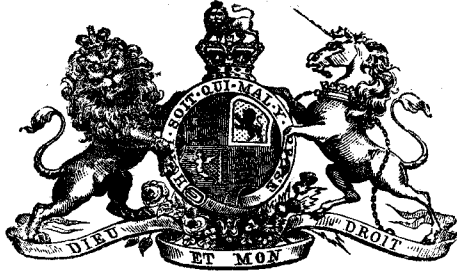


ERRATUM.  
In Gazette No. 13, vol. 2, page 477, after the words "Long Bush at 10 A.M. on" read *third* instead of "*first*."



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# SOUTHLAND PROVINCIAL GOVERNMENT GAZETTE.

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Published by Authority.

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Vol. 2.]

THURSDAY, 21<sup>ST</sup> APRIL, 1864.

[No. 14.]

## PROCLAMATION

By JAMES A. R. MENZIES, Esquire,  
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  
following Ordinances passed by the Pro-  
vincial Legislature of the Province of  
Southland, namely:—

"Electric Telegraphs Ordinance,  
1863;"

"Debentures Ordinance, 1863,  
Amendment Ordinance, 1864;"

"Pig and Poultry Nuisance Ordi-  
nance, 1864;"

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  
nineteenth day of April, One  
thousand eight hundred and  
sixty-four.

J. A. R. MENZIES,  
Superintendent.

IT is hereby notified that I have ap-  
pointed

WILLIAM INNES BRIDGES, Esq.,  
to be Chief Ranger, Waste Lands De-  
partment.

J. A. R. MENZIES,  
Superintendent.

Superintendent's Office,  
Southland, 8th April, 1864.

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## INVERCARGILL TOWN BOARD.

### ELECTION OF ONE MEMBER.

IN pursuance of the provisions of the  
"Town Board Ordinance, 1863," I, the  
Superintendent of the Province of South-  
land, do hereby appoint the Electors en-  
titled to vote for Members for the Town  
of Invercargill, in the Provincial Council  
of Southland, to assemble upon Monday,  
the second day of May, in the office of the  
said Board for the purpose of electing one  
legally qualified person who shall be a  
Member of the Town Board, under the

provisions of the Ordinance aforesaid, in the room of

SAMUEL BEAVEN, Esq.,

resigned: And I hereby appoint

ROBERT MITCHELL, Esq.,

of Invercargill, Returning Officer, to preside at the said meeting and in the event of a poll being demanded I hereby appoint the polling to take place in the office of the said Board, on Tuesday the third day of May, 1864.

J. A. R. MENZIES,

Superintendent.

Superintendent's Office,

Southland, 16th April, 1864.

#### WALLACETOWN PUBLIC POUND.

**I**MPOUNDED on Saturday, one Chestnut Horse, branded J.C. off  
44  
shoulder; brand somewhat resembling  
(O) on the near shoulder.

If not claimed to be sold hereat on the 14th day of May next, at twelve o'clock noon.

F. PELLING,  
Poundkeeper.

16th April, 1864.

[Republished from *New Zealand Gazette*, Thursday, March 3rd, 1864.]

#### A PROCLAMATION

By His Excellency Sir GEORGE GREY, Knight, Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice Admiral of the same, &c., &c.

**W**HEREAS by the "Definition of Districts Act, 1858," the Governor is empowered from time to time by Proclamation in the New Zealand Gazette, to divide the Colony into Counties, Hundreds, Parishes, or such other divisions as he may deem expedient, which shall have such limits, and shall bear and be known by such names or designations as in and by the said Proclamation constituting the same shall be prescribed.

Now, I, the Governor of New Zealand, do hereby proclaim and declare that the territory hereinafter described or referred to shall be, and the same is hereby constituted a Village, that is to say, All that

territory in the Province of Southland, containing by admeasurement 499 (Four hundred and ninety-nine) acres, 2 (Two) roods, and 25 (Twenty-five) perches, more or less, bounded on the North and East by the Ocean and Jacob's River Estuary, on the South and East by the South Eastern Boundary of Section 3, Block 11, Jacob's River Hundred, on the South and West by the South Western Boundary of Sections 3 and 13, Block 11, and 3, 4 5, 6, and 7, Block 1, Jacob's River Hundred, and on the North-West by the North-Western Boundary of Section 7, Block 1, Jacob's River Hundred, containing 499 (Four hundred and ninety-nine) acres, 2 (Two) roods, and 25 (Twenty-five) perches, more or less:

And I further proclaim and declare that the said Village shall bear and be known by the name or designation of the Village of South Riverton.

Given under my hand, and issued under the Public Seal of the Colony of New Zealand, at Government House, at Auckland, this twenty-fifth day of February, in the year of Our Lord, One thousand eight hundred and sixty-four.

G. GREY.

By His Excellency's command,

WILLIAM FOX.

#### CRIMINAL PROSECUTIONS.

**T**HE Law in reference to Criminal Prosecutions is the same in New Zealand as in England. Some person in all cases is or ought to be bound over to prosecute, and that person has a right to conduct the prosecution in the Supreme Court, or to employ a Solicitor and Counsel to do so.

It has been thought advisable not to alter the Law here, but having regard to the difference of circumstances between England and New Zealand, there are certain details for which some special provision should be made, and especially specific instructions given to those whose duty it is to conduct prosecutions both before Justices of the Peace and in the Supreme Court. The following Regulations will for the future be acted on;—

1. In all prosecutions, except in special cases, where Solicitors are employed by direction of the Government, or by prosecutors, the management of the case in the usual manner before Justices of the Peace will be left to the Police.

2. An allowance will be made to Prosecutors and witnesses of expenses actually and necessarily incurred by them in attendance before Justices: the amount to be fixed by the Committing Justices immediately after the hearing of the case, and a certificate granted. The amount stated in the certificate will be paid on presentation at the Colonial Treasury or Sub-Treasury.

3. The Committing Justice, or his Clerk, shall ascertain from the prosecutor, as soon as a committal for trial takes place, whether he intends to take charge of the conduct of the prosecution, or authorises a Solicitor, appointed by the Crown, to act on his behalf.

4. If the prosecution is left to such Solicitor, the Committing Justice or his Clerk will make a memorandum on the depositions to that effect, and forthwith transmit them to the Registrar of the Supreme Court of the District in which the trial is to take place.

5. On receipt of the depositions, the Registrar will cause a copy to be made without delay, and transmit the same to the Crown Solicitor for the District.

6. It will be the duty of the Crown Solicitor to carefully consider the depositions at once, and prepare the case for the Supreme Court, taking special care that any additional witnesses that can be obtained in support of the case are subpoenaed. The Police will render assistance in serving subpoenas.

7. The Crown Solicitor or Counsel employed by him will conduct the prosecution at the trial. The Police will render assistance in procuring the attendance of witnesses, and having them ready to be examined when required, but the Solicitor will be responsible that this duty is properly performed.

8. It will be competent for the Judge presiding at the trial to give such directions as he may think fit, as to the disal-

lowance of the whole or any part of the costs of the prosecution, including allowances to witnesses.

9. Subject to such directions, the Solicitor who has conducted the prosecution, whether at the instance of the Prosecutor, or of the Crown, will make out a Bill of costs, including allowances to witnesses.

10. The Registrar of the Supreme Court of the place at which the trial takes place, will tax the Bill of Costs, giving effect to any directions the presiding Judge may have given, and grant a certificate of the amount allowed in each case.

11. The amount allowed to the Crown Solicitor will be according to the following scale; and the amount specified in such certificate will be paid at the Treasury or Sub-Treasury on presentation of the certificate to the Solicitor having charge of the prosecution, who will pay the witnesses their allowances.

*Proposed Scale of Costs in every Case.*

	£	s.	d.
Solicitor preparing case for and attending trial ...	2	2	0
Counsel's fee on trial...	2	2	0
	4	4	0

When subpoena required, same to be issued by Solicitor, and served by Police.

*Costs allowed Solicitor as follow:—*

	s.	d.
Attendance for each subpoena	3	4
Each copy ... ..	1	0
Instructing Police as to service	3	4

FRED. WHITAKER.

Attorney-General's Office,  
Auckland, February 23, 1864.

THE following List of ACCEPTED and Non-ACCEPTED Tenders is published for general information:—

WORK.	ACCEPTED.	DECLINED.
Construction of 25 chains of road, north of last Bush	John Campbell, £526 4s.	F. Matheson & Co., £698 8s. 8d. M'Neil & Wilson, £726 3 9d. Henry Clarke, £799 10s.
Approaches to New River Punt	George Dyer, £98 17s. 6d.	Peter Larsen, £165 2s. 2d. P. Cameron & Co., £304 12s.
Maintenance of part of road between Invercargill and Campbelltown	None. Re-advertised	Ross & M'Gregor John Campbell M'Neil & Wilson
Planking Oreti Bridge	Cameron & Paterson, £83 10s.	J. Gray & Co., £89 19s. D. M'Leod, £102 2s. 4d. C. M'Kinnon, £105 5s. Hall & M'Donald, £114 12s.
Planking Waihopsi Bridge	None. Re-advertised	C. M'Kinnon Peter Cameron Craig & Swanson Greville & Whiting Walter M'Intyre
Planking Waihopsi Bridge	Cameron & Paterson, £83 10s.	J. Gray & Co., £89 19s. D. M'Lean & Co., £102 2s. 4d. C. M'Kinnon, 105 5s. Hall & M'Donald, £114 12s.
Great North Road in Waikivi Bush	Greville, Whiting & Co., £1583 10s. 6d.	M'Neil & Wilson, £1681 P. Nicholson, £1954 18s. Hare, Bull & Pratt, £2263 9s. 6d. J. Campbell & Co., £2285 16s.
Metalling Road from the Jetty to the Town Belt	M'Neil & Wilson, £2156 4s. 6d.	J. Campbell & Co., £2183 13s. Jamieson & Co., £2567 15s. 6d. Hare, Bull & Pratt, £2835 15s.

By order,

W. H. AYLMER,  
Clerk to Superintendent.