


NEW ZEALAND  
GOVERNMENT GAZETTE  
(PROVINCE OF NELSON).

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 may relate, and are to be obeyed accordingly.

By His Honor's command,

J. C. RICHMOND, Provincial Secretary.

VOL. XI.

NELSON, THURSDAY, OCTOBER 15, 1863.

No. 33.

Provincial Secretary's Office, Nelson,  
October 15, 1863.

**HIS** Honor the Superintendent directs the publication of the following Extracts from the *New Zealand Government Gazette*, for general information.

J. C. RICHMOND,  
*Provincial Secretary.*

A PROCLAMATION,

*Intimating Her Majesty's assent to a certain Bill passed by the General Assembly.*

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., &c.

**WHEREAS** by an Act passed in the Session of Parliament held in the Fifteenth and Sixteenth years of Her

Majesty's reign intituled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New Zealand until the Governor of the said Colony shall signify by speech or message to the Legislative Council and House of Representatives of the said Colony or by Proclamation that such Bill has been laid before Her Majesty in Council and that Her Majesty has been pleased to assent to the same:

And whereas a certain Bill passed by the Legislative Council and House of Representatives of the said Colony intituled, "An Act to amend and consolidate the Law relating to Gold-fields," was presented to the Governor of the said Colony for Her Majesty's assent and the said Bill was reserved for the signification of Her Majesty's pleasure thereon:

Now therefore, I, Sir GEORGE GREY, the Governor of New Zealand, in pursuance of the provisions of the said in part recited Act, do by this Proclamation signify and proclaim to all whom it may concern that the said Bill has been laid before Her Majesty

in Council and that Her Majesty has been pleased to assent to the same.

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this Fifteenth day of September, in the year of our Lord, One thousand eight hundred and sixty-three.

G. GREY.

By His Excellency's command,

ALFRED DOMETT.

GOD SAVE THE QUEEN.

*Delegation of the Governor's powers, under "The Gold-fields Act, 1862," to the Superintendent of Nelson.*

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., &c.

**WHEREAS** by an Act of the General Assembly of New Zealand, intituled, "The Gold-fields Act, 1862," it is provided 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 said Act except the powers conferred by sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers:

Now, therefore, I, Sir GEORGE GREY, the Governor as aforesaid of the said Colony, with the advice and consent of the Executive Council thereof, and in exercise of the power and authority for this purpose in me vested Do hereby Delegate unto

JOHN PERRY ROBINSON, Esq.,

as Superintendent of the Province of Nelson, all the powers vested in me under or by virtue of the "Gold-fields Act, 1862," except the powers contained in sections Nineteen, Thirty-one, Thirty-two, and Sixty-one of the said Act, to have, hold, and exercise within the Province of Nelson the said powers hereby given to the said John Perry Robinson,

so long as he shall continue and remain Superintendent of the said Province, and no longer:

Provided always, that copies of all Rules and Regulations, made under the Delegation aforesaid, 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 Sixty-third Clause of the "Gold-fields Act, 1862."

Given under my hand, at the Government House, at Auckland and issued under the Seal of the Colony of New Zealand, this Fifteenth day of September, in the year of our Lord One thousand eight hundred and Sixty-three.

G. GREY.

By His Excellency's command,

ALFRED DOMETT.

#### ORDER IN COUNCIL.

*Costs of Management of Nelson Gold-fields to be regulated by Acts of Provincial Council.*

G. GREY,

Governor.

At the Government House, at Auckland the Fifteenth day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

**WHEREAS** by an Act of the General Assembly of New Zealand intituled "The Gold-fields Act, 1862," it is provided 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 person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections Nineteen, Thirty-one, Thirty-two, Thirty-three, and Sixty-one thereof 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 it is further provided that whenever the Governor shall have delegated to the Superintendent of any Province all or any of the aforesaid powers, it shall be lawful for the Governor by Order in Council to appoint and declare that all costs, charges, and expenses incident to the management and administration of the Gold-fields within such Province shall be regulated by Acts or Ordinances to be passed by the Superin-

tendent and Provincial Council of such Province.

And whereas by an instrument in writing of even date herewith issued under the Seal of the Colony the Governor with the advice and consent of the Executive Council of the Colony and in exercise of the before-recited power hath delegated to John Perry Robinson, Esq., as Superintendent of the Province of Nelson in the said Colony all the aforesaid powers excepting those before recited to be excepted, to hold and exercise the said powers within the Province of Nelson aforesaid.

Now, therefore, His Excellency the Governor in pursuance and exercise of the power and authority for this purpose by the said Act conferred, Doth hereby with the advice and consent of the Executive Council of the Colony, Appoint and Declare that all the costs, charges, and expenses incident to the management and administration of the Gold-fields within the Province of Nelson, shall be regulated by Acts to be passed by the Superintendent and Provincial Council of the said Province.

FORSTER GORING,  
*Clerk to Executive Council.*

#### ORDER IN COUNCIL.

*Constituting a Warden's Court within the Nelson Gold-field, and appointing a Warden thereto.*

G. GREY,  
Governor.

At the Government House at Auckland, the 15th day of September, 1863.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

**WHEREAS** by the "Gold-fields Act, 1862," it is enacted that it shall be lawful for the Governor in Council from time to time to constitute for any Gold-field or for any part thereof Wardens' Courts for the administration of Justice therein, and to appoint Wardens as Judges of such Courts with power to act alone, or with Assessors or Juries, and in such manner, and to exercise all or any of the powers thereinafter mentioned as the Governor shall think fit to direct:

Now therefore, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, Doth hereby Constitute for the district aftermentioned of the Gold-field of the Province of Nelson a **WARDEN'S COURT** for the administration of Justice within the said district, that is to say for the district known as the **MASSACRE BAY DISTRICT**.

And Doth further hereby Appoint the person undermentioned being a Justice of the Peace and Resident Magistrate, that is to say,

JAMES MACKAY, Esq., Junior,  
to be the Warden and Judge of such Court, with power to him to act alone, or with Assessors, or Juries, and in such manner, and to exercise all or any of the powers mentioned in the 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, and 30th sections of the "Gold-fields Act, 1862," as the Governor shall think fit to direct.

FORSTER GORING,  
*Clerk to Executive Council.*

#### ORDER IN COUNCIL,

*Issuing Regulations for the granting of Gold Mining Leases in the District of the Nelson Gold-fields.*

G. GREY,  
Governor.

At the Government House at Auckland, the Fifteenth day of September, 1862.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

**WHEREAS** it is provided by the "Gold-fields Act, 1862," that it shall be lawful for the Governor in Council from time to time to make such Regulations, not being contrary to the provisions of the said Act, as he shall think fit, for regulating the granting of Leases for mining purposes, and the terms and conditions on which such Leases shall be granted, and such Regulations from time to time to alter and abolish:

Now therefore, His Excellency the Governor, in pursuance and exercise of the said recited power and authority, Doth hereby, with the advice and consent of the Executive Council of the Colony of New Zealand, Make the following Rules and Regulations for the granting of Leases and Occupation Licenses for Gold Mining within the district of the Nelson Gold-fields;

And Doth further Declare that this Order shall take effect from the day of the date hereof.

FORSTER GORING,  
*Clerk of Executive Council.*

*Rules and Regulations for the granting of Leases and Occupation Licenses for Gold Mining within the District of the Nelson Gold-fields.*

Interpretation:—Whenever the Term "Commissioner" is used in these Rules and Regulations, it shall be taken to mean the Commissioner, Warden, or Resident Magistrate, or any other Officer entrusted with the

superintendence of the Gold-field or any portion of it, and holding a Commission under the hand of the Governor duly empowering him to have charge thereof.

1. Applications for Leases of auriferous lands must be made in writing, and directed to the Commissioner in charge of the District.

2. The Commissioner shall, as soon as possible after the receipt of any such application proceed to examine the land applied for, and should he approve, he may direct that the boundaries shall be properly surveyed and defined; he shall also demand that a deposit equivalent to one year's rent shall be paid to the Receiver of Land Revenue.

3. All surveys shall be made at the expense of the applicants, and by a Surveyor approved of by the Government.

4. On completion of the survey, and description, the application will be forwarded with the Commissioner's remarks thereon for the Superintendent's approval or disallowance.

5. In the event of the Superintendent's approval, he will forthwith cause a notice of the application to be published in the *Government Gazette*, and in one or more newspapers having circulation within the Province.

6. In the event of no objection being raised to the granting of a Lease, it will then be prepared at the Crown Lands Office at Nelson, and thence transmitted for the Governor's approval and signature.

7. Pending the execution of the Lease, the Commissioner will issue a License (to be called an "Occupation License") to the applicant or applicants, authorising him or them to occupy beneficially the lands applied for, and rent will be charged from the date of the issue of such License.

8. Persons leasing lands for Gold Mining purposes shall be bound to expend one hundred pounds per acre per annum in labor or works for each acre of the land demised to them. Proper accounts of the expenditure incurred in Gold Mining, or in purposes connected with it, shall be kept by the Lessees, and shall be furnished to the Commissioner when required.

9. No block shall be leased of a greater area than fifty acres.

10. All rents must be paid yearly, in advance, after the following rates:—

For each block containing one acre and under two pounds (£2).

For each block containing upwards of one acre, and not exceeding three acres, one pound ten shillings (£1 10s.) for every acre, or for any portion less than an acre.

For each block containing upwards of three acres, and not exceeding four acres, one pound five shillings (£1 5s.) for every acre, or for any portion less than an acre.

For each block containing upwards of four acres, and not exceeding five acres, one pound two shillings and sixpence (£1 2s 6d.) for every acre, or for any portion less than an acre.

For each block containing upwards of five acres, one pound (£1) for every acre or for any portion less than an acre.

11. At the expiration of three months after the issue of an "Occupation License" to the applicant he shall prove to the satisfaction of the Commissioner that he has expended at least five pounds (£5) for each acre of the land occupied by him.

12. Any person who shall for three months consecutively delay the commencement, or shall for three months discontinue the *bona fide* working, of any mine and premises demised to him, or which he shall have been duly licensed to occupy, shall forfeit his Lease, or right to a Lease; and it shall be lawful for the Governor for the time being, or for any person appointed by him for that purpose on behalf of the Crown, to re-enter upon any lands and premises so demised or licensed and thereby determine the Estate of the said Lessee or Occupant or his Executors, Administrators, and Assigns therein. Notice of the determined Lease shall be published in the *Government Gazette*.

13. The deposits received on applications for Gold Mining Leases shall be held for the first year's rent, if the application is approved of; and, in the event of such application being disallowed, the amount will be returned to the Applicant, after deducting such sum as will suffice to cover all the preliminary expenses which may have been incurred.

14. Nothing herein contained shall be deemed to apply to Gold Mining Leases which shall have been issued previous to the date of these Rules and Regulations.

*Form of Occupation License.*

No. In accordance with the Rules and Regulations under which Gold Mining Leases of Crown Lands shall be granted within the "Nelson Gold-fields," I, A. B., (Warden) of the said Gold-field, being duly empowered in that behalf, do hereby license C. D. to occupy for Gold Mining, and purposes connected therewith, all that piece or parcel of Land situated at \_\_\_\_\_ containing by admeasurement \_\_\_\_\_ acres, more or less, subject nevertheless to all the terms and conditions under which Occupation Licenses shall be granted.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 186 \_\_\_\_\_

Entered on Record in Reg. \_\_\_\_\_

A. B.,  
(Warden).

SUPREME COURT OF NEW ZEALAND,  
MIDDLE DISTRICT.

BY virtue of the powers conferred upon me by the "Debtors and Creditors Act, 1862," I hereby appoint a Sitting of the Supreme Court, for the dispatch of all business accruing under the provisions of the said Act, to be held, at the Court House at Nelson, in the Province of Nelson, within the Judicial Middle District of New Zealand, on MONDAY, the Twenty-third day of NOVEMBER, 1863, at 10 o'clock of the forenoon.

ALEXANDER J. JOHNSTON,  
Judge of the Supreme Court to whom  
the said Middle District has been  
assigned.

Wellington,  
9th October, 1863.

SITTINGS OF SUPREME COURT.

NOTICE is hereby given that the SITTINGS of the SUPREME COURT for the dispatch of CRIMINAL BUSINESS, will be held at the Court House, Nelson, on MONDAY the SIXTEENTH day of November next, at ten o'clock in the forenoon, at which time and place all persons under *Recognizance*, to appear as *Prosecutors*, *Defendants*, or *Witnesses*, are required to give their attendance.

JOHN SHARP,  
*Registrar.*

Supreme Court Office Nelson,  
15th October, 1863.

ALTERATION OF ROADS.

THE undersigned hereby gives notice, that he intends to APPLY to two or more Justices of the Peace having jurisdiction within the Province of Nelson, at a sitting to be held on MONDAY, the 30th day November now next, at the Court House, Richmond, for an ORDER for STOPPING UP, DIVERTING, and also for MAKING the undermentioned ROADS; and further, that he will cause survey plans of the several roads proposed to be *stopped up*, *substituted*, and *made*, together with books of reference and estimates, to be deposited, on or before the 19th day of October next, with the Clerk to the Magistrates at Richmond, and with Mr. THOS. ANDREWS, Constable for Waimea South, and J. H. TAYLOR, Constable for Waimea East:—

To stop up a certain road in Waimea South commencing at the north-west side of Section 24, and proceeding through the said section 3½ chains S.W., and terminating at the S.W. side of the said section.

Also, to stop up a certain road in Waimea South commencing near the west corner of Section 9, and proceeding S.W. between Sections 9, 55, 57, and 141, and terminating at a point 19 chains from the north corner of 141.

And to substitute a certain other road 75 links wide, commencing and terminating at the same points as the road proposed to be stopped up, but proceeding 23 chains S.W., W., and S. through Section 55 and 57.

Also, to stop up a certain road in Waimea South, commencing at the west corner of Section 9, and proceeding S.E. 75 chains between Section 9, 27, 141, and 23, and terminating at the South corner of 27. Also, a certain other road branching from the last mentioned road, and proceeding S.W. 48 chains between Sections 28, 29, and 140, and terminating at the west corner of 27.

Also, to stop up a certain road in Waimea South, commencing at a point 6 chains from the east corner of Section 8, and proceeding 6 chains S.S.E. along the west bank of the Wairoa River, thence 3 chains west along the south side of the said Section 8, and terminating at the intersection of another road now in use.

And to substitute a certain other road 60 links wide, commencing and terminating at the same points as the road proposed to be stopped up, and proceeding 5 chains through Section 8 to the above mentioned intersection.

Also, to stop up parts of a certain road in Waimea East leading from Hope to Aniseed Valley: the 1st part commencing at the ridge of the hill overlooking the Waimea Plain, and proceeding thence 19 chains through Sections 2 of 1 and 111, and terminating at where it meets the road at present formed; 2ndly another part commencing at a bend in the road at present in use, and proceeding 3½ chains until it meets a certain other road the west bank of the river Roding; 3rdly, another part commencing about 16 chains from the termination of the 2nd part, and proceeding 32 chains along the bank of the Roding, and terminating at the west corner of section 8.

And to substitute for those several parts, respectively: 1st, a certain other road, 50 links wide, now made and in use, commencing and terminating at the same points as the road proposed to be stopped up, and proceeding 19 chains nearly parallel thereto, through other parts of Section 2 of 1 and 111; 2ndly, a certain other road, 50 links wide and 3 chains long, commencing at the same point as the part proposed to be stopped up, and thence diverging north-

easterly until it meets the road the bank of the Roding; 3rdly, a certain other road, 60 links wide, commencing at the same point as the part proposed to be stopped up, and proceeding 32 chains S. S.E. along the foot of the hills, terminating at the S.E. boundary of Section 8.

T. J. THOMPSON,

*Surveyor to Waimea Road Board.*

Waimea East, October, 1863.