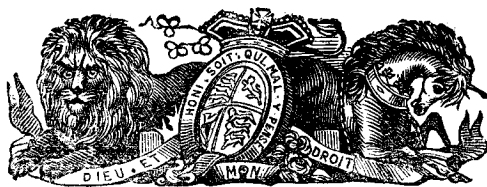


NEW ZEALAND.



OTAGO PROVINCIAL GOVERNMENT GAZETTE.

Published by Authority.

Vol. XIV.

DUNEDIN, WEDNESDAY, FEBRUARY 2, 1870.

No. 650.

[WITH SUPPLEMENT.]

PROCLAMATION.

Cancellation of Lease to Depasture Stock on certain Crown Lands in the Province of Otago.

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

WHEREAS by the sixteenth section of the "Gold Fields Act 1866," it is enacted that when any Gold Mine or Gold Field shall be discovered and proclaimed upon any Crown Lands, which at the date of the passing of the said Act shall have been held under license or lease for depasturing purposes, it shall be lawful for the Governor, at his discretion, to cancel the license or lease under which such land shall have been held in occupation, as regards the whole or any part of the lands so held under such license or lease, or with the concurrence of the licensee, or lessee, to suspend such lease or license as regards the whole or any part of such lands: And whereas Thomas Dick, Esquire, then Superintendent of the Province of Otago, by virtue and in exercise of the powers delegated to and vested in him in that behalf, did, by Proclamation in the Government Gazette of the said Province, bearing date the twenty-ninth day of January, one thousand eight hundred and sixty-seven, constitute and appoint all the territory therein described, including amongst other lands the lands hereinafter 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 may 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 the said lands hereinafter described are Crown Lands, subject to be dealt with under the provisions of the said sixteenth section of the "Gold Fields Act 1866," and the said lands are now, or lately were, held in occupation by James Smith, Tokomairiro, runholder, under a lease for depasturing purposes, issued under the "Otago Waste Lands Act 1866," and bearing date the 21st day of May, one thousand eight hundred and sixty-seven: And whereas the Executive Government of the

Province of Otago have determined to cancel the said lease as to so much and such part of the lands held under the same as are comprised within the area hereinafter described :

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, and 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, do hereby cancel the said lease, in so far as the lands comprised within the area hereinafter described are affected by the said lease, but no further or otherwise (that is to say)—

All that area in the Province of Otago containing by admeasurement four thousand nine hundred and ten (4910) acres, more or less, situate in Tuapeka West District, being block numbered six (VI), together with part of block numbered three (III), on the map of the said District: bounded towards the north by other part of the said block numbered three (III) sixteen thousand eight hundred and seventy-three (16,873) links; towards the east by the Tuapeka River sixty-eight thousand five hundred (68,500) links; towards the south by block numbered nine (IX) four thousand four hundred and eighty-three (4,483) links, also by block numbered five (V) three thousand four hundred and ninety-two (3,492) links; and towards the west by block numbered five (V) twenty-eight thousand four hundred and sixty-seven (28,467) links, also by block numbered two (II) six thousand three hundred and eighty-five (6,385) links.

Given under my hand, and issued under the Public Seal of the Province of Otago, at Dunedin, in presence of Donald Reid and George Duncan, Esquires, two of the members of the Executive Council of the said Province, being also members of the Provincial Council thereof this twenty-eighth day of January, one thousand eight hundred and seventy.

(L.S.)

J. MACANDREW,

Superintendent.

D. REID,

GEO. DUNCAN,

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

[Reprinted from last week's *Gazette*, in consequence of the words Clerk to the General Road Board having been printed below the Signature, instead of as now printed, "Clerk to the Executive Council."]

J. MACANDREW, Superintendent.

ORDER IN COUNCIL.

At the Provincial Government Buildings, Dunedin, the eighteenth day of January, one thousand eight hundred and seventy.

Present:

HIS HONOR JAMES MACANDREW, Superintendent;
DONALD REID, and
GEORGE DUNCAN, Esquires,

Members of the Executive Council of the Province of Otago.

WHEREAS by the second section of the "Salmon and Trout Act 1867," the Governor of New Zealand is authorised to make Regulations for preserving and propagating Salmon and Trout, and regulating fishing for Salmon and Trout, and for other purposes in the said section, particularly mentioned: And whereas by the 12th section of the said Act the Governor is empowered by order in Council under his hand, and the Public Seal of the Colony from time to

time, to delegate to the Superintendent or the Provincial Executive of any Province, all or any of the powers vested in the Governor or the Governor in Council by the said Act, subject or not to any limitations or restrictions as he might think fit: And whereas the Governor hath, with the advice and consent of the Executive Council of New Zealand, and in pursuance and in exercise of the powers and authorities for that purpose vested in him by the said Act delegated to the Executive Government of the Province of Otago, all the powers vested in the Governor or the Governor in Council by the said Act, exercisable within the Province of Otago: And whereas it is deemed expedient by the Executive Government of the Province of Otago to make regulations under the said Act for the purposes hereinafter particularly specified:

Now, therefore, His Honor James Macandrew, Superintendent of the Province of Otago, with the advice and consent of the Executive Council of the said Province of Otago, doth by virtue and in exercise of the powers delegated to the Executive Council of the Province of Otago, and of every and any other power in anywise enabling the Provincial Executive in this behalf, hereby make the Regulations following (that is to say):—

1. No person shall fish for in, or take fish from, the rivers Clutha, Tokomairiro, Silver Stream, Deep Stream, Lee's Stream, Boat Harbor Creek, Waitati, Waikouaiti, Waihemo or Shag, Kakanui, Water of Leith, and Island Stream, in the Province of Otago, nor in any tributary of the said rivers, under a penalty of not exceeding £10 for each breach of this regulation.

2. All nets, or other engines, instruments, or devices used for taking fish in the said rivers Clutha, Tokomairiro, Silver Stream, Deep Stream, Lee's Stream, Boat Harbor Creek, Waitati, Waikouaiti, Waihemo or Shag, Kakanui, Water of Leith, and Island Stream, or in any tributaries thereof, shall be seized and forfeited, destroyed or removed, as each case may require.

3. No person shall be allowed to use any net for the purpose of fishing within the mouth of the river Clutha under a penalty of not exceeding £100 for each breach of this regulation. And the mouth of the river Clutha is hereby defined to include all that portion of the sea within a straight line extending from Nugget Point to Coal Point.

4. All nets used in contravention of the foregoing regulations shall be seized and forfeited, destroyed or removed, as the case may require.

5. No person shall put, throw, cause to flow, or allow to flow, into the rivers Clutha, Tokomairiro, Silver Stream, Deep Stream, Lee's Stream, Boat Harbor Creek, Waitati, Waikouaiti, Waihemo or Shag, Kakanui, Water of Leith, and Island Stream, lime or any other matter or liquid deleterious to fish, under a penalty of not exceeding £10 for each breach of this regulation.

ALEX. WILLIS,
Clerk to the Executive Council.

NOTIFICATION

Of the Establishment of a Pound at Anderson's Bay.

NOTICE is hereby given, that by virtue of the powers vested in me by the "Impounding Ordinance 1862," I have established a Public Pound, situate on part of section No. 3, block III, Anderson's Bay District, in the Province of Otago, and that I have appointed

HUGH ROSS,
of Anderson's Bay, to be keeper of the said Pound.

J. MACANDREW,
Superintendent of the Province
of Otago.

Superintendent's Office,
Dunedin, January 27, 1870.

(Omitted at the date of prorogation.)

**ADDRESS OF HIS HONOR THE SUPERINTENDENT
AT THE PROROGATION OF THE COUNCIL.**

MR. SPEAKER AND GENTLEMEN OF THE PROVINCIAL COUNCIL:—

Having disposed of the special business of the Session, it now only remains for me to thank you for your attendance.

Although the results of the Session, as respects the placing in the market of land for settlement—the construction of the Southern Trunk Railway—and Immigration—have not been such as I could have desired, or might have anticipated, I am at the same time fain to hope that the Session will not prove fruitless in other respects.

Your various resolutions respecting Public Reserves, Re-union with Southland, Water Supply on Gold Fields, Mining Surveyors' Report, &c., &c., shall have my best attention.

On behalf of the Governor I have this day assented to the

“The Cattle Trespass Ordinance Amendment Ordinance 1869;”

“University of Otago Ordinance Amendment Ordinance 1869;”

“Moeraki Lands Sale Ordinance 1869;”

“Appropriation Ordinance (No. 2) 1868-70.”

The following Bill I reserve for the signification of the Governor's pleasure thereon:

“Education Reserves Management and Leasing Ordinance (No. 2) 1869;”

“Dunedin Reserves Management Ordinance 1869.”

Gentlemen,—I may say that, although diversity of opinion is the very life's blood of free institutions, there is at the same time a certain unity of action which is highly essential in order to the proper development of the resources of a new country. To me, it is a matter of deepest regret that there does not appear to be this unity of action among us. I trust it may not be deemed out of place in me to express a hope that we may all become more alive to the responsibility of our respective positions, and to the fact that we have committed to us the power, if we will only exercise it, of adding very largely to the sum of human happiness.

The evil is at our disposal a territory replete with all the elements of wealth and prosperity, capable of supporting in comfort a large population, and the fault is mainly at our own door if the country does not progress more rapidly than it is doing. Gentlemen, let each and all of us strive to be influenced less by party spirit, and more by enlightened patriotism, and, depend upon it, this country will very soon present a different aspect.

There is only one other matter which requires special allusion from me, viz., the proposal to dissolve this Council. This proposal is based upon various grounds. First, “the present crisis in the affairs of the Province;” second, “the number of important changes proposed at the present time;” third, “with the view of enabling the various constituencies to express an opinion upon the alteration made in the land laws by the “Otago Hundreds Regulation Act;” and fourth, “the proposed Re-union with Southland.” As regards the first reason which is urged, I am not aware that there is at present any peculiar crisis in the affairs of the Province which calls for a dissolution, excepting it be the impending dead lock, which is likely to result from not immediately placing land in the market for settlement. This crisis, however, it seems to me may be averted by much more simple and effective means than a dissolution of the Council.

As to the important changes said to be proposed at the present time, I am not aware of them. With re-

spect to the third reason urged, viz., that of affording to the constituencies an opportunity of expressing an opinion upon the “Otago Hundreds Regulation Act,” it appears to me that this matter has been already so far disposed of, inasmuch as that as respects the principle of the Bill, you have concurred with the representatives of the Province in the General Assembly; and I believe there is very little doubt that the proposed amendments will be assented to by the Assembly without any further manifestation of public opinion. Moreover, it appears to me that the constituencies will be in a much better position to express an opinion as to this measure, after having seen its practical working. With this view, it is very desirable that the Bill should be put into operation at once, so as to afford the constituencies ample time to judge of its merits before they are called upon to elect representatives to the Colonial Parliament. It should be borne in mind that it is not by a dissolution of the Provincial Council that the constituencies can give practical effect to their views upon this question, but by a dissolution of the General Assembly, which dissolution, by effluxion of time, takes place next year.

As regards the fourth reason, viz., the proposed re-union with Southland; I would remind you that this question has been before the country for the past two years and a half; it was one of the leading questions propounded by me as a candidate for the Superintendency, and one which met with almost universal acceptance; and I have no doubt that the resolution which you have passed on the subject, fully represents the mind of the country. Under all the circumstances of the case, therefore, I am unable to see that there is any good ground for a dissolution now, or any great practical end likely to be gained from it, the more especially, seeing that the Council has only another Session before it will be dissolved by effluxion of time.

Gentlemen—I now declare this Council to be prorogued, and it stands prorogued accordingly.

J. MACANDREW,
Superintendent.

23rd December, 1869.

Land and Works Office,
Dunedin, 31st January, 1870.

IN conformity with the 29th section of the “Gold Fields Act 1866,” it is hereby notified that it is intended to grant Leases for Gold Mining Purposes of Crown Lands to the undermentioned:—

William Jackson Barry, for Victoria Company, for 16a. 2r. 0p., on Aurora Reef, Wakefield District.

E. G. Barnes, for Aurora Company, for 16a. 2r. on Aurora Reef, Wakefield District.

William Curran, for Section 23, Block XVIII, Tuapeka East, containing 1a. 2r. 19p.

J. and W. Gardiner and James Lawton, for Moonlight Company, for Section 6, Glenorchy District, containing 5a. 0r. 0p.

Thomas Fraser, for Ida Valley Deep Lead Company, for 10a. 0r. 0p., at Black's, No. 3, Ida Valley.

D. REID,
Secretary for Land and Works.

PUBLIC NOTICE

Given in conformity with Section 1 of Regulation IV of the Rules and Regulations of the Otago Gold Fields.

WHEREAS I have received sufficient proof that the portion of the Otago Gold Field, described in the Schedule hereto, has been fairly tested, and is either in whole or in part of an inferior character as regards the value of its gold deposits:—

Now, therefore, 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

every holder of a miner's right, provided that no block claim shall comprise more than six acres altogether.

Given under my hand, at the Marewhenua diggings, this twenty-fifth day of January, one thousand eight hundred and seventy.

H. W. ROBINSON, Warden.

SCHEDULE.

All that portion of the Otago Gold Field comprised within the following boundaries, that is to say:—

Commencing at the western boundary of the Marewhenua Hundred, where it joins the Waitaki River; thence by the said western boundary to the Kakanui River; thence by the north branch of the Kakanui River to its source; thence in a direct line to the source of the Otekaike River; thence by the Otekaike River to the Waitaki, and thence by the Waitaki to the starting point.

CITY OF DUNEDIN.

PUBLIC NOTICE IS HEREBY GIVEN, that the City Valuator's Assessment for year 1870 has been submitted to the City Council, and allowed; that the same is deposited at my office, City Council Chambers, New Post Office Building, Princes street, and may be daily inspected between the hours of 10 a.m. and 4 p.m., by any person interested therein.

It is further notified, that any appeals against the assessment may be lodged at the Council Chambers (where blank forms may be had) on or before the 8th day of February, 1870, and a copy of such notice of appeal must be delivered by the appellant to the Clerk of the Resident Magistrate's Court, Dunedin, six clear days before the day of hearing.

The day of hearing will be a few days subsequent to the 8th of February, 1870.

J. M. MASSEY,
Town Clerk.

City Council Chambers,
Dunedin, 12th January, 1870.

DISSOLUTION OF PARTNERSHIP.—Notice is hereby given that all partnerships hitherto existing between us have been by deed dissolved, as and from the first day of April, 1870. All accounts due to the firms of "Shrimski and Moss," and "S. E. Shrimski," respectively, must be paid to Mr. S. E. Shrimski, on or before the first of March, 1870, or legal proceedings will be commenced without notice for the recovery thereof. All accounts against the said firms are requested to be sent to Mr. S. E. Shrimski, before the said first day of March next, after which no accounts will be recognised.

SAMUEL E. SHRIMSKI,
JOSEPH MOSS.

Witness to both signatures—

E. A. JULIUS, Solicitor, Oamaru. 4t. 22s6d.

MOUNTAIN WATER-RACE COMPANY, (REGISTERED).—Statement of Assets and Liabilities, ending January 1st, 1870. Capital: £4,000 in Ten Shares of £400 each, paid up.

	£	s.	d.
To Main Race ...	2,000	0	0
" Reservoir and Branch Races ...	1,200	0	0
" Amount due to Coy., for Water, &c. ...	209	19	0

" Balance at Bank New South Wales	9	13	8
" Claims and Plant ...	600	0	0
	<hr/>		
	£4,019	12	8

Liabilities.

Nil.

SAMUEL TURNER, Manager.

St. Bathans, January 20th, 1870. 7s. 6d.

CORPORATION OF THE TOWN OF PORT CHALMERS.—Balance Sheet for Year ending December 31st, 1869:—

1869.	Dr.	£	s.	d.
	Jan. 1st, to Dec. 31st.			
To Cash received—Cemetery ...	...	23	16	6
" " Municipal Estate ...	...	13	10	0
" " Rates ...	...	638	11	0
" " Sundries ...	...	4	5	6
" " Provincial Government Subsidy ...	...	258	10	6
" " Provincial Government Votes ...	...	319	12	6
		<hr/>		
		£1,258	6	0

8169.	Cr.	£	s.	d.
	Jan. 1st, to Dec. 31st.			
By Balance due Bank of Otago	136	1	3
" Salaries	103	15	9
" Day Labor	122	17	6
" Printing, Advertising and Stationery	31	16	9
" Public Works, Contracts, &c.	341	1	6
" Celebration Visit H.R.H. Duke of Edinburgh	34	6	0
" Sundry Petty Accounts	18	10	8
" Law Expenses	191	13	2
" Refund on Rates	176	18	6
" Insurance on Office	1	17	6
" Cemetery Account	0	10	6
" Interest and Exchanges	10	19	6
" Cash in Bank	79	1	6
" Cash in hand	8	15	11
		<hr/>		
		£1,258	6	0

Liabilities.

	£	s.	d.
Cemetery ...	40	6	6
Other Accounts (say) ..	45	0	0
Balance ...	135	8	11
	<hr/>		
	£220	15	5

Assets.

	£	s.	d.
Cash in hand and Bank ...	87	17	5
Provincial Government proportion Day-man's Salary ...	27	0	0
Municipal Estate, Rent due ...	40	0	0
Rates unpaid, Year 1869 ...	65	18	0
	<hr/>		
	£220	15	5

Audited and found correct.

(Signed) WM. ELDER, } Auditors.
WM. KETTLE, }

(Signed) DANL. ROLFE, } Mayor.
GEORGE L. ASHER, } Town Clerk.

January 25th, 1870. 37s.