




NEW ZEALAND
Government Gazette.
PROVINCE OF SOUTHLAND.

Published by Authority.

 All Public Notifications which appear in this Gazette, with any Official Signatures, are to be considered as Official communications made to those persons to whom they may relate, and are to be obeyed accordingly.

By His Honor's Command,

W. H. AYLMER,

Clerk to Superintendent.

VOL 5.]

WEDNESDAY, OCTOBER 2, 1867.

No. 24.]

PROCLAMATION

By the Honorable JOHN PARKIN
TAYLOR, Esquire, Superinten-
dent of the Province of South-
land.

WHEREAS it is expedient to Pro-
rogate the Provincial Council of
Southland: Now, therefore, I, JOHN
PARKIN TAYLOR, Superintendent of the
Province of Southland, in pursuance of

the powers in me vested in that behalf,
do hereby prorogue the said Council.

Given under my hand, and
issued under the public
seal of the Province of
Southland, at Invercar-
gill, this twenty-fourth
day of September, Eigh-
teen Hundred and Sixty-
seven.

JOHN P. TAYLOR,
Superintendent.

PROCLAMATION

By the Honorable JOHN PARKIN TAYLOR, Esquire, Superintendent of the Province of Southland.

IN pursuance and exercise of the powers in me vested in this behalf, I do hereby alter the limits of the Orepuki and Longwood Gold Fields, proclaimed under the "Gold Fields Act, 1862," I do hereby, under the provisions of the "Gold Fields Act, 1866," constitute and appoint to be a Gold Field, and form part of the Orepuki and Longwood Gold Field, all that territory formerly known as Run No. 393, bounded on the north-east and east by the edge of the Longwood Bush; on the north-east by the Waiau River; and on the south-west and west by the highwater mark of Foveaux Straits: And I declare that this Proclamation shall come into operation, and take effect on the day of the date hereof.

Given under my hand, and issued under the public seal of the Province of Southland, this Sixth day of September, One Thousand Eight Hundred and Sixty-seven.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 2nd October, 1867.

IT is hereby notified that the land temporarily reserved for a Township Reserve at the Eastern Bush, by notification dated the 14th of June, 1867, is further reserved for the sanction of the Provincial Council.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 2nd October, 1867.

IT is hereby notified that the land specified below has been temporarily reserved under Clause XVI. of the "Southland Waste Lands Act, 1865."

JOHN P. TAYLOR,
Superintendent.

EDUCATION RESERVE.

In the Oreti Hundred and Taringatura District, containing about 1,160 acres, bounded on the north by section No. 64, and a line running due west from the south-west corner of said section; on the east by the Oreti River; on the south by a line running due west from the junction of the Hillend Creek, with the Oreti River; and on the west by a meridian line starting from a point on the south boundary, about 100 chains west of the Oreti River.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 24th Sept., 1867.

IT is hereby notified that JAMES M. M'CLURE, Esq., has resigned the appointment of Provincial Secretary for the Province of Southland.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 23rd Sept., 1867.

IT is hereby notified that JOHN R. CUTHBERTSON, Esq., has resigned his seat in the Provincial Council for the District of Oreti.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 27th Sept., 1867.

IT is hereby notified that I have appointed the following gentlemen to be members of the Education Board, viz. :—

The REVD. W. TANNER,
" " A. STORO,
" " R. S. BUNN,

and the following gentlemen have been elected by the Provincial Council to serve on the said Board :—

G. LUMSDEN, Esq.,
W. JOHNSTON, Esq.,
J. ROSS, Esq.,

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 23rd Sept., 1867.

IT is hereby notified that

F. A. MONCKTON, Esq.,

has resigned the offices of Health Officer and Medical Attendant on Gaol, Police, and Lunatic Asylum.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 23rd Sept., 1867.

IT is hereby notified that I have appointed

JOHN FIELD DECK, Esq.,

to be Health Officer and Medical Attendant on Gaol, Police, and Lunatic Asylum.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 23rd Sept., 1867.

IT is hereby notified that I have appointed

WILLIAM CONYERS, Esq.,

Manager of Permanent Way and Locomotive Department on B. H. and I. Railway.

JOHN P. TAYLOR,
Superintendent.

THE undermentioned License-holders have been elected Wardens of New River Hundred for the current year.

LACHLAN FRASER,
WILLIAM LAWRENCE,
CHARLES COSTER,
HUGH RODGER,
PHILIP POWELL.

WALTER H. PEARSON,
Chief Commissioner.

Crown Lands Office,
6th September, 1867.

Colonial Secretary's Office,
Wellington, 14th Sept., 1867.

IT is hereby notified that Writs issued for the election of Members of the Provincial Council of the Province of Southland have been returned with certificates to the effect that

For the District of Waikiwi,
George Hately ;

For the District of Aparima,
Christopher Basstian, and John Howell ;

For the District of Riverton,
Samuel Hodgkinson, and Theophilus Daniel ;

For the District of Waiau,
Francis Frederick Butler ;

For the District of Longwood,
Francis A. Monckton ;

For the District of Waianiwa,
James Wilson ;

For the District of Waihopai,
John Blacklock, and Thomas Moriarty Clerke ;

For the District of Invercargill,
William Henderson Calder, John Ross,
Harry Armstrong, and Geo. Lumsden ;

For the District of Roslyn
William Johnston and Thomas Swale ;

For the District of Oteramika,
Walter Henry Pearson ;

For the District of Oreti,
John Robert Cuthbertson ;

For the District of Campbelltown,
Lewis Longuet ;

For the District of New River,
James Moreland M'Clure ;
have been duly elected.

E. W. STAFFORD.

THE BANK OF OTAGO (Limited)
NOTICE.

MR. William James Mudie Larnach, late of the Bank of New South Wales, has been appointed Colonial Manager of the Bank of Otago (limited) in room of Mr John Bathgate, resigned.

By order of the Court of Directors.

J. D. THOMSON,

Director.

Dunedin, 9th September, 1867.

Superintendent's Office,

Southland, 24th Sept., 1867.

THE following communication from the Honorable the Colonial Secretary is published for general information.

By Order,

W. H. AYLMEER,

Clerk to Superintendent.

Colonial Secretary's Office,

Wellington, 9th Sept., 1867.

SIR,—As the various provisions contained in Provincial Laws, relating to the summary recovery of debts or damages under twenty pounds, often create confusion and uncertainty, I have obtained the opinion of the Attorney General on the proper course to be pursued in such legislation with a view to obviating, so far as practicable, these evils, and I enclose, for your Honor's information, a copy of that opinion.

I have the honor to be,

Sir,

Your most obdt. Servant,

E. W. STAFFORD.

His Honor the Superintendent,
Southland.

EXTRACT FROM MEMORANDUM OF ATTORNEY GENERAL, DATED 21ST AUGUST, 1867.

In Provincial Legislation it seems to be very generally lost sight of that there exists a general law in New Zealand, under which debts or damages under £20 may be recovered in a summary way before a Resident Magistrate or two Justices of the Peace. It is unnecessary therefore, for Provincial Legislatures to provide for the recovery of such claims. I think they might legally make certain provisions with regard to Resident

Magistrates' Courts in cases up to £20, in the direction of altering the civil jurisdiction of such courts in such cases. But if the object in view in any Ordinance is to provide for recovery of damages, such as from trespass from cattle, or for debts such as rates, then it is unnecessary, because provision is already made by the law of the Colony. The Provincial Legislatures, I think, have not kept in mind the existence and jurisdiction of these Courts, but have legislated in the manner which is in practice in England and the Colonies generally. Justices have in England and elsewhere no ordinary or general civil jurisdiction; wherever it is intended that damages for trespass or such like cases, or moneys, such as rates shall be recoverable before Justices, a special provision must be made, giving the jurisdiction. Here such a provision is unnecessary; the Justices under the Resident Magistrates Act already have it. Again, in the Act now before me, and I have observed the same in many Provincial Acts, the Provincial Legislation does not first take away or limit the right to damages in the particular case; this, I think, such a Legislature may do; for instance, it might, I think, provide that no owner or occupier of land unfenced shall be entitled to, or no owner of cattle shall pay, damages beyond, for instance, £20, in the case of a trespass on land of any kind, whether of unfenced or otherwise, &c. Such a provision might or might not be a proper one, but it would be within the Legislative power of a Provincial Council. If such a provision was made no damages beyond the amount specified could be recovered in any Court, whether in the Supreme Court or District Court, or before Justices. The right to damages would have been taken away, the question of jurisdiction therefore would not arise, or as to mode of recovery of damage over the specified amount. If the right were limited to £50, or £100, or £200, or any other sum, then such sums could be recovered in any Court of competent jurisdiction. Up to £100 in a Resident Magistrates' Court with extended jurisdiction, or up to £200 in a District Court with extended jurisdiction, or up to any amount in the Supreme Court. But as to the mode of recovery, or the Court in which the claim is to be prosecuted, the Provincial Legislature need not, and in cases over £20, cannot legislate.

Superintendent's Office,
Southland, 2nd October, 1867.

IT is hereby notified that the unsold land on Run No. 214, temporarily reserved by me by notification to the Waste Lands Board, dated 19th December, 1866, will be again open for application under the "Southland Waste Lands Act, 1865," on the second day of November, 1867.

JOHN P. TAYLOR,
Superintendent.

Superintendent's Office,
Southland, 2nd October, 1867.

IT is hereby notified that the land temporarily reserved by me (on Run No. 149, containing 2000 acres) by notification dated the 26th of March, 1865, will be again open for application under the "Southland Waste Lands Act, 1865," on the second day of November, 1867.

JOHN P. TAYLOR,
Superintendent.

NEW RIVER HARBOR.

NOTICE TO MARINERS.

ON and after the 1st of November next, (1867) the Pilot Staff at New River will be reduced to a Pilot, a Signalman, and one Boatman. Masters of vessels are therefore cautioned not to run for the Port when blowing hard from the westward, as it will be impossible at such times for the pilot to put off, but to take shelter at the Bluff, where an efficient staff will be maintained, or at Stewart's Island, till the weather moderates.

THOS. THOMSON,
Harbor Master.

Harbor Office, Invercargill,
27th Sept., 1867.

RETURN OF SHEEP INSPECTED IN THE PROVINCE OF SOUTHLAND during the month of August, 1867.

DATE OF INSPECTION.	DATE OF PRECEDING INSPECTION.	NAME OF STATION.	WHERE SITUATE.	NAME OF MANAGER OR OWNER.	NO. OF SHEEP ON STATION.	NO. OF SHEEP INSPECTED.	RESULT.	DATE ON WHICH SHEEP WERE DISEASED.	REMARKS.
2nd, 3rd, & 4th.	—	Gummie's Bush.	Jacob's River.	Wm. Cameron.	320	320	Clean.	—	—
14th & 15th.	—	Gummie's Bush.	Jacob's River.	Wm. Cameron.	320	320	Clean.	—	Owing to the wet stormy weather this month, but little work could be done amongst sheep

Sheep Inspector's Department, Invercargill, August 30th, 1867.

HENRY G. FIELDER,

Chief Inspector of Sheep, Southland.

RETURN OF SHEEP Imported by Sea into the Province of **SOUTHLAND**, for the month of August, 1867.

Printed under the Authority of the Provincial Government of Southland, by **FRYNOIDS AND Co.,** Printers, Invercargill, N. Z.

DATE.	PROPRIETOR.	SHIP.	WHENCE.	DESCRIPTION OF STOCK.	REMARKS.
8th August.	Wm. Martin.	s.s. Egmont.	Otago.	2 Rams.	These rams were imported from England (Lincoln breed.)

I CERTIFY the above to be a correct Return.

HENRY G. FIELDER,

Sheep Inspector's Department, August, 30th, 1867.

Chief Inspector of Sheep, Southland.

