



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,

ALFRED GREENFIELD, Provincial Secretary.

VOL. XIII.

NELSON, SATURDAY, OCTOBER 14, 1865.

No. 31.

Superintendent's Office, Nelson,
October 12, 1865.

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

ALFRED GREENFIELD,
Provincial Secretary.

A PROCLAMATION

Of the Dissolution of the Provincial Council of the Province 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.

WHEREAS by an Act of the Imperial Parliament, passed in the fifteenth and sixteenth years of the reign of her present Majesty, cap. 72, intituled "An

Act to grant a Representative Constitution to the Colony of New Zealand," the several Provinces of Auckland, New Plymouth, Wellington, Nelson, Canterbury, and Otago, are thereby established, and it is enacted that for each of the said Provinces there shall be a Superintendent and Provincial Council.

And whereas by the said Act it is further enacted that every Provincial Council shall continue for the period of four years from the day of return of the writs for choosing the same and no longer: Provided always that it shall be lawful for the Governor of New Zealand, by proclamation or otherwise, to dissolve the same whenever he shall think it expedient so to do:

Now therefore, I, Sir George Grey, the Governor of the Colony of New Zealand, do by this proclamation dissolve the Provincial Council of the said Province of Nelson accordingly.

Given under my hand, at the Government House, at Wellington, and issued under the Seal of the Colony of New Zealand, this Fourteenth day

of September, in the year of our Lord One thousand eight hundred and sixty-five.

G. GREY.

By his Excellency's command,
J. C. RICHMOND,
Colonial Secretary.

GOD SAVE THE QUEEN!

Warrant abolishing Polling Places and appointing others in lieu thereof.

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.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:—

WHEREAS by "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor by warrant under his hand, from time to time, to appoint polling places for each electoral district, within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such polling places at any time to abolish and to appoint other polling places in lieu thereof.

And whereas by warrant under the hand of the Governor, certain places were appointed polling places for the Province of Nelson, for the election of Superintendent and Members of the Provincial Council thereof.

And whereas it is expedient to abolish the same:

Now know ye, that I, Sir George Grey, the Governor of the Colony, in pursuance of the power and authority in me vested by the said Act, do hereby abolish the said polling places for the Province of Nelson, for the election of Superintendent and Members of the Provincial Council, and do appoint in lieu thereof—

City of Nelson District—Provincial Hall; Odd Fellows' Hall.

Suburban North District—School Room.

Waimea East District—School Room, Richmond; do., Suburban South.

Waimea South District—School Room, Spring Grove; do., Upper Wakefield; Library, Motueka Valley.

Waimea West District—Southern School Room.

Moutere—School Room, Upper Moutere; do., Lower Moutere.

Motueka—The Institute; School Room, Riwaka.

Takaka—School House, Clifton; Mr. George Taylor's, Takaka.

Collingwood—The Court House.

Amuri—Mr. Duppa's Wool Shed.

And I do further appoint the polling places hereinafter specified to be the principal places for such districts respectively, namely:—

City of Nelson—Provincial Hall.

Suburban North—School Room.

Waimea East District—School Room, Richmond.

Waimea South District—School Room, Spring Grove.

Waimea West District—Southern School Room.

Moutere—School Room, Upper Moutere.

Motueka—The Institute.

Takaka—School House, Clifton.

Collingwood—Court House.

Amuri—Mr. Duppa's Wool Shed.

And I do also further appoint the following polling place to be the principal polling place for the said Province of Nelson, for the election of Superintendent, viz.:—

Provincial Hall, Nelson.

Given under my hand, at the Government House, at Wellington, this Twenty-sixth day of September, in the year of our Lord one thousand eight hundred and sixty-five.

G. GREY.

By his Excellency's command,
J. C. RICHMOND,
Colonial Secretary.

Returning Officers Appointed.

Colonial Secretary's Office, Wellington,
28th September, 1865.

HIS Excellency the Governor has been pleased to appoint the following persons to be the Returning Officers under "The Provincial Elections Act, 1858," for the election of Members of Provincial Councils for the Province of Nelson, for the respective Electoral Districts set opposite their names, viz.:—

JOHN SHARP, Esq.

{ City of Nelson
Suburban North
Waimea East
Waimea West
Waimea South.

HENRY WIDOWSON TUR- } Takaka
 NELL, Esq. } Collingwood.
 ALEXANDER LE GRAND } Moutere
 CAMPBELL, Esq. } Motueka
 GEORGE RUTHERFORD, Esq., Amuri.

J. C. RICHMOND.

Warrant Appointing Additional Polling Places.

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.

To all to whom these Presents shall come, Greeting:

WHEREAS by "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor by warrant under his hand, from time to time, to appoint polling places for each electoral district, within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such polling places at any time to abolish and to appoint other polling places in lieu thereof:

Now know ye, that I, the Governor of New Zealand, in pursuance of the power and authority in me vested by the said Act, do hereby appoint the following places to be additional polling places for the electoral district hereinafter specified, as constituted by "The Representation Act, 1862," for the election of Members of the House of Representatives, namely—for the District of Motueka;

SCHOOL HOUSE, Riwaka; and
 SCHOOL HOUSE, Lower Moutere.

Given under my hand, at the Government House, at Wellington, this Seventeenth day of August, in the year of our Lord One thousand eight hundred and sixty-five.

G. GREY.

By his Excellency's command,
 J. C. RICHMOND,
Colonial Secretary.

Warrant appointing an additional Polling Place.

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.

To ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:—

WHEREAS by "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor, by warrant under his hand, from time to time, to appoint polling places for each electoral district within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such polling places at any time to abolish, and to appoint other polling places in lieu thereof:

Now know ye, that I, the Governor of New Zealand, in pursuance of the power and authority in me vested by the said Act, do hereby appoint the following place to be an additional polling place for the electoral district hereinafter specified, as constituted by "The Representation Act, 1862," for the election of Members of the House of Representatives, namely, Waimea District—

LIBRARY, Motueka Valley.

Given under my hand, at the Government House, at Wellington, this Twenty-sixth day of September, in the year of our Lord One thousand eight hundred and sixty-five.

G. GREY.

By his Excellency's command,
 J. C. RICHMOND.

Acts left to their operation (Nelson).

Colonial Secretary's Office, Wellington,
 13th September, 1865.

THE following Acts passed by the Provincial Council of the Province of Nelson, intituled—

"Appropriation Act," Session 13, No. 6;
 "Thistle Repeal Act," Session 13, No. 5;
 "Scab Act," Session 13, No. 4;
 "Annuity Act," Session 13, No. 2;
 "Public Carriages Inspection Act,"
 Session 13, No. 1;

having been laid before the Governor, his Excellency has been pleased to leave the same to their operation.

J. C. RICHMOND.

Memorandum on the distribution of Customs and Gold Duty in Western Gold-fields.

THE Grey is chiefly a port for the Gold-fields on the northern or Nelson side of the river; Hokitika supplies the

chief Canterbury diggings; those at Taramakau may be supplied from either the Grey or Hokitika.

I propose as an equitable adjustment of the Revenue question as regards the Provinces, that the Customs received at the Grey be assumed to arise from the district included in the Grey basin, and the country southward of the Grey basin as far as the Taramakau River; and that for the purpose of ascertaining the proportion of revenue to be credited to each Province under the Surplus Revenues Acts, the numbers of Miners' Rights exercised during the quarter (or other period) within the above district on each side of the Provincial boundary be taken as the rates for apportioning the revenues to each of the Provinces.

J. C. RICHMOND.

Approved in Council,
G. GREY.

FORSTER GORING,
Clerk of the Executive Council.

4th September, 1865.

ORDER IN COUNCIL,

Regulations respecting delegation of powers to Superintendents under "Diseased Cattle Act, 1861."

G. GREY, Governor.

At the Government House, at Wellington,
the Eighteenth day of September,
1865.

Present :

HIS EXCELLENCY THE GOVERNOR IN
COUNCIL.

WHEREAS by warrants under the hand of his Excellency the Governor, bearing date this Eighteenth day of September, One thousand eight hundred and sixty-five, the Governor has with the advice and consent of the Executive Council of New Zealand delegated to the Superintendents respectively of the Provinces of Auckland, Taranaki, Wellington, Hawke's Bay, Nelson, Canterbury, Otago, and Southland, certain powers conferred on him by "The Diseased Cattle Act, 1861," subject to certain Regulations to be made by the Governor in Council under the said recited Act.

Now therefore, his Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, by virtue of the authority given to him by the 14th section of the above recited Act, doth hereby make and ordain the following Regulations:—

1. Each Superintendent shall immediately after exercising any of the delegated powers, notify the same to the Governor, and he shall transmit to the Governor particulars of all appointments and copies of all Regulations made by him.

2. He shall, so soon as conveniently can be, notify all Regulations made by him to the Colonial Secretary or Chief Secretary of each of the Australian Colonies, and cause the same to be published in England in the *Times* newspaper.

3. In the exercise of powers delegated under the 9th section of the said Act, the Superintendent of any Province, may, either in the first instance or afterwards, from time to time by proclamation in the *Government Gazette* of the Province, except out of any district proclaimed as infected under the said Act, any port or place within the limits of such district, and every such excepted port and place shall be deemed not to be within the proclaimed district, and the Superintendent may also from time to time by proclamation as aforesaid, rescind any proclamation of an infected district wholly or as to any part thereof, and also the proclamation of any such exception as aforesaid.

4. In the exercise of powers delegated under the 10th section of the Act, the Superintendent of any Province may prohibit the importation, either by land or by sea, of cattle into such Province from any other Province or any particular port or place in any other Province, or across the borders of a Province or any particular part thereof.

5. In all such last-mentioned cases such Superintendent shall cause notice as speedily as possible of such prohibition to be given to the Superintendent of the Province from which the importation shall be prohibited, and also to the Governor.

6. The Superintendent of any Province may in his discretion suspend or forbear to exercise all or any of the powers delegated to him under the said Act.

7. The Superintendent of each Province shall, as soon as can be after the commencement of each sitting of the Provincial Council of such Province, lay before such Council copies and particulars of all the Appointments, Regulations, Acts, and Proceedings whatever, issued, made or done by him under the delegated powers of the said Act.

8. If the Provincial Council of any Province shall by resolution declare their dissent from all or any of such Appointments, Regulations, Acts, and Proceedings, such Resolu-

tion shall be forthwith transmitted by the Speaker to the Governor for his consideration.

FORSTER GORING,
Clerk of the Executive Council.

Superintendent's Office, Nelson,
October 12, 1865.

HIS Honor the Superintendent directs it to be notified, for general information, that he has appointed

JOHN FISHER,

to be *District Constable* for *Collingwood*, the appointment to date from the 1st instant.

ALFRED GREENFIELD,
Provincial Secretary.

Superintendent's Office, Nelson,
October 12, 1865.

HIS Honor the Superintendent directs it to be notified, that the Order for the ALTERATION of a certain ROAD, hereinafter described, obtained from the Justices of the Peace, at Motueka, on the Twenty-sixth day of August, 1865, in accordance with the provisions of the "Alteration of Roads Ordinance, 1854," was confirmed by the Superintendent and Executive Council, on the Tenth day of October instant, viz:—

1. To *stop up* a certain road in the Riwaka, leading from the road up the Riwaka-valley, commencing at a point 200 links or thereabouts from the swamp-bridge, and running thence in a due south direction 28 chains more or less, being the original line of road as laid out by the New Zealand Company, between sections 56 and 50, on the east, and sections 49 and 57, on the west.

And to substitute in the place thereof, a certain other road, of the same width, commencing about 150 links from the said bridge, the point of deviation being marked by a solitary manuka tree on the boundary line; proceeding thence in a direction due south for two chains or thereabouts; thence in a S.S.E. direction 150 links more or less; thence in a S.E. direction 600 links or thereabouts; thence about 500 links in a S.E. direction to the foot of the hill, joining there a private road; thence in a S.W. direction, keeping the said private road generally

as the centre, till it joins the above mentioned original road four chains from the corner boundary of section 50.

ALFRED GREENFIELD,
Provincial Secretary.

Superintendent's Office, Nelson,
October 12, 1865.

HIS Honor the Superintendent directs it to be notified, that the undermentioned BY-LAW, made and passed by the Waimea Road Board, in accordance with the provisions of the "Country Roads Amendment Act, 1863," has been confirmed by the Superintendent and Executive Council.

ALFRED GREENFIELD,
Provincial Secretary.

BY-LAW, No. 2.

Whereas, it is expedient to make further provision for the abatement of the Nuisance and Danger caused by the present growth of Furze or Gorse, &c., throughout the Waimea Districts: Be it, therefore, ordered and directed by the Road Board for the said Districts, with the sanction of his Honor the Superintendent and his Executive Council, as follows, viz:—

1. The occupier, or in case there shall be no occupier, then the owner of any land upon which a gorse or other hedge shall be growing, adjoining any public road or street, shall so soon as the portion of the said road or street adjoining his said land shall be clear, thenceforward keep the same at all times clear of gorse or other obstructions which it may reasonably be supposed have proceeded from the said hedge; and in case such occupier or owner, as the case may be, shall refuse or neglect to clear such road or street, after receiving fourteen days' notice to do so from the Road Board, he shall be liable to a penalty of not exceeding Forty shillings.

IN THE SUPREME COURT OF NEW ZEALAND, MIDDLE DISTRICT.

In the matter of "The Debtors and Creditors Act, 1862," and in the matter of the Petition of FRITZ SCHLUTER, of Hokitika, in the Province of Canterbury, in New Zealand, Hotel-keeper.

On the Twenty-sixth day of September, One thousand eight hundred and sixty-five.

UPON reading the Petition of the said Fritz Schluter filed in this Court, and the several affidavits and schedules thereto

annexed, and upon hearing Mr. IZARD, of counsel for the said petitioner, Fritz Schluter: It is ordered that the estate of the said Fritz Schluter be sequestrated into the hands of JOHN SHARP, Esquire, the Registrar of the Supreme Court at Nelson, until the hearing of the said Petition, or until the further order of the Court herein: And it is further ordered that a meeting of Creditors of the said Fritz Schluter be held at the Court House, Nelson, on the Thirtieth day of October next, at two p.m., for the purpose of recommending Trustees to the Court, and the mode of winding up the said Estate: And it is further ordered that the hearing of the said Petition be held at the Supreme Court,

Nelson, on the Twenty-third day of November next, at the hour of Ten o'clock in the forenoon: And that protection of the person and estate of the said Fritz Schluter be granted until the said Twenty-third day of November next, or until the further order of this Court: Provided always, that such protection shall be of no force or effect, should any creditor of the said Fritz Schluter be in a position to issue a writ of arrest against the said Fritz Schluter, in accordance with the Writ of Arrest Act, to the satisfaction of a Judge or Registrar of the said Court, in the absence of a Judge.

L.S.

By the Court.