt will then make application for his final discharge, pursuant to the above mentioned Act.

Dated this 19th day of May, 1868.

HENRY HOWORTH,
 Solicitor for the said Bankrupt.
 8s.

NOTICE IS HEREBY GIVEN, that the Partnership between Goodwin and Barlow, trading as Watchmakers and Jewellers, at Clyde, in the Province of Otago, N.Z., was this day dissolved by mutual consent. All accounts owing from and to the said partnership, will be paid and received by Robert Barlow, whose receipt will be sufficient discharge.

As witness our hands this
 fourteenth day of
 May, 1868,

CHARLES GOODWIN.
 ROBERT BARLOW.

Witness to the Signatures of
 6s. 6d. Goodwin and Barlow—CHARLES GIEL.

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

In the matter of a Deed of Arrangement, made by WILLIAM LOWDER LEES, and JOHN CROWTHER, both of Kakanui, in the Province of Otago, carrying on business as Woolwashers, under the style or firm of "Lees and Crowther," for the benefit of all their Creditors, and in the matter of "The Bankruptcy Act 1867."

NOTICE IS HEREBY GIVEN in pursuance of the provisions of the said Act, that a Deed bearing date, and executed upon the 19th day of May, 1868, made between the said William Lowder Lees, and John Crowther, of the one part, and the several creditors of the said William Lowder Lees, and John Crowther, of the other part, (whereby the said William Lowder Lees, and John Crowther, for themselves, their heirs, executors, and administrators, covenanted with the said several creditors respectively, and their respective executors and administrators, to pay to the said several creditors a composition upon their respective debts in manner in the said deed mentioned.) has this day been filed in the office of the Supreme Court, Dunedin: And notice is also given, that the said deed is intended to operate and take effect as a Deed of Arrangement or Composition, executed in pursuance of, and in conformity with, the provisions of "The Bankruptcy Act 1867."

Dated at Dunedin, this twentieth day of May, 1868.

J. HYDE HARRIS,
 Princes street, Dunedin,
 Solilitor for the said William Lowder Lees, and John Crowther. 20s.

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

In the matter of the Deed of Arrangement, dated the 26th of February last, executed by JAMES URE RUSSELL, of Dunedin, Master Mariner, a debtor, providing for the distribution of his property among his creditors, under the provisions of "The Bankruptcy Act 1867."

NOTICE IS HEREBY GIVEN that on Monday, the 25th day of May instant, at 11 o'clock in the morning, or so soon thereafter as he can be heard, at the Court House in Dunedin aforesaid, the debtor intends making application to this Honorable Court for a declaration of the complete execution of the said deed.

Dated this 20th day of May, 1868.

JOHN STAMPER,
 Temple Chambers, Princes street, Dunedin,
 8s. Solicitor for the debtor.

[CIRCULAR NO. 271.]

INSTRUCTIONS TO OFFICERS IN BRITISH POSSESSIONS ABROAD.

MERCHANT SHIPPING ACT, 1867.

This Act will come into operation on the first day of January, 1868. A copy is appended for the information and guidance of Officers in British possessions abroad.

Further copies will be forwarded on application.

THOMAS GRAY.

Assistant Secretary, Marine Department.
 Board of Trade, October, 1867.

(See *General Government Gazette*, No. 18, of 3rd April 1868)

CORRECTION.—The *Gazette* of May 13 ought to have been numbered 543, instead of 542.

GAZETTE.—There was a Special *Gazette* published on Wednesday, 13th instant.