

## **Session XXVII 1867 (June to July 1867)**

1. Heathcote Bridges Ordinance 1867
2. Sefton Church and Cemetery Reserve Ordinance 1867
3. Limitation of Patronage Ordinance Amendment Ordinance 1867
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5. Sheep Rating Ordinance 1866 Amendment Ordinance 1867
6. Appropriation No 2 Ordinance 1867
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### **1. The Heathcote Bridges Ordinance 1867.**

Analysis.

Preamble.

1. Bridge may be built.
2. Wilson's Bridge may be maintained.
3. Such Bridges to be free.
4. Title.

Whereas by an Act of the General Assembly of New Zealand entitled "The Provincial Councils Powers Extension Act 1863" it is enacted that whenever any Ordinance shall be passed by any Provincial Council for the purpose of authorising the making or carrying on of any work of utility to the public or to the inhabitants of some particular district such law may so far as may be necessary for the making or carrying on of such work of utility affect any Public Street Road or Highway or the bed of any River Stream or Creek although the same respectively may be the lands of the Crown.

And whereas it is for the benefit of the public and of the inhabitants of the Heathcote Road District that the Road Board of the Heathcote District and their successors should have power to construct and maintain a Bridge over the River

Heathcote at the place hereinafter mentioned Andd also from henceforth to maintain as Bridges certain other Bridges already erected over he said River.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Bridge may be built.

It shall be lawful for the Road Board of the Heathcote District out of their own proper revenues to erect and thenceforth maintain a Bridge in the bed of and over and across the River Heathcote from where the road between rural sections 157 and 96 meets the river to a road laid out through rural section 64 and intended to be continued to the Hills Road and such Bridge shall be constructed subject to the approval of the Provincial Government.

2. Wilson's Bridge may be maintained.

It shall be lawful for the Road Board of the Heathcote District out of their own proper revenues to erect and thenceforth maintain a Bridge in the bed of and over and across the River Heathcote from where the road between rural sections 157 and 96 meets the river to a road laid out through rural section 64 and intended to be continued to the Hills Road and such Bridge shall be constructed subject to the approval of the Provincial Government.

3. Such Bridges to be free.

All the above Bridges shall be and remain public free Bridges.

4. Title.

This Ordinance shall be entitled and may be cited as "The Heathcote Bridges Ordinance 1867.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 10th of July 1867, and assented to by the Superintendent, W.S. Moorhouse, on 11th July 1867.

Bridges.

White's Kaiapoi Bridge Ordinance 1857

Heathcote Bridge Ordinance 1862

White's Waimakariri Bridge Ordinance 1862 D NZG 1863 p140

Waimakariri Bridge Ordinance 1863

Kaipoi Bridge Ordinance 1863

Ashley Bridge Ordinance 1865

North Avon Bridge and Road Diversion Ordinance 1865

Cam Bridge Ordinance 1867

Stanmore Bridge Road Ordinance 1867

Heathcote Bridges Ordinance 1867

Rakaia Bridge Ordinance 1868  
Kaiapoi Bridge Ordinance 1868  
Kaiapoi Bridge Ordinance 1868  
Rangitata, Opihi and Temuka Bridges Tolls Ordinance 1869

## **2. The Sefton Church and Cemetery Reserve Ordinance 1867.**

Analysis.

Preamble.

1. Land described to be site for Church of England.
2. Title.

Whereas by Crown Grant bearing date the Eighteenth day of September One thousand eight hundred and sixty-five all that parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Ashley District containing five acres more or less commencing at the junction of the road forming the north-east boundary of section 2726 with the Upper Sefton Road following along the latter road in a north-easterly direction a distance of five chains and extending back south-easterly and adjoining the road first mentioned a distance of ten chains in a rectangular block and numbered 201 in red on the map of the Chief Surveyor of the said Province of Canterbury setting out and describing the rural land in the Ashley District aforesaid as the same is delineated on the plan drawn in the margin thereof with all the rights and appurtenances thereunto belonging was granted unto the Superintendent of the Province of Canterbury and his successors in trust as a site for a Church and School in connection with the nited Church of England and Ireland in New Zealand:

And whereas by the Public Reserves Act 1854 under and by virtue of which the aforesaid grant was made it is enacted that the specific purposes by which any lands granted under the said Act within any Province should be held might be charged and the same lands might be appropriated to other and different purposes of public utility for the public services of such Province:

And whereas it has become necessary to alter the purposes for which the aforesaid land is held as hereinafter described.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Land described to be site for Church of England.

The specific purposes of public utility for which the lands hereinbefore described are held shall be and are hereby changed and such lands shall be henceforth held by the Superintendent of the said Province and his successors in trust for

and for the purposes of a site for a Church and Cemetery in connection with the United Church of England and Ireland in New Zealand.

2. Title.

This Ordinance shall be entitled and may be cited as "The Sefton Church and Cemetery Reserve Ordinance 1867."

Notes.

This Ordinance of the Canterbury Provincial Council was passed on the 28th June 1867 and assented to by the Superintendent on 2nd July.

Henry John Tancred was Speaker, Henry Bacon Quin, Clerk of Council, and William Sefton Moorhouse was Superintendent.

**3. The Limitation of Patronage Ordinance, 1866, Amendment Ordinance, 1867.**

Analysis.

Preamble.

1. No Member of the Canterbury Provincial Council shall be appointed by Superintendent to certain offices, &c.

2. Repeal.

3. Title.

Whereas it is expedient still further to limit the power of members of the Provincial Council of Canterbury to hold and enjoy offices of trust or emolument under the Government of the said Province.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. No Member of the Canterbury Provincial Council shall be appointed by Superintendent to certain offices, &c.

From and after the passing of this Ordinance no person who for the time being shall be a Member of the Provincial Council of Canterbury or who shall within the period of six calendar months next preceding have been a Member of the said Council shall be appointed by the Superintendent of the said Province to any place or office of emolument chargeable upon the Revenues of the said Province except the several places or offices respectively mentioned in "The Executive Council Ordinance 1864."

2. Repeal.

“The Limitation of Patronage Ordinance Session I No. 5” is hereby repealed so far as relates to Members of the Provincial Council who shall be appointed to any office under the provisions of “The Executive Council Ordinance 1864.”

3. Title.

This Ordinance shall be entitled “The Limitation of Patronage Ordinance Amendment Ordinance 1867.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 4th of July 1867, but disallowed by the Superintendent.

**4. The Provincial Council Extension Ordinance, 1866, Amendment Ordinance 1867.**

Analysis.

Preamble.

1. Repealing Clause.

2. Title.

Whereas it is expedient that Section 8 of “The Provincial Council Extension Ordinance, 1866 should be repealed.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Repealing Clause.

The 8th Section of the said recited Ordinance is hereby repealed.

2. Title.

This Ordinance shall be entitled and may be cited as “The Provincial Council Extension Ordinance, 1866, Amendment Ordinance 1867.

## **5. The Sheep Rating Ordinance, 1866, Amendment Ordinance, 1867.**

Analysis.

Preamble.

1. Offence under 4th section "Sheep Rating Ordinance 1866" to be distinct for every day.
2. Repealing Clause.
3. Construction Clause.
4. Title.

Whereas it is expedient that the "Sheep Rating Ordinance 1866" should be amended.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Offence under 4th section "Sheep Rating Ordinance 1866" to be distinct for every day.

The omission to furnish the information required to be given by the 4th section of the "Sheep Rating Ordinance, 1866," to the person or persons and in the manner required by the said Ordinance shall be a distinct offence for every day such omission shall continue.

2. Repealing Clause.

The sixth clause of the "Sheep Rating Ordinance 1866" is hereby repealed.

3. Construction Clause.

This Ordinance shall be interpreted and construed as part of the "Sheep Rating Ordinance 1866."

4. Title.

This Ordinance shall be entitled "The Sheep Rating Ordinance 1866 Amendment Ordinance 1867."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 10th of July 1867, and assented to by the Superintendent, W.S. Moorhouse, on 11th July 1867.

## **6. The Appropriation Ordinance No. 2 1867.**

Analysis.

Preamble.

1. Appropriation of Public Revenues for period up to 30th June 1867.
2. Provincial Treasurer to issue upon warrant from His Honor the Superintendent.
3. Provincial Treasurer allowed credit for sums issued as per Schedule E.
4. Title.

Be it enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Appropriation of Public Revenues for period up to 30th June 1867.  
Out of the public revenues of the said Province there may be issued and applied for the public service of the Province, and for the charge of the Government thereof, for the period commencing on the First day of July, one thousand eight hundred and sixty-five and ending on the Thirtieth day of June, one thousand eight hundred and sixty-six in manner set forth in the Schedules A B an D to this Ordinance any sum or sums of money not exceeding the sums in such Schedules specified amounting in the whole to the sum of Eighty-three thousand six hundred and twenty-nine Pounds Thirteen Shillings and Eightpence and One hundred and fifty-three thousand seven hundred and ninety-five Pounds Fourteen Shillings and Threepence and One hundred and fifty-seven thousand seven hundred and thirty-three Pounds Twelve Shillings and Sevenpence respectively.
2. Provincial Treasurer to issue upon warrant from His Honor the Superintendent. The Provincial Treasurer shall issue from time to time any sum or sums of money not exceeding the sums in such Estimates severally specified, to such persons, and in such portions as the Superintendent shall, by any Warrants under his hand, from time to time direct, and shall be allowed credit in his accounts for all sums so paid by him in pursuance of such Warrants; and the Receipts of the persons to whom such sums shall have been paid shall be a full discharge for the sum or sums for which such receipts shall be given.
3. Provincial Treasurer allowed credit for sums issued as per Schedule E.  
And Whereas, in defraying the charge of the Provincial Government and in the public service of the said Province for the nine months ending the Thirtieth June, one thousand eight hundred and sixty-three, certain sums of money, amounting in the whole to the sum of Fifteen Thousand Eight Hundred and Ninety Pounds Ten Shillings and Twopence, were issued and paid by the Provincial Treasurer, in pursuance of Warrants under the hand of the Superintendent; and such sums were paid in the manner and on account of the services particularly set forth in the Schedule D to this Ordinance, but were not included in any Bill for the appropriation of the public revenues of the said Province for the said nine

months: Be it therefore enacted that the Provincial Treasurer shall be allowed credit in his Accounts for all sums of money so issued and paid by him on the several Accounts set forth in the Schedule D hereunto annexed; and the Receipts of the persons to whom such sums of money shall have been paid under such Warrants, shall be a complete discharge for the sum or sums of money for which such Receipts shall have been given.

4. Title.

This Ordinance shall be entitled and may be cited as "The Appropriation Ordinance, No 2 1867."

Schedule A.

CLASS I.—PERMANENT CHARGES.

Loan Ordinance, Session VII., No. 3

Interest on £30,000 ... ..

Sinking Fund ... ..

Lyttelton and Christchurch Railway Loan Ordinance.

Interest on £100,000 ... ..

Sinking Fund ... ..

Loan Ordinance, 1862.

Interest on £50,000 ... ..

Sinking Fund ... ..

Bank Charges for Remittance ...

Superintendent's Salary Ordinance Amendment Ordinance, 1863

Superintendent ... ..

Provincial Auditor and Deputy Auditor's Salaries Ordinance.

Provincial Auditor ... ..

Volunteers' Service Ordinance, 1861.

Grant to Volunteers ... ..

CLASS II.—EXECUTIVE.

Superintendent's Department.

Clerk to Superintendent ... ..

Provincial Secretary's Department.

Provincial Secretary ... ..

Clerk ... ..

Assistant Clerk ... ..



Provincial Treasurer's Department.

Provincial Treasurer ... ..

Forage Allowance ... ..

Two Clerks—One at £250, one at £180 ... ..

Sub-Treasurers at Akaroa and Timaru ... ..

Provincial Auditor's Department.

Expenses of the Department , including Travelling Expenses to examine  
Accounts of Sub-Treasurers, &c. ... ..

Provincial Solicitor's Department.

Provincial Solicitor—Fees ... ..

Housekeeper's Department.

Housekeeper ... ..

Messenger ... ..

CLASS III.—ELECTORAL.

Expenses of Elections.

CLASS IV.—LEGISLATIVE.

Provincial Council.

Speaker

Chairman of Committees

Clerk of the Council

Chaplain and Librarian

Messenger

Expenses of Members

CLASS V.—ADMINISTRATION OF JUSTICE.

Supreme Court.

Crown Prosecutor, Fees not exceeding ... ..

Expenses of Session

Gaol at Lyttelton.

Gaoler

Chaplain

Matron

Warders—One at 8s, and six at 6s. and 6d. per diem

Prisoners' Rations, Clothing &c.

Fuel

Miscellaneous

Gaol at Christchurch.

Two Warders, at 6s. 6d.

Rations for Prisoners, &c.

## Miscellaneous

### Police.

Commissioner, with forage for one Horse  
Two Inspectors, at £250 each, with Quarters and Forage  
One Clerk and Storekeeper, at 11s 6d. per diem  
One Sergeant-Major, at 10s.  
Two First-class Sergeants, at 9s. 6d. per diem  
Three Second-class Sergeants, at 9s per diem  
Four Third-class Sergeants, at 8s. 6d. per diem  
Ten First-class Constables, at 7s. 6d. per diem  
Six Second-class Constables, at 7s per diem  
Six Third-class Constables, at 6s. 6d. per diem

### Police (Contingencies).

Horses  
Forage  
Travelling Expenses  
Shoeing and Farriery  
Provisions for Prisoners  
Clothing  
Fuel &c.  
Postage, Printing and Stationery  
Painting, Repairs, Furniture, and all other incidental expenses  
House Rent

### Outstanding Liabilities.

Arms and Appointments  
Completion of Fence at Kaiapoi  
Extra Fittings and Furniture at the Watch-House, Christchurch  
CLASS VI.—EDUCATION.  
Liabilities under Resolution of Council up to September, 1863  
Balance of Grant for Building to Christ's College  
Grant for Christchurch Academy  
Grant in Support of Existing Schools, including Fuel and Contingencies ...  
Building New Schools  
Three Masters from England, at £150 per annum, pay to commence, say, 1st  
January, 1864.  
Passages of Three Masters—say at £70  
Expenses of Department, including remuneration to Commissioners  
Inspector  
General Contingencies, Building, &c.  
CLASS VII.—IMMIGRATION.  
Immigration  
Immigration Officer  
Assistant Immigration Officer

Overseer to Barracks

Matron

Furniture, Rations, and other incidental Expenses

CLASS VIII.—CHARITABLE AID.

Administrator (Salary included in that of Immigration Officer)

Charitable-in-Aid Fund

Grant to the Orphan Asylum for Building

CLASS IX.—HOSPITALS.

Grants for Christchurch, Lyttelton, and Timaru

CLASS X.—LUNATIC ASYLUM.

Steward

Matron

Two Attendants—one at 7s. 6d. per diem; one at 7s. per diem

One Female Attendant, at 5s. per diem

One Cook, at 6s. per diem

Rations, &c.

Furnishing and Providing General Stock of Establishment

Miscellaneous

CLASS XI.—INSPECTION OF SHEEP.

Chief Inspector, including Salary, Forage, and Travelling Expenses

Two Inspectors, at £350 each and three Forage Allowances

Inspection of Sea-borne Sheep

Erection of Yard on Nelson Frontier

CLASS XII.—PUBLIC PLANTATIONS.

Gardener

Assistant Gardener, at 7s. per diem

Labourer, at 6s 8d. per diem

Planting 20 acres, Fencing 20 acres, Seeds, Tools, Contingencies

CLASS XIII.—WEIGHTS AND MEASURES.

Inspector

Contingencies (including Office Rent)

CLASS XIV.—HARBOUR.

Grant to be placed at the disposal of the Marine Boards of Lyttelton, Akaroa, and Timaru.

CLASS XV.—DEFENCE.

Balance of Grant to Volunteers

Maintenance of a Band, inclusive of salary of a Band-master

Purchase of Ordnance through the General Government —6 Guns, estimated at £500 each

Purchase of small Arms

CLASS XVI.—GENERAL MISCELLANEOUS.

Fuel for various Departments

Printing, Advertising, Stationery, &c.

Printing Journal of Proceedings

Arranging and re-printing Ordinances

Registration of Deeds

Dog Collars  
Postages, Cartage, &c.  
Painting, Sweeping, Cleansing, &c.  
Maintenance of Fire Engine  
Subscription to new Engine  
Furniture  
Extra Clerical Aid  
Insurance  
Christchurch Mechanics' Institute, Grant in Aid  
Kaiapoi Mechanics' Institute, Grant in Aid  
Timaru Mechanics' Institute, Grant in Aid  
Akaroa Mechanics' Institute, Grant in Aid  
Agricultural and Pastoral Association, Grant in Aid to Libraries  
Acclimatisation—For the Introduction of Fish  
Church Building Grant—Balance for this year  
Public Amusements  
Purchase of site adjoining Government Buildings  
Purchase of site of Lyttelton Hospital  
Grant for the Benefit of the Widow and Family of the late Mr Whitcombe  
Gratuity to Louper  
Gratuity to Hammett  
Chaplain to Gaol, Lunatic Asylum and Hospital, at £300 per annum  
Commemoration of the Marriage of HRH the Prince of Wales ... ..  
Hose Reel for Fire Engine  
Erection of Meteorological Instruments  
Salary of Meteorological Officer  
Expedition to West Coast  
Examination of Cattle at Akaroa  
Keeper of Quarantine Barracks at £150 per annum  
Erection of Pound at Kaiapoi

Contingencies  
Adjustment of Account with Christchurch City Council  
Steam Bonus  
CLASS XVII.—LANDS AND WORKS.  
Waste Lands Board.  
Chief Commissioner  
One Paid Commissioner  
Clerk to the Board  
Messenger

Survey Office.  
Chief Surveyor

Contingencies.

Contract Surveys.

Geological Surveys.

Public Works—Staff.

Outstanding Liabilities—Central and Northern Districts

Oxford Road—Forming and Metalling

Rangiora Ford Road—Forming Metalling and Bridges.

South Road—Metalling.

Colombo-street South—Forming and Metalling

Hoonhay Road—Forming and Metalling.

Spring's Road—Metalling.

Lincoln Road—Metalling.

Ellesmere Junction Road—Metalling.

Sumner Road—Carting Metal

Halswell Junction Road—Metalling.

Governor's Bay Road—Bridges and Forming.

Gebbie's Pass Road—Forming

Dyer's Pas Road—Forming and Culverts.

West Coast Road

Papanui Bridge—Ordered from England

Kaiapoi Town

Rangiora Swamp

North Selwyn Drainage

Avon District

Lincoln and Riccarton Junction Road—Metalling

Mandeville District

Sefton District

Upper Waimakariri Road—Forming Beach Road

Lyttelton Gaol—Timber, &c.

Lyttelton Boat-house

Christchurch Hospital

Repairs of Roads—3 months

Banks' Peninsula.

Purau Line

Wainui District

Akaroa Jetty—Crane

Road at Hughes' Mill

Okains's Bay

Pigeon Bay

Port Levy

## Office Expenses

Timaru.  
Survey and Public Works Office  
Hospital  
Timaru to Waitaki  
Timaru to Mount Cook District  
Improvements between Burke's Pass and Otago  
Tekapo District

Works to be undertaken by the Provincial Government.  
West Coast Road, Pack-horse Track to Teramakau Saddle  
Survey for same  
Commission and Survey for Rakaia Bridge  
New Ferry—Moorings, Rope, &c.  
Avon Clearing  
Pass Hill Bridge, £2,100; half to be subscribed by Mr Kenrick  
Approaches  
Commission and Survey for Timary Roadstead  
Survey and Preparation of Plans for defence of Waimakariri Banks  
Waimakariri Breakwater  
Akaroa Jetty—Repairs and Additions  
Grant-in-Air for new Jetty  
Punt at the Rangitata  
Survey of Timber Reserves  
Grant for Works necessary, before the Road Boards are formed  
Repairs of Roads until Road Boards are formed  
Road to Upper Waimakariri Country

Roads Boards.  
Establishment of Road Boards.

Votes for District Boards.  
1. North Sefton District  
2., South Sefton  
3. Oxford District  
4. Rangiora and Mandeville District  
5. Town of Kaiapoi  
6. Avon District East  
7. Avon District Central

8. Avon District West
  9. Heathcote District East
  10. Heathcote District Central
  11. Heathcote District South
  12. Lincoln District East
  13. Lincoln District West
  14. Port Victoria District
- Grant to the City  
Grant in Aid of Main Thorough
- A15. Port Levy District.
  16. Little River District
  17. Town of Akaroa and Wainui District
  18. The Bays' District
  19. Rakaia District East
  20. Rakaia District South
  21. Rakaia District North
  22. Rakaia District West
  23. Ashburton District
  24. Geraldine District
  25. Town of Timaru
  26. Waitangi District
  27. Mount Cook District

City of Christchurch.

Town of Lyttelton.

Public Buildings.

#### SCHEDULE B.

Railways.

Railway including Christchurch and Ferrymead Branch

Alteration in Tunnel, Lyttelton, end

Resident Engineer

Tunnel Inspector

Fees for Consulting Engineer

SCHEDULE C.

Lyttelton Wharfage—Preliminary Expenses

Building a New Jetty

Extension of Telegraph to Waitaki

Hurunui Bridge

SCHEDULE D.

Permanent Charges  
Electoral  
Gaol  
Waste Lands  
Survey Office  
Charitable Aids  
Hospital—Christchurch  
Printing  
Dog Collars  
Postages, Cartage, &c.  
Maintaining Fire Engine  
Recovering the bodies of men drowned  
Pegs for Railway  
Plant  
Imprest to Pay Clerk  
Stores  
  
Total

## **7. The Public House Ordinance 1866 Amendment Ordinance 1867.**

Analysis.

Preamble.

1. License may be refused.
2. Form of License may be renewed.
3. In certain cases new form of License may be issued to Lessor.
4. "Country Hotel License" may be issued.
5. Repealing Clause.
6. Notice of removal to be given to Lessor by Lessee. License may be transferred.
7. Repealing Clause.
8. Penalty upon holder of Publican's License for not keeping a lamp burning.
9. Provision to Clause 10 of Ordinance 1866.
10. Ordinance not to apply to Westland.
11. Title.

Whereas an Ordinance was passed by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council intituled "The Public House Ordinance, 1866" And whereas it is expedient to amend the same:

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:



1. License may be refused.

Notwithstanding anything in the said "Public House Ordinance 1866" contained if in the opinion of a majority of the Justices hearing an Application for a new License it shall appear that such License is not required it shall be lawful for the Justices to refuse to grant such License Provided always that it shall not in any case be compulsory on any applicant to produce a householder's certificate under Section 8 of the said "Public House Ordinance, 1866."

2. Form of License may be renewed.

If any Licensee or the assignees of any Licensee shall have by accident lost the form of License and shall be desirous of obtaining a renewal or transfer of such lost License and shall appear before the nearest Resident Magistrate's Court and shall satisfy the Bench that his or their application is made bona fide it shall be lawful for any three Justices sitting in such Court to grant to him or them or his or their nominee or assignee a new License as nearly as possible in the form prescribed by the said "Public House Ordinance 1866" according to the nature of the License and such License shall be taken in every respect to be equivalent to the License so lost and the same shall be issued by the Provincial Treasurer upon payment of a Fee of Ten Shillings.

3. In certain cases new form of License may be issued to Lessor.

In case any holder of a License shall be convicted of felony in any Criminal Court or where the holder of a License shall abscond or shall have shut up the house for which such License was granted or shall have removed his License pursuant to Clause 9 of the said Ordinance or shall have ceased to be the tenant of a Licensed House or shall hold a License as servant only it shall be lawful for the Lessor or other Landlord of such holder to apply for a new License as if such License had been lost and if such Lessor or other Landlord shall appear before the nearest Resident Magistrate's Court and shall satisfy the Bench that his application is made bona fide and not for the purpose of defrauding such holder it shall be lawful for any three Justices sitting in such Court to grant to him or his Nominee a new License as if the original License had been lost and the same shall be issued by the Provincial Treasurer upon payment of a Fee of Ten Shillings.

4. "Country Hotel License" may be issued.

In addition to the Licenses authorised to be issued by the said "Public House Ordinance 1866" it shall be lawful for the Bench to grant Licenses beyond the limits of Christchurch Lyttelton Kaiapoi and Timaru of the following class Country Hotel Licenses in the Schedule A to the said Ordinance substituting the words "Country Hotel" for "Hotel" The Licensee shall be required to provide a new house bar parlour and at least five suitable bed-rooms for the use of the public and stabling with necessary closets in the house or yards such rooms shall be conveniently.

5. Repealing Clause.

Section 23 of the said "Public House Ordinance 1866 is hereby repealed.

6. Notice of removal to be given to Lessor by Lessee. License may be transferred.

If the holder of any License shall desire to remove his business from the house named therein to any other house he shall give the immediate Lessor (if any) of such house Forty clear days' notice in writing of such his desire and it shall be lawful for the Justices of the Peace at any Annual or Quarterly Meeting upon application of the Licensee to that effect to authorize such removal by an endorsement on the original License in the form in Schedule H to the said "Public House Ordinance 1866" annexed if they shall think fit or in case of the License being lost in the same manner as provided for in Clause 2 of this Ordinance.

7. Repealing Clause.

Clause 31 of the said "Public House Ordinance 1866" is hereby repealed.

8. Penalty upon holder of Publican's License for not keeping a lamp burning. Every holder of a Publican's License for a house not within any City Town or Borough lighted at the expense of the Ratepayers shall keep a lamp affixed over the door of his house or within twenty feet thereof lighted during the whole of every night from sunset to sunrise during the time of his holding such License and every person not keeping a light so burning shall pay for every such offence a penalty not exceeding Twenty Shillings to be recovered in a summary manner.

9. Provision to Clause 10 of Ordinance 1866.

That the following provision shall be taken to be and shall be read as part of Clause 10 of the said recited Ordinance of 1866 Provided always that if any License shall be granted at any Quarterly Meeting the Licensee shall be required to pay only one-fourth two-fourths or three-fourths of the amount payable as an annual Fee according to the number of quarters such License shall be in force from the time of granting the same.

10. Ordinance not to apply to Westland.

This Ordinance shall not apply to that part of the Province of Canterbury called Westland.

11. Title.

This Ordinance shall be read with and form part of the said "Public House Ordinance, 1866."

Notes

This Ordinance was passed by the Canterbury Provincial Council on the 11th of July 1867, and was assented to by the Superintendent on 11th July.

## **8. The Fencing Ordinance 1866 Amendment Ordinance 1867.**

Analysis.

Preamble.

1. Manner of delivery of Notice.
2. Form of Notice.
3. Repealing Clause as to second Section.
4. Repealing Clause as to Twelfth Section.
5. Ordinance to be part of Fencing Ordinance 1866.
6. Title.

Whereas it is expedient that certain parts of "The Fencing Ordinance 1866" should be repealed.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Manner of delivery of Notice.

From henceforth it shall not be lawful to send the notice in writing mentioned in the second Section of the said Ordinance through the ordinary course of post as mentioned in the said Section but such notice shall be either delivered personally as mentioned in the said section or left at the usual or last known place of abode in the Province of Canterbury of the person or persons to whom by the said Section such notice is either to be delivered personally or sent through the ordinary course of post or shall be delivered to the attorney or agent in the Province of Canterbury for such person or persons.

2. Form of Notice.

The notice in writing required to be given by the second Section of the said Ordinance may be to the effect set forth in the Schedule thereto without being in the exact form set out in such Schedule.

3. Repealing Clause as to second Section.

That part of the second Section of the said Ordinance commencing with and inclusive of the words "and in case such person or persons shall refuse or neglect" to the end of the Section is hereby repealed except where any notice has been already delivered under the said Section and in lieu of the part of the said Section so repealed the following words shall be substituted that is to say— and in case such person or persons shall refuse or neglect to assist in the making any such Fence for the space of one calendar month or to assist in repairing any such Fence for the space of one week after the delivery of such

notice then it shall be lawful for the person or persons giving such notice as aforesaid to erect or repair as the case may be such Fence or Fences and to recover from such adjoining owner or owners person or persons legally entitled as aforesaid one moiety of the cost of erecting or repairing such Fence or Fences as the case may be”—and the said second Section shall be henceforth read and construed as if the last-mentioned words had been originally inserted in the said Section in the place and stead of the part of the said Section hereby repealed.

4. Repealing Clause as to Twelfth Section.

That part of the third section of the said recited Ordinance commencing with the words “Provided always” to the end of the section and the whole of the 12th Section except as to the directions already given or proceedings already taken or commenced under the said Sections or either of them are hereby repealed.

5. Ordinance to be part of Fencing Ordinance 1866.

This Ordinance shall be read and construed as part of “The Fencing Ordinance 1866.”

6. Title.

This Ordinance shall be entitled and may be cited as “The Fencing Ordinance 1866 Amendment Ordinance 1867.”

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 11th of July 1867, and was assented to by the Superintendent on 12th July.

Fencing Ordinance 1862 D NZG 1863 p140

Fencing Ordinance 1863

Fencing Ordinance 1866

Fencing Ordinance 1866 Amendment Ordinance 1867

Fencing Ordinance 1869

Fencing Ordinance 1869 Amendment Ordinance 1870 D NZG 1871 p57

Fencing Ordinance 1875 AW. NZG 1875 p539

Canterbury Fencing Ordinance 1872.

**9. The Diversion of Roads Special Ordinance No. 1, 1867.**

Analysis.

Preamble.

1. Roads described in Schedule to cease to be Public Roads.

2. Title.

Whereas by an Ordinance of the Superintendent and Provincial Council of Canterbury entitled "The Diversion of Roads Ordinance Session XI No. 3" it is enacted that except as therein provided no Public Road shall be closed up except under the authority of a Special Ordinance of the Superintendent and Provincial Council in that behalf.

And whereas it is expedient that certain Public Roads should be closed up:

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Roads described in Schedule to cease to be Public Roads.

The Public Roads described in the Schedule to this Ordinance and in the plans hereto annexed shall be closed up and shall henceforth cease to be Public Roads.

2. Title.

This Ordinance shall be entitled and may be cited as "The Diversion of Roads Special Ordinance No. 1, 1867."

Schedule.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 11th July 1867, and assented to by the Superintendent on 12th July.

## **10. The Diversion of Roads Special Ordinance No. 2, 1867.**

Analysis.

Preamble.

1. Land described to be Public Highway.

2. Road described to be closed up.

3. Title.

Whereas by an Act of the General Assembly of New Zealand entitled "The Highways and Watercourses Diversion Act, 1858," it is enacted that it shall be

lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any Law or Ordinance to be made or ordained for that purpose, to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street, road, highway, or thoroughfare was laid out or passed And also it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so sold exchanged or disposed of:

And whereas by an Act of the General Assembly of New Zealand entitled "The Provincial Council Powers Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and notwithstanding the restriction contained in the Tenth Subsection of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entitled "The Roads Diversion Ordinance Session XI. No. 3" it is ordained that excepting as therein provided no public road shall be closed up or diverted except under the authority of a Special Ordinance of the Superintendent and Provincial Council in that behalf:

And whereas it is for the public benefit that the parcel of land mentioned and described in the first Schedule hereto and in the plan hereunto annexed should become a Public Highway in lieu of the parcel of land mentioned and described in the second Schedule hereto and in the plan hereunto annexed and that the said last mentioned parcel of land should cease to be a Public Road.

And whereas Matthew Eaglesome of Graingeston Farm Lower Lincoln Road farmer hath conveyed the parcel of land mentioned in the first Schedule to the Superintendent of the Province of Canterbury and his successors upon trust for a Public Highway and upon the treaty for such conveyance it was agreed that the said parcel of land mentioned in the said second Schedule should be given to the said Matthew Eaglesome in exchange for the parcel of land conveyed by him as aforesaid.

Be it therefore enacted by the Superintendent of the said Province of Canterbury, with the advice and consent of the Provincial Council thereof, as follows:

1. Land described to be Public Highway.

From and after the passing of this Ordinance the parcel of land so conveyed as aforesaid by the said Matthew Eaglesome and more particularly described in the first Schedule hereto and in the plan hereunto annexed shall be and remain for ever a Public Highway.

2. Road described to be closed up.

From and after the passing of this Ordinance the Public Road passing over the parcel of land described in the Second Schedule hereto and in the plan hereunto annexed shall be closed up and the said parcel of land shall be granted to the said Matthew Eaglesome his heirs and assigns for ever in exchange for the parcel of land conveyed by him as aforesaid.

3. Title.

This Ordinance shall be entitled, and may be cited as "The Diversion of Roads Special Ordinance No. 2, 1867."

Schedule A.

Schedule B.

Notes.

This Ordinance was passed by the Provincial Council on 12th July 1867, and was assented to on 20th July of that year.

## **11. The Cam Bridge Ordinance 1867.**

Analysis.

Preamble.

1. Bridge may be erected and maintained.
2. Said Bridge to be free.
3. Title.

Whereas by an Act of the General Assembly of New Zealand entitled "The Provincial Councils Powers Extension Act 1863" it is enacted that whenever any Ordinance shall be passed by any Provincial Council for the purpose of authorising the making or carrying on of any work of utility to the public or to the inhabitants of some particular district such law may so far as may be necessary for the making or carrying on of such work of utility affect any Public Street Road or Highway or the bed of any River Stream or Creek although the same respectively may be the lands of the Crown.

And whereas it is for the benefit of the public and of the inhabitants of the Mandeville and Rangiora Road District that the Road Board of the Mandeville and Rangiora District and their successors should have power to construct and maintain a Bridge over the River Cam at the place hereinafter mentioned:

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Bridge may be erected and maintained.

It shall be lawful for the Road Board of Mandeville and Rangiora District out of their own proper revenues to erect a Bridge for general traffic in the bed of and over and across the River Cam at a place about twenty chains from the junction of the Cam with the north branch of the Waimakariri the form and mode of construction of such Bridge shall be subject to the approval of the Superintendent and Executive Council.

2. Said Bridge to be free.

The said Bridge shall be and remain a public free Bridge.

3. Title.

This Ordinance shall be entitled and may be cited as "The Cam Bridge Ordinance 1867.

## **12. The Church Property Trust Amendment Ordinance 1867.**

Analysis.

Preamble.

1. Repealing Clause.

2. The Bishop and eight other persons to be Members of the Corporation.

3. Members to exercise their functions until they shall have ceased to be Members under the provisions of this Ordinance.

4. Synod to appoint succeeding Members.

5. Members retiring to be eligible for reappointment.

6. Members becoming bankrupt shall cease to be Members.

7. Indemnity of Members.

8. Members may retire on giving Notice, in writing, to the Bishop.

9. Synod to appoint new Members in place of those retiring.

10. The Bishop to be Chairman of Meetings.

11. The Bishop may reserve questions for the decision of the Synod.

12. Members may frame Bye-laws.

13. Members shall keep minutes of their proceedings.

14. Application of property of the Corporation may be extended to the whole of the Province of Canterbury.

15. Proceedings under recited Ordinances to be valid.

16. Persons appointed Members of the Corporation under the provisions of this Ordinance to be deemed the Successors of the persons appointed under the provisions of the recited Ordinances.



17. Interpretation Clause.

18. Title.

Whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entitled the "Church Property Trust Ordinance Session II. No. 3" it was by the second Section of the said Ordinance enacted that the Bishop together with all the Clergy of the Church officiating within the Settlement in the said Ordinance mentioned together with certain other persons in the said Ordinance respectively named and all such other persons as should be thereafter or appointed Trustees under the provisions of the said Ordinance and their Successors should be and they were hereby constituted a Body Politic and Corporate by the name of the "Church Property Trustees," and by that name they shall have perpetual succession and a common seal with full power and authority to alter vary break and renew the same at their discretion and by the same name and style to sue and be sued plead and be impleaded answer and be answered defend and be defended in all Courts of Law and Equity whatsoever and to be for ever capable in the Law to purchase receive possess and enjoy to them and their Successors any goods and chattels whatsoever and wheresoever, and any Messuages Lands Tenements and Hereditaments in the Province of Canterbury And also to lease let sell alienate mortgage charge or otherwise dispose of such property as well real as personal as they shall think proper And also to act in the concerns of the said Body Politic and Corporate as effectually as any person or persons might or could do in his or their respective concerns for the purpose and object of establishing and maintaining Ecclesiastical and Educational Institutions within the Provinc of Canterbury in connection with the Church. And by the 9th and 10th Sections of the said Ordinance now in recital it was enacted that the Trustees should from time to time constitute and define certain districts within the Settlement therein mentioned for the purposes of this Ordinance now in recital and might alter the limits of every such district and might make new and fresh districts and every such district should for the purposes of the said Ordinance now in recital be deemed a Parish Provided that no alteration of the limits of any existing Parish should be made without the consent of the Bishop. And that the Members of the Church residing within every such parish shall once in each year by a majority of Votes to be ascertained as hereinafter mentioned elect a Lay person being a Member of the Church to be a Trustee for the purposes of this Ordinance now in recital and at such election every male person of the age of twentyone years being a Member of the Church shall be entitled to vote and the Incubent of every such parish shall likewise once in every year, nominate another lay person being a Member of the Church to be a Trustee for the purposes of the said Ordinance now in recital and the manner in which the majority of such Votes should be ascertained and the time place and mode of such Election and Nomination respectively should be determined by the said Trustees by Bye-laws to be made in manner in the said Ordinance now in recital provided and the Trustees so elected and nominated should continue to hold Office until the next

Annual Election and Nomination Provided, that if it should at any time appear to the Trustees desirable to increase the number of Trustees in and for any parish, it should be lawful for them to increase the number of such Trustees accordingly and by any Byelaw to declare and ordain that such additional number of Trustees should be elected and nominated as they should think fit in and for such Parish but so nevertheless that in every parish the Incumbent should at all times ave the right of nominating a number of Trustees equal to the number of elected Trustees And whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entitled the "Church Property Trust Amendment Ordinance Session XI. No. 6" certain powers were vested in the said Body Politic and Corporate called the "Church Property Trustees" enabling them to dispose of and lease certain Lands therein mentioned And whereas the number of persons under the provisions of the said recited Ordinance entitled the "Church Property Trust Ordinance Session II. No. 3" to act in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" interfere with the effective management of the property and concerns of the said Body Politic and Corporate And whereas it is expedient for the more effective management of the property and concerns of the said Body Politic and Corporate that the number of persons acting therein should be limited and that certain portions o the said recited Ordinance entitled the "Church Properties Trust Ordinance Session II. No.3" should be repealed and other provisions in lieu thereof.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Repealing Clause.

So much of the second section of the said recited Ordinance entitled the "Church Property Ordinance Session II. No. 3" as relates to the appointment of the Clergy of the Church officiating within the Settlement under the license of the Bishop to act in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" and the 3rd 4th 5th 6th 7th 8th 9th 10th and 12th Sections of the same Ordinance shall be and they are hereby repealed and from and after the passing of this Ordinance save as hereinafter mentioned the Clergy aforesaid and the several lay persons acting in the concerns of the said Body Politic and Corporate shall cease to be Members thereof.

2. The Bishop and eight other persons to be Members of the Corporation.

The Members of the said Body Politic and Corporate called the "Church Property Trustees" shall be the Bishop ex officio and eight other persons being members of the Church to be appointed as hereinafter mentioned.

3. Members to exercise their functions until they shall have ceased to be Members under the provisions of this Ordinance.

The Very Reverend Henry Jacobs Master of Arts Dean The Reverend James Wilson Master of Arts Canon The Reverend William Wellington Willock Master of

Arts The Reverend John Charles Bagshaw Master of Arts William Donald Esquire Doctor of Medicine Richard James Strachan Harman Esquire Richard Packer Esquire and Cyrus Davie Esquire shall be the persons who shall act together with the Bishop in the concerns and shall be the Members of the said Body Politic and Corporate called the "Church Property Trustees" until they shall respectively have retired therefrom and ceased to be Members thereof in manner hereinafter mentioned.

4. Synod to appoint succeeding Members.

At the next and every subsequent Annual Session of the Synod two of the persons acting with the Bishop in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" to be ascertained by a ballot shall retire in rotation from acting in the concerns of the said Body and Corporate and the Synod shall appoint two persons Members of the Church to act in the concerns and be Members of the said Body Politic and Corporate in the place or stead of the persons so retiring as aforesaid.

5. Members retiring to be eligible for reappointment.

Every person who shall retire from acting in the concerns of the Said Body Politic and Corporate called the "Church Property Trustees" shall be eligible to be again appointed to act therein.

6. Members becoming bankrupt shall cease to be Members.

If any person appointed to act in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" under the provisions herein contained shall become Bankrupt or Insolvent or shall become insane or shall be convicted of an infamous offence or shall cease to be a member of the Church or shall cease to reside in or shall be absent from the Province of Canterbury for the space of Six Calendar Months he shall cease to be a Member of the said Body Politic and Corporate.

7. Indemnity of Members.

No person acting in any matter under the provisions of this Ordinance shall be answerable for any other than his own acts deeds receipts neglects or defaults.

8. Members may retire on giving Notice, in writing, to the Bishop.

Any Member of the said Body Politic and Corporate called the "Church Property Trustees" under the provisions herein contained may by writing addressed to the Bishop and left at the office or place of business of the said Body Politic and Corporate or some place appointed for this purpose expressing such his desire cease to be a Member of the said Body Politic and Corporate.

9. Synod to appoint new Members in place of those retiring.

Whenever any vacancies shall occur in the said Body Politic and Corporate called the Church Property Trustees" under the provisions herein contained the

Synod if in Session or the Standing Committee appointed by the Synod at its Annual Session if the Synod be not in Session subject to the confirmation of Synod shall appoint another person to act in the place or stead of the Member who shall have retired or ceased to act as aforesaid and who shall therein for the remainder of the period during which the person in whose place he shall have been appointed would have acted.

10. The Bishop to be Chairman of Meetings.

The Bishop if present shall be the Chairman of every Meeting of the Members of the said Body Politic and Corporate called the "Church Property Trustees" and in his absence a Chairman shall be elected from amongst those present Provided that it shall be competent for the Members of the said Body Politic and Corporate at any Meeting to appoint some one of themselves to be the Chairman of such Meetings in the absence of the Bishop until the next Annual Session of Synod and the Chairman of every such Meeting shall have an original and also a casting vote thereat Unless five Members are present no Meeting shall be constituted for the transaction of business and all acts to be done by them and all questions of adjournment or other questions may be decided by a majority of Members present provided five at least be present.

11. The Bishop may reserve questions for the decision of the Synod.

The Bishop shall have the power of reserving for the decision of Synod any act or proceeding of the Members of the said Body Politic and Corporate called the "Church Property Trustees" of what kind soever but this power shall not extend to authorise the Bishop or the Synod to annul or disallow any Contract or Agreement or any Sale Mortgage Lease or other Disposition of any part of the property of the said Body Politic and Corporate which shall be actually entered into made completed and executed.

12. Members may frame Bye-laws.

The Members of the said Body Politic and Corporate called the "Church Property Trustees" may frame and establish such Bye-laws Rules Orders Regulations and Resolutions as may be expedient for the government of the said Body Politic and Corporate and the management of the property and concerns thereof and for regulating the times and places of Meeting of the Members of the said Body Politic and Corporate and for settling the appointment of Agents Officers Clerks and Servants and generally for the management and carrying on of all and singular the affairs and business of the said Body Politic and Corporate and the Members aforesaid may from time to time alter vary or revoke such Bye-laws Orders Rules Regulations or Resolutions or any of them and may make others in their stead Provided that any such Bye-law Rule Order Regulation or Resolution which shall be repugnant to the provisions herein contained or to the Laws of the Colony of New Zealand or of the Province of Canterbury or to any Canon or Ecclesiastical law or Regulation now in force or which shall at any time be in force within the said Canterbury Settlement under the authority of the Synod shall be and the same is hereby declared to be absolutely null and void The Members of

the said Body Politic and Corporate shall in all their acts and proceedings Bye-laws Regulations and Resolutions conform to and obey all Canons and Ecclesiastical Laws and Regulations now or which shall at any time hereafter be in force under the authority of the Synod within the said Canterbury Settlement touching or relating to the administration of the property of the said Body Politic and Corporate.

13. Members shall keep minutes of their proceedings.

The Members of the said Body Politic and Corporate called the "Church Property Trustees" shall keep proper Books for containing Minutes and Particulars of their proceedings and full and true accounts of their Receipts and Expenditure and all such Books and Accounts together with all Vouchers and other Documents relating to the same shall be open to inspection by any Member of the Church resident within the said Canterbury Settlement at such reasonable times and places and in such manner as shall be fixed by the Members aforesaid and Minutes of Proceedings so kept and signed by the Chairman shall be sufficient evidence of such Proceedings and such Accounts of Receipts and Expenditure shall be audited at least once in the year by some person to be appointed by the Bishop and shall be laid before the Synod at its Annual Session and shall be published as the Synod shall from time to time direct.

14. Application of property of the Corporation may be extended to the whole of the Province of Canterbury.

It shall be lawful for the Members of the said Body Politic and Corporate called the "Church Property Trustees" at any Meeting of which four weeks' previous notice specifying the object thereof shall be given by Advertisement published for four successive weeks in some Newspaper within the Province of Canterbury at which Meeting all the Members of the said Body Politic and Corporate under the provisions herein contained shall be present by the votes of at least Six of the Members present at such meeting to ordain a Bye-law for extending to any part of the Province of Canterbury beyond the limits of the said Canterbury Settlement the application and benefit of the whole or any part of the property of the said Body Politic and Corporate and any such Bye-law shall be good and effectual in the Law and may thereafter at any meeting of the persons acting as aforesaid convened in like manner and by a like majority be altered revoked and re-ordained and such property shall be held administered and applied according to and in pursuance of any such Bye-law anything herein contained to the contrary notwithstanding.

15. Proceedings under recited Ordinances to be valid.

All transactions and proceedings whatsoever taken made and done under the provisions of the said recited Ordinance entitled respectively the "Church Property Trust Ordinance Session II. No. 3" and the "Church Property Trust Amendment Ordinance Session XI No. 6" before the coming into operation of this Ordinance shall be valid to all intents and purposes and may be continued executed and enforced after this Ordinance shall come into operation by the

persons appointed to act in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" under the provisions herein contained.

16. Persons appointed Members of the Corporation under the provisions of this Ordinance to be deemed the Successors of the persons appointed under the provisions of the recited Ordinances.

The persons acting in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" under the provisions herein contained shall be and be deemed to be Successors of the persons appointed and elected under the provisions of the said Ordinance entitled the "Church Property Trust Ordinance Session II. No. 3" to act in the concerns of the said Body Politic and Corporate called the "Church Property Trustees" and shall be members of the same Body Politic and Corporate called the "Church Property Trustees" and by that name shall have the like perpetual succession and common Seal as provided by the same Ordinance.

17. Interpretation Clause.

In interpreting this Ordinance the term "Bishop" shall be held to mean the Bishop of Christchurch for the time being within the Canterbury Settlement being the same Bishop as is mentioned in the said Ordinance entitled the "Church Property Trust Ordinance Session II. No. 3" The term "Canterbury Settlement" shall be held to include the territory or block of land set apart for the purposes of the Canterbury Association under the authority of an Act of the Imperial Parliament made and passed in the thirteenth and fourteenth years of the reign of Her present Majesty entitled "An Act empowering the Canterbury Association to dispose of certain lands in New Zealand" and set forth and described in the Schedule to the said Act together with all lands comprised within the limits of the said Block The term "Church" shall mean the Church as defined by the "Church Property Trust Ordinance Session II. No. 3" The term "Member of the Church" shall mean and include any Communicant according to the Rites of the Church Th term "Synod" shall mean the Synod of the Diocese of Christchurch organised according to the provisions of a Statute entitled "A statute for Organising Diocesan Synods" and passed by the General Synod of the Church constituted under the provisions of a certain Deed agreed to at a General Conference of Bishops Clergy and Laity of the Church held at Auckland on the Thirteenth day of June One thousand eight hundred and fifty-seven and revised at the session of the General Synod held at Christchurch in the year of our Lord One thousand eight hundred and sixty-five.

18. Title.

This Ordinance shall be entitled "The Church Property Trust Amendment Ordinance 1867" and may br cited by such title.

### **13. The Volunteer Service Ordinances Repeal Ordinance 1867.**

Analysis.

Preamble.

1. Repealing Clause.

2. Title.

Whereas it is expedient that the Volunteer Service Ordinance 1864 and the Volunteer Service Ordinance Amendmen Ordinance 1866 should be repealed.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Repealing Clause.

The said recited Ordinances shall be and the same are hereby repealed except so far as the same repeal any former Ordinance.

2. Title.

This Ordinance shall be entitled "The Volunteer Service Ordinances Repeal Ordinance 1867.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 17th of July 1867, and assented to by the Superintendent, W.S. Moorhouse, on 18th July 1867.

### **14. The Christchurch Fire Prevention Act 1867.**

Analysis.

Preamble.

1. Application of Ordinance.

2. Construction of External Walls.

3. Roofs, &c., how to be covered.

4. Building to be subject to Survey.

5. New Building defined.

6. Penalty under this Ordinance.

7. Case of Disputes.

8. Limitation of Ordinance.

9. Ordinance when to come into operation.

## 10. Title.

Whereas it is expedient in order to prevent danger from fires within the City of Christchurch to make certain provisions respecting the Construction of Buildings hereinafter to be erected within the same:

Be it enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

### 1. Application of Ordinance.

This Ordinance shall except as hereinafter mentioned apply to all new Buildings which shall be erected within the portions of the City of Christchurch described in Schedule A to this Ordinance.

### 2. Construction of External Walls.

The external walls of every new building to be erected within the area aforesaid shall be constructed of brick stone or other incombustible material and the foundation of such Building shall rest on the solid ground or on concrete asphalt or other solid substructure.

### 3. Roofs, &c., how to be covered.

The flat gutter and roof of every new Building and every turret dormer lantern-light sky-light or other erection placed on the flat or roof thereof except the doors door-frames windows and window-frames of the same shall be externally covered with slate tiles metal or other incombustible material.

### 4. Building to be subject to Survey.

For the purposes of this Ordinance every new Building to be erected as aforesaid shall be subject to the supervision of the City Surveyor or Deputy Surveyor for the time being.

### 5. New Building defined.

Any Building shall be deemed to be a new Building of which the foundation is not complete to receive the external walls or of which the external walls if of brick or stone are not carried higher than the footings or of which the materials intended for such external walls if of timber are not prepared and delivered on the site of such Building ready to be erected and the words external wall shall be held to include party walls.

### 6. Penalty under this Ordinance.

Every person erecting any new Building in contravention of the provisions of this Ordinance shall be liable to a penalty of Five Pounds per day for every day after notice in writing from the City Surveyor or Deputy Surveyor that such Building is in contravention of this Ordinance and every such penalty may be recovered in a summary manner.



7. Case of Disputes.

If any dispute shall arise between the City Surveyor or Deputy Surveyor for the time being and any person erecting a Building touching any question arising under the provisions of this Ordinance such dispute may upon complaint made by such Surveyor or Deputy Surveyor be referred to the Resident Magistrate of Christchurch and any two Justices of the Peace who shall before such complaint be heard view the premises in course of erection and their decision shall be final and conclusive against all parties Provided always that no penalty under this Act shall be enforced until such dispute shall have been so decided.

8. Limitation of Ordinance.

This Ordinance shall not apply to the rebuilding of any premises erected upon land included in any lease executed before the First day of August 1867 and which shall be destroyed by fire during the currency of such lease.

9. Ordinance when to come into operation.

This Ordinance shall come into operation on the First day of January 1868.

10. Title.

This Bill shall be entitled and may be cited as "The Christchurch Fire Prevention Ordinance 1867.

Schedule A.

Portions of the City declared under the Provisions of this Ordinance.

All Town Sections as set out and numbered on the map of the Chief Surveyor of the Province of Canterbury, setting out and describing the Town of Christchurch fronting upon either side of the following portions of the streets hereinafter named—

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 10th of July 1867, and assented to by the Superintendent, W.S. Moorhouse, on 11th July 1867.

## **15. The Roads Ordinance Amendment Ordinance 1867.**

Analysis.

Preamble.

1. Notice to be sent to Owners not resident.
2. Notice of total amount of Rates due to be given.
3. Cattle Pasturing upon Public Roads may be impounded.
4. Section 22 of Roads Ordinance 1864 repealed and provision made.
5. Title.

Whereas by "The Roads Ordinance 1864" and "Roads Ordinance Amendment Ordinance 1866" it is amongst other things enacted that the Board shall in each year give public notice of the place where the corrected Ratepayers' Roll to be framed under the provisions of the said Ordinance may be inspected and that the same may be inspected in manner in the said Ordinance mentioned And whereas it is expedient to make provision for giving notice of such corrected Roll to persons not residing within the District whose names are placed thereon as liable to the payment of Rates And whereas it is also expedient to make further provision in relation to the notice in Schedule C of the said Ordinance:

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Notice to be sent to Owners not resident.

The Board shall within fourteen days after the completion of the Roll for each year cause a notice in the form or to the effect in the Schedule to this Ordinance to be sent through the post to any person or persons on the said Roll who shall not be actually resident within the said district addressed to his last known place of abode within the Province of Canterbury but not elsewhere and in no case shall a person residing out of the district be liable for rates unless a notice has been posted to him at his residence or last known place of abode within the Province of Canterbury and copies of the Ratepayers Roll of the district have been exhibited in accordance with Clause 5 of "The Roads Ordinance Amendment Ordinance 1866."

2. Notice of total amount of Rates due to be given.

In addition to the particulars set forth in the notice in Schedule C to the said Ordinance the Collector shall at the foot thereof set forth the total amount of Rates payable by the person to whom such notice is given.

3. Cattle Pasturing upon Public Roads may be impounded.

Whenever any horses cattle sheep goats or pigs shall be found straying or pasturing or driven for the purpose of pasturing thereon on any public road except on such parts of any public roads as are bounded on both sides by Waste Lands of the Crown it shall be lawful for any Constable or Officer of Police or the owner or occupier of any land abutting on any road on which any such horses cattle sheep goats or pigs shall be found straying or pasturing or driven for the purpose of depasturing thereon as aforesaid to drive or cause to be driven such horses cattle sheep goats or pigs to the nearest public pound and any horses cattle sheep goats or pigs so driven to the pound shall be deemed to have been impounded under the provisions of "The Trespass of Cattle Ordinance Section 14 Session XIV No. 1" and the owner of any horses cattle sheep goats or pigs so impounded shall be liable to pay to the Poundkeeper all such fees and charges as are set forth in Schedule E to the said Ordinance on account of the several serices therein mentioned Provided also that the Constable or Officer of Police or owner or occupier as aforesaid driving or causing to be driven to the pound any such horses cattle sheep goats or pigs shall be entitled to recover from the owner thereof charges for driving the same according to the scale set forth in Schedule D to the said Ordinance but in no case shall such charge exceed the sum of Five Pounds Provided further that all sums so recovered by any Constable or Officer of Police shall be paid by the Constable or Officer of Police who shall recover the same to the Provincial Treasurer as part of the ordinary revenue.

4. Section 22 of Roads Ordinance 1864 repealed and provision made.

Section 22 of "The Roads Ordinance 1864" is hereby repealed and in lieu thereof be it enacted as follows The Superintendent shall every year by notice in the "Government Gazette" appoint a competent persons who shall be called Revising Commissioner to revise the Ratepayers' Roll for the several Roads Districts of the Province and may from time to time remove the same and appoint another in his stead Such Commissioner shall for the purposes of such revision sit in open Court at such places either within or without the several districts as the Superintendent shall appoint by notice in the "Government Gazette" and at such times between the first of October and the thirtieth day of December in every year as the said Commissioners shall think fit and of which they shall give at least six days' notice in one or more newspaper circulating within the Province The said Commissioner shall have power to examine in matters upon oath touching any of the matters to be enquired of by him which oath he is hereby empowere to administer And the said Commissioner shall have all the powers and authorities as are by "The Roads Ordinance 1864" or by "The Roads Ordinance Amendment Ordinance 1866" given to the Revising Commissioner therein mentioned.

5. Title.

This Ordinance shall be entitled and may be cited as "The Roads Ordinance Amendment Ordinance 1867.

Schedule.

Take Notice that your name appears as a Ratepayer on the Roll of the District as under.

Chairman of Board.

[Particulars of such Property and Assessed Value.]

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 18th of July 1867, and assented to by the Superintendent, W.S. Moorhouse, on 19th July.

Section 4 amended Section 22 which was changed as follows:

[appoint three becomes appoint one]

[at least ten days notice of sitting reduced to six.]

Power of the Commissioner redefined. Previously, all questions to be determined by the said Commissioners shall be decided by a majority of their votes the said Commissioners shall have power to examine witnesses upon oath touching any of the matters to be enquired of by them which oath they are hereby empowered to administer. The effect of this amendment was that the Commissioner was empowered to administer an oath and to examine in matters upon oath touching any of the matters to be enquired of by him. He also was declared to have all the powers and authorities of a Revising Commissioner under "The Roads Ordinance 1864" and "The Roads Ordinance Amendment Ordinance 1866" which were as follows.

**16. The Grey River Coal Field Reserve Ordinance 1867.**

Analysis.

Preamble.

1. Power to Superintendent to lease said land.
2. Conditions of lease.
3. Covenant may be made for sale of land under restriction.
4. Title.

Whereas by the Regulation for the disposal sale letting and occupation of the Waste Lands of the Crown in the Province of Canterbury it is (amongst other things) declared that Reserves for the uses of the Provincial Government and for other public purposes may upon the recommendation of the Provincial Council be made by the Superintendent and shall not be alienated from the specific purposes to which they shall have been severally dedicated except under the provisions of an Act of the General Assembly entitled "The Public Reserves Act, 1854" and a full and complete description of every such Reserve and of the purposes to which it shall have been dedicated shall as soon as possible after it shall have been made be published in the Government Gazette of the Province and set forth on the authenticated maps in the Land Office Provided that the Superintendent may if the Provincial Council be not then sitting temporarily reserve land for such purposes until the next Session of such Council And whereas by a Proclamation dated the 30th day of April 1863 the Superintendent of the said Province of Canterbury did temporarily reserve a certain tract of land particularly described in the Schedule to this Act for the following public purpose that is to say for the purpose by means of the revenue to be derived from the letting sale or other disposition of the said lands for mining purposes to provide a fund for the improvement of the navigation of the River Grey And whereas the Provincial Council of the said Province was not at the time of the said Proclamation in session And whereas at the next session of the said Council the said Council did recommend the said reserve to be made according to the terms of the said Proclamation Whereas by an Act of the General Assembly of New Zealand entitled "The Public Reserves Act 1854" it was amongst other things enacted that it should be lawful for the Governor of New Zealand, with the advice of his Executive Council, at any time and from time to time after the passing of this Act, in the name and on behalf of Her Majesty, to grant to the Superintendent of each Province in New Zealand, and his successors all such estate and interest as Her Majesty now hath or may have in all or any of the lands within such Province forming part of the demesne lands of the Crown which had been at any time theretofore and then were or might thereafter be reserved or set apart for purposes of public utility within such Province, except as therein mentioned And whereas in pursuance of the powers conferred by the above recited Act of the General Assembly the said land hath been granted by His Excellency the Governor to Samuel Bealey Esquire the Superintendent of the said Province upon trust for the public service of the said Province for the purposes aforesaid And whereas it is expedient that powers should be given to the Superintendent of the said Province to demise the said lands in manner and upon the terms and conditions hereinafter mentioned.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Power to Superintendent to lease said land.

It shall be lawful for the Superintendent for the time being of the said Province with the advice and consent of the Executive Council thereof from time to time to demise and lease the aforesaid section of land as the same is described in the Schedule to this Ordinance or any part thereof with or without the impeachment of waste for any term of years not exceeding forty-two years in possession to be computed from the date of the said lease at such yearly or other rent or rents and subject to the payment of such royalties on any minerals to be gotten out of the said parcel of land and to such covenants and conditions as the said Superintendent with the advice and consent of the Executive Council of the said Province shall think fit and expedient.

2. Conditions of lease.

The said Lease shall contain a clause making it compulsory on the Lessees to commence working the said Coal Measures within six months after the execution of such lease and that they shall during the first eighteen months of the said term bring down to Greymouth not less than five thousand tons of coal by rail or tramway.

3. Covenant may be made for sale of land under restriction.

It shall be lawful for the said Superintendent with such advice and consent as aforesaid to enter into a covenant in the said deed of lease for the sale to the lessee or lessees at any time after the expiration of the first seven years of the term to be thereby granted and during the continuance of the remainder of the said term for an estate of inheritance in fee simple in possession of any part or parts or the said allotment or section of land to be from time to time selected by the said lessee or lessees such parts to be not more in the whole than one hundred and twenty-five acres to be selected in five twenty-five acre blocks no one block to join another at the price of Two Pounds sterling per acre and upon the lessees paying to the said Superintendent the purchase money at the rate aforesaid for the portions for the time being selected as aforesaid to convey and assure unto the said lessees the portions of the said land so from time to time selected by them as aforesaid.

4. Title.

This Ordinance shall be entitled and cited as "The Grey River Coal Field Reserve Ordinance 1867.

Schedule.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 10th of July 1867, and assented to by the Superintendent, W.S. Moorhouse, on 11th July 1867.

## **17. The Railway Tolls And Management Ordinance 1867.**

Analysis.

Preamble.

1. Repealing Clause.
2. Application of Sections.
3. Passengers &c. may be carried upon Lyttelton and Christchurch Railway.
4. Ordinary liabilities to Superintendent &c. as Carriers.
5. What tolls and charges to be made.
6. Tolls to be exhibited.
7. Payment of tolls.
8. In case of failure to pay tolls.
9. Account in writing to be rendered of goods to be carried.
10. Penalty for rendering false accounts.
11. Penalty for non-payment of fare.
12. Such offender may be apprehended.
13. Certain goods not to be carried.
14. Power of entry to recover properties of Superintendent by this Ordinance.
15. Regulations may be made by the Superintendent.
16. In case of infringement of such Regulations.
17. Power of Superintendent to vary tolls.
18. Tolls to be charged upon Great Southern Railway.
19. General provisions as to Great Southern Railway.
20. Maximum tolls to be charged.
21. Tolls may be reduced.
22. Wharfage charges to be as per Schedule.
23. Superintendent to act with Executive Council.
24. Interpretation clause.
25. Title.

Whereas by an Act of the General Assembly of New Zealand entitled "The Canterbury Great Southern Railway Act 1864" it is enacted inter alia.

That tolls fares and charges for passengers animals and carriages goods merchandise minerals articles matters and things conveyed on the Great Southern Railway shall be payable to and receivable by the Superintendent at rates not exceeding a maximum to be from time to time fixed by an Ordinance of the Provincial Legislature of Canterbury and shall be deemed to be tolls fares

and charges authorised by the said Act and that the said Act so far as concerns the management of the said Railway and the exercise of the powers by the said Act or by any Act incorporated therewith vested in the Superintendent and all matters incidental thereto may be altered by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury And whereas in the said Act certain parts of an Act of the Imperial Parliament entitled "The Railway Clauses Consolidation Act 1845" are incorporated which provide generally for the working and management of the Great Southern Railway And whereas by an Ordinance of the Superintendent and Provincial Council of Canterbury entitled "The Ferrymead Railway and Wharf Tolls Ordinance 1863" provision was made for working the Railway between Christchurch and Ferrymead and for levying Tolls thereon And whereas it is expedient that the said Ordinance should be repealed and that further provision should be made for the working and management of the Railway from Christchurch to Lyttelton and the branch to Ferrymead and that further provision should be made for the working and management of the Great Southern Railway and that tolls fares and charges should be fixed to be levied and charged for the use of all the said Railways.

Be it therefore enacted by the Superintendent of the said Province of Canterbury, with the advice and consent of the Provincial Council thereof, as follows:

1. Repealing Clause.
2. Application of Sections.
3. Passengers &c. may be carried upon Lyttelton and Christchurch Railway.
4. Ordinary liabilities to Superintendent &c. as Carriers.
5. What tolls and charges to be made.
6. Tolls to be exhibited.
7. Payment of tolls.
8. In case of failure to pay tolls.
9. Account in writing to be rendered of goods to be carried.  
"The Ferrymead Railway and Wharf Tolls Ordinance 1863" except as to any lease made or any proceedings commenced or things done thereunder is hereby repealed.
2. Sections 2 to 17 inclusive of this Ordinance shall apply exclusively to the Lyttelton and Christchurch Railway and the Ferrymead Branch and the word Railway in the said sections shall mean the said Railway and the said Branch.
3. It shall be lawful for the Superintendent by his officers agents and servants to use and employ locomotive engines or other moving power and carriages, and waggons to be drawn or propelled thereby and to carry and convey upon the Lyttelton and Christchurch Railway and Ferrymead Branch all such passengers and goods as shall be offered to him or them for that purpose and to make such reasonable charges in respect thereof as he may from time to time with the advice of his Executive Council determine upon not exceeding the tolls specified in the Schedule to this Ordinance.
4. Nothing in this Ordinance contained shall extend to charge or make liable the Superintendent his officers agents or servants further or in any other case



than where according to the laws of New Zealand stage coach proprietors and common carriers would be liable nor shall extend in any degree to deprive the Superintendent his officers agents or servants of any protection or privilege which common carriers or stage-coach proprietors may be entitled to but on the contrary the Superintendent his officers agents and servants shall at all times be entitled to the benefits of every such protection and privilege.

5. It shall be lawful for the Superintendent his officers agents or servants at any time to demand or take a greater amount of toll or make any greater charge for the carriage of passengers or goods than they are by this Ordinance authorised to demand and upon payment of the tolls from time to time demandable all persons shall be entitled to use the Railway.

6. A list of all the tolls authorised by this Ordinance to be taken and which shall be exacted by the Superintendent shall be published by the same being painted upon one toll board or more in distinct black letters on a white ground or white letters on a black ground or by the same being printed in legible characters on paper affixed to such board and by such board being exhibited in some conspicuous place on the Stations or places where such tolls shall be made payable.

7. The tolls shall be paid to such persons and at such places upon or near to the Railway and in such manner and under such regulations as the Superintendent shall by notice to be annexed to the list of tolls appoint.

8.

9.

10. Penalty for rendering false accounts.

11. Penalty for non-payment of fare.

12. Such offender may be apprehended.

13. Certain goods not to be carried.

14. Power of entry to recover properties of Superintendent by this Ordinance.

11.

12.

13.

14.

15. Regulations may be made by the Superintendent.

And with respect to the regulating of the use of the Railway be it enacted as follows: —

It shall be lawful for the Superintendent from time to time subject to the provisions and restrictions in this Ordinance contained to make regulations for the following purposes, that is to say:—

For regulating the mode by which and the speed at which carriages using the railway are to be moved and propelled.

For regulating the times and places of the arrival and departure of such carriages.

For regulating the loading or unloading of such carriages, and the weights which they are respectively to carry.

For regulating the receipt and delivery of goods and other things which are to be conveyed upon such carriages.

For preventing the smoke of tobacco, and the commission of any other nuisance in or upon such carriages or in any of the stations or premises occupied by the company.

And generally for regulating the travelling upon or using and working of the Railway.

But no such regulations shall authorise the closing of the Railway or prevent the passage of engines or carriages on the Railway at reasonable times except at any time when in consequence of any of the works being out of repair or from any other sufficient cause it shall be necessary to close the Railway or any part thereof.

16. In case of infringement of such Regulations.

If the infraction or non-observance of any such regulations aforesaid be attended with danger or annoyance to the public or hindrance to the Superintendent his officers agents or servants in the lawful use of the Railway it shall be lawful for the Superintendent his officers agents or servants summarily to interfere to obviate or remove such danger annoyance, or hindrance from the premises occupied or appurtenant to the Railway.

17. Power of Superintendent to vary tolls.

18. Tolls to be charged upon Great Southern Railway.

The maximum rates of toll fares and charges for passengers animals carriages goods merchandise minerals articles matters and things conveyed on the Great Southern Railway shall be those specified in the Schedule to this Ordinance.

19. General provisions as to Great Southern Railway.

20. Maximum tolls to be charged.

21. Tolls may be reduced.

22. Wharfage charges to be as per Schedule.

23. Superintendent to act with Executive Council.

24. Interpretation clause.

25. Title.

This Ordinance shall be entitled and may be cited as "The Railway Tolls and Management Ordinance 1867."

1. It shall be lawful for the Superintendent, by his Officers, Agents and Servants, to employ engines, carriages, and waggons on the said railway, and to carry upon the said railway all such Passengers and goods as shall be offered for that purpose, and to levy tolls in respect of the traffic on the said railway, and in respect of the use of the railway wharf at Ferrymead, at rates not exceeding those set forth in the Schedules A and B respectively to this Ordinance.

6. Such By-laws, when so published and affixed, shall be binding upon and be observed by all parties, and shall be sufficient to justify all persons acting under the same; and for proof of the publication of any such By-law, it shall be sufficient to prove that such By-laws were published in the Provincial Government Gazette, and that a printed paper or painted board containing a copy of such By-laws was affixed and continued in manner by this Ordinance directed, and in case of its being afterwards displaced or damaged, then that such paper or board was replaced as soon as conveniently might be.

7. It shall be lawful for the Superintendent, with the advice of the Executive Council, to let the said Railway and the rolling stock thereon, and the said Wharf, and the tolls so to be levied as aforesaid, for any term not exceeding three years from the time that such railway shall be opened for public traffic, upon such terms and conditions as he shall think fit, and during the maintenance of such lease all the powers and privileges granted to, and which might otherwise be exercised and enjoyed by the Superintendent, his Officers, Agents, or Servants, by virtue of this Ordinance, except the making of By-laws, shall, subject to the terms of such lease, be exercised and enjoyed by the Lessee and the Officers and Servants of such Lessee; and such Lessee, his Officers, and Servants shall, in respect of the said railway and wharf, be subject to all restrictions and obligations as are by this Ordinance imposed on the Superintendent, his Officers, Agents, and Servants.

The Schedule referred to in the foregoing Ordinance.

Notes.

This Ordinance of the Canterbury Provincial Council was passed on the 19th of July 1867, and assented to by the Superintendent on 19th July.

Railway and Harbour Reserves Leasing Ordinance 1869

Railway and Harbour Works Fund Ordinance 1864

Railway and Harbour Works Fund Ordinance 1864 Repeal Ordinance 1868

Railway and Harbour Works Ordinance Amendment Ordinance 1865

Railway Reserves Leasing Ordinance 1868

Railway Severance Ordinance 1862 D NZG 1862 p195

Railway Tolls and Management Ordinance 1867

Railway Tolls and Management Ordinance 1867 Amendment Ordinance 1868

Railway Tolls and Management Ordinance 1872

Railway Tolls and Management Ordinance 1872 Amendment Ordinance 1874

Railway Tolls and Management Ordinance 1875

Ferrymead Railway and Wharf Tolls Ordinance 1863

White's Little River Tramway Ordinance

Lyttelton and Christchurch Railway Loan Appropriation Ordinance 1862

Lyttelton and Christchurch Railway Loan Ordinance 1860

Lyttelton and Christchurch Railway Ordinance 1859 AW. NZG 1860 p29

Lyttelton and Christchurch Road Commissioners Ordinance 1854

## **18. The Appropriation Ordinance No. 3 1867.**

Be it enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

### **1. Appropriation of Public Revenues for period ending 31st March 1868.**

Out of the public revenues of the said Province there may be issued and applied for the public service of the Province, and for defraying the charge of the Government thereof, up to the 31st day of March 1868, the sum of Two hundred and ninety-six thousand seven hundred and fifty pounds fourteen shillings and ten pence in manner set forth in the Schedules A B C and D to this Ordinance.

### **2. Sums to be issued in accordance with Audit Act 1866.**

The said sums hereby appropriated shall be issued and paid in the manner prescribed by "The Provincial Audit Act 1866."

### **3. Title.**

This Ordinance shall be entitled and may be cited as "The Appropriation Ordinance, No 3 1867."

## **Schedule A.**

### **Class I.— Permanent Charges.**

Loan Ordinance, Session VII., No. 3

Interest on £30,000 ... ..

Sinking Fund ... ..

Lyttelton and Christchurch Railway Loan Ordinance.

Interest on £100,000 ... ..

Sinking Fund ... ..

Loan Ordinance, 1862.

Interest on £50,000 ... ..

Sinking Fund ... ..  
Bank Charges for Remittance ...

Superintendent's Salary Ordinance Amendment Ordinance, 1863  
Superintendent ... ..

Provincial Auditor and Deputy Auditor's Salaries Ordinance.  
Provincial Auditor ... ..

Volunteers' Service Ordinance, 1861.  
Grant to Volunteers ... ..

**Class II.—Executive.**

Superintendent's Department.  
Clerk to Superintendent ... ..

Provincial Secretary's Department.  
Provincial Secretary ... ..  
Clerk ... ..  
Assistant Clerk ... ..

Provincial Treasurer's Department.  
Provincial Treasurer ... ..  
Forage Allowance ... ..  
Two Clerks—One at £250, one at £180 ... ..  
Sub-Treasurers at Akaroa and Timaru ... ..

Provincial Auditor's Department.  
Expenses of the Department , including Travelling Expenses to examine  
Accounts of Sub-Treasurers, &c. ... ..

Provincial Solicitor's Department.  
Provincial Solicitor—Fees ... ..

Housekeeper's Department.  
Housekeeper ... ..  
Messenger ... ..

**Class III.—Electoral.**

Expenses of Elections.

#### **Class IV.— Legislative.**

Provincial Council.  
Speaker  
Chairman of Committees  
Clerk of the Council  
Chaplain and Librarian  
Messenger  
Expenses of Members

#### **Class V.— Administration of Justice.**

Supreme Court.  
Crown Prosecutor, Fees not exceeding ... ..  
Expenses of Session

Gaol at Lyttelton.  
Gaoler  
Chaplain  
Matron  
Warders—One at 8s, and six at 6s. and 6d. per diem  
Prisoners' Rations, Clothing &c.  
Fuel  
Miscellaneous

Gaol at Christchurch.  
Two Warders, at 6s. 6d.  
Rations for Prisoners, &c.  
Miscellaneous

Police.  
Commissioner, with forage for one Horse  
Two Inspectors, at £250 each, with Quarters and Forage  
One Clerk and Storekeeper, at 11s 6d. per diem  
One Sergeant-Major, at 10s.  
Two First-class Sergeants, at 9s. 6d. per diem  
Three Second-class Sergeants, at 9s per diem  
Four Third-class Sergeants, at 8s. 6d. per diem  
Ten First-class Constables, at 7s. 6d. per diem  
Six Second-class Constables, at 7s per diem  
Six Third-class Constables, at 6s. 6d. per diem

Police (Contingencies).  
Horses  
Forage

Travelling Expenses  
Shoeing and Farriery  
Provisions for Prisoners  
Clothing  
Fuel &c.  
Postage, Printing and Stationery  
Painting, Repairs, Furniture, and all other incidental expenses  
House Rent

Outstanding Liabilities.  
Arms and Appointments  
Completion of Fence at Kaiapoi  
Extra Fittings and Furniture at the Watch-House, Christchurch

### **Class VI.— Education.**

Liabilities under Resolution of Council up to September, 1863  
Balance of Grant for Building to Christ's College  
Grant for Christchurch Academy  
Grant in Support of Existing Schools, including Fuel and Contingencies ...  
Building New Schools  
Three Masters from England, at £150 per annum, pay to commence, say, 1st  
January, 1864.  
Passages of Three Masters—say at £70  
Expenses of Department, including remuneration to Commissioners  
Inspector  
General Contingencies, Building, &c.

### **Class VII.— Immigration.**

Immigration  
Immigration Officer  
Assistant Immigration Officer  
Overseer to Barracks  
Matron  
Furniture, Rations, and other incidental Expenses

### **Class VIII.— Charitable Aid.**

Administrator (Salary included in that of Immigration Officer)  
Charitable-in-Aid Fund  
Grant to the Orphan Asylum for Building

**Class IX.— Hospitals.**

Grants for Christchurch, Lyttelton, and Timaru

**Class X.— Lunatic Asylum.**

Steward

Matron

Two Attendants—one at 7s. 6d. per diem; one at 7s. per diem

One Female Attendant, at 5s. per diem

One Cook, at 6s. per diem

Rations, &c.

Furnishing and Providing General Stock of Establishment

Miscellaneous

**Class XI.— Inspection of Sheep.**

Chief Inspector, including Salary, Forage, and Travelling Expenses

Two Inspectors, at £350 each and three Forage Allowances

Inspection of Sea-borne Sheep

Erection of Yard on Nelson Frontier

**Class XII.— Public Plantations.**

Gardener

Assistant Gardener, at 7s. per diem

Labourer, at 6s 8d. per diem

Planting 20 acres, Fencing 20 acres, Seeds, Tools, Contingencies

**Class XIII.— Weights and Measures.**

Inspector

Contingencies (including Office Rent)

**Class XIV.—Harbour.**

Grant to be placed at the disposal of the Marine Boards of Lyttelton, Akaroa, and Timaru.



## **Class XV.— Defence.**

Balance of Grant to Volunteers  
Maintenance of a Band, inclusive of salary of a Band-master  
Purchase of Ordnance through the General Government —6 Guns, estimated at £500 each  
Purchase of small Arms

## **Class XVI.— General Miscellaneous.**

Fuel for various Departments  
Printing, Advertising, Stationery, &c.  
Printing Journal of Proceedings  
Arranging and re-printing Ordinances  
Registration of Deeds  
Dog Collars  
Postages, Cartage, &c.  
Painting, Sweeping, Cleansing, &c.  
Maintenance of Fire Engine  
Subscription to new Engine  
Furniture  
Extra Clerical Aid  
Insurance  
Christchurch Mechanics' Institute, Grant in Aid  
Kaiapoi Mechanics' Institute, Grant in Aid  
Timaru Mechanics' Institute, Grant in Aid  
Akaroa Mechanics' Institute, Grant in Aid  
Agricultural and Pastoral Association, Grant in Aid to Libraries  
Acclimatisation—For the Introduction of Fish  
Church Building Grant—Balance for this year  
Public Amusements  
Purchase of site adjoining Government Buildings  
Purchase of site of Lyttelton Hospital  
Grant for the Benefit of the Widow and Family of the late Mr Whitcombe  
Gratuity to Louper  
Gratuity to Hammett  
Chaplain to Gaol, Lunatic Asylum and Hospital, at £300 per annum  
Commemoration of the Marriage of HRH the Prince of Wales ... ..  
Hose Reel for Fire Engine  
Erection of Meteorological Instruments  
Salary of Meteorological Officer  
Expedition to West Coast  
Examination of Cattle at Akaroa  
Keeper of Quarantine Barracks at £150 per annum  
Erection of Pound at Kaiapoi

Contingencies  
Adjustment of Account with Christchurch City Council  
Steam Bonus

**Class XVII.— Lands and Works.**

Waste Lands Board.  
Chief Commissioner  
One Paid Commissioner  
Clerk to the Board  
Messenger

Survey Office.  
Chief Surveyor

Contingencies.

Contract Surveys.

Geological Surveys.

Public Works—Staff.

Outstanding Liabilities—Central and Northern Districts

Oxford Road—Forming and Metalling  
Rangiora Ford Road—Forming Metalling and Bridges.  
South Road—Metalling.  
Colombo-street South—Forming and Metalling  
Hoonhay Road—Forming and Metalling.  
Spring's Road—Metalling.  
Lincoln Road—Metalling.  
Ellesmere Junction Road—Metalling.  
Sumner Road—Carting Metal  
Halswell Junction Road—Metalling.  
Governor's Bay Road—Bridges and Forming.  
Gebbie's Pass Road—Forming  
Dyer's Pas Road—Forming and Culverts.  
West Coast Road  
Papanui Bridge—Ordered from England  
Kaiapoi Town  
Rangiora Swamp  
North Selwyn Drainage

Avon District  
Lincoln and Riccarton Junction Road—Metalling  
Mandeville District  
Sefton District  
Upper Waimakariri Road—Forming Beach Road  
Lyttelton Gaol—Timber, &c.  
Lyttelton Boat-house  
Christchurch Hospital  
Repairs of Roads—3 months

Banks' Peninsula.  
Purau Line  
Wainui District  
Akaroa Jetty—Crane  
Road at Hughes' Mill  
Okains's Bay  
Pigeon Bay  
Port Levy  
Office Expenses

Timaru.  
Survey and Public Works Office  
Hospital  
Timaru to Waitaki  
Timaru to Mount Cook District  
Improvements between Burke's Pass and Otago  
Tekapo District

Works to be undertaken by the Provincial Government.  
West Coast Road, Pack-horse Track to Teramakau Saddle  
Survey for same  
Commission and Survey for Rakaia Bridge  
New Ferry—Moorings, Rope, &c.  
Avon Clearing  
Pass Hill Bridge, 2,100; half to be subscribed by Mr Kenrick  
Approaches  
Commission and Survey for Timary Roadstead  
Survey and Preparation of Plans for defence of Waimakariri Banks  
Waimakariri Breakwater  
Akaroa Jetty—Repairs and Additions  
Grant-in-Air for new Jetty  
Punt at the Rangitata

Survey of Timber Reserves

Grant for Works necessary, before the Road Boards are formed

Repairs of Roads until Road Boards are formed

Road to Upper Waimakariri Country

Roads Boards.

Establishment of Road Boards.

Votes for District Boards.

1. North Sefton District
2. South Sefton
3. Oxford District
4. Rangiora and Mandeville District
5. Town of Kaiapoi
6. Avon District East
7. Avon District Central
8. Avon District West
9. Heathcote District East
10. Heathcote District Central
11. Heathcote District South
12. Lincoln District East
13. Lincoln District West
14. Port Victoria District

Grant to the City

Grant in Aid of Main Thorough

A15. Port Levy District.

16. Little River District
17. Town of Akaroa and Wainui District
18. The Bays' District
19. Rakaia District East
20. Rakaia District South
21. Rakaia District North
22. Rakaia District West
23. Ashburton District
24. Geraldine District
25. Town of Timaru
26. Waitangi District
27. Mount Cook District

City of Christchurch.

Town of Lyttelton.

Public Buildings.

Schedule B.

Railways.

Railway including Christchurch and Ferrymead Branch

Alteration in Tunnel, Lyttelton, end

Resident Engineer

Tunnel Inspector

Fees for Consulting Engineer

**Schedule C.**

Lyttelton Wharfage—Preliminary Expenses

Building a New Jetty

Extension of Telegraph to Waitaki

Hurunui Bridge

**Schedule D.**

Permanent Charges

Electoral

Gaol

Waste Lands

Survey Office

Charitable Aids

Hospital—Christchurch

Printing

Dog Collars

Postages, Cartage, &c.

Maintaining Fire Engine

Recovering the bodies of men drowned

Pegs for Railway

Plant

Imprest to Pay Clerk

Stores

Total

Notes.

This Ordinance of the Canterbury Provincial Council was passed on the 19th of July 1867, and assented to by the Superintendent on 19th July.