

Session XXIV 1865 (November 1865 to January 1866)

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1. The Timaru Landing Service Ordinance 1865.

Analysis.

Preamble.

1. Rates and Tolls may be levied.
2. Such Rates and Tolls may be leased.
3. Title.

Whereas by Crown Grant bearing date the Thirteenth day of December in the year of our Lord One thousand eight hundred and sixty-four all that parcel of land in the Province of Canterbury in the Colony of New Zealand situate at Timaru bounded on the north by Whale's Creek on the south by the continuation of the north side of North-street in the Government township produced to low water mark on the east and north-east by low water mark and on the west and south west by the eastern and north-eastern boundary of Rhodes' Township between the before-mentioned Whale's Creek and the said continuation of the northern side of the North-street of the Government township aforesaid as the same is delineated in the plan drawn on the margin of the said Crown Grant with all the rights and appurtenances thereto belonging was granted unto the Superintendent of the Province of Canterbury and his successors in trust for the landing service at the Port of Timaru and for other public purposes and whereas it is expedient to make provision for the levying of tolls and rates in respect of goods landed on the said parcel of land and for the management thereof.

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

1. Rates and Tolls may be levied.

It shall be lawful for the Superintendent for the time being of the Province of Canterbury to charge and recover Rates and Tolls on all goods and effects

landed upon the said parcel of land at such rates as may from time to time be appointed by the said Superintendent by and with the advice and consent of the Executive Council.

2. Such Rates and Tolls may be leased.

It shall be lawful for the Superintendent for the time being of the said Province by and with the advice and consent of his Executive Council from time to time to demise and lease to farm the Tolls and Rates payable under the provisions of this Ordinance for any term not exceeding three years upon such terms and conditions as to the said Superintendent by and with such advice as aforesaid may seem proper and it shall be lawful for the lessee or lessees for the time being of the said Tolls and Rates in his or their own name or names to charge and recover the Tolls and Rates payable as aforesaid.

3. Title.

The short title of this Ordinance shall be "The Timaru Landing Service Ordinance 1865."

Notes.

Passed by the Provincial Council 28th November 1865, assented by Superintendent on behalf of Governor on 5th December 1865.

2. The Stage Carriages Ordinance Amendment Ordinance 1865.

Analysis.

Preamble.

1. Repealing Clause.

2. Payment to be made for License.

3. This Ordinance to be deemed as part of "The Stage Carriages Ordinance 1863."

4. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury entitled "The Stage Carriages Ordinance 1863" And whereas it is expedient that the said Ordinance should be amended:

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

1. Repealing Clause.

The third section of the said Ordinance is hereby repealed.

2. Payment to be made for License.

Every Officer by whom any Licenses shall be granted under the authority of the said Ordinance shall forthwith transmit every such License to the Provincial Treasurer for the time being of the Province of Canterbury and shall also forthwith notify to every person to whom any such License shall have been granted that such License is ready to be issued and the said Provincial Treasurer shall issue the License to the Licensee upon his application for the same and upon payment of the sum of Five Shillings.

3. This Ordinance to be deemed as part of "The Stage Carriages Ordinance 1863."

This Ordinance shall be read and construed as a part of "The Stage Carriages Ordinance, 1863."

4. Title.

This Ordinance shall be entitled and may be cited as "The Stage Carriages Ordinance Amendment Ordinance, 1865."

Notes.

Passed by the Provincial Council 30th November 1865, assented by Superintendent on behalf of Governor on 5th December 1865.

3. The Lyttelton Cemetery Reserve Ordinance 1865.

Analysis.

Preamble.

1. Land described in Schedule B declared a Highway.

2. Title.

Whereas by Crown Grant bearing date the Twentieth day of September in the year of our Lord One thousand eight hundred and fifty-five the parcel of land described in the schedule A to this Ordinance and all the rights and appurtenances to the same belonging was granted unto James Edward FitzGerald Esquire the Superintendent of the Province of Canterbury and his successors in office upon the several trusts for the public service of the said Province following that is to say upon trust for a Cemetery or Burial Ground for members of the Church of England of the Town and District of Lyttelton and whereas by the "Public Reserves Act 1854" under and by virtue of which the aforesaid Grant was made it is enacted that the specific purposes for which any lands granted under the said Act within any Province should be held might be changed and the same lands might be appropriated to other and different

purposes of public utility for the public service of such Province and whereas it is desirable to change the purpose for which a portion of the aforesaid land is held as hereinafter mentioned.

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

1. Land described in Schedule B declared a Highway.

The land described in Schedule B hereto shall hereafter be held by the Superintendent of the said Province and his successors for the purposes of a public highway and it shall be lawful for the Superintendent for the time being of the said Province by deed under his hand and seal with the public seal of the said Province to dedicate the said land to the public for the purposes of a public highway.

2. Title.

This Ordinance shall be entitled and may be cited as "The Lyttelton Cemetery Reserve Ordinance, 1865.

Schedule A.

All that piece or parcel of land consisting of two acres or thereabouts satute measure be the same more or less situate in Dampier's Bay in and fronting to the extent of five chains upon Brittan Terrace in the Town of Lyttelton within the said Province between the town sections numbered 216 and 222 on the Map or Plan of the Chief Surveyor of the said Province of Canterbury setting out and describing the said Town of Lyttelton and extending back in a westerly direction in a rectangular block four chain.

Schedule B.

All that parcel of land within the Cemetery Reserve Lyttelton bounded as follows:—Commencing at the easternmost corner of the Cemetery Reserve No. 67 in the red following along Britan Terrace a distance of 500 links and extending back at right angles north-westerly having a depth of 170 links on the south-west and 50 links on the north-east boundaries respectively being bounded on the north-west by a straight line.

4. The German Bay Road Diversion Ordinance 1865.

Analysis.

Preamble.

1. Superintendent to lay out and construct Road through private property.
2. Power given to persons interested to sell and convey such Land.
3. Compensation to be determined by Arbitration.
4. Title.

Schedule.

Whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury, entitled "The Diversion of Roads Ordinance, Session XI., No. 3," it is ordained that except as therein otherwise provided, no new line of Road shall be laid out or constructed passing over any private lands except under the authority of a Special Ordinance of the said Superintendent and Provincial Council. And whereas it is expedient that a public road should be laid out and constructed over certain private Land hereinafter specified:

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

1. Superintendent to lay out and construct Road through private property. It shall be lawful for the Superintendent for the time being of the said Province to take all steps necessary for the laying out and construction of a road through private land according to the description and along the line set forth in the Schedule to this Ordinance and in the Plan hereto annexed, and thereon coloured red and to enter upon, and cause to be entered upon all lands within the said Province for the purpose of making such surveys as may be necessary and to take possession of all the lands required for the use of the said road along the line so set forth and described. Such road when so laid out and constructed shall be a Public Road to all intents and purposes.

2. Power given to persons interested to sell and convey such Land. It shall be lawful for all guardians tenants for life married women seized in their own right or entitled to dower and trustees being seized possessed of or entitled to the said Lands hereby authorized to be taken or any estate or interest therein to sell and convey or release the same to the said Superintendent and to enter into all necessary agreements for that purpose and the power so to sell and convey or release as aforesaid may lawfully be exercised by all such parties not only on behalf of themselves and their respective heirs executors or administrators but as to such guardians on behalf of their wards and as to such trustees on behalf of their cestui que trusts respectively could have exercised the same powers as if they had respectively been under no disability.

3. Compensation to be determined by Arbitration. The purchase money or compensation to be paid for any of the said Lands to be taken from any party under any disability or incapacity and not having power to sell or convey such Land except under the provisions of this Ordinance shall be

ascertained and determined by arbitration in the manner prescribed by the "Lands Clauses Consolidation Act 1863" and all such purchase money and compensation shall be deal with in the same manner and be subject to the same provisions as are enacted by the said Act respecting the purchase money or compensation (exceeding the sum of Two Hundred Pounds) payable in respect of any Lands or interests therein to any trustee guardian or persons having a qualified interest in any such Lands all costs and expenses of any arbitration and incident thereto and of all conveyances and of deducing evidencing and verifying the tile to the said Land hereby authorized to be taken and all other reasonable expenses incident to the investigation education or verification of the title to such Lands hall be borne by the said Superintendent.

4. Title.

This Ordinance shall be entitled, and may be cited as "The German Bay Road Diversion Ordinance, 1865."

Schedule.

Locality.	Contents.
German Bay Akaroa	1 Acre, 3 Roods, 8 Perches.

Notes.

Passed by the Provincial Council 30th December 1865, assented by Superintendent on behalf of the Governor on 9th January 1866.

5. The Education Ordinance Amendment Ordinance 1865.

Analysis.

Preamble.

1. Lawful for Superintendent to alter Boundaries of Educational Districts.
2. School Committee may be appointed for District proclaimed under 35th section of Education Ordinance.
3. Ordinance to be read as part of "Education Ordinance, 1864."
4. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury in the Twenty-second Session of the said Council entitled "The Education Ordinance 1864" and whereas it is expedient to amend the same:

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

1. Lawful for Superintendent to alter Boundaries of Educational Districts.

It shall be lawful for the Superintendent of the Province of Canterbury for the time being from time to time to change and alter the boundaries of any and every Educational District proclaimed under the authority of the said recited Ordinance.

2. School Committee may be appointed for District proclaimed under 35th section of Education Ordinance.

It shall be lawful for the owners and occupiers of land and householders in every district proclaimed by the said Superintendent under the authority of the Thirty-fifth section of the said recited Ordinance at a meeting convened by the Chairman for the time being of the Board of Education by public advertisement to elect as District School Committee and every such Committee shall be under and subject to the same provisions and have the same powers as a District School Committee elected under the third clause of the said Ordinance.

3. Ordinance to be read as part of "Education Ordinance, 1864."

The Ordinance shall be read and construed as a part of "The Education Ordinance 1864."

4. Title.

This Ordinance shall be entitled and may be cited as "The Education Ordinance Amendment Ordinance 1865."

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 20th December 1865, and assented to by the Superintendent on the 21st December.

6. The Canterbury Association Debentures Fund Ordinance 1865.

Analysis.

Preamble.

1. Surplus Moneys to be part of Ordinary Revenue.

2. Title.

Whereas by an Ordinance passed by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof in the

Fourth Session of the said Council entitled "The Canterbury Association's Ordinance Session IV. No. 6" it is enacted that from and after the execution of certain deeds therein mentioned all the property whether real or personal then vested in or belonging to the Canterbury Association or claimed by the said Association as vested in or belonging to them (excepting only certain property therein specially exempted) should be taken and deemed to be duly conveyed and transferred to and vested in the Superintendent of the said Province and his successors. And whereas it was also thereby enacted that it should be lawful for the Superintendent of the said Province to issue debentures charging the Public Revenues of the said Province in satisfaction of all claims of the said Association or of any other person or persons whomsoever in respect of a certain debt incurred by the said Association and out of the proceeds of any personal property then belonging to the said Association which might be converted into money to pay off a proportionate part of the said debentures and interest. And whereas the said Debentures were made a first charge on all the General Revenues of the said Province of what kind soever. And whereas it was thereby declared that all the property to be conveyed under the authority of the said Ordinance should be held by the Superintendent in trust for the public uses of the said Province upon the terms and conditions set forth in the Act of the General Assembly entitled the "Public Reserves Act 1854" and should be managed and disposed of according to the provisions of the said Act and whereas by a certain other Ordinance passed in the Fifth Session of the said Council the Superintendent was empowered to sell or lease with a covenant for the purchase of the demised premises certain buildings lands tenements and hereditaments part of the property of the said Association and it was thereby enacted that the proceeds of all sales and rents payable under the authority of the said Ordinance should be paid to the Provincial Treasurer and should by him be placed to the credit of a separate fund to be called "The Canterbury Association's Debentures Fund" and that the proceeds of the said rents should be applied after payment of expenses in discharging the interest on the same Debentures and to no other purpose whatsoever and the proceeds of the sales of the said property should after payment of expenses be applied in discharging the principal of the said Debentures and to no other purpose whatsoever. And whereas all principal and interest of and upon the said Debentures have been fully paid and satisfied and there is a balance to the credit of the Canterbury Association's Debentures Fund aforesaid and it is expedient to make provision for the disposal thereof:

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

1. Surplus Moneys to be part of Ordinary Revenue.

All moneys to the credit of the said fund after the full payment of all principal and interest now or that may hereafter become and be due upon or in respect of the said Debentures shall become and be applied as part of the Ordinary Revenue of the said Province.

2. Title.

This Ordinance shall be entitled and may be cited as "The Canterbury Associations's Debentures Fund Ordinance, 1866.

7. The Volunteers Service Ordinance Amendment Ordinance 1865.

Analysis.

Preamble.

1. Repealing Clause.

2. Money to be paid to Commanding Officer under certain conditions.

3. Ordinance to be read as part of "Volunteer Service Ordinance 1864."

4. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury, entitled "The Volunteer Service Ordinance 1864" And whereas it is expedient that the said Ordinance should be amended:

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

1. Repealing Clause.

That the Third Section of the said Ordinance shall be and the same is hereby repealed.

2. Money to be paid to Commanding Officer under certain conditions.

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 such Commanding Officer in that behalf a sum of money at the rate of Seven Shillings and Sixpence for each man included in every return mentioned in the second section of the said recited Ordinance for the immediately preceding quarter and the receipt of the 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.

3. Ordinance to be read as part of "Volunteer Service Ordinance 1864."

This Ordinance shall be deemed and considered as part of "The Volunteer Service Ordinance 1864."

4. Title.

This Ordinance shall be entitled and may be cited as "The Volunteer Service Ordinance Amendment Ordinance 1866."

8. The Diversion of Roads Ordinance 1865.

Analysis.

Preamble.

1. Roads as described in Schedule to be disposed of according to recited Ordinance.
2. 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 divert or stop up any river, stream, or creek in such Province, and to build bridges, dams, wharves, and other erections on the banks or in the beds of any such river, stream, or creek, 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, or the bed of any river, stream, or creek so diverted or stopped up: And whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entitled "The Diversion of Roads Ordinance Session XI. No. 3" it is ordained that excepting as therein otherwise provided no public road shall be closed up or diverted except under the authority of a Special Ordinance of the said Superintendent and Provincial Council And whereas it is expedient that certain public roads or parts thereof should be closed up or diverted.

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

1. Roads as described in Schedule to be disposed of according to recited Ordinance.

It shall be lawful for the Superintendent of the said Province by Proclamation in the Provincial Government Gazette to stop up the public roads and parts of public roads described in the Schedule to this Ordinance and in the Plan hereto annexed and therein colored green and the parcels of land over which the said road and parts of public roads were laid out or passed shall be disposed of in the manner directed in the said recited Ordinance.

2. Title.

This Ordinance shall be entitled, and may be cited as "The Diversion of Roads Ordinance, 1866."

Schedule of Roads and Reserves to be Abandoned.

Notes.

Passed by the Provincial Council 20th August 1863, assented by Superintendent on behalf of the Governor on 4th September 1863. Sam Bealey, Charles Bowen, Henry Bacon Quin.

9. The Peacock Jetty Extension Ordinance 1865.

Analysis.

Preamble.

1. Superintendent may lease land described in Schedule to J.J. Peacock on conditions.
2. Power to resume possession of land so leased.
3. This Lease not to be entitled to Compensation.
4. This Ordinance to be read as part of "Peacock Wharf Ordinance, Sess. VIII. No. 9."

Whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entitled "The Peacock Wharf Ordinance Session VIII. No. 9" it is enacted that it should be lawful for the Superintendent with the advice and consent of the Executive Council at any time from and after the coming into operation of the said Ordinance to demise to John Jenkins Peacock of Sydney in New South Wales Merchant his Executors Administrators and Assigns a parcel of land being part of the demesne lands of the Crown within the said Province and described in the Schedule A to the said Ordinance for the purpose of erecting wharves and jetties thereon subject to certain conditions in the said Ordinance set forth and whereas the said John Jenkins Peacock is desirous of obtaining a lease of the parcel of land in the Schedule to this Ordinance particularly described for the extension of the jetty erected on the parcel of land described in the Schedule A to the said recited Ordinance And whereas by Crown Grant bearing date the Thirtieth Day of December One thousand eight hundred and sixty-four all that parcel of land in the Province of Canterbury in the Colony of New Zealand situate in and fronting upon Erskine Bay in the Harbour

of the Port of Lyttelton contained by admeasurement Three (3) acres Two (2) roods and Thirty-five (35) perches more or less bounded on the north by Sections 313 and 314 in the Town of Lyttelton Two hundred and eighty-three (283) links on the east by a line in continuation of the west side of Dublin Street in the town of Lyttelton aforesaid six hundred and thirty five (635) links on the west by a line drawn from the south-west corner of Section 313 to the nearest point of the base of the cliffs and by the base of the cliffs to a point being Twenty (20) feet west of the intersection of the continuation of the northwestern boundary of the before-mentioned section 313 with the base of the cliffs before-mentioned thence by a line parallel to and Twenty (20) feet distant from the continuation before-mentioned Five hundred (500) links and on the south by a curved line connecting the southern extremity of the last-mentioned line with the southern extremity of the before-mentioned eastern boundary of the land thereby granted as the same is delineated in the plan drawn on the margin of the said Crown Grant with the rights and appurtenances thereto belonging was granted unto the Superintendent of the Province of Canterbury and his Successors in trust for the improvement of the Harbour of Port Lyttelton and other purposes of public utility An whereas it is expedient that a power to grant Leases of the said parcel of land should be granted to His Honor the Superintendent of Canterbury subject to the conditions hereinafter contained:

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

1. Superintendent may lease land described in Schedule to J.J. Peacock on conditions.

It shall be lawful for the Superintendent for the time being with the advice and consent of the Executive Council at any time after the coming into operation of this Ordinance to demise unto the said John Jenkins Peacock his Executors Administrators and Assigns by any deed or deeds to be made by and in the name of such Superintendent and executed under the public seal of the said Province the parcel of land in the Schedule to this Ordinance particularly described or any part or parts thereof for any term not exceeding forty-eight years in possession at a nominal rent and upon such terms and conditions and subject to such covenants on the Lessee's part as the said Superintendent shall think fit.

2. Power to resume possession of land so leased.

If at any time during the said term the premises specified in the Schedule to this Ordinance or any part thereof shall be require for any purpose of public utility it shall be lawful for the Superintendent for the time being with the advice and consent of the Executive Council to resume his possession of the said parcel of land upon giving to the said John Jenkins Peacock his Executors Administrators or Assigns or leaving at his or their last or usual place of abode in New Zealand six calendar months' previous notice in writing of the intention to resume possession.

3. This Lease not to be entitled to Compensation.

In the event of the said parcel of land or any part thereof being resumed as aforesaid the said John Jenkins Peacock his Executors Administrators or Assigns shall not be entitled to any compensation whatsoever by reason thereof Provided always that no such resumption shall take place until the said John Jenkins Peacock his Executors Administrators or Assigns shall have been tendered or have received compensation for the land demised to him by an Ordinance entitled "The Peacock Wharf Ordinance Session VIII. No. 9."

4. This Ordinance to be read as part of "Peacock Wharf Ordinance, Sess. VIII. No. 9."

Except as aforesaid, this Ordinance shall be interpreted as and considered a part of "The Peacock Wharf Ordinance Session VIII. No. 9."

5. Title.

This Ordinance shall be entitled and may be cited as "The Peacock Jetty Extension Ordinance, 1866.

Schedule.

All that piece or parcel of land, commencing at the south-eastern corner of the parcel of land escribed in the Schedule A to the "Peacock Wharf Ordinance, Session VIII. No. 9," thence extending southerly in continuation of the eastern boundary of the said parcel of land 200 feet or thereabout; thence south-westerly in a parallel line with and distant 200 feet from the boundary of the said first mentioned parcel of land to a line 20 feet beyond the continuation of the western boundary thereof; thence along the base of the cliffs and along the western and southern boundaries of the said first mentioned parcel of land to the commencing point, as the same is more particularly delineated in the plan hereunto annexed.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 12th of January 1866, and assented to by the Superintendent on the 25th of January.

10. The Railway and Harbour Works Ordinance Amendment Ordinance 1865.

Analysis.

Preamble.

1. Provincial Treasurer to refund to Ordinary or Territorial Revenue.
2. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury entitled "The Railway and Harbour Works Ordinance 1864" And whereas it is desirable to amend the said Ordinance.

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

1. Provincial Treasurer to refund to Ordinary or Territorial Revenue.
It shall be lawful for he Provincial Treasurer to pay out of the said Railway and Harbour Works Fund to the credit of the Ordinary or Territorial Revenue of he Province any Sum or Sums of Money which have already been or may hereafter be advanced out of such Ordinary or Territorial Revenue towards the construction of Railways and Harbour Works.

2. Title.

This Ordinance shall be entitled and may be cited as "The Railway and Harbour Works Ordinance Amendment Ordinance 1866."

11. The Gibson's Quay Ordinance 1865.

Analysis.

Preamble.

1. Rates may be charge for the use of Wharf.
2. Superintendent may lease to farm such Rates by public tender.
3. Bond to be entered into upon tender accepted.
4. Private offer may be accepted in case of no public tender.
5. Officer may be appointed to collect Rates.
6. Passengers not to be subject to charge.
7. Title.

Whereas by Crown Grant bearing date the Sixth day of November in the year of our Lord One thousand eight hundred and sixty-five all that parcel of land situate

in the Town of Hokitika in the Province of Canterbury in the Colony of New Zealand containing by admeasurement twelve acres three roods more or less and known as "Gibson's Quay" being bounded on the south by the Hokitika River on the east by a line in continuation of the western side of Jollie-street on the west by the western side of Wharf-street on the north by a line being parallel to and two chains distant from the first-described boundary and numbered 434 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the Town of Hokitika aforesaid as the same is delineated on the plan drawn in the margin of the said Crown Grant with all the rights and appurtenances thereto belonging was granted unto the Superintendent of the Province of Canterbury and his successors in trust And whereas it is expedient to make rovision for the levying of Tolls and Wharfage Rates in respect of the use of the said land and for the management thereof.

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

1. Rates may be charge for the use of Wharf.

It shall be lawful for the Superintendent of he Province of Canterbury or for the lessee or lessees for the time being of the said land to charge and recover Wharfage Rates a the rates set forth in the Schedule to this Ordinance on all goods merchandise and effects landed upon the same land and also a Tonnage Rate of One Penny per ton per diem on all vessels loading unloading or refitting at such lands or any wharf erected thereon.

2. Superintendent may lease to farm such Rates by public tender.

It shall be lawful for he Superintendent of the Province of Canterbury for the time being from time to time to emise and lease to farm by public ender the Wharfage and Tonnage Rates payable under the provisions of this Ordinance from year to year and for that purpose to advertise and give public notice of the time of letting the same and the conditions thereof and any person or persons making the highest tender (if he or they enter into and give bonds with sureties hereinafter in that behalf mentioned) shall be declared to be the lessee or lessees of the said Rates respectively for the term specified in such notice and conditions of the auction and if the person or persons who shall make the highest tender shall neglect or refuse forthwith to enter into such bond with sureties in manner hereinafter mentioned the said Rates shall be again immediately put up to public tender and shall in like manner be put up again in case of any default until a bidder shall be found who will enter into the bond with the sureies required.

3. Bond to be entered into upon tender accepted.

Immediately after the acceptance of any tener for the said Rates as hereinbefore mentioned the person or persons whose tender shall have been accepted shall immediately or so soon as may be enter into a bond with two sufficient sureties to be approved of by the said Superintendent in a penal sum of double the amount of rent which such highest enerer shall have bid or offered for the same

conditioned for the payment of the rent as the same shall become due and payable according to the terms and conditions of the tender for the same and for the observance and performance of all laws ordinances rules and regulations which now are or shall or may during the term of such lease or demise be in force respecting the said Rates which shall have been so bid or tendered for by him or them and respecting the land or wharves at which the same shall be payable.

4. Private offer may be accepted in case of no public tender.

In case the said Rates shall not be let by public tender it shall be lawful for the Superintendent for the time being to accept a private tender or offer for the same under such terms and conditions and in such manner as he shall or may think fit and upon the acceptance of any such private tender as aforesaid and upon the person or persons making the same duly entering into the like bond with sureties as hereinbefore directed it shall and may be lawful for the said Superintendent to lease to farm and demise from year to year the said Rates to the person or persons whose tender in such case shall have been accepted.

5. Officer may be appointed to collect Rates.

In case the said Superintendent for the time being shall deem it more advantageous to the revenue of the said Province that the said Rates so to be collected under this Ordinance should be collected and received by Collectors and other persons to be appointed by him it shall and may be lawful for the Superintendent for the time being to nominate or appoint a Collector or Collectors or other Officers necessary to collect the Rates so leviable at the said land and every such Collector or other Officer so appointed shall have all the powers and remedies as to the collection and recovery of the said Rates and shall be under and subject to such rules and regulations as may for the time being be in force respecting the said land and public wharves Provided however that every such Collector or other Officer so appointed shall before he shall enter into the receipt and collection of such Rates enter into a bond or bonds with sureties for the due and faithful discharge of his duties and for the payment of the said Rates and the performance of such other terms and conditions as the Superintendent for the time being may think necessary to require.

6. Passengers not to be subject to charge.

Provided always and be it enacted that nothing in this Ordinance contained shall be deemed or construed to prevent the use of the said land or any wharf erected thereupon as a public thoroughfare or the landing or embarkation of passengers and other persons at the same free of any charge whatsoever.

7. Title.

This Ordinance shall be entitled and may be cited as "The Gibson's Quay Ordinance, 1866.

Schedule.

Heavy goods as flour sugar coals
and all other articles considered as
dead weight per ton One Shilling and Threepence.
Grain of all kinds per bag Twopence
Bricks and slates per 1000 Two Shillings and Sixpence.
General Drapery hosiery goods
haberdashery millinery and boots
and shoes per package Ninepence
Bags bagging and woolpacks
per bale Ninepence
Timber per 100 feet superficial Twopence
Furniture per package One Shilling
Carts and Carriages each Two Shillings and Sixpence
Horses and horned Cattle per head ... One Shilling and Sixpence
Sheep and pigs per head Twopence
All unenumerated goods
per package Twopence

12. The Akaroa Wharf Ordinance 1865.

Analysis.

Preamble.

1. Rates may be charged for use of wharf and land.
2. Superintendent may let land described in Schedule I.
3. Superintendent may let land described in Schedule II.
4. Passengers not to be subject to charge.
5. Title.

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

1. Rates may be charged for use of wharf and land.

It shall be lawful for the Superintendent of the said Province to charge and recover Wharf Rates and Tolls on all goods and effects that may be landed upon and over the parcel of land described in the first schedule hereto at such rates as are specified and set forth in the third schedule hereto and also a tonnage rate on all vessels loading unloading or refitting at any wharf erected upon the said parcel of land.

2. Superintendent may let land described in Schedule I.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council from time to time to let and demise the said land described in the said first schedule hereto with the rights and appurtenances and the Tolls and Rates chargeable and recoverable under the provisions of this Ordinance for any term not exceeding Fourteen Years and upon such conditions as the Superintendent with such advice as aforesaid may think fit and it shall be lawful for the lessee or lessees of the said land tolls and rates in his or their own name or names to charge and recover the said Wharfage and Tonnage Tolls and Rates payable as aforesaid.

3. Superintendent may let land described in Schedule II.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council from time to time to let the parcel of land described in the second schedule to this Ordinance with the rights and appurtenances for the erection and maintenance of a building for the reception warehousing and storing of goods chattels and effects for any term not exceeding Fourteen Years and upon such conditions as the Superintendent with such advice as aforesaid may think fit.

4. Passengers not to be subject to charge.

Provided always and be it enacted that nothing in this Ordinance contained shall be deemed or construed to prevent the use of the said land as a public thoroughfare or the landing or embarkation of passengers and other persons at the same free of any charge whatsoever.

5. Title.

This Ordinance shall be entitled and may be cited as "The Akaroa Wharf Ordinance, 1866."

Schedule.

Heavy goods as flour sugar coals and all other articles considered as dead weight per ton	One Shilling and Threepence.
Grain of all kinds per bag	Twopence
Bricks and slattes per 1000	Two Shillings and Sixpence.
General Drapery hosiery goods haberdashery millinery and boots and shoes per package	Ninepence
Bags bagging and woolpacks per bale	Ninepence
Timber per 100 feet superficial	Twopence
Furniture per package	One Shilling
Carts and Carriages each	Two Shillings and Sixpence

Horses and horned Cattle per head ... One Shilling and Sixpence
Sheep and pigs per head Twopence
All unenumerated goods
per package Twopence

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 18th January 1866, and assented to by the Superintendent on 25th January. John Olliver was the Speaker of the Council, Henry Bacon Quin its Clerk in Council, and Samuel Bealey the Superintendent.

13. The Ashley Bridge Ordinance 1865.

Analysis.

Preamble.

1. Lawful for Edward George Wright to erect Bridge and Fence.
2. Tolls may be collected.
3. Such Tolls how to be apportioned.
4. Statement of account of Tolls to be rendered.
5. Case of failure to erect Bridge or to maintain same during term of Ten Years.
6. Interest in Bridge may be purchased at certain rate during first Five Years of said term.
7. Interest in Bridge may be purchased at certain rate during last Five Years of such term.
8. Title.

Whereas it is expedient for the purpose of public traffic that a Bridge shall be erected over the River Ashley in the Province of Canterbury And whereas Edward George Wrih in consideration of certain powers and privileges hereinafter expressed has proposed at his own costt to construct a Bridge over the said River at a part thereof on or about the line of the North Road subject to certain Plans and Specifications to be approved of by the Provincial Engineer of the Province of Canterbury and it is desirable that the said Edward George Wright should be permitted to erect such a Bridge:

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

1. Lawful for Edward George Wright to erect Bridge and Fence.

It shall be lawful for the said Edward George Wright his Executors Administrators and Assigns to erect and maintain a Bridge over the said River at a part thereof on or about the line of the said North Road and for such purpose to occupy such portion of land in the bed of the said River and on either bank thereof as shall be set out and determined by the Provincial Engineer of the said Province as the site of such bridge and to erect or build a fence on or along the banks or sides of the said River for such distance or distances from either side of the said Bridge as may be necessary for the purpose of preventing the evasion of the payment of the Tolls hereinafter authorised to be levied Provided that such bridge shall be constructed in accordance with such plans and specifications as the said Provincial Engineer shall approve, and shall be sufficient for the general purposes of traffic of foot passengers animals and carriages of all descriptions.

2. Tolls may be collected.

Upon the completion of the said Bridge certified in writing by the Provincial Engineer for the time being to the Superintendent for the time being of the Province of Canterbury it shall be lawful for the said Edward George Wright his executors administrators and assigns during a term of ten years from the date of the Certificate of the Provincial Engineer aforesaid to levy from all persons passing over the said Bridge Tolls according to the rates specified in the Schedule to this Ordinance.

3. Such Tolls how to be apportioned.

The Tolls so to be levied as aforesaid shall be appropriated in the first instance in payment of the expenses of the collection thereof next in payment yearly and every year during the said term of Ten years of a yearly sum of £400 sterling to the said Edward George Wright his executors administrators or assigns and that the balance then remaining shall be equally divided amongst and paid to the said Edward George Wright his executors administrators or assigns the Kowai Road Board and the Mandeville and Rangiora Road Board.

4. Statement of account of Tolls to be rendered.

The said Edward George Wright shall render quarterly to the Superintendent of the Province and to the Road Boards aforesaid a statement of accounts of the Tolls collected as aforesaid which statement shall be verified by declaration in writing made before any Justice of the Peace for the Colony.

5. Case of failure to erect Bridge or to maintain same during term of Ten Years.

If the said Edward George Wright his executors administrators or assigns shall fail to obtain a certificate of the completion of the said Bridge within One year after the passing of this Ordinance or shall at any time during the said term of ten years neglect to keep the said Bridge and the approaches thereto in good and sufficient repair or shall neglect or refuse to keep the bridge open for traffic at all times during the said term of ten years it shall be lawful for the Superintendent to

take possession of the said Bridge and to hold the same as though it had been erected by and at the cost and expense of the Province and the said Edward George Wright shall thereupon absolutely forfeit all rights and privileges whatsoever which he may have acquired by virtue of this Ordinance in respect of the said bridge.

6. Interest in Bridge may be purchased at certain rate during first Five Years of said term.

It shall be lawful for the Superintendent for the time being with the consent of his Executive Council or for either of the said Road Boards at any time during the first Five Years of the said term of Ten Years to purchase the privileges by this Ordinance assured to the said Edward George Wright his administrators and assigns and to take possession of the said Bridge upon giving to the said Edward George Wright his executors administrators or assigns One Calendar Month's previous notice in writing of the intention so to do and upon payment to the said Edward George Wright his executors administrators or assigns of the value of his then interest in the said Bridge as hereinafter is mentioned the said Bridge if purchased at any time during the first year of the said term shall be deemed to be of the value of One thousand eight hundred Pounds sterling and if at any time during the second year of the said term of the value of One thousand five hundred and fifty pounds

7. Interest in Bridge may be purchased at certain rate during last Five Years of such term.

It shall be lawful for the Superintendent, with the advice and consent as aforesaid or for either of the said Road Boards at any time during the last Five Years of the said term to take possession of the said Bridge and the Tolls to be levied in respect thereof upon giving to the said Edward George Wright his executors administrators or assigns One Calendar Month's previous notice in writing of the intention so to do and upon payment to the said Edward George Wright his executors administrators or assigns of half the full value of his then interest in the said Bridge such value not exceeding Eight hundred Pounds to be ascertained by award of two Arbitrators one to be named by the Superintendent for the time being or the Road Board desirous of taking possession of the Bridge and the other by the said Edward George Wright his executors administrators or assigns One Calendar Month's previous notice in writing of the intention so to do and upon payment to the said Edward George Wright his executors administrators or assigns of half the full value of his then interest in the said Bridge such value not exceeding Eight hundred Pounds to be ascertained by award of two Arbitrators one to be named by the Superintendent for the time being or the Road Board desirous of taking possession of the Bridge and the other by the said Edward George Wright his executors administrators or assigns or of an Umpire to be appointed under the hands of such Arbitrators previously to their entering on the said arbitration or in the event of the said Edward George Wright his executors administrators or assigns refusing or neglecting for the space of one week after he or they shall have been required by notice in writing so to do to appoint such

Arbitrator then by the award of the Arbitrator appointed by the Superintendent or the said Road Board desirous of taking possession of the Bridge and Tolls.

8. Title.

This Ordinance shall be entitled and may be cited as "The Ashley Bridge Ordinance 1866."

Schedule of Tolls above referred to.

For every Passenger	... ..	Threepence
For every horse, ass, or mule	... ..	Threepence
For every horse, ass, mule, or other beast with pack	... ..	Threepence.
For all horned cattle, driven without packs, per head	... ..	Threepence
For every wheeled vehicle, drawn by one horse or other beast	... ..	One Shilling
For every additional horse or other beast drawing such vehicle	... ..	Threepence
For every sheep, lamb, goat, or pig	... ..	One halfpenny

14. The Provincial Council Extension Ordinance 1865 Not Assented to.

Whereas by an Act of the Imperial Parliament passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty Queen Victoria entitled "An Act to Grant a Representative Constitution to the Colony of New Zealand" it was enacted that it should be lawful for the Governor by proclamation to constitute within each of the Provinces by the said Act established convenient Electoral Districts for the Election of Members for the Provincial Council and of the Superintendent and to appoint and declare the number of Members to be elected for each such District for the Provincial Council and to make provisions for the registration and revision of lists of all persons qualified to vote at the elections to be holden within such districts: And whereas the then Governor of New Zealand did accordingly by a proclamation bearing date the fifth day of March One thousand eight hundred and fifty-three constitute certain Districts for the Election of the Superintendent and Members of the Provincial Council of the Province of Cnterbury and did appoint and declare the number of Members to be elected to serve in the Provincial Council for each of the said several Districts and did further make certain provisions for the registration and revision of the lists of

persons qualified to vote as aforesaid: And whereas by an Ordinance of the Superintendent and Provincial Council of the said Province entitled " The Provincial Council Extension Ordinance Session III. No. 1 " certain provisions of the said proclamation were repealed and certain other provisions enacted in lieu thereof: And whereas by an Ordinance of the Superintendent and Provincial Council entitled "The Provincial Council Extension Ordinance Session VIII. No. 8" the said last recited Ordinance was repealed and certain other provisions were enacted in lieu thereof: And whereas by an Ordinance of the Superintendent and Provincial Council entitled "The Provincial Council Extension Ordinance Session XVII. No. 4" the above recited Ordinances were repealed and certain other provisions were enacted in lieu thereof And whereas it is expedient that the said recited Ordinances should be repealed and that the provisions of the said proclamation should be further amended And whereas by an Act of the General Assembly of New Zealand entitled "The West Coast Gold Fields Provincial Representation Act 1865" it was enacted that two Members should be returned to the Provincial Council of the Province of Canterbury as Representatives of the West Coast Gold Fields and that the said Act should remain in force until provision should have been made by an Ordinance of the Superintendent and Provincial Council of the said Province for the due representation of the West Coast Gold Fields in the said Provincial Council and that from and after the day on which such Ordinance should have received the Governor's Assent the said Act should cease to have any force or effect whatever And whereas it is expedient that such provision should be made and that the said Act should accordingly cease to have any force or effect:

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

1. The said recited Ordinances of the Superintendent and Provincial Council are hereby repealed.
2. The provisions made in the said Proclamation by the Governor of New Zealand under the authority of the said recited Act of the Imperial Parliament in respect to the number and extent of the said Districts the number of Members of the Provincial Council to be elected for each District so far as the said provisions are repugnant to or interfere with the operation of this Ordinance shall be and they are hereby declared to be void and of no effect.
3. The Province of Canterbury for the election for the Superintendent and the Members of the Provincial Council thereof shall be divided into Twenty-eight Districts to be named as follows:
 1. The Waipara District
 2. The Sefton District
 3. The Oxford District
 4. The Rangiora District
 5. The Town of Kaiapoi
 6. The Mandeville District
 7. The City of Christchurch
 8. The Papanui District

9. The Riccarton District
10. The Town of Lyttelton
11. The Heathcote District
12. The Lincoln District
13. The Port Victoria District
14. The Town of Akaroa
15. The Wainui District
16. The Bays District
17. The Rakaia District
18. The Selwyn District
19. The Ashburton District
20. The Geraldine District
21. The Town of Timaru
22. The Waitangi District
23. The Mount Cook District
24. The Waimate District
25. The Seadown District
26. The Town of Hokitika District
27. The Town of Greymouth District
28. The Westland District

And the boundaries of the said Districts shall be those particularly described in the schedule hereunto annexed.

4. The Provincial Council shall consist of Forty-four Members and the number of Members to be elected for each of the said several Districts shall be as follows:

1. The Waipara District one Member
2. The Sefton District two Members
3. The Oxford District one Member
4. The Rangiora District one Member
5. The Town of Kaiapoi one Member
6. The Mandeville District two Members
7. The City of Christchurch three Members
8. The Papanui District two Members
9. The Riccarton District two Members
10. The Town of Lyttelton two Members
11. The Heathcote District three Members
12. The Lincoln District two Members
13. The Port Victoria District one Member
14. The Town of Akaroa one Member
15. The Wainui District one Member
16. The Bays District one Member
17. The Rakaia District two Members
18. The Selwyn District two Members
19. The Ashburton District one Member
20. The Geraldine District two Members

21. The Town of Timaru one Member
22. The Waitangi District one Member
23. The Mount Cook District one Member
24. The Waimate District one Member
25. The Seadown District two Members
26. The Town of Hokitika District two Members
27. The Town of Greymouth District one Member
28. The Westland District two Members

5. Immediately after this Ordinance shall have received the assent of the Governor on behalf of Her Majesty the Registration Officer appointed by the Governor for the Province of Canterbury shall from the Electoral Roll of the House of Representatives for Electoral Districts situated or partly situated within the said Province form Electoral Rolls for the election of the members of the Provincial Council of such Province.

6. In forming such rolls the name of every elector on any roll for the House of Representatives in respect of any tenement or hereditament situated within any Electoral District constituted by this Ordinance shall be placed on the Electoral Roll or Rolls of the Electoral District or Districts constituted by this Ordinance in which the lands or tenements in respect whereof he is so registered are situated.

7. The Electoral Rolls so formed for each District shall be the Electoral Roll to be used for such District until a revised and new Electoral Roll for the same shall be in force according to law.

8. The provisions of this Ordinance relating to the Hokitika Greymouth and Westland Districts shall continue in force until the Thirty-first day of December One thousand eight hundred and sixty-seven and no longer.

9. This Ordinance shall come into operation on the day of the next dissolution of the Provincial Council.

10. This Ordinance shall be entitled and may be cited as "The Provincial Council Extension Ordinance, 1866."

Schedule.

1. The Waipara District
2. The Sefton District
3. The Oxford District
4. The Rangiora District
5. The Town of Kaiapoi
6. The Mandeville District
7. The City of Christchurch
8. The Papanui District
9. The Riccarton District
10. The Town of Lyttelton
11. The Heathcote District
12. The Lincoln District

13. The Port Victoria District
14. The Town of Akaroa
15. The Wainui District
16. The Bays District
17. The Rakaia District
18. The Selwyn District
19. The Ashburton District
20. The Geraldine District
21. The Town of Timaru
22. The Waitangi District
23. The Mount Cook District
24. The Waimate District
25. The Seadown District
26. The Town of Hokitika District
27. The Town of Greymouth District
28. The Westland District

15. The Thistle Ordinance 1865.

Analysis.

Preamble.

1. Repealing Clause.
2. Noxious thistles to be destroyed under penalty.
3. Notice to be served.
4. Inspector may destroy Thistles and recover costs.
5. Costs to be defrayed by Superintendent and how recovered in case of unoccupied land.
6. Inspectors to be appointed and Regulation made and gazetted.
7. Penalty for false report or certificate of Inspector.
8. Superintendent may advance moneys for the destroying of Thistles in case of Crown Lands.
9. Power of Entry to Inspector.
10. Interpretation Clause.
11. Title.

Whereas an Ordinance was passedd by the Superintendent and Provincial Council of the Province of Canterbury entituled "The Thistle Ordinance 1862"
And whereas it is expedient that the said Ordinance should be repealed andd better provisions shouldd be made for preventing the growth and spread of noxious Thistles.

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

1. Repealing Clause.

The said recite Ordinance is hereby repealed.

2. Noxious thistles to be destroyed under penalty.

Every person who shall neglect to eradicate or destroy any noxious Thistles growing upon land in his occupation or owned by him, after three days' notice in writing as hereinafter provided shall on conviction, be liable to be fined any sum not less than Five Shillings nor more than Thirty Shillings for every day that such Thistles shall be permitted to grow such fine or fines to be recovered in a summary way Provided it shall be lawful for the Resident Magistrate or Justices of the Peace by whom such person is convicted to suspend such conviction upon being satisfied that the person convicted has used and is using reasonable exertions to eradicate or destroy such Thistles.

3. Notice to be served.

It shall be lawful for any such person either in his own behalf or appointed by the Superintendent for that person, to serve a notice in the form marked A in the Schedule hereto or to the effect thereof by delivering the same personally or leaving the same at the last known residence of the person occupying or owning the land whereon such Thistles shall be growing.

4. Inspector may destroy Thistles and recover costs.

It shall be lawful for any person either in his own behalf or appointed by the Superintendent for that purpose to serve a notice in the form marked A in the Schedule hereto or to the effect thereof by delivering the same personally or leaving the same at the last known residence of the person occupying or owning the lan whereon such Thistles shall be growing.

5. Costs to be defrayed by Superintendent and how recovered in case of unoccupied land.

In case such Thistles shall be growing upon unoccupied land the ownership of which cannot be discovered or the owner thereof is not resident in the Province it shall be lawful for any Inspector to eradicate and destroy the same and all expenses incurred therein shall be defrayed by the Superintendent out of the Ordinary Revenue of the Province and recoverable by him from the owner of the said unoccupied land when he is discovered and resident in the Colony or from the first occupant of the same.

6. Inspectors to be appointed and Regulation made and gazetted.

It shall be lawful for the Superintendent from time to time to appoint fit persons to be Inspectors of Thistles and from time to time to remove the same and to appoint others in their stead 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 of 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 of the Province of Canterbury.

7. Penalty for false report or certificate of Inspector.

If any Inspector of Thistles appointed under the provisions of this Ordinance shall wilfully make any false report or deliver any false certificate as to the condition of any land examined by him he shall be liable on conviction thereof before any two Justices of the Peace to a Penalty not exceeding Twenty Pounds sterling.

8. Superintendent may advance moneys for the destroying of Thistles in case of Crown Lands.

It shall be lawful for the Superintendent to advance any sums of money out of any appropriation made for such purposes by the Provincial Council towards eradicating or destroying the said Thistles growing upon Waste Lands of the Crown public roads not being occupation roads and lands held for the public uses of the Province.

9. Power of Entry to Inspector.

It shall be lawful for any Inspector of Thistles to enter upon any land for the purpose of ascertaining the existence of such Thistles thereon and eradicating or destroying the same and no person when acting under such authority shall be deemed a trespasser.

10. Interpretation Clause.

That in the construction of this Ordinance the word "Thistle" shall be held to mean and include "Carduus" "Cnicus" "Onopordum" "Arctium" or the plant commonly known as Australian Burdock.

11. Title.

This Ordinance shall be entitled and may be cited as "The Thistle Ordinance, 1862."

Schedule A.

To Mr .

Take Notice that there are certain noxious Thistles growing upon land in the district now in your occupation or owned by you in the district or upon the half of the occupation road adjacent to land (in the district) now in your occupation or owned by you, and that I am prepared to point them out to you, and that unless you eradicate or destroy the same within three days from the serving hereof I shall proceed against you under the provisions of "The Thistle Ordinance, 1866," for the penalty or penalties imposed by the said Ordinance.

Dated this day of 18 .

(Signed) AB.

Schedule B.

Whereas certain noxious Thistles are growing on (rural or town) Section No. in the district, (the owner of which land cannot be ascertained by me after reasonable enquiry, or is not resident in the Province.) This is to give notice that if the said Thistles are not eradicated or destroyed within the time limited by "The Thistle Ordinance, 1866," the said Thistles will be destroyed according to the provisions of the said Ordinance, the expenses thereof to be recoverable from the owner of the said unoccupied land when he is ascertained and resident in the Colony, or from the first occupant of the same.

Dated this day of 18 .

(Signed) AB.

16. The White's Little River Tramway Ordinance 1865.

Analysis.

Preamble.

1. William White authorised to make Tramway.
2. Power to lay Timber, &c.
3. Not to obstruct access from adjoining roads and lands.
4. Time for completion of the works.
5. William White to convey passengers and goods by water between certain points.
6. Material of Tramway to be removed after twelve years (if required.)
7. Superintendent to appoint hours at which trains shall run.
8. Work to be performed and maintained to satisfaction of Provincial Engineer.
9. Charges for conveyance of passengers and goods.
10. Superintendent authorised to take possession on William White failing to comply with conditions.
11. Penalty for damaging Tramway.
12. Lincoln Road toll bar to be purchased by William White.
13. Title.

Whereas by an Act of the General Assembly of New Zealand entitled the "Provincial Councils Powers Extension Act 1863" it is enacted that whenever any Law or Ordinance shall be passed by any Provincial Council for the purpose of authorizing the making or carrying on of some work of utility to the public or to the inhabitants of some particular own village or district such law may so far as may be necessary for the making or carrying on of any such work of utility affect any public street road or highway or the bed of any river stream or creek although the same respectively may be the lands of the Crown anything in the Constitution Act notwithstanding And whereas sometime since one William White proposed to construct and maintain a Tramway leading from Christchurch to Little River in the Province of Canterbury and thereupon certain Resolutions were passed by the Provincial Council of the said Province on the Twenty-seventh day of November One thousand eight hundred and sixty-two authorising or purporting to authorize the construction thereof And whereas the said William White is still willing to make the said Tramway And whereas the said Tramway is a work of utility to the inhabitants of the district through which the same is intended to pass and it is expedient that power should be given to the said William White his executors administrators and assigns to make the said Tramway:

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

1. William White authorised to make Tramway.

It shall be lawful for the said William White his executors administrators and assigns to construct and maintain a Tramway with sideways and byways (so as not to exceed one main Tramway) in the usual manner by digging the soil and levelling the ground and making gutters through over across and along all and singular the public streets roads and highways and the beds of any rivers streams or creeks being lands of the Crown situated in the Ellesmere and Lincoln Districts of the said Province of Canterbury along the line set forth in the first Schedule hereto and thenceforth to use and occupy the same for the leading conveying and carrying with horses carts wains waggons and other carriages all such passengers articles and materials as the said William White his executors administrators or assigns shall from time to time require.

2. Power to lay Timber, &c.

For the purposes aforesaid the said William White his executors administrators and assigns and his and their agents servants and workmen may from time to time and at all times as occasion shall require lead place lay and fix wood timber earth stone gravel rails posts sleepers and other materials in and upon the roads lands and grounds hereinbefore mentioned and use and employ workmen and horses and cut dig and make trenches watergates and watercourses for the purpose of keeping the said Tramway and sideways or byways dry and free from water and do all other things necessary and convenient as well for the making laying and placing of the said Tramway and sideways or byways as for the repairing and

upholding the same or any part thereof when and as often as there shall be occasion Provided that in so doing he and they shall not obstruct or impede unnecessarily the ordinary traffic upon or along such parts of the said roads lands and grounds as are not intended to be permanently used for the purpose of the said Tramway sideways and byways.

3. Not to obstruct access from adjoining roads and lands.

In the making of the said Tramway as aforesaid the said William White his executors administrators and assigns shall make good the access from all public roads and lands adjoining the roads lands and grounds hereinbefore mentioned with all convenient speed so as not to obstruct or impede unnecessarily the access thereto or the ordinary traffic thereon.

4. Time for completion of the works.

That in the construction of the said work time shall in all things be deemed essential and the time for the completion of the several parts thereof shall be as follows:—

1. That part of the said Tramway which leads from Christchurch to the Halswell Quarry shall be completed within six calendar months after this Ordinance shall come into operation.

2. That part of the said Tramway which leads from Price's Long Point on Lake Ellesmere to the terminus at Little River shall be completed within eighteen calendar months after this Ordinance shall come into operation.

3. That part of the said Tramway which leads from where it crosses the Halswell Road between sections 711 and 1593 to the Ahuriri point in the River Halswell shall be completed within two years after this Ordinance shall come into operation.

5. William White to convey passengers and goods by water between certain points.

From the time of the completion of that part of the said Tramway leading from Price's Long Point to Little River as aforesaid the said William White shall provide all necessary means for conveying by water all passengers articles and materials between the said point and the then terminus of the said Tramway

6. Material of Tramway to be removed after twelve years (if required.)

After the expiration of twelve years after this Ordinance shall come into operation the said William White his executors administrators or assigns shall (if required to do so by the Superintendent of this Province) forthwith remove the material of the said Tramway from the roads lands and grounds whereon the same shall have been laid pursuant to the provisions of this Ordinance And during the said term of twelve years no competing line shall be formed by the Provincial Government or conceded to any private individual or Company.

7. Superintendent to appoint hours at which trains shall run.

It shall be lawful for the Superintendent from time to time after the completion of any part of the said Tramway to appoint certain reasonable hours at which at least one train per diem shall run each way for the conveyance of passengers along the said way and to make such regulations in relation thereto as shall be reasonable.

8. Work to be performed and maintained to satisfaction of Provincial Engineer.

The whole of the said work shall be constructed and shall be maintained in good and sufficient repair to the satisfaction of the Provincial Engineer of the said Province who shall be at liberty to enter upon and examine the same.

9. Charges for conveyance of passengers and goods.

The said William White his executors administrators and assigns shall not charge for the carriage of passengers and goods upon the said tramway or by the said water carriage or both any charge exceeding those set forth in the second Schedule to this Ordinance.

10. Superintendent authorised to take possession on William White failing to comply with conditions.

In case the said William White his executors administrators or assigns shall fail to comply with the conditions of this Ordinance or any of them it shall be lawful for the Superintendent of the said Province forthwith to take possession of the said Tramway and to expel the said William White his executors administrators and assigns therefrom and from thenceforth the said William White his executors administrators and assigns shall cease to be entitled to any benefit under this Ordinance.

11. Penalty for damaging Tramway.

Every person who shall wilfully and maliciously break injure damage throw down or destroy any part of the Tramway hereby authorized to be constructed or any of the works connected therewith shall be liable upon being lawfully convicted thereof before any two Justices of the Peace to a penalty of not more than Twenty Pounds nor less than Forty Shillings.

12. Lincoln Road toll bar to be purchased by William White.

Nothing in this Ordinance contained shall be deemed to authorize the said William White his executors administrators and assigns to construct the Tramway or to convey traffic through the Lincoln Road toll-bar or erections connected therewith until he shall have paid over to the Treasurer of the Spreydon Road Board the sum of One hundred and forty Pounds and on payment of such sum the said toll-bar together with the toll-house shall become the property of the said William White and shall be forthwith removed by him at his cost.

13. Title.

This Ordinance shall be entitled and may be cited as "The White's Little River Tramway Ordinance 1866.

Schedule I.

Schedule II.

On Firewood per Cord for distance not less than Five Miles	...	...	...	...
On Sawn Timber per 1000 feet	...			
On Shingles per 10,000	...	...	...	...
On Ordinary Posts and Rails per 100	...	...	...	...
On Palings per 1000	...	...	...	...
On Merchandise per ton	...	...	...	...
On Passengers	...	...	...	...
On Stone per yard	...	...	...	...
On Grain per ton	...	...	...	...
On Wool per ton	...	...	...	...
On Sheep for a truck load not fewer than 20	...	...	...	...
On Slaughtered Carcasses per ton	...	...	...	...
		S.	D.	
0	10 halfpenny per mile			
1	0 per mile			
1	0 per mile			
1	0 per mile			
1	1 halfpenny per mile			
1	0 per mile			
1	0 per mile			
0	4 per mile			
1	0 per mile			
1	0 per mile			
1	2 per mile			
1	4 per mile			
1	0 per mile			

17. The Publichouse Ordinance 1866.

Analysis.

Preamble.

1. Repealing Clause.
2. Penalty for selling less than two gallons of any one kind of liquor at any one time.
3. Liquors exposed for sale without License may be forfeited.
4. Forfeited liquors to be sold or destroyed. Reward to informer.
5. In certain cases, License not needed.
6. Licenses to be of four kinds.
7. In certain cases Conditional License to be granted.
8. Applications for License with certificate to be made.
9. Requirements of Licenses to be fulfilled and reported upon.
10. List of applications to be affixed to the Court-house at certain time.
11. List and notice of Licensing Meeting to be published.
12. General Quarterly and adjourned meetings of Justices.
13. Power given to Superintendent if no quorum.
14. Justices in certain cases disqualified from acting at such Meetings.
15. Licenses may be granted by a majority of Justices, or refused Proceedings in case of refusal.
16. Treasurer to issue Licenses. Proviso as to West Canterbury.
17. Lists of licensed persons and houses to be published.
18. Licenses not applied for before 1st of July void.
19. Licenses issued at quarterly meetings when to be cancelled.
20. Conditional Licenses may be granted by Superintendent.
21. Licenses may be transferred.
22. In case of death of licensed persons to carry on business may be approved by Justices.
23. Holder of a License may transfer business from one house to another.
24. Penalty for supplying liquors on certain days and at certain hours except to travellers.
25. Permission may be granted by Justices to extend License.
26. Penalty on Licensee for neglecting to affix his name and description of License or copy of conditions of License.
27. Penalty for permitting gambling.
28. Penalty for supplying liquors to any person in a state of intoxication.
29. Penalty for taking anything in pledge for liquor supplied.
30. Penalty for allowing wages to be paid on the premises.
31. Penalty for not keeping a lamp burning.
32. Justices may suspend License.
33. Justices may declare Conditional License to be null and void.
34. Power of Entry to Constable.
35. Penalty for drunkenness within licensed house.
36. Licensed persons allowing gambling or harbouring persons of bad character in their houses liable to penalty.
37. Hotels to be under inspection of Chief of Police.
38. Penalties: how to be recovered.

39. Title.

Whereas an Ordinance was passed by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council in the Twentieth Session of the said Council entitled "The Public House Ordinance 1863" and whereas it is expedient to repeal the same and make other provisions in lieu thereof.

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

1. Repealing Clause.

The said recited Ordinances are hereby repealed, except so far as the same extend to repealing any former Ordinance, and except also that all licenses granted under the said recited Ordinances shall remain in full force and virtue until the end of the terms for which such licenses have been granted, and all offences committed against the said recited Ordinances before the commencement of this Ordinance, shall and may be prosecuted, heard, determined, and punished as if this Ordinance had not been made; and all such offences committed after the commencement of this Ordinance shall be prosecuted, heard, determined, and punished under the provisions of this Ordinance.

2. Penalty for selling less than two gallons of any one kind of liquor at any one time.

If any person, not being duly licensed, shall, upon any occasion, sell any quantity less than two gallons of any one kind or description of spirituous liquor, wine, ale, or beer, or knowingly permit the same to be sold in or upon his house or premises, or to be removed at any one time from his premises, for the purpose of sale, he shall forfeit and pay for every such offence any sum not exceeding Fifty Pounds.

3. Liquors exposed for sale without License may be forfeited.

All such liquors which shall be hawked about or exposed for sale in any unlicensed house or premises, except as hereinafter provided, may be seized by any Constable, and forfeited by order of any two or more Justices of the Peace, upon information to be laid before them.

4. Forfeited liquors to be sold or destroyed. Reward to informer.

All liquors so forfeited shall be destroyed or sold in such manner as the Court before whom the conviction shall have taken place may direct, and the net proceeds of such sale shall be applied to the public service of the Province: Provided that one-half such net proceeds, if claimed within one calendar month

from sale, shall be paid to any person or persons seizing the said liquors, or giving such information as may have led to the seizure and forfeiture thereof.

5. In certain cases, License not needed.

Provided nevertheless that no License shall be needed for the sale of any spirituous or fermented liquors as medicine or perfumery or at any Military Canteen duly established under the Regulations of Her Majesty's Service or for any public sale by auction by any Auctioneer duly licensed.

6. Licenses to be of four kinds.

Licenses to be issued under this Ordinance shall be of four classes, that is to say—

1st. Hotel Licenses, to sell any spirituous or fermented liquors in the form in Schedule A annexed.

2nd. General Licenses, to sell any spirituous or fermented liquors in the form in Schedule B hereunto annexed.

3rd. Conditional Licenses, in the form in Schedule C hereunto annexed, to sell spirituous and fermented liquors, subject to certain conditions to be fulfilled by the Licensee for the benefit and convenience of the public in consideration of obtaining such license.

4th. Wine and Beer Licenses, to sell Wine and Beer to be drunk on the premises, but only to persons partaking of refreshments one convenient room to be set apart for females the Licensee not to keep any tap-room or bar such License to be in the form in Schedule D hereunto annexed.

And every such license shall continue in force after the issue thereof from the First day of July to the thirtieth day of June in the year following inclusive, or if issued at any Quarterly Meeting subsequently to the First day of July as hereinafter provided then up to the Thirtieth of June following the issue of such license Provided that no conditional license shall be issued for any house which shall be at a less distance than five miles from any other licensed house unless it shall appear to the Licensing Magistrates that the issuing thereof shall be for the public convenience.

7. In certain cases Conditional License to be granted.

Any person desirous of obtaining a License for a refreshment house attached to a Railway Station and used exclusively for the accommodation of travellers or intending travellers may have a License granted to him under the class of Conditional Licenses.

8. Applications for License with certificate to be made.

Any person desirous of obtaining a License under this Ordinance shall Thirty days before any Licensing Meeting cause to be delivered to the Resident Magistrate of the Court nearest to the house in which it is proposed to exercise such License a notice in writing signed by him in the form in the Schedule E hereunto annexed and in case of a new applicant for a License together with a certificate signed by at least ten householders of known respectability residing in the neighbourhood of such house in the form in the said Schedule E hereunto annexed Provided that such certificate shall not be required from any applicant for a Conditional License or the renewal of a License.

9. Requirements of Licenses to be fulfilled and reported upon.

10. List of applications to be affixed to the Court-house at certain time.

On or before the seventh day after the last day on which such application may be delivered as aforesaid the Resident Magistrate of each district shall cause a list of all applications for Licenses received to be transmitted to the Resident Magistrate at Christchurch a list of all such notices and applications, setting forth the names and descriptions of the Applicants, and the houses proposed to be licensed, and shall also affix a copy of such list to the door of the Court-house or office, there to remain for public information until the licensing meeting.

9. The Resident Magistrate at Christchurch shall forthwith cause such list to be published in the Provincial Government Gazette, and one or more newspaper within the Province, together with a notice of the annual licensing meeting to be held as hereinafter provided.

10. On the first Tuesday in May in every year there shall be holden at the Resident Magistrate's Court-house for the district, a general meeting of Justices of the Peace, to be called the Annual Licensing Meeting, for the purpose of taking into consideration such applications as aforesaid, and three Justices shall form a quorum at any such meeting, and the senior Justice in the Commission of the Peace present at any such meeting shall preside thereat: Provided always that any such meeting as aforesaid may be continued by adjournment to such day not later than the fifteenth day of June, and at such place or places as the Justices present shall determine.

11. It shall be lawful, nevertheless, for the Justices to receive and consider and determine upon any applications for new licenses, in accordance with the conditions hereinbefore recited, at Quarterly Meetings of Justices, to be convened for such purpose. Such Quarterly Meetings shall be held on the first Tuesday in October, the first Tuesday in January, the first Tuesday in April, and the first Tuesday in July, or such other day, not exceeding seven days from the said days respectively, as to such Justices shall seem fit.

12. In considering any new applications under this Ordinance, the Justices shall confine themselves to the consideration of the truth of the facts set forth in the certificates directed to be furnished under the provisions of this Ordinance, and if the truth of such facts shall be established, such Justices shall direct a license to issue.

13. If there shall not be a quorum in attendance at any such meeting, the Resident Magistrate shall forthwith signify the same to the Superintendent, and it shall then be lawful for the Superintendent, with the advice and consent of the Executive Council, to perform all acts which the Justices in any such licensing meeting assembled are empowered to perform under the authority of this Ordinance.

14. No Justice of the Peace, being a Brewer, Maltster, or Dealwer in any spirituous liquor, wine, ale, or beer, or being interested, directly or indirectly, in any house or premises already licensed, or in respect to which a license is applied for, shall act at any such meeting, and any Justice offending against the provisions of this clause shall forfeit and pay a sum of one hundred pounds, to be recovered by action in the Supreme Court by any person who shall sue for the same.

15. It shall be lawful for the Justices assembled at such meeting to grant to such of the Applicants as aforesaid Hotel and General Licenses, Refreshment or Conditional Licenses, and such licenses, when granted in manner hereinafter provided, shall be signed by the Chairman at such meeting. The Justices assembled at such meeting aforesaid shall first consider the renewal of licenses from the Holders of licenses granted at the last annual or at any subsequent quarterly licensing meeting, or at any adjournment thereof, and the Applicants shall attend such meeting, either in person or by a Solicitor, and shall produce the license issued at such licensing meeting, and the Justices of the Peace so assembled as aforesaid shall thereupon issue a renewal of such license, and such license shall be signed by the Chairman at such meeting: Provided always that if the license so previously issued shall have been endorsed in accordance with the fortieth section of this Ordinance, then it shall be lawful for the Justices so assembled at such meeting to refuse any application for the renewal of such license, in which case the consideration of such application shall be adjourned, and the Chairman at such meeting shall give notice to the Applicant of the day and time at which his application will be heard, and the Licensee shall be at liberty, at such adjourned meeting, to produce evidence before Justices in support of his application, and shall be heard in person or by his Solicitor, and all Witnesses called on such occasions shall be examined on oath.

16. All applications made for the first time for an hotel license must be in writing, and in the form of Schedule E, hereunto annexed, and must be accompanied with a certificate, signed by a Justice of the Peace for the district; or if the house for which the license is sought is within the limits of any city or town under Municipal Government, then from the Chairman of such City or Municipal Council or Justice of the Peace, stating that the premises are suitable and further must certify to the character and qualifications of the Applicant, and such certificates must be in the form set forth in Schedule F to this Ordinance.

17. In the case of all Applicants for the first time for a license, whether for general or refreshment licenses, it shall be lawful for the Justices to grant licenses only to such of the Applicants as shall produce a written certificate, signed by not less than ten Householders, in the form set forth in Schedule H to this Ordinance, and upon which there shall also be endorsed a further certificate

that the house or building for which such license is required is suitable for the purposes of such business.

18. Any Justice of the Peace, Chairman of a City or Municipal Council, Chief Officer of Police, or Owner of property in the neighbourhood of a house for which such license is sought to be granted, may object to the issue of such license, by giving notice of his objection, in writing, to the Resident Magistrate, or to the Clerk to the Bench of Magistrates, and to the Applicant, at least ten clear days before the licensing meeting at which the application is to be heard, and such notice shall set forth the grounds of objection, and it shall be the duty of such Justices to hear and determine such objections; and it shall be lawful for such Justices in the event of such objections being deemed frivolous or vexatious, to direct that the Applicant shall be paid such costs by the person so objecting as they may consider reasonable and fair, not exceeding five pounds, and which costs may be recovered in a summary way.

19. No refreshment license shall be granted unless it shall appear that the Applicant has provided at least one room to be exclusively set apart for the especial accommodation of females, with proper and convenient access thereto, and it shall not be lawful for the Holder of such license to keep in his house any bar or tap-room for the sale of fermented liquors, nor shall he be allowed to draw any liquor except to persons partaking of refreshment: Provided that if any person shall offend against the provisions of this clause, he shall be liable to a penalty of not exceeding five pounds for each offence.

20. It shall be lawful for any two Justices of the Peace to cancel any refreshment license upon the information of an Inspector or other Chief Officer of Police for the district, proved in open Court and in the hearing of the Holder of such license, or his Solicitor, that refreshments, in accordance with the meaning of the Ordinance, are no longer provided on the premises of such licensed person.

21. In the case of all applications for a conditional license, or a renewal thereof, it shall be lawful for the Justices assembled at such annual or other licensing meeting aforesaid to consider and determine upon the same, and to direct such terms as they shall think fit, and in each case respectively upon which such license shall be issued: Provided always, that no application for a renewal of a conditional license shall be withheld, except upon a proof of the non-fulfilment of such conditions, or except in manner set forth in clause forty of this Ordinance.

22. If such Justices shall think it expedient to refuse any application for a hotel or general license, or for the renewal of a general license, upon proof of conviction under any clause or clauses of this Ordinance, it shall be lawful for them, if they think fit, and the Applicant concur, to grant a refreshment license, or a conditional license, subject always to the provisions herein contained.

23. The Resident Magistrate of the district for which such license shall have been issued shall forthwith transmit every license granted as aforesaid to the Provincial Treasurer, or to the Sub-Treasurer, whose office shall be nearest to the house for which such license is issued, and shall also forthwith notify to each person to whom a license shall be granted that such license is ready to be

issued, and such Treasurer or Sub-Treasurer shall issue the license to the Licensee upon his application for the same, and upon payment of the sum hereinafter mentioned, that is to say:—for a "general license," the sum of fifty pounds; for an "hotel license," the sum of thirty pounds; for a "refreshment license," the sum of ten pounds; for a "conditional license," such a sum, not exceeding the sum of fifteen pounds, as shall be named therein, at the discretion of a majority of the Justices at the annual licensing meeting in each case respectively; and such Treasurer or Sub-Treasurer shall endorse on each license issued by him a receipt for the sum paid to him in respect thereof.

24. The Resident Magistrate at Christchurch shall also, as soon as may be thereafter, cause a list of the several persons to whom and the several houses for which such licenses shall have been granted, together with a description of the license in each case respectively, to be published in the Provincial Government Gazette, and in one or more newspapers of the Province.

25. If any Licensee shall neglect to apply to be the Treasurer or Sub-Treasurer, as the case may be, for his license, and to pay the sum hereinbefore mentioned on or before the first day of July next following the annual licensing meeting, the Treasurer or Sub-Treasurer shall return it to the Resident Magistrate of the district, who shall thereupon notify in the Provincial Government Gazette, and in one or more newspapers of the Province, that such license has been withheld and such license shall thereupon be referred to the Superintendent, who, with the advice of the Executive Council, shall have power to direct the license to issue, or shall withhold the same at his discretion: Provided that such decision shall be made within thirty days of such first day of July, and that on the issue of such license an additional fee be paid of not less than ten pounds.

26. If any Licensee shall neglect to apply to the Treasurer or Sub-Treasurer, as the case may be, for his license, and to pay the sum hereinbefore mentioned for such license, for a period of seven clear days after the granting thereof at any quarterly meeting of Justices, such license shall thereupon be cancelled absolutely by such Treasurer or Sub-Treasurer.

27. Nothing in this Ordinance shall prevent any person whose license shall have been refused at any previous licensing meeting prior to the passing of this Ordinance from applying for a license.

28. If the Holder of any license shall be desirous to transfer the same to any person, and such person shall appear before the nearest Resident Magistrate's Court, and shall present a certificate in the form of Schedule F or H, as the case may be, as though he were applying for an original license, it shall be lawful for any three Justices of the Peace sitting in such Court to transfer such license to the Appointee of the original Holder by endorsement on the back thereof, in the form in Schedule I hereunto annexed; and a meeting of Justices for the purpose of transferring licenses shall be held on the first Tuesday in every month: Provided that if such first Tuesday of the month, or either of them, shall be proclaimed a public holiday, such transfer may be made on the day following, or at such other day as shall have been previously appointed for the purpose by the Resident Magistrate.

29. In case of the death of any person holding a license under this Ordinance, it shall be lawful for any two Justices of the Peace to endorse on such license, in the form or to the effect in Schedule K hereunto annexed, the name of any person whom they may appoint to carry on the business, and such persons shall be thereby authorized to carry on business until such time as the Executors, Administrators, or other persons duly authorized by them, shall have received the necessary authority by way of transfer of such license.

30. It shall not be lawful for any person holding a license under this Ordinance to sell or supply any liquors, or to suffer the same to be drunk in or upon his house or premises upon any Sunday or Christmas Day or Good Friday, or upon any other day between the hours of eleven at night and six in the morning; and on such days and within such hours his house and premises shall be closed, and any person offending against the provisions of this clause, shall be liable to a penalty of not more than twenty pounds: Provided always, that in any licensed house it shall be lawful at any time to supply such liquors to any persons who shall be bona fide Lodgers in such house, having a bed provided for them therein, or who shall be bona fide Travellers, and shall have no residence within three miles of such house: Provided also, that nothing herein contained shall be interpreted to authorize the opening of any outer or street door leading to the bar or tap on the days and within the hours above mentioned, or supplying any liquors therein.

31. It shall be lawful for two Justices of the Peace, on special occasions, not originating with the Licensee, to grant permission to keep a duly licensed house open beyond the prescribed hour for closing, except on Sundays; and under such regulations as they may think proper, to carry on his business in any building or in any booth temporarily erected at a distance from his licensed house at public races or upon any other public occasion of a like kind, to continue for such a time and upon such conditions to be set forth in such written permission, as they shall think fit; and a copy of such permission shall be lodged by the Licensee with the Chief Officer of Police for the district immediately after obtaining the same; and no person acting under the authority of such written permission, a copy of which shall have been so lodged, but not otherwise, shall be liable to any penalty which he would otherwise incur under the provisions of this Ordinance.

32. Every person who shall have or keep any house, shop, room, or place of public resort wherein provisions, liquors, or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein, or procured elsewhere), and who shall wilfully and knowingly suffer any lawful games, or gaming whatsoever therein, or knowingly permit or suffer prostitutes or persons of notoriously bad character to meet together and remain therein, shall for every such offence forfeit and pay a penalty not exceeding ten pounds.

33. Every Holder of a conditional license shall cause a true and legible copy of the conditions under which his license is held to be affixed and maintained in a conspicuous part of his house, and any such person refusing or neglecting to comply with the provisions of this clause shall be liable to a penalty not exceeding forty shillings.

34. If any licensed person shall permit any gambling of any kind whatsoever to be carried on in his house or premises, he shall be liable to a penalty not exceeding twenty pounds.

35. If any person holding a license under this Ordinance shall supply, or suffer to be supplied, in or upon his house or premises any intoxicating liquors to any person in a state of intoxication, or in such inordinate quantities as to produce intoxication, he shall be liable to a penalty not exceeding ten pounds for every such offence.

36. If any licensed person shall take anything whatsoever in pledge for any liquor sold or supplied, or anything whatsoever except metallic or paper money, or a cheque or order for the payment of money, he shall be liable to a penalty not exceeding ten pounds for every offence.

37. If any licensed person shall knowingly permit any wages to be paid in or upon his house or premises, save only the wages of persons employed as servants therein, he shall be liable to a penalty not exceeding ten pounds for every offence.

38. If any Holder of a license shall neglect or refuse to have a lamp, giving a good and sufficient light, affixed over the front or principal door of his house, or to keep the same burning from sunset till eleven o'clock, he shall be liable to a penalty, not exceeding twenty shillings, for every such offence.

39. Every licensed person shall sell or otherwise dispose of all liquors (except in quantities less than half-a-pint) in vessels sized to full Imperial measure, according to the standard which is by law established in this Colony, and shall also, if required by any quest or customer purchasing such liquor, retail the same in a vessel sized according to such standard, and in default thereof shall, for every such offence, on conviction, forfeit and pay any sum not exceeding five pounds.

40. In all cases where a Licensee of any house duly licensed under the authority of this Ordinance shall have been convicted in any of the foregoing penalties, the Justices shall endorse upon the license a record of such conviction, which license shall be produced at the next annual licensing meeting; and whenever such license shall shew by such endorsements two or more convictions under this Ordinance, it shall be lawful for such Justices, at their discretion, to refuse to renew such license, or to suspend the same for such period not exceeding sixty days, or to inflict a further penalty of not exceeding twenty pounds, as to such Justices shall seem fit; and such Justices shall in the event of a suspension of such license, cause a notice of such suspension, in writing under their hands, to be served on the Holder of such license, or by affixing the same on the door of such house, and shall also cause a copy of such notice to be published in the nearest newspaper.

41. Whenever any complaint shall have been made by any Constable or other person against the Holder of a license, and the same shall have been recorded, it shall be the duty of the Chief Officer of Police to forward a copy thereof to the Occupier of such licensed house within forty-eight hours of the complaint being made, and such Officer shall thereupon proceed to lay information thereof before a Justice of the Peace.

42. The Chief Officer of Police, other than the Commissioner for any district, shall have power and authority to enter any hotel, licensed under this Ordinance, between the hours of six o'clock in the morning and eleven o'clock at night, in order to ascertain if the accommodation afforded in such hotel is of a fit and proper character, and in accordance with the conditions specified in the Schedule to this Ordinance; and it shall be the duty of such Officer to report to the Justice of the Peace at least once in every three months (or at the quarterly meeting of Justices) the result of such inspection; he shall also furnish a copy of such report to the Occupier of such licensed house when required, without fee.

43. If it shall appear from the reports of the Chief Officer of Police that any hotel for which a license has been issued in accordance with this Ordinance has ceased to afford the accommodation named in the certificate attached to the license, or that the Licensee is disqualified by repeated acts of misconduct and insobriety to conduct such house, it shall be lawful for the Justices of the Peace assembled at any annual licensing meeting, at their discretion, either to suspend the license for any period not exceeding sixty days, or absolutely to refuse to grant a renewal of the same.

44. Any person charged with riotous or indecent behaviour, or being intoxicated on entering a licensed house, and refusing to quit the same when ordered so to do by the Licensee, shall, upon conviction before a Magistrate, be liable to a penalty not exceeding forty shillings, or, in default thereof, to be imprisoned for any period not exceeding forty-eight hours.

45. If it shall be proved to the satisfaction of three Justices of the Peace that any conditions named in a conditional license have not been properly fulfilled, it shall be lawful for such Justice to declare such license to be void and of no effect, and such license shall be void accordingly; or such Justices may, if they think fit, impose upon the Holder of such license any penalty not less than forty shillings nor more than twenty pounds, or suspend such license for so many days, not exceeding thirty, as they shall think fit; and such Justices shall cause a notice of such suspension of such license, in writing under their hands, to be served on the Holder of such license, affixing the same on the door of his licensed house, and shall also cause a copy of such notice to be published in the nearest newspaper, and during the time specified in such notice such license shall be suspended.

46. Every Constable shall have power and authority to enter any licensed house, not being an hotel, upon receiving information that the provisions of this Ordinance are being contravened within such house, or upon hearing any riot or disturbance therein; and if any person shall obstruct, or attempt to obstruct or interfere with any Constable in the performance of his duties under this Ordinance, such person shall be liable to a penalty not exceeding ten pounds.

47. If any person shall be convicted of drunkenness before any Justice of the Peace, he shall be liable to a penalty not exceeding twenty shillings, and, in default thereof, shall be imprisoned for any period not exceeding forty-eight hours; and if any person shall have been so convicted twice in the space of three months, he shall be liable to twice the aforesaid penalty or term of imprisonment respectively; and if any person shall have been so convicted three times within

the space of six months, he shall be liable to a penalty of five pounds, or in default thereof, to be imprisoned for any period not exceeding two months, and to be imprisoned, with hard labour, for any period not exceeding fourteen days.

48. All penalties and forfeitures incurred under this Ordinance shall be recoverable in a summary way.

49. The Words "Chief Officer of Police" shall be taken to mean any Officer of Police who shall be in charge of a district.

39. Title.

This Ordinance shall be entitled, and may be cited as the "Public House Ordinance, 1863."

SCHEDULE A.

FORM OF HOTEL LICENSE.

Province of Canterbury, New Zealand, to Wit

Whereas at "the Annual (or Adjourned or Quarterly) Licensing Meeting" of Her Majesty's Justices of the Peace, acting in and for the Province of Canterbury, holden at on the day of , in the year 18 , pursuant to an Ordinance of the Superintendent and the Provincial Council of the said Province, entitled the "Public House Ordinance, 1863," A.B. of , applied for an "Hotel License" for the house situate at in the said Province, and known (or to be known) as

Now we, the Justices assembled at such meeting, do hereby license the said A.B., upon payment by him to the Provincial Treasurer of the said Province of the sum of thirty pounds, to sell any spirituous or fermented liquors in any quantity in the house aforesaid, and in the appurtenances thereunto belonging. This license to commence on the first day of July next, and continue in force until the thirtieth day of June then next ensuing, both days inclusive.

Given under our hands at , this day of , in the year 18 .

(Signed)

Chairman

SCHEDULE B.

FORM OF GENERAL LICENSE.

Province of Canterbury, New Zealand, to Wit

Whereas at "the Annual (or Adjourned or Quarterly) Licensing Meeting" of Her Majesty's Justices of the Peace, acting in and for the Province of Canterbury, holden at on the day of , in the year 18 , pursuant to an

Ordinance of the Superintendent and the Provincial Council of the said Province, entitled the "Public House Ordinance, 1863," A.B. of _____, applied for a "General License" for the house situate at _____ in the said Province, and known (or to be known) as _____

Now we, the Justices assembled at such meeting, do hereby license the said A.B., upon payment by him to the Provincial Treasurer of the said Province of the sum of fifty pounds, to sell any spirituous or fermented liquors in any quantity in the house aforesaid, and in the appurtenances thereunto belonging. This license to commence on the first day of July next, and continue in force until the thirtieth day of June then next ensuing, both days inclusive.

Given under our hands at _____, this _____ day of _____, in the year 18 _____.

(Signed)

Chairman

SCHEDULE C.

FORM OF CONDITIONAL LICENSE.

Province of Canterbury, New Zealand, to Wit

Whereas at "the Annual (or Adjourned or Quarterly) Licensing Meeting" of Her Majesty's Justices of the Peace, acting in and for the Province of Canterbury, holden at _____ on the _____ day of _____, in the year 18 _____, pursuant to an Ordinance of the Superintendent and the Provincial Council of the said Province, entitled the "Public House Ordinance, 1863," A.B. of _____, applied for a "Conditional License" for the house situate at _____ in the said Province, and known (or to be known) as _____

Now we, the Justices assembled at such meeting, do hereby license the said A.B., upon payment by him to the Provincial Treasurer of the said Province of the sum of _____ pounds, to sell any spirituous or fermented liquors in any quantity in the house aforesaid, and in the appurtenances thereunto belonging; subject to the conditions following, that _____ is to say:—

(Set out the conditions.)

This license to commence on the first day of July next, and continue in force until the thirtieth day of June then next ensuing, both days inclusive.

Provided the said several conditions shall be so long fulfilled by the Holder hereof, but not otherwise.

Given under our hands at _____, this _____ day of _____, in the year 18 ____.

(Signed)

Chairman

SCHEDULE D.
FORM OF REFRESHMENT LICENSE.
Province of Canterbury, New Zealand, to Wit

Whereas at "the Annual (or Adjourned or Quarterly) Licensing Meeting" of Her Majesty's Justices of the Peace, acting in and for the Province of Canterbury, holden at _____ on the _____ day of _____, in the year 18 ____, pursuant to an Ordinance of the Superintendent and the Provincial Council of the said Province, entitled the "Public House Ordinance, 1863," A.B. of _____, applied for a "Refreshment License" for the house situate at _____ in the said Province, and known (or to be known) as _____

Now we, the Justices assembled at such meeting, do hereby license the said A.B., upon payment by him to the Provincial Treasurer of the said Province of the sum of ten pounds, to sell wine, ale, or beer, in the house aforesaid, and in the appurtenances thereunto belonging. This license to commence on the first day of July next, and continue in force until the thirtieth day of June then next ensuing, both days inclusive.

Given under our hands at _____, this _____ day of _____, in the year 18 ____.

(Signed)

Chairman

SCHEDULE E.
FORM OF APPLICATION FOR A LICENSE.
Province of Canterbury, New Zealand, to Wit

To the Worshipful the Resident
Magistrate, acting in and for
_____ the Province aforesaid.

I, A.B. (state occupation), now residing at _____, in the Province aforesaid, do hereby apply for a (state license) for the house and appurtenances thereto belonging, situate at (describe house and present Occupier if any).

(Signed) A.B.

Dated at , this day of ,18 .

SCHEDULE F.
FORM OF CERTIFICATE.
Province of Canterbury, New Zealand, to Wit

To be signed by a Justice of the Peace, or by the Chairman of the City or Municipal Council.

The undersigned, (Justice of the Peace or Chairman of Council) hereby certifies that the house for which A.B. has applied for an "Hotel License" is suitable for the purpose, and contains rooms (here describe the same) and that A.B. is a person of good character and a proper person to receive a License (here add special qualifications if any).

Witness my hands at , this day of ,18 .

SCHEDULE H.
FORM OF HOUSEHOLDERS' CERTIFICATE.
To be appended to Schedule F., signed by Ten Householders.

We the undersigned Householders (residing within 200 yards in the limits of any town, or two miles in any rural district) do hereby certify that the abovenamed A.B. of , is a person of good character and a proper person to receive a license, and we further certify that the house or building for which such license is required is suitable for the purpose of such business.

Witness our hands at , this day of ,18 .

SCHEDULE I.
FORM OF ENDORSEMENT ON LICENSE TO AUTHORIZE A TRANSFER THEREOF.
To be signed by Three Justices of the Peace sitting in the nearest Resident Magistrate's Court.

Be it remembered, that we the undersigned, being Three of Her Majesty's Justices of the Peace in and for the Province of Canterbury, sitting in the Resident Magistrate's Court at , do hereby, upon the application of

the within-named A.B. transfer the rights and privileges of the within license to C.D., for the remainder of the term therein mentioned; the said C.D. having first presented a certificate in compliance with the provisions of the "Public House Ordinance, 1863."

Given under our hands at _____, this _____ day of _____, in the year 18 ____.

SCHEDULE K.

FORM OF ENDORSEMENT ON LICENSE TO AUTHORIZE THE CARRYING ON OF THE BUSINESS OF A DECEASED LICENSEE.

To be signed by Two Justices of the Peace, sitting in the nearest Resident Magistrate's Court.

Be it remembered, that we the undersigned, being Two of Her Majesty's Justices of the Peace in and for the Province of Canterbury, sitting in the Resident Magistrate's Court at _____, do hereby authorize A.B. to exercise the rights and privileges of the within license until the same shall have been duly transferred by the executors or administrators.

Given under our hands at _____, this _____ day of _____, in the year 18 ____.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on the 24th January 1866, and assented to by the Superintendent on the 25th January.

18. The North Avon Bridge and Road Diversion Ordinance 1866.

Analysis.

Preamble.

1. Right of way to be hereafter from North Park Road to said Bridge.
2. Portion of land reserved declared to be public highway.
3. Bridge may be constructed.
4. Such Bridge to be public highway.
5. New road to be dedicated by Joseph Cornish Helmore.
6. Portions of public road may be stopped up and granted to Joseph Cornish Helmore.
7. Certificate to be evidence of work performed.
8. Title.

Whereas by an Act of the General Assembly of New Zealand 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 divert or stop up any river stream or creek in such Province and to build bridges dams wharves and other erections on the banks or in the beds of any such river stream or creek 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 or the bed of any river, stream, or creek so diverted or stopped up And whereas by an Act of the General Assembly of New Zealand entitled "The Provincial Councils Powers Extension Act 1863" it is enacted that whenever any Law or Ordinance shall be passed by any Provincial Council for the purpose of authorising the making or carrying on of any work of utility to the Public or to the inhabitants of some particular town village or district such Law may so far as may be necessary for the making or carrying on of such work of utility affecting any public street road or highway or the bed of any river stream or creek although the same respectively may be the lands of the Crown anything in the said recited "Constitution Act" to the contrary notwithstanding And whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entitled "The Diversion of Roads Ordinance Session XI. No. 3" it is ordained that excepting as therein otherwise provided no public road shall be closed up or diverted except under the authority of a Special Ordinance of the said Superintendent and Provincial Council And whereas it is expedient as a work of public utility to stop up part of the public road reserved along the north bank of the River Avon in the Christchurch District in the Province of Canterbury so far as such part of such road forms part of the southern boundary of a certain rural section numbered 7 in the said district of which section Joseph Cornish Helmore is tenant in fee simple in possession and to divert such part of such road in through and over the said section and to connect the road on the south side of the said river (hereinafter called the North Park Road) running through the northern part of Hagley Park Reserve in the said Province and leading from the northwest corner of Christchurch Town Belt to the Riccarton Road with the retained portion of the said public road on the north bank aforesaid by means of a bridge across the said river and a new road from the said bridge to the said North Park Road: And whereas the said Joseph Cornish Helmore is willing at his own expense to set out and form the road so to be diverted through in and over the said section and to build the bridge and make the new road hereinafter described:

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

1. Right of way to be hereafter from North Park Road to said Bridge.

On an after the coming into operation of this Ordinance there shall be a right of way as well for foot passengers as for horses carts carriages and other vehicles from the said North Park Road to he said Bridge such right of way shall either be over the piece of land described in the Schedule to this Ordinance and in he plan hereto annexed and therein colored green or over such other part of the said Park as the Superintendent may from time to time fix and determine.

2. Portion of land reserved declared to be public highway.

The portion of the public road heretofore reserved along he north bank of the said River Avon and colored black on the said map such portion being fifty links wide in a continuous line with the other roads hereby reserved is hereby declared to be and remain a public highway to all intents and purposes anything in this Ordinance notwithstanding.

3. Bridge may be constructed.

It shall be lawful for the said Joseph Cornish Helmore his heirs administrators and assigns but at his and their own cost to erect a Bridge across the said River Avon of not less than fourteen feet wide in the place on the said map colored red connecting the public right of way reserved in an by the first section of this Ordinance with the retained portion of the public road describe in the second section of this Ordinance and for such purpose to occupy such portion of land in the bed of the said River and on either bank thereof as appears by the said plan to be set out as the site of the said Bridge Provided that such Bridge shall be so constructed as o be sufficient to the satisfaction of the Provincial or other Engineer appointed by the Provincial Government for that purpose certified as hereinafter provided for the general purposes of traffic of foot passengers animals and carriages of all descriptions.

4. Such Bridge to be public highway.

The said Bridge shall immediately upon the same being so certified become a public Bridge and highway to all intents and purposes whatsoever Provided only that it shall be obligatory on the said Joseph Cornish Helmore his heirs and assigns at his and their own cost at all times until the expiration of four years from the passing of this Ordinance o maintain and keep in repair the said Bridge to the satisfaction of the Provincial or other Engineer as aforesaid.

5. New road to be dedicated by Joseph Cornish Helmore.

It shall be obligatory on the said Joseph Cornish Helmore his heirs an assigns on and from the passing of this Ordinance to dedicate to the public as and for a public highway a new road of not less than fifty links wide in and upon the said Rural Section numbered 7 commencing on the southern boundary thereof in a continuous line with the said road and Bridge hereinbefore reserved and provided for and running in through and over the part of the said section described in the schedule an plan aforesaid and herein colored blue but so as such road shall not in any way interfere with the usual and proper flow of water in

a mill-race twelve feet wide over which the said road passes as shown on the plan hereto and therein colored brown.

6. Portions of public road may be stopped up and granted to Joseph Cornish Helmore.

It shall be lawful for the Superintendent to stop up the two portions of the public road described in the said schedule and plan and therein colored yellow of the public road reserved along the north bank of the said river Avon and which portions are respectively twenty-five feet wide and together with an including the said retained portion thereof colored black on the said map form the whole of the southern boundary of the said Section numbered 7 shall on and after the passing of this Ordinance cease to be a public highway and the same shall forthwith be granted to the said Joseph Cornish Helmore his heirs and assigns in fee simple free from all rights either public or private by which the same were heretofore affected.

7. Certificate to be evidence of work performed.

The certificate under the hand of the Provincial Engineer or other Engineer appointed for that purpose by the Provincial Government for the time being of the said Province published in the Provincial Government Gazette showing that the matters and things the performance and completion whereof are in and by his Ordinance require to be certified by him have been and are performed and completed shall be sufficient and conclusive of such performance and completion respectively.

8. Title.

This Ordinance shall be entitled and may be cited as "The Ordinance, 18.

Schedule.

Locality. quantity. remarks.

Two portions of Road on north bank of River Avon southern boundary of rural section No. 7 Christchurch district. A. R. P.
0 1 38

Required by Mr J.C. Helmore.

Locality. quantity. remarks.

Road from North Park Road to south bank River Avon Hagley Park.

Road through rural section No. 7.

	A.	R.	P.
0	0	28	

1 0 27

This road is to go through part of Hagley Park Reserve and leads to the proposed Bridge.

Road to be given by Mr J.C. Helmore in lieu of road to be stopped.

19. The Municipal Council Amendment Ordinance 1865

Analysis.

Preamble.

1. Repealing Clause.
2. Qualification of Voters.
3. Title.

Whereas it is expedient to make further provision than now exists for the establishment of Municipal Councils under the provisions of the "Municipal Council Ordinance Session XIV. No. 2:"

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

1. Repealing Clause.

Section 10 of the said recited Ordinance shall be and the same is hereby repealed.

2. Qualification of Voters.

In lieu of Section 10 above repealed be it enacted as follows: No person shall be capable of voting for the election of members or of being nominated or elected a member of any Municipal Council under the authority of this Ordinance who shall not have been a resident householder within the district and entitled to vote for the election of members for the Provincial Council for the district for the space of six months prior to his voting or nomination Provided always that this clause

shall only apply to the first elections of members of any Municipal Councils or until a Ratepayers Roll shall have been compiled.

3. Title.

This Ordinance shall be entitled and may be cited as "The Municipal Council Amendment Ordinance 1866.

20. The Roads Ordinance Amendment Ordinance 1865.

Analysis.

Preamble.

1. Repealing Clause.
2. Service of Notice.
3. Member to be elected to fill vacancy in Road Board.
4. Roll to be revised.
5. Copies to be left for inspection.
6. Notices of objection to be given.
7. Road Board may exact penalty for trespass of cattle, &c., on highway.
8. Board to clear natural watercourses. Power of entry for that purpose.
9. Gorse hedges on public highways to be cut under penalty.
10. Schedule A in this Ordinance to be read for Schedule C in recited Ordinance.
11. Boundaries of Avon and Riccarton Road Districts amended.
12. Ratepayers' Rolls for said Districts to be amended in pursuance thereof.
13. Ordinance to be read as part of "Roads Ordinance 1864."
14. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury entitled "The Roads Ordinance 1864"
And whereas it is desirable that the said Ordinance should be amended.

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

1. Repealing Clause.

Sections 6 19 20 and Schedule C of the said recited Ordinance shall be an the same are hereby repealed.

2. Service of Notice.

Any Notice required by the said Ordinance to be served on any person who has no ordinary abode or place of business within the District shall be deemed to be served if the same be delivered to the known agent of such person within such District.

3. Member to be elected to fill vacancy in Road Board.

In lieu of section 6 be it enacted When any such vacancy shall occur in any Road Board under the provisions of section 5 of the said recited Ordinance 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 Such election shall be conducted in the same manner as the election at the Annual January Meeting of the Ratepayers.

4. Roll to be revised.

In lieu of sections 19 and 20 of the said recited Ordinance be it enacted The Board shall on or before the first Tuesday in the month of September 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 and shall also cause the annual value of such property to be assessed and entered on such Roll.

5. Copies to be left for inspection.

It shall be lawful for the Board to cause copies of the Ratepayers' Roll to be left for inspection at one or more places within the District and each Board shall exhibit one copy of the Roll at the office of the Secretary for Public Works Christchurch in addition to the place specified in section 21 of the said recited Ordinance.

6. Notices of objection to be given.

The notices of objection to any Ratepayers' Roll provided in section 23 of the said recite Ordinance may be given at any time not less than Seven Days previous to the time appointed by the Revising Commissioners for revising such Roll, anything in the said section to the contrary notwithstanding.

7. Road Board may exact penalty for trespass of cattle, &c., on highway.

It shall be lawful for any Road Board by public notice to prohibit the straying of horses cattle sheep and pigs on the whole or part of the Public Highway within the District and if after the publication of such Notice any horses cattle sheep or pigs shall be found straying on such Public Highways the person having the lawful charge control or management of such horses cattle sheep or pigs shall be liable to a penalty of not less than Ten Shillings nor more than Two Pounds for every head of cattle horses sheep or pigs so found straying.

8. Board to clear natural watercourses. Power of entry for that purpose.

It shall be lawful for the Board to cleanse and clear all natural watercourses in the District from all accumulation of vegetable and other matter calculated to obstruct the flow of water therein whether such watercourses run through private property or not and for such purpose the Board by its Officers may enter on all private property within the District after giving the notices prescribed by section 52 of the

said recited Ordinance In the interpretation of this section the term "Natural Watercourse" shall include any ditch or drain which has in the opinion of the Board become necessary as a drainage outlet for the District or a part thereof.

9. Gorse hedges on public highways to be cut under penalty.

Every Occupier of land fronting on any Public Highway who shall suffer any Gorse Hedge growing on such land and adjoining such Public Highway to grow to a height exceeding eight feet above the ordinary level of the adjoining land or to overhang such Public Highway shall be liable to a penalty of not less than Ten Shillings nor more than Five Pounds Every twenty-four hours during which such Occupiers shall after being convicted under this section continue to allow his Gorse Hedge to exceed eight feet in height or to overhang a Public Highway shall constitute a separate offence.

10. Schedule A in this Ordinance to be read for Schedule C in recited Ordinance. Instead of Schedule C in the said recited Ordinance Schedule A to this Ordinance shall be inserted.

And whereas it is desirable to alter the boundaries of the Avon and Riccarton Road Districts be it enacted:

11. Boundaries of Avon and Riccarton Road Districts amended.

Section 7 of Schedule A of the said recited Ordinance is hereby repealed and in lieu thereof be it enacted The Avon district comprises that portion of the Province bounded on the North by the south bank of the River Waimakariri, from the sea to the western boundary of section No. 5620 on the East by the sea; on the south by the north boundary of the City of Christchurch, and the south bank of the River Avon to the sea on the west by the western side of Sections Nos. 6 52 105 133 142 299 135 151 and the northern boundary of Section No. 151 to the north-western boundary of the Papanui Church Reserve by the north-western boundary of that Reserve and by the eastern side of the Harewood Road by Papanui to the western boundary of section No. 203 by that boundary and by the western boundaries of Sections Nos. 203 5 3 25 292 291 290 280 279 243 331 1471 and 5620.

12. Ratepayers' Rolls for said Districts to be amended in pursuance thereof.

The Superintendent shall appoint some competent person to make such alterations in the Ratepayers' Roll for the Avon and Riccarton Districts as the alteration of boundaries effected by this Ordinance may render necessary In the formation of such altered Rolls there shall be placed on the Roll for the Avon and Riccarton District respectively every ratepayer whose name appears on the Rolls now in force as the owner or occupier of any property situated in such district together with the full particulars and assessed value of his property The said Rolls so altered under the provisions of this Section shall be the Ratepayers' Roll for the said districts for the then current year and shall be subject to and be as

valid and effectual to all intents and purposes as if the same had been formed under the provisions of the said recited Ordinance.

13. Ordinance to be read as part of "Roads Ordinance 1864."

This Ordinance shall be interpreted as and shall be considered a part of the "Roads Ordinance 1864."

14. Title.

This Ordinance shall be entitled and may be cited as "The Roads Ordinance Amendment Ordinance 1865."

Schedule A.

Notice to Pay Rate.

District of .

To Mr. .

I hereby give you notice that at a Meeting of the Road Board for the District abovementioned held on the day of at a Rate of in the Pound upon the rateable property in the District was ordered to be made and levied The sum which you are liable to pay under this order is which sum you are required to pay to me either on the service of this notice or within thirty days after such service at my residence at .

If the said Rate is not paid within the time above specified it will be recovered by legal process.

Collector of Rates for the District.

21. The Appropriation Ordinance 1865

Analysis.

1. Appropriation of Public Revenues for year ending 30th June 1866.
2. Appropriation of Public Revenues raised by Debentures for year ending 30th June 1866.
3. Provincial Treasurer to issue upon warrant of His Honor the Superintendent.
4. Provincial Treasurer allowed credit for sums issued as per Schedule E.
5. Title.

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

1. Appropriation of Public Revenues for year ending 30th June 1866.

Out of the public revenues of the said Province there may be issued and applied for the public service of the Province, and for the charge of the Government thereof, for the period commencing on the First day of July, one thousand eight hundred and sixty-five and ending on the Thirtieth day of June, one thousand eight hundred and sixty-six in manner set forth in the Schedules A B and D to this Ordinance any sum or sums of money not exceeding the sums in such Schedules specified amounting in the whole to the sum of Eighty-three thousand six hundred and twenty-nine Pounds Thirteen Shillings and Eightpence and One hundred and fifty-three thousand seven hundred and ninety-five Pounds Fourteen Shillings and Threepence and One hundred and fifty-seven thousand seven hundred and thirty-three Pounds Twelve Shillings and Sevenpence respectively.

2. Appropriation of Public Revenues raised by Debentures for year ending 30th June 1866.

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-three, and ending on the Thirtieth day of June, one thousand eight hundred and sixty-four, in the manner set forth in the Schedule B 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 One Hundred and One Thousand One Hundred and Fifty Pounds, and out of the public revenues of the said Province, which shall have been raised by debentures issuable under the authority of "The Canterbury Loan Ordinance, 1862," there may be issued and applied, for defraying the charges of the works set forth in the Schedule A to this Ordinance, any sum or sumsof money not exceeding the sums in such Schedule specified, amounting in the whole to the sum of Sixteen Thousand Five Hundred Pounds.

3. Provincial Treasurer to issue upon warrant of 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 allowed credit for sums issued as per Schedule E. And Whereas, in defraying the charge of the Provincial Government and in the public service of the said Province for the nine months ending the Thirtieth June, one thousand eight hundred and sixty-three, certain sums of money, amounting in the whole to the sum of Fifteen Thousand Eight Hundred and Ninety Pounds Ten Shillings and Twopence, were issued and paid by the Provincial Treasurer, in pursuance of Warrants under the hand of the Superintendent; and such sums were paid in the manner and on account of the services particularly set forth in the Schedule D to this Ordinance, but were not included in any Bill for the appropriation of the public revenues of the said Province for the said nine months: Be it therefore enacted that the Provincial Treasurer shall be allowed credit in his Accounts for all sums of money so issued and paid by him on the several Accounts set forth in the Schedule D hereunto annexed; and the Receipts of the persons to whom such sums of money shall have been paid under such Warrants, shall be a complete discharge for the sum or sums of money for which such Receipts shall have been given.

5. Title.

This Ordinance shall be entitled and may be cited as "The Appropriation Ordinance, 1866."

Schedule A.

Class I.—Permanent Charges.

Loan Ordinance, Session VII., No. 3

Interest on £30,000

Sinking Fund

Lyttelton and Christchurch Railway Loan Ordinance.

Interest on £100,000

Sinking Fund

Loan Ordinance, 1862.

Interest on £50,000

Sinking Fund

Bank Charges for Remittance ...

Superintendent's Salary Ordinance Amendment Ordinance, 1863

Superintendent

Provincial Auditor and Deputy Auditor's Salaries Ordinance.

Provincial Auditor

Volunteers' Service Ordinance, 1861.

Grant to Volunteers

Class II.—Executive.
Superintendent's Department.
Clerk to Superintendent

Provincial Secretary's Department.
Provincial Secretary
Clerk
Assistant Clerk

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

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

Provincial Solicitor's Department.
Provincial Solicitor—Fees

Housekeeper's Department.
Housekeeper
Messenger

Class III.—Electoral.
Expenses of Elections.

Class IV.—Legislative.
Provincial Council.
Speaker
Chairman of Committees
Clerk of the Council
Chaplain and Librarian
Messenger
Expenses of Members

Class V.—Administration of Justice.
Supreme Court.
Crown Prosecutor, Fees not exceeding
Expenses of Session

Gaol at Lyttelton.

Gaoler

Chaplain

Matron

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

Prisoners' Rations, Clothing &c.

Fuel

Miscellaneous

Gaol at Christchurch.

Two Warders, at 6s. 6d.

Rations for Prisoners, &c.

Miscellaneous

Police.

Commissioner, with forage for one Horse

Two Inspectors, at £250 each, with Quarters and Forage

One Clerk and Storekeeper, at 11s 6d. per diem

One Sergeant-Major, at 10s.

Two First-class Sergeants, at 9s. 6d. per diem

Three Second-class Sergeants, at 9s per diem

Four Third-class Sergeants, at 8s. 6d. per diem

Ten First-class Constables, at 7s. 6d. per diem

Six Second-class Constables, at 7s per diem

Six Third-class Constables, at 6s. 6d. per diem

Police (Contingencies).

Horses

Forage

Travelling Expenses

Shoeing and Farriery

Provisions for Prisoners

Clothing

Fuel &c.

Postage, Printing and Stationery

Painting, Repairs, Furniture, and all other incidental expenses

House Rent

Outstanding Liabilities.

Arms and Appointments

Completion of Fence at Kaiapoi

Extra Fittings and Furniture at the Watch-House, Christchurch

Class VI.—Education.

Liabilities under Resolution of Council up to September, 1863

Balance of Grant for Building to Christ's College

Grant for Christchurch Academy
Grant in Support of Existing Schools, including Fuel and Contingencies ...
Building New Schools
Three Masters from England, at £150 per annum, pay to commence, say, 1st
January, 1864.
Passages of Three Masters—say at £70
Expenses of Department, including remuneration to Commissioners
Inspector
General Contingencies, Building, &c.

Class VII.—Immigration.
Immigration
Immigration Officer
Assistant Immigration Officer
Overseer to Barracks
Matron
Furniture, Rations, and other incidental Expenses

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

Class IX.—Hospitals.
Grants for Christchurch, Lyttelton, and Timaru

Class X.—Lunatic Asylum.
Steward
Matron
Two Attendants—one at 7s. 6d. per diem; one at 7s. per diem
One Female Attendant, at 5s. per diem
One Cook, at 6s. per diem
Rations, &c.
Furnishing and Providing General Stock of Establishment
Miscellaneous

Class XI.—Inspection of Sheep.
Chief Inspector, including Salary, Forage, and Travelling Expenses
Two Inspectors, at £350 each and three Forage Allowances
Inspection of Sea-borne Sheep
Erection of Yard on Nelson Frontier

Class XII.—Public Plantations.
Gardener
Assistant Gardener, at 7s. per diem
Labourer, at 6s 8d. per diem

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

Class XIII.—Weights and Measures.

Inspector

Contingencies (including Office Rent)

Class XIV.—Harbour.

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

Class XV.—Defence.

Balance of Grant to Volunteers

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

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

Purchase of small Arms

Class XVI.—General Miscellaneous.

Fuel for various Departments

Printing, Advertising, Stationery, &c.

Printing Journal of Proceedings

Arranging and re-printing Ordinances

Registration of Deeds

Dog Collars

Postages, Cartage, &c.

Painting, Sweeping, Cleansing, &c.

Maintenance of Fire Engine

Subscription to new Engine

Furniture

Extra Clerical Aid

Insurance

Christchurch Mechanics' Institute, Grant in Aid

Kaiapoi Mechanics' Institute, Grant in Aid

Timaru Mechanics' Institute, Grant in Aid

Akaroa Mechanics' Institute, Grant in Aid

Agricultural and Pastoral Association, Grant in Aid to Libraries

Acclimatisation—For the Introduction of Fish

Church Building Grant—Balance for this year

Public Amusements

Purchase of site adjoining Government Buildings

Purchase of site of Lyttelton Hospital

Grant for the Benefit of the Widow and Family of the late Mr Whitcombe

Gratuity to Louper

Gratuity to Hammett

Chaplain to Gaol, Lunatic Asylum and Hospital, at £300 per annum

Commemoration of the Marriage of HRH the Prince of Wales

Hose Reel for Fire Engine
Erection of Meteorological Instruments
Salary of Meteorological Officer
Expedition to West Coast
Examination of Cattle at Akaroa
Keeper of Quarantine Barracks at £150 per annum
Erection of Pound at Kaiapoi

Contingencies
Adjustment of Account with Christchurch City Council
Steam Bonus

Class XVII.—Lands and Works.
Waste Lands Board.
Chief Commissioner
One Paid Commissioner
Clerk to the Board
Messenger

Survey Office.
Chief Surveyor

Contingencies.

Contract Surveys.

Geological Surveys.

Public Works—Staff.

Outstanding Liabilities—Central and Northern Districts

Oxford Road—Forming and Metalling
Rangiora Ford Road—Forming Metalling and Bridges.
South Road—Metalling.
Colombo-street South—Forming and Metalling
Hoonhay Road—Forming and Metalling.
Spring's Road—Metalling.
Lincoln Road—Metalling.
Ellesmere Junction Road—Metalling.
Sumner Road—Carting Metal
Halswell Junction Road—Metalling.
Governor's Bay Road—Bridges and Forming.
Gebbie's Pass Road—Forming
Dyer's Pas Road—Forming and Culverts.

West Coast Road
Papanui Bridge—Ordered from England
Kaiapoi Town
Rangiora Swamp
North Selwyn Drainage
Avon District
Lincoln and Riccarton Junction Road—Metalling
Mandeville District
Sefton District
Upper Waimakariri Road—Forming Beach Road
Lyttelton Gaol—Timber, &c.
Lyttelton Boat-house
Christchurch Hospital
Repairs of Roads—3 months

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

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

Works to be undertaken by the Provincial Government.
West Coast Road, Pack-horse Track to Teramakau Saddle
Survey for same
Commission and Survey for Rakaia Bridge
New Ferry—Mooring, Rope, &c.
Avon Clearing
Pass Hill Bridge, £2,100; half to be subscribed by Mr Kenrick
Approaches
Commission and Survey for Timary Roadstead

Survey and Preparation of Plans for defence of Waimakariri Banks
Waimakariri Breakwater
Akaroa Jetty—Repairs and Additions
Grant-in-Air for new Jetty
Punt at the Rangitata
Survey of Timber Reserves
Grant for Works necessary, before the Road Boards are formed
Repairs of Roads until Road Boards are formed
Road to Upper Waimakariri Country

Roads Boards.
Establishment of Road Boards.

Votes for District Boards.

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

City of Christchurch.

Town of Lyttelton.

Public Buildings.

Schedule B.

Railways.

Railway including Christchurch and Ferrymead Branch

Alteration in Tunnel, Lyttelton, end

Resident Engineer

Tunnel Inspector

Fees for Consulting Engineer

Schedule C.

Lyttelton Wharfage—Preliminary Expenses

Building a New Jetty

Extension of Telegraph to Waitaki

Hurunui Bridge

Schedule D.

Permanent Charges

Electoral

Gaol

Waste Lands

Survey Office

Charitable Aids

Hospital—Christchurch

Printing

Dog Collars

Postages, Cartage, &c.

Maintaining Fire Engine

Recovering the bodies of men drowned

Pegs for Railway

Plant

Imprest to Pay Clerk

Stores

Total