



NEW ZEALAND
GOVERNMENT GAZETTE,

(PROVINCE OF WELLINGTON).

Published by Authority.

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

HENRY BUNNY,
PROVINCIAL SECRETARY.

VOL. XXIII.

FRIDAY, JUNE 23, 1876.

No. 23.

KAIWARRA LOCAL BOARD.

AMENDED BYE-LAWS.

SCHEDULE XIII.

PART I.—SUB-DIVISION 5.

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, slaughter-house, 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.

28. Every person who, unless where authorized 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 so flow or run, forfeit a sum not exceeding five pounds.

SUB-DIVISION 6.

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 Board may remove such matter or thing,

or make good such street or footway, and may recover the expense of so doing from the person so making default before any Justice.

SUB-DIVISION 7.

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 Board or not, the person causing such materials or other things to be laid or such 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 cause at his own expense 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.

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 Board 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 material or other things to be laid or causing such hole to be made.

SUB-DIVISION 8.

40. If any person shall erect or place any house or other building or any part thereof 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.

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 Board 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 Board 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 Board may, if they shall see fit, remove such house or part, and recover the expenses of so doing from the said owner.

SUB-DIVISION 9.

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 district, 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 Board may seize such cattle and place the same at some neighboring 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 district, may after the expiration of twenty-four hours from such publication, proceed with 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 arising from 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 Treasurer of the Board on account of the said Board, 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 recovered.

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 Board, 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 the 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.

44. If any goat shall have been sold under the provisions of the two last preceding sections, or under the provisions of "The Local Boards Act, 1873," 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 district, 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.

45. It shall be lawful for the Board to make regulations from time to time for appointing the hours during which it shall

not be lawful to drive into or through the district, or such part 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.

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 public places as from time to time may be appointed by some regulation of the Board in that behalf, which regulation the Board 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.

PART II.

Clause 6.

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

PART VII.

Clauses 1 to 7 inclusive.

1. Every person who wilfully sets or causes to be set on fire any chimney, flue, smoke vent, 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.

2. If any chimney accidentally catch or be on fire, the person occupying or using the 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 nowise owing to the omission, neglect, or carelessness, whether with respect to cleansing such chimney or otherwise, of himself or his servant.

3. It shall be lawful for the Board 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, and 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 fire-place 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 or parts of the district described by boundaries in such bye-law, and may provide as to the subject-matter thereof, either absolutely or with relation to the consent of the Council or of the proper officer of the Board, to be given or withheld in any case to be in question under such 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 subdivision, and every occupier of any premises whereon any stack, or any such covering of a stack shall be, or any combustible materials have been deposited, if the same, though lawfully made, placed, or deposited before the coming into force of any such regulation shall be there contrary to the tenor of such regulation, who shall not within seven days after notice from the Board 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 such conviction during which such stack, covering, or materials shall so continue.

5. Every person who wilfully sets fire to any inflammable matter whatsoever in the open air, without having given notice in writing to the occupiers of the land adjoining to the land upon which such matter shall be, and also to the Chairman

of the Board, 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.

6. Every person who shall light any bonfire, tar-barrel, or firework, upon or within sixty yards of any public or private street, or any public place, shall forfeit a sum not exceeding five pounds.

7. It shall not be lawful for any person to make or place, or to keep or continue any fence of 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 Board to remove any such fence thereto appertaining, if lawfully made or placed before the coming into operation of this sub-division, shall suffer any such fence or any part thereof to remain, or who shall suffer to remain any such fence unlawfully made before such 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 any such fence shall continue.

PART VIII.

SUB-DIVISION 2.

3. It shall be lawful for the Board of the district, if the Board shall not as yet have provided within such district 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 district, and every such license shall be in force for a year from the time of granting the same and no longer.

4. Every person who, without having such a license as aforesaid in force, uses as a slaughter-house any place within such district as in the last preceding section mentioned other than a slaughter-house, which was in use at the time of the issue of the Proclamation by which such district was constituted under the provisions of "The Local Boards Act 1873," 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.

5. Every place which at the time of the issue of such Proclamation as aforesaid was in use as a slaughter-house, and has so continued ever since, shall, within one month after coming into operation of this sub-division in any district, be registered by the owner or occupier thereof at the office of the Board, and on application to the Board 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.

6. It shall be lawful for the Board from time to time to make regulations for all or any of the purposes following, that is to say:—

For the licensing (where the Board are empowered to license) and for the registering and inspecting 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 a 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.

PART IX.

Clause 3.

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

W. T. WYATT,
Chairman.

By and with the advice of the Executive Council I hereby approve of these bye-laws, as adopted by the Kaiwarra Local Board this 7th day of June, 1876.

WILLIAM FITZHERBERT,
Superintendent.

Return of Lands Sold and Deposits Received in the Province of Wellington, from the 1st to the 31st May, 1876.

District.	Purchaser or Applicant.	Land Selected or Applied for.	Contents.	Payments.		Remarks.
				Cash.	Scrp.	
			A. R. P.	£ s. d.	£ s. d.	
Wellington	John Okell ...	Allotment 31, Te Aro Pah Reserve	0 0 10 $\frac{1}{4}$	258 0 0	...	
	John Liverton ...	Remainder of Section 202, Hutt...	167 0 0	83 10 0	...	
	J. C. Andrew ...	" " 48, Makara	55 0 0	27 10 0	...	
Manawatu	J. F. E. Wright ...	Section No. 11, Upper Kaiwarra...	78 0 0	39 0 0	...	
	Alex. Dundas ...	Suburban section 976, 978, and 980, Palmerston	12 3 0	75 0 0	...	
	Solomon Schloss ...	Rural " 216, 217, and 218, Sandon	567 0 0	567 0 0	...	
	R. C. Dowling ...	" " 172	171 0 0	171 0 0	...	
	R. Z. Davis ...	" " 216, 217, Fitzherbert	325 0 0	325 0 0	...	
	Minister for Immigration	Part of Section 234 " "	100 0 0	100 0 0	...	
	F. A. Krull ...	Section 207 " "	57 0 0	90 0 0	...	
	Charles Lemon ...	Suburban section 513, 1527, Bunnythorpe	138 1 0	276 10 0	...	
	Milo Kew ...	Rural " 266, Carnarvon	...	38 0 0	...	Deferred payments
	William Payne ...	" " 259	...	24 0 0	...	" "
	B. Smith ...	" " 212, 213, Fitzherbert	...	171 0 0	...	Auction balance
	Bishop of Wellington and another	" " 171 " "	...	98 2 0	...	" "
	Rev. B. W. Harvey	" " 170 " "	...	89 2 0	...	" "
	John Pollock	" " 221 " "	...	147 0 0	...	" "
	H. B. Ellerm	" " 272, Carnarvon	...	65 10 0	...	Deferred payments
	W. A. Ellerm	" " 277 " "	...	64 0 0	...	" "
	A. A. Kjolstad	Allotment 4, Palmerston	...	6 9 0	...	Special settlement
R. M. Browne	Rural Sections 238, 242, 244, Fitzherbert	...	278 0 0	...	Auction balance	
Jorgen Pedersen	Allotment 15, Palmerston	...	11 18 0	...	Special settlement	
Thomas Verry	Rural Section 264, Carnarvon	...	36 18 0	...	Deferred payments	
Walter Baker	" " 546, Palmerston	...	40 0 0	...	" "	
	Carried forward	...	1671 0 10 $\frac{1}{4}$	3082 9 0	0 0 0	

Return of Lands Sold and Deposits Received in the Province of Wellington, from the 1st to the 31st May, 1876—Continued.

District.	Purchaser or Applicant.	Land Selected or Applied for.	Contents.	Payments.						Remarks.		
				Cash.			Scrip.					
			A.	R.	P.	£	s.	d.	£	s.	d.	
Manawatu		Brought forward	1671	0	10½	3082	9	0				
	James Prendergast	Rural Sections 219, 225, 226, Fitzherbert				450	0	0				Auction balance
	Stephen Rogers	Part of Rural Section, 543, Palmerston				19	12	0				Deferred payments
	Archibald Stewart	Rural Sections 184, 185, Fitzherbert				179	0	0				Auction balance
	G. J. Bruce	" " 198, 199, 200, 201, 202, Fitzherbert				1124	16	0				" "
	Carl Appeldorff	Allotment 67, Palmerston				4	14	0				Special settlement
	Robert Lee	Rural Section 239, Fitzherbert				67	10	0				Auction balance
	Edward Toomath	" " 214, 215 "				110	0	0				" "
	John Douglas	" " 297, Carnarvon				351	0	0				" "
	J. D. Baird & another	" " 168, 169 Fitzherbert				230	0	0				" "
	P. A. Buckley	" " 204 "				180	0	0				" "
	J. T. Dalrymple	" " 229, 230, 231, 233 "				316	0	0				" "
	Lipman Levy	" " 203, 222, 224 "				405	0	0				" "
	Andrew Young	" " 167 "				216	0	0				" "
	F. A. Krull	" " 208, 210 "				175	10	0				" "
	Edwin Stafford	" " 223 "				162	0	0				" "
	Patrick Cavanagh	Allotment 23, Palmerston				5	1	0				Special settlement
	B. Sorensen	" " 5, "				8	0	0				" "
	Wm. Bruce	Rural Section 54, Sandon				54	9	0				Deferred payments
	Alex. Bruce	" " 55 "				50	3	6				" "
	John Bruce	" " 56 "				48	19	6				" "
	A. W. Carkeek	Part of Rural Section 556, Palmerston				17	2	6				" "
	George Allerby	" " 551 "				20	0	0				" "
Henry Bowater	Rural Section 62, Sandon				68	10	0				" "	
E. R. Foster	" " 442, Palmerston				28	10	0				" "	
Jens Nilsson	Allotments 62, 63 "				5	15	0				Special settlement	
		Carried forward	1671	0	10½	7380	1	6				

Return of Lands Sold and Deposits Received in the Province of Wellington, from the 1st to the 31st May, 1876.—Continued.

District.	Purchaser or Applicant.	Land Selected or Applied for.	Contents.	Payments.		Remarks.
				Cash.	Scrip.	
			A. R. P.	£ s. d.	£ s. d.	
Manawatu	John Manson ...	Brought forward ...	1671 0 10 $\frac{1}{4}$	7380 1 6	...	Deferred payments
	J. & J. L. Nairn ...	Rural Sections 549, 552 ,,	...	50 0 0	...	
	L. Gubransen ...	" " 270, Carnarvon	41 10 0	...	
Wanganui	Nils Pedersen ...	Allotment 7, Palmerston	8 0 0	...	Special settlement
	J. N. Jones ...	" 6 "	8 0 0	...	" "
Porewa	Alex. Williamson ...	Section 319 and part of 325, Left Bank	219 0 0	657 0 0	...	Auction balance
	Daniel M'Kay ...	Remainder of Sections 87 and 88, ditto	53 0 0	26 10 0	...	
Wairarapa and East Coast	Alex. M'Gregor ...	Section 68, Parae Karetu block ...	325 1 0	162 12 6	...	" "
	B. P. Perry ...	" 85 " "	183 2 0	183 10 0	...	
		" 815, Wharecama " "	612 0 0	209 10 0	...	
	C. A. Vallance ...	" 814 " "	...	72 0 0	...	
	Geo. Heron ...	" 701 " "	...	360 0 0	...	
	D. Donald ...	" 51, Manaia " "	...	225 0 0	...	
		Totals ...	3063 3 10 $\frac{1}{4}$	9383 14 0		

149

Crown Lands Office, Wellington, 6th June, 1876.

JOS. G. HOLDSWORTH,
Commissioner of Crown Lands.

Tenders.

Provincial Secretary's Office,
Wellington, 20th June, 1876.

THE following lists of successful and unsuccessful Tenderers are published for general information.

HENRY BUNNY,
Provincial Secretary.

MUNGAPAKIA ROAD CONTRACT, No. 2.
KOROKOKO BRIDGE.

	£	s.	d.
<i>Accepted.</i>			
J. A. Petherick	249 0 0
<i>Declined.</i>			
A. & A. M'Leod	348 0 0
George M'Kay	449 0 0
Thomas J. Allen	300 0 0

MASTERTON TO ALFREDTON.

WANGAEHU BRIDGE, UPPER CROSSING.

	£	s.	d.
<i>Accepted.</i>			
George M'Kay	129 0 0
<i>Declined.</i>			
Messrs. A. & A. M'Leod	159 15 0
J. A. Petherick	225 0 0

MANAWATU BRIDGE.

	£	s.	d.
<i>Accepted.</i>			
Jules & Nilson	6900 0 0
<i>Declined.</i>			
Campbell Brothers	7735 0 0
R. A. Wakelin	7600 0 0
Henry Daulby	6977 0 0

Warrant.

UNDER the provisions of the 31st clause of "The Protection of Animals Act, 1875," I, William Fitzherbert, Superintendent of the Province of Wellington, in the Colony of New Zealand, do hereby appoint the gentlemen whose names are set out in the Schedule hereto to be Rangers for the Province of Wellington, to carry out the provisions of the said Act.

Given under my hand, at Wellington,
this 13th day of June, 1876.

WILLIAM FITZHERBERT,
Superintendent.

SCHEDULE.

NAMES OF RANGERS.

W. T. Owen.
Hayward Owen.
John Cameron.
Fletcher Harrison.