



OTAGO

PROVINCIAL GOVERNMENT GAZETTE.

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No. 1008

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, Esq., 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 Goldfield 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 herein after 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 under a lease for Depasturing purposes, issued under the "Otago Waste Lands Act 1866." 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 the 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, Colony of New Zealand, containing by admeasurement four hundred and twenty-six (426) acres three (3) roods more or less situate in Run 369, Teviot District, and comprising sections numbered 12, 13, 14, 16, 17, 18, 19, 20, 22, 23, 25, 28, 30, and 38; also, road lines, Block II on the map of the said District, bounded towards the north by Crown lands and section numbered 37, two thousand three hundred and ninety and a-half (2390½) links, towards the north-east and south-east by the main road from Teviot to the Dunstan, nineteen thousand and fifteen (19,015) links, towards the south-east by the boundary of the Town of Roxburgh, eight hundred and seventy-six (876) links, towards the south-west by Crown lands, sixteen thousand three hundred and seventy-six (16,376) links, towards the north-west by Crown lands, four thousand three hundred and thirty-one (4331) links.

Given under my hand, and issued under the Public Seal of the Province of Otago, in presence of Donald Reid and John Davis, Esquires, Members of the Executive Council of the said Province, being also Members of the Provincial Council thereof, this ninth day of February, one thousand eight hundred and seventy-six.

(L.S.)

J. MACANDREW,
Superintendent.

D. REID,

J. GREEN,

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 Constable
HENRY ROYSTON

to be Inspector of Slaughter Houses and of Cattle intended for Slaughter for Waikouaiti District, acting at Palmerston, vice Constable Thomas Walters, transferred.

D. REID,
Provincial Secretary.

February 14, 1876.

HIS HONOR the Superintendent directs it to be notified that he has appointed

EDWARD SIMPSON and
EDWARD MITFORD HAWKINSON, Esqs.,
to be members of the Riverton Harbour Board, in the room of the late Mr. John Cummings and Mr. G. W. Broderick, who has left the District.

D. REID,
Provincial Secretary.

Provincial Secretary's Office,
Dunedin, February 14, 1876.

OTAGO HARBOUR BOARD.

HIS HONOR the Superintendent directs it to be notified that he has appointed

JOHN MCFARLANE RITCHIE, Esq.,
to be a Member of the Otago Harbour Board vice Edward Bowes Cargill, Esq., resigned.

D. REID,
Provincial Secretary.

11th February, 1876.

GAZETTE.—Any person not receiving the *Provincial Government Gazette* regularly as heretofore will please at once to communicate with me, giving name and post-office address.

JOHN LOGAN.

14th February, 1876.

HILLEND DISTRICT, TOTARA ISLAND.

MONDAY, 21ST FEBRUARY, 1876.

NOTICE is hereby Given, that the following Sections in Hillend District will be offered for Sale by Public Auction on Monday, 21st February, at noon, at Grigor, Maitland, and Co.'s Auction Rooms, Balclutha, at the upset price of £5 per acre:—
Sections 65A to 73A, block 5, Hillend District.

WAIPAHEE DISTRICT.

MONDAY, 21ST FEBRUARY, 1876.

NOTICE is hereby given that Sections 2, 3, and 6, Block XI, Waipahee District, will be open for application at £1 per acre, on Monday, the 21st February, 1876, at Dunedin and Invercargill Land Offices.

BEAUMONT DISTRICT.

FRIDAY, 25TH FEBRUARY, 1876.

NOTICE is hereby given, that Section 32, Block 1, Beaumont District, will be open for application at £1 per acre, at Dunedin and Lawrence Land Offices, on Friday the 25th February, 1876.

J. T. THOMSON,
Chief Commissioner,
Waste Land Board.

Land Department, 12th January, 1876.

MONDAY, 28th FEBRUARY, 1876.

AT a Meeting of the Waste Land Board held at Invercargill on 27th January, 1876, it was resolved—"That the grazing rights over the Mataura Lignite Reserves for one year be put up to public auction, subject to the provisions contained in clauses 4 to 11 of the 'Southland Waste Lands Act Amendment Act, 1875,' at the upset price of 2s. (two shillings) an acre. Auction to take place 30 days hence, *i.e.*, on 28th February, 1876, at twelve noon."

WALTER H. PEARSON,
Commissioner of Crown Lands.

Crown Lands Office,
Invercargill, 28th January, 1876.

DEFERRED PAYMENTS.

TUESDAY, 22ND FEBRUARY, 1876.

1800 ACRES OF LAND for sale on Deferred Payments, in the Kyeburn Hundred.
Notice is hereby given that the undermentioned Sections will be open for application on deferred payments on Tuesday, the 22nd day of February, 1876.

Application must be made by the applicant in person, at any Land Office in the Province, and a deposit of 1s. 6d. per acre paid at the time of making the application, being the first half-year's occupation fee. The purchase money is payable at the rate of 3s. per acre per annum for ten years.

Plans to be seen, and lithographs obtained, at the Land Offices at Dunedin, at Lawrence, and at Naseby:—

Sections numbered respectively 3, 4, 5, 7, 9, 10, 12, 14 and 16, Block II., Kyeburn Survey District.

DEFERRED PAYMENT.

THE Right to occupy the undermentioned Sections will be sold by auction between the respective applicants at noon on Wednesday, the 23rd February, at the Land Office, Invercargill.

Section 6, Block I, Waikaka District, John O'Leary (Hokonui), John O'Leary (Waikaka), George Henry McDonald, William Hefferen.

Section 31, Block I, Chatton District, Adam Cruickshank, Charles Read.

W. H. PEARSON,

District Land Office, District Officer.
Invercargill, 6th February, 1876.

DEFERRED PAYMENTS.

WEDNESDAY, 1ST MARCH, 1876.

2,800 ACRES OF LAND FOR SALE ON DEFERRED PAYMENTS, IN THE TAPANUI HUNDRED.

NOTICE is hereby given that the undermentioned sections will be open for application on deferred payments on Wednesday, the 1st day of March, 1876. Application must be made by the applicant in person, at any Land Office in the Province, and a deposit of rs. 6d. per acre paid at the time of making the application, being the first half-year's occupation fee. The purchase money is payable at the rate of 3s. per acre per annum for ten years.

Plans to be seen, and lithographs obtained, at the Land Offices at Dunedin, at Lawrence, and at Tapanui.

Sections 1, 2, 6, 7, 8, 9, 10, 12, 13, 17, 18, 20, 23, and 24, Block XI., Crookston Survey District.

TOWNSHIP OF PURAKANUI (Near Port Chalmers).

MONDAY, 6th MARCH, 1876.

NOTICE is hereby given that the undermentioned sections in the Township of Purakanui—situated on the sea coast about four miles north of Port Chalmers, and within half a mile of the Northern Railway line—will be offered for sale by public auction on Monday, 6th March next, at noon, at the Land Office, Dunedin, at the upset price of £5 per section. All areas above one rood to be offered at the upset price of £5 the quarter acre.

Sections 1 to 39 and 41 to 49, block I.; sections 1 to 43, block II.; sections 1 to 77, block III.

OTARIA HUNDRED,

Slopedown District, between Clinton and Mataura Bridge.

THURSDAY, 9th MARCH, 1876.

NOTICE is hereby given that the following Sections in the above Hundred will be offered for sale by public auction at Grigor, Maitland and Co.'s Auction Rooms, Balclutha, on Thursday, 9th March, 1876, at noon, as land of special value, under clause 85 of the "Otago Waste Land Act, 1872," at the upset price opposite each section:—

Sec.	Block.	Acreage.			District.	Upset price.		
		A.	R.	P.		£	s.	d.
2	I.	257	1	13	Slopedown.	307	9	0
4	"	200	1	00	"	225	5	6
5	"	279	2	36	"	314	14	0
6	"	281	3	33	"	349	0	0
7	"	302	3	26	"	330	0	0
8	"	307	2	35	"	323	0	0
9	"	308	2	30	"	324	3	0
10	"	320	2	13	"	336	12	0
11A	"	13	2	00	"	15	4	0
11B	"	32	2	36	"	36	17	0
12	"	301	0	03	"	316	1	0
13	"	395	2	04	"	415	5	6
14	"	383	2	09	"	420	0	0
15	"	316	0	04	"	331	16	0

AUCTION, MONDAY, 13th MARCH AT NOON.

LAND UNDER DEFERRED PAYMENT APPLIED FOR WITHIN DUNEDIN LAND DISTRICT, 28th JANUARY, 1876.

OBJECTIONS (if any) to the following applications must be made in writing, and lodged on or before noon on Monday, 14th February, 1876, at the Land Office, Dunedin.

The duplicated applications (as under) against which no objection has been lodged will be decided by auction at the Land Office, Dunedin, at noon, on Monday, 13th March, 1876. The upset price to be 30s. per acre, payable in ten years by half-yearly payments.

Applicant.	Sec.	Block.	District.	Acreage.		
				A.	R.	P.
John Bagrie	8	5	Waipahee	200	0	00
Thomas Wilson	"	"	"	"	"	"
John Bagrie	3	13	"	"	"	"
Walter Smail	"	"	"	"	"	"
Samuel Leask Bews	"	"	"	"	"	"
Charles Trusler	"	"	"	"	"	"
Francis M. McCulloch	"	"	"	"	"	"
Joseph Turnbull	"	"	"	"	"	"
Samuel Leask Bews	4	13	"	93	1	29
Joseph Turnbull	"	"	"	"	"	"
Francis M. McCulloch	"	"	"	"	"	"
James Rowland	"	"	"	"	"	"
Archibald Yuill	"	"	"	"	"	"
William Cooper	"	"	"	"	"	"
Patrick Casey	"	"	"	"	"	"
William Hugh Lusk	"	"	"	"	"	"

TOWNSHIP OF GLADSTONE. (Hawea Lake).

WEDNESDAY, 15th MARCH, 1876.

NOTICE is hereby given that the under-mentioned Sections in the Township of Gladstone will be offered for sale at Pembroke by public auction on Wednesday, the 15th March next, immediately after sale of Township of Pembroke, at the upset price of £5 and £8 per section.

Sections 2 to 5, 10 to 13, Block I.; 3 to 7, 9, 17, 18, 21, 22, Block II.; 4, 10, 11, 14, Block III.; 3 to 10, 12 to 17, Block IV.; 3 to 17, Block V.; 3, 4, 5, 9, Block VI.; 2, 3, 4, 8, Block VII.; 1 to 4, Block VIII.; 2 to 7, 9, Block IX.; 2 to 7, Block X.

J. T. THOMSON,

Chief Commissioner.

Land Department,

Dunedin, 9th February, 1876.

TOWNSHIP OF PEMBROKE. (Lake Wanaka).

WEDNESDAY, 15th MARCH, 1876.

NOTICE is hereby given that the undermentioned Sections in the Township of Pembroke will be offered for sale by public auction on Wednesday, the 15th March next, at noon, at Pembroke, at the upset price for sections lying between Dungannon and Broomston-streets at £5 per section, and the sections fronting Beach-street at the upset price of £8; also Block VIII., containing 4 acres, at the upset price of £32, and all the others at the upset price of £5 per section:—

Sections 1 to 23, and 25 to 32, Block I.; Sections 2 to 21, and 25 to 32, Block II.; Sections 6, 8 to 22, and 25 to 32, Block III.; Sections 1, 2, 4, 5, 6, 7, 8, Block IV.; Sections 1 to 8, Block V.; Sections 1

to 8, Block VI.; Sections 1 to 62, Block IX.; Sections 1 to 25, Block X.; also Block VIII., containing 4 acres.

Block VIII., and sections 9, 10, 11, 12, 13, 19, 58, and 59, Block IX., and Sections 25, 26, and 27, Block IX.; also Sections 42 and 43, Block IX., are subject to valuation for improvements, to be stated at sale:

THE undermentioned Sections will be open for application on Deferred Payment at the Land Office, Invercargill, on Monday, the 13th day of March proximo:—

	A.	R.	P.
Section 3, Block II, Oteramika Hundred	74	0	35
Section 42, New River Hundred	189	0	0

W. H. PEARSON,
Commissioner Crown Lands.

Crown Lands Office,
Invercargill, 11th February, 1876.

THE undermentioned Town Sections will be sold by auction at the Land Office, Invercargill, at noon on Monday, the 20th March proximo:—

Town.	Section.	Block.	Upset Price.
			£ s. d.
Longbush	6		17 7 0
"	7		17 7 0
"	8		20 5 0
Campbelltown	1	XXI.	12 10 0
"	2	"	12 10 0
Dipton	A 1	I.	5 0 0
"	B 3	II.	5 0 0
"	6	"	5 0 0
"	2	IV.	5 0 0
"	3	"	5 0 0
"	4	"	5 0 0
"	2	VI.	6 0 0
"	4	"	6 0 0
"	2	VII.	6 0 0
"	4	"	6 0 0
"	8	"	6 0 0
Gore	7	V.	5 0 0
"	8	"	5 0 0
Winton	12	XIV.	8 0 0
Wallace Town	2	XVII.	4 0 0
"	3	"	4 0 0
"	1	XX.	4 0 0
"	2	"	4 0 0
"	3	"	4 0 0
"	4	"	4 0 0

A With valuation for improvements thereon, £265
B Do. do. £8.

J. MACANDREW,
Superintendent of Otago.

Superintendent's Office,
14th February, 1876.

COAST DISTRICT
(Near Kaitangata).

FRIDAY, 31st MARCH, 1876.

NOTICE is hereby given that Sections 1 to 8, Block V., Coast District, containing about 50 acres each, will be offered for sale by public auction as land of special value, under clause 85, "Otago Waste Land Act, 1872," on Friday, 31st March, 1876, at noon, at Grigor, Maitland and Co.'s Auction Rooms, Balclutha, at the upset price of £3 per acre, with valuation for improvement to the extent of £3,750 added to purchase money. Permission being granted to present occupants to remove crops, possession will not be given until 1st July, 1876.

J. T. THOMSON,
Chief Commissioner.

Land Department,
9th February, 1876.

NOTICE is hereby given that allotments in the under-mentioned townships will be offered for sale by public auction on dates and at places hereafter mentioned. Sections and blocks will be given in *Provincial Gazette* of an early date.

At Ophir (Blacks), on Tuesday, 18th April; sections in Township of Manuherikia.

At Naseby, on Tuesday, 4th April; sections in Township of St. Bathans.

At Naseby, on Tuesday, 4th April; sections in Township of Hill's Creek.

At Naseby, on Tuesday, 4th April; sections in Township of Naseby.

At Oamaru, on Tuesday, 4th April; sections in Township of Waitaki Bridge.

At Oamaru, on Tuesday, 4th April; sections in Township of Maheno.

At Oamaru, on Tuesday, 4th April; sections in Township of Peebles.

At Oamaru, on Tuesday, 4th April; sections in Township of Georgetown.

At Oamaru, on Tuesday, 4th April; sections in Township of Livingstone (Marewhenua).

At Clinton (Popotunoa), on Tuesday, 25th April; sections in Township of Clinton.

At Tapanui, on Tuesday, 18th April; sections in Townships of Kelso, Tapanui, and Wakaiā.

At Herbert, on Tuesday, 4th April, at 11 o'clock a.m.; sections in Township of Herbert.

At Queenstown, on Tuesday, 4th April; sections in Township of Kingston.

At Queenstown, on Tuesday, 4th April; sections in Township of Queenstown.

At Queenstown, on Tuesday, 4th April; sections in Township of Frankton.

At Queenstown, on Tuesday, 4th April; sections in Township of Glenorchy.

At Queenstown, on Tuesday, 4th April; sections in Township of Jamestown.

At Queenstown, on Tuesday, 4th April; sections in Township of Kinloch.

At Cromwell, on Tuesday, 4th April; sections in Township of Cromwell.

At Cromwell, on Tuesday, 4th April; sections in Township of Newcastle.

At Cromwell, on Tuesday, 4th April; sections in Township of Bendigo.

At Clyde, on Monday, 3rd April, sections in Township of Clyde.

At Lawrence, on Monday, 1st May, at noon; sections in Township of Ettrick.

At Lawrence, on Wednesday, 26th April; sections in Township of Lawrence.

At Lawrence, on Wednesday, 26th April; sections in Townships of Wetherston, Waipori, and Dunkeld.

At Balclutha, on Friday, 5th May; sections in Townships of Balclutha, Kaitangata, Molyneux and Newhaven.

At Havelock, on Thursday, 27th April; sections in Township of Havelock.

At Tokomairiro, on Wednesday, 3rd May; sections in Townships of Fairfax, Waiholā, Hull, Kapiti, and Beaully.

At Hampden, on Tuesday, 4th April, at 2 o'clock p.m.; sections in Township of Hampden.

At Land Office, Dunedin, on Monday, 1st May, sections in Township of Greytown, and Blueskin.

At Hyde, on Monday, 1st May; sections in Townships of Blair-Taieri, Macraes, and Hyde.

At Hyde, on Monday, 1st May, after Hyde; sections in Township of Hamilton.

At Roxburgh, on Wednesday, 3rd May; sections in Township of Roxburgh.

At Hawksbury, on Monday, 1st May, at noon; sections in Township of Waikouaiti.

At Queenstown, on Monday, 3rd April; sections in Township of Arrowtown.

At Clyde, on Monday, 3rd April, after Clyde: sections in Township of Alexandra.

At Mataura Bridge, on 5th May; sections in Townships of Wyndham, Waikawa, and Mataura Bridge.

At Cardrona, on Wednesday, 5th April; sections in Township of Cardrona; subject to valuations.

EDUCATION RESERVES.

THE Lease of the following-mentioned Education Reserves will be disposed of by auction at the Court House, Hawksbury, on Monday, 1st May, 1876, immediately after the sale of Crown lands there:—

District.	Section.	Block.	Acreage.		
			A.	R.	P.
Palmerston	14	II.	0	1	0
"	1	XI.	0	1	0
Moeraki	2 of 18	V.	40	0	0
"	42	V.	41	2	0
"	1	XIII.	100	0	0
"	1	XIV.	181	0	0
Hawksbury	3	VIII.	162	0	0
"	1	IX.	100	0	0
Waikouaiti	2 of 39	III.	17	0	0
"	1	VIII.	55	0	0
"	1	XI.	65	0	0

Copies of the leasing regulations and conditions of lease may be seen at the School house, Waikouaiti, or at the Education Office, Dunedin.

JOHN HISLOP,
Secretary.

MAUNGATUA DISTRICT.

WEDNESDAY, 3RD MAY, 1876.

NOTICE is hereby given that the lease for ten years of the Bush Reserve, being Section 41, Block I, Maungatua District, under the 85th clause of "The Waste Lands Act, 1872," containing 162 a. o. r. 19 p., will be offered for sale by public auction at Capstick, Duthie, and Co.'s Auction Rooms, Milton, Tokomairiro, on Wednesday, the 3rd May next, immediately after the sale of the Townships, at the upset price or rent of one shilling per acre per annum.

J. T. THOMSON,
Chief Commissioner.

Land Department,
Dunedin, 16th Feb., 1876.

NOTICE is hereby given that the following applications, under the 47th, &c., sections of the Waste Land Act, were received and recorded on the 7th day of February, 1876:—

George McCluskey, sections 32 and 33, block III., district of Lander, 195a. 1r.

George Naylor, sections 32 and 33, block III., district of Lander, 195a. 1r.

Patrick Murphy, sections 32 and 33, block III., district of Lander, 195a. 1r.

John C. Chapple, sections 32 and 33, block III., district of Lander, 195a. 1r.

Andrew Murphy, section 36, block III., district of Lander, 195a. or. 15p.

Andrew Anderson, section 9, block III., district of Lander, 200a.

James Sim, section 7, block III., district of Lander, 200a.

Walter Sim, section 2, block III., district of Lander, 200a.

Edward Murphy, sections 28 and 29, block III., district of Lander, 195a. 1r. 5p.

John C. Chapple, sections 28 and 29, block III., district of Lander, 195a. 1r. 5p.

James Nevill, section 33 and 32, block III., district of Lander, 195a. 1r.

Michael O'Hagan, sections 32 and 33, block III., district of Lander, 195a. 1r.

Peter Harrington, sections 12 and 13, block I., district of Tiger Hill, 99a. 1r. 34p.

Peter Harrington, sections 16 and 17, block I., district of Tiger Hill, 95a. 2r. 3p.

And Thursday, the 24th day of February, 1876, is the day appointed for deciding such applications, if unopposed, and notifying objections, if any, which may have been lodged.

The duplicate applications against which no objections have been lodged will be decided by auction at the District Land Office, Clyde, at 4 o'clock in the afternoon on Thursday, 24th February, 1876.

The upset price to be £1 10s. per acre, payable in ten years by half-yearly payments.

W. LAWRENCE SIMPSON,
District Land Officer.

District Land Office,
Clyde, 7th February.

ELECTION OF WARDENS OF HUNDREDS.

IT is hereby notified that meetings for the Election of Wardens of Hundreds will be held on the days and at the places stated hereunder.

The Rangers will preside at the meetings to be held within their respective districts, and the votes will be taken by ballot.

License-holders will have to produce their licenses at the time of voting.

Hundred, Moeraki; No. of Wardens, 5; date of Meeting, 23rd Feb., at 6.30 p.m.; Place of Meeting, School-house, Hampden; Mr. Valpy will preside.

Hundred, Waikouaiti; No. of Wardens, 3; Date of Meeting, 25th Feb., at 6.30 p.m.; Place of Meeting, School-house, Merton; Mr. Valpy will preside.

Hundred, West Taieri; No. of Wardens, 3; Date of Meeting, 28th Feb., at 6.30 p.m.; Place of Meeting, School-house, Maungatua; Mr. Valpy will preside.

Hundred, Fraquair; No. of Wardens, 3; Date of Meeting, 29th Feb., at 6.30 p.m.; Place of Meeting, Court-house, Outram; Mr. Valpy will preside.

Hundred, Strathtaieri; No. of Wardens, 3; Date of Meeting, 29th Feb., at 6.30 p.m.; Place of Meeting, Court-house, Outram.

Hundred, Waiholo; No. of Wardens, 5; Date of Meeting, 23rd Feb., at 6.30 p.m.; Place of Meeting, School-house, Gorge; Mr. Hughan will preside.

Hundred, Mokoreta; No. of Wardens, 4; Date of Meeting, 26th Feb., at 6.30 p.m.; Place of Meeting, School-house, Wyndham; Mr. Hughan will preside.

Hundred, Toe Toes; No. of Wardens, 3; Date of Meeting, 28th Feb., at 6.30 p.m.; Place of Meeting, Bushman's Hotel, Toe Toes; Mr. Hughan will preside.

The Wardens when elected shall compute the number of cattle which each hundred will carry; apportion the number of great and small cattle which may be depastured by each person holding license, and determine the boundaries within which great and small cattle respectively may be depastured during the year 1876, and a copy of the Regulations so made shall be furnished to the Waste Land Board for publication without delay.

In case of neglect the powers given to such Wardens shall be held and exercised by the Waste Land Board.

An insufficient number of licenses having been taken out for the following Hundreds no Wardens can be elected. The Waste Land Board has therefore appointed the persons named to act as Rangers under the 129th clause of the "Otago Waste Lands Act, 1872."

For Otepopo, Mr. James R. Elder.
For Hawksbury, Mr. Richard Fry.

For Dunedin, Mr. James Green.
 For East Taieri, Mr. Alexander Spencer and Mr. William Davey.
 For Tuturau, Mr. Finlay Mackay and Mr. Thomas Littleworth.
 For Catlins, Mr. J. M. Smith.
 For Otaria, Mr. Thomas Trumble.
 For Lee Stream,
 For South Tokomairo, Mr. H. B. Flett.
 For Waikaia, Mr. John McKellar.
 For Waikaka, Mr. David Gordon.

J. T. THOMSON,
 Chief Commissioner.

Waste Land Board Office,
 Dunedin, 2nd February, 1876.

LAND FOR SETTLEMENT.

MR. ROBERT SHORT, Land office, Dunedin, has been appointed to supply information as to settlement on the land, whether by immediate purchase, deferred payments, or under agricultural leases.

Mr. Short will show maps of the land and assist purchasers or selectors in making the necessary applications.

APPROACHES TO WAIKOUAITI JETTY.

TENDERS will be received at the Office of the Secretary for Works, until noon of Friday, 25th February, for—

Contract No. 1098A. Formation of 14 chains approaches to Waikouaiti Jetty.

Plans and Specifications may be seen and forms of Tender obtained at the office of the Provincial Engineer, Dunedin, and at the Police Camp, Waikouaiti.

Tenders to be indorsed "Tender for Contract No. 1098A."

The Government does not undertake to accept the lowest or any tender.

TUAPEKA TO TEVIOT.

TENDERS will be received at the Office of the Secretary for Works for

1st. Contract No. 1,088—construction, pitching, and gravelling 58 chains of road in block 3, Tuapeka West District, until noon of Tuesday, 22nd February, 1876.

2nd Contract, No. 1,089—construction, part pitching, and gravelling 56,44 chains of road in block 3, Tuapeka West District, until noon of Tuesday, 3rd. March, 1876.

Plans and Specifications may be seen and forms of tender obtained at the Office of the Provincial Engineer, Dunedin, and at the Police Camp, Lawrence.

Tenders to be indorsed "Tender for Contract No. 1,088 or 1,089," as the case may be.

The Government does not undertake to accept the lowest or any tender.

TUAPEKA TO TEVIOT.

TENDERS will be received at the Office of the Secretary for Works, until noon of Friday, 10th March, for

Contract No. 1090—construction, pitching, and gravelling of 80 chains of road in block 1, Beaumont District.

Plans and specifications may be seen and forms of tender obtained at the Office of the Provincial Engineer, Dunedin, and at the Police Camp, Lawrence.

Tenders to be endorsed "Tender for Contract, No. 1090."

The Government does not undertake to accept the lowest or any tender.

THE Provincial Government invites offers from persons willing, at their own cost, to erect a Bridge over the Kawauru River, near Morven Ferry.

Terms and conditions to be seen at the office of the Provincial Engineer, Dunedin; the District Engineer's Office, Cromwell; and at the Police Station, Arrowtown.

Offers will be received until noon of Wednesday, the 1st day of March, 1876.

TENDERS will be received at the office of the Secretary for Works until noon of Friday, March 10th next, for Contract No. 1063, railway, Invercargill to Seaward Bush; bridges, earthworks, and sleepers, with fencing.

Plans and specifications may be seen and forms of tender obtained at the office of the Provincial Engineer, Dunedin, and at District Engineer's Office, Invercargill, on and after the 26th instant.

Tenders to be indorsed "Tender for Contract No. 1063."

The Government does not undertake to accept the lowest or any tender.

DUNEDIN TO PORTOBELLO.

TENDERS will be received at the Office of the Secretary for Works until noon of Tuesday, 13th March, for

1st. Contract No. 1096. Supply of 400 cubic yards road metal between Portobello Road Church and Batie's Gate.

2nd. Contract No. 1097. Metalling 48 chains of road in three portions; 1st, from bottom of hill, near Arnott's house, to Rogers'; 2nd, from Captain Leslie's to Larnach's Quarry.

Specifications may be seen, and forms of tender obtained, at the office of the Provincial Engineer, Dunedin.

Tenders to be indorsed, "Tender for Contract No. 1096 or 1097," as the case may be.

The Government does not undertake to accept the lowest or any tender.

J. GREEN,
 Secretary for Works.

Dunedin, 7th January, 1876.

TUTURAU ROAD DISTRICT.

THE Tuturau Road Board invite Tenders for Contract No. 20—Pitching and other Improvements at Sam's Grief.

Specifications may be seen at Messrs. McGibbons' store, Matura. Tenders must be lodged with the Chairman on or before Saturday, the 11th March, at noon.

The lowest or any tender not necessarily accepted.

JOHN WATT,
 Clerk to the Board.

Tuturau, 8th February, 1876. 3t. 24s. pd.

TO CONTRACTORS.

EXTENSION OF TIME.

TENDERS are invited by the Outram Road Board for several Works in Henley sub-division of the Outram Road District (chiefly road formation).

Plans and specifications may be seen at the Post Office, Henley.

Tenders will be received up till noon of Saturday, the 19th February next.

Tenders to be addressed to the Chairman of the Board, Outram.

G. M. SHAND,
 Clerk to the Board.

1t—8s.

NORTH EAST VALLEY ROAD DISTRICT.

TENDERS are invited for Road Formation on West Harbor Road at Sections 13 and 14. Tenders to be accompanied with 5 per cent. on the contract. Plan and specification at Mr. Bacon's Boot Shop, Octagon. Tenders left at Valley School-house on or before Saturday, the 19th February, at 3 p.m.

The lowest or any tender not necessarily accepted.

HUGH MCFADYEN,

Clerk to Board.

2t. 11s.

TENDERS wanted by the Suburban Road Board for the Supply of 200 yards, more or less, Broken Metal, in the Green Island sub-division.

Separate tenders will also be received for the supply of 200 yards, more or less, Broken Metal, in the Corstorphine sub-division.

Specifications to be seen with Mr. Eagerty, with whom tenders can be lodged until Friday, February 18th.

JOHN KENNEDY,

Clerk to the Board.

1t., 6s.

TENDERS wanted by the Portobello School Committee for Removing and Re-erecting a quantity of Fencing.

Specifications to be seen at Mr. Coney's, and Mr. John M'Cartney's house, Wickliffe Bay.

Tenders to be lodged by 6 p.m. on Monday, 6th March.

JOHN M'CARTNEY,

Clerk, Portobello School Committee.

OTAGO POLICE.

TENDERS accepted for Prisoners' Rations for the undermentioned stations for the period ending 31st December, 1876:—

Police station or gaol, Clyde; tenderer, Benjamin Naylor; article, at per ration, No. 3 Female; amount of tender, 8d.; No. 3 male, 1s. 4d.; No. 4 male, 8d.; No. 4 female, 7d.; No. 9 female, 5d.; No. 10, female 1s.

Police station or gaol, Blacks; tenderer, Martin Gavan; article, at per ration, 2s.

Police station or gaol, Cromwell; tenderer, James Hazlett; article at per ration, No. 3 male, 2s.; No. 3 female, 1s. 9d.; No. 4 male, 1s. 9d.; No. 4 female, 1s. 6d.; No. 9 female, 1s.; No. 10 female, 1s. 6d.

Police station or gaol, Roxburgh; tenderer, James Beighton; article at per meal, 1s. 6d.

Police station or gaol, Queenstown; tenderer, F. de St. Omer; article at per ration, No. 3 male, 1s. 4d.; No. 3 female, 1s.; No. 4 male, 1s.; No. 4 female, 1s.; No. 9 female, 6d.; No. 10 female, 6d.

Police station or gaol, Arrowtown; tenderer, William Jenkins; article at per ration, No. 3 male, 1s. 8d.; No. 3 female, 1s. 6d.; No. 4 male, 1s. 6d.; No. 4 female, 1s. 5d.; No. 9 female, 4d.; No. 10 female, 1s. 1d.

Police station or gaol, Naseby; tenderer, James Brown; article at per ration, No. 3 male, 1s. 4d.; No. 3 female, 1s. 3d.; No. 4 male, 1s. 3d.; No. 4 female, 1s. 2d.; No. 9 female, 6d.

Police station or gaol, Lawrence; tenderer, James Harris; article at per ration, No. 3 male, 1s. 6d.; No. 3 female, 1s. 4d.; No. 4 male, 1s. 4d.; No. 4 female, 1s. 3d.; No. 9 male, 1s.

JOHN LOGAN.

GAZETTE.—All matter should be in the hands of the printer by two o'clock on Tuesday afternoon. The *Gazette* is published early every Wednesday morning.

METEOROLOGICAL ABSTRACT TAKEN AT DUNEDIN FOR THE MONTH OF JANUARY, 1876, AT 9 A.M.

Lat. 45deg. 52m. 12s. S.; Long. 170deg. 32m. 37s. E.
Altitude above sea level 500 feet.

Barometer— Inches.

Mean for month	29.853
Maximum for month on the 30th	30.168
Maximum for month on the 11th	29.303
Extreme range	0.865

Temperature in shade— Fah.

Mean maximum temperature	65.8
Mean minimum temperature	50.7
Approximate mean temperature for the month	58.2
Mean daily range of temperature	15.1
Extreme maximum temperature on 23rd	72.
Extreme minimum temperature on 15th	40.
Extreme range of temperature for month... ..	32.

Exposed Thermometers—

Mean solar radiation	132.
Maximum solar radiation on 25th	150.
Mean terrestrial radiation	47.
Minimum terrestrial radiation on 15th	33.
Mean daily range between the extreme temperature of night and day... ..	85.

Hygrometrical—

Mean elastic force of vapour	} computed from the means of wet and dry bulbs. {	386 in. 51.9 Fah. 79.5 Fah.
Mean temperature of dew point		
Mean degree of moisture (saturation = 100)		

Rain—

Total rainfall	1.214 inches.
Number of days on which rain fell	9 days.
Maximum rainfall in any twenty-four hours on the 7th504 inches.

Wind—

Average daily velocity for month	157 miles.
Maximum velocity for month on 13th	435 miles.
Mean amount of cloud for month	
—0, clear sky; 10, overcast60 to 10.

Remarks—

Weather during the month very fine, with occasional showers.

(Signed)

HENRY SKEY,

Observer.

NOTE.—In this Abstract the results are inserted for the day on which they are recorded, although occurring during the preceding twenty-four hours.

TUAKITOTO EDUCATIONAL DISTRICT.

THE following is a description of the Educational District of Tuakitoto.

JOHN HISLOP,

Secretary.

TUAKITOTO EDUCATIONAL DISTRICT

Comprises all that area in the Province of Otago bounded by a line commencing at the north-western corner of section No. 8, block X, North Tuakitoto District, and proceeding in a south-easterly direction along the boundary line of the said district; thence in a south-westerly direction along the boundary of the said district to the corner of section No. 5, block V., Kaitangata District; thence along the north-eastern boundaries of sections 5 and 6 of the said block V, to road line; thence along road line in a southerly direction to the north-eastern corner of section 3 of the said block V.; thence along the north-eastern boundaries of sections 3 and 4, block V.; thence along the south-eastern boundaries of sections 2 and 4 of the said block V. and 4 block V., South Tuaki-

toto District to the Tuakitoto Lake; thence in a northerly direction along the Lake; thence in a westerly direction along road line to section 4, block VIII., South Tuakitoto District; thence along the southern boundary of the said section 4 to Hillend District; thence in a northerly direction along road line to the southern boundary of section 23, block VI.; thence along the southern boundary of the said section 23 to its western boundary; thence along the western boundary to its northern boundary; thence along road line to section 39, block VII., Hillend District; thence in a north-westerly direction along south-western boundaries of sections 39 and 35, to the western boundary of the said section 35, block VII.; thence along its western boundary to its northern boundary; thence along the northern boundaries of sections 35, 36, 37, and 38; thence along road line and the north-western boundary of North Tuakitoto District to the starting point.

CORPORATION OF LAWRENCE.

STATEMENT of Receipts and Expenditure from the 1st January, 1875, to the 31st December, 1875:—

		RECEIPTS.		
Dr.		£	s.	d.
To	Cash Balance	4	7	3
"	Balance in Bank	1136	12	8
"	Rates Collected	432	11	6
"	Hotel Licenses	222	10	0
"	Cartage Licenses	11	0	0
"	Dog Licenses	7	0	0
"	Auctioneers' Licences	100	0	0
"	Debentures	4079	10	5
"	Rents Town Hall	32	18	8
"	Fees, etc., Town Hall	23	4	4
		£6049	14	10

		EXPENDITURE.		
Cr.		£	s.	d.
By	Public Works	2554	6	8
"	Salaries	108	0	3
"	Incidentals	77	12	6
"	Interest	438	14	6
"	Stationary and advertising and printing Bye-laws	97	0	6
"	Water Debentures paid	1200	0	0
"	Repayment of Loan	1229	18	3
"	Furnishing and Lighting Town Hall	267	14	6
"	Balance in Bank	58	17	4
"	Balance in hand	17	10	4
		£6049	14	10

We have examined the above Statement of Accounts, compared them with the vouchers and Bank book, and find them correct.

GEO. B. KING, } Auditors.
H. H. SQUIRES, }

M. FRAER, Mayor.
J. C. HOLMES, Town Clerk.

21st January, 1876.

STATEMENT of the affairs of "THE UNIVERSAL GOLD MINING COMPANY, Arrow River, Limited," for the six months ending December 31, 1876, in accordance with section 135 of "The Mining Companies' Act, 1872."

Name of Company—"The Universal G.M. Co., Limited."

When formed and date of Registration—14th May, 1875; June 15, 1875.

Where business is conducted and name of legal manager—Buckingham-street, Arrowtown, Luke H. Preston.

Nominal capital—£1,200.

Amount of paid up scrip given to shareholders—Nil.

Number of shares in which capital is divided—23.

Number of shares taken—24.

Amount of calls made—8.

Total amount of subscribed capital paid up—£745.

Number of shares at time of registration of Co.—24.

Amount of cash in hand—£25 6s. 8d.

Whether in operation or not—In operation.

Total amount of dividends declared—Nil.

Number of shares unallotted—One.

L. H. PRESTON,

Legal Manager Universal G.M. Co.

Buckingham-street, Arrowtown,

31st December, 1876.

It.—15s. pd.

STATEMENT of the affairs of "THE UNITED M. AND E. WATER RACE COMPANY, REGISTERED," for the half-year ending 1st January, 1876, in accordance with section 135 of "The Mining Companies Act," 1872."

Name of Company—"The United M. and E. Water Race Company, Registered."

When formed and date of Registration—8th April, 1872; 23rd April, 1872.

Where business is conducted and name of legal manager—St. Bathans, Otago, Samuel Turner.

Nominal Capital—£7,600.

Amount of paid up scrip given to shareholders—£7,600.

Number of shares in which capital is divided—152.

Number of shares taken—152.

Amount of calls made—Nil.

Total amount of subscribed capital paid up—£7,600.

Number of shares at time of registration of Company—13.

Amount of calls in hand—Nil.

Whether in operation or not—In operation.

Total amount of dividends declared—£152.

Number of shares unallotted—Nil.

SAMUEL TURNER,

Manager.

St. Bathans, 5th February, 1876.

It.—15s. 6d. pd.

ANDERSON'S BAY CEMETERY.

ABSTRACT of Accounts from 31st December, 1873, to 31st December, 1875:—

Dr.		£	s.	d.
To	Balance from 1873	5	19	3
"	Money received from Land	35	15	0
"	Do. from Interments	24	10	0
		£66	4	3

		Cr.		
		£	s.	d.
To	Cutting Grass, etc.	5	19	0
"	Sexton's Tools	1	4	7
"	Stamps and Stationery	0	5	0
"	Secretary and Sexton's Expenses	18	0	0
		£25	8	6
"	Balance in hand	40	15	0

ADAM BEGG,
JAMES H. POPHAM,
THOS. TANERVILLE.

Signatures witnessed by me

D. MACGREGOR, J.P.

REGISTRATION FORMS may be had at the Superintendent's Office, Dunedin.

JOHN LOGAN.

31st January, 1876.

FIFTY POUNDS REWARD.

RAPE.

WHEREAS Richard Milford is charged, on warrant, with having on the 4th ultimo, at Otepopo Bush, near Hampden, committed rape upon a girl of eleven years of age, notice is hereby given that a reward of £50 will be paid by the Provincial Government of Otago to any person who shall first give such information to the Police as will lead to the arrest and conviction of the said Richard Milford.

Description—A native of Hampshire, England, a farm labourer or ploughman, 27 years of age, 5 feet 7 inches high, slight, active build, brown hair, cut short, small brown whiskers and moustache (which may be shaved off), very fresh complexion, thin featured, good looking, an old mark of cut from a reaping hook about an inch and a-half long on the third joint or knuckle of first finger of left hand; cannot read or write; was dressed when last seen in white straw hat, dark coat, moleskin trousers, and elastic-side boots; carried a grey blanket swag, in which he had a suit of very dark tweed.

He arrived at Port Chalmers from England by the ship Charlotte Gladstone about 2½ years ago.

T. K. WELDON,
Commissioner of Police.

Police Office,
Dunedin, 3rd February, 1876.

ONE HUNDRED POUNDS REWARD.

MURDER.

WHEREAS Martin Cunningham is charged, on warrant, with having, on or about the 25th of November, 1875, at Lake Ohau, murdered one Hugh Hannah: This is to notify that a reward of £100 will be paid to any person who shall first give such information to the Police as will lead to the arrest and conviction of the said Martin Cunningham.

Description of Martin Cunningham, better known as "Martin:" An Englishman, but looks not unlike a half-caste, a sailor and station hand, about 35 years of age, 5 feet 7 inches high, stout square build, broad round flat face, swarthy complexion, ill-looking, black or very dark brown hair, inclined to curl at ends, black whiskers, beard, and moustache, tattooed on both arms and back of hands, ship in full sail on one arm and a name underneath it, believed also to have anchor on muscle of left arm, and a small cut or scar on back of head, walks with his arms wide from body. When last seen he wore an old brown felt hat with leather strap round it, hat cut in two or three places, through which the strap was passed; dark brown or black single-breasted coat, slit about the hips; bluish tweed vest, moleskin trousers with a small blue stripe down seam, and water-tight boots.

He is believed to have arrived in Port Chalmers by the ship "Jura," twelve years ago. He has worked for some years on the West Coast road, and was generally employed on stations; knows the back country well, and has lived amongst the Natives in the North Island.

T. K. WELDON,
Commissioner of Police.

Police Office, Dunedin,
27th December, 1875.

THREE POUNDS REWARD.

STRAYED, from Forbury, about the 20th of November, a Dark Bay HORSE; hind fetlock white; no brands. Any person returning the same to Martin and Watson, Stuart-street, will receive the above reward.

FIVE POUNDS REWARD.

LOST from Tokomairiro in April last, One Black Cob HORSE, branded J. C. on near shoulder, Star on forehead, three white feet. Whosoever will deliver the same to either of the undersigned will receive the above reward.

J. KILBURN, Queenstown, or
W. HALES, Balclutha.

3t. 10s. pd.

EDENDALE POUND.

ALL Horses in this Pound have been claimed with the exception of

1 Bay Gelding, branded like OT on near shoulder: say C and L conjoined; C reversed and L joining back of C, point turned down, indistinct.

W. L. TAYLOR,
Poundkeeper.

Edendale, 7th February, 1876.

IMPOUNDED on the 4th day of February, 1876, by Thomas McMorran, Ranger,

1 Black Mare, star near fore and hind leg, and branded T off shoulder.

H

1 Bay Colt, white stripe down face, no visible brands; progeny of this mare.

Owner unknown; for trespassing on Crown lands, for which 2s. 3d. per head driving expenses are claimed, and in default of being released the above horses will be sold at the Public Pound, at Haye's Lake, on Friday, the 3rd day of March, 1876, at 12 o'clock noon.

W. T. MARSHALL,
Poundkeeper of the Shotover Pound.

STRAYED CATTLE on the Cromwell Com-monage, Impounded February 3rd, 1876, by order of A. R. B. Thomson, Esq., Inspector, Clyde:—

1 red and white cow, brand like J H off rump
1 roan steer, brands like JK TE near rump

1 yellow and white cow, brand like JK near ribs, ears marked off, 1 horn broken

1 strawberry bull calf at foot, with no visible brands

1 red and white steer, brands like J T off rump

1 red bull with white patch between fore legs, brand or scar like l near shoulder, off ear marked.

For which 10s. per head is claimed, 10s. driving expenses, and in default of the above-named cattle being released they will be sold on Friday, the 3rd day of March, 1876, at 12 o'clock noon, at the Leaning Rock, Clyde, Pound.

WILLIAM WILLIAMS,
Poundkeeper.

ABSTRACTS from previous Gazette of Impound-ing Notices:—

FRIDAY, 18TH FEBRUARY, NOON.

A Pony and 2 Mares will be sold at West Taieri Pound.

A Horse will be sold at Glenkenick Pound.

FRIDAY, 18TH FEBRUARY, NOON.

A Horse will be sold at West Taieri Pound.

A Horse will be sold at Port Chalmers Pound.

7 Geldings will be sold at Clyde Pound.

FRIDAY, 18TH FEBRUARY, NOON.

7 geldings will be sold Clyde Pound.

FRIDAY, 25TH FEBRUARY, NOON.

A Cow will be sold at Popotanau Pound.

FRIDAY, 25TH, FEBRUARY, NOON.

A horse will be sold at Berwick Pound.

A steer, a cow, a calf, and a bull will be sold at Glencoe Pound.

IMPOUNDED in the Oamaru Pound on the 9th of February, 1876, by order of Mr. Alexander Thomson, Kakanui, for grazing on the district roads, 1 Bay Draught Horse, no visible brands, white down face, both hind legs white.

Owner unknown; and in default of being released the above horse will be sold at the Oamaru Pound on Friday, 3rd day of March, 1876, at 12 o'clock noon.

JOHN GRAY,
Poundkeeper, Oamaru.

TWENTY POUNDS PENALTY.

POUNDKEEPERS who have not made their quarterly returns to the Provincial Treasurer are reminded that the Impounding Ordinance contains a penalty of £20 for such neglect.

NOTICE.

RUNNING on my place, since the 1st of November, a Light Red HEIFER COW. If not claimed by 10th February will be sold to defray expenses.

RICHARD IRVING,
Johnstonlee, Peninsula, N.E. Harbour.
5t—20s. pd.

NOTICE.

ALL Cattle found Straying on Road Lines in the South Molyneux Road District will be impounded.

By order of the Board.

JAMES SHIELS,
Clerk.
Port Molyneux,
29th January, 1876. 2t.—10s.

NOTICE TO DISTRICT ROAD BOARD.

NOTICE is hereby given that the subsidy to be paid by the Provincial Government for the year ending 30th June, 1876, on general rates collected by District Road Boards, will be at the rate of 15s. in the pound, and that in districts in which general rates are so subsidised no subsidy on special rates will be given. In districts where no general rates are levied a 10s. subsidy will be given on special rates.

ALEX. WILLIS,
Under Secretary.
Provincial Secretary's Office,
Dunedin, 14th February, 1876.

CLOSING ROADS.

NOTICE is hereby given that objections having been lodged with me against the shutting up of certain road lines included in the Roads Diversion Ordinance, 1875, situate in the Road Districts of Makerewa, Otepopo, Peninsula, Shotover, Waipori, and Waitahuna East, a special meeting of the Executive Council will be held in the Government Buildings, Dunedin, on Thursday, the 17th day of February, at noon, for the purpose of deciding the said objections, when parties interested are invited to attend.

J. MACANDREW,
Superintendent of Otago.

TUTARAU ROAD DISTRICT.

RATEPAYERS in the above District are hereby notified that the Local Board intend, after the 8th proximo, to sue defaulters for the recovery of road rates due by them to said Board.

JOHN WATT,
Road Collector.
Tuturau, 8th February, 1876. 3t. pd. 15s.

EDUCATION MEETING.

IN consequence of no Election of a Committee having been made in the Educational Districts of Port Chalmers, Sawyer's Bay, Long Bush, Wild Bush, Queenstown, Macetown, Mount Cargill, Tuakitoto, and Alexandra, His Honor the Superintendent has fixed Monday, the 21st February, 1876, at 7 o'clock, p.m., for a meeting of the Owners and Occupiers of Land and Householders in each of the above-named districts, for election of a School Committee, and for other business.

By order,

JOHN HISLOP, Secretary.

THE HIGH SCHOOL.

A VISITING French Master is wanted for the High School. Salary, £200 per annum.

Particulars as to hours of attendance, &c., will be furnished on application to the Rector.

Applications, with testimonials, will be received by the undersigned:

JOHN HISLOP,
Secretary.

THE NORMAL SCHOOL.

SCHOOLMASTERS and Schoolmistresses are invited to attend the Normal School during their Harvest Vacation, for the purpose of gaining a better knowledge of School Management and Method.

W. S. FITZGERALD,
Rector.

TEACHER WANTED for the Side School at Clarke's Flat (near Lawrence). Salary, £75 per annum, and school fees, a good residence, and well-stocked garden, and 10 acres of glebe fenced. Applications, with testimonials to be sent to the undersigned on or before the 4th March.

JAMES CHALMERS,
Chairman School Committee.

TEACHER WANTED for the Wairuna Main District School. Salary £100 per annum, with School fees. There are 50 children on the school roll. The school and teacher's residence are commodious, and only recently erected, and there is a small fenced-in glebe. Applications, with testimonials, to be lodged with clerk to school committee, Mr. James W. Thomson, Wairuna, Clinton, on or before 26th February.

A SCHOOLMASTER is required for the newly-established School at Fortrose. Salary £60, School fees, residence, and ten acres glebe; estimated attendants, forty. Preference will be given to a married man. Duties to commence as soon as possible after appointment.

Fortrose, January 27th, 1876.

SCHOOLMASTER WANTED for the District School at Greytown, Taieri; Salary, £75, with the school fees and a most excellent residence and glebe. Applications, with testimonials, to be lodged with the undersigned on or before the 1st March.

JAMES ALLAN, Greytown.

WANTED, for the Kaikorai District School, a Second Master. Government allowance £75 a year, and one-fifth School Fees.—Applications, with testimonials, will be received by Clerk of School Committee until Monday, 28th February, 1876.

SYDNEY HAIGH,
A. FULTON & Co.,
George-street, Dunedin.

WANTED, a TEACHER for Blackstone Hill School. The Government subsidy is £60, with School Fees. The average attendance will be about 20. Duties to commence on May 1st. There is a residence attached to Schoolhouse.—Applications to be lodged with the Secretary on or before the 31st March, 1876.

ROBERT JOHNSTONE,
Secretary School Committee,
Blackstone Hill.

CLARKE'S FLAT SCHOOL.

WANTED, a Teacher for above School. Salary, £75, and school fees. An excellent five-roomed dwelling-house, garden fenced in and newly laid off, and a ten-acre paddock also fenced. Applications to be forwarded to the undersigned by Saturday, 19th February.

A. BRYDIE,
Secretary Clarke's Flat School.

AUCTIONEERS' Licenses Issued—MR. PETER GRANT, of Riverton, has this day paid me £50 for Auctioneer's License, approved and granted by His Honor the Superintendent of Otago.

JAMES IRELAND,
Town Clerk.

January 26th, 1876.
rt. 3s. pd.

LOST, a Fixed Deposit Receipt of the Colonial Bank of New Zealand, dated Dunedin, 27th August, 1875, for six months, No. 2/24, for One Hundred and Eighty-one Pounds Five shillings. Any one returning same to Colonial Bank of New Zealand, Dunedin, or Oamaru, will be rewarded.
4t. 16s. pd.

DUNEDIN-MOERAKI RAILWAY—KARTIGI CONTRACT.

(FORMATION AND PERMANENT WAY.)

Accepted.

	£	s.	d.
Donald Munro and Joseph Culling, Moeraki	58,747	5	10
<i>Declined.</i>			
Mathieson Brothers, Dunedin ...	64,008	1	9
David Proudfoot, Dunedin ...	65,359	0	0
J. B. Blair and Co., Mosgiel ...	65,714	13	8
J. Dunbar, Dunedin ...	68,268	11	4
Markham and Barkley, Oamaru ...	69,635	5	2
Allan and Stumbles, Timaru ...	69,829	12	2
Daniel McKenzie, Port Chalmers ...			informal
Wang Sam McPherson, Clutha Bridge			informal.

NOTICE.

CLERKS to District Road Boards are requested to furnish the Provincial Secretary with the names and post addresses of Clerks and Chairmen forthwith.

A COLLECTION of the Licensing Laws in operation in the Province of Otago, N.Z., embracing the Licensing Ordinance of the Provincial Council, and the Licensing Acts of the General Assembly; with Notes and Memoranda. Pp. 68. Price, 2s 6d. The usual allowance to trade.

Price 2s. 6d.,

THE Otago Roads Ordinances, 1871, 1872, 1874, and 1875, with notes indicating the several sections amended or repealed.

The usual discount to the trade.

JOHN LOGAN,
Provincial Government Storekeeper.

CORPORATION OF INVERCARGILL.

NAMES of Reputed Owners and Situation of Properties for which the Town Rates for the year 1874-5 have not been paid.

Reputed Owner	Block	Section.	Rate when payable.	Amount of Rate due.			Amount previously Gazetted.			10 per cent. interest on rate to 22nd Sept., 1875.			Total Amount.				
				£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
Adam, Archibald	51	22	21 Sept., '74	0	8	0	0	16	0	1/4	0	0	11	1/2	1	4	11 3/4
Armstrong, John, jun.	55	5	do.	0	10	0	0	18	10	0	0	1	1 1/2	1	9	11 1/2	
Baynton, George	17	12	do.	0	4	0	0	11	8 1/4	0	0	7	1/2	0	16	3 3/4	
Cameron, John	58	18	do.	0	6	0	0	18	10	0	0	11	0	1	5	9	
Campbell, Samuel	20	19	do.	0	4	0	0	9	3 1/2	0	0	6	1/2	0	13	10	
De Vaux, Charles C.	23	3 and 5	do.	0	8	0	0	14	8 1/2	0	0	11	0	1	3	7 1/2	
Greville, John S.	8	part 5	do.	0	4	0	0	7	9 1/4	0	0	6	0	12	3 1/4		
King, —,	15	15	do.	0	4	0	0	9	1	0	0	6	1/2	0	13	7 1/2	
Lang, Henry	59	part. 15, 16	do.	0	6	0	0	11	8 1/4	0	0	7	1/2	0	16	3 3/4	
Levein, Joseph H.	25	5	do.	0	4	0	0	8	11 3/4	0	0	6	1/2	0	13	6 1/4	
Marchant, Robt. M.	24	20, 20, 21, 22	do.	1	0	0	2	14	5 3/4	0	3	0	1/2	3	17	6 1/4	
McCallum, Duncan	65	20	do.	0	12	0	—	—	—	0	0	7	0	12	7		
McKay, Donald	37	21	do.	0	4	0	—	—	—	0	0	2	1/4	0	4	2 1/4	
Rosonowsky, Leopold	22	18	do.	0	4	0	0	9	3 1/2	0	0	6	1/2	0	13	10	
Walker, David	51	9	do.	0	4	0	0	4	6 1/4	—	—	—	—	8	8	8 1/2	
Westlake, John	63	19	do.	0	8	0	1	6	0	0	1	4 1/2	1	15	4 1/2		
Unknown	24	18	do.	0	4	0	0	9	3 1/2	0	0	6	1/2	0	13	10	
"	42	21	do.	0	4	0	0	8	8	0	0	6	0	13	2		
"	57	7	do.	0	6	0	0	18	10	0	0	11	1	5	9		

In pursuance of the 32nd section of the "Otago Municipal Corporations Empowering Act, 1865," I hereby require the owners, or reputed owners, of the above-mentioned properties respectively, or whom it may concern, to pay to me at the Council Hall, in Invercargill, the amount of rate and interest set opposite their respective properties.

W. B. SCANDRETT,
Town Clerk,

Dated this 12th day of February, 1876.

MUNICIPALITY OF PALMERSTON.

BYE-LAWS OF THE COUNCIL OF THE INCORPORATED TOWN OF PALMERSTON, MADE UNDER AND IN PURSUANCE OF SECTION 181, PART XIII, OF THE MUNICIPAL CORPORATIONS ACT, 1867.

THE Council of the Incorporated Town of Palmerston ordain as follows :—

Part I.—Subdivisions 1 to 47, both inclusive.			
" II.	"	1 to 6	"
" IV.	"	1 and 2	"
" VI.	"	1 to 4	"
" VII.	"	1 to 7	"
" VIII.	"	1 to 7	"
" IX.	"	2 to 3	"
" X.—Section 2, Sub-sections 50 to 74, both inclusive.			
" "	" 4,	" 88 to 90	"
" XI.	"	" 1 to 57	"
Also Part XXII.	"	" 362 to 390	"

Passed by the said Council the 8th day of September, 1873.

THIRTEENTH SCHEDULE.

PART I.—STREETS AND FOOTWAYS.

1.—*Porticos, Projections, &c.*

Interpretation. 1.—The word "portico" shall mean and include every awning portico porch verandah shed shade or covering upon or across any public footway for the purpose of shade or shelter together with the supports other than the building against which it shall be of such portico.

Erection of Porticos. 2.—Subject to the provisions hereinafter contained it shall be lawful for the owner of any house or building abutting upon any public footway within the borough to erect or place against or in front of such building and upon or across such footway such portico as such owner shall see fit.

Height, &c., of Porticos. 3.—Every such portico shall be supported by upright pillars or supports fixed on the outer line or kerb of the footway and shall be in every part thereof of such height from the ground not less than seven feet and with the pillars or supports thereof shall be of such shape figure dimensions and materials respectively as shall have been appointed as herein provided.

Regulations relating to Porticos. 4.—It shall be lawful for the council of every borough from time to time to make regulations for all or any of the purposes following that is to say—
For regulating the height from the ground of such porticos as aforesaid
For appointing the shape figure and dimensions and materials for such porticos
And there shall be deposited at the office of the council a plan and specification of such portico as shall be appointed in any such regulation and such plan and specification shall be referred to in such regulation and shall be open for inspection by any ratepayer or person interested at all reasonable times without fee or reward.

Porticos erected contrary to by-laws or regulations. 5.—If before the coming into operation of this sub-division in the borough any portico shall have been erected or placed against or in front of any building and upon or across any public footway contrary to some Act or Ordinance or bye-law lawfully in force in the borough or in the city town or place converted into an original borough or if after such coming into operation any portico shall have been erected or placed against or in front of any building and upon or across any public footway otherwise than as shall have been appointed by some regulation to be made hereunder or if any projecting window balcony step cellar cellar-door or window or steps leading into any cellar or otherwise lamp lamp-post lamp-iron sign sign-post sign-iron show-board window shutters wall gate fence or opening or any other projection or obstruction placed or made against or in front of any building within the borough after the coming into operation of this sub-division therein shall be an annoyance in consequence of the same projecting into or being made in or upon or endangering or rendering less commodious the passage along any footway or street it shall be lawful for the council to give notice to the owner or occupier of such building to remove or to alter so as to conform to such regulation such portico or to remove or in such manner as the council shall by such notice require to alter such projection or obstruction and such owner or occupier shall within fourteen days after the service of such notice upon him remove or in manner aforesaid respectively alter such portico or such projection or obstruction as aforesaid respectively and if the owner or occupier of any such building neglect or refuse for fourteen days after such notice so served to remove such portico or such projection or obstruction or to alter the same in manner aforesaid respectively he shall forfeit a sum not exceeding five pounds and a further sum not exceeding forty shillings for every day during which

such projection or obstruction continues after the expiration of fourteen days from the time when he may be convicted of any such offence contrary to the provisions of this section.

6.—If before the coming into operation of this sub-division in the Borough any portico shall have been erected or placed without violation of any bye-law for the time being lawfully in force against or in front of any building and upon or across any public footway laid out as such hereunder or otherwise and such portico shall not be in conformity with some regulation for the time being in force hereunder or if any such projection or obstruction as in the last preceding section mentioned which has been placed or made against or in front of any building before such coming into operation as aforesaid shall be an annoyance as in the said section mentioned it shall be lawful for the council to cause such portico to be removed or altered so as to conform to such regulation or (as the case may be) such projection or obstruction to be removed or altered as they see fit. Provided that the council shall give notice of every such intended removal or alteration to the owner or occupier against or in front of whose building such portico projection or obstruction may be seven days before such removal or alteration shall be commenced and shall make reasonable compensation to be ascertained and ordered if the parties differ by two justices to every person who shall incur any loss or damage by such removal or alteration except in cases where the portico projection or obstruction shall have been erected placed or made without lawful right or against the law or may be removable under some other Act or law in which case no compensation shall be made.

Porticos erected without violation of previous by-laws.

Projections and obstructions.

Proviso.

7.—Every owner or occupier of any building against or in front of which there shall be any portico shall keep the same clean and in good repair and it shall be lawful for the council to give notice to any such owner or occupier to clean or repair such portico if and as the same may require and every owner or occupier who shall neglect or refuse within seven days after the service of such notice to effect such cleaning and repair shall forfeit a sum not exceeding forty shillings for every day during which he shall fail to effect the same.

Repair, &c., of porticos.

2.—Naming Streets and Numbering Houses.

8.—It shall be lawful for the council of the borough from time to time to cause to be painted or affixed on a conspicuous part of some house or building at or near each end corner or entrance of every street and in the direction of the line of such street the name of such street in legible characters not exceeding three in length and proportionately broad and near to each other and the council may where more than one street in the borough is called by the same name alter the name of any or all of such streets save one (to be described in the order altering the same) to any other name which to the council may seem fit and before any name is given to any new street notice of the intended name shall be given to the council and if there be any street in the borough called or about to be called by the same name the council may by notice stating that there is already a street in the borough called or about to be called by the same name and describing the locality thereof given to the person by whom notice of such intended name was given to them at any time within fourteen days of the receipt of such last-mentioned notice object to such intended name and it shall not be lawful to set up any name to any street in the borough until the expiration of fourteen days after notice thereof has been given as aforesaid to the council or to set up any name objected to as aforesaid.

Names of streets.

9.—The owners or occupiers of houses or buildings in the several streets of the borough shall mark such houses or buildings with such numbers and names for the purpose of distinguishing the same as the council shall direct or approve and shall renew the numbers or names of such houses or buildings as often as they are obliterated or defaced and if any occupier of any such house or building neglect for one week after notice from the council to mark such house or building with such number or name as the council may direct or approve or to renew the number or name thereof as aforesaid he shall forfeit a sum not exceeding forty shillings and the council may cause such name to be so marked or renewed and recover the expense thereof from the owner of such house or building before any justice.

Numbering &c of houses

10.—If any person wilfully and maliciously destroys pulls down obliterated or defaces the name of any street in any borough or the name or number of any house or building in any such street or paints affixes or sets up any name to any street or any name or number to any house or building contrary to this sub-division he shall for every such offence forfeit a sum not exceeding five pounds and it shall be lawful for the council to cause such name or number so unlawfully painted affixed or set up to be obliterated or destroyed.

Malicious injury to name or number.

11.—The council of the borough shall cause to be kept a register of all the alterations made by them in the names of streets and such register shall be kept in such form as to show the state of every such alteration and the name of such street previous to such alteration and the new name thereof.

Register of alterations.

3.—Spouts and Drains from Houses, &c.

12.—The owner or occupier of every house or building in adjoining or near to any street within seven days next after service of a notice by the council for that purpose shall put up a shoot or trough of the whole length of such house or building and shall connect the same either with a similar shoot on the adjoining house or building or with a pipe or trunk to be fixed to the front or side of such first-mentioned house or building from the roof to the ground to carry the water from the roof thereof in such manner that the water from such house or the shoot or trunk fixed thereto or from any portico or projection therefrom shall not fall upon the persons

Spouts, &c.

Drains.

passing along the street or flow over the footway but so that no such pipe or trunk shall be an obstruction to the safe and convenient passage along the footway and shall construct or lay from and in continuation of such pipe or trunk to the water channel or gutter herein called channel at the outer edge of the footway and through under and traversely to the footway such covered drain or trunk for carrying such water to such channel as shall be authorised or directed by some regulation in that behalf and shall thereafter keep in good condition every such shoot trough pipe drain and trunk and every such drain or trunk shall be constructed laid and repaired subject to the inspection of such officer as the council shall have appointed in that behalf and in default of compliance with any such notice within the period aforesaid or with the provisions of this section such owner or occupier shall forfeit a sum not exceeding forty shillings for every day that he shall so make default.

Drains for discharge of surface water from land.

13.—Every owner or occupier of land in adjoining to or near any street if such land shall be so situated that surface or storm water from or upon the same overflows or tends naturally if not otherwise discharged to overflow any footway of such street shall within seven days next after the service of notice by the council for that purpose construct and lay from such point upon such land being near to the footway as shall be specified in such notice by plan appended or otherwise and higher in level than the bottom of the channel at the outer edge of the footway to the said channel and through under and traversely to the footway and keep in good condition such covered drain or trunk as and subject to the like inspection as in the last preceding section mentioned respectively and in default of compliance with any such notice within the period aforesaid or with the provisions of this section such owner or occupier shall forfeit a sum not exceeding forty shillings for every day during which he shall make default.

Regulations.

14.—It shall be lawful for the council to make regulations for all or any of the purposes following (that is to say)—

For regulating the materials and the size the level and the fall of any drain or trunk to be laid or constructed under any footway either absolutely or with relation to the level or fall of the footway or channel or otherwise in like manner and so if they please that such size be variable within limits prescribed in the regulation according to the discretion of such officer as the council shall thereby direct.

4.—Crossing over Footways and Channels.

Crossing, &c., footway, &c. save by made crossing.

15.—Every person who wilfully and without lawful excuse rides or drives any horse or other animal or drives or wheels any carriage cart or other vehicle upon along or across any footway or any water channel or gutter herein called channel by the side of any street save in each such case upon and by or at some crossing to be made as hereinafter mentioned shall forfeit a sum not exceeding five pound and shall also pay to the council such sum not exceeding ten pounds by way of compensation for any damage done by him to the footway or channel as the justice adjudicating upon the information shall on the hearing thereof order.

Notice of making crossing.

16.—If any land shall front to adjoin or abut upon the footway of any street and if access with horses and vehicles from such street to such land or to some sufficient way appurtenant thereto cannot be had without riding or driving or wheeling the same respectively upon or across the said footway or the channel if any lying along the outer edge thereof and if the owner of such land shall desire that a crossing for horses and other animals and for vehicles be made as herein provided over such footway and channel and shall give a notice in writing of such his desire to the council and in such notice describe the land in question and the proposed work by reference to the specifications deposited as hereinafter mentioned such specification being in accordance with the provisions hereof and with such regulation as may be in force in that behalf it shall be lawful for such owner after seven clear days from the giving such notice and not before (with no unnecessary delay or obstruction) at his own cost and under the inspection of such officer as the council shall have appointed for the purpose to make such crossing according to the tenor of such notice and specification and not otherwise and the owner of such land shall afterwards in like manner maintain the same.

Specifications.

17.—Every such owner who desires as aforesaid that any such crossing shall be made shall before giving notice to the council as herein provided deposit with the town clerk a specification describing the proposed work with respect to each of the several matters hereby or by any such regulation in force in that behalf required or provided.

Immunity of persons giving irregular notice in certain cases

18.—Unless with the period of seven days after the receipt of any such notice as aforesaid the council shall give notice to the person giving the same that (if the fact be so) such notice or the specification referred to therein and deposited is not in accordance with the provision of such regulation as aforesaid such notice and specification shall thereafter so far only as affects the liability of such person to any penalty be deemed to be in accordance therewith.

Notice of crossing where there is a street kerb.

19.—In streets in which at the site of any such proposed crossing there is a kerb of stone or wood along the outer edge of the footway the crossing so far as the footway extends shall have on both sides a kerb not higher in any part than the surface of the footway at that part and similar in all respects to such first-mentioned kerb and such kerb shall approach to and join the street kerbing in gentle curves outwards and such crossing shall be of such width and the surface thereof so far as the footway extends shall have such inclination outwards and be depressed so far below the footway as shall have been respectively appointed by some regulation in that behalf and shall with respect to the channel be so laid or constructed as not to raise or obstruct the same or any part thereof.

20.—In streets in which at the site of any such proposed crossing there is no such kerbing as in the last preceding section mentioned the crossing over the channel shall be such suitable bridge as shall leave a free passage for the water underneath the same and shall be of such materials form length size strength and fall as shall have been respectively appointed by some regulation in that behalf and the surface of such crossing so far as the footway extends shall be so made good by paving macadamising gravelling or otherwise that the necessary traffic by animals or vehicles over the same shall not cause any damage thereto but that such crossing shall be as sound and commodious for the passage of persons using the footway as the other portions of such footway adjoining such crossing.

Notice of crossing where there is no kerb.

21.—No person making any crossing shall be deemed guilty of an offence by reason only of some departure in making such crossing from the notice or specification relating thereto unless the officer of the council appointed as hereinbefore provided to inspect the making of the crossing shall have reported in writing such departure to the council within three days after the same shall have occurred and unless such person being served by the council within three days after such report with a notice so to do shall for the space of seven clear days after such notice have failed to correct or supply such departure.

Departures from notice &c, not punishable in certain cases

22.—If any crossing shall have been made in any respect contrary to this sub-division or any regulation in force hereunder it shall be lawful for the council if they shall see fit to cause the same to be altered so as to conform to this sub-division and to such regulation respectively and to recover in manner in this Act elsewhere provided the expenses of such alteration from the owner of the land to which such crossing shall lead but they shall not so recover in those cases of departure from the notice or specification which the council or their officer might respectively have given notice of or reported but failed to give notice of or report respectively in manner and within the time provided in the preceding sections thereof.

Council may alter improper crossing

Expenses.

23.—If any private street shall meet at an angle the footway of any public street and there shall be no crossing upon and across such footway and the channel adjacent thereto from such private street to such public street it shall be lawful for the council if they shall see fit to make in accordance with any regulation in force in that behalf a crossing upon and over such footway and channel of the description hereinbefore provided with respect to other crossings and to recover from the owner of each of the tenements abutting on such private street such portion of the expenses of such making as shall bear to the whole of such expenses the same proportion as the rateable value of all the tenements so abutting.

Crossing for private street.

Expenses.

24.—If any crossing across or over any footway or channel to any land or way appurtenant thereto or to any private street shall have been made before the coming into operation of this subdivision in the borough but shall in any respect not be in accordance with any regulation made hereunder the council may if they shall see fit cause the same to be altered so as to conform to such regulation and if such crossing shall have been made contrary to any by-law in force at the time of making the same the council may recover the expenses of such alteration in manner in the last two preceding sections mentioned according as one or the other may be applicable to the case.

Council may alter crossings made before sub division in force.

25.—If any crossing shall be out of repair and the person liable hereunder to maintain or repair the same shall for seven days after notice from the council to that effect neglect properly and completely to repair the same he shall forfeit for every day that such crossing shall remain so unrepaired a sum of forty shillings and the council may if they shall see fit effect such repair and recover the same from such persons before any justice.

Repair of crossings.

26.—It shall be lawful for the council from time to time to make regulations for all or any of the purposes following that is to say—

Regulations.

For regulating the width depression and inclination of crossings across or over footways and channels and the materials for making and constructing the same the mode of laying and bedding such materials the length width size strength and fall of bridge crossings and the said inclination and fall either absolutely or with relation to the levels inclination or fall of the footway or channel or otherwise in like manner.

5.—*Deposit or discharge of Rubbish Liquid, etc. on Streets, etc.*

27.—Every person who causes to run from any manufactory or any establishment for the boiling or preparing of any animal matter or any brewery slaughterhouse butcher's shop or any dunghill or other receptacle or from any inn into or upon any street public or private or any footway or channel and every occupier of any land or premises who causes or permits to run from such land or premises into or upon any such street footway or channel any offensive liquid or matter shall for every day during which any such liquid or matter shall so run forfeit a sum not exceeding five pounds.

Causing &c. offensive liquid to flow on street &c.

28.—Every person who unless where authorised by or under some Act now or hereafter to be in force shall cause any sludge made in the process of washing earth for gold or otherwise to flow or run into or upon any street public or private or any footway or channel shall for every day during which any such sludge shall flow or run forfeit a sum not exceeding five pounds.

Causing sludge to flow on street &c.

6.—*Depositing Building Materials Excavations, etc.*

Unlawful de- 29.—Every person who throws or lays any building or other materials or building rubbish or
positing of puts up constructs or erects any stage scaffolding hoarding or fence in upon across or over any
building ma- street footway channel or any public place save in lawful execution of the powers given by this
terials in sub-division shall forfeit a sum not exceeding ten pounds and a further sum not exceeding forty
street shillings for each day during which such matter or thing or any of it or any part thereof is
suffered to remain in or upon such street footway channel or public place.

Notice of in- 30.—Every person intending to build put up or take down or cause to be built put up or
tention to taken down any building wall or other structure or any fence or to alter or repair or cause to be
build &c. altered or repaired the outward part of any such building or other structure whether in any of
such cases over or under ground or to make any hole within ten feet of any street or footway
shall give notice in writing of such his intention to the council and in such notice shall describe
the intended work and the height depth extent and position thereof and whether or not it be
necessary for the execution of the said work that a scaffold or stage be constructed or that
building or other materials or building rubbish be deposited upon or in the footway or street
adjoining or in front of such structure or hole and for what time it will be necessary that such
stage or scaffolding or such materials deposited be so kept or continued or that such hole
remain open together with such other particulars touching such intended work as such person
shall see fit.

Penalty for 31.—No person shall execute or begin or continue to execute any such work as in the last
commencing preceding section mentioned without having given to the council such notice as therein pro-
& c. work vided or until the expiration of forty-eight hours after giving the same and every person offend-
without no- ing against the provisions of this section shall forfeit a sum not exceeding five pounds for every
tice day upon which he shall so offend.

License for de- 32.—It shall be lawful for the council having received any such notice as aforesaid to
positing ma- grant if it shall seem to them fit to the person having given such notice upon payment by him
terials scaf- of the sum of five shillings a license in the appointed form under the hand of the town clerk
folding etc. authorising such person to construct such stage and scaffolding as the proper officer of the
council to be appointed in that behalf shall require or permit and to deposit building and other
materials and building rubbish upon or across in each of the cases aforesaid so much of the
footway adjoining or in front of the site of the intended work and so much of the street adjoin-
ing such footway and to keep and continue the said stage scaffolding and materials or rubbish
so constructed or deposited respectively for such time respectively as shall seem fit to the said
council and be specified in the said license and the council may if it shall seem fit renew such
license or grant a fresh license to such person from time to time and such person may there-
upon from time to time do the said acts according to the tenor of such license.

Hording and 33.—Every person who shall intend to build or take down or cause to be built or taken
fence. down any building or other structure whether over or under ground or to alter or repair or cause
to be altered or repaired the outward part of any such structure within in any of the cases afore-
said ten feet of any street or footway or who shall have a license for constructing any stage or
scaffolding or depositing any building or other materials or building rubbish upon or across any
footway or street shall before beginning to execute such work or to do such act cause to be put
up so as to sepatate from the street and from the remainder (if any) of the footway so much of
the premises where the work is to be executed as fronts the site of such work and the area upon
which according to the license such stage or scaffolding is to be constructed or such materials
or rubbish are to be deposited such sufficient hoards or fences together with such convenient
platform or handrail if there be room enough to serve as a footway for passengers outside of
such hoard or fence as shall be respectively approved by such officer as the council shall have
appointed in that behalf and shall continue such hoard or fence with such platform and hand-
rail as aforesaid standing and in good condition to the satisfaction of such officer during the
time limited as aforesaid in the said license or the last renewal thereof and for such longer time
as the public safety or convenience requires and shall in all cases in which it is necessary in
order to prevent accidents cause the same to be sufficiently lighted from sunset to sunrise and
shall remove such hoard fence platform and handrail and make good the footway and street
within a reasonable time after the provisions of this section have been fulfilled.

Penalty for not 34.—Every person who executes or begins or continues to execute any such work as in the
putting up last section mentioned or who being licensed thereto constructs or begins or continues to con-
lighting, etc, struct any such stage or scaffolding or deposit or keeps deposited any such material or rubbish
hoarding. upon or across any footway or street without having in any of the cases aforesaid put up such
hoard or fence or such platform with such handrail as aforesaid or continuing the same respec-
tively standing and in good condition as aforesaid during the time aforesard or without keeping
the said hoard fence platform or rail and each part thereof respectively while the same are
standing sufficiently lighted from sunset to sunrise or without removing the same within such
reasonable time as aforesaid or without making good the footway and street after such removal
shall for every such offence forfeit a sum not exceeding five pounds and a further penalty not
exceeding forty shillings for every day while such default is continued.

Removal of 35.—Every person licensed as herein mentioned to construct any stage or scaffolding or to
scaffolding, deposit any materials or rubbish shall remove within a reasonable time after the time limited as
etc, as

aforesaid in such license or in the last renewal thereof all such stage scaffolding materials and rubbish and shall make good the footway and street and if any such person shall fail in any such case to comply with this section he shall forfeit a sum not exceeding five pounds and a further penalty not exceeding forty shillings for every day while such default is continued.

36.—Nothing herein contained shall render it lawful to construct any stage or scaffolding or to deposit any materials or rubbish or to put up any hoarding or fence platform or handrail as aforesaid or all or any of them so that the same shall extend or be across or over or upon any street further from the inner edge of the footway than one-third of the whole breadth of such street or in any case so as to render the street exclusive of the footways impassable for carriages or so as to obstruct the channel.

Street &c. not to be obstructed etc.

37.—If any person who ought under this sub-division to remove any matter or thing or to make good any footway or street shall fail so to do whether or not such person shall have been convicted or not of any offence under this sub-division the council may remove such matter or thing or make good such street or footway and may recover the expenses of so doing from the person so making default before any justice.

Council may remove etc. in certain cases and recover expenses.

7.—*Lighting, etc. of Obstructions generally.*

38.—When any building materials rubbish or other things are laid or any hole made in any street or footway whether the same be done by order or authority of the council or not the person causing such materials or other things to be so laid or such a hole to be made shall at his own expense cause a sufficient light to be fixed in a proper place upon or near the same and continue such light every night from sunset to sunrise while such materials or hole remain and such person shall at his own expense cause such materials or other things and such hole to be sufficiently fenced and enclosed until such materials or other things are removed or the hole filled up or otherwise made secure and every such person who fails so to light fence or enclose such materials or other things or such hole shall for every such offence forfeit a sum not exceeding ten pounds and a further sum not exceeding forty shillings for every day while such default is continued.

Persons laying materials or making hole whether by authority or not to light the same.

39.—In no case shall any such building materials or other things or such hole as last mentioned respectively be allowed to remain an unnecessary time under a penalty not exceeding ten pounds to be paid for every such offence by the person who whether by order or authority of the council or not causes such materials or other things to be laid or such hole to be made and in any such case the proof that the time has not exceeded the necessary time shall be upon the person so causing such materials or other things to be laid or causing such hole to be made.

Penalty in like cases for non-removal.

8.—*Houses etc. Encroaching on Streets etc.*

40.—If any person shall erect or place any house or other building or any part thereof upon over or across any public street footway or channel he shall forfeit a sum not exceeding twenty pounds and a further sum not exceeding five pounds for every day while the same shall so continue.

Houses built so as to encroach on street.

41.—If any house or other building or any part thereof shall before the coming into operation of this sub-division have been erected or placed in upon over or across the public highway or any public street or footway marked or set out as such in such manner as to be a common nuisance to the highway or as to encroach on such street or footway it shall be lawful for the council to give notice to the owner of such house or building to remove such house or such part thereof as shall so have been erected or placed with such precautions for the safety of passengers and for the proper securing of so much (if any) of such house or building as is to remain thereafter as the council shall see fit and such owner shall within twenty-eight days after the service of such notice upon him remove such house or part according to the tenor of such notice and if such owner shall fail within the said period of twenty-eight days to remove such house or part or shall not comply with the requirements of the said notice he shall forfeit a sum not exceeding ten pounds and a further sum not exceeding five pounds for every day while such default is continued and the council may if they shall see fit remove such house or part and recover the expenses of so doing from the said owner.

Houses previously built and unlawfully encroaching on street.

9.—*Obstruction etc. to Streets, etc. by Cattle, etc.*

42.—If any cattle shall be found upon any land not being a common and such that there is no fence whether upon the same land or any other dividing such first-mentioned land from the streets whether public or private of the borough or any of them without any person having charge of such cattle the owner of such cattle shall forfeit a sum not exceeding twenty shillings for every head of such cattle and the proper officer of the council may seize such cattle and place the same at some neighbouring place of safe custody and any justice if such owner be not known upon proof of the issue of a summons in the usual form addressed to such owner as "owner" only without otherwise naming or describing him such cattle and the place of seizure being truly described therein and of the publication of such summons in some newspaper commonly circulating in the borough may after the expiration of twenty-four hours from such publication proceed with

Cattle at large on unenclosed land.

respect to such owner not appearing as if personal service of a summons stating his name had been effected or if such owner appear then as in other cases and the justice may order the cattle to be sold and the money for the sale after deducting the said penalty and the costs awarded and the reasonable expenses to be estimated and assessed by the justice of seizing keeping and selling the said cattle shall be paid if demanded within one month to the owner of the cattle and if not so demanded then to the borough fund and if the said money shall not be sufficient for all the purposes aforesaid the amount whereby the same falls short or if no such sale be ordered the whole of the said amount may be recovered from the said owner if and when known in like manner as other penalties and sums adjudged or ordered to be paid by justices are to be recovered.

Cattle at large in streets. 43.—If any cattle be at any time found in any street without any person having the charge thereof the owner of such cattle shall forfeit for every head of such cattle a sum not exceeding twenty shillings and if such cattle shall by reason of having been so found at large have been impounded by the council the amount of such penalty and the costs if adjudged respectively before the release or sale of such cattle shall be added to the pound fees and charges payable in respect of such cattle and the amount thereof or such lesser amount (if any) as after the sale of the cattle may remain in the hands of the poundkeeper shall be paid over by him accordingly and if the proceeds of any sale of such cattle shall not be sufficient after paying the lawful fees and charges aforesaid to satisfy such penalty and costs or if such penalty and costs shall have been adjudged after the release or sale of the cattle the same or so much thereof as remains unpaid shall and may be recovered from the owner of the cattle in like manner as other penalties and costs adjudged by justices are by law to be recovered and if in the case of any information under this section the owner be not known then the provisions of the last preceding section so far as necessary to give the adjudicating justice jurisdiction shall apply.

Goats sold for trespass to be removed from borough or killed. 44.—If any goat shall have been sold under the provisions of either of the two last preceding sections or under the provisions of this Act relating to the impounding of cattle for trespass in the streets and shall after the expiration of twenty-four hours be found in any place whatsoever within the borough any justice may by warrant under his hand directed to any constable authorise the destruction of such goat and the same may be destroyed accordingly.

Regulations. 45.—It shall be lawful for the council to make regulations from time to time for appointing the hours during which it shall not be lawful to drive into or through the borough or such parts thereof as shall by boundaries be set forth in such regulation any cattle intended for sale slaughter or shipment or travelling from one part of New Zealand or of any other colony to any other place and to provide if they shall see fit in such regulations separately with respect to Sundays and week days and if any person shall drive any such cattle contrary to such regulation he shall forfeit for every head of cattle so driven a sum not exceeding twenty shillings provided that nothing herein contained shall apply to horses driven in harness or to oxen in the yoke.

Breaking in etc. horses in streets. 46.—It shall not be lawful to break in any horse or other animal in any street whether public or private or in any public place save such places as from time to time may be appointed by some regulation of the council in that behalf which regulation the council are hereby authorised to make or by locking the wheels of any cart or other vehicle or otherwise to test or try any horse or other animal so as to obstruct or injure any street or public place and any person offending against this section shall forfeit a sum not exceeding five pounds.

10.—Miscellaneous.

Council may regulate driving near places of worship. 47.—It shall be lawful for the council on the application of the minister of any church chapel or other place of public worship in the borough to make orders for regulating with respect to such place of public worship the route and conduct of persons who shall drive any cart or carriage or any cattle within the borough during the hours of divine service (to be named in every such order) on Sunday Christmas-day Good Friday or any day appointed for a public fast or thanksgiving and any orders which shall be so made shall be printed or affixed on or near the church chapel or place of public worship to which the same shall refer and in some conspicuous places leading and contiguous thereto and elsewhere as the council shall direct and every person who offends against such orders shall forfeit a sum not exceeding forty shillings.

PART II.

Waterworks Drains etc.

Polluting water reservoirs etc. 1.—Whosoever shall bathe in any stream reservoir conduit aqueduct or other water works belonging to or under the management or control of the council or shall wash cleanse throw or cause to enter therein any animal whether alive or dead or any rubbish filth stuff or thing of any kind whatsoever or shall cause or permit or suffer to run or be brought therein the water of any sink sewer drain engine or boiler or other filthy unwholesome or improper water or shall do any thing whatsoever whereby any water or waterworks belonging to the council or under their management or control shall be fouled obstructed or damaged shall for every such offence forfeit on conviction a sum not exceeding five pounds and a further sum not exceeding twenty shillings for each day while such offence is continued after written notice in that behalf.

Wilful waste of water. 2.—Whosoever being supplied with water by the council from any waterworks of or belonging to or under the control or management of the council or having access to any such water-

works for the taking of water therefrom shall wilfully or negligently suffer any water to run to waste from any pipe or conduit from or by which he shall be so supplied or to which he shall have such access shall on conviction forfeit and pay for every such offence a sum not exceeding ten pounds.

3.—Whosoever shall without the consent in writing of the council construct or place any dam or embankment in or across any river creek or natural watercourse shall on conviction forfeit a sum not exceeding twenty pounds and a further sum not exceeding five pounds for every day after such conviction during which such dam or embankment or any part thereof shall continue. Damming up water without consent.

4.—In any case in which the council has the exclusive right of collecting for the supply of any reservoir or waterworks belonging to the council or under their management or control the storm-water having fallen on any gathering ground whosoever shall by any means whatsoever divert any such water from the course of its natural flow so that the same shall tend to flow elsewhere than to such reservoir or waterworks or some watercourse leading thereto or shall flow to the same respectively in a foul state shall forfeit on conviction a sum not exceeding fifty pounds and a further sum not exceeding ten pounds for every day after such conviction during which such water so tends to flow or flows as the case may be. Diverting water from reservoirs of Council in certain cases

5.—It shall be lawful for the council from time to time to make regulations for prohibiting or regulating the shooting of waterfowl and the taking of fish upon or in or within one-quarter of a mile of any stream reservoir or other waterworks belonging to or under the management or control of the council and every person who shall offend contrary to any such regulation shall on conviction forfeit and pay for every such offence a sum not exceeding five pounds. Shooting or fishing in or near reservoir.

6.—Whosoever shall obstruct or damage any culvert sewer or drain belonging to or under the control of the council shall forfeit a sum not exceeding ten pounds and shall pay to the council by way of compensation for any such damage such further sum not exceeding ten pounds as the convicting justice shall order.

PART IV.—PLACES OF IMPROVEMENT AND RECREATION, &c.

1.—*Public Libraries and Museums.*

1.—Every person who shall being intoxicated enter or remain in any public library or museum belonging to or under the control or management of the council or who shall use therein any abusive improper or unbecoming language or who shall by unnecessarily loud talking or any unnecessary noise or otherwise disturb or annoy the persons using or resorting to such library or museum or who shall without lawful excuse but without felony remove any property from such library or museum shall forfeit a sum not exceeding ten pounds and every such person may be forthwith removed by any officer of the council in charge of such library or museum. Misconduct etc. in library and museum.

2.—It shall be lawful for the council from time to time to make regulations for the proper management and control of every such library and museum and every person offending against any such regulations shall forfeit a sum not exceeding five pounds. Regulations.

PART VI.—BUILDINGS, &c., FOR PUBLIC MEETINGS, &c.

1.—Every occupier of any hall or other building used for public meetings or of any such building or any ground in which public amusements are conducted shall in each year register at the office of the council such building or ground together with the situation and description thereof and the purpose being such as aforesaid for which the same is to be kept and the name of such occupier and every person who causes and every occupier of any such premises who permits any public meeting to be held or any public amusement to be conducted in or on any such premises not being registered for the purpose or without such certificate of registration as hereinafter mentioned having been obtained for the same shall forfeit for every such offence a sum not exceeding twenty pounds. Public buildings to be registered.

2.—The council upon the written application of any such occupier as aforesaid stating the particulars aforesaid may if upon inspection by the proper officer the premises shall have been found to be secure and proper for the purpose stated and if the council shall see fit cause the premises to be registered in a registry book to be kept for that purpose and shall thereupon grant to the applicant a certificate of such registration of such premises in the appointed form and the council may at any time suspend for a stated period the effect of or cancel any such registration and shall forthwith give notice of such suspension or cancellation to the occupier of the registered premises and during such suspension or after such cancellation such premises shall be deemed to be unregistered in respect of the purpose mentioned in the certificate of registration and such certificate shall be of no force or virtue. Certificate etc. of registration etc.

3.—The proper officer of the council may at all reasonable times enter and inspect any such registered premises as aforesaid. Inspection.

4.—It shall be lawful for the council from time to time to make regulations for appointing the times and hours during or at which respectively any such registered building or ground shall Regulations.

be used for the purpose for which it is registered or shall be closed and every occupier of such premises who permits the same to be used for such purpose during or at any other time after any such hour respectively shall for every such offence forfeit a sum not exceeding pounds.

PART VII.—FIRE PREVENTION.

1.—Foul Chimneys.

Wilfully setting fire to chimneys. 1.—Every person who wilfully sets or causes to be set on fire any chimney-flue smoke-pipe or stove-pipe herein called in common "chimney" shall forfeit a sum not exceeding five pounds. Provided always that nothing herein contained shall exempt the person so setting or causing to be set on fire any chimney from liability to be informed against or prosecuted before any criminal court for such act as for an indictable offence.

Negligently suffering chimneys to be on fire. 2.—If any chimney accidentally catch or be on fire the person occupying or using premises in which such chimney is situated shall forfeit a sum not exceeding forty shillings. Provided always that such forfeiture shall not be incurred if such person prove to the satisfaction of the justice before whom the case is heard that such fire was in no wise owing to the omission of neglect or carelessness whether with respect to cleansing such chimney or otherwise of himself or his servant.

2.—Deposit &c. of Inflammable Materials &c.

Regulations. 3.—It shall be lawful for the council from time to time to make regulations for all or any of the purposes following that is to say—

For prescribing the distance from any adjoining land or from any building within which it shall not be lawful to make or keep any stack of hay corn straw or other produce if not placed under roof or cover and the like where placed under roof or cover for prohibiting or restraining the use for such covering of such inflammable materials as shall be described in such regulation.

For prescribing the distance from any adjoining land or from any street or public place or from any building within which it shall not be lawful to deposit such combustible materials as shall be specified in the regulation or save in some properly constructed fireplace within some building to make or light any fire.

And every such regulation may be made to apply to the whole or separately to any part of the borough described by boundaries in such bye-law and may provide as to the substance thereof either absolutely or with relation to the consent of the council or of the officer of the council to be given or withheld in any case to be in question under such regulation.

Stacks or coverings etc. in violation of or otherwise than required by regulation. 4.—Every person who shall make or place any stack of hay corn straw or other produce or place as or for the covering of any such stack any inflammable material or deposit any combustible material or light any fire contrary in any such case to any regulation under this division and every occupier of any premises whereon any stack or any such covering of any such material shall be or any combustible materials have been deposited if the same though lawfully placed or deposited before the coming into force of any such regulation shall be thereunto contrary to the tenor of such regulation who shall not within seven days after notice from the council so to do remove such stack covering or materials or who shall suffer to remain any such stack covering or materials unlawfully made placed or deposited before the coming into force of such regulation shall forfeit on conviction of such offence a sum not exceeding five pounds and in every such case a further sum not exceeding forty shillings for every day after any conviction during which such stack covering or materials shall so continue.

Setting fire to matter without notice. 5.—Every person who wilfully sets fire to any inflammable matter whatsoever in the air without having given notice in writing to the occupiers of the land adjoining to the matter upon which such matter shall be and also to the town clerk of his intention so to do or within twenty-four hours after giving the last-given of such notices or between the hours of four in the afternoon of any day and eight in the morning of the following day shall forfeit a sum not exceeding five pounds.

Fireworks. 6.—Every person who shall light any bonfire tarbarrel or firework upon or within sixty feet of any public or private street or any public place shall forfeit a sum not exceeding five pounds.

Brush fences. 7.—It shall not be lawful for any person to make or place or to keep or continue any fence or brushwood bushes or other like material within the borough and every person who shall make or place any such fence and every owner or occupier of any premises who for seven days after notice from the council to remove any such fence thereto appertaining if lawfully made placed before the coming into operation of this sub-division shall suffer any such fence or part thereof to remain or who shall suffer to remain any such fence unlawfully made before the coming into operation shall forfeit on conviction for such offence a sum not exceeding five pounds and in every such case a further sum not exceeding forty shillings for every day after any such conviction during which such fence shall continue.

PART VIII.—NUISANCES ETC.

1.—*Nuisances of various kinds.*

1.—It shall be lawful for the council from time to time to make regulations for appointing by limits to be set forth therein portions of the borough in which it shall not be lawful to keep any swine and if any person shall keep any swine within any such prescribed limits he shall forfeit for every day during which he shall so offend a sum not exceeding five pounds. Regulation as to keeping swine.

2.—Every person who shall empty any privy or load carry remove or deposit any night-soil or other offensive refuse or matter save between such hours of the night or shall deposit the same save at such places as respectively shall have been appointed by some regulation of the council in that behalf or who shall use for any such purpose any cart or carriage not having a covering proper for preventing the escape of the contents of such cart or of the stench thereof shall forfeit for every such offence a sum not exceeding five pounds and it shall be lawful for the council from time to time to make regulations for appointing such hours and places as aforesaid. Removing nightsoil etc.

2.—*Private Slaughter-houses.*

3.—It shall be lawful for the council of the borough if the council shall not as yet have provided within such borough and duly notified the same as ready for public use to license upon payment of such sum not exceeding two pounds as shall be appointed by regulation in that behalf such slaughter-houses as they from time to time may think proper for slaughtering cattle within the borough and every such license shall be in force for a year from the time of granting the same and no longer. Licenses for private slaughter-houses where not public.

4.—Every person who without having such license as aforesaid in force uses as a slaughter-house any place within such borough as in the last preceding section mentioned other than a slaughter-house which was in use at the time of the passing of this Act shall for each such offence forfeit on conviction a sum not exceeding five pounds and a like penalty for every day after such conviction upon which he shall so offend. Slaughtering in unlicensed place.

5.—Every place which at the time of the passing of the Act was in use as a slaughter-house and has so continued ever since shall within one month after the coming into operation of this sub-division in any borough be registered by the owner or occupier thereof at the office of the council and on application to the council for that purpose and on payment of such sum not exceeding twenty shillings as shall have been appointed by regulation in that behalf they shall from time to time cause every such slaughter-house to be registered in a book to be kept for that purpose and such registration shall be of effect for one year after the making thereof and no longer and every person who after the expiration of such period of one month uses or suffers to be used any such place as a slaughter-house without its being so registered shall forfeit on conviction a sum not exceeding five pounds for such offence and a further sum not exceeding ten shillings for every day after such conviction during which such place shall be used as a slaughter-house without having been so registered. Registration of slaughter-houses previously established.

6.—It shall be lawful for the council from time to time to make regulations for all or any of the purposes following that is to say— Regulations]

For the licensing (where the council are empowered to license) and for the registering and inspection of the said slaughter-houses.

For appointing subject to the limits herein prescribed the fees for licenses and registration.

For preventing cruelty in such slaughter-houses.

For keeping the same in a cleanly and proper state and for removing the filth at least once in every twenty-four hours and requiring them to be provided with a sufficient supply of water.

For confining the use of licensed slaughter-houses to the slaughter of any particular kinds of animals.

And every person offending contrary to any such regulation shall forfeit on conviction a sum not exceeding five pounds and in the case of a continuing offence a further sum not exceeding ten shillings for every day during which such offence shall continue after such conviction.

7.—The justice before whom any person is convicted of any offence against this sub-division in addition to any penalty may suspend for a period not exceeding two months the license for any slaughter-house granted hereunder to such person or the effect of the registration of any slaughter-house of which such person is the owner or occupier and upon the conviction of any person for a second or subsequent like offence may in addition to any penalty declare the license granted hereunder to such person revoked or the registration of any slaughter-house of which such person is the owner or occupier cancelled and no license while so suspended or after such revocation and no registration while the effect thereof is suspended or after the same is cancelled shall exist or avail for any purpose whatsoever. Suspension of licenses etc

PART IX.

MISCELLANEOUS MATTERS.

2.—If any person shall wilfully and without the authority of the council cut break bark root or otherwise destroy or damage the whole or any part of any tree sapling shrub or underwood Damaging trees.

growing in or upon any street or place under the management of the council although the injury done shall not be to the amount of one shilling he shall forfeit a sum not exceeding ten pounds.

Removing soil etc. from public places.

34.—If any person shall without the authority of the council break, displace or remove the surface or soil of any land belonging to or under the control or management of the council he shall forfeit a sum not exceeding five pounds.

PART X.

2.—Carts and Carters.

Prescribed space for li-censing etc.

50.—The words "prescribed space" shall for the purposes of this sub-division mean for any borough the space within the circumference of a circle whose radius is five miles from the principal post office of such borough and where any group of two or more boroughs whether this sub-division is in force in all of them or not is so situated that any portion of the prescribed space as hereinbefore defined of each of them is also portion of the prescribed space of some other or others of them the prescribed space for each such borough hereinafter called occasionally with respect to such boroughs "common prescribed space" shall be the whole area comprised by the prescribed space of all such boroughs.

Interpretation.

51.—The word "cart" shall for the purposes of this sub-division include every waggon, dray or other such carriage whatever be its construction drawn by horses or other animals used wholly or chiefly for the carriage of burthens or heavy goods the word "woodcart" shall mean a cart used in the hawking of firewood for sale the word "watercart" shall mean a cart used in the hawking of water for sale and the word "nightcart" shall mean a cart used in the carrying or removing of night soil, offal or other offensive refuse.

Licenses for carts.

52.—The council may if they shall see fit from time to time license to ply for hire within the prescribed space for the borough such carts as respectively after inspection had by the authority of the council should be found fit for public use and also such carts to be used within the prescribed space in hawking wood or water for sale respectively or both wood and water and also such carts to be used and ply for hire or to be employed as nightcarts within the prescribed space as shall after the like inspection be found fit for such purposes respectively and for every such license there shall be paid to the council granting the same such sum not exceeding twenty shillings as shall with respect to each kind of cart as aforesaid be directed by some regulation in that behalf.

Application for license.

53.—Every such license shall be granted on the written application for the same of the owner or if there be more owners than one of some one owner of the cart to be licensed and in every such application shall be set forth truly the name and surname and place of abode of the applicant and the like shall be set forth in the license when granted and any person who shall wilfully omit from any such application any particular hereby required to be stated therein or who shall wilfully state anything falsely touching any such particular shall forfeit a sum not exceeding twenty pounds.

Numbering, etc. of licenses and carts.

54.—Every such license shall be numbered so that no two or more licenses granted under this sub-division by the council of any borough shall bear the same number and shall be registered with such number by the town clerk in a registry book to be kept for the purpose and shall be in force for one year only from the date thereof or until the next general licensing day (if any) which shall have been appointed by the council and the owner named in any such license shall cause to be painted or marked and to be kept so painted or marked on some conspicuous place on the right or left side of the cart thereby licensed the name of the borough the council of which shall have granted such license with the number of such license in legible letters and figures one inch in length and of a proportionate breadth and the words "licensed cart" in the like letters and every such owner who shall omit or fail to comply with the provisions of this section shall forfeit a sum not exceeding forty shillings.

Contents of license for night cart.

55.—In every license granted for any night-cart in addition to the particulars hereinbefore required to be set forth there shall be set forth the hours between which it shall be lawful as herein provided that such night-cart be used as such and the places at which it shall be lawful as aforesaid to deposit the night-soil, offal or offensive refuse or matter.

License for cart may be extended to hawking wood or water.

56.—The town clerk of any borough by the council of which any cart (not being a night-cart) shall have been licensed to ply for hire as aforesaid may and shall from time to time upon application by the owner named in such license make and sign with his name without fee or reward an endorsement on such license being still in force authorising during the currency of such license or for such less time as may be stated in such endorsement the use of such cart for the hawking for sale within the prescribed space for the borough of wood or water or of both wood and water and forthwith upon making such endorsement shall make an entry thereof in a proper column of the registry book aforesaid against the entry of such license and every authority so endorsed upon any such license shall while the same shall be in force have the effect of and be deemed for all purposes to be a license of the like tenor granted under this sub-division.

57. If any owner of any cart permits the same to stand or ply for hire or to be used as a woodcart or as a watercart or to ply for hire or to be used as a nightcart within the prescribed space for any borough without having a license in force for such cart licensing or authorising such standing plying for hire or use respectively within such prescribed space or if any person be found within any such prescribed space standing or plying for hire or using any woodcart or watercart or plying for hire or using any nightcart for which respectively no such license is in force or without having the name of the borough by the council of which the license for such cart shall have been granted and the number of such license and the words "licensed cart" displayed upon such cart openly and in manner herein provided every such person so offending shall forfeit a sum not exceeding forty shillings.

Plying for hire
etc. without
license etc.

58. The owner of every cart kept within the borough and not used within the prescribed space thereof in standing or plying for hire or for any other of the purposes hereinbefore in this subdivision mentioned shall in each year apply to the town clerk of the borough that such cart be registered and shall truly state at the same time to the said town clerk the name and place of abode of such owner and if such cart has been previously registered in the borough the number of such registration and such town clerk shall forthwith register the said cart and enter the said particulars in a register book to be kept for the purpose numbering all such entries with a number but so that in no case shall any two such entries bear the same numbers save in the case of such previous registration in which case the second and all subsequent entries of the cart shall bear the number of the said previous registration and the town clerk shall issue to such owner a certificate signed by such clerk of such registration bearing the number thereof and the name and place of abode of such owner and every such registration shall be of effect until such day in each year as the council shall by general order for that purpose have appointed and no longer and every such owner shall cause such number to be painted or marked on such cart and kept so painted or marked in the like position and manner as is herein required in the case of licensed carts.

Registration of
private carts.

59. Every owner of any such cart as in the last preceding section aforesaid who in any year keeps any such cart within any borough without having registered the same in such year in the manner therein aforesaid or without having caused such number to be so painted or marked as aforesaid and keeping the same so painted or marked on such cart shall for such default forfeit a sum not exceeding forty shillings and a further sum not exceeding five shillings for every day during which such default continues after any conviction for the same under this section.

Penalty for not
registering.

60. The driver of every licensed cart shall hold the license for such cart and shall when required by any constable or by any officer of the council of any borough within the prescribed space for which cart shall be or by any person wishing to hire or having hired such cart if licensed to stand and ply for hire produce for the inspection of the person so requiring such license and also a copy of the table of rates and charges appointed as herein provided and every such driver who shall on being so required refuse or neglect so to produce such license or copy shall forfeit a sum not exceeding forty shillings.

Driver to hold
and produce
license.

61. Every owner of a cart licensed under this subdivision who shall employ any other person to drive the same shall cause to be truly written upon the license for such cart the name of the person so employed and shall keep such name so written while such person remains so employed and thereafter forthwith shall erase or deface such writing and if any such owner shall wilfully make default in causing such writing to be made or to be erased or defaced respectively when and as herein required or if any person so employed as aforesaid shall without reasonable excuse refuse or neglect when required by such owner to produce or return to such owner such license every person so offending respectively shall forfeit a sum not exceeding forty shillings and any justice may order such production or return.

Owner to cause
driver's
name to be
written on
license.

62.—Every owner or driver of any cart who uses any abusive or insulting language to any person who wishes to hire or has hired such cart or if the same be then employed as a woodcart or watercart who shall deal with such owner or driver for the purchase of or have immediately before purchased of him any wood or water of the loading of such cart respectively shall forfeit a sum not exceeding five pounds.

Abusive lan-
guage by
driver.

63.—Every owner or driver of any cart licensed to stand or ply for hire which shall stand upon any standing appointed for the purpose or shall be in any street who when required by any person who after sunrise and before sunset any day wishes to hire or has hired such cart refuses or neglects without reasonable excuse to carry for a single load such weight as shall have been appointed as herein provided or any less weight to any place within the prescribed space for the borough and every such owner or driver who demands and takes for the hire of such cart a greater sum than that appointed as herein provided or who without reasonable excuse refuses or neglects to load or unload such dray when hired so far as he can without assistance or who stands or plies for hire with such cart elsewhere than at some standing or place appointed as aforesaid shall for every such offence forfeit a sum not exceeding forty shillings.

Omission to
carry when
required.

Exacting ex-
cessive hire.

Plying else-
where than
on stand.

64. If the driver of any cart shall leave the same unattended in any street whether public or private or shall go for a distance of more than two yards from the side of such cart being in any such street without passing through the near wheel or wheels thereof a suitable chain or chains so as effectually to prevent the rotation of such wheel or wheels whether in any such case such

Leaving cart
unattended
etc.

shall be hired or not such driver shall in every such case forfeit a sum not exceeding forty shillings for such offence and where such cart shall have been so left unattended any constable may drive away such cart and deposit the same with the horses harnessed thereto at some neighbouring place of safe custody and in default of payment of the said penalty on conviction for such last-mentioned offence and of the expenses to be awarded by the adjudicating justice of taking and keeping the said cart and horses the same together with the harness belonging thereto or any of them may by order of such justice be sold and after deducting from the produce of the said sale the amount of the said penalty and costs (if any) and of the said expenses so awarded and expenses of the said sale the surplus (if any) shall be paid to the owner of the said cart.

Feeding horses in streets etc. 65. No driver of any cart in any street whether public or private or in any public place shall feed any horse attached to such cart save by means and out of a nose-bag containing the forage and attached to the head of such horse or shall remove the blinkers of any such horse and every driver of any cart to which any vicious horse shall be attached shall keep such horse while standing on any stand or in any such street or place as aforesaid properly muzzled and every driver offending against this section shall forfeit a sum not exceeding forty shillings.

Muzzles. 66. Every owner or driver of any licensed woodcart or watercart for the time being employed as such respectively who shall stand with such cart save for such reasonable time as may be necessary for loading or unloading the same elsewhere than at some standing appointed for woodcarts or watercarts as the case may be shall forfeit a sum not exceeding forty shillings.

Wood or water carts standing at improper places. 67. Every owner of a licensed watercart shall cause his name and the words "licensed watercart" to be painted or marked and kept painted or marked in legible letters one inch in length and of a proportionate breadth in white or black ground or in black on white ground in some conspicuous place outside the premises where such cart is kept and if any such owner shall fail to comply with the provisions of this section he shall forfeit a sum not exceeding forty shillings.

Water carter to have name etc. marked on premises. 68. Every owner and driver of a licensed watercart shall keep such cart loaded with water during all times after sunset and before sunrise and shall if any building premises or property shall be on fire within the borough the council whereof shall have granted the license attend at the place of such fire with such cart loaded with water and shall continue to cart water by full loads to such place and shall deliver such water in such manner as may be required by any constable or officer of the council or fireman authorised by the council then present for extinguishing such fire and every such owner or driver who shall without reasonable excuse fail to comply with the provisions of this section shall forfeit a sum not exceeding ten pounds.

Water carters to attend at fires. 69. There shall be paid out of the borough fund to the owner of every licensed watercart who shall have attended with any water at the place of any fire as herein provided and delivered the same as required for extinguishing such fire such reasonable compensation as the council of the borough shall by regulation have appointed in that behalf and also to such owners as shall have first and second in order attended with loads of water at any such place such sum by way of reward as such council shall have in like manner appointed and every such payment shall be made if the council be satisfied on the certificate of some officer of the Council authorised in that behalf that the conditions contained in this sections have been fulfilled.

Compensation for attending fires. 70. The council having granted any license under this subdivision may at any time if it shall be proved to their satisfaction that the owner of the cart thereby licensed has been convicted of any offence against this Act or of any offence in respect of any property intrusted to him as such owner suspend for any stated time or on the like proof of a second such conviction or of any two such convictions suspend for any stated time or revoke as seems to them fit such license and no license while suspended under this section or otherwise shall be deemed to be of any force or virtue hereunder.

Rewards. 71. The driver of every cart which shall during the hours after sunset of any day and before sunrise of the following day be in any street or public place within the prescribed space for any borough borough shall keep a light attached to or suspended from the off or right side of such cart so as to be plainly visible to the driver of any carriage proceeding along or through such street or place in a contrary direction to that in which such first-mentioned cart shall be directed and in the case of a nightcart only such light shall be such and be so disposed as to appear white in front and red at the outer side and every driver who shall fail to comply with this section shall forfeit a sum not exceeding forty shillings.

Light for carts. 72. Every owner or driver of any cart who shall use or employ the same in loading or carrying or removing or depositing any nightsoil or other offensive refuse or matter within the borough between such hours of the night or shall deposit the same save at such places as respectively shall have been appointed by some regulation in that behalf shall forfeit a sum not exceeding five pounds.

Regulations. 73. The council of every borough in which this subdivision shall be in force and which shall not be within any common prescribed space may from time to time make regulations for all or for any of the purposes following that is to say—
For appointing the several sums to be paid for licenses for carts.
For appointing the weight to be carried for a single load by any cart licensed to stand or ply for hire.

For appointing the standings for carts licensed to ply for hire not being nightcarts and for woodcarts and watercarts respectively.

For appointing the rates and charges as well as for time distance weight or all or any of these to be paid for the hire of any licensed cart.

For appointing the amount or rate of compensation and of rewards respectively to be paid water-carters attending at fires under this sub-division.

For appointing the places at which and the hours not other than between seven o'clock in the evening and six o'clock on the following morning between which hours it shall be lawful to load carry remove or deposit nightsoil offal or other offensive refuse or matter.

74.—The councils of all boroughs to which this sub-division shall apply and which shall be within one common prescribed space may from time to time in manner in this Act mentioned together make joint regulations to be in force within such space for all or any of the purposes in the last preceding section mentioned save so far as the same extends to the appointing places for the standing for carts within any borough and each council may in manner in the said section mentioned severally make separate regulations for appointing such standings within the limits of the borough. Joint regulations.

4.—Pedlars and Hawkers.

88.—It shall be lawful for the council of every borough to make regulations for licensing pedlars and hawkers trading in the borough and for defining to what persons such regulations shall apply and for fixing the amounts to be paid to the borough fund for their licenses and for the registration of their names and for the regulation of their conduct. Pedlars' and Hawkers' licenses.

89.—If any person trading as or carries on business within any borough to which this sub-division shall apply as a pedler or hawker without having first obtained a license he shall forfeit and pay on conviction for every such offence a sum not exceeding five pounds and every person trading or carrying on such business as aforesaid within any such borough shall be deemed and taken to be unlicensed unless he shall prove to the contrary by the production of his license or otherwise. Trading without license.

90.—Every person licensed to trade or carry on business as a pedler or hawker within any borough to which this sub-division shall apply who shall not comply with any regulation made by the council of the borough under the powers given in this sub-division for the regulation of the conduct of pedlars and hawkers he shall forfeit and pay on conviction for every such offence any sum not exceeding forty shillings. Penalty for breach of regulations.

PART XI.

REGULATIONS OF PROCEEDINGS OF COUNCIL, OFFICERS, ETC.

1.—In all cases not herein provided for resort shall be had to the rules forms and usages of Parliament which shall be followed so far as the same are applicable to the proceedings of the council. General conduct of business.

2.—At every meeting of the council the first business thereof shall be the reading and putting a question for the confirmation of the minutes of the proceedings at the preceding meeting and the reading of the minutes of the proceedings of any committee presented at any such preceding meeting and no discussion shall be permitted thereon except as to their accuracy as a record of the proceedings and the said minutes of the proceedings of the preceding meeting shall then be signed as by this Act required and the rough minutes of the proceedings of the council at any meeting shall be read at the close of such meeting.

3.—After the signing of the minutes as aforesaid the order of business of any ordinary meeting shall be as follows or as near thereto as may be practicable but for the greater convenience of the council at any particular meeting thereof it may be altered by resolution to that effect.

- (i.) Reading of copies of letters sent by the authority of the council.
- (ii.) Reading letters received and considering and ordering thereon.
- (iii.) Reception and reading of petitions and memorials.
- (iv.) Presentation of reports of committees.
- (v.) Payments.
- (vi.) Ordinary business.
- (vii.) Orders of the day including subjects continued from proceedings of former meetings.
- (viii.) Extraordinary business and new rules and regulations.
- (ix.) Other motions of which previous notice has been given.
- (x.) Notices of motion.

And the order of business at a special meeting shall be the order in which such business stands in the notice thereof.

4.—Whenever a division shall be demanded by any councillor the councillors voting in the affirmative shall first hold up their hands and then those voting in the negative shall hold up their hands and the result be declared by the chairman.

5.—All addresses to the Governor shall be presented by the mayor and town clerk unless otherwise ordered by the council.

6.—All notices of motion shall be dated and numbered and given by the intending mover to the town clerk at the close of the meeting of council or if not required by law to be given at a meeting then three clear days prior to the next meeting of council and the town clerk shall enter the same in the notice of motion book in the order in which they may be received.

7.—No member shall make any motion initiating a subject for discussion but in pursuance of notice given as prescribed in the last preceding clause.

8.—No motion except that for receiving the same shall unless under some urgent circumstances be made on any petition memorial or other like application until the next ordinary meeting of council after that at which it has been presented.

9.—Except by leave of the council motions shall be moved in the order in which they have been received and recorded by the town clerk in the notice of motion book and if not so moved or postponed shall be struck out.

10.—No motion entered in the notice of motion book shall be proceeded with in the absence of the councillor who gave notice of the same unless by some other councillor producing written authority from him to that effect.

11.—No motion for an address or petition shall be entertained unless the mover shall at some previous meeting have submitted a draft of the same.

12.—Any councillor desirous of making a motion or amendment or taking part in discussion thereon shall rise and address the chairman and shall not be interrupted unless called to order when he shall sit down until the councillor (if any) calling to order shall have been heard thereon and the question of order disposed of when the councillor in possession of the chair may proceed with the subject.

13.—Any councillor desirous of proposing an original motion or amendment must state the nature of the same before he addresses the council thereon.

14.—No motion or amendment shall be withdrawn without the leave of the council.

15.—No motion or amendment shall be discussed or put to the vote of the council unless it be seconded but a councillor may however require the enforcement of any standing order of the council by directing the mayor's or chairman's attention to the infraction thereof.

16.—A councillor moving a motion shall be held to have spoken thereon but a councillor merely seconding a motion shall not be held to have spoken upon it.

17.—The councillors in meeting of council shall designate each other by their official titles namely that of mayor chairman or councillor as the case may require.

18.—If two or more councillors rise to speak at the same time the mayor or chairman shall decide which is entitled to priority.

19.—The mayor or chairman shall rise in addressing the council to discuss any question and shall not leave the chair on such occasions.

20.—No councillor shall speak a second time on the same question unless entitled to reply or in explanation when he has been misrepresented or misunderstood.

21.—The mayor or chairman when called upon to decide on points of order or practice shall state the provision rule or practice which he deems applicable to the case without discussing or commenting on the same and his decision as to order or explanation in each case shall be final.

22.—No councillor shall digress from the subject matter of the question under discussion or comment upon the words used by any other councillor in a previous debate and all imputations of improper motives and all personal reflections on councillors shall be deemed highly disorderly.

23.—Whenever any councillor shall make use of any expression disorderly or capable of being applied offensively to any other councillor the councillor so offending shall be required by the mayor or chairman to withdraw his expression and to make satisfactory apology to the council.

24.—A councillor called to order shall sit down unless permitted to explain.

25.—Any councillor using offensive or disorderly language and having been twice called to order or to withdraw or apologise for such conduct and refusing so to do shall be guilty of an offence.

26.—Any person not being a councillor who shall having been admitted to any meeting of the council be guilty thereof of any improper or disorderly conduct or who shall not leave when lawfully requested by the mayor or chairman so to do may be forthwith removed by him and shall be deemed guilty of an offence.

27.—Any councillor not attending in compliance with an order for a call of the whole council without reasonable excuse to the satisfaction of the majority thereof shall be deemed guilty of an offence.

28.—Any councillor may of right demand the production of any of the documents of the council applying to the question under discussion.

29.—The council shall vote by show of hands and any councillor present and not voting not being disabled by law from so doing shall be deemed guilty of an offence.

30.—The mayor or chairman shall in taking the sense of the council put the question first in the affirmative and then in the negative and the result thereof shall be recorded in the minutes.

31.—At every meeting of the council all motions whether original motions or amendments shall be reduced into writing signed by the mover and delivered to the chairman immediately on their being moved and seconded.

32.—No second or subsequent amendment whether upon an original proposition or on an amendment shall be taken into consideration until the previous amendment is disposed of.

33.—If an amendment be carried the question or amendment as amended shall become itself the question or amendment whereupon any further amendment upon any portion of the question or amendment coming after such first-mentioned amendment may be moved.

34.—If an amendment be negatived then a second may be moved to the question to which the first-mentioned amendment was moved but only one amendment shall be submitted to the council for discussion at a time.

35.—The mover of every original proposition but not of any amendment shall have a right to reply immediately after which the question shall be put from the chair but no councillor shall be allowed to speak more than once on the same question unless permission be given to explain or the attention of the chair be called to a point of order.

36.—No discussion shall be allowed on any motion for adjournment of the council but if on the question being put the motion be negatived the subject then under consideration or the next on the notice paper shall be discussed or any other that may be allowed precedence before any subsequent motion for adjournment be made.

37.—Any councillor may protest against any resolution of the council and notice of intention to protest shall in every case be given forthwith on the adoption of the resolution protested against and the protest shall specify the reasons for protesting and shall be entered three days at least before the next ordinary meeting of the council by the protesting councillor in a book to be kept for that purpose in the town clerk's office and signed by such councillor and shall be also entered in the minutes of the meeting at which notice of the intention to protest shall have been given previously to the confirmation thereof but such protest may be expunged from the minutes if declared by a majority of the council to be not in accordance with truth or in its terms disrespectful to the council.

38.—If a debate on any motion moved and seconded be interrupted by the number of the Lapsed questions. councillors present becoming insufficient for the transaction of business such debate may be resumed at the point where it was so interrupted on motion upon notice.

39.—If a debate on any order of the day be interrupted by such insufficiency of number as aforesaid happening such order may be restored to the notice-book for a future day on motion upon notice and then such debate shall be resumed at the point where it was so interrupted.

40.—Minutes of all proceedings of committees as well as of their reports numbered in con-Committees. secutive order shall be entered in the committees' minute-book and being signed by the chairman of the committee shall be presented to the council and the town clerk when practicable shall attend all meetings of committees.

41.—The town clerk shall convene every committee within ten days of the first appointment or at any other time thereafter by order of the council or on the written order of the chairman of the committee.

42.—No petition shall be presented after the council shall have proceeded to the orders of Petitions. the day.

43. It shall be incumbent on every councillor presenting a petition to acquaint himself

with the contents thereof and to ascertain that it does not contain language disrespectful to the council and that the contents do not violate any bye-law or any provision hereof.

44.—Every councillor presenting a petition to the council shall write his name at the beginning thereof.

45.—Every petition shall be in writing and not printed or lithographed and shall contain the prayer of the petitioners at the end thereof and be signed by at least one person on every skin or sheet on which it is written.

46.—Every petition shall be signed by the persons whose names are appended thereto by their names or marks and by no one else except in cases of incapacity by sickness.

47.—No letters affidavits or other documents shall be attached to any petition.

48.—Every councillor presenting a petition to the council shall confine himself to a statement of the persons from whom it comes of the number of signatures attached to it and of the material allegations contained in it and to the reading of the prayer thereof.

Appointments
etc. of officers.

49.—No appointment to any permanent office at the disposal of the council shall take place until seven clear days' public notice shall have been given by advertisement in one or more newspapers circulating in the borough inviting applications from qualified candidates for the same.

50.—The salary or allowance attached to all offices and places at the disposal of the council shall in all cases be fixed before they proceed to appoint any person to fill the same before the advertisement inviting applications as aforesaid and shall be specified in such advertisement.

51.—No councillor or officer of the council and no assessor or auditor of the borough shall be received as a surety for any officer appointed by the council or for any work to be done for the council.

52.—In all cases of security being given for the faithful performance of any duty or contract the expense of preparing such security shall be borne by the person providing the same.

Miscellaneous.

53.—All the plans and specifications for any public work shall be laid before the council at least six days prior to the same being considered and ordered upon and be open for inspection by any ratepayer during that time.

54.—It shall be lawful for the treasurer of the borough from time to time on the written order of the town clerk to disburse such moneys as shall have been appropriated by the council for the purpose of this clause and as shall be required for any necessary occasion not exceeding in the whole in any interval between two ordinary meetings of the council the sum of five pounds.

55.—The common seal of the borough shall be kept in a box having two locks of one of which locks the mayor and each councillor shall have a key and of the other of which locks the key shall be kept by the town clerk and the corporate seal shall not be affixed to any document unless the mayor and one other member of the council be present or in the absence of the mayor or unless two councillors be present.

56.—Any one or more of the rules or regulations contained in this subdivision may be suspended for a special purpose on motion upon notice duly given and shall not otherwise be suspended except by an unanimous vote of the council.

57.—If any person shall be guilty of any wilful offence or misfeasance or wilful or negligent act of commission or omission contrary to any provision contained in this subdivision he shall forfeit a sum not exceeding five pounds.

PART XXII

MISCELLANEOUS

1.—Pounds.

Pounds.

362. The council of every borough shall alone within and for such borough have and exercise the powers hereinafter specified which by the Ordinance of the Governor and Legislative Council of New Zealand intituled "An Ordinance to authorise and regulate the Impounding of Cattle" or which by any Act or Ordinance of any Provincial Legislature heretofore or hereafter to be passed amending the same or making provision for like purposes with the said Ordinances may or are required to be exercised by the Governor or the Governor in Council or by the Superintendent of any Province either with or without the advice of his Executive Council or by a Resident Magistrate or by Justices of the Peace that is to say all such powers conferred by the said Ordinance or any such Act or Ordinance as aforesaid as relate to the appointment establishment and abolition of pounds the appointment and removal of pound-

keepers and the filling up of vacancies in the office of poundkeeper the authority to be given for incurring expenses relating to the erection repair or removal of any pound the appointment to whom pound fees shall be paid over the appointment fixing altering and amending subject in each case to the approval of the Superintendent of fees for sustenance of cattle and for ordinary damages and the council shall provide the expenses of the erection removal and repair of all pounds within the borough and the poundkeeper shall be an officer of the council within the meaning of this Act and all pounds existing and all poundkeepers in office in any borough at the time of the first constitution thereof under this Act shall be deemed to all intents and purposes to have been respectively established and appointed by the council thereof and so much of all fines penalties and forfeitures and of all fees and sums of money which by reason of the operation of the said Ordinance or any such Act or Ordinance as aforesaid in or for or in respect of any borough shall be payable by any person as would if this Act had not been passed and such borough had not been constituted go and be paid and applied to the ordinary revenue shall belong to the council of such borough and be paid to the borough fund.

2.—Baths &c.

363. The council may from time to time by special order purchase rent or otherwise provide either within the limits of the borough or at a reasonable distance therefrom suitable and convenient land and buildings in a situation and according to plans to be approved of by the Superintendent or by such person or persons as the Superintendent shall from time to time direct to be used for public baths and washhouses and may fit up the same respectively with all requisite and proper conveniences and from time to time enlarge renew and repair the same respectively and afford the use thereof respectively to the inhabitants of the borough under and subject to such bye-laws as the council may make in that behalf and either without charge or at such reasonable charges as the council shall order by any such bye-laws.

Council may provide baths etc.

364. A printed copy of sufficient abstract of the bye-laws made by the council relating to the use of such baths so far as regards every such bath or washhouse shall be put in such bath and washhouse.

Copy of bye-laws to be posted.

2.—Places of Recreation etc.

365. The council may from time to time by special order purchase rent or otherwise provide lands grounds building or other places either within the borough or at a reasonable distance therefrom not exceeding four miles from the centre of the principal market-place (if any) or from the principal office of the council to be used as pleasure grounds libraries museums gymnasiums gardens or places of public resort or recreation and the council may from time to time level drain plant and otherwise lay out and may repair and improve any such public lands grounds or buildings for the more convenient use and enjoyment thereof and may afford the use and enjoyment thereof to the inhabitants subject to such bye-laws as the council may make in that behalf.

Council may provide places of recreation, libraries etc.

4.—Charitable Institutions.

366. The council of every borough may from time to time on such terms and conditions as may appear expedient appropriate such portion of the borough fund as they may see fit to erecting establishing maintaining or otherwise aiding any hospital asylum or other institution or society within or if the Superintendent consent without the borough for the relief of such poor persons as through age sickness infirmity or accident are unable to help themselves and also to the relief at their own houses or elsewhere within the borough of such poor persons as aforesaid.

Council may establish, aid etc, charitable institutions.

5.—Expense of obtaining Acts of Parliament.

367. If it shall be for the general benefit of the inhabitants of any borough that any work undertaken or thing be done carried out or provided by the council and the same cannot be effected without obtaining an Act of the General Assembly for the purpose it shall be lawful for the council to retain and employ such professional or other like services and to provide such stationery and other materials as may be necessary to promote and procure the passing of such Act and to expend as much of the borough funds as may seem fit in and about such purposes and the payment of any fees of office required with respect to such Act.

Expenses of obtaining Acts of Parliament.

6.—Co-operation of Councils.

368. Subject to the approval of the Superintendent it shall be lawful for the council of any borough from time to time to contract upon such terms and conditions as they may see fit with the council of any other borough in the same province or with any other body corporate or public body empowered in that behalf for or with respect to the doing and the control and management by either or both of the contracting parties of any matter or thing which the council of the borough or such other council or body is by law empowered to do control and manage.

Co-operation of separate councils.

7.—Fencing etc. of Works in Progress etc.

369. The council shall during the construction alteration or repair of any of the streets sewers or drains vested in them take proper precaution for guarding against accident by shoring up and protecting the adjoining houses and shall cause such bars or chains to be fixed across

Fencing and lighting works in progress.

or in any of the streets to prevent the passage of persons carriages and animals while such works are carried on as to the council shall seem proper and the council shall cause any sewer or drain or other works during the construction alteration or repair thereof by them to be lighted and guarded during the night so as to prevent accidents and every person who takes down alters or removes any of the said bars or chains or extinguishes any light without the authority or consent of the council shall for every such offence be liable to a penalty not exceeding five pounds.

Fencing of dangerous places near street.

370. If any hole or place near any street whether public or private be for want of sufficient protection or enclosure dangerous to the passengers along such street the council shall cause the same to be protected or enclosed so as to prevent danger therefrom and the expenses of such protection or enclosure shall be repaid to the council by the owner of the premises so protected or enclosed.

8.—Notice to and Remedies &c. against Owners etc.

Notices how given to owners.

371. Every notice which by this Act is required to be given to the owner of any building or land shall be addressed to the owner of such building or land and shall be served on the occupier thereof or left with some inmate of his abode or if there be no occupier may be put up on some conspicuous part of such building or land and it shall not be necessary in any such notice to name the owner of any such building or land. Provided always that when the owner of any such building or land and his residence are known to the council it shall be the duty of the council if such owner be residing within the borough to cause every notice required to be given to the owner to be served on such owner or left with some inmate of his abode and if such owner be not resident within the borough they shall send every such notice by the post in a registered letter addressed to their residence of such owner.

Occupier may act in certain cases on default of owner.

372. Whenever default is made by the owner of any building or land in the execution of any work by this Act required to be executed by him the occupier of such building or land may with the approval of the council of the borough cause such work to be executed and the expense thereof shall be repaid to such occupier by the owner of the building or land and such occupier may deduct the amount of such expense out of rent from time to time becoming due from him to such owner.

Expenses payable by owner how recoverable from him.

373. If the owner of any building or land made liable by this Act for the repayment to the council of any expenses incurred by them do not as soon as the same become due and payable from him repay all such expenses to the council the council may recover the same from such owner before two justices or in an action of debt in any court having jurisdiction.

May in certain cases be recovered from occupier.

374. The council may by way of additional remedy whether any such action or proceeding has been brought or taken against any such owner or not require the payment of all or any part of the expenses payable by the owner from the time being from the person who then or at any time thereafter occupies any such building or land under such owner and in default of payment thereof by such occupier on demand the same may be recovered from him before two justices.

But occupier not to be liable beyond rent due or to become due after notice.

375. Provided always that no occupier of any building or land shall be liable to pay more money in respect of any expenses charged by this Act on the owner thereof than the amount of rent due from him for the premises in respect of which such expenses are payable at the time of the demand made upon him or which shall at any time after such demand and notice not to pay the same to his landlord have accrued and become payable by him unless he neglect or refuse upon application made to him for that purpose by the council truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable but the burden of proof that the sum demanded of any such occupier is greater than the rent which was due by him at the time of such demand or which has since accrued shall lie upon such occupier. Provided further that nothing herein contained shall be taken to affect any special contract made between any such owner and occupier respecting the payment of the expenses of any such works as aforesaid.

Payment of expenses by instalments in certain cases.

376. Where any such expenses payable to the council by any owner of any such building or land amount to more than half the amount of the net annual value of such building or land the council may if they think fit at the request of any such owner allow time for the repayment of such expenses and receive the same by such instalments as they under the circumstances of the case consider reasonable but so that the same be repaid by annual instalments of not less than one-seventh part of the whole sum originally due with interest for the principal money from time to time remaining unpaid after the yearly rate of six pounds in the hundred during the period of forbearance but all such sums remaining due notwithstanding the council have agreed to allow any time for the repayment thereof as aforesaid shall from time to time at the expiration of the several times so allowed for repayment thereof be recoverable in like manner as such respective amounts would have been recoverable if no such time had been allowed for repayment thereof.

Occupier obstructing owners in carrying Act into effect.

377. If the occupier of any building or land within the borough prevent the owner thereof from carrying into effect in respect of such building or land any of the provisions of this Act after notice of his intention so to do has been given by the owner to such occupier any justice upon proof thereof may make an order in writing requiring such occupier to permit the owner to

execute all such works with respect to such building or land as may be necessary for carrying into effect the provisions of this Act and if after the expiration of ten days from the date of such order such occupier continue to refuse to permit such owner to execute such works such occupier shall for every day during which he so continues to refuse be liable to a penalty not exceeding five pounds and every such owner during the continuance of such refusal shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

9.—*Other Matters.*

378.—Every offence hereby or by any bye-law made hereunder punishable by a penalty shall be prosecuted and all fines and penalties imposed by this Act or any bye-law made hereunder shall be recoverable in a summary way before any two justices of the peace in the manner provided by "The Justices of the Peace Act 1866" or by any Act for the time being in force for the like purposes as those of the said last-mentioned Act.

379. Any justice or resident magistrate and any judge of any district court and any judge of the Supreme Court notwithstanding that such justice resident magistrate or judge is or is liable to be rated within any borough under any of the provisions in this Act contained or is a resident or is owner or occupier of land within any such borough may hold any court or do any act matter or thing or adjudicate in the recovery of rates and in appeals against rates and in revising lists of voters and may hear and determine informations and complaints and hear and adjudicate upon all other matters and things which such justice resident magistrate judge of a district court or a judge of a Supreme Court might hold do or adjudicate upon if he had not been liable to be so rated or had not been such resident owner or occupier.

380. In all cases in which no provision or no sufficient provision is in the opinion of the Governor made by this Act it shall be lawful for the Governor from time to time for the purpose of facilitating or more effectually carrying into execution any of the objects thereof to make and prescribe all such regulations and orders either general or applicable to particular cases only as he shall think fit and such regulations and orders from time to time to revoke or alter as to the Governor shall appear to be requisite.

381. The council shall for the purposes of this Act have power by themselves or their officers to enter at all reasonable hours in the daytime into and upon any building or land within the borough for the purpose of executing any work or making any inspection authorised to be executed or made by them under this Act without being liable to any legal proceedings on account thereof. Provided always that except herein otherwise provided the council or their officers shall not make any such entry upon occupied premises unless with the consent of the occupier until after the expiration of twenty-four hours' notice for that purpose given to the occupier.

382. Every person who shall at any time obstruct the council or any person employed by them in the performance of any thing which they are respectively empowered or required to do by this or any other Act shall be liable to a penalty not exceeding five pounds.

383. The council may direct any prosecution for any public nuisance whatsoever created permitted or suffered within the borough and may order proceedings to be taken for the recovery of any penalties and for the punishment of any person offending against the provisions of this Act and may order the expenses of such prosecution or other proceedings to be paid out of the borough funds.

384. Whenever any day provided or appointed by or under this Act for any purpose shall in any year happen on a Sunday Good Friday or Christmas Day or any proclaimed Fast Day then such provision and appointment shall take effect as for the following day.

385. Where under this Act any act matter or thing is to be done by a Superintendent of a province if by any Act or Ordinance of such province for the time being in force it is provided that the Superintendent thereof shall in the administration of the affairs of such province act by and with the advice and consent of an Executive Council such Superintendent in doing any act matter or thing hereunder or exercising any power conferred on him hereby shall act by and with the advice and consent of an Executive Council in the same manner as if such act matter or thing were to be done under an Act or Ordinance of the Legislature of such province and if any Superintendent shall fail or neglect to do any act matter or thing or to make any appointment which under this Act is to be done or made by him the Governor may on the petition of the council of the borough do such act matter or thing or make such appointment (as the case may be) and if at the time being there shall be no councillors of such borough in office under this Act the Governor may do any such act matter or thing or make any such appointment as aforesaid without any petition whatever and in any such case if by this Act a time is fixed at or within or before which any such act matter or thing or appointment is to be done or made and the Superintendent shall have failed or neglected as aforesaid to do such act matter or thing or make such

If Superintendent fails to make appointment etc. Governor may on petition of council.

385. appointment at within or before the prescribed time it shall be lawful for the Governor if he proposes to do such act matter or thing or make any such appointment to extend or alter the time for doing such act matter or things or making such appointment and if necessary to extend or alter the time for doing any other acts matters or things which under the provisions hereinbefore contained are consequent or in any manner depend on the act matter or thing or appointment which the Superintendent shall have failed or neglected to do or make at the prescribed time.

Governor's proclamation etc. to be published in the New Zealand Gazette.

386. Where by this Act it is provided that any proclamation order notice appointment or other matter or thing made or done by the Governor shall be published or notified in the *Gazette* such publication or notification shall be in the *New Zealand Gazette* and where by this Act it is provided that any proclamation order notice appointment or other matter or thing made or done by a Superintendent of a province shall be published or notified in the *Gazette* such publication or notification shall be in the *Government Gazette* of such province.

Right of making roads etc. reserved to Government.

387. Notwithstanding anything herein contained it shall be lawful for the Governor or the Superintendent to cause to be made constructed maintained and repaired within any borough or such roads and bridges as he shall think fit and also to cause to be constructed in or through any borough any railway canal or any other work whatsoever which shall be authorised by law and for all such purposes as aforesaid such persons as the Superintendent shall appoint shall have all the powers which are hereby vested in the council of such borough in the like behalf for the construction maintenance or repair of roads or bridges or for the execution of any permanent work or undertaking.

Certain roads etc. exempted from control of council.

388. Nothing herein shall authorise the interference by any council with any public road railway bridge ferry cemetery market wharf aqueduct public place or building whatsoever not formed constructed or erected by such council which may be excepted from the jurisdiction of such council by any proclamation made or to be made by the Superintendent or respecting which special provision shall have been or shall be made by any Act of the General Assembly or of any provincial Legislature. Provided that the Superintendent may by proclamation authorise the council to take upon itself the charge of any such excepted public road railway bridge ferry cemetery market wharf aqueduct public place or building within the limits of the borough and in actual use by the people of such borough upon such conditions as shall be specified in such proclamation with reference to the amount of compensation to be paid by the council.

Fines etc. under this Act to be paid to borough fund.

389. All fines and penalties paid or recovered under any of the provisions of this Act or of any bye-law made or adopted hereunder shall be paid over by the clerk or other proper officer of the court in which the same shall have been recovered to the council of the borough within which the offence or breach for which such fines or penalties shall be imposed shall have been committed and all fines and penalties paid or recovered under this Act or any such bye-laws as aforesaid for any act matter or thing done within or with respect to any borough or for any omission or neglect to do any act matter or thing which ought under the provisions of this Act or any such bye-laws as aforesaid to have been done within or with respect to any borough shall be paid to the council of such borough and all such fines and penalties as aforesaid shall when received form part of the borough fund.

Superintendent may extend any parts of this Act to any incorporated city or town.

390. It shall be lawful for the Superintendent of any province by proclamation published in the *Government Gazette* of such province to declare that any complete parts of the several parts of this Act numbered two to twenty-two inclusive as he shall consider applicable shall extend and be applied to any city town or place in such province incorporated at the time of passing of this Act under any Act of Ordinance of the Legislature of such province and in such proclamation to fix a time at which such parts or any of them shall extend to any such city town or place but no such proclamation shall be valid or have any force which affects to proclaim any provisions contained in any part without the remainder of the provisions of such part.

Passed by the said Council the eighth day of September, 1873.

WILLIAM ALFRED YOUNG,
Mayor.

WILLIAM COBDEN,
Town Clerk.

I do hereby Confirm the said Bye-laws.

As witness my hand, at Dunedin, this first day of February, one thousand eight hundred and seventy-six.

(L.S.)

J. MACANDREW,
Superintendent of the Province of Otago.