



SOUTHLAND
PROVINCIAL GOVERNMENT
GAZETTE.

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PROCLAMATION

By **JAMES A. R. MENZIES, Esq.**,
Superintendent of the Province
of Southland.

IN PURSUANCE of the provisions
of the "Provincial Reserved Bills
Act, 1858," section 2, I hereby notify
that the Ordinances passed by the Pro-
vincial Legislature of the Province of
Southland, entitled

"The Oreti Railway Ordinance, 1863;"

"The Appropriation Ordinance, No. 2,
1863,"

have been laid before His Excellency the
Governor, and that His Excellency has
assented to the same.

Given under my hand and issued
under the Public Seal of the
Province of Southland, this
seventh day of March, One
thousand eight hundred and
sixty-four.

J. A. R. MENZIES,
Superintendent.

IT IS HEREBY NOTIFIED that
CUTHBERT COWAN, Esq., M.P.C.,
ALEXANDER M'NAB, Esq., M.P.C., and
JOHN M'KAY, Esq., M.P.C.,
have resigned their seats in the Executive
Council of the Province of Southland.

J. A. R. MENZIES,
Superintendent.

Superintendent's Office,
Southland, 3rd March, 1864.

IT IS HEREBY NOTIFIED that I
have appointed

W. F. TARLTON, Esq., M.P.C.,
CUTHBERT COWAN, Esq., M.P.C., and
SAMUEL BEAVEN, Esq., M.P.C.,

to be Members of the Executive Council
of the Province of Southland.

J. A. R. MENZIES,
Superintendent.

Superintendent's Office,
Southland, 3rd March, 1864.

FOOTPATHS, INVERCARGILL.

IN PURSUANCE of the powers vested in me, I hereby give notice that from and after the date of the Publication hereof, the footpaths hereinafter described shall be, and be deemed to be, public footpaths, within the meaning of the "Footpath Ordinance, No. 12, session 8," of the Legislative Council of New Zealand.

A footpath on each side of Dee-street.

A footpath on the east side of Deveron-street.

A footpath on each side of Kelvin-street; in that portion of the said street which extends between Tay-street and Esk-street.

A footpath on each side of Esk-street.

A footpath in that portion of Forth-street which extends between Conon-street and Ness-street.

A footpath on the west side of Conon-street; in that portion which extends between Tay-street and Forth-street.

A footpath on each side of Tay-street;

And which footpaths have been well and sufficiently made and completed for the use and accommodation of foot passengers.

Given under my hand this fourth day of March, One thousand eight hundred and sixty-four.

J. A. R. MENZIES,
Superintendent.

IN THE SUPREME COURT OF NEW ZEALAND.

Otago and Southland District.

IN the matter of the Petition of James Hemsley, of Invercargill, in the Province of Southland, a debtor, and in the matter of the Petition of Samuel Palmer, of Invercargill aforesaid, being a creditor of the said James Hemsley to the extent of not less than Fifty pounds, and in the matter of the Debtors and Creditors' Act, 1862.

Take Notice, That I have this day, with the concurrence of Samuel Palmer above named, presented and filed my Petition for the Sequestration of my Estate for the benefit of all my Creditors, and for relief

according to the provisions of the Debtors and Creditors' Act, 1862, and that the said Petition has been accepted by his Honor the Judge, who has appointed Monday, the 21st day of March, A.D. 1864, at ten o'clock in the forenoon, at the Supreme Court House, Dunedin, for the hearing of the said Petition, at which time and place all parties concerned are to attend.

Dated this 19th day of February,
A.D. 1864.

JAMES HEMSLEY.

TIMBER LICENSE REGULATIONS.

1. Ranger shall be appointed to each District to visit and inspect all parties cutting timber therein.

2. The Districts shall be of such form and magnitude that each Ranger may, at least once in every month, visit every portion of his District.

3. Ranger shall keep a book, in which he shall enter the names of all parties holding licenses to cut timber in his District, with a description of the places in which they are located, the day and hour at which he shall have visited any licensed timber cutter in his district, together with remarks as to the manner in which such cutting is being carried on.

4. In the event of any person cutting timber within the District of any Ranger without holding a license from the Waste Land Board to do so; or when any licensed wood cutter shall not have paid the fees due, or otherwise shall have done anything in contravention of these regulations, the Ranger shall warn such parties to discontinue cutting, and shall forthwith give notice of the same at the Waste Land Office, and (if required by the Chief Commissioner) shall prosecute such party in the nearest Resident Magistrate's Court, and he shall from time to time, and as directed by the Chief Commissioner, report all his proceedings to the Chief Commissioner of Waste Lands, and submit his book for his inspection.

5. On any new applicant obtaining from the Waste Land Board a provisional license, the Ranger of the District shall accompany such new licensee to the place selected by him for so cutting, and if he shall see no objection thereto, he shall put the licensee in possession of such suitable place, and shall authorise his proceeding to cut timber thereon.

6. No saw-pit to be occupied by such new licensee shall be within 200 yards of any saw-pit already occupied by licensed wood cutters, or shall otherwise infringe upon any right formerly granted by the Waste Land Board, and if any disputes as to right to cut timber shall arise between contiguous license holders, such disputes shall be determined and settled by the Ranger.

HAND SAWYERS.

Any person desirous of obtaining a license to saw or split timber on Waste Lands of the Crown, shall make application at the Waste Land Office, and such application shall set forth, as nearly as may be, the exact place for which such license is required, and the applicant shall deposit and pay the sum hereinafter provided, to be the first quarterly payment for his license.

If the Waste Land Board shall think such application proper to be granted, it shall issue a provisional license for such period of the year as may remain, and the fees payable thereon, for each pair of sawyers, or splitters, shall be £3 for the first quarter, or if more than one half of the current quarter shall have expired, then £1 10s. for the remainder of the first quarter, and £2 for every subsequent quarter; such fees to be paid in advance, the first, prior to the issue of the license, and the other on the quarter days—viz., March 31st, June 30th, September 30th, and December 31st; and for each person employed cutting firewood one half of these rates: Provided that actual settlers requiring to split timber, or to cut firewood on the Waste Lands of the Crown, for their own use only, and not for sale, may do so on payment of £2 10s., or £1 respectively per annum as heretofore.

The licensee shall then take the provisional license to the ranger of the district, and within one week thereafter, the ranger shall visit the proposed place, and if he shall see no objection thereto, he shall authorise the licensee to commence sawing, splitting, or cutting; and if it shall appear to the ranger unfit that the applicant should cut timber in the place desired by him, then the applicant may either cut in such other place as the ranger may point out, or he may have the certificate cancelled, and shall receive back the deposit paid by him, less £1.

GENERAL REGULATIONS.

1. Every person cutting or sawing

timber shall completely clear away, and burn, or otherwise remove, all the tops and branches of all felled trees, and all material liable to catch fire, or otherwise to do injury to the forest.

No person to cut down or otherwise injure, any trees not required by him for the purpose of his business, and if it shall appear to the ranger that either of these regulations has been infringed, he shall immediately give notice of the same at the office of the Waste Land Board, and shall temporarily suspend the license of the party offending, and if the Chief Commissioner shall judge that such infringement has been wilful, then the License shall be cancelled.

Any person who shall cut timber without a license, or before he has been duly authorised by a ranger, or who shall continue to saw or cut timber after any quarterly payment shall be due, and not paid, or after the ranger, by reason of any alleged breach of these regulations, shall have given him notice to discontinue cutting, shall be treated as an unlicensed trespasser, and shall be liable to a penalty of £1 per week, for every week, or part of a week, during which he shall continue such unauthorised cutting. No logs or unwrought timber are to be drawn out of the bush, or disposed of, without a special license for the purpose.

SAW MILLS.

Exclusive rights to cut timber on Waste Lands will be granted on the following terms:—

1. No portion of bush lands exceeding 300 acres shall be granted for the erection of any one sawmill.

2. A minimum payment shall be made by instalments, in the way of rent, amounting in the whole to at least £1 per acre for all bush land, over which exclusive rights of cutting shall be granted.

3. Within six months after the granting of any exclusive license, machinery and plant, to the value of £2 per acre, to be properly erected to the satisfaction of the ranger; such plant and machinery not to be taken down or removed until a certificate shall have been obtained from the ranger or other person duly appointed in that behalf, that all the conditions of these regulations have been complied with.

MODE OF APPLICATION—DETERMINATION
OF RENT, ETC.

Any person making application for an exclusive license, shall set forth in his application a description, as near as may be, of the land required, and shall, before such application can be received, deposit and pay the sum of £50 to the Receiver of Land Revenue.

Within ten days after the receipt of any such application, the Waste Land Board shall determine whether the application is fit to be granted, and if it shall decide in the negative, then the deposit shall be forthwith returned to the applicant without deduction; but if it shall decide conditionally to grant the application, then the Chief Surveyor shall, within one month, cause the outer boundary of the land so applied for to be cut, and a ranger shall go over the land, and shall report to the Waste Land Board the quality of the timber standing upon it, and within 60 days after the first application, the Waste Land Board shall decide on the price per acre at which it will grant the exclusive right to cut the timber; such price not to be less than £1, nor more than £2 per acre in the whole, and the price so fixed shall be intimated to the applicant by a notice which shall be exhibited in the Land Office.

If the applicant shall object to the price so fixed, then he may withdraw his application, and the deposit paid in shall be returned to him after deducting therefrom the cost of cutting the boundary line and £5 for the expenses of examination, etc.

If there shall be more than one applicant for the same piece of forest land, and after the minimum value of the timber thereon has been fixed by the Waste Land Board, more than one of the applicants shall be willing to take it at that value, then the license shall be put up to auction between such applicants, and the value fixed by the Waste Land Board shall be the upset price, and the license shall be granted to whichever of the applicants shall be the highest bidder, and the deposits paid by the other applicants shall be returned to them without deduction.

The expense of cutting the boundary lines, together with £10 for the cost of examining the forest, &c., shall be charged against the deposit paid in by the suc-

cessful applicant, and the balance, if any, of such deposit shall be allowed in account out of the payment of the first instalment of rent.

The value fixed on the timber by the Waste Land Board, or if put up to auction the price at which it shall be knocked down to the highest bidder shall be divided into three equal instalments, and the first instalment shall be paid within one month after the determination of its amount by the Board, or after the auction, if there shall have been more than one applicant, and a license shall be issued for the period of the year which may remain before the 31st December.

On the 31st of December, or within one month thereafter, the second instalment of rent shall be paid, and on its due payment, and on proof of the due performance of the other conditions, provided a new license for one year will be issued subject to a similar payment at its expiration; but no license will be renewable beyond the period of two years after the 31st of December next ensuing after the granting of the first license.

Before the issue of any renewed license the lessee shall produce a certificate from the Ranger or other person duly approved by the Waste Land Board on that behalf:—

1. That all tops of felled trees and other obstructions, and all piles of combustible material arising from or produced by the felling of timber have been burned, or otherwise effectually removed.
2. That no trees or saplings not required for the purposes of the mill have been injured or destroyed by the act, or by the neglect of the lessee or his servants.
3. That the land has not been used by the lessee for other purposes than for the sawing and working up of the timber, and that no unnecessary injury has been done to the land.

And if it shall appear that these Regulations have not been complied with; or that any wrongful acts have been done by the lessee, then the Waste Land Board shall appoint a valuator to ascertain and assess the amount of damage which the land or the forest, or any part thereof, may have sustained by such wrongful acts, and no new license shall be granted until the amount of damage so assessed shall have been paid, in addition to the sum due by way of rent.

WALTER H. PEARSON,
Chief Commissioner.

PROCLAMATION

By J. A. R. MENZIES, ESQUIRE,
Superintendent of the Province
of Southland, in the Colony of
New Zealand.

WHEREAS by the 4th Section of the "Roads' Ordinance, 1862," it is enacted that "Whenever it shall appear to the satisfaction of the Superintendent that a population of not less than two hundred reside in any district of not less than ten thousand acres in area; or if a majority of the inhabitants of such district shall Petition the Superintendent in writing, the Superintendent shall with all convenient speed notify by Proclamation in the *Provincial Government Gazette*, that such district shall be a Road District within the meaning of this Ordinance, from a certain day to be named in such Proclamation, and shall also therein define the limits of such District:" And Whereas a majority of the inhabitants of the district hereinafter described, have Petitioned me in writing, to notify the same district to be a Road District within the meaning of the said Ordinance:

Now, therefore, in pursuance of the power in me vested in that behalf, I, the said J. A. R. Menzies, Superintendent of the said Province, do hereby notify that from and after the day of the date hereof, the district hereinafter described, and being of not less than ten thousand acres in area, shall be a Road District within the meaning of the said Ordinance: And I do hereby define the limits of such district to be as follows, that is to say, commencing at N.W. corner of Section 8, of Block I., Invercargill Hundred, bounded on the West by the east side of Town Belt Road, from its intersection with Tay-street to the southern extremity of the town of Invercargill, and by the east side of the prolongation of the same road to the southern boundary of Section 4, Block III., Invercargill Hundred; on the South by a line running due east in continuation of the south boundary of section 4, Block III.; On the East by a Meridional line running in the centre of the road between Blocks VII. and VIII., Invercargill Hundred, and by the production of the same line south to meet the south boundary line; and on the North by the centre of the road running on the north side of Sections 1, 2, 3, 4, 5, 8, and 9, and on part of the western side of Section 19, of Block VII., Invercargill Hundred, and by the south side of the Dunedin Road to the starting point

at the N.W. corner of Section 8, of Block I., Invercargill Hundred.

And which said district shall be called the Oterewa Road District.

Given under my hand and issued under the Public Seal of the Province of Southland, this eighth day of March, One thousand eight hundred and sixty-four years.

J. A. R. MENZIES,
Superintendent.

INVERCARGILL TOWN BOARD.

I, ROBERT MITCHELL, Returning Officer, appointed by His Honor the Superintendent of the Province of Southland, to preside at a meeting of the Electors entitled to vote for members for the Town of Invercargill, in the Provincial Council of Southland, assembled on Saturday, the 5th day of March, at 12 o'clock at noon, at the Mechanics' Institute, Invercargill, for the purpose of electing three persons to be Members of the Town Board of Invercargill, hereby certify that the following persons were duly elected by a majority of votes:

ISAAC BROAD,
DAVID WEBSTER,
G. M. K. CLARKE,

Given under my hand, at Invercargill, this seventh day of March, 1864.

ROBERT MITCHELL,
Returning Officer.

Invercargill Public Pound,
6th March, 1864.

IMPOUNDED one bay mare, branded JT near shoulder; HR (conjoined), off shoulder.

1 bay horse MW near shoulder; MW near hip.

1 dark chestnut horse, no visible brand, about five years old.

If not claimed, to be sold at the Pound here, on the first day of April next, at 12 o'clock noon.

JAS. T. PETRIE,
Poundkeeper.

RETURN OF CATTLE Slaughtered in the Province of Southland, from 1st to 29th February, 1864.

Treasury, Southland,
8th March, 1864.

DISTRICT IN WHICH SLAUGHTERED.	GREAT CATTLE.	SHEEP.	PIGS.	TOTALS.	REMARKS.
Invercargill	88	509	2	599	
Riverton	21	20	—	41	
Lowther.....	2	2	—	4	
Campbelltown	—	19	2	21	
Totals	111	550	4	665	

J. F. KELLS,
Registrar of Brands.