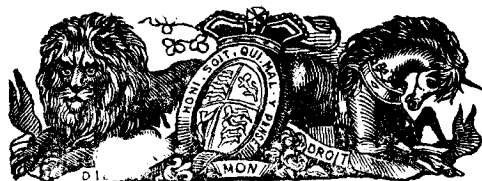


NEW ZEALAND.



OTAGO

PROVINCIAL GOVERNMENT

GAZETTE.

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DUNEDIN, WEDNESDAY, JUNE 24, 1868.

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[WITH SUPPLEMENT.]

PROCLAMATION

Revoking Regulations for the Depasturing of Stock upon the Waste Lands of the Crown within the "Otago Gold Field," made by the Governor and proclaimed in the "New Zealand Gazette" of the 25th day of April, 1867, and making other Regulations in lieu thereof.

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

WHEREAS by the Fourteenth Section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor, from time to time, to make, alter and revoke Regulations for the depasturing of Stock upon any Lands within proclaimed Gold Fields, for which a Lease or License for depasturing purposes has not been granted, or has been cancelled or suspended, and to regulate the number of Horses or Cattle which may be run upon such Lands by the holders of Miners' Rights and Business Licenses, or of Mining, Mineral, and Agricultural Leases, and to issue Depasturing Licenses, and to regulate the Fees that shall be paid therefor: 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 his Excellency Sir George Grey, then Governor of the Colony of New Zealand, in exercise and pursuance of the powers vested in him in that behalf by the 14th section of the "Gold Fields Act, 1866," did by Proclamation in the *New Zealand Gazette*, bearing date the twenty-fifth day of April, One thousand eight hundred and sixty-seven, thereby make the Regulations contained in the Schedule thereto for the depasturing of stock upon the waste lands of the Crown, within the Gold Field known as the "Otago Gold Field:" And whereas it is expedient that the said Regulations should be revoked, and other Regulations made in lieu thereof, and the Executive Government of the Province of Otago have determined to revoke the said first-mentioned Regulations accordingly, and to make, proclaim, and declare the Regulations hereinafter contained.

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 the said Regulations so made as aforesaid by His Excellency the then Governor of New Zealand, and proclaimed in the said *New Zealand Gazette*, bearing date the twenty-fifth day of April, One thousand eight hundred and sixty-seven, shall be and the same are hereby revoked: And by and with the advice and consent aforesaid, and by virtue and in exercise of the powers aforesaid, I do hereby make the Regulations hereinafter contained for the depasturing of stock upon all the waste lands of the Crown within the Gold Field called and known as the "Otago Gold Field," for which a lease or license for depasturing purposes has not been granted, or has been cancelled or suspended, that is to say—

REGULATIONS.

Depasturing Regulations.—Otago Gold Fields.

1. The Superintendent may from time to time divide the Otago Gold Field into Districts for the purposes of these Regulations, to be called Depasturing Districts, and until otherwise appointed the Several Districts described in the First Schedule hereto, shall be Depasturing Districts under these Regulations.

2. A Board of Wardens shall be established in each Depasturing District, consisting of a chairman and such number of members as the Superintendent may from time to time direct.

3. The Chairman of the Board in each District shall be nominated by the Superintendent, and shall have a casting vote in cases of equality.

4. The Wardens for each District shall be elected annually on the first day of August in each year, but should that day fall upon a Sunday in any year, then upon the day next following.

5. The Wardens in the respective Districts shall be elected by the votes of the freeholders and agricultural leaseholders, holders of miners rights, business licenses, and mining and mineral leases, resident in the respective Districts present at such meeting.

6. The Superintendent shall make regulations for the first election of Wardens.

7. The Board of Wardens shall have power to regulate their own proceedings, to frame rules for subsequent elections, to compute the quantity of stock capable of being depastured within the district, and to divide the district, if required, into separate districts for sheep and cattle,—subject always to the conditions and regulations hereinafter contained. Provided that no such rules shall be of any effect until assented to by the Superintendent, and unless the same are published in some newspaper circulating in the District.

8. In these regulations the expression "great cattle" shall be construed to mean and include horned cattle, horses, mules and asses—male and female, and the off-spring of such above six months of age; and the expression "small cattle" shall be construed to mean sheep and goats, male and female, and the weaned offspring of such; and the expression "gold field" shall mean the Otago Gold Field; and the word "district" shall mean one of the Depasturing Districts described in the First Schedule hereto, and every other District which may hereafter be appointed by the Superintendent under these Regulations.

9. Every holder of a miner's right having a claim within a District, and every holder of a business license occupying land by virtue of such license, within a District, shall be entitled to run two head of great cattle free of charge. Provided all cattle so depastured free of charge be branded, otherwise such cattle shall be deemed to be depastured without license, and in contravention of these regulations.

10. The person, or in the case of a lease to two or more persons jointly, the persons, holding or occupying any land within a District, under or by virtue of any mining, mineral, or agricultural lease, shall be entitled to run three head of great cattle free of charge, provided that in the case of a lease to two or more persons jointly the number of cattle which they shall be together entitled to run shall be no more than three head.

11. Holders of miners' rights or business licenses, and mining, mineral, and agricultural lessees, within a District may run cattle there in excess of the number which they are allowed to run free of charge, on obtaining a depasturing license under these Regulations, and other persons resident in such District, not being holders of miners' rights or business licenses or such lessees as aforesaid, may run cattle within the District on obtaining a depasturing license under these regulations.

12. Persons desirous of obtaining a depasturing license must first deposit with the nearest Gold Receiver an application in writing in the form contained in the second schedule hereto.

13. After the receipt of such application, the Gold Receiver shall submit the same to the Board of Wardens of the District, whose decision thereon will be notified in writing and posted outside the said Gold Receiver's office. The applicant shall then forthwith pay to the Gold Receiver the assessment fee payable under these regulations; and the Gold Receiver shall, upon the production of a certificate of the Board of Wardens signed by the Chairman setting forth the district where and the number of great and small cattle which the applicant shall be entitled to depasture, receive the assessment fee and give the applicant a receipt and a depasturing license in the form in the third schedule hereto annexed. If the assessment is not paid within three days after the decision of the Board of Wardens is notified, the application shall be deemed to have been abandoned.

14. The assessment fees payable annually under these regulations shall be:—

For every head of great cattle, ... 3s. 6d.

For every head of small cattle, ... 0s. 7d.

And when six months or more of the annual period shall have expired, then only one half of the above fees shall be charged.

15. Depasturing licenses granted under these regulations shall remain in force only until the 31st March next following the date thereof.

16. The Chairman of the Board of Wardens shall keep a register of brands, and a list of depasturing licenses issued, with the date of issue, and the names of the licensees, and the quantity and description of stock which each person is authorised to depasture, and the brand to be used, shall be posted in the Warden's office, so that it may be inspected at any time by the public.

17. If the brand described in the application has been allotted to any other person, the applicant shall amend his application by inserting therein some other brand not previously allotted to any other person.

18. Depasturing licenses granted under these regulations will not authorise the licensees to depasture cattle on any Waste Lands of the Crown within the Otago Gold Field held or occupied under any license or lease from the Crown.

19. No person shall depasture cattle, great or small, on the gold field, unless the same be and be kept branded in the manner provided by these regulations; and all cattle depastured under these regulations shall be and be kept branded with the distinctive brands of the person authorised to depasture the same in the manner herein provided; and all cattle found on the gold field without such brand shall be deemed to be depastured on the gold field in contravention of these regulations, and without license.

20. Any person committing a breach of these Regulations will be liable to the penalties provided by the "Gold Fields Act, 1866."

[THE SCHEDULE ABOVE REFERRED TO.

FIRST SCHEDULE.
Wakatipu District.

All that area situate in the Otago Gold Field, containing by admeasurement one hundred and forty-one thousand two hundred and eighty-nine (141,289) acres, more or less, situate in the Interior District, being portions of Runs originally numbered 374 and 386, and now known as Runs numbered respectively two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), twelve (12), and thirteen (13), as delineated on the map of the said Runs deposited in the Survey Office for Crown Lands at Dunedin; bounded towards the north and north-east by Run numbered 6, by Moonlight Creek, and the Shotover River; towards the east by Blocks numbered respectively I and II, Shotover District; towards the south by the Towns of Frankton and Queenstown and Lake Wakatipu; and towards the west by Lake Wakatipu and Ruu numbered 346.

Dunstan District.

All that area situate in the Otago Gold Fields, bounded on the north by the Leaning Rock Creek; on the east by the Wai Keri Keri Creek; on the south by the River Clutha; and on the west by the River Clutha.

Tuapeka District.

All that area situate in the Otago Gold Fields, being Runs numbered respectively 53, 54, and the northern portion of Run No. 52, bounded towards the north by Run No. 353; towards the east by Runs numbered respectively 259, 51, and 52B; towards the south-east by the boundary of Hundreds; towards the south-west by Runs numbered respectively 106 and 94; and towards the west by Runs numbered respectively 123 and 137.

SECOND SCHEDULE.

No.

To the Board of Wardens.

I hereby apply for a license to depasture head of in the District of in the Otago Gold Field, under "Gold Fields Act, 1866," and regulations made thereunder on the day of 1868, and I propose to brand such cattle [described how in words or by marks representing the brands.]

Dated the

day of

A. B. (applicant's address).

THIRD SCHEDULE.

District of

(date)

WHEREAS of has made application for a license to depasture stock upon the Gold Field Common within the District of , and has paid the sum of , the said is hereby authorized to depasture (specify number) head of (specify great or small cattle or horses, as the case may be) within the said District, for the year ending 1st May, 186 , which cattle are to be kept branded with [describe the brand].

A. B., Receiver of Gold Revenue.

Given under my hand, and issued under the Public Seal of the Province of Otago, in presence of

GEORGE DUNCAN, and
JOHN HUGHES,

Esquires, two of the members of the Executive Council of the said Province, being also members of the Provincial Council thereof, this twenty-third day of June, One thousand eight hundred and sixty-eight.

(L.S.)

JAMES MACANDREW,
Superintendent.

By His Honor's command—

GEO. DUNCAN,
JOHN HUGHES,

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

His Honor the Superintendent directs it to be notified that he has appointed

MR. ROBERT MILLER,

to be keeper of the North Dunedin Pound, *vice* Mr. Turner, resigned.

JULIUS VOGEL,
Provincial Treasurer.

PUBLIC NOTICE under Section 1, Regulation VI, of the Otago Gold Fields Rules and Regulations.

Sufficient proof having been shown to me that that portion of the Otago Gold Field described in the Schedule herewith annexed has been fairly tested, and is either wholly or for the greater part of an inferior character as regards the value of its gold deposits, I hereby give notice that the same may be occupied by holders of Miner's Rights in claims of the undermentioned size, viz:—One (1) acre for each holder of a Miner's Right, provided that no block claim shall comprise more than six (6) acres altogether.

Given under my hand at Clyde this 22nd day of May, 1868.

H. W. ROBINSON,
Warden.

SCHEDULE ABOVE REFERRED TO.

All the flats and terraces comprised within that portion of the Otago Gold Field known as the Valley of the Nevis River.

NO. 692, TUAPEKA DISTRICT.—Notice.—The Warden having received sufficient proof to meet the requirements of the 1st Clause, VI Regulation, Gold Fields Regulations; Notice is hereby given that claims may be taken up in any part of the Tuapeka District, to the extent of one acre for each holder of a Miner's Right.

EDWARD CROKER,
Warden.

Lawrence, 26th June, 1868.

EDUCATION RESERVES ACCOUNT.—Balance Sheet for quarter 1st January to 31st March 1868.

Dr.				
1868.	Receipts.	£	s.	d.
March 6.	To James Arkle	...	...	5 0 0
" 16.	" James Sutherland	...	...	2 0 0
" 18.	" Shrimski and Moss	...	...	6 0 0
" "	" Henry France	...	...	11 0 0
" 26.	" W. Langlands	...	...	1 10 0
" 27.	" Adam Landels	...	...	0 10 6
" 28.	" W. Wilson	...	...	3 10 0
				29 10 6

Cr.				
1868.	Disbursements.	£	s.	d.
March 10.	By 'Daily Times' and 'Witness' advertising	...	...	4 7 0
" "	" 'Oamaru Times' do.	...	...	0 6 0
" 21.	" Provincial Treasurer, available balance	...	...	19 7 0
" 31.	" Sec. Ed. Board, Balance in hand	...	...	5 10 6
				29 10 6

JOHN HISLOP,
Secretary Education Board.

Audit Office, Dunedin, June 20, 1868.

Examined and found correct, A. LIVINGSTON, P. A

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

In the matter of a Deed of Arrangement made by JOHN HYDE HARRIS, of Dunedin, in the Province of Otago, New Zealand, Gentleman, for the benefit of all his creditors; and in the matter of the "Bankruptcy Act 1867."

NOTICE is hereby given that application will be made by Counsel on behalf of the said John Hyde Harris, to this Honorable Court at its sitting in Bankruptcy on Monday next, the twenty-ninth day of June instant, at ten o'clock in the forenoon, or so soon thereafter as Counsel can be heard, for an order declaring that the Deed of Arrangement made and dated on the thirty-first day of March last, between the said John Hyde Harris of the first part, Henry Driver, George Turnbull, and Edward Bowes Cargill, (therein described) of the second part, and all and singular the creditors of him the said John Hyde Harris, of the the third part, whereby the said John Hyde Harris conveyed and assigned to the said Henry Driver, George Turnbull, and Edward Bowes Cargill, all the real and personal estate of him the said John Hyde Harris, for the benefit of all his creditors, has been completely executed in accordance with the provisions of the "Bankruptcy Act 1867."

Dated at Dunedin, this 23rd day of June, 1868.

25s. JOHN HYDE HARRIS.

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

In the matter of HENRY THOMAS GREEN, of Dunedin, in the Province of Otago, and Colony of New Zealand, Commission Agent, a debtor, and in the matter of the "Bankruptcy Act 1867."

NOTICE is hereby given that the choice of John Wesley Jago, of Dunedin, Timber Merchant, as Trustee in the above estate has been confirmed, and that a Public Sitting of the Supreme Court has been appointed to take place on Monday the sixth day of July next, for the above-named bankrupt to pass his last examination, and to make application for his discharge.

Dated this twenty-third day of June, 1868.

7s. 6d. HAGGITT AND HAGGITT,
Bankrupt's Solicitors.

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

In the matter of the "Bankruptcy Act 1867."

NOTICE is hereby given that I have this day filed in this Honorable Court, a declaration of Insolvency, pursuant to the provisions of the above Act.

Dated at Dunedin, this 24th day of June, 1868.

JOHN JACK,
Dunedin.
GEORGE E. BARTON,
Declarant's Solicitor. 10s.

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

In the matter of the Petitions of GEORGE LUMB, of Dunedin, Shipping Agent, and WILLIAM POTTS, of Dunedin, Contractor, Bankrupts, and in the matter of the "Bankrupts Act 1867."

NOTICE is hereby given that Monday next, the 29th instant, has been appointed by His Honor Mr. Justice Chapman, as a Public Sitting of this Honorable Court, for the said Bankrupts to pass their last examinations, and to make applications for their final discharge, pursuant to the above-mentioned Act.

Dated this 23rd day of June, 1868.

7s. 6d. EDWARD FRANCIS WARD,
Solicitor for the said Bankrupt.

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

In the matter of WILLIAM SELBY, of Oamaru, in the Province of Otago, in the Otago and Southland District of the Colony of New Zealand, Clothier, a debtor; and in the matter of the "Bankruptcy Act 1867."

NOTICE is hereby given that I, the said William Selby have this day filed in the office of the Registrar at Dunedin, in the Supreme Court of New Zealand, a declaration of Insolvency, signed and attested pursuant to the provisions of the said Act.

Dated this 24th day of June, 1868.

WILLIAM SELBY.

Witness—

JOHN STAMPER,
Solicitor for the Debtor,
Temple Chambers,
15s. Princes street, Dunedin.

NOTICE is hereby given that Monday, the 29th day of June instant, has been appointed by His Honor Mr. Justice Chapman, as a Public Sitting of the Supreme Court, at Dunedin for JOSEPH ALEXANDER JAMES M'GREGOR, of Dunedin, a Bankrupt, to pass his last examination and make application for his final discharge under the provisions of the "Bankruptcy Act 1867."

Dated this 16th day of June, 1868."

5s. JOHN STAMPER,
Solicitor.

NOTICE is hereby given that WILLIAM LANE, of Dunedin, in the Province of Otago, New Zealand, Contractor, has this day filed a declaration of Insolvency under the provisions of the "Bankruptcy Act 1867," in the Supreme Court of New Zealand, Otago and Southland District.

Dated this 23rd June, 1868.

4s. 6d. GEORGE COOK,
Dunedin.
Solicitor for the said William Lane.

(From *New Zealand Gazette*, No. 19, April 20, 1864)

Colonial Secretary's Office,
(Judicial Branch),
Wellington, 18th April, 1868.

HIS Excellency the Governor has been pleased to appoint

GEORGE COOK, Esq.,
to be Revising Barrister for the province of Otago, under "The Friendly Societies Act 1867."

E. W. STAFFORD.

Colonial Secretary's Office,
(Judicial Branch),
Wellington, 18th April, 1868.

HIS Excellency the Governor has been pleased to accept the resignation by

ALFRED WILLIAM SMITH, Esq.,
from the nineteenth instant, of his appointment as Sheriff of Otago.

E. W. STAFFORD.

Colonial Secretary's Office,
(Judicial Branch),
Wellington, 18th April, 1868.

HIS Excellency the Governor has been pleased to appoint

ISAAC NEWTON WATT, Esq.,
to be Sheriff of Otago, from the nineteenth instant.

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.