



THE COUNTY OF  
**WESTLAND GAZETTE.**

Published by Authority.

HOKITIKA, MONDAY, SEPTEMBER 18, 1871.

PROCLAMATION.

WHEREAS, by an Act of the General Assembly of New Zealand, intituled "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor in Council, under his hand and the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province, or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor, or the Governor in Council, by the Act now in recital, except the powers conferred by sections twenty-two, forty, forty-eight, sixty, ninety-six, and one hundred and seven of the said Act, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers:

And whereas by "The County of Westland Act, 1868," it is enacted that in any Act of the General Assembly (except certain Acts not including "The Diseased Cattle Act, 1861"), the word "Province" shall include County of Westland, and the word "Superintendent" shall include, with regard to such County, any person whom the Governor may from time to time appoint, to perform within such County those duties, and exercise those powers under any such Act which might if such duties or powers had to be performed or exercised within a Province be exercised or performed by the Superintendent of such Province:

And whereas His Excellency Sir George Ferguson Bowen, the Governor of New Zealand, did on the 27th day of January, 1871, with the advice and consent of the Executive Council of the Colony, under his hand and the Public Seal of the Colony delegate unto me, Henry Hermann Lahman, Chairman of the County Council of Westland, all the powers vested in the Governor and the Governor in Council under "The Gold Fields Act, 1866" and "The Gold Fields Act Amendment Act, 1869," except the powers conferred by sections twenty-two, forty, forty-eight, sixty, ninety-six, and one hundred and seven of "The Gold Fields Act, 1866," to have, hold, and exercise within the said County the said powers hereby given to me, the said Henry Hermann Lahman, so long as I shall continue and remain Chairman of the said County Council and no longer: Provided always that copies of all rules and regulations made under the said delegation shall be forthwith transmitted to the Colonial Secretary, in order that the same may be laid before the General Assembly, in accordance with the provisions of the one hundred and tenth section of "The Gold Fields Act, 1866.:"

And whereas by the eleventh section of the aforesaid Act it is further enacted that it shall be lawful for the Governor in Council, subject to the provisions of the Act now in recital from time to time to make regulations

for any gold field or for a portion of a gold field, and to alter, amend, or revoke the same, and that such regulations may be for the purposes mentioned in sub-sections one to fourteen of the aforesaid section :

Now therefore, I, Henry Hermann Lahman, Chairman of the County Council of Westland, in exercise of the powers in that behalf delegated unto me, do hereby make the following regulations in addition to those made by me and published in "The County of Westland Gazette," No. 9, of the thirtieth March, 1871.

Given under my hand at Hokitika, this eighteenth day of September, one thousand eight hundred and seventy-one.

H. H. LAHMAN.

#### SCHEDULE.

##### 1. WATER RACE LICENSE REGULATIONS.

In order to encourage the construction of water-races under circumstances of extraordinary difficulty, or involving the expenditure of considerable sums of money, the Governor's Delegate may authorise the construction of water-races, and may grant licenses to divert and use water from any river, stream, or creek, for such term as he shall think fit to be mentioned in such grant, subject to the following regulations:—

##### 2. APPLICATION TO BE MADE.

Any person intending to divert and use water from any river, stream, or creek, in larger quantities than five Government sluice-heads, in a race exceeding three miles in length, for the purpose of sale or otherwise in connection with mining, &c., under the authority of "The Gold Fields Act, 1866," and any Amendment Act of the same, shall make application in duplicate to the Warden of the District within which the water-right to be acquired is situated, in the form in Schedule A. hereunto annexed.

##### 3. DEPOSIT TO BE MADE ON APPLICATION.

At the time of applying for a Water Race License, such applicant if he requires the services of the Mining Survey staff must deposit with the Receiver of Gold Revenue the sum of one hundred pounds (£100) sterling, as a guarantee for the payment of the necessary expenses which may be incurred for the survey, levels, &c., on the line of such race applied for or by reason of any objection to such application being made, and the Receiver of Gold Revenue shall give to the applicant a receipt in the form of Schedule B., hereto annexed, and endorse on

each application that the deposit has been received by him. Provided the Mining Survey staff is not required to lay out the race a deposit of twenty pounds shall be made to cover expenses of survey or any other expenses incurred therewith. Any surplus which may remain after the defrayment of the above expenses shall be returned to the applicant.

##### 4. APPLICATION TO BE MADE PUBLIC.

Upon the receipt of such application endorsed by the Receiver of Gold Revenue, as prescribed in the preceding clause, the Warden shall, as soon as may be, forward one copy of the said application to the Governor's Delegate, which shall be published twenty-one (21) days prior to granting such application in *The County of Westland Gazette*, and three times by the applicants themselves in a newspaper circulating in the locality, setting forth all particulars relating to said application.

##### 5. OBJECTORS TO GIVE NOTICE.

Any person objecting to the granting of any such license so applied for shall, within twenty-one days after the posting of the notice by the Surveyor, forward to the Warden full notice of all such objections, and shall (except in cases of encroachment) deposit the sum of twenty pounds (£20), and such Warden shall give to the person making such deposit a receipt in the form in the Schedule annexed marked C., as security for the due prosecution of his objections, and in satisfaction of any expenses to which the applicant may be put by such objections if disallowed; and if such objections should not be prosecuted or should fail, so much of such deposit should be handed over to the applicant, as may be necessary to repay the expenses of such applicant, and the balance (if any) shall be refunded to the person so objecting.

##### 6. OBJECTIONS TO BE LODGED WITH THE WARDEN TWENTY-ONE (21) DAYS.

Twenty-one days after the date of the application appearing in *The County of Westland Gazette* the Warden shall appoint a time and place for holding an enquiry into the objections (if any), and two clear days notice of the holding of any such inquiry, together with a copy of the objections lodged, shall be given to each of the persons interested therein.

##### 7. PROCEEDINGS AT ENQUIRY.

At such enquiry three copies of the local

paper containing the Surveyor's notice, the publication of the application by the applicants shall be handed to the Warden, when the Warden shall take evidence in relation to the objections made against the application, and immediately thereafter the Warden shall forward to the office of the Governor's Delegate the objections (if any) to such application, and the evidence taken by him, with his opinion thereon attached.

#### 8. GOVERNOR'S DELEGATE TO GRANT LICENSES.

Ten days after, upon receipt of such approved of application by the Warden, the Governor's Delegate may, if he shall think fit, grant such license which shall date from the day of issue, upon the following terms: That is to say, the annual rent to be as follows:—

(a) For each head of forty inches of water, from a race not exceeding five miles from its source, at per head, ten shillings.

Five miles, at per head, five shillings.

Twenty miles, at per head, two shillings and sixpence.

Thirty miles, at per head, one shilling.

Rent payable in advance. The term of license cannot exceed fifteen years.

#### 9. GROUND ALLOWED ALONG RACE.

The space of ten (10) feet on either side, where practicable, shall be allowed the whole distance along the race for the protection thereof.

#### 10. RACE TO BE COMPLETED.

The time stated in the application for the completion of the race shall in all cases be strictly adhered to, unless sufficient reasons can be adduced before the Warden, upon whose recommendation only a further extension of time will be granted; after which the licensee will be liable to a fine, for each month the race remains uncompleted, of twenty pounds (20): said fine to be recovered by the Receiver of Gold Revenue in a summary way.

#### 11. COMPLETION OF RACE TO BE REGISTERED.

So soon as any race, held under these regulations, is completed as applied for, the licensee shall cause the same to be registered by the Warden of the District.

#### 12. FURTHER CONDITIONS MAY BE IMPOSED.

The Governor's Delegate may prescribe such other conditions as he shall think fit, and the said conditions (if any) shall be

appended to the application and published for general information at least twenty-one (21) days prior to the application being granted.

#### 13. RACES ALREADY CONSTRUCTED.

The owner of any water race existing at the time of the coming into operation of these regulations shall be entitled to apply to the Governor's Delegate for the immediate grant of a license hereunder without the necessity of complying with any of the preliminaries hereby specified: Provided that the requirements of the Water Race License Regulations of the twentieth day of July, one thousand eight hundred and seventy, have been complied with.

### WATER RIGHT LICENSES.

#### SCHEDULE A.

##### *Form of Application for License.*

To (Place and date.)

Sir—I herewith deposit the sum of one hundred pounds (£100), as required by the Water Race License Regulations, and I agree, if my application (the particulars of which are hereunder set forth) be investigated, that such sum shall in all respects be held subject to the terms of such regulations, and that upon the approval of this application, I will abide by any conditions that may be imposed upon me.

I have, &c.,  
(Signature of applicant.)

	Name and Address in full of Applicant.
	Style under which it is intended to conduct the business.
	Number of Heads.
	Distance of Race.
	Capital proposed to be expended.
	Term for which license is required.
	Precise locality.

#### SCHEDULE B.

##### *Form of Receipt for Deposit with Receiver of Gold Revenue.*

In the matter of the application of  
for a license under the Water Race License

Regulations.

Received from the above-named party the sum of \_\_\_\_\_ pounds, pursuant to the Water Race License Regulations.

(Signature of Receiver of Gold Revenue.  
Date, &c.)

—————  
SCHEDULE C.

*Form of Receipt for Deposit with the Warden.*

In the matter of the application of \_\_\_\_\_ for a license under the Water Race License Regulations, and of objections thereto lodged by A., B., C., D., &c.

Received from \_\_\_\_\_ the sum of \_\_\_\_\_ twenty pounds (£20), pursuant to the Water Race License Regulations.

(Signature of Receiver of Gold Revenue.)

ADVERTISEMENTS in *The County of Westland Gazette* will be charged for according to the following scale :—

For every 72 words and under, 6s.

Tabular matter double the above rate.

In all cases where figures are required each figure counts as a word.

All advertisements must be sent to the County Chairman's Office, and at the same time pre-payment (by money-order when necessary) according to the above rates must be made.

A. E. TENNANT,  
County Secretary.