

Session XXII 1864 (August to September 1864)

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1. The Executive Government Ordinance 1864.

Analysis.

Preamble.

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10. Title.

Whereas certain Ordinances were passed by the Superintendent and Provincial Council of the Province of Canterbury intituled respectively "The Executive Government Ordinance Sess. I. No. 3" and "The Executive Government Amendment Ordinance 1862" and whereas it is expedient that the said recited Ordinances should be repealed and that other provisions should be made in lieu thereof.

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

1. Repealing Clause.

The said recited Ordinances are hereby repealed.

2. Present appointments and rules not hereby revoked.

All appointments rules and regulations made under the said Ordinances or either of them and which are in force when this Ordinance comes into operation shall continue in force as if under this Ordinance until revoked or altered under the authority of this Ordinance and no longer.

3. The Executive Council.

There shall be an Executive Council for the Province of Canterbury for advising and assisting the Superintendent in the government of the Province.

4. Executive Council, how to consist.

The Executive Council shall consist of a President and not more than five nor less than three other persons who shall be appointed by warrant under the hand of the Superintendent and shall hold office during his pleasure Provided always that any Member of the Executive Council may by writing under his hand resign his seat in the same and provided also that not more than four Members of the Provincial Council shall at the same time be Members of the Executive Council.

5. The Superintendent or President of Council to preside. Quorum.

The Superintendent and in case of his absence the President of the Executive Council shall preside at the meetings thereof and shall have a veto on all its acts and proceedings and no act or resolution of the Executive Council shall have any effect unless two Members besides the Superintendent or President be present.

6. Officers of the Provincial Government.

There shall be the following offices of the Government in the Province of Canterbury that is to say—

(1.) A Provincial Secretary for assisting the Superintendent in the general management and carrying on of the Government.

(2.) A Secretary for Public Works who shall assist the Superintendent in the administration of the public works of the Province.

(3.) A Provincial Solicitor who shall be the legal adviser of the Provincial Government.

(4.) A Provincial Treasurer for receiving taking charge of and dispensing the public revenue of the Province.

7. How to be appointed.

The Superintendent may by warrant under his hand appoint fit persons to hold the aforesaid offices respectively and the Superintendent may with the advice

and consent of the Executive Council but not otherwise by warrant under his hand remove such persons or any of them and may appoint others in their stead.

8. Subordinate Officers may be appointed.

The Superintendent may from time to time appoint subordinate officers for carrying out the business of the several departments of the Government and may remove such officers and appoint others in their stead.

9. Rules for conduct of business to be made and published.

It shall be lawful for the Superintendent with the advice and consent of the Executive Council from time to time to make regulations for the convenient management and carrying on of the business of the Executive Council and of the offices of Government and from time to time with such advice aforesaid to alter or rescind such regulations or any of them and to make others in their stead and all such regulations being published in the "Provincial Government Gazette" shall thereupon become binding on all persons whom they may concern.

10. Title.

This Ordinance shall be intituled and may be cited as "The Executive Government Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 18th August 1864, and assented to by the Superintendent on 19th August.

2. The Watercress Ordinance 1864.

Analysis.

Preamble.

1. Penalty upon infringement of this Ordinance.
2. Fines and Penalties, how to be recovered.
3. Interpretation.
4. Title.

Whereas it is expedient to make provision for preventing the current of any river or stream in the Province of Canterbury being impeded by the accumulation of Watercress and other Weeds.

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

1. Penalty upon infringement of this Ordinance.

Any person who shall wilfully cut loosen or dislodge watercresses or other weeds in or from any river or stream or the banks of any river or stream within the said Province and shall not forthwith remove the same thereof shall forfeit and pay a penalty not exceeding ten pounds for every such offence.

2. Fines and Penalties, how to be recovered.

All fines and penalties imposed under the authority of this Ordinance shall be recovered in a summary way. Provided always that no person shall be convicted for any offence under the provisions of this Ordinance unless upon an information laid within one month after the time the offence shall have been committed.

3. Interpretation.

The word river or stream shall mean river stream or drain or any part of a river stream or drain which shall have been declared by the Superintendent by proclamation in the "Government Gazette" to be within the operation of this Ordinance.

4. Title.

This Ordinance shall be intituled and may be cited as the "Watercress Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 18th August 1864, and assented to by the Superintendent on 19th August.

3. The Ratepayers' Roll Revision Ordinance 1864

Analysis.

Preamble.

1. Repealing Clause.

2. Revising Commissioners to be appointed.

3. Revising Commissioners to determine objections to Ratepayers' Roll.

4. Any Court may be adjourned.

5. Fresh Assessment may be made and Valuers appointed.

6. Corrected Roll to be signed by Commissioners.

7. Time of Annual Meeting of Ratepayers.
8. This Ordinance to be construed as "Roads Districts Ordinance 1863."
9. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury intituled the "Road Districts Ordinance 1863" and it is expedient that the same should be amended.

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

1. Repealing Clause.

Sections 21 22 23 24 of the said Ordinance are hereby repealed.

In lieu thereof be it enacted the following:

2. Revising Commissioners to be appointed.

The Superintendent shall by notice in the "Government Gazette" appoint three competent persons who shall be called Revising Commissioners to revise the Ratepayers' Roll for the several Road Districts of the Province Such Commissioners shall for the purposes of such revision sit together in open Court at such places as the Superintendent shall appoint by proclamation in the "Government Gazette" and at such times between the first day of September and the thirtieth day of November in every year as the said Commissioners shall think fit and of which they shall give at least ten days' notice in one or more newspaper circulating within the Province All questions to be determined by the said Commissioners shall be decided by a majority of their votes such Commissioners shall have power to examine witnesses on oath which oath they are hereby empowered to administer.

3. Revising Commissioners to determine objections to Ratepayers' Roll.

The Revising Commissioners shall hear and determine all objections to the Ratepayers' Roll and shall after hearing all such objections and all evidence which may be offered relating thereto amend the said Roll in such manner as they shall think fit by adding thereto the name of any person omitted therefrom together with the description and assessed value of the property in respect of which he is liable to be rated or by erasing therefrom the name of any person erroneously entered therein or by altering the description or value of the property in respect of which any person is liable to be rated Provided that no such alteration shall be made except on application of a Ratepayer of the district nor unless it shall be proved to the satisfaction of such Commissioners that a notice setting forth the nature of the alteration proposed to be made shall have been served on every person affected thereby at least ten days before the hearing of such application except in cases where the person affected by such alteration is himself the applicant.

4. Any Court may be adjourned.

The Revising Commissioners shall have power to adjourn any Court held by them from time to time as they may consider requisite for the due disposal of the business to be transacted thereat.

5. Fresh Assessment may be made and Valuers appointed.

It shall be lawful for such Commissioners if they shall think fit to order a fresh assessment to be made of the value of any property enumerated in any Ratepayer's Roll whether any objection shall have been made thereto or not and to appoint such Valuers as they shall think fit to make such assessment and to order the cost of making such new assessment to be paid out of any monies at the disposal of the Board for the purposes of this Ordinance.

6. Corrected Roll to be signed by Commissioners.

The said Roll when so amended shall be signed by such Commissioners and shall be the Ratepayers' Roll for the District for the ensuing year and shall continue in force until the same shall be amended and signed in like manner in the year following.

7. Time of Annual Meeting of Ratepayers.

The Annual Meeting of Ratepayers provided for in the said Ordinance shall be held on the first Tuesday in December instead of on the first Tuesday in October as provided in Sections 27 and 44 of the said Ordinance.

8. This Ordinance to be construed as "Roads Districts Ordinance 1863."

This Ordinance shall be considered a part of and shall be construed as the "Roads Districts Ordinance 1863."

9. Title.

This Ordinance shall be intitled and may be cited as the "Ratepayer's Roll Revision Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 24th August 1864, and assented to by the Superintendent on 25th August.

4. The Cathedral Square Ordinance 1864

Analysis.

Preamble.

1. Repealing Clause.

2. Lawful for the Superintendent to divert a certain highway, and to construct a public highway through section named in Ordinance, Sess. X., No. 5.
3. Land as described to be held by Superintendent as Cathedral site.
4. Land remaining to be held for public service as specified.
5. Title.

Whereas by an Act of the Parliament of New Zealand, passed in the Twenty-first and Twenty-second years of the reign of her Majesty Queen Victoria, entitled "The Highways and Watercourses Diversion Act, 1858," it was 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 sell, exchange, or otherwise dispose of the land over which any such public street, road, highway, or thoroughfare was laid out or passed And Whereas by a certain Ordinance of the Superintendent and Provincial Council of the Province of Canterbury intituled "Cathedral Square Ordinance Sess. X No. 5" it is enacted that it should be lawful for the Christ's College Canterbury to convey to the Superintendent of the said Province for the time being a certai section of town land situate in the City of Christchurch in the said Province forming the centre of Cathedral Square within the said City and that there should be a highway one chain and a half in width with a public carriage way in the centre thereof of not less than fifty feet in width across the said certain section of land and that the remainder of the said section should be reserved for the purposes therein set forth And whereas by a certain other Ordinance of the Superintendent and Provincial Council of the said Province of Canterbury intituled "The Cathedral Square Ordinance Amendment Ordinance Sess. XI. No. 4" the last-recited Ordinance was repealed so far as regards the purposes for which the remainder of the said section was reserved and it was thereby enacted that the portion of the said section to the east of the said highway should be reserved for the erection of a Cathedral in connection with the Church of England which the said Superintendent upon the commencement of the building of the said athedral was thereby empowered and required to convey to the Bishop of Christchurch and his successors to be held in trust for the purpose aforesaid and the portion thereof to the west of the said highway as a public square or for plantations And whereas by a certain other Ordinance of the Superintendent and Provincial Council of the said Province of Canterbury intituled "The Diversion of Roads Ordinance Sess. XI. No. 3" it is enacted that excepting as by Ordinance otherwise provided no public road shall be closed up or diverted and no new line of road shall be laid out or constructed over any private lands excepting under the authority of a Special Ordinance of the said Superintendent and Provincial Council And whereas it is expedient that the said highway reserved by the said recited Ordinance Sess. X. No. 5 should be closed up or diverted and a new line of highway be laid out or constructed in lieu thereof:

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

1. Repealing Clause.

The said recited Ordinance intituled "The Cathedral Square Ordinance Amendment Ordinance Sess. XI. No. 4" is hereby repealed.

2. Lawful for the Superintendent to divert a certain highway, and to construct a public highway through section named in Ordinance, Sess. X., No. 5.

It shall be lawful for the Superintendent of the said Province to divert or stop up the highway together with the carriage way in the centre thereof reserved through the section of land situate in the City of Christchurch aforesaid mentioned in the said Ordinance Session X. No. 5 and the land forming such highway and carriage way shall be vested in the Superintendent and his successors for the purposes hereinafter declared of and concerning the same And it shall be lawful for the Superintendent of the said Province to take all necessary steps for the laying out and construction of a public highway through the said section of land in the said Ordinance Sess. X No. 5 mentioned according to the description and along the line set forth in the Schedule A to this Ordinance and to enter upon and cause entrance to be made upon the section of land for the purpose of making such surveys as shall or may be required and to take possession and execute a deed of dedication if required of all the land required for the use of the said highway or road along the line so set forth and described.

3. Land as described to be held by Superintendent as Cathedral site.

That portion of the said section of land described in the Schedule B to this Ordinance shall be held by the Superintendent of the Province for the time being and his successors as a site for the erection of a Cathedral in connection with the United Church of England and Ireland in New Zealand and upon trust as soon as the building of the said cathedral shall be commenced to convey the fee simple and inheritance in the same by deed unto the then Bishop of Christchurch and his successors to be held in trust for the purpose aforesaid.

4. Land remaining to be held for public service as specified.

The remaining portions of the said section of land shall be held by the Superintendent of the said Province of Canterbury and his successors upon trust for the public service of the Province aforesaid as an open square or for plantations.

5. Title.

This Ordinance shall be intituled and may be cited as "The Cathedral Square Ordinance 1864."

Schedule A.

Bounded on the west by a line commencing at a point on the south side of the road on the north-west side of Cathedral Square the same being 30 links west of its intersection with the western side of Colombo Street following a curved line (radius 3 chains 75 links) to a point on the north side of the road on the south-west side of Cathedral Square the same being 30 links west of its intersection with the western side of Colombo Street bounded on the east by a line parallel to and 1 chain distant from the western boundary.

Schedule B.

All that piece or parcel of land containing 1 acre 1 rood and 37 perches more or less commencing at the south-west angle of the road reserved on the north-east side of Cathedral Square following due north along the west side of that road a distance of 85 links thence due west at a right angle a distance 2 chains 45 links to the continuation of the western side of Colombo Street thence following a curve (radius 2 chains 75 links) to the continuation of the western side of Colombo Street before mentioned thence due east a distance of 2 chains 45 links to the western side of the street on the south-eastern side of Cathedral Square following due north along that road a distance of 85 links thence due east along the northern side of that street a distance of 1 chain 30 links thence following a curve (radius 1 chain) to the street on the north-east side of Cathedral Square before mentioned and following due west along that street a distance of 1 chain 30 links to the commencing point.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 30th August 1864, and assented to by the Superintendent on 31st August.

5. The Volunteer Service Ordinance 1864

Analysis.

Preamble.

1. Repealing Clause.
2. Returns to be furnished duly signed and countersigned.
3. Certain payments to be made regulated by such returns.
4. Such money: how to be disbursed.
5. Accounts thereof to be furnished.
6. Public properties in use by Volunteers: how to be treated.
7. Private properties in use by Volunteers:
8. Certain Acts and Regulations not hereby affected.

9. Interpretation.
10. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury intituled "The Volunteer Service Ordinance 1861 Session XVII No. 7" and it is expedient that the same should be repealed and that other provisions should be made in lieu thereof.

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

1. Repealing Clause.

The said recited Ordinance is hereby repealed.

2. Returns to be furnished duly signed and countersigned.

The Commanding Officer of Volunteers within the Province of Canterbury shall in the months of January April July and October in every year furnish to the Superintendent a return showing the number of men of all ranks enrolled and under drill or effective members in each corps or Regiment of Volunteers within the said Province during the three calendar months preceding and also the number in each company or troop of each and every such corps or regiment and also the town city or district in which each such company or troop is stationed and together with such return shall forward a certificate countersigned by himself and signed as to his own troop or company by the officer commanding each such troop or company to the effect that the several troops and companies have been under proper and sufficient drill and training.

3. Certain payments to be made regulated by such returns.

It shall be lawful for the said Superintendent quarterly and every quarter to cause to be issued and paid out of the public revenues of the Province to the Commanding Officer or to such person as may be duly authorised by him in that behalf a sum of money at the rate of seven shillings and sixpence for each man included in every such return as aforesaid for the immediately preceding quarter Provided that the sum so to be issued in any one year shall not exceed the sum of five hundred pounds in the whole of any one year And the receipt of the said Commanding Officer or of the person duly authorised by him as aforesaid shall be a good and sufficient discharge to the Provincial Treasurer for any moneys so issued and paid by him in accordance with the warrant of the Superintendent under the provisions of this Ordinance.

4. Such money: how to be disbursed.

The said Commanding Officer shall disburse the said moneys so received by him for the training and equipment of the Volunteers enumerated in the said return and for prizes for rifle shooting to be competed for by the said Volunteers Provided that the whole amount in value so appropriated shall be divided among

all the companies or troops enumerated in the said return rateably to each in proportion to the number of men certified in the aforesaid return to be enrolled therein and to have been under such proper and sufficient drill and training as aforesaid.

5. Accounts thereof to be furnished.

The said Commanding Officer shall once in every year upon the request of the Provincial Secretary of the said Province for the time being cause to be made out and furnished to the said Provincial Secretary a detailed statement in writing certified under his hand of all moneys received and disbursed by him during the year then last past in pursuance of the provisions of this Ordinance and of the manner of the expenditure of the same and such statement shall be laid before the Provincial Council as soon as possible thereafter.

6. Public properties in use by Volunteers: how to be treated.

All money arms stores fifes musical instruments or other articles whatever belonging to or used by any corps or regiment not being the property of any particular troop company or individual or supplied by the General Government of New Zealand shall be vested in the Officer for the time being in command of such corps or regiment for all purposes of indictment or action criminal or civil in law or in equity and shall for such purposes be deemed to be his property and may be so laid in any indictment or information and may be sued for and recovered as such in any action relating thereto.

7. Private properties in use by Volunteers:

In the case of money arms stores drums fifes musical instruments or other article or articles being the property of any particular troop or company they shall be vested in the Captain of such troop or company for all purposes of indictment or action criminal or civil in law or in equity and shall for such purposes be deemed to be his property and may be so laid in any indictment or information and may be sued for and recovered as such in any action relating thereto.

8. Certain Acts and Regulations not hereby affected.

Nothing herein contained shall affect in any way the provisions of the "Militia Act 1858," or of the "Militia Act Amendment Act 1860" or any regulation which are now or may at any future time be legally in force for the management of any Volunteer Corps in the Province of Canterbury.

9. Interpretation.

In the interpretation of this Ordinance the words "Commanding Officer" shall mean the senior officer for the time being in command of Volunteers within the Province.

10. Title.

This Ordinance shall be intituled and may be cited as "The Volunteer Service Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 31st of August 1864, and assented to by the Superintendent on 1st September.

6. The Beswick Wharf Ordinance 1864

Analysis.

Preamble.

1. Lawful for the Superintendent to demise certain land to W.C. Beswick upon certain conditions.
2. Tolls may be levied as per Schedule B.
3. Title.

Whereas by Crown Grant bearing date the Twenty-second day of October in the year of our Lord one thousand eight hundred and sixty-two all that allotment or parcel of land in the Schedule A to this Ordinance particularly described with all the rights and appurtenances thereto belonging was granted unto the Superintendent of the Province of Canterbury and his successors To hold unto the said Superintendent and his successors for ever in trust for the landing and embarking of goods and livestock for public use subject to the payment of such tolls or duties as may be imposed by an Act of the Superintendent and Provincial Council of the Province of Canterbury And whereas it is expedient to make provision for the levying of tolls and duties in respect of goods and livestock which may hereafter be landed and embarked at the said allotment or parcel of land And whereas by the "Public Reserves Act 1854" under and by virtue of which the aforesaid grant was made it is enacted that no land granted within any Province under the said Act shall be alienated by way of sale or mortgage or by lease for any longer term than three years except by the authority of some Act or Ordinance of the Provincial Council of such Province to be passed in that behalf nor except by deed signed by the Superintendent and sealed with the public seal of the province And whereas it is expedient that a lease of the said allotment or parcel of land described in the said Schedule should be made to William Cockerill Beswick of Kaiapoi in the Province of Canterbury merchant for the term and subject to the conditions hereinafter set forth.

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

1. Lawful for the Superintendent to demise certain land to W.C. Beswick upon certain conditions.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council at any time after the coming into operation of this Ordinance to demise to the said William Cockerill Beswick his executors administrators and assigns by deed to be made by and in the name of the Superintendent and executed under the public seal of the said Province the said parcel of land in the said Schedule particularly described for any term of years not exceeding Fifty Years in possession at a nominal rent subject to the conditions following that is to say that the said William Cockerill Beswick his executors administrators or assigns shall within Two Years from the commencement of such lease expend upon the land therein comprised the sum of Two Hundred and Fifty Pounds in the construction of Wharf or Wharves which said Wharf or Wharves at all times during the continuance of such lease as aforesaid shall be maintained in good order and repair at the sole cost of the said William Cockerill Bswick his executors administrators or assigns.

2. Tolls may be levied as per Schedule B.

It shall be lawful for the said William Cockerill Beswick his executors administrators or assigns during the said term to charge and recover any tolls or rates for the use of such Wharf or Wharves not exceeding those set forth in the Schedule B to this Ordinance and every person shall at all reasonable hours be entitled to the use of such Wharf or Wharves upon payment of the tolls hereby authorised to be levied in that behalf.

3. Title.

This Ordinance shall be intituled and may be cited as "The Beswick Wharf Ordinance 1864."

Schedule A.

All that parcel of land situate in and fronting upon Charles Street in Kaiapoi in the said Province commencing at a point in the southern boundary of Charles Street aforesaid about one chain and seventy-five links southerly from Cookson Street opposite the Courthouse thence in a straight line southwesterly to the low water mark of the River Waimakariri thence easterly along the said low water mark thirty feet thence north-easterly in a straight line to a point in the said southern boundary of Charles Street thirty feet distant from the commencing point and thence along the said boundary to the commencing point As the same is delineated in the plans drawn in the margin of the said Crown Grant.

Schedule B.

Almonds, per package, twopence.
Anchors, per cwt, twopence.
Arrowroot, per package, twopence.
Apparel, personal luggage, fourpence.
Bacon, per side, one penny.
Bags, per bale, fourpence.
Bags, per bundle. twopence.
Bark, per ton, one shilling and sixpence.
Barley, wheat, oats, maize, or seed, per bag, twopence.
Ditto, ditto, kits, three half-pennies.
Beef or pork, per hhd., fivepence.
Beef or pork, per tierce, threepence
Beef and pork, per barrel, twopence.
Beer and cider, per hhd., fourpence.
Beer and Cider, per barrel, threepence.
Beer and cider, 3 dozs, twopence.
Beer and cider, 4 dozs., threepence.
Biscuits, per barrel, twopence.
Biscuits, per bag, twopence.
Blankets, per bale, ninepence.
Blacking, per case, threepence.
Bran, per bag, one half-penny.
Bricks or slates, per 1,000, two shillings and sixpence.
Butter, per cask, twopence.
Boots or shoes, per package, sixpence.
Books, per case, twopence.
Cables, per cwt., sixpence.
Calico, per bale, ninepence.
Candles, per box, one penny.
Cannons, each, three shillings.
Canvas, per bale, sixpence.
Canvas, bolt, one half-penny.
Carts, each, two shillings.
Casks, empty, each, twopence.
Casks, water, each, threepence.
Castings, per cwt., twopence.
Carpets, per bale, sixpence.
Carpets, per case, sixpence.
Castor oil, per case, twopence.
Chairs, each, one penny.
Chairs, per case, sixpence.
Cement, barrel, threepence.
Cheese, per case, fourpence.
Cheese, loose, each, one penny.
Cigars, per case, sixpence.
Coals, per ton, one shilling.

Coffee, per bag, three halfpence.
Cordage, coil, three halfpence.
Cork, per bag, twopence.
Curiosities, per package, sixpence.
Currants, per caroteel, sixpence.
Currants, per barrel, twopence.
Dates, per bag, one penny.
Drapery, per bale, ninepence.
Drapery, per case, ninepence.
Earthenware or glass, per crate, one shilling.
Earthenware or glass, per cask, sixpence.
Figs, per package, twopence.
Fish, per bundle, twopence.
Flax, per cwt., one penny.
Floor cloth, per roll, fourpence.
Flour, per 200lbs., one penny.
Flour, per 100lbs., one halfpenny.
Furniture, per package, sixpence.
Fruit, per case, twopence.
Ginger, per package, twopence.
Glass, window, per case, twopence.
Grindstones, each, one penny.
Gunpowder, per barrel, threepence.
Hams, per dozen, sixpence.
Hardware, per cask or hhd., sixpence.
Hardware, per bag, keg, or bundle, one penny.
Hats, per case, ninepence.
Hay, per truss, threepence.
Hides, per dozen, sixpence.
Hops, per package, sixpence.
Iron, per ton, one shilling and sixpence.
Lard, per package, twopence.
Lead or shot, per cwt., twopence.
Leather, per bale, threepence.
Maize, per bushel, one penny.
Manufactures other than blankets or calico, package or case, ninepence.
Matting, per roll, twopence.
Molasses, per cask, fourpence.
Nuts, per bag, twopence.
Oatmeal, per bag or barrel, twopence.
Oars, per dozen, fourpence.
Oil, per tun, one shilling and sixpence.
Oilmen's stores, per case, threepence.
Paints, per cask, ninepence.
Paints, per keg, one penny to twopence.
Paper, per bale or case, fourpence.

Peas, per cask, twopence.
Pepper, per bag, twopence.
Pitch or tar, per barrel, twopence.
Pipes, one penny to twopence.
Potatoes or vegetables, per ton, one shilling.
Raisins, per cask, threepence.
Raisins, per case, twopence.
Rice, per bag, one penny.
Salt, per ton, one shilling.
Salt, per bag, one penny.
Sago, per package, twopence.
Shingles, per 1,000, threepence.
Shooks, per bundle, one penny.
Starch, per box, twopence.
Soap, per box, one penny.
Skins, per dozen, twopence.
Sugar, per hhd., one shilling.
Sugar, per bag, one penny.
Tea, per chest, twopence.
Tea, per half-chest, one penny.
Tea, per box, one halfpenny.
Timber, per 100 feet, twopence.
Tobacco, per tierce, fourpence.
Tobacco, per keg or case, twopence.
Tobacco, per basket or roll, one penny.
Truss or roll sundries, twopence.
Vinegar, per cask, threepence.
Whalebone, per bundle, twopence.
Wheelbarrows, each, fourpence.
Wines and spirits, pipe or punch, eightpence
Wines and spirits, per hhd., fourpence.
Wines and spirits, per quarter-cask, twopence.
Wines and spirits, per case 4 gallons, fourpence.
Wines and spirits, per case, 2 gallons, twopence.
Wine, per 3 dozen, threepence.
Wool, per bale, threepence.
Wool-lashings, per coil, one penny.

Unenumerated Goods.

Heavy, per ton, two shillings and sixpence.
Package, tun, or butt, one shilling and threepence.
Puncheon, eightpence.
Hogshead, sixpence. Barrel, threepence.
Keg, twopence.
Bundle or case, fourpence.
Jar or can, one penny.

Livestock.

Horned Cattle, one shilling

Horses, one shilling and sixpence

Sheep, twopence. Sheep, twopence.

Pigs, twopence.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 9th September 1864, and reserved for the Governors assent.

Previously, in Session XIX., an Ordinance, similarly named, was passed by the Canterbury Provincial Council on 12th November 1862, and reserved for the Governor's assent. This assent was withheld, and this was notified in the New Zealand Government Gazette, No. 17, 12th May, 1863, page 172.

Guide to some of the quantities noted:

A Tierce was "one third of a pipe as old wine-measure [35 gallons], cask containing certain quantity (varying with the goods) especially of provisions. [COD 1355p.]

A Pipe was a "cask of wine, especially as measure, usually 105 gallons.

A Kit was a "wooden tub for various purposes (articles carried in) [COD 667.]

A Hogshead (hhd.) "a large cask, liquid measure, fifty-two and a half imperial gallons." [COD 580.]

A Caroteel (of currants) term not in COD, but larger quantity than barrel.

A Tun was a "large cask for wine, beer, etc., especially, formerly as a measure of capacity (252 wine gallons.) [COD 1401p.]

Shooks were a "set of staves and headings for cask, ready for putting together." [COD 1176p.]

A Puncheon was "a large cask for liquids holding from 72 to 120 gallons." [COD 993p.]

For other Tolls Schedules see the following The Peacock Wharf Ordinance 1857 during Session VIII, and the Ferrymead Railway and Wharf Tolls Ordinance 1863, passed during Session XX.

7. The Education Ordinance 1864

Analysis.

Preamble.

1. Education Districts: how to be formed.
2. Such formation to be proclaimed.
3. Election of District School Committee.

4. Committee to furnish Annual Reports to Public Meeting. Committee for ensuing year to be elected.
5. Vacancies: how to be supplied.
6. Resignation of Members.
7. Disputed Elections to be decided.
8. If Committee not elected as herein provided.
9. If Committee not elected by refusal or neglect Commissioner to be appointed.
10. Time and place of Meeting.
11. Chairman to be elected.
12. Resignation of Chairman.
13. Quorum of Members.
14. Officers may be employed by the Committee.
15. Moneys in hand to be paid over by Committee.
16. School Committee to have power to establish Schools, &c.
17. Appointment of Teachers.
18. Salary of Teachers.
19. Appointment of Assistant Teachers.
20. Apprentice Pupil Teachers may be appointed.
21. School fees and charges may be recovered or in certain cases remitted.
22. Grants may be made by the Board.
23. Provisions to be complied with in case of aid to be granted.
24. Annual Grant.
25. Salary of Teachers to be first charge.
26. Balance: how to be first charge.
27. Control of School-room.
28. Estimates of expenditure to be furnished
29. Rate may be imposed by the Committee.
30. Rate: how to be collected.
31. If not paid may be levied by distress.
32. May be remitted.
33. Nothing herein contained to affect aid heretofore granted to Schools except as specified.
34. Board to determine the amount of aid to be granted.
35. Educational Districts to be proclaimed.
36. Payment to be made to the Chairman of the School Committee.
37. Local Committee to be formed.
38. Control over Denominational Schools.
39. The Holy Scripture to be read. Teacher may in certain cases give religious instruction.
40. Religious Instruction.
41. Attendance of children thereat.
42. Days may be set apart for religious instruction by Ministers.
43. Special grants may be made for Schools otherwise established.
44. Provisions to be complied with in case of aid to be granted.
45. Contributions to be required from promoters of School.
46. Character of Teacher to be enquired.

47. Board may grant contribution: how to be regulated.
48. Control of religious instruction in such School.
49. Appointment of Teachers.
50. Such School to be inspected.
51. All Schools receiving aid to be inspected.
52. Returns to be furnished by Chairman of School Committee.
53. Power of entry on Schools given to Board.
54. Branches of instruction.
55. Exceptions made in behalf of certain schools.
56. Board may withdraw grant in certain cases.
57. Provision for school books and apparatus.
58. Title.

Whereas an Ordinance entitled the "Education Ordinance Session VIII. No. 10" was passed in the Eighth Session of the Provincial Council by the Superintendent and Provincial Council for the establishment and maintenance of Schools within the Province and whereas another Ordinance was passed in the Twentieth Session of the said Council entitled the "Board of Education Ordinance 1863" and whereas it is expedient to make further provision for the establishment and maintenance of Schools within the Province of Canterbury intituled the "Road Districts Ordinance 1863" and it is expedient that the same should be amended.

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

1. Education Districts: how to be formed.

Upon the memorial of any considerable portion of the inhabitants of any locality or district within the Province not yet provided or inadequately provided with the means of Public School Education praying for the erection of such locality into a separate Educational District the Board shall ascertain fully all the circumstances of the case and if it shall appear to the Board that there exists in such locality or district a necessity for provision being made for public Education therein the Board shall call by advertisement a public meeting of owners and occupiers of land and householders in such district being male persons above the age of twenty-one years and it shall be the duty of the Chairman of the Board to attend at such meeting and afford information regarding the provisions of this Ordinance and the proceedings proper to be taken under the same.

2. Such formation to be proclaimed.

The meeting so called shall declare by the votes of the majority of the persons present (being such owners and occupiers of land and householders as aforesaid) whether they are willing that the said district be formed into an Educational District under the provisions of this Ordinance and in the event of their deciding that question affirmatively and further declaring their willingness to

provide the proportion of the annual expenses of an Education District to be paid by every such district as hereinafter provided the Superintendent shall as soon as conveniently may be by proclamation in the Provincial "Government Gazette" declare such district to be an Educational District under this Ordinance and such district shall thereupon become an Educational District accordingly.

3. Election of District School Committee.

At any such meeting of owners and occupiers of land and householders as aforesaid in any locality or district at which the majority shall have declared their willingness that the said locality or district shall be formed into an Educational District under the provisions of this Ordinance and shall have also declared their willingness to provide the due proportion of the annual expenses of an Educational District as hereinafter provided the persons then present (being such owners and occupiers and householders as aforesaid) shall thereupon elect by a majority of votes taken either by a show of hands or by ballot as shall be determined upon by the said meeting not less than three or more than nine such owners or occupiers of land or householders as aforesaid resident in the district of whom a majority shall be parents of families and the persons so elected shall be called the District School Committee and shall hold office until the election of their successors in manner hereinafter mentioned.

4. Committee to furnish Annual Reports to Public Meeting. Committee for ensuing year to be elected.

On the second Tuesday in the month of October in each year a public meeting of the owners and occupiers of land and householders in every Educational District being male persons above twenty-one years of age shall be held at the time and place within each district respectively to be fixed by the Chairman of the Board and notified by public advertisement at least one month previously and in such other manner as the Board shall direct and at such meeting the District School Committee for the preceding year or portion of the year as the case may be shall give a full report of its proceedings during that period and thereupon the owners and occupiers of land and householders who shall have paid all fees or rates payable by them under this Ordinance shall proceed to elect either by show of hands or by ballot as shall be determined upon by the said meeting a new District School Committee for the ensuing year of not less than three nor more than nine persons qualified as aforesaid Provided that nothing herein contained shall prevent the re-election of all or any of the members of the District School Committee.

5. Vacancies: how to be supplied.

Every District School Committee elected as aforesaid shall hold office until the appointment of their successors and if any vacancy or vacancies shall occur by death removal from the district resignation or otherwise in any District School Committee the remaining members of such Committee shall forthwith elect a qualified person or persons to fill such vacancy or vacancies.

6. Resignation of Members.

If any member of any District School Committee shall cease to reside in the district for which he has been elected or if any member shall signify in writing to the Committee his desire to resign his seat the member so ceasing to reside or resigning shall thereupon cease to be a member of the School Committee.

7. Disputed Elections to be decided.

If any dispute shall arise respecting the validity of the proceedings at the annual or other election of any District School Committee or respecting the validity of the election of any member or members of any School Committee the matter in dispute shall be submitted to the judgment of the Superintendent whose decision thereon shall be final and conclusive.

8. If Committee not elected as herein provided.

If in any case the persons qualified as aforesaid shall from any cause whatever fail to elect a District School Committee upon the annual day of meeting as hereinbefore provided it shall be lawful for the Superintendent if he shall see fit to fix another day for the election of a School Committee for such district and the same notice of such meeting shall be given and the same proceedings taken thereat as are hereinbefore prescribed for ordinary annual meetings for electing School Committees.

9. If Committee not elected by refusal or neglect Commissioner to be appointed.

If in any case the persons qualified as aforesaid shall refuse or neglect to elect a School Committee after such postponement by the Superintendent as last mentioned the Superintendent shall immediately on being satisfied of such refusal or neglect by Proclamation published in the "Government Gazette" declare the power of election hereinbefore vested in the persons qualified as aforesaid for the remainder of the year to be suspended and shall by such Proclamation appoint a Commissioner for such district and all the powers rights privileges and duties of a District School Committee shall from the date of such Proclamation vest in and be exercised by such Commissioner and the Superintendent shall cause such reasonable salary as he shall think fit to be paid to such Commissioner out of any funds applicable to the purposes of the Educational District under the provisions of this Ordinance Provided that such Commissioner shall be guided in the performance of his duties by such instructions as he shall receive from the Superintendent in that behalf and all acts hereinbefore required to be performed by the Superintendent shall be performed only on a report as to the circumstances from the Chairman of the Board.

10. Time and place of Meeting.

The proceedings of every District School Committee shall be transacted at meetings the time and place for which shall have been previously fixed by such Committees or at meetings to be convened at the request in writing addressed to the Chairman to be appointed as hereinafter specified of two or more members of such Committee.

11. Chairman to be elected.

Every District School Committee shall at its first meeting elect one of its members to be Chairman thereof who shall preside at the meeting of the Committee and shall have an original and also a casting vote thereat provided that if the Chairman shall be absent from any meeting the members present shall elect one of their number to preside in his stead at such meeting.

12. Resignation of Chairman.

If the Chairman shall cease to be a member of the District School Committee or shall by writing under his hand addressed to such Committee vacate the office of Chairman such Committee shall at its next meeting thereafter elect another member to be Chairman in his stead.

13. Quorum of Members.

All questions except as hereinafter excepted coming before the District School Committee shall be decided by a majority of the members present and there shall be no meeting of such Committee unless at least three members be present.

14. Officers may be employed by the Committee.

Every District School Committee shall have power from time to time as it shall think fit to employ all such clerks treasurers collectors and other persons as may be required for the proper performance of its duties under this Ordinance and the same so often as it shall think fit to remove and appoint others in their stead such security being taken as may be agreed upon and required by the said Committee.

15. Moneys in hand to be paid over by Committee.

Any moneys in the hands or under the control of any Committee at the expiration of its term of office shall be paid over by such Committee to its successor immediately after its election.

16. School Committee to have power to establish Schools, &c.

In every Educational District it shall be lawful for the School Committee for such District with the sanction of the Board and subject to the conditions hereinafter mentioned to establish one or more Schools and shall have power to fix and determine the salary of the Teacher or Teachers and the rate of School fees and shall also have power to select the Teacher or Teachers of such School or Schools and generally to have the entire management of educational matters within the District.

17. Appointment of Teachers.

No appointment of any Teacher shall be deemed valid until such Teacher shall have produced to the Board a certificate of qualification from Her Majesty's Committee of Privy Council on Education or from the Inspector of Schools and such other certificates of fitness as shall be required by any Regulations of the

Board and no Teacher shall be dismissed or any reduction made in his salary after being once fixed without the sanction of the Board previously obtained.

18. Salary of Teachers.

The salary of Male Teachers shall be not less than One hundred pounds per annum and of Female Teachers not less than Sixty Pounds including fees.

19. Appointment of Assistant Teachers.

It shall be lawful for any School Committee to appoint such Assistant Teachers on such terms as it shall deem right without the sanction of the Board.

20. Apprentice Pupil Teachers may be appointed.

It shall be lawful for the Board on the recommendation of any District School Committee to authorise the master of any School under the management of such Committee to engage and employ one or more apprentice pupil teachers and to make and from time to time to alter rules and regulations for the examination training and employment of such pupil teachers and out of any funds from time to time appropriated by the Superintendent and Provincial Council grant any moderate sum or sums of money in aid of the maintenance and education of such pupil teacher upon such conditions as the Board may think fit Provided always that such sum or sums of money shall not exceed the amount contributed by the School Committee of the District in which such School is situate.

21. School fees and charges may be recovered or in certain cases remitted.

It shall be lawful for any person duly appointed in writing under the hand of the Chairman by the District School Committee to ask demand receive sue for and recover from the parents or guardians of the children attending the School such school fees and charges as shall be authorised by the respective School Committee and such school fees or charges shall be paid over to such person or persons as the School Committee shall direct Provided always that it shall be lawful for the School Committee by a warrant or warrants under the hand of the Chairman subject to the sanction of the Board to authorise the remission of the whole or any portion of the ordinary school fees or other charges in the case of any child or children whose parents or guardians are in the opinion of the Committee in such circumstances as to warrant the remission.

22. Grants may be made by the Board.

It shall be lawful for the Board on receiving a memorial from any School Committee praying for the establishment of a School in any district constituted as hereinbefore provided to grant any sum not exceeding three-fourths of the estimated cost of the buildings required.

23. Provisions to be complied with in case of aid to be granted.

No aid shall be granted by the Board for the establishment of a new School unless

(1st.) The plan of the buildings shall first have been approved of by the Board.

(2nd.) Such plan shall include a School-room and a teacher's house.
(3rd.) The site shall be at least one acre in extent without the limits of a town.
(4th.) The site shall have been previously vested in the Superintendent dedicated for ever for the purposes of a School.
(5th.) The Local Committee shall have deposited in the Provincial Treasury a sum equal to one-fourth of the estimated cost of the buildings together with a sum of at least £20 for the purchase of books apparatus and fittings for the School.

24. Annual Grant.

It shall be lawful for the Board to make an annual grant of any sum not exceeding Seventy-five Pounds towards the maintenance of any School established in accordance with the provisions of this Ordinance and such sum shall be paid over by quarterly payments to the Chairman of the Committee for the district in which such School is situate for the uses of the School.

25. Salary of Teachers to be first charge.

The salary of the Teacher shall be the first charge on the receipts of the Committee whether arising from the grant from the Board from fees subscriptions or rates to be levied as hereinafter provided.

26. Balance: how to be first charge.

After providing for the salary or salaries of the Teacher or Assistant Teacher or Teachers the sums received by the Committee shall be applicable to the purchase of books apparatus fittings the insurance and repair of buildings the fencing of the land annexed thereto and other incidental expenses.

27. Control of School-room.

The Committee shall have absolute control over the school-room and shall determine the purposes for which it may be used at any time except in school-hours.

28. Estimates of expenditure to be furnished

Within one month after the election of any School Committee such School Committee shall make an estimate of the sum which will be required for the purposes aforesaid and also of the amount likely to be derived from fees subscriptions or donations (if any) during the then current year within the Educational District together with the expenses of making and levying a rate as hereinafter provided for making up any deficiency in the funds required for maintaining the Schools within the said district and shall publish the said estimates by posting a statement thereof in some conspicuous place within the district at least for the space of twenty-one clear days and by at least one advertisement in some newspaper ordinarily circulated within the district.

29. Rate may be imposed by the Committee.

For the purpose of raising the sums required to make up any deficiency in the estimated receipts it shall be lawful for the Committee at some meeting duly convened and of which ten clear days' notice shall have been given to each member of such Committee by writing under the hand of its Chairman to impose a uniform rate as hereinafter provided and payable by one or more instalment as to the Committee shall seem fit upon every householder within the district provided that the amount of such rate shall not exceed twenty shillings for every dwellinghouse.

30. Rate: how to be collected.

The said rate shall be paid by the persons liable as aforesaid to some person or persons appointed by the Chairman of the Committee by writing under his hand on a day and at a place to be fixed by such Chairman by public notice in some newspaper published or generally circulated within the district and also by a notice in the form or to the effect in the Schedule to this Ordinance to be served on each person liable as aforesaid or left at his usual place of abode Provided that the day so fixed for the payment of such rate shall not be less than twenty-one clear days from the time of giving such notices.

31. If not paid may be levied by distress.

If any person shall refuse or neglect to pay such rate to the person or persons to be appointed as aforesaid for the space of fourteen days after the same shall have become payable it shall be lawful for any Justice of the Peace on the application of the Chairman of the District School Committee or of some person or persons authorised by him to make the application to summon such person to appear before him at a time to be mentioned in the summons to show cause why the rate or rates due should not be paid and in case no sufficient cause for the non-payment thereof be shown the same shall be levied by distress and such Justice shall issue his warrant accordingly.

32. May be remitted.

It shall be lawful for the Committee subject to the sanction of the Board to excuse any person from the payment of any rate or of any portion thereof who may be deemed unable through poverty to pay the same.

33. Nothing herein contained to affect aid heretofore granted to Schools except as specified.

Any thing in this Ordinance to the contrary notwithstanding no alteration shall be made in respect of Schools established before the passing of this Ordinance in the amount of aid heretofore payable for the maintenance of such Schools except as herein specially provided.

34. Board to determine the amount of aid to be granted.

It shall be lawful for the Board to determine the amount of aid payable in respect of any such School according to the scale fixed in Clause 24 for the maintenance of Schools to be established under the provisions hereinbefore specified

Provided always that no aid now payable in respect of any School shall be reduced in amount except after a three months' notice in writing under the hand of the Chairman of the Board addressed to the Chairman of the School Committee affected thereby Provided also that no such reduction shall take place except in accordance with a resolution to be passed by the Provincial Council.

35. Educational Districts to be proclaimed.

The Superintendent shall as soon as conveniently may be after the passing of this Ordinance proclaim such Districts as Educational Districts as shall include one or more of the Schools already established and thereupon such Districts shall be deemed to be Educational Districts within the meaning of this Ordinance Provided always that no such School shall be brought under the control or management of a Committee appointed as hereinbefore provided except on an application to that effect from the "Local Committee" of such School as defined by the "Board of Education Ordinance 1863" being approved by the Board.

36. Payment to be made to the Chairman of the School Committee.

All sums payable by the Board for the maintenance of any School shall be paid to the Chairman of the Committee of such School and to no other person whatsoever Provided that this provision shall not apply to sums payable on account of the current quarter.

37. Local Committee to be formed.

In order to entitle any School heretofore established to a grant in aid for its maintenance a Local Committee must be formed consisting of some person or persons resident in the Educational District within which such School is situated willing to act as a Local Committee and the name or names of such person or persons together with the name of the Chairman shall be notified by writing under the hand of such Chairman to the Chairman of the Board within sixty days from the day on which the Educational District shall have been proclaimed.

38. Control over Denominational Schools.

In any School heretofore established in connection with any particular religious denomination the Committee of such School shall have the exclusive power of determining the nature of the religious instruction to be given therein the person by whom and the times at which it shall be given Provided that whenever such School shall be brought under the management of a Committee elected as hereinbefore provided by the owners and occupiers of land and householders within the District the provisions herein contained with regard to the religious instruction shall come into operation in respect of such School.

39. The Holy Scripture to be read. Teacher may in certain cases give religious instruction.

Whenever any School shall have been established or shall hereafter be established under the provisions of this Ordinance not connected with any

particular religious denomination a portion of the Holy Scripture shall be read during the first half hour after the opening of the School by such of the children as can read fluently and intelligently or if none such be present then by the Teacher and such Teacher may by the unanimous vote of the members of the School Committee of any such School give religious instruction to the children Provided always that the Board shall satisfy itself before giving its sanction that the Teacher is competent to give the instruction required.

40. Religious Instruction.

No person other than the Teacher except as hereinafter provided shall be allowed to give instruction either secular or religious in any School not in connection with any particular religious denomination.

41. Attendance of children thereat.

No child shall be allowed to be absent from the School during the reading of the Holy Scriptures but he may be permitted to absent himself from any course of religious instruction with the authority of the Chairman of the School Committee if it shall be made to appear to the satisfaction of the Committee that such child is under proper religious instruction elsewhere.

42. Days may be set apart for religious instruction by Ministers.

It shall be lawful for the Committee of any School subject to a written authority from the Board under the hand of the Chairman to set apart either one whole school day or two half school days in every week during which any Minister or Ministers of religion or persons properly authorised by him or them shall impart religious instruction to such of the children on the books of the School as may belong to his or their religious denominations provided that no child or children shall be allowed to attend at such instruction except on a written request to that effect addressed to the teacher by the parents or guardians of such child or children.

43. Special grants may be made for Schools otherwise established.

It shall be lawful for the Board out of any sum or sums of money that may be appropriated by the Superintendent and Provincial Council for that purpose to make special grants towards the support of Schools within the Province not established in accordance with the provisions hereinbefore specified and such Schools shall not be included in an Educational District.

44. Provisions to be complied with in case of aid to be granted.

To entitle any School to such special grant a sufficiently large and well-ventilated School-house supplied with the necessary furniture books and other School apparatus together with an open space attached to it as a playground a residence for the Teacher and requisite outbuildings shall be provided by the promoters or managers of the School.

45. Contributions to be required from promoters of School.

The promoters or managers of such School shall contribute by children's payments or otherwise not less than an amount equal to such special grant from the Board which contribution shall be applied to the payment of the Teacher to an amount equal to that so granted by the Board Provided that any further sums contributed for the use of the School beyond this equivalent may be appropriated by such promoters or managers as they shall think fit Provided that if at any time the sum contributed by such promoters and managers shall fall short of the sum contributed by the Board the Board shall either withdraw its grant altogether or reduce it to the amount contributed by such promoters and managers as it shall think fit.

46. Character of Teacher to be enquired.

Before such grant shall be made to any School the Board must be satisfied with the Teacher's moral character and fitness to conduct a School and shall cause each Teacher to be examined at such time and by such person or persons as they shall appoint for that purpose.

47. Board may grant contribution: how to be regulated.

It shall be lawful for the Board to contribute by way of such special grant any sum not exceeding Two pounds for every child in average attendance Provided that the whole sums so granted shall not exceed Seventy-five pounds for a male Teacher and Fifty pounds for a female Teacher and a further sum of Two pounds for every child in average attendance beyond forty in number up to the limit of Thirty pounds per annum but in all such cases the promoters and managers of the School shall as aforesaid contribute a sum equal to that granted by the Board.

48. Control of religious instruction in such School.

The promoters or managers of any such School shall be at liberty to make such provision as they think fit for the communication of religious instruction in the School under their charge.

49. Appointment of Teachers.

The appointment of all Teachers and Assistant Teachers to any such School shall rest with the promoters and managers thereof subject to the provisions herein mentioned.

50. Such School to be inspected.

As soon as conveniently may be after any such special grant shall have become payable in respect of any School the Inspector appointed under the provisions of the "Education Ordinance Session VIII No. 10" shall inspect such School during School hours and the number of children present on the day of such inspection shall be taken and deemed to be the number of average attendance for the purpose of the grant and the amount of the grant payable shall from time to time be ascertained and fixed in like manner by the number of children present at the

inspection Provided that no children shall be counted who come into School after the inspection shall have commenced.

51. All Schools receiving aid to be inspected.

It shall be the duty of the said Inspector from time to time as the Board shall direct except as hereinafter provided to inspect all Schools receiving aid from the Board to furnish all such reports as the Board may require and generally to be guided in the performance of his duties by such instructions as he may receive from the Chairman of the Board.

52. Returns to be furnished by Chairman of School Committee.

It shall be the duty of the Chairman of every Committee of any School aided by the Board to transmit to the Chairman of the Board within one week from the termination of every quarter returns according to forms to be supplied by the Board of the number of children on the books of the respective Schools the average attendance the amount of fees paid and due the scale of fees and such other particulars with regard to the condition of the School as the Board shall require.

53. Power of entry on Schools given to Board.

It shall be lawful for the Board or any Member or Members thereof to enter any School receiving aid during school hours for the purposes of inspection or otherwise.

54. Branches of instruction.

The following branches of instruction shall be required to be taught in all Schools aided by the Board reading writing spelling arithmetic geography history sacred and profane and English Grammar.

55. Exceptions made in behalf of certain schools.

The provisions hereinbefore contained shall not apply to Christ's College Grammar School the High School Christchurch or the High School Lyttelton but there shall be payable until the Thirtieth of June One thousand eight hundred and sixty-seven in respect of these Schools the following sums annually by equal quarterly instalments to such persons as shall be named by the acting head of the denominations with which they are connected:—

Christ's College Grammar School	£300
High School Christchurch	
£250	
High School Lyttelton	
£200	

Provided always that it shall be lawful for the Board to cause such Schools to be inspected in such manner at such times and by such person or persons as it shall think fit.

56. Board may withdraw grant in certain cases.

It shall be lawful for the Board to withdraw either wholly or in part the grant payable in respect of any School in cases where it shall appear to the Board that any of the provisions of this Ordinance have been contravened where the Teacher is incompetent or negligent where the sites buildings or premises are insufficient or otherwise unsuitable where the School apparatus is defective or where the School is generally inefficiently conducted.

57. Provision for school books and apparatus.

There shall be a depot of books and apparatus under the charge of the Chairman of the Board and such books and apparatus shall be sold for the use of Schools in receipt of aid from the Board at such prices as shall be fixed by the Board and the proceeds of such sales shall from time to time be remitted to England for the renewal of the stock Provided that all the accounts shall be audited half-yearly by the Provincial Auditors.

58. Title.

This Ordinance shall be intituled and may be cited as the "Education Ordinance 1864."

Schedule.

Notice.

To A.B. of C.D.

The Committee of the _____ Educational District have determined that the rate for the year ending _____ day of _____ in _____ amounting to _____ for each dwelling house shall be paid to E.F. at _____ between the hours of _____ and _____ in one sum (or in instalments of _____ each) on the _____ day of _____ (or on the day of _____ and _____ day of _____ as the case may be.)

And I hereby give you notice that in the event of your neglecting to pay the same to the person above mentioned at the time and place above specified or within fourteen days thereafter the powers vested in the said Committee by the "Education Ordinance 1864" will be put in force for recovery of the said rate.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 13th September 1864, and assented to by the Superintendent on 15th August. The following are the Ordinances of the Canterbury Provincial Council concerning the promotion of education: see also those concerning educational reserves.

Education Ordinance 1857
Board of Education Ordinance 1863
Education Ordinance 1864
Education Ordinance Amendment Ordinance 1865
Education Ordinances 1864 and 1865 Amendment Ordinance 1868
Education Ordinance 1864 Amendment Ordinance 1869
Education Ordinance 1864 Amendment Ordinance 1870
Education Ordinance 1871
Education Ordinance Amendment Ordinance 1872
Education Ordinance 1871 Amendment No 2 Ordinance 1872
Education Ordinance 1873
Education Ordinance 1875
Westland Board of Education Ordinance 1867
Canterbury College Ordinance 1873
Christ's College Ordinance 1855
Christ's College Amendment Ordinance 1858
Christ's College Loan Ordinance 1864 D NZG 1864 p445

8. The Wilson Mill Dam No 1, Ordinance 1864.

Analysis.

Preamble.

1. John Cracroft Wilson to be allowed to maintain Mill Dam on River Heathcote.
2. Power to cleanse River.
3. Saving rights of agrarian Proprietors.
4. Right of entry on land. Notice for that purpose to be given.
5. This not to affect right of Provincial Council to authorise diversion of water for public purposes.
6. Title.

Whereas a certain Mill Dam Bolt or Penstock for damming or penning back the water of the River Heathcote, was some time since erected and built at a point measured seventy links or thereabouts south-east from the bridge over the said river on the Lower Lincoln Road where the said river forms the south-western boundary of the section numbered 76 on the plan of the Lincoln District for the purpose of working a certain Water-power Mill erected and built upon the section numbered in the said district and whereas the said John Cracroft Wilson is now entitled for the residue of a term of eighteen years commencing and to be computed from the Twenty-ninth day of September One thousand eight hundred and fifty-five to the said Water-powered Mill and whereas no Ordinance hath yet been passed to legalise the damming up of the waters of the said river for the purposes of the said Mill and it is expedient that such practice as hath heretofore

been exercised to such end should receive the sanction of law and the said John Cracroft Wilson is desirous of having power to maintain and amend the said Mill Dam and it is expedient that permission should be given to the said John Cracroft Wilson his Heirs Executors Administrators and Assigns to maintain the said Mill subject to the conditions hereinafter contained:

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

1. John Cracroft Wilson to be allowed to maintain Mill Dam on River Heathcote. It shall be lawful for the said John Cracroft Wilson his Heirs Executors Administrators and Assigns after the passing of this Ordinance to make and for ever thereafter to maintain a certain Mill Dam Bolt or Penstock sometime since erected and now standing and being across the River Heathcote at a point measured seventy links or thereabouts south-east from the bridge over the said river on the Lower Lincoln Road where the said river forms the south-western boundary of the section numbered 76 on the plan of the Lincoln District as the same is shown upon the plan hereunto annexed and by so doing to dam up and raise the level of the water of the said river in such manner to the height of three feet that is to say to a height that shall be three feet two inches below the upper surface of the roadway of the bridge aforesaid Provided that in case he or they thereby do injury spoil or damage to the lands on the course or banks of the said river either above or below the said Dam Bolt or Penstock or impede in any manner whatsoever then the parties aggrieved shall have remedy.

2. Power to cleanse River.

It shall be lawful for the said John Cracroft Wilson his Heirs Executors Administrators or Assigns for the purpose aforesaid to cleanse and scour the said river either above or below the said Dam Bolt or Penstock when and so often as occasion shall require for better conducting the water of the said river and for the purpose of preventing any injury spoil or damage which might otherwise be occasioned by the necessary raising of the level of the said water by the said Dam Bolt or Penstock or any other injury spoil or damage which might result from the making of the said Dam Bolt or Penstock and for the purpose of such cleansing and scouring to deposit material taken from the banks of such river upon lands abutting thereon.

3. Saving rights of agrarian Proprietors.

Nothing herein contained shall be deemed to prejudice the lawful rights of any proprietor of land intersected by or adjoining the said river to the use of the water of the said river where the same flows through or along the boundary of his land and whether such land be situated above or below the said Dam Bolt or Penstock.

4. Right of entry on land. Notice for that purpose to be given.

It shall be lawful for the said John Cracroft Wilson his Heirs Executors Administrators or Assigns Servants Contractors Agents and Workmen during the term aforesaid at all reasonable hours during the day time to enter upon any lands on the banks of the said river for any of the purposes aforesaid Provided always that except when herein otherwise provided the said John Cracroft Wilson his Heirs Executors Administrators and Assigns shall not make any such entry unless with the consent of the occupier until after the expiration of twenty-four hours' notice for that purpose given to the owner or occupier.

5. This not to affect right of Provincial Council to authorise diversion of water for public purposes.

Nothing herein contained shall prevent the Superintendent and Provincial Council from authorising the making a making at any point above the said Dam Bolt or Penstock of such portion of the water of the said river as may be required for any public purpose or for the use and benefit of the public.

6. Title.

This Ordinance shall be intituled and may be cited as "The Wilson Mill Dam Ordinance No. 1 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 13th September 1864, and assented to by the Superintendent on 15th August. D. NZG 1865 p47

9. The Wilson Mill Dam No 2, Ordinance 1864.

Analysis.

Preamble.

1. John Cracroft Wilson to be allowed to make and maintain Mill Dam on River Heathcote.
2. Power to cleanse River.
3. Saving rights of agrarian Proprietors.
4. Right of entry on Lands. Notice for that purpose to be given.
5. This not to affect right of Provincial Council to authorise diversion of water for public purposes.
6. Title.

Whereas the said John Cracroft Wilson is now entitled to the lands and hereditaments hereinafter described that is to say for an estate or inheritance in

fee simple and whereas the said parcel of land is surrounded by the River Heathcote and whereas the said John Cracroft Wilson is desirous of having power to make and maintain a Mill Dam Bolt or Penstock damming or penning back the water of the River Heathcote and it is expedient that permission should be given to the said John Cracroft Wilson his Heirs Executors Administrators and Assigns to make and maintain the said Mill subject to the conditions hereinafter contained:

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

1. John Cracroft Wilson to be allowed to make and maintain Mill Dam on River Heathcote.

It shall be lawful for the said John Cracroft Wilson his Heirs Executors Administrators and Assigns after the passing of this Bill to make and for ever thereafter to maintain a certain Mill Dam Bolt or Penstock across the River Heathcote opposite to sections 76 and 562 on the Map of the Chief Surveyor of the Province for the Heathcote District as the same is shown upon the plan hereunto annexed and by so doing to dam up and raise the level of the water of the said river to the height of three feet from the present level of the river such new level to be ascertained and determined by a permanent stone mark to be fixed and maintained by the said John Cracroft Wilson his Heirs Executors Administrators and Assigns upon the bank of the said island under direction of the Provincial Engineer of the said Province who is hereby required when called upon by the said John Cracroft Wilson his Heirs Executors Administrators or Assigns in writing to superintend the fixing of the same Provided that in case he or they thereby do injury spoil or damage to the lands on the course or banks of the said river either above or below the said Dam Bolt or Penstock or impede in any measure whatsoever the necessary artificial drainage of the said lands then the parties aggrieved shall have remedy.

2. Power to cleanse River.

It shall be lawful for the said John Cracroft Wilson his Heirs Executors Administrators or Assigns for the purpose aforesaid to cleanse and scour the said river either above or below the said Dam Bolt or Penstock when and so often as occasion shall require for better conducting the water of the said river and for the purpose of preventing as well any injury spoil or damage which might otherwise be occasioned by the necessary raising of the level of the said water by the said Dam Bolt or Penstock or any other injury spoil or damage which might result from the making of the said Dam Bolt or Penstock and for the purpose of such cleansing and scouring to deposit material taken from the banks or bed of such river upon lands abutting thereon.

3. Saving rights of agrarian Proprietors.

Nothing herein contained shall be deemed to prejudice the lawful rights of any proprietor of land intersected by or adjoining the said river to the use of the water of the said river where the same flows through or along the boundary of his land and whether such land be situated above or below the said Dam Bolt or Penstock.

4. Right of entry on Lands. Notice for that purpose to be given.
It shall be lawful for the said John Cracroft Wilson his Heirs Executors Administrators or Assigns Servants Contractors Agents and Workmen during the term aforesaid at all reasonable hours during the day time to enter upon any lands on the banks of the said river for any of the purposes aforesaid Provided always that except when herein otherwise provided the said John Cracroft Wilson his Heirs Executors Administrators and Assigns shall not make any such entry unless with the consent of the occupier until after the expiration of twenty-four hours' notice for that purpose given to the owner or occupier.

5. This not to affect right of Provincial Council to authorise diversion of water for public purposes.
Nothing herein contained shall prevent the Superintendent and Provincial Council from authorising the making a making at any point above the said Dam Bolt or Penstock of such portion of the water of the said river as may be required for any public purpose or for the use and benefit of the public.

6. Title.

This Ordinance shall be intituled and may be cited as "The Wilson Mill Dam Ordinance No. 2 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 13th September 1864, and assented to by the Superintendent on 15th September.

10. The Sheep Rating Ordinance 1864.

Analysis.

Preamble.

1. Sheep may be rated.
2. Manner of levying such rate. Exceptions.
3. List of Sheep depastured within each Road District to be prepared.
4. Such List when revised and corrected to form part of Ratepayers' Roll.
5. Ending of Ordinance.

6. This Ordinance to be construed as "Roads Districts Ordinance 1864."

9. Title.

Whereas by an Ordinance passed by the Superintendent and Provincial Council in this present session intituled the "Roads Ordinance 1864" provision was made for the appointment of the Road Boards and the formation of Ratepayer's Rolls in the Districts mentioned in the said Ordinance and whereas it is desirable to make further provision in that behalf as hereinafter mentioned

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

1. Sheep may be rated.

For the purposes of the said recited Ordinance all sheep within the Province of Canterbury shall be liable to be rated as hereinafter provided.

2. Manner of levying such rate. Exceptions.

The Ratepayers' Roll in each District constituted under the said Ordinance in addition to the matters directed by the said Ordinance to be contained therein shall contain a statement of the name of every person having the charge control or management of any sheep within the District together with a statement of the number of such sheep above the age of twelve months and of the net value of the same at the rate herein provided The net annual value of sheep shall be taken to be at the rate of seventy pounds for every thousand sheep and the person under whose charge control and management such sheep are shall be liable to the payment of the rate to be levied in respect thereof Provided always that in the preparation of such Ratepayers' Roll there shall be deducted in from the number of sheep in respect of which any person is liable to be rated a number equal to the number of acres of land in the District in respect of which such person is liable to be rated Provided also that no rate shall be levied on any sheep being under the charge control and management of the same person in any District and being less than two thousand in number.

3. List of Sheep depastured within each Road District to be prepared.

For the purposes of bringing into force the provisions of this Ordinance with respect to the Ratepayers' Rolls already formed or now being formed under the above recited Ordinance the Superintendent shall on or before the First day of February next cause to be prepared for each Road District throughout the Province a list of all Sheep depastured within the District together with a statement of the net annual value of the same as hereinbefore provided and of the person liable to be rated in respect thereof.

4. Such List when revised and corrected to form part of Ratepayers' Roll.

The Superintendent shall cause the list for each District mentioned in the preceding section to be corrected and revised in such manner as to him shall

seem fit and shall immediately on the completion of such revision sign such list and cause the same to be forwarded to the Chairman of the Road District to which the same shall relate On and after the receipt of such list by such Chairman it shall form part of the Ratepayers' Roll for the District formed as above mentioned as fully and effectually to all intents and purposes as if the same had been prepared and revised under the provisions of the above-recited Ordinance and shall continue in force until revised or corrected as provided in the said recited Ordinance.

5. Ending of Ordinance.

This Ordinance shall continue in force until the First day of October One thousand eight hundred and sixty-six and no longer.

6. This Ordinance to be construed as "Roads Districts Ordinance 1864." This Ordinance shall be interpreted and construed as part of the "Roads Ordinance 1864."

9. Title.

This Ordinance shall be intituled and may be cited as the "Sheep Rating Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 27th September 1864, and assented to by the Superintendent on 28th September.

11. The Fire Brigades Ordinance 1864

Analysis..

Preamble.

1. Enrolment of Fire Brigades.
2. Such Brigades to be named.
3. Election of Chief Engineer.
4. Election of Officers.
5. Property of Brigades to be vested in the City or Municipal Council.
6. Penalties for injuring property of Brigade.
7. Penalty for obstructing Member of Brigade.
8. Enrolment of Fire Police.
9. Duty and authority of such Fire Police.
10. Penalty for refusing to assist in case of fire.
11. Power to erect barriers or enter on premises.

12. Power to destroy property in case of fire.
13. Regulations to be made and approved.
14. Fines and penalties: how recoverable.
15. Commencement of Ordinance.
16. Title.

Whereas it is expedient to make provision for the further and better protection of property in the Province of Canterbury from loss and damage by fire.

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

1. Enrolment of Fire Brigades.

It shall be lawful for the Superintendent if he shall think fit on the a application made to him by not less than two-thirds of any body of Volunteers duly organised as testified by their signatures and whose services shall have been accepted by the Chief Engineer for the time being of such body for a period of not less than twelve months to accept such body as an enrolled Fire Brigade subject to the Regulations hereinafter mentioned or which may hereafter be made for the further and better organization of Fire Brigades in this Province.

2. Such Brigades to be named.

Every Brigade so enrolled shall be called after the name of the city or town in which it is organised.

3. Election of Chief Engineer.

The Chief Engineer of every Fire Brigade shall be nominated by a majority of votes of the Members of the Brigade subject to the approval and appointment of the Chairman of the City or Municipal Council of the District.

4. Election of Officers.

The other Officers of every Fire Brigade shall be appointed by the Chief Engineer thereof on the nomination and election of a majority of votes of the enrolled Members.

5. Property of Brigades to be vested in the City or Municipal Council.

The Engines and all other property of the said Brigades necessary for the proper and efficient discharge of their duty shall vest in and become the absolute property of the City or Municipal Council in which such Brigades are organised and be under its control and direction.

6. Penalties for injuring property of Brigade.

If any person (whether a Member of a Fire Brigade or otherwise) shall wilfully damage or destroy any Engine or other property in the use or placed in the custody of such Brigade for the discharge of their duty he or she shall be liable to

forfeit and pay for every such offence any sum not exceeding forty shillings in addition to the sum at which such damage or destruction shall be assessed.

7. Penalty for obstructing Member of Brigade.

If any person or persons shall interfere with or otherwise obstruct any Officer or Member of a Fire Brigade in the performance of his duty at any fire or at any other time he or they shall forfeit and pay for every such offence any sum not exceeding five pounds.

8. Enrolment of Fire Police.

The Chairman for the time being of such City or Municipal Council may accept the services of any fit person or persons not exceeding in number fifty who shall act as a Fire Police and whose duty it shall be to attend at any fire to aid and assist the enrolled Police Force to watch over any property saved to preserve order and to carry out any instructions which may be given by the Chief Engineer in command on the spot or any other person duly authorised by him. Such Fire Police Force to be considered as part of the Fire Brigade and the services of all the Members thereof shall be accepted for one year from the date of their enrolment.

9. Duty and authority of such Fire Police.

Every Member of such Fire Police as aforesaid having been duly enrolled by the Chairman of the City or Municipal Council shall be sworn before a Justice of the Peace and shall thereafter during the period of his service under such Fire Police be taken and deemed to be and shall have all the power authority and responsibility of a Constable.

10. Penalty for refusing to assist in case of fire.

It shall be lawful for any Member of the said Fire Police or Chief Engineer of a Fire Brigade to call upon any person at or near the place where any fire exists to aid in suppressing and extinguishing such fire and in case of such person or persons refusing or neglecting to aid and assist in so doing or refusing to obey any reasonable directions and commands of any such Engineer or Fire Police Officer he or they shall forfeit and pay any sum not exceeding five pounds.

11. Power to erect barriers or enter on premises.

It shall be lawful for the Chief Engineer of any Fire Brigade to cause a barrier or barriers to be erected to keep by-standers at a necessary and convenient distance from the house or place where any fire exists or to close up any street or streets leading thereto and to enter upon any house or premises for the supply of water when needed and for all other purposes which in their opinion may be necessary for the extinction of such fire.

12. Power to destroy property in case of fire.

Whenever it may be necessary to remove or destroy any building for the purpose of preventing the spread of any fire and an order in the words or to the effect as

in Schedule A to this Ordinance shall be made and signed by any three persons duly authorised by the City or Municipal Council for that purpose of whom the Chief Engineer of the Fire Brigade (if he shall be present) shall be one any house or building so removed or destroyed shall be taken and deemed for all purposes to have been destroyed by fire and no person acting under the authority of such order shall be liable to any penalties or damages whatsoever for having assisted at the removal or destruction of such building Provided always that such order when so signed shall forthwith be handed to any Officer of Police then on duty.

13. Regulations to be made and approved.

It shall be lawful for the Members of any Fire Brigade at any meeting of the Members thereof of which due public notice shall have been given by a majority of the Members present at such meeting to make rules and regulations for the government and management of such Fire Brigade and for the conduct of the Members thereof and such rules and regulations from time to time at any such meeting of which due public notice shall have been given to amend and alter as they shall think fit And such rules and regulations having been approved by the Chairman of the City or Municipal Council or Municipality in which such Fire Brigade is organised shall be binding on all the Members thereof and any Member offending against any of such rules and regulations shall be liable to a penalty not exceeding forty shillings.

14. Fines and penalties: how recoverable.

All fines and penalties imposed under the authority of this Ordinance shall be recoverable in a summary manner before a Justice of the Peace and all damages when recovered shall be paid to the Treasurer of the City or Municipal Council of the District.

15. Commencement of Ordinance.

This Ordinance shall come into operation on such day as the Superintendent may by Proclamation in the Government Gazette appoint within the limits of any city or town which is now (or may hereafter be brought) under the operation of any Municipal Ordinance.

16. Title.

This Ordinance shall be intituled and may be cited as "The Fire Ordinance 1864."

Schedule A.

We the undersigned being three of the Officers of the Fire Brigade
do hereby order and direct that
situate in (at or near as the case may be) shall be pulled down and removed for
the purpose of preventing the spreading of the fire now raging in
(description of premise on fire.)

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 28th September 1864, and assented to by the Superintendent on 30th September.

12. The Hospital and Charitable Aid Ordinance 1864

Analysis.

Preamble.

1. Repealing Clause.
2. Superintendent may retain a site for public Hospital.
3. Properties of any Institution established under this Ordinance to be vested in the Superintendent.
4. Superintendent to sue and be sued except in case of rates levied.
5. Management of Institutions and appointment of Officers to be vested in the Superintendent and Executive Council.
6. Superintendent to make by-laws.
7. Penalty for infringement of rules.
8. Superintendent to apply moneys raised in aid of Charitable Institutions.
9. Superintendent may levy certain rates for the purposes of this Ordinance.
10. Such rates to be regulated by Roll of Ratepayers.
11. Failing such Roll assessment may be made.
12. Manner of making such assessment.
13. Notice of objection to be given.
14. Objection how to be determined: Roll to be signed and be evidence.
15. If occupier quitted property rates how to be recovered.
16. Rates may be remitted.
17. Appointment of Collector of Rates.
18. Rates recoverable at suit of Collector.
19. Interpretation of words "Road Board."
20. Title.

Whereas it is expedient that an Ordinance by the Superintendent and Provincial Council of the Province of Canterbury intituled "The Public Hospital Ordinance Session XX. No 18" should be repealed.

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

1. Repealing Clause.

The said recited Ordinance is hereby repealed.

2. Superintendent may retain a site for public Hospital.

The site situate near Christchurch and being a portion of the land commonly known as Hagley Park authorised by the said in part recited Ordinance to be retained by the Superintendent as a site for a public Hospital and grounds connected therewith together with all buildings and improvements thereon erected and being shall be vested in the Superintendent of the Province of Canterbury and his successors in office in trust for the purposes aforesaid and shall be within the provisions and operation of this Ordinance.

3. Properties of any Institution established under this Ordinance to be vested in the Superintendent.

All lands tenements and hereditaments which may be set apart out of any public reserve or any lands tenements and hereditaments sum or sums of money which may be granted conveyed or bequeathed to any Institution to be established under the provisions of this Ordinance shall be vested in the Superintendent of the Province for the time being and his successors in office.

4. Superintendent to sue and be sued except in case of rates levied.

All actions suits or other proceedings to be commenced or prosecuted by or against any Institution to be established under the provisions of this Ordinance shall except for the recovery of any rates to be levied under the provisions of this Ordinance as hereinafter provided be brought or prosecuted by or against the said Superintendent for the time being and all goods chattels and effects belonging to any such Institution shall be deemed and taken to be the property of the said Superintendent for all or any of the purposes of any action suit or other proceeding.

5. Management of Institutions and appointment of Officers to be vested in the Superintendent and Executive Council.

The management of all Institutions constituted under the provisions of this Ordinance shall be vested in the said Superintendent and Executive Council for the time being who shall appoint all such local Committees Directors Physicians Surgeons Visitors and Officers as shall be necessary for the proper management and conduct of any such Institution and shall delegate such powers to them or any of them as such Superintendent with such advice and consent as aforesaid may think fit.

6. Superintendent to make by-laws.

It shall be lawful for the said Superintendent to make such by-laws and rules for the regulation and proper management of all such Institutions and for the distribution of Charitable Aid under the provisions of this Ordinance as may be deemed expedient and necessary.

7. Penalty for infringement of rules.

Any person who shall behave in a disorderly manner in or upon the premises of any Institution established under the provisions of this Ordinance or any person who shall introduce any spirituous liquors or other articles into any such Institution contrary to the By-laws in force therein shall, on conviction thereof, be liable to a penalty of not exceeding ten pounds to be recovered in a summary way.

8. Superintendent to apply moneys raised in aid of Charitable Institutions. It shall be lawful for such Superintendent by and with such advice and consent as aforesaid to apply any moneys to be raised and levied in manner hereinafter provided in such proportions and in such manner as he shall think fit in and towards the erection and maintenance of any building or Institution with all necessary outhouses and enclosures for the purpose of being used as a Hospital Almshouse or other Charitable Institution under the provisions of this Ordinance and also in the maintenance and relief or in contributing to the maintenance or relief of any indigent sick or infirm persons.

9. Superintendent may levy certain rates for the purposes of this Ordinance. The Superintendent may for the purposes of this Ordinance with the advice and consent of his Executive Council make and levy rates upon all lands buildings tenements or other property within the Province which shall be liable to be rated for the maintenance or repair of roads or for municipal purposes within the Province of Canterbury provided that no such rates shall in any one year exceed the sum of sixpence in the pound on the net annual value of the property rated Provided always that no such rates shall be made or levied on any land or premises belonging to and in the occupation of Her Majesty or of the Provincial Government of Canterbury or on any land or building used exclusively for public charitable literary or scientific purposes or on any building used exclusively for public worship or for a public school or schoolhouse.

10. Such rates to be regulated by Roll of Ratepayers. For the purpose of determining the annual value of any such lands buildings tenements and property as aforesaid it shall be lawful for the said Superintendent to make use of the last Ratepayers' Roll or Assessment which shall have been made by any City or Municipal Council or by any Road Board within the Province whereby any property subject to a rate under the provisions of this Ordinance shall have been previously assessed or rated And such Superintendent shall be entitled to call upon the Chairman or other Officer of such City or Municipal Council or of any Road Board to produce for inspection by such Officer as such Superintendent shall appoint when and so often as the same shall be required any Ratepayers' Roll or other document evidencing the fixing or determining the amount of any assessment or rate.

11. Failing such Roll assessment may be made. If any such Council or Road Board shall have failed to make and complete a Ratepayers' Roll for the Municipality or District for which such Council or Road

Board shall be acting it shall be lawful for the Superintendent to make an Assessment Roll for such Municipality or District for the purposes of this Ordinance in manner hereinafter provided.

12. Manner of making such assessment.

For the purpose of making such Assessment Roll the Superintendent shall cause to be prepared a list setting forth the amount of the rate proposed to be made the names of the persons liable to the payment thereof the sum payable by each of such persons and the property in respect whereof such sum shall be payable and shall give not less than fourteen days' notice in one or more public newspapers of the province of the place where such list shall be deposited for inspection and of the time and place at which objections thereto will be heard as hereinafter mentioned.

13. Notice of objection to be given.

If any person whose name shall be on such list object thereto on the ground that he has ceased to be liable to be rated in respect of any property for which in such list he is proposed to be rated or on any other ground whatsoever he shall give notice of such objection and of the grounds thereof to the said Superintendent or to such person as shall be by the said Superintendent appointed for that purpose seven clear days at least before the time appointed for hearing objections thereto.

14. Objection how to be determined: Roll to be signed and be evidence.

Every such objection shall be publicly heard and determined by two or more Justices of the Peace at a meeting to be held at a time and place to be fixed by the said Superintendent or at some adjournment thereof of which time and place for such hearing and of the adjournment of any hearing notice shall be given in one or more public newspapers of the province It shall be lawful for such Justices to allow such objections in whole or in part and to alter the list in conformity with such allowance or to overrule such objections and the list so altered or unaltered as the case may be shall be signed by two or more Justices present at such meeting and shall thenceforth be binding and conclusive upon all persons whom it may concern and shall be called the Assessment Roll The production of such Assessment Roll so signed as aforesaid shall be evidence in any legal proceeding to all intents and purposes that it has been duly made and confirmed according to the provisions hereof Provided that if two Justices shall not be present at the time and place so appointed for any such meeting the meeting shall stand adjourned to that day week and so on from time to time until two Justices shall attend.

15. If occupier quitted property rates how to be recovered.

When the occupier of any rateable property shall have quitted the same without having paid

all the rates to which he shall have become liable in respect thereof and then payable by him the same may be recovered from the person so having quitted or from the owner of the property.

16. Rates may be remitted.

It shall be lawful for the said Superintendent if it shall be represented to him by any person liable to pay any rate that he is unable by reason of poverty to pay such rate and if the said Superintendent shall be satisfied of the truth of such representation to remit and excuse the payment of such rate or any part thereof.

17. Appointment of Collector of Rates.

The said Superintendent shall appoint a fit person or persons to collect the rates and shall take security from every Collector for the due execution of his office which security shall be to such amount as the said Superintendent shall think fit and shall be by bond or otherwise as shall be considered expedient.

18. Rates recoverable at suit of Collector.

All rates ordered by the Superintendent to be made and levied under the authority of this Ordinance shall be recoverable at the suit of any Collector of rates appointed by the Superintendent as hereinbefore provided.

19. Interpretation of words "Road Board."

The words "Road Board" shall include any Commissioner appointed by the Superintendent under the provisions of the said Roads Ordinance to discharge the duties of a Roads Board.

20. Title.

This Ordinance shall be intituled and may be cited and referred to as the "Hospital and Charitable Aid Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 29th September 1864, and assented to by the Superintendent on 30th September.

13. The Sheep Ordinance 1864.

Analysis.

Preamble.

1. Repealing Clause.

Branding, &c., of Sheep.

2. All Sheep to be branded.
3. Registrar of Brands to be appointed.
4. Sheep Brands to be registered.
5. Registering or using brand of another person.
6. Branding sheep without leave of owner.
7. Brand prima facie evidence of ownership.
8. No person to cut off more than one-third part of sheep's ear.

Inspectors of Sheep.

9. Inspectors of Sheep to be appointed.
10. False Report of Certificate by Inspector.
11. Power of Inspector to enter on lands.
12. Penalty for obstructing inspection.
13. Inspector may require declaration.
14. List of diseased flocks to be published monthly.

Rate upon Sheep.

15. Return of sheep to be furnished annually to Inspector.
16. Yearly rate to be paid by owner of sheep.

Dipping Apparatus.

17. Owner of sheep to erect dipping apparatus.
18. Dipping apparatus to be constructed to the satisfaction of an Inspector.
19. Penalty on not keeping apparatus in repair.

Possession of Infected Sheep.

20. Possession of scabby sheep.
21. Six months to elapse between convictions.
22. Justices may order infected sheep to be herded and yarded.
23. Inspector may order infected sheep to be herded and yarded.
24. If six months after conviction sheep not clean rams to be separated from ewes.
25. Owners of infected sheep to give notice of disease.
26. Scabby sheep to be branded S.
27. Infected sheep to be kept certain distance from boundaries of run.
28. Penalty for abandoning infected sheep.

Importation of Sheep.

29. Landing sheep without certificate or landing infected sheep.
30. Declaration of owner before landing sheep.
31. Penalty on master of vessel for allowing sheep to be landed without certificate.
32. Introducing by land diseased sheep or introducing sheep without certificate.
33. Declaration of owner before introducing sheep by land.

34. All imported sheep to be dipped within certain limits.
35. Sheep examined for importation to be branded with Inspector's brand.

Miscellaneous.

36. Power of Inspector to call for evidence corroborative of declaration made.
37. Penalty for refusal by persons in charge of sheep to give evidence.
38. Driving, &c., of infected sheep.
39. Separate informations for every run, &c. crossed.
40. Notice to be given before driving sheep through run.
41. Infected sheep trespassing and not removed may be destroyed.
42. Occupier may without warrant inspect sheep on his run.
43. Sheep dying of catarrh not to be thrown into ponds &c.
44. Sheep dying of catarrh to be burned.
45. Recovery of strayed sheep.
46. Unauthorised removal of sheep.
47. Notice to be given before mustering sheep.
48. Wilfully communicating scab or catarrh.
49. Saving other remedies at law to persons suffering damage.
50. Maximum penalty.
51. Expenses of prosecution to be paid out of penalties.
52. Fines and penalties how they may be levied.
53. Penalties recoverable summarily.
54. Interpretation.
55. Title.

Whereas certain Ordinances were passed by the Superintendent and Provincial Council of the Province of Canterbury intituled respectively "The Sheep Ordinance Session X. No. 9" "The Scab Prevention Ordinance Session X. No. 10" "The Sheep Ordinance Amendment Ordinance Session XI. No. 11" and "The Sheep Ordinance Amendment Ordinance 1861" And whereas it is expedient that the said recited Ordinances should be repealed and that other provision should be made in lieu thereof.

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

1. Repealing Clause.

From and after the passing of this Ordinance the above recited Ordinances shall be and the same are hereby repealed except in so far as the same extend to repealing any previous Ordinance All legal proceedings in execution of the said Ordinances taken before the coming into operation of this Ordinance shall be as valid to all intents and purposes and may be continued and enforced after this Ordinance shall come into operation in the same manner as if this Ordinance had not been passed.

Branding, &c., of Sheep.

2. All Sheep to be branded.

All sheep and lambs above the age of four months, within the Province of Canterbury, shall be branded on the wool thereof with the brand of the Owner which brands shall from time to time be renewed, as occasion may require, so that the same shall always be distinct and legible; and every Owner of any such sheep or lambs not so branded, shall be liable to a penalty not exceeding Twenty Pounds; and if the said sheep, not being so branded, shall exceed four hundred in number, such Owner shall be liable to a further penalty of not less than two, nor more than sixpence for every such sheep or lamb not being so branded as aforesaid.

3. Registrar of Brands to be appointed.

It shall be lawful for the Superintendent to appoint some fit person to be the Registrar of Brands, and, with the advice and consent of the Executive Council, to make Rules and Regulations for the management of the office of such Registrar, and to fix a Scale of Fees, which shall be payable to such Registrar; and all such Rules, Regulations, and Tables of Fees, shall be published in the Government Gazette, and shall thereupon be binding upon all persons whom they may concern, and shall have the force of Law Provided always that the present Registrar of Brands shall be deemed to have been duly appointed under this Ordinance and all such rules regulations and tables of fees as aforesaid as are now in force shall be deemed to have been duly made and fixed under this Ordinance.

4. Sheep Brands to be registered.

Every Owner of sheep shall cause his sheep brand to be registered in the office of the Registrar of Brands; and any Owner neglecting so to register such brand as aforesaid, shall be liable to a penalty not exceeding Five Pounds: Provided always, that any brand already registered under the provisions of "The Scab and Catarrh Ordinance, Session III., No. 2," or of "The Sheep Ordinance Session X. No. 9" shall be deemed to have been registered under this Ordinance.

5. Registering or using brand of another person.

After any person shall have so registered a brand, it shall not be lawful for any other person to register or to brand any sheep with the same brand, or one so nearly similar as in the opinion of the Registrar of Brands to be not readily distinguishable therefrom, or to make, or cause to be made any branding-iron bearing the same or nearly similar brand as aforesaid and any person offending against the provisions of this section shall be liable to a penalty not exceeding ten pounds: and every day during which, after any person shall have been convicted under the provisions of this section his sheep shall continue to be branded with the registered brand of another person, shall be deemed a separate offence against the provisions of this section Provided always, that any person having duly registered a brand, may, by writing, addressed to the Registrar of

Brands, relinquish his right to the said brand, and upon the due receipt of such writing by such Registrar, he shall forthwith cause the registry of such brand, in his Register of Brands, to be cancelled; and it shall be lawful for any other person to register such brand in his own name in the office of the Registrar of Brands, and to cause his sheep to be branded therewith as if such brand had not been previously registered.

6. Branding sheep without leave of owner.

If any person shall brand any sheep without the authority of the Owner thereof, or shall deface or efface any brand upon any sheep, without such authority in writing, he shall be liable to a penalty of not less than Five nor exceeding One Hundred Pounds.

7. Brand prima facie evidence of ownership.

The mark or impression of any registered brand upon any sheep shall be prima facie evidence of the ownership of such sheep by the person in whose name such brand shall have been registered in the office of Registrar of Brands.

8. No person to cut off more than one-third part of sheep's ear.

If any person shall cut off more than one-third of the ear of any sheep he shall be liable to a penalty of not more than five pounds for each sheep in respect of which such offence has been committed.

Inspectors of Sheep.

9. Inspectors of Sheep to be appointed.

It shall be lawful for the Superintendent, from time to time, to appoint fit persons to be Inspectors of Sheep, and from time to time to remove the same, and to appoint others in their stead, and such Inspectors, so appointed, shall have at all times the powers hereinafter given to certain persons acting under the Warrant of any one or more Justices of the Peace; and it shall be lawful for the Superintendent, with the advice of his Executive Council, to make such Regulations as he may think fit for the guidance of all such Inspectors in the execution of their duty, and for the carrying this Ordinance into effect: Provided always, that no such Regulations shall have any force until after they shall have been published in the Government Gazette. Provided further that any Inspectors already appointed and any such Regulations as aforesaid as are now in force under the "Sheep Ordinance, Session X. No. 9" shall be deemed to have been duly appointed and made under this Ordinance.

10. False Report of Certificate by Inspector.

If any Inspector of Sheep to be appointed as hereinafter provided, shall wilfully make any false report or deliver any false certificate as to the condition of any sheep examined by him he shall be liable on conviction thereof before any two Justices of the Peace to a penalty not less than twenty pounds nor exceeding

one hundred pounds, or at the discretion of such Justices to be imprisoned for any term not exceeding six calendar months. If any Inspector of Sheep shall under colour of his office or employment exact or accept any fee or reward whatsoever other than his authorized salary or allowance his office shall on his conviction of such offence before any two Justices of the Peace become ipso facto vacant, and he shall be liable to a penalty of fifty pounds.

11. Power of Inspector to enter on lands.

It shall be lawful for any Inspector of Sheep at such times as he may think fit to inspect any sheep within the Province of Canterbury and for the purposes of such inspection or for the purpose of inspecting and examining any dipping apparatus hereinafter referred to or for doing any other act which he is authorised or empowered to do by this Ordinance it shall be lawful for any Inspector of Sheep at all reasonable times to have free ingress egress and regress through over and upon any lands or tenements whatsoever in the Province of Canterbury.

12. Penalty for obstructing inspection.

Every owner of any sheep who shall refuse to allow such inspection to be made by any Inspector of Sheep or shall obstruct, or shall refuse or neglect to muster his sheep for the purpose of such inspection with all convenient speed, or to afford all reasonable facilities for making such inspection to such Inspector shall be subject to a fine not exceeding one hundred pounds.

13. Inspector may require declaration.

It shall be lawful for any Inspector of Sheep when it shall appear to him to be necessary, for the purpose of enabling him to decide satisfactorily upon the condition of any sheep to call upon the owner of such sheep to make a declaration in the form or to the effect specified in Schedule A to this Ordinance and if any such Owner shall refuse or neglect to make such declaration when so called upon he shall be liable to a penalty not exceeding fifty pounds; and if any person shall make any such declaration, knowing the same to be false, he shall, on conviction thereof before any two Justices of the Peace be liable to a penalty of one hundred pounds and to be imprisoned for a period not exceeding six calendar months.

14. List of diseased flocks to be published monthly.

There shall be published once in every month, in one or more newspapers within the Province a list certified by the Chief Inspector of all stations on which there are at that time any sheep infected with the scab or catarrh.

Rate upon Sheep.

15. Return of sheep to be furnished annually to Inspector.

Every owner of sheep shall in the month of January in every year deliver or cause to be delivered to the Chief Inspector of Sheep a written return of the

number of sheep of each sex above six months old owned by him or under his charge specifying in such return the brands and to the best of his ability permanent marks upon such sheep Every person refusing or neglecting to deliver or cause to be delivered such return as aforesaid or wilfully making a false return shall be liable to a penalty not exceeding twenty pounds.

16. Yearly rate to be paid by owner of sheep.

Every owner of sheep shall on or before the first day of April in every year pay to the Provincial Treasurer or to such other person as may be authorised by the Superintendent to receive the same the sum of one pound sterling for each and every thousand or fractional part of a thousand sheep owned by him on the first day of January preceding and specified in the return furnished by him as above provided All and every such yearly sum or sums of money payable as aforesaid shall in case the same be not paid on or before the said first day of April be a debt owing by the owner of such sheep to the Superintendent and may be sued for and recovered by the ordinary course of law.

Dipping Apparatus.

17. Owner of sheep to erect dipping apparatus.

Every owner of any sheep within the Province of Canterbury shall within six months after the passing of this Ordinance or within six months after the land or run on which such sheep are depastured shall have been used for the purpose of depasturing sheep (if such land or run shall not at the time of the passing of this Ordinance be used for that purpose) erect and thenceforth maintain in good working order on the said land or run or on some land in his own occupation immediately adjoining thereto a good and sufficient apparatus for properly dipping for the cure of scab so many sheep as he shall for the time being be the owner of Provided always that it shall not be necessary to erect a new dipping apparatus where a dipping apparatus conforming to the terms of this Ordinance has been already erected.

18. Dipping apparatus to be constructed to the satisfaction of an Inspector.

Every such dipping apparatus shall be constructed to the satisfaction of an Inspector of Sheep and if any owner of any sheep shall fail to erect such dipping apparatus to the satisfaction of the said Inspector within the time hereinbefore limited for that purpose he shall be liable to a penalty of not more than fifty pounds and for every calendar month after the expiration of such time that shall elapse before he shall have so erected such apparatus he shall be liable to a separate penalty of not more than fifty pounds Provided that if any owner of sheep convicted on an information under this clause shall show to the satisfaction of two Justices of the Peace that from causes beyond his control it was impossible for him to erect such dipping apparatus it shall be lawful for such Justice to suspend the penalty inflicted under such information for a period not exceeding three calendar months and if such owner of sheep shall within such

period of suspension produce a certificate under the hand of an Inspector of sheep that such dipping apparatus has been erected such penalty shall be altogether remitted.

19. Penalty on not keeping apparatus in repair.

If any owner shall not maintain any dipping apparatus erected or to be erected as aforesaid in complete repair and good working order to the satisfaction of an Inspector of Sheep and shall not from time to time if necessary alter and enlarge the same to the like satisfaction so that it may be sufficient for properly dipping the number of sheep of which he is for the time being the owner he shall be liable to a penalty of not more than twenty-five pounds and for every fifteen days for which he shall neglect to repair put in order alter or enlarge the said dipping apparatus after notice in writing so to o shall have been given him by the said Inspector he shall be liable to a separate penalty of not more than twenty pounds.

Possession of Infected Sheep.

20. Possession of scabby sheep.

Every Owner of any sheep infected with scab shall be liable to a fine of not less than one shilling, nor more than five shillings, for every such infected sheep: Provided that it shall be lawful for the Justices before whom any information under this clause shall be heard, to suspend the payment of any penalty, by the conviction made on such information ordered to be paid, for a period of not more than six months from the date of such information; and if at any time within such period of suspension, such sheep shall appear upon the report of any Inspector of Sheep, deposited with the Clerk of the Court in which such conviction shall have been made, to be again free from scab, such penalty shall be altogether remitted; but if it shall not so appear, then payment of such penalty shall be enforced in the usual way: Provided also, that if at or before the expiration of such period, it shall appear to the satisfaction of any two Justices of the Peace, and upon the certificate of an Inspector of Sheep, hat peculiar and exceptional circumstances, beyond the control of the Owner of such sheep, and such as could not have been met by foresight and exertion on his part, have rendered it impossible effectually to clean such sheep, it shall be lawful for such Justices to extend such period for a further period of four calendar months, but no longer Provided however that if at any time during such period of suspension it shall be proved upon the evidence of an Inspector of Sheep to the satisfaction of any two Justices that the owner of such sheep is not making reasonable exertions to clean the same then such suspension shall by such Justices be declared to be null and void and the payment of the penalty shall forthwith be enforced in the usual way A separate information under this section may be laid in regard to every separate flock in the possession of one owner and if any one such flock shall exceed three thousand sheep in number a separate information may be laid

for every additional three thousand sheep or fractional part of such number contained in such flock.

21. Six months to elapse between convictions.

No Owner of sheep who shall have been convicted under the last preceding Section shall, until the expiration of six months after the date of such conviction, be liable to any further penalty under the said Section on account of such disease in any sheep which he shall prove, to the satisfaction of the Justices before whom any Information under the said Section may be heard, to be the same sheep in respect of which he had been so convicted as aforesaid. Provided however that if at any time or times during such period of six months it be proved to the satisfaction of any two Justices of the Peace that such owner is not making reasonable exertions to clean his sheep he shall forthwith be liable to a further information under the provisions of the preceding section notwithstanding such period of six months shall not have expired.

22. Justices may order infected sheep to be herded and yarded.

If it shall appear to any two Justices of the Peace, upon the oath of any one or more credible Witnesses, that any sheep are infected with scab or catarrh, and that such sheep may, if suffered to run at large, cause damage to the Owners of neighbouring flocks, it shall be lawful for such Justices, by warrant, under their hands, in the form or to the effect set forth in Schedule B to this Ordinance, to order the Owner of such sheep to cause them to be constantly herded by day, and to be kept by night within a sheep-proof enclosure, until it shall appear, upon the certificate of any Inspector of Sheep, that such sheep are entirely free from the said diseases; and for each day upon which such Owner shall neglect to have such sheep herded as aforesaid, and likewise for each night upon which he shall neglect to have such sheep enclosed as aforesaid, he shall be subject to a penalty not exceeding twenty-five pounds.

23. Inspector may order infected sheep to be herded and yarded.

If it shall appear to any Inspector of Sheep, upon his own view, that any sheep are infected with scab or catarrh, and that such sheep may, if suffered to run at large, cause damage to the Owners of neighbouring flocks, it shall be lawful for such Inspector, by Warrant, under his hand, in the form or to the effect set forth in Schedule B to the said recited Ordinance, to order the Owner of such sheep to cause them to be constantly herded by day, and to be kept by night within a sheep-proof enclosure, until it shall appear, upon the Certificate of an Inspector of Sheep, that such sheep are entirely free from the said diseases; and for each day upon which such Owner shall neglect to have such sheep herded as aforesaid, and likewise for each night upon which such Owner shall neglect to have such sheep endorsed as aforesaid, he shall be subject to a penalty not exceeding Twenty-five Pounds. It shall be lawful for such Owner, within fourteen days after the receipt of such Warrant as aforesaid, to appeal against the same to any two Justices of the Peace, who, after ascertaining that due notice of such appeal had been given to the Inspector, and taking such evidence as they may

think fit, shall either confirm or reverse the Order given in such Warrant: Provided that any order so appealed against shall, until reversed, continue in full force and effect.

24. If six months after conviction sheep not clean rams to be separated from ewes.

When any Owner of sheep shall have been convicted under the If, six months after provisions of this Ordinance of having in his possession any sheep infected with the scab, and such sheep shall not, within six months from the date of such conviction, have been certified by an Inspector of Sheep to be entirely free from the said disease, the Owner of such sheep shall, immediately on the expiration of such period of six months, cause all rams to be separated from any ewes in his possession which may be so infected, and shall cause such rams to be kept separate from such ewes until they shall be certified by an Inspector of Sheep to be entirely free from scab; and for every day during which such rams shall not be kept separate from such ewes, such Owner shall be liable to a penalty of not less than One Pound nor more than Ten Pounds in respect of each ram which shall not be kept separate as aforesaid.

25. Owners of infected sheep to give notice of disease.

Whenever the Owner of any sheep shall become aware, or shall have reasonable grounds to suspect that the same are infected with either scab or catarrh, he shall, within forty-eight hours thereafter, give notice thereof, in writing, to the adjoining Sheep-owners, in the manner prescribed for the delivery of notices by section thirty-eight of this Ordinance, and shall also, within ten days thereof, give a like notice to the Inspector of Sheep acting for the district in which such sheep are, either by delivering the same to him personally, or by leaving the same at his office or his usual place of abode; and every person offending against the provisions of this section shall, for every case in which he shall fail to give such notice, be subject to a penalty not exceeding fifty pounds, and to a separate penalty not exceeding ten pounds for every twenty-four hours for which he shall fail to give such notice after such periods forty-eight hours and ten days respectively. . All sheep shall, for the purpose of this section, be deemed to be infected with scab or catarrh, which shall be known by the Owner thereof to have mixed with other sheep so infected within three months previously.

26. Scabby sheep to be branded S.

Every Owner of any sheep infected with the scab shall cause the same to be distinctly wool-branded on the back thereof with the letter S, such letter not being less than four inches in length; and every such Owner shall be liable to a fine of not less than sixpence nor more than five shillings for every sheep not being so branded as aforesaid.

27. Infected sheep to be kept certain distance from boundaries of run.

If any sheep infected with scab or catarrh shall be found, not being at the time herded by a Shepherd, within half-a-mile of the boundary of the land to which

they belong, or upon which they shall be lawfully depastured, such boundary not being a natural barrier, or guarded by a sheep-proof fence, or within half-a-mile of any public highway, the Owner of such sheep shall be subject to a penalty of not less than sixpence, nor more than five shillings for every sheep so found within half-a-mile of such boundary or highway as aforesaid.

28. Penalty for abandoning infected sheep.

If any person shall wilfully abandon any sheep infected with scab or catarrh upon or along any public road or upon any land whatever not being in the actual occupation of such person he shall upon conviction thereof before two Justices of the Peace be liable to a penalty of fifty pounds or to be imprisoned for any period not exceeding six calendar months. It shall be lawful for any Justice of the Peace on oath made before him that any sheep are so abandoned as aforesaid to issue a warrant for the seizure of such sheep and any two Justices of the Peace may on proof that such sheep so seized are infected with scab or catarrh direct them to be immediately destroyed Provided that it shall be lawful for any Inspector of Sheep to seize or destroy any sheep without any such warrant.

Importation of Sheep.

29. Landing sheep without certificate or landing infected sheep.

Agent or Servant, land, or cause to be landed from any ship, boat, or other vessel, any sheep, unless they shall, within seven days previous to such landing have been inspected by an Inspector of Sheep or a Provisional Inspector, and unless such person shall have received from such Inspector of Sheep or Provisional Inspector a Certificate, in the form or to the effect specified in Schedule a to this Ordinance, that such sheep are entirely free from either scab or catarrh, he shall be liable to a penalty of not less than five shillings nor more than five pounds for every sheep so landed: Provided that if such sheep, so landed, shall not amount to twenty in number, he shall nevertheless be liable to a penalty of one hundred pounds; and for every day during which such sheep, so landed, without such certificate, shall be driven, depastured, or suffered to stray within the Province of Canterbury, the Owner thereof shall be liable to a penalty not exceeding ne hundred pounds; and the before-mentioned certificate shall, at any time within six months after the date thereof, be produced by the Owner of such sheep to any person demanding the same, under a penalty of five pounds.

30. Declaration of owner before landing sheep.

It shall not be lawful for any Inspector of Sheep to grant the certificate mentioned in the preceding section until the Owner of the sheep for which such certificate is required shall have made before such Inspector a declaration, in the form or to the effect specified in Schedule D to this Ordinance; and if any person shall make any such declaration, knowing the same to be false, he shall, on conviction thereof before any two Justices of the Peace, be liable to a penalty of

one hundred pounds, and to be imprisoned for a period not exceeding six calendar months.

31. Penalty on master of vessel for allowing sheep to be landed without certificate.

Any Master, Owner, or Supercargo of any ship, boat or other vessel, who shall permit any sheep to be landed therefrom before they shall have been inspected by an Inspector of Sheep, or a Provisional Inspector, and before the certificate mentioned in section twenty-six of this Ordinance shall have been given, shall be liable to a penalty of not exceeding one hundred pounds.

32. Introducing by land diseased sheep or introducing sheep without certificate.

If any person shall himself, or by means of any Agent or Servant, introduce, or cause to be introduced into the Province of Canterbury, by land, any sheep, unless they shall, within fourteen days previous to such introduction, have been inspected by an Inspector of Sheep, and unless such person shall have received from such Inspector a certificate, in the form or to the effect specified in Schedule C to this Ordinance, that such sheep are entirely free from scab or catarrh, he shall be liable for every sheep so introduced to a penalty of not less than one shilling, nor more than one pound: Provided that if the number of sheep so introduced be less than one hundred, he shall nevertheless be liable to a penalty of one hundred pounds; and for every day during which such sheep, so introduced, without such certificate shall be driven, depastured, or suffered to stray within the Province of Canterbury, the Owner thereof shall be liable to a penalty not exceeding one hundred pounds, and the beforementioned certificate shall, at any time within six months after the date thereof, be produced by the Owner of such sheep to any person demanding the same, under a penalty of five pounds.

33. Declaration of owner before introducing sheep by land.

It shall be lawful for any Inspector of Sheep to grant the certificate mentioned in the preceding clause until the Owner of the sheep, for which such certificate is required, shall have made, before such Inspector, a declaration in the form or to the effect specified in Schedule D to this Ordinance; and if any person shall make any such declaration, knowing the same to be false, he shall, on conviction thereof before any two Justices of the Peace, be liable to a penalty of one hundred pounds and to be imprisoned for a period not exceeding six calendar months.

34. All imported sheep to be dipped within certain limits.

When any sheep shall have been introduced by land or sea into the Province of Canterbury, it shall not be lawful for such sheep to be driven, depastured, or suffered to stray to, or at a greater distance within the said Province than three miles from that part of the boundary at which such sheep shall have been introduced, until such sheep shall have been effectually dressed, to the satisfaction of the Inspector of Sheep, with some reputed effective scab-

destroying preparation, and until the Owner of such sheep shall have received from such Inspector a certificate to that effect; and for every day during which any sheep shall be driven, depastured, or suffered to stray, in contravention of the provisions of this section, the Owner of such sheep shall be liable to a penalty not exceeding one hundred pounds; and the beforementioned certificate shall, at any time within six months after the date thereof, be produced by the Owner of such sheep, to any person demanding the same, under a penalty of five pounds. Provided always that it shall be lawful for such Inspector to authorise the omission of the second dressing herein required in any case in which he shall certify in writing that such second dressing is unnecessary. Provided also that it shall be lawful for sheep landed at the Port of Lyttelton to be driven to a distance not exceeding twenty miles from the port before being dressed as above provided if they shall be so driven for the purpose of being dressed at some place specially appointed for the purpose by the Superintendent by notice in the Provincial "Government Gazette" and if they shall be so dressed within ten days after being so landed.

35. Sheep examined for importation to be branded with Inspector's brand. When any Inspector of Sheep shall have examined any sheep with a view to their importation into the Province of Canterbury, either by sea or land, and shall be prepared to grant a Certificate in the form of Schedule C to the said recited Ordinance, he shall, before granting such Certificate, cause such sheep to be distinctly wool branded on the back thereof, at the cost and charges of the Owner of such sheep, with a brand which shall have been registered in the office of the Registrar of Brands as the special brand of such Inspector. The absence of any such brand from any sheep so imported shall be prima facie evidence that they have not been certified for importation as provided in the said recited Ordinance, unless it shall be proved that such sheep have been shorn since their importation. If any person shall, without authority, use the brand of any Inspector of Sheep registered as above, or one so similar as not to be readily distinguishable therefrom, he shall be liable, on conviction before any two Justices of the Peace, to a penalty of not less than Twenty-five nor more than One Hundred Pounds.

Miscellaneous.

36. Power of Inspector to call for evidence corroborative of declaration made. It shall be lawful for any Inspector of Sheep before whom any of the declarations referred to in the preceding sections shall have been made in any case in which he shall deem it necessary so to do to call upon the person making such declaration to furnish to such Inspector evidence corroborative of the truth of the statements made in such declaration and unless such evidence shall be produced as shall be satisfactory to such Inspector and also unless such Inspector shall be satisfied that such sheep are entirely free from scab or catarrh he shall refuse to grant the certificates or to make the report referred to in

sections twenty two twenty-two twenty nine and thirty two respectively of this Ordinance.

37. Penalty for refusal by persons in charge of sheep to give evidence.

It shall be lawful for any Inspector of Sheep to call upon all persons concerned in the charge control or management of any sheep to give evidence before him as to the facts within their knowledge relating to such sheep and if any person after being so called upon shall refuse or neglect to give such evidence or shall refuse or neglect to answer any inquiries put to him by such Inspector under the authority of this Ordinance he shall be liable to a penalty not exceeding twenty pounds and if any person in giving such evidence or in answering such enquiries or in giving evidence under the preceding section of this Ordinance shall make any statement knowing the same to be false he shall on conviction thereof before any two Justices of the Peace be liable to a penalty of one hundred pounds and to be imprisoned for a period not exceeding six calendar months Provided always that nothing herein contained shall be construed to require any person to give any evidence or answer any enquiry which would render him liable to any criminal prosecution.

38. Driving, &c., of infected sheep.

If any person shall by himself, his Agent, or servant, drive, depasture, or suffer to stray, any sheep infected with scab or catarrh, or which shall, within three months previously, have been mixed with any sheep so infected, or have undergone any dressing for the cure of the scab, across or upon any land not being the property of, nor being rented by such person, and not being land of which he shall have the right of pasturage, or upon or along any public highway, he shall, for every day during which such sheep shall be so driven, depastured, or suffered to stray, be subject to a penalty of not less than twenty-five pounds, nor more than one hundred pounds: Provided always, that nothing herein contained shall prevent the Occupier of any land or run upon which shall be found trespassing any sheep infected as aforesaid, and owned by the Occupier of adjoining land or an adjoining run, from driving such sheep to the residence of such Owner on such adjoining land or run.

39. Separate informations for every run, &c. crossed.

Nothing herein contained shall prevent separate informations being laid by every Occupier of land upon which such infected sheep as aforesaid shall have been driven, depastured, or suffered to stray; or by every Occupier of land through or adjacent to which any public highway shall lie, upon or along which public highway any such infected sheep shall have been driven, depastured, or suffered to stray. Every Inspector of Sheep shall have the same power of laying separate informations which is hereby given to every Occupier.

40. Notice to be given before driving sheep through run.

Any person about to drive any sheep across any lawfully occupied land or run in the Province of Canterbury shall give to the occupier thereof at least twenty-four

hours' previous notice in writing of the day upon which he intends to drive such sheep across such land or run by leaving such notice with some adult inmate of the principal house or station thereon or if no such inmate can be found by leaving the same affixed to some conspicuous part of such house or station and such notice shall be renewed unless the sheep be so driven within three days after the time specified therein and every person offending against the provisions of this section shall be liable to a penalty of not less than sixpence nor more than one shilling for every sheep so driven.

41. Infected sheep trespassing and not removed may be destroyed.
If any sheep infected with scab or catarrh shall be found on any land or run not in the lawful occupation of the Owner of such sheep, and such Owner shall not remove the same within forty-eight hours after he shall have been served in the manner prescribed for the service of notices by section thirty-eight of this Ordinance, with written notice that they are so trespassing; or if such Owner cannot, after reasonable inquiry, be discovered, it shall be lawful for the Occupier of such land or run forthwith to destroy such sheep: Provided always, that the nature of such reasonable inquiry, together with the number and brands of the sheep so found and destroyed, shall by the Occupier aforesaid, be certified, in writing to the Inspector of the district within eight days of the destruction of such sheep: And every person offending against the provisions of this section shall be liable to a penalty of not less than five pounds nor more than twenty-five pounds.

42. Occupier may without warrant inspect sheep on his run.
Every occupier of land, or of a run may without warrant or other authority inspect or cause to be inspected any sheep which shall be found upon such land or run, or upon any land or run immediately adjoining thereto, or upon any part of a highway passing through or lying adjacent to the land or run in his occupation and any owner of sheep or other person who shall refuse to allow such inspection to be made by such occupier or shall refuse or neglect to afford all reasonable facilities for the same or shall in any way obstruct such inspection shall be liable to a penalty of fifty pounds.

43. Sheep dying of catarrh not to be thrown into ponds &c.
If any person, by himself, his Servant, or Agent, shall cast or cause to be cast, the carcass of any sheep infected with catarrh at the time of its death into any stream or pond, or other water, he shall be liable to a penalty of not less than five pounds, nor more than twenty pounds.

44. Sheep dying of catarrh to be burned.
The Owner of any sheep infected with the disease called catarrh at the time of its death, who shall fail to consume the carcass by fire, or to bury it at least three feet under the ground within twelve hours after death, shall be liable to a penalty of not less than ten shillings nor more than five pounds for each carcass not so buried or destroyed.

45. Recovery of strayed sheep.

Any Justice of the Peace may, upon the application of any Owner of sheep who has reason to believe that any of his sheep have strayed to and upon a run occupied by any other person, by writing, under his hand, direct such Occupier to muster his sheep in a pen at some time within two months after the receipt of such direction, in writing, for the purpose of delivering over such stray sheep to the Owner thereof; at least seven days' previous notice shall be given by such Occupier to the Owner of such stray sheep of the time at which such muster shall be made; and every such Occupier who shall refuse or neglect to comply with any such direction, in writing, or to give such notice, shall be subject to a penalty of not less than five, nor more than twenty pounds: Provided always, that such Occupier shall be entitled to recover from such Owner any reasonable expense of mustering or delivering such sheep: Provided also, that a certificate, under the hand of an Inspector of Sheep, that the flock with which such stray sheep have mixed is not in a condition to be moved within such period of two months, shall be a valid excuse for postponing the delivery of any such stray sheep.

46. Unauthorised removal of sheep.

Every person who shall except as hereinbefore provided drive or remove any sheep from any land or run not in his own occupation without the consent of the owner of such land or run shall be liable to a penalty not exceeding twenty pounds.

47. Notice to be given before mustering sheep.

Every occupier of any sheep station or run who shall muster his flock or flocks shall twenty-four hours at least before yarding the same give notice to the occupiers of all the adjoining runs or stations and to all other sheep-owners not so adjoining but whom he may have reason to believe have sheep in his flock of his intention so to yard his sheep such notice being given in the manner prescribed for service of notices by section forty of this Ordinance and every person neglecting to give such notice to any such owner or occupier shall be liable to a penalty not exceeding twenty pounds. In the interpretation of this section the word "muster" shall mean the gathering of any flock or flocks for the purpose of docking or ear-marking or dipping for the cure of the scab or of drafting sheep for the purpose of sale or removal to any other station or run.

48. Wilfully communicating scab or catarrh.

If any person shall wilfully communicate, or cause to be communicated to any sheep the diseases called scab or catarrh, he shall, on conviction thereof before any two or more Justices of the Peace, be imprisoned for a term of six calendar months.

49. Saving other remedies at law to persons suffering damage.

Nothing in this Ordinance shall be construed to limit or deprive any person suffering loss or damage from the driving, depasturing, or suffering to stray of any sheep infected with scab or catarrh of any remedy which he might have had

at Law or otherwise for recovering the same, provided this Ordinance had not been passed.

50. Maximum penalty.

No penalty to be imposed on any one conviction under the provisions of this Ordinance, shall exceed the sum of one hundred pounds.

51. Expenses of prosecution to be paid out of penalties.

In all cases in which any fine or penalty shall be paid under the provisions of this Ordinance, it shall be lawful for the Justices before whom any such conviction shall take place, to award to the Prosecutor such portion of such fine or penalty as shall appear to such Justices a reasonable compensation for expenses incurred by him in the course of such prosecution.

52. Fines and penalties how they may be levied.

All fines and penalties which shall be ordered to be paid under the authority of this Ordinance in case of non-payment thereof either immediately or within such period as may be appointed for the payment thereof, may be levied (with the costs of all proceedings rendered necessary by such non-payment), by distress and sale of the goods and chattels of the person liable to pay the same, by Warrant, under the hand of any Justice of the Peace; and if no sufficient goods and chattels as aforesaid can be found whereon to levy such distress, such fines or penalties may, after the expiration of one week from the date of a public notice in one or more Newspapers within the Province that such fines and penalties are due and unpaid, be levied, with costs as aforesaid and by Warrant as aforesaid, by distress and sale of the sheep in respect of which such fines or penalties may have been incurred, or of the sheep under the same charge, control, or management.

53. Penalties recoverable summarily.

All fines and penalties imposed under the authority of this Ordinance shall be recoverable in a summary way before two or more Justices of the Peace.

54. Interpretation.

In the interpretation of this Ordinance, the words "Owner of any sheep " shall be taken to mean the person having the charge, control, or management of such sheep; and the word "sheep" shall, unless otherwise specially provided, be taken to mean all sheep of any age and either sex; the term " Inspector of Sheep " shall mean an Inspector appointed by the Superintendent, under the provisions of section eight of this Ordinance; the term "Provisional Inspector " shall mean an Inspector appointed by a Justice of the Peace under section forty of this Ordinance; the term "highway" shall mean any land laid down as a public road on the map of the Chief Surveyor of the Province of Canterbury; the term " herded " shall mean constantly followed and kept within sight. All sheep shall be deemed to have been "dressed for the cure of scab," to which there shall have been applied any reputed scab-destroying preparation, unless such sheep shall, within

fourteen days previous to such application, have been certified by an Inspector of Sheep or a Provisional Inspector to be entirely free from scab; and every sheep belonging to any flock, or on board any ship, boat, or other vessel in which there shall be one sheep which shall, within any given period, have undergone any dressing for the cure of the scab, shall be deemed to have been dressed within such period. Every sheep belonging to any flock, or on board any ship, boat, or other vessel, or which may have been placed in any yard or enclosure in which there shall have been, at any time within two months previously, one sheep infected with the scab or catarrh, respectively, shall be deemed to be infected with scab or catarrh within the meaning of this Ordinance unless in the case of scab such yard or enclosure shall in the meantime have been effectually scoured with some reputed scab-destroying preparation.

55. Title.

This Ordinance shall be intituled and may be cited as "The Sheep Ordinance 1864."

Schedule A.

Declaration to be made before Inspector as to Sheep examined by him.

I, _____ of do hereby solemnly declare that [I have made a complete muster of all the sheep in my charge, and that *] my sheep branded _____ being _____ in number, now being at _____ have not within _____ months [been subjected to any dressing for the cure of the scab] had applied to any _____ of them any reputed scab-destroying, preparation, nor within _____ months been mixed with any sheep infected with the scab or catarrh, and I make this solemn declaration, conscientiously believing the same to be true.

Declared before me at _____ this _____ day of _____ 18 _____ .
A . B .
C . D .

Inspector of Sheep.

(Provisional Inspector.)

* May be omitted when not required by the Inspector.

Schedule B.

Warrant for Herding or Yarding Sheep.

Province of Canterbury, New Zealand,) To _____ and all others
To wit. _____) whom it may concern.

Whereas it appears to us _____ and _____ two of her Majesty's Justices of the Peace for the said Province, by information, upon oath, of _____ in the said Province that certain sheep are depastured upon land situated at _____ being in the occupation of _____ of _____ in the said Province and that such sheep are infected with the disease called _____ and that there is danger lest such sheep, being suffered to run at large, should cause damage to the Owners of sheep in the neighbourhood thereof. These are therefore, in the name of our Lady the Queen, and in pursuance of the provisions of an Ordinance passed by the Superintendent and Provincial Council of the said Province, in the Twenty-seventh year of the reign of her Majesty, entitled " The Sheep Ordinance, 1863," to require you that you do cause the said sheep to be constantly herded by day, and to be kept by night within a sheep-proof enclosure; and we do hereby require all persons having or being concerned in the charge, control, or management of such sheep, to aid and assist you in causing the same to be constantly herded and enclosed according to the provisions of the above recited Ordinance in that behalf made.

Given under our hands and seals at _____ in the said Province, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____ .

A. _____ . B. _____ , J.P.

C. _____ . D. _____ , J.P.

Schedule. C.

Certificate of Inspector.

I, A. B., Inspector of Sheep [Provisional Inspector] hereby certify that I have carefully examined _____ sheep, branded _____ the property of C.D., now being depastured at _____ [on board the _____ at _____] and that I find such sheep to be entirely free from scab or catarrh.

Given under my hand at this _____ day of _____ 18 _____ .

A B
Inspector of Sheep,

(Provisional Inspector.)

Schedule D.

Declaration as to Imported Sheep.

I, _____ of _____ do hereby solemnly declare that the sheep _____ in number, marked _____ now being depastured by me at _____ [on board of the vessel _____ commander, _____ now lying at _____ in the said Province] have not within three months last past had applied to any of them any reputed scab destroying preparation, nor been mixed with any sheep infected with scab or catarrh, and I make this solemn declaration, conscientiously believing the same to be true.

I.J.

Declared before me, at _____ this day of _____ 18 .

A. _____ B. _____
Inspector of Sheep.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 13th September 1864, and assented to by the Superintendent on 15th August.

14. The Wakefield Settled Estate Ordinance 1864.

Analysis..

Preamble.

1. Power to the Trustees to make Leases with Purchasing Clauses.
2. Power to the Trustees to make Building Leases and appropriate lands for public purposes.
3. Title.

Whereas under and by virtue of the provisions of an Indenture of Settlement made the Fourteenth day of July One thousand eight hundred and fifty-one between Felix Wakefield therein described as of Woodhatch near Reigate in the county of Surrey England Esquire of the first part Edward Gibbon Wakefield therein described as of Warwick Lodge near Reigate in the said county of the second part and John Robert Godley therein described as of Lyttelton in the colony of New Zealand and Edward Robert Ward of the same place of the third part certain hereditaments situate in the Province of Canterbury in the said Colony were conveyed unto the said John Robert Godley and Edward Robert Ward their Heirs Executors Administrators and Assigns upon trust for the said Felix Wakefield for the term of his life and afterwards upon trust to pay a certain annuity to Maria Felicie Eliza wife of the said Felix Wakefield and subject thereto in trust for the children of the said Felix Wakefield as in the said Indenture is specified and whereas the said Indenture contains a proviso making it lawful for the Trustees of the said Settlement to make sale of all or any part of the Trust Estate comprised in such Indenture and in such Indenture is contained power to the said Trustees to lease the said Trust Estate or any part thereof for twenty-one years and whereas the said Trust Estates are now by divers mesne assignments duly vested in the Reverend George Cotterill of Christchurch in the Province of Canterbury and in the colony aforesaid clerk and Charles Elliott of Nelson in the Province of Nelson in the said colony gentleman upon the trusts of the said Indenture now remaining unperformed and whereas it is expedient to enlarge the powers of sale and of leasing certain lands in the said Indenture of Settlement as is hereinafter mentioned.

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

1. Power to the Trustees to make Leases with Purchasing Clauses.

Notwithstanding anything in the said Indenture of Settlement contained it shall be lawful for the Trustees for the time being acting under the trusts of the said Indenture to make leases of all or any portion of the Trust Estates vested in them upon the trust of such settlement reserving such rents as to such Trustees shall seem fit and with an option conferred upon the tenant or tenants to purchase the premises occupied in any such lease or leases at or for such sum as shall be stipulated between the Trustees and the Lessee or Lessees.

2. Power to the Trustees to make Building Leases and appropriate lands for public purposes.

And be it further enacted that it shall be lawful for the said Trustees for the time being to make a lease or leases of all or any part of the said Trust Estates for any term of years not exceeding ninety-nine years to any person or persons who shall improve the same by building thereon any new house erection or building or houses erections and buildings thereon or by making any buildings in lieu of or in addition to such buildings thereon or by making any buildings in lieu of or in addition to such buildings thereon or by making any such substantial

improvements or repairs or shall covenant or shall agree so to do within two years or any reasonable time (according to the circumstances) after the date of such lease or leases together with all such liberties powers easements and privileges for or in aid of all the purposes aforesaid and subject to any such exceptions reservations restrictions covenants and conditions as to the persons for the time being exercising this power shall seem expedient having regard to the nature and objects of the lease so as there be reserved on every such lease the best yearly rent or rents (either uniform or not and so that a peppercorn or other merely nominal rent may be made payable during all or any part of the first two years of any such term) that can be reasonably gotten without taking anything in the nature of a fine or premium (but in case under this power any lease shall be made on the surrender of a former lease the value of the Lessee's interest under such surrendered lease may be taken into account in fixing the terms of the new lease) and so as there be contained in every such lease a condition of re-entry for non-payment within a reasonable time of the rent or rents thereby reserved and so as the Lessee or Lessees do execute a counterpart thereof and do thereby covenant for the due payment of the rent or rents thereby reserved and it is hereby further agreed and declared that it shall be lawful for the persons for the time being authorised to exercise the power of leasing lastly hereinbefore contained from time to time to enter into any contract they may think fit to grant at a future time and upon the performance of any conditions they may think fit any lease or leases in pursuance of the power lastly hereinbefore contained and in any such contract to agree for the apportionment of an entire rent between different parts of the property to be leased at the option of the Lessee or otherwise and whenever several leases shall be granted under the power lastly hereinbefore contained at apportioned rents of property comprised in one contract the requirement that the best yearly rent or rents be reserved as aforesaid shall be considered as applying to the aggregate of the rents reserved on such leases and not to the rent reserved on any single lease and it shall also be lawful for the persons so authorised as aforesaid from time to time to make or consent to alterations in the terms of any such contract by way of addition explanation or otherwise and also wholly or partially to release from any such contract any person or persons bound thereby and also to vary or depart from the terms of the contract in any lease or leases founded upon any such contract (but so that every such lease be conformable to the provisions of the aforesaid power and after the granting of any lease the contract if any for such lease shall not except so far as may be necessary in order to support the lease form any part of the evidence of the title at law or in equity to the benefit of the lease and it is hereby further agreed and declared that it shall be lawful for the persons for the time being authorised to exercise the power of leasing lastly hereinbefore contained from time to time to lay out and appropriate any part or parts of the said premises hereinbefore expressed to be hereby appointed for churches chapels schools or other public buildings or for roads paths squares gardens or other open spaces sewers drains or water-courses or other works of accommodation or convenience either to be dedicated to the public or not in such manner as may be agreed upon in any such building repairing or improving lease

as aforesaid or as the persons so authorised as aforesaid may from time to time think convenient and conducive to the general benefit of the property and as to the part or parts of the said premises so laid out and appropriated as aforesaid the same may if the person for the time being authorised as aforesaid shall think fit be vested in any Trustees upon such trusts for securing the continued appropriation thereof to the purposes aforesaid and with such provisions as to the right and terms of user and enjoyment thereof for the purposes for which the same shall have been appropriated and consistently with such appropriation as to the appointment of new Trustees when required and in other respects as the persons exercising this power shall think convenient and conducive to the general benefit of the property and it shall be lawful for the persons exercising this power from time to time to execute all such assurances and to do all such things effectuating the aforesaid appropriation and other objects aforesaid or any of them as shall be considered necessary or expedient.

3. Title.

This Ordinance shall be intitled and may be cited as "The Wakefield Settled Estate Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 29th September 1864, and assented to by the Superintendent on 30th September. It was disallowed by the Governor: See New Zealand Government Gazette 1864, page 445.

15. The Christ's College Loan Ordinance 1864.

Analysis.

Preamble.

1. Christ's College Canterbury to have power to raise Three Thousand Pounds.
2. Money raised to be applied in permanent improvement.
3. Such sum of Three Thousand Pounds and Interest to be a paramount charge upon the property of the Corporation against all claimants.
4. Title.

Whereas it is expedient that power should be conferred upon Christ's College Canterbury to raise the sum of Three Thousand Pounds by way of mortgage upon the real and personal estate vested in such Corporation:

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

1. Christ's College Canterbury to have power to raise Three Thousand Pounds. It shall be lawful for Christ's College Canterbury at any time after the passing of this Ordinance to raise any sum not exceeding Three Thousand Pounds by way of mortgage of the real and personal estate vested in the said Corporation and Schedule to this Ordinance with such provisions as to amount of interest on such mortgage moneys and redemption of such mortgage and otherwise as to such Corporation shall seem fit.

2. Money raised to be applied in permanent improvement.
Any sum of money raised under the provisions of this Ordinance shall be applied in the permanent improvement of the excepted lands granted to the Corporation of Christ's College under Clause 8 of the Canterbury Association Reserves Ordinance Session V. No.2.

3. Such sum of Three Thousand Pounds and Interest to be a paramount charge upon the property of the Corporation against all claimants.
The sum of Three Thousand Pounds or any part thereof and interest on the same shall after execution by the said Body Corporate of any instrument or instruments for the purpose of raising such sum or any part thereof be a first and paramount charge upon all the real or personal estates included in such instrument as against all Bodies Corporate and persons whatsoever.

4. Title.

This Ordinance shall be intituled and may be cited as the "Education Ordinance 1864."

Sections to be dealt with.

321.

322.

68.

85.

86.

88.

73-84

87-89

90.

91.

93.

95. Kaiapoi Town

Rural

Rural

Christchurch Town
Christchurch Town
Christchurch Town
Christchurch Town
Christchurch Town
Christchurch Town
Christchurch Town
Christchurch Town
Christchurch Town 107-109
79-81
5823
5832
5835
5947
6048
6004
6000
5961
5956
5824 Lyttelton Town.
Lyttelton Town
Rural
Rural
Rural
Rural
Rural
Rural
Rural
Rural
Rural
Rural
Rural

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 29th September 1864, and assented to by the Superintendent on 30th September.

16. The Hackney Carriage Ordinance 1864

Analysis
Preamble.

1. City Council to make by-laws for licensing hackney carriages.
2. Powers of such by-laws.
3. Penalty for infringement.
4. City Council to grant licenses.
5. Appropriation of license fees.
6. Interpretation clause.
7. Title.

Whereas it is expedient to make provision for regulating and licensing hackney carriages carriers and others plying for hire within the said City of Christchurch and its vicinity and the owners and drivers thereof.

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

1. City Council to make by-laws for licensing hackney carriages.
From and after the passing of this Ordinance it shall be lawful for the Christchurch City Council to make such by-laws as they shall from time to time think fit for licensing and regulating hackney carriages carriers and others plying for hire within the said City and its vicinity and the owners and drivers of such provided that for every license of a hackney carriage cart van or other vehicle for any one year there shall be paid such sum as the said City Council shall direct not exceeding the sum of five pounds.

2. Powers of such by-laws.
The said City Council in the by-laws so to be made by them by virtue of this Ordinance shall have power and authority to make Regulations touching the licensing and conduct of the owners drivers and conductors of such hackney carriages carts vans and other vehicles in their several employments the hours within which such owners drivers and conductors shall exercise their respective callings whether they shall wear any and what badges the number description and furnishing of such hackney carriages carts vans and other vehicles the number of persons to be carried in the same the situation and number of public stands the amounts of fares for time or distance to be paid for the use of such hackney carriages and other vehicles plying for hire within the said city and its vicinity the safe custody and delivery of any property which may be accidentally left in such hackney cart van or other vehicle the punishing any misconduct on the part of the owners drivers conductors and persons attending such hackney carriages carts vans and other vehicles whether in the way of imposition or by demanding or receiving more than the regular fare or otherwise as well within the said City as within the distance of eight miles from the corporate limits thereof Provided that for every such license of any such owner driver or conductor there shall be paid such sum as the Council for the said City shall direct not exceeding the sum of twenty shillings.

3. Penalty for infringement.

The Council of the said City shall have power and authority by such by-laws to fix the amount of fines and penalties to be imposed on the owners and drivers of such hackney carriages or other vehicles for misconduct or imposition in demanding or receiving more than the regular fares or otherwise and on persons hiring such hackney carriages or other vehicles for fraudulently evading the payment of such fares or for the breach of any other by-law which the said City Council may make in respect of such hackney carriages the owners and drivers thereof Provided always that such fines and penalties shall not exceed for any one offence the sum of ten pounds.

4. City Council to grant licenses.

The said City Council shall have power to grant any such license and to charge and receive for the same such sum or sums as for the time being it is in that behalf fixed by the said City Council And every person who obtains any such license from the said City Council shall be deemed to be licensed under this Ordinance and within the intent and meaning and for the purposes thereof.

5. Appropriation of license fees.

All fees for such licenses shall be paid to the said City Council or to such person as they may appoint and shall be applied for the general use and benefit of the said City fund.

6. Interpretation clause.

Wherever in this Ordinance the word "hackney carriage" is used the same shall be held to mean any coach car cabriolet van cart or other vehicle plying kept or let out for hire within the said City of Christchurch or within the distance of eight miles from the corporate limits thereof and the word "carrier" shall mean any person using a cart waggon van or other vehicle for the transfer or carriage of goods for hire within the said City of Christchurch or within the distance of eight miles from the corporate limits thereof Provided however that nothing contained in this Ordinance or in any by-law made by virtue thereof shall be held to extend to any carriage or vehicle duly licensed as a stage carriage in pursuance of "The Stage Carriage Ordinance Sess. XX No. 13" Provided that such stage carriages shall ply at regular periods as such to places beyond the corporate limits of the said city Provided also that no such by-laws or regulations shall apply to or be held to apply to carriages which shall be let to hire only when previously ordered or bespoke at the stables or residences of their owners and which shall never be permitted to ply for hire in any street or place off the premises of their respective owners or to the owners or drivers of such carriages.

7. Title.

This Ordinance shall be intituled and may be cited as "The Hackney Carriage Ordinance 1864."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 29th September 1864, and assented to by the Superintendent on 30th August.

17. The Appropriation Ordinance 1864

Analysis.

Preamble.

1. Appropriation of public revenues for year ending 30th June 1865 as per Schedules A and B.
2. Appropriation of public revenues for year ending 30th June 1865 as per Schedule C.
3. Provincial Treasurer to issue upon warrant by His Honor the Superintendent.
4. Provincial Treasurer shall be allowed credit for sums expended as per Schedule D up to 30th June 1864.
5. Title.

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

1. Appropriation of public revenues for year ending 30th June 1865 as per Schedules A and B.

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-four, and ending on the Thirtieth day of June, one thousand eight hundred and sixty-five, in manner set forth in the Schedules A and B 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 one hundred and two thousand three hundred and ninety-six pounds four shillings and a penny respectively.

2. Appropriation of public revenues for year ending 30th June 1865 as per Schedule C.

Out of the public revenues of the said Province which shall have been raised by Debentures issuable under the authority of "The Lyttelton and Christchurch Railway Loan Ordinance, Session XIII. No. 1," there may be issued and applied, for defraying the charges of the Lyttelton and Christchurch railway works, for the period commencing on the First day of July, one thousand eight hundred and sixty-four, and ending on the Thirtieth day of June, one thousand eight hundred and sixty-five, in the manner set forth in the Schedule C to this Ordinance, any

sum or sums of money not exceeding the sums in such Schedule specified, amounting in the whole to the sum of ninety-one thousand nine hundred and sixty-five pounds, and out of the public revenues of the said Province, which have been set apart as the Railway and Harbor Works Fund (and not being revenue raised as aforesaid) there may be issued and applied, for defraying the charges of the works set forth in the Schedule C (other than the Lyttelton and Christchurch Railway Works) any sum or sums of money not exceeding the sums in such Schedule specified, amounting in the whole to the sum of one hundred and ninety-three thousand and fifty-seven pounds and ten shillings.

3. Provincial Treasurer to issue upon warrant by 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.

4. Provincial Treasurer shall be allowed credit for sums expended as per Schedule D up to 30th June 1864.
And Whereas, in defraying the charge of the Provincial Government and in the public service of the said Province for the twelve months ending the Thirtieth June, one thousand eight hundred and sixty-four, certain sums of money, amounting in the whole to the sum of eighty-seven thousand two hundred and fifteen pounds eleven shillings and threepence 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 twelve 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.

5. Title.

This Ordinance shall be entitled and may be cited as "The Appropriation Ordinance, 1863."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 29th September 1864, and assented to by the Superintendent on 30th September.

18. The Roads Ordinance 1864

Analysis.

Preamble.

I. Repealing and Interpretation Clauses.

1. Repealing Clause.
2. Interpretation Clause.

II. Respecting Districts.

3. Districts how constituted.

III. Respecting Road Boards.

4. Boards how constituted.
5. Who eligible to be members.
6. Election when vacancy occurs.
7. Penalty for acting on Board when not eligible.
8. Board to be a body corporate.
9. Chairman of Board.
10. Election upon vacancy by Chairman.
11. Decision to be by a majority.
12. No act of Board invalid by vacancy, &c.
13. Records and accounts to be kept and furnished by the Board.
14. Accounts of Board to be audited.
15. Board may employ officers.
16. Board to have control of all roads drains &c. not private property.
17. Expenditure by the Board regulated.

IV. Respecting the Ratepayers Roll.

18. Contents of Ratepayers' Roll.
19. Preparation of Roll.
20. Assessors to be appointed by Superintendent.
21. Roll to be open for inspection.
22. Revising Commissioners to be appointed by Superintendent; their duties and powers.
23. Notice of objection.
24. Revising Commissioners to hear and determine objections to Ratepayers' Roll.
25. Revising Court may be adjourned.
26. Fresh assessment may be ordered by Commissioners.
27. Corrected Roll to be signed by Commissioners.

V. Respecting Rates.

28. District Road Rate.
29. Special local rate.
30. Rates to be on net annual value.
31. Mode of striking rate.
32. Rates to be paid on service of notice.
33. Rates to be the property of the Board: and how recoverable.
34. Rates by whom payable.
35. Joint occupation or ownership.
36. Rates may be remitted.
37. Rates how to be levied in case of change of occupation.

VI. Respecting Meetings of Ratepayers.

38. Who may vote at ratepayers' meeting.
39. Chairman of Board to be Chairman of meeting.
40. Annual and other meetings.
41. Chairman to cause minutes to be kept.
42. Election of members of Board at annual meeting.
43. If poll demanded.
44. Special meeting may be called upon requisition of ratepayers.

VII. Respecting Tolls.

45. Erection of toll bars and imposition of tolls.
46. Collection of tolls.
47. Table of tolls to be put up and tickets provided.
48. Overcharge or misbehaviour of Toll Collector.
49. Evasion of toll.
50. Leasing of tolls.
51. Expenditure of tolls: accounts to be kept.

VIII. Miscellaneous.

52. Power of entry on private lands.
53. Board may temporarily stop thoroughfare.
54. Protection against accident: penalty for interfering with barriers &c.

IX. Protection of Officers.

55. Members and officers not personally liable.
56. Penalty for obstructing officers, &c.

X. Initiatory and Suspending Clauses.

57. Members and Officers not personally liable.
58. Formation of Ratepayers' Roll for new districts.
59. First Board in new districts when to be elected.
60. If Ratepayers or Board do not act Superintendent may appoint a Commissioner.

61. Commissioner to make Ratepayers' Roll if not previously made: Ratepayers may again elect Board.

62. Penalties: how recoverable.

63. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury entitled "The Road Districts Ordinance 1863" and whereas another Ordinance entitled "The Ratepayers' Roll Revision Ordinance 1864" was passed by the said Superintendent and Provincial Council in this present Session and it is expedient that the same should be repealed and that other provision should be made for the construction and maintenance of Roads within the said Province:

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

I.—Repealing and Interpretation Clauses.

1. Repealing Clause.

The said recited Ordinance is hereby repealed except in so far as the same extend to repealing any former Ordinance. Provided always that every Ratepayers' Roll made or revised or partially made or revised under the provisions of the said recited Ordinance shall be deemed to have been so made or revised or partially made or revised under the provisions of this Ordinance and every Board elected and every Officer appointed and every other act or proceeding done or taken in execution of the said recited Ordinances shall be deemed to have been elected appointed done or taken under this Ordinance.

2. Interpretation Clause.

In the interpretation of this Ordinance, the words "the district," "the board," "the Ratepayers' Roll," shall mean a district, a Board, and a Ratepayers' Roll, as the same are severally constituted by the provisions of this Ordinance. The words "Public Notice," shall mean the publication of such notice in some Newspaper ordinarily circulated within the district, or the posting of such notice in not less than twelve public places within the district, for a space of not less than ten days prior to the event to which such notice refers. A notice shall be deemed to be served when it shall have been served on the person on whom service is required, either personally, or by leaving the same at his ordinary abode or place of business within the district: or if he shall have no such abode or ordinary place of business within the district, then by affixing the same to some conspicuous place on the land in respect of which, or in respect of the right of pasturage over which land such person shall be liable to be rated, and the word "road" shall be held to mean any public road, bridle-road, foot-path, bridge, or other works

included within a reserve for a road laid on the authenticated Map of the Chief Surveyor.

II.—Respecting Districts.

3. Districts how constituted.

Every district set forth and described in the Schedule A to this Ordinance shall be deemed to be a district for the purposes of this Ordinance.

III.—Respecting Road Boards.

4. Boards how constituted.

There shall be in every district, for the purposes of this Ordinance, a Board, consisting of five Members, of whom three Members and two Members alternately shall be elected in each successive year, at the annual October meeting of the Ratepayers of the district as hereinafter provided: And those Members, whether three, or two as the case may be, who shall have been in office two years, shall go out of office on the day of such annual meeting: Provided that every Member, so retiring, shall be eligible for re-election.

5. Who eligible to be members.

No person shall be eligible to be elected to be a Member of the Board unless he shall be a Ratepayer of the district, and shall reside or have his ordinary place of business therein, and shall have paid all rates which he shall have been liable to pay under the authority of this Ordinance at the time of such election. And if any Member of the Board shall become insolvent, or of unsound mind, or shall have been convicted of any felony, or shall have ceased to reside or to have his ordinary place of business within the district, or shall be in arrear of any rates which he shall have become liable to pay under the authority of this Ordinance, or shall accept or continue to hold any place of profit or emolument under the Board, or shall have any pecuniary interest in any work done under the authority of the Board other than as a Shareholder in a public registered Company contracting therewith, or shall have resigned his seat at the Board, by writing, under his hand, addressed to the Chairman thereof, or shall have been absent from four consecutive meetings of the Board without leave from the Board, in writing, first obtained, his seat at the Board shall, ipso facto, become vacant.

6. Election when vacancy occurs.

When any such vacancy shall occur, the Board shall forthwith, by public notice, call a meeting of the Ratepayers to elect a Member to fill such vacancy, and the Member so elected shall continue in office so long only as the Member would have continued in whose place he shall have been elected.

7. Penalty for acting on Board when not eligible.

If any person shall act as a Member of the Board, or vote at any meeting thereof, not being eligible to hold a seat thereat, he shall be liable to a penalty, not exceeding Twenty Pounds, for every such act or vote, to be recovered in a summary way, upon the information of any Ratepayer of the district.

8. Board to be a body corporate.

Every Board shall be, and is hereby declared to be a Body Corporate, under the name and title of the Road Board of the district, and under such name shall have perpetual succession and a common seal, and may sue and be sued, plead and be impleaded in any Court of Law or Equity, and is hereby empowered to hold and enjoy property both real and personal, and to enter into contracts, and to enforce the same for the purposes of this Ordinance.

9. Chairman of Board.

Every Board shall, at its first meeting, elect one of its Members to be the Chairman thereof, who shall preside at the meetings of the Board, and shall have an original and also a casting vote thereat. Provided, that if the Chairman shall be absent from any meeting, the Members present shall elect one of their number to preside in his stead at such meeting.

10. Election upon vacancy by Chairman.

If the Chairman shall cease to be a Member of the Board, or shall, by writing, under his hand, addressed to the Board, vacate the office of Chairman, the Board shall, at its next meeting thereafter, elect another Member to be Chairman in his stead.

11. Decision to be by a majority.

All questions coming before the Board shall be decided by a majority of the Members present, and there shall be no meeting of the Board unless at least three Members be present.

12. No act of Board invalid by vacancy, &c.

No act of the Board shall be invalid by reason of any vacancy having occurred, or by reason of any Member being ineligible to occupy his seat thereat.

13. Records and accounts to be kept and furnished by the Board.

The Board shall cause true and faithful Records and Accounts to be kept of all its proceedings, and of all contracts entered into by it, and of all moneys received and expended by it under the authority of his Ordinance, and all such Records and Accounts shall be laid before every meeting of the Ratepayers, and shall be open to be inspected, at all reasonable hours, by any Ratepayer of the district, or by the Superintendent, or by any person appointed by him to inspect the same. A full abstract of such accounts with vouchers and papers relating thereto signed by the Chairman or two members of the Board shall be laid before the annual meeting of Ratepayers.

14. Accounts of Board to be audited.

The Superintendent shall, with the advice of the Executive Council, appoint an Auditor for each district, who shall audit all the accounts thereof, and every Report of such Auditor, shall be laid before the next meeting of the Ratepayers, and a copy thereof shall be sent to the Superintendent, and shall be laid before the Provincial Council during the next Session of the same.

15. Board may employ officers.

The Board shall have power, from time to time, as it shall think fit, to employ all such Clerks, Treasurers, Collectors, Assessors, Surveyors, Engineers, Overseers, and other persons as may be required to carry this Ordinance into operation, and the same so often as it shall think fit to remove and employ others in their stead.

16. Board to have control of all roads drains &c. not private property.

All roads within the district shall be deemed at Law to be under the control and management of the Board, and it shall be the duty of the Board, out of any moneys in its hands available for such purpose, to make and maintain the same in good and efficient repair and to form cleanse and maintain such drains watercourses ditches and streams Provided that if it shall appear to the Superintendent upon the certificate of the Provincial Engineer or Officer acting in that capacity that any work being executed or proposed to be executed by the Board of any district in connection with any drain watercourse stream or ditch is likely injuriously to affect any adjoining district it shall be lawful for such Superintendent by writing under his hand to order such Board immediately to desist from the execution or further prosecution of such work and upon the receipt of such order such Board shall forthwith desist from the execution or further prosecution of such work as the case may be.

17. Expenditure by the Board regulated.

The Board shall expend any money paid to it under any Ordinance of the Superintendent and Provincial Council in accordance with the provisions of such Ordinance, and shall expend all money arising from rates levied within the district in the construction and maintenance of roads and upon the cleansing maintaining and repairing of streams or watercourses within the district upon the payment of the salaries of its Officers and all other respects incident to the proper transaction of the business of the Board and generally upon works of public utility of the district.

IV.—Respecting the Ratepayers Roll.

18. Contents of Ratepayers' Roll.

There shall be within each district a Ratepayers' Roll, which shall contain the name, in order, of every person holding property within the district liable to be rated under the provisions of this Ordinance, together with an assessment of the

net annual value at which the same might reasonably be expected to be let from year to year, of land the land not being waste land of the Crown, and of all buildings, in respect of which, every such person shall be liable to be rated as hereinafter provided.

19. Preparation of Roll.

The Board shall on or before the first Tuesday in the month of August in each year cause the Ratepayers' Roll to be revised and corrected both in respect to the names of the persons liable to be rated and in respect to the description of the rateable property entered therein.

20. Assessors to be appointed by Superintendent.

The Superintendent shall on or before the first Tuesday in the month of August in each year appoint for each district some competent person or persons to assess the value of the rateable property entered on the Ratepayers' Roll for the district and such Assessor or Assessors shall enter the fair value of such property in such Roll and return the same to the Chairman of the Board on or before the first Tuesday in the month of September following.

21. Roll to be open for inspection.

The Board shall on or before the said first Tuesday in September give public notice of the place where such corrected Roll so assessed may be inspected and such Roll shall be open to the inspection of all Ratepayers and of all persons claiming to be affected thereby or of any person authorised by them in writing at all reasonable hours on every day not being a Sunday or public holiday until the first Tuesday in the month of October next following.

22. Revising Commissioners to be appointed by Superintendent; their duties and powers.

The Superintendent shall every year by notice in the "Government Gazette" appoint three competent persons who shall be called Revising Commissioners to revise the Ratepayers' Roll for the several Roads Districts of the Province and may from time to time remove the same and appoint others in their stead Such Commissioners shall for the purposes of such revision sit together in open Court at the 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 ten days' notice in one or more newspaper circulating within the Province 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.

23. Notice of objection.

If any person shall object to such Ratepayers' Roll on the ground of any error omission irregularity or overcharge therein or unfairness in the valuation of any property included therein shall on or before the twenty-third day of September give notice of such objection to the Chairman of the Board in the form set forth in Schedule B to this Ordinance or to the effect thereof and also to the person or persons affected by such objection unless he himself is the person so affected.

24. Revising Commissioners to hear and determine objections to Ratepayers' Roll.

The Revising Commissioners shall hear and determine all objections to the Ratepayers' Roll and shall after hearing all such objections and all evidence which may be offered relating thereto amend the said Roll in such manner as they shall think fit by adding thereto the name of any person omitted therefrom together with the description and assessed value of the property in respect of which he is liable to be rated or by erasing therefrom the name of any person erroneously entered therein or by altering the description or value of the property in respect of which any person is liable to be rated Provided that no such alteration shall be made unless it shall be proved to the satisfaction of such Commissioners that a notice relating thereto as provided in the last preceding section has been served in the manner prescribed by that section.

25. Revising Court may be adjourned.

The Revising Commissioner shall have power to adjourn any Court held by them from time to time as they may consider requisite for the due disposal of the business to be transacted thereat.

26. Fresh assessment may be ordered by Commissioners.

It shall be lawful for such Justices, if they shall think fit to order a fresh Assessment to be made of the value of any property to which any objection shall have been made, and to appoint such Valuers as they shall think fit to make such Assessment, and to order the cost of making such new Assessment to be paid out of any moneys at the disposal of the Board for the purposes of this Ordinance.

27. Corrected Roll to be signed by Commissioners.

The said Roll, when so amended, shall be signed by such Justices, and shall be the Ratepayers' Roll for the district, for the ensuing year, and shall continue in force until the same shall be amended and signed in like manner, in the year following.

V.—Respecting Rates.

28. District Road Rate.

It shall be lawful for the Board, from time to time, to make a rate or rates upon all the property within the district, as the same shall appear in the Ratepayers' Roll, and to order the days upon which such rate or rates, or any part thereof, shall become payable, and to order the proceeds of such rate to be expended in the construction and maintenance of the roads generally within the district, as the Board shall direct, or to order the proceeds of any such rate, or of any part thereof, to be expended in the construction or maintenance of any particular road or roads within the district: Provided that all the rates payable in any one year shall not exceed the sum of One Shilling in the Pound on the net annual value of such property.

29. Special local rate.

If at any time the persons liable to the payment of rates in any specific portion of any road district shall by a majority of two-thirds of their votes as provided in this Ordinance request the Board to impose a rate upon the rateable property in such portion of the district for the execution of any work of special benefit to that particular locality it shall be lawful for the Board to impose such rate accordingly and to apply the proceeds thereof to the execution of such work such rate so imposed shall be called a "Special Local Rate" and shall not in any one year exceed the sum of Two Shillings in the pound on the annual value of the property rated.

30. Rates to be on net annual value.

The rates shall be levied on the net annual value of all such lands buildings and tenements that is to say upon the annual rent at which the same might reasonably be expected to let if leased for a period not exceeding seven years.

31. Mode of striking rate.

Previously to making or levying any Rate the Board shall cause a list to be prepared setting forth the amount of the rate proposed to be made the names of the persons liable to the payment thereof the sum payable by each of such persons the property in respect whereof each such sum shall be payable and the time at which such rates shall be paid and when such list shall have been ordered and approved by the Board the Board shall if it think fit order the rate therein described to be made and levied and the list to be signed by the Chairman thereof and the production of such list so signed by the Chairman thereof shall be evidence that the rate has been duly made by the said Board.

32. Rates to be paid on service of notice.

When any rate shall become due, the Board shall cause a notice, in the form set forth in the Schedule hereunto annexed, to be served by a Collector, duly authorised to receive the same, upon every person liable to pay such rate; and if such rate be not paid to such Collector, on the service of such notice, it shall be paid at the place named therein within thirty days after the service thereof, and if not paid within such thirty days, it shall be forthwith recovered as hereinafter provided.

33. Rates to be the property of the Board: and how recoverable.

All rates, when made as hereinbefore provided, shall be deemed to be the property of the Board, and may be recovered in a summary way, at the suit of any Collector duly authorised by the Board to collect and receive the same.

34. Rates by whom payable.

All rates payable in respect of land or buildings shall be paid by the occupier thereof or if there shall be no occupier such rates shall be paid by the owner thereof Provided that the owners of all rateable property of which the net annual value does not exceed ten pounds or which is let to weekly or monthly tenants shall be rated to and pay the rates instead of the occupier.

35. Joint occupation or ownership.

When any rateable property is jointly occupied or if unoccupied is jointly owned by more persons than one each of such persons shall be deemed to be the occupier or owner of rateable property of equal annual value to that of the whole of such first mentioned property divided by the number of such joint occupiers or owners thereof.

36. Rates may be remitted.

It shall be lawful for the Board if it shall be represented to it by any person liable to pay any rate that he is unable by reason of poverty to pay such rate and if the Board shall be satisfied of the truth of such representation to remit and excuse the payment of such rate or any part thereof.

37. Rates how to be levied in case of change of occupation.

When the occupier of any rateable property shall have quitted the same without having paid all rates to which he shall have become liable in respect thereof and then payable by him the Board may either recover such rates from the person so having quitted or may elect to recover the same from the owner of the property who shall thereupon be liable to pay the same.

VI.—Respecting Meetings of Ratepayers.

38. Who may vote at ratepayers' meeting.

Every person of full age, whose name shall appear on the Ratepayers' Roll, and who shall have paid all rates which he shall have been liable to pay under the authority of this Ordinance, and who shall be of sound mind, and shall not have been convicted of felony, shall be entitled to take part at an meetings of the Ratepayers of the district, and shall be entitled to vote thereat, according to the following scale, that is to say, every person who shall appear on the Ratepayers' Roll as liable to be rated in respect of property of net annual value, not exceeding Twenty-five Pounds, shall have one vote; in respect of property exceeding the

value of Twenty-five Pounds, and not exceeding Fifty Pounds, two votes; exceeding Fifty Pounds, and not exceeding One Hundred Pounds, three votes; exceeding One Hundred Pounds and not exceeding Two Hundred Pounds, four votes; and exceeding Two Hundred Pounds, five votes. Provided that if in any road district there are six Ratepayers on the Ratepayers' Roll or if no Ratepayers' Roll has been completed every person whose name shall appear on the Electoral Roll for the time being in force for the election of members for the electoral district or districts in which such road district is situated in respect of property situate within such road district and every householder resident within such road district shall be taken and deemed to be a ratepayer for the purposes of this Ordinance.

39. Chairman of Board to be Chairman of meeting.

The Chairman of the Board shall be Chairman of every meeting of Ratepayers, and if he shall not be present thereat, the Ratepayers present shall, before proceeding to any other business, elect a Chairman who shall preside at such meeting; and all questions coming before such meeting shall be determined by a majority of the Ratepayers present thereat, and the Chairman shall have a casting, but not an original vote thereat.

40. Annual and other meetings.

An annual meeting of the Ratepayers shall be held at the hour of noon, on the first Tuesday in the month of October in each year, and meetings of the Ratepayers shall be held at such other times, and at such places within the district as the Board shall appoint; and the Board shall give public notice of the time and place of all such meetings, and any such meeting may be continued by adjournment.

41. Chairman to cause minutes to be kept.

The Chairman shall cause to be entered in the Minute Book of Ratepayers' Meetings, which the Board shall keep for that purpose, and shall lay before every meeting of the Ratepayers true and faithful Minutes of all the proceedings of such meeting, and having signed the same, shall transmit such book to the Board.

42. Election of members of Board at annual meeting.

At the said annual meeting the Ratepayers shall elect Members to fill the vacancies occurring in the Board as hereinbefore provided, and the Chairman shall put the name of each Candidate separately to the meeting, and shall declare, according to the majority of the votes of the Ratepayers present, upon whom the election has fallen: Provided that the Chairman shall propose no person for election unless he shall be eligible to be a Member of the Board as hereinbefore provided, and unless he shall have declared, in writing, addressed to the Chairman, that he is willing to accept such office, and to fulfil the duties thereof.

43. If poll demanded.

If any Candidate shall demand a poll, such poll shall be held forthwith, and shall be closed at five o'clock of the same day, and such polling shall be conducted in accordance with the provisions of an Act of the General Assembly of New Zealand, entitled "The Regulation of Elections Act, 1858," and the Board shall make all necessary arrangements for such poll being held in accordance with such Act.

44. Special meeting may be called upon requisition of ratepayers. Upon the requisition in writing of any ratepayers representing not less than one-tenth of the votes to which all the ratepayers on the Ratepayers' Roll for the district are entitled the Chairman shall within fifteen days of the receipt of such requisition call a public meeting of the ratepayers of the district giving not less than fourteen days' public notice thereof and specifying the business to be transacted thereat.

VII.—Respecting Tolls.

45. Erection of toll bars and imposition of tolls. It shall be lawful for any District Board, subject to the approval of tolls. of the Superintendent, from time to time to erect toll-gates or bars, and toll-houses upon the roads and bridges within their respective districts, at such places as may to them seem convenient, and also, with such approval as aforesaid, to remove, whenever they may think fit so to do, such toll-gates or bars and toll-houses, and to impose tolls upon an animals and vehicles at a rate not exceeding the several sums set forth in the Schedule B to this Ordinance: Provided that her Majesty's mails, and persons in charge thereof, Police Constables on duty, and Prisoners, shall be exempt from tolls.

46. Collection of tolls. All tolls payable under this Ordinance shall be payable to the respective Collectors to be appointed by the Road Board and if any person liable to the payment of such tolls shall after demand thereof neglect or refuse to pay such toll the Collector thereof may seize and distrain any animal carriage or other vehicle in respect of which such toll is payable or the goods and chattels of any person so neglecting or refusing to pay and if such toll with reasonable charges for such seizure and distress shall not be paid within five days the animals goods or chattels seized may be sold and the proceeds applied in payment of such tolls and the charges occasioned by such seizure distress and sale of the surplus (if any) of such proceeds shall be paid on demand to the owner thereof or such tolls may in lieu of such distress be recovered by such Collector by the ordinary process of law.

47. Table of tolls to be put up and tickets provided. Before any toll shall be demanded at any toll-gate to be erected as aforesaid, the Board shall cause to be put up and maintained at every toll-gate within their

respective districts, a table, painted in legible black letters, on a board with a white ground, containing at the top the name of the gate, distinguishing the several tolls, together with the Christian name and surname of the Toll Collector, and also a List of the several gates (if any) which shall be cleared by the payment of toll at the toll-gate or bar where such table of tolls shall be affixed; and the said Board shall also, where more than one gate shall be erected in the district, provide tickets denoting the payment of toll, and on such tickets shall be specified the name of the gate at which the same respectively shall be delivered, and also the names of the several gates freed by such payment, one of which tickets shall be delivered gratis to the person paying the toll, and on production of such ticket at any gate or gates therein mentioned as being cleared as aforesaid by payment of the toll at the gate here such ticket was delivered, the person producing the same shall, on the day of the issue thereof, pass through the gate or gates therein mentioned without paying any further or additional toll for the same animal or vehicle.

48. Overcharge or misbehaviour of Toll Collector.

Every Toll Collector appointed under the authority of this Ordinance, who shall take more or less toll than authorised as aforesaid or who shall refuse to give his name to any person demanding the same after having paid the toll, or who shall in any wise hinder any person from reading the inscriptions on such aforesaid table, or who shall unnecessarily detain, or wilfully obstruct or hinder any Passenger from passing through any toll gate, or who shall use any abusive language to any Traveller or Passenger, shall, for every such offence, forfeit and pay any sum not exceeding Five Pounds.

49. Evasion of toll.

Any person forcing his way through any toll-gate or bar, or evading the payment of any toll for passing through, or fraudulently claiming exemption from toll, shall forfeit and pay for every such offence any sum not exceeding Five Pounds.

50. Leasing of tolls.

It shall be lawful for any Board, subject to the approval of the Superintendent, from time to time, to farm out, for any term not exceeding three years, an or any of the tolls authorized to be collected by this Ordinance, together with any toll-bar, toll-gate, and house; such farming out to be either by tender, to be advertised for at least three consecutive weeks in the public Newspapers, and to be published in the Provincial Government Gazette; or by public auction, duly advertised in like manner; and such security shall be taken by the said Board as they shall think fit for the due performance of the conditions of the lease of any tolls; and any person to whom such tolls may be leased, shall, for the purposes of this Ordinance, be deemed to be a Collector thereof, duly appointed under the powers of this Ordinance: Provided that previously to so letting out, the Board shall fix the maximum rate of toll which shall be demanded within the limits prescribed by the Schedule A to this Ordinance, and shall in no case decrease the amount of tolls without the consent, in writing, thereto of the Lessee.

51. Expenditure of tolls: accounts to be kept.

All tolls levied under the authority of this Ordinance, shall, after deducting the expenses of collecting the same, be expended in making and maintaining the roads whereon such tolls shall from time to time be collected.

VIII.—Miscellaneous.

52. Power of entry on private lands.

The Board shall have power by itself or its officers to enter at all reasonable hours in the day-time into and upon any land buildings and premises within the district without being liable to any legal proceeding on account thereof Provided always that except when herein otherwise provided the Board or its officers shall not make any such entry unless with the consent of the occupier until after the expiration of twenty-four hours' notice for that purpose given to the owner or occupier.

53. Board may temporarily stop thoroughfare.

The Board may stop up any road and prevent the same from being used as a common thoroughfare for a reasonable time during the execution of any work authorised by this Ordinance.

54. Protection against accident: penalty for interfering with barriers &c.

The Board shall during the execution of any work or the stoppage of any road take proper precaution for guarding against accident and if any person shall without the authority or consent of the Board take down alter or remove any bar chain or other protection or extinguish any light placed at or near to any bar chain or work for protection he shall for every such offence on conviction thereof before any Justice of the Peace be liable to a penalty not exceeding five pounds or be imprisoned for any period not exceeding fourteen days.

IX.—Protection of Officers.

55. Members and officers not personally liable.

No act done by any member or officer of the Board acting under the direction of the Board and bona fide for the purposes of carrying into operation any of the provisions of this Ordinance shall subject such member or officer personally to any action suit or demand whatever but the responsibility of such act shall lie upon the Board.

56. Penalty for obstructing officers, &c.

Any person who shall obstruct or attempt to obstruct any member or officer of the Board acting in the execution of this Ordinance shall be liable to a penalty not exceeding Ten Pounds.

X.—Initiatory and Suspending Clauses.

57. Members and Officers not personally liable.

At the annual meeting, to be held on the first Tuesday in October, one thousand eight hundred and sixty-four, three of the Members, who shall be chosen by lot, shall retire from the Board, and three other Members shall be elected in their room, as herein provided.

58. Formation of Ratepayers' Roll for new districts.

The Superintendent shall appoint some competent person to form the first Ratepayers' Roll for the Levels Cust Pigeon Bay and Okain Bay Districts and to make such alterations in the Ratepayers' Rolls for the districts whereof the boundaries are altered by this Ordinance as such alteration of boundaries may render necessary. Such Rolls shall be formed and such alterations shall be made from the Ratepayers' Roll prepared and revised under the provisions of the said recited Ordinance so soon as the same shall have been so revised there shall be placed on the Roll for each district every ratepayer whose name shall appear on any Ratepayers' Roll revised as above mentioned as the owner or occupier of any property situated in such district together with the full particulars an assessed value of his property every Ratepayers' Roll formed or altered under the provisions of this Section shall be taken and deemed to have been and shall be as valid and effectual to all intents and purposes as if the same had been formed under Sections 18 19 20 21 22 23 24 25 26 27 of this Ordinance.

59. First Board in new districts when to be elected.

The first meeting of ratepayers for the election of a Road Board in the Pigeon Bay Okain Bay Levels and Cust Districts shall be held at such time and place as the Superintendent shall appoint so soon as practicable after the Ratepayers' Roll for such Districts shall have been formed as hereinbefore provided.

60. If Ratepayers or Board do not act Superintendent may appoint a Commissioner.

If, at any time, the Ratepayers of a district shall refuse or neglect to elect Members of the Board, or if the Members of the Board shall refuse or neglect to carry this Ordinance into operation, or to resign their seats thereat, and to make due provision for the election of other Members in their room, the Superintendent shall, with the advice of the Executive Council, by Proclamation, published in the Provincial Government Gazette, declare the powers of such Board to be suspended, and shall, by such Proclamation, appoint a Commissioner for such district, and all the powers, rights, privileges, and duties of such Board, shall, from the date of such Proclamation, vest in, and be exercised by such Commissioner, on behalf of the Board, and the Superintendent shall cause such salary as he shall think fit to be paid to such Commissioner out of any funds belonging to the Board, and applicable to the use of the district under the

provisions of this Ordinance: Provided that such Commissioner shall be guide in the performance of his duties by such Instructions as he shall receive from the Superintendent in that behalf.

61. Commissioner to make Ratepayers' Roll if not previously made: Ratepayers may again elect Board.

It shall be the duty of such Commissioner, if no Ratepayers' Roll shall have been made, to cause a Ratepayers' Roll to be made and revised in the manner herein provided, and if at any time after the elect Board making thereof, the Ratepayers shall, at the annual meeting, elect five Members to form a Board, such Members shall constitute the Board under the authority of this Ordinance, and the appointment of the Commissioner, together with all his powers, shall thereupon cease and determine, and at the next annual meeting after such election, three of the Members, to be chosen by lot, shall retire from the Board, and three other Members shall be elected in their room, as hereinbefore provided.

62. Penalties: how recoverable.

All Rates, Tolls, Fines and Penalties, imposed under this Ordinance, shall be recoverable in a summary way and no such penalty shall exceed the sum of one hundred pounds.

63. Title.

This Ordinance shall be entituled and may be cited as "The Road Districts Ordinance, 1864."

Schedule A.

1. THE WAIPARA (formerly North Sefton) DISTRICT comprises that portion of the Province bounded on the north by the Province of Nelson; on the east by the sea, on the south by the south bank of the River Waipara to the summit of the Pass north of Runs Nos. 165,166, 168, and a line from thence to Ashley Head, Esk Head, Snowy Peak, and the Teramakau Saddle.

2. THE KOWAI (formerly South Sefton) DISTRICT comprises that part of the Province bounded on the north by the North Sefton District, on the east by the sea, on the south by the south bank of the River Ashley to its source at Ashley Head.

3. THE CUST DISTRICT comprises that portion of the Province bounded on the North by the Kowai District on the East by the true north and south line drawn through Trig. pole C 30 on the bank of the Waimakariri to the south bank of the River Ashley on the South by the south bank of the Waimakariri and on the West by the boundary line between Runs Nos. 2 and 29 14 and 34 108 class 2 and 35 119 and 135

4. THE OXFORD DISTRICT comprises that portion of the Province bounded on the north by the Waipara and Kowai Districts and the Province of Nelson, on the east by the Cust District on the south by the south bank of the Waimakariri to the head waters of its westernmost source and a true west straight line to the West Coast on the West by the sea.

5. THE MANDEVILLE AND RANGIORA DISTRICT comprises that portion of the Province bounded on the North by the south bank of the Ashley; on the east by the sea, on the south by the south bank of the River Waimakariri, from trig.-pole C 30 to the sea, on the west by the Cust District, save and except the town of Kaiapoi, as hereinafter described.

6. THE TOWN OF KAIAPOI DISTRICT comprises the town of Kaiapoi, as described in the Schedule to the " Town of Kaiapoi Town Ordinance, Session VIII., No. 7, and the remainder of Rural Section No. 320.

7. THE AVON (formerly East Avon) DISTRICT comprises that portion of the Province bounded on the North by the south bank of the River Waimakariri, from the sea to its junction with the western side of the North Road, forming the eastern boundary of Section 812; on the east by the sea; on the south by the north boundary of the city of Christchurch, and the north bank of the River Avon to the sea; on the west by the western side of the main North Road to the city of Christchurch District.

8. THE RICCARTON (formerly Central Avon) DISTRICT comprises that portion of the Province bounded on the north by the south bank of the River Waimakariri, on the east by the East Avon district and the western boundary of the city of Christchurch electoral district, on the south by the north-west side of the Lincoln Road to Archer's Bridge and the north-east side of the Lincoln and Riccarton Junction Road to its junction with the Great South Road; the south side of the Great South Road to its junction with the south side of the Harewood Road by Riccarton, to a point in a line with the west side of the Prebbleton and Kaiapoi Junction Road, on the west side of the Prebbleton and Kaiapoi Junction Road to the Waimakariri, at the north-east corner of Rural Section No. 2197.

9. THE TEMPLETON (formerly West Avon) DISTRICT comprises that portion of the Province of Canterbury bounded on the north by the south bank of the Waimakariri, on the east by the Central Avon District to the south side of the Great South Road; on the south by the south side of the Great South Road, on the west by a true north and south line through trig.-pole C 30 to a point on the south side of the Great South Road.

10. THE HEATHCOTE (formerly East Heathcote) DISTRICT comprises that portion of the Province bounded on the north by the East Avon District and the city of Christchurch; on the east by the sea; on the south by the Port Victoria

Electoral District, on the west by the west side of the Dyer's Pass Road, and the west side of the continuation of Colombo-street south, to the city of Christchurch.

11. THE SPREYDON (formerly Central Heathcote) DISTRICT comprises that portion of the Province bounded on the North by the city of Christchurch and the Central and West Avon Districts; on the east by the East Heathcote District; on the south by the south bank of the River Heathcote to the south side of the Canal Reserve and the south bank of the River Halswell to the old river bed, and the west edge of the old river bed to the Great South Road.

12. THE HALSWELL (formerly South Heathcote) DISTRICT comprises that portion of the Province bounded on the north by the Central Heathcote district on the east by the East Heathcote district and the boundary of the Port Victoria electoral district; on the south by the boundary of the Port Victoria electoral district; on the west by the west side of the River Halswell.

13. THE LINCOLN (formerly East Lincoln) DISTRICT comprises that portion of the Province bounded on the north by the Central Heathcote and West Avon districts and the south side of the Great South Road; on the east by the South Heathcote district and the west bank of the River Halswell; on the south by the north bank of the Halswell, and the north side of the road from the thirteen-mile bridge to trig.-pole L 1, and the north side of the Lincoln and Coal Tramway Road to its junction with the Weeden and Springs Road, and the east side of the Weeden and Springs Road to its junction with the Great South Road.

14. THE SPRINGS (formerly West Lincoln) DISTRICT comprises that portion of the Province bounded on the north by the East Lincoln district and the south side of the Great South Road; on the east by the west bank of the river Halswell, on the south by the edge of Lake Ellesmere and the north bank of the River Selwyn.

14. THE PORT VICTORIA DISTRICT comprises that portion of the Province bounded on the east by the north-east boundary of the Native Reserve at Raupaki a straight line from the south-east corner of the said Native Reserve across the Harbour to the Church Gully in Church Bay the Church Gully to the Mount Herbert Peak Road the west side of the Mount Herbert Peak Road to a point where it is intersected by a straight line from Mount Herbert Peak to the Head of Little River on the South by a straight line from Mount Herbert Peak to Mount Herbert a straight line from Mount Herbert through L 1 to the ridge of the Port Hills and on the West by the ridge of the Port Hills.

15. THE PORT LEVY DISTRICT comprises that portion of the Province bounded on the north by the sea, on the east by a line bearing S 8 degrees 30 E. (magnetic) drawn from a point half way between the east head of Port Levy and the west head of Pigeon Bay to the south side of the Purau and Akaroa Road on the south by the south side of the Purau and Akaroa Road and the Mount Herbert Peak Road and on the west by the Port Victoria District.

16. THE PIGEON BAY DISTRICT comprises that portion of the Province bounded on the north by the sea on the east by the ridge of the Spur between Decantur Bay and Little Akaroa to a point where it meets the highest ridge of the hills on the South by the highest ridge of the hills and the Akaroa and Purau Road and on the West by the Port Levy District.

THE OKAINS BAY DISTRICT comprises that portion of the Province bounded on the north and east by the sea on the south by the highest ridge of the hills and the spur leading to Putakolo Head and on the west by the Pigeon Bay District.

17. THE TOWN OF AKAROA AND WAINUI DISTRICT comprises that portion of the Province bounded on the north by the highest ridge of the hills and the spur leading to Putakolo Head; on the east and south by the sea; on the west by the Port Levy and Little River districts.

20. THE LITTLE RIVER DISTRICT comprises that portion of the Province bounded on the north by the East Lincoln, the South Heathcote, and Port Victoria districts; on the east by the Port Levy and Wainui districts; on the south by the sea; on the west by the east shore of Lake Ellesmere and the West Lincoln district. [incorrect. old board names.]

21. THE COURTENAY (formerly East Rakaia) DISTRICT comprises that portion of the Province bounded on the north by the south bank of the Waimakariri; on the east by the West Avon, East Lincoln and West Lincoln districts; on the south by the Selwyn and the Hororata branch of the Selwyn to the east boundary of Run No. 37; on the west by the east boundary of Run No. 37 to the south bank of the Wakaepa branch of the Selwyn, thence south-easterly along the south bank of the Wakaepa, to a point opposite to and in a line with the east boundary of Run No. 41, thence north-easterly by the boundary of Run No. 41 to the south bank of the Waimakariri.

22. THE ELLESMERE (South Rakaia) DISTRICT comprises that portion of the Province bounded on the north by the Springs District on the east by Lake Ellesmere; on the south by the sea and north bank of the Rakaia; on the west by the west side of the Great South Road.

23. THE MALVERN (formerly North Rakaia) DISTRICT comprises that portion of the Province bounded on the north and east by the south bank of the Waimakariri and the Courtenay District; on the south by the Wakaepa branch of the Selwyn to its junction with a creek running from the Thirteen-mile Bush; thence north-westerly in a straight line to the southernmost point of Lake Lyndon; thence in a straight line to the southernmost point of the Black Range, thence following the summit of the range to the head waters of the Waimakariri.

24. THE RAKAIA (formerly West Rakaia) DISTRICT comprises that portion of the Province bounded on the north by the Oxford, North and East Rakaia districts; on the east by the South Rakaia district; on the south by the north bank of the Rakaia to its south-westernmost source, thence by a straight line due west true to the West Coast, and on the west by the sea.

25. THE ASHBURTON DISTRICT comprises that portion of the Province bounded on the north by the Ellesmere and Rakaia Districts, on the east by the sea, on the south by the north bank of the Rangitata to the source of its north-west branch, and a true west line thence to the West Coast; on the west by the sea.

26. THE GERALDINE DISTRICT comprises that portion of the Province bounded on the north by the Ashburton district; on the east by the sea, on the south by the south bank of the Opihi to its source near Burke's Pass, and a straight line thence to the summit of Burke's Pass; on the west by the ridge of the hills dividing the waters of the Opihi and Rangitata from the waters of the Tekapo.

27. THE TOWN OF TIMARU comprises that portion of the Province bounded on the north and east by the sea; on the south by the north boundary of section No. 1702, the north side of a road lying to the north of section No. 2367, the Cemetery Reserve No. 1706, and the north boundaries of sections Nos. 1606 and 1607; on the west by the east boundary of section No. 1606, the east and north boundary of section No. 707, the east boundary of section No. 1652, till it meets Whale's Creek to the sea.

28. THE LEVELS DISTRICT comprises that portion of the Province not included in the Town of Timaru hereinbefore described and bounded on the north by the Geraldine District on the East by the sea on the South by the north bank of the Pareora on the west by Section No. 6192 on the south bank of the River Opihi following the watercourse therefrom to the east bank of the River Tengawai the east bank of the River Tengawai to a point opposite Section No. 5209 crossing the river and following down a small stream to the River Pareora.

29. THE WAIMATE DISTRICT comprises that portion of the Province bounded on the north by the Levels District the south bank of the Pareora to its westernmost source an east and west line from thence to the Hekateramea on the east by the sea on the south by the Province of Otago on the west by the east bank of the Hekataramea.

30. THE MOUNT COOK DISTRICT comprises that portion of the Province bounded on the north by the Ashburton district; on the east by the Ashburton, Geraldine, and Levels Districts; on the south by the Waimate District and the Province of Otago; and on the west by the sea.

Schedule B.

To the Chairman of the Road Board.

I hereby give notice that I object to the following portion of the List of Ratepayers for the District now deposited for inspection [here state place where Roll is deposited for inspection and the part objected to] that the following are the grounds of my objection [here state the grounds of objection] and that I shall appear in support of such objection at the Meeting of the Revising Commissioners to be held for the revision of such Roll.

Signature of Objector
Description
Address

Schedule C.

Notice of Assessment.

District of .

Notice is hereby given that at a meeting of the Board of the said district, duly held on the day of at it was resolved to adopt a rate of in the Pound upon the assessment of the said District, and all persons whose names appear in the assessment for such District for the current year are hereby required, within fourteen days after the publication thereof, to pay the amount of such rate, according to the sum at which they appear to be assessed in such assessment to at his residence, at the said being duly authorised to receive such rates.

Dated
(Signed) Chairman

Schedule D.

For every horse, ass, or mule
For every beast carrying a burden
For all horned or neat cattle, per head
For every wheeled vehicle drawn by one horse
or other being duly authorised to receive such rates
... ..

For every additional horse or beast drawing such vehicle
... ..

For every sheep, lamb, goat, or pig, in one drove, not exceeding 100
... ..

For every additional sheep, lamb, goat, or pig ...
Sixpence.

Sixpence.

Fourpence.

One Shilling.

Sixpence.

One Penny.

Halfpenny.

Passed by the Provincial Council on 17th September 1863, and reserved for the assent of the Governor, who assented. This was notified in NZG, No 66, 23rd December, 1863, 555p.