

Session XXX 1868 (November to December 1868)

1. The Diversion of Roads, Special Ordinance 1868.

Whereas by an Act of the General Assembly of New Zealand entitled "The Highways and Watercourses Diversion Act, 1858," it is enacted that it shall be lawful for the Superintendent of any Province, with the advice and consent of the Provincial Council thereof by any Law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed And also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so sold exchanged or disposed of. And whereas by an Act of the General Assembly of New Zealand intituled "The Provincial Council Powers Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and notwithstanding the restriction contained in the Tenth Subsection of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which there was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land mentioned and described in the first column of the Schedule hereto should become Public Highways in lieu of the parcels of land mentioned and described in the second

column of the Schedule hereto and that the said last-mentioned parcels of land should cease to be Public Roads.

And whereas the persons respectively entitled thereto have conveyed the parcels of land mentioned in the first column of the Schedule hereto to the Superintendent of the Province of Canterbury and his successors upon trust for Public Highways and upon the treaty for the said conveyances it was agreed that the respective parcels of land mentioned in the second column of the said Schedule should be given to the respective persons so conveying in exchange for the parcels of land conveyed by them respectively as aforesaid.

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

1. Parcels of Land described in Schedule to be Public Highway.

From and after the passing of this Ordinance the parcels of land conveyed as aforesaid and more particularly described in the first column of the Schedule hereto shall be and remain for ever Public Highways.

2. Roads to be closed up.

From and after the passing of this Ordinance the Public Roads passing over the parcels of land described in the second column of the Schedule hereto shall be closed up.

3. Parcels of Land, to whom to be granted.

Each parcel of land mentioned and described in the second column of the said Schedule shall be granted to the person or persons conveying the parcel of land mentioned and described and set opposite thereto in the first column to hold the same unto the person or persons so conveying their heirs and assigns for the same estate for which they held the parcel of land conveyed by them as aforesaid.

4. Title.

This Ordinance shall be entitled and may be cited as "The Diversion of Roads Special Ordinance 1868."

Schedule.

Name of Road	Description	Contents
Road through Section 7662	Bounded on the southward by the northern bank of the Kakahu stream on the northward by the present road on the eastward by the continuation of the eastern side	A. R. P. 0 0 18

<p>Road through Section 6937</p>	<p>of the long straight portion of the road passing through the above-mentioned section on the westward by the continuation of the western side of the same road for a distance of one chain sixty-eight links.</p> <p>Bounded on the northward by the southern bank of the Kakahu stream on the westward by the continuation of the western side of the road leading through Section 7662 for a distance of fifteen chains seventy-seven links on the eastward by a line parallel to and one chain distant from the western boundary and also by the western side of the present road passing through Section No. 6937 above mentioned.</p>	<p>1 0 37</p>
<p>Little River Road</p>	<p>All that piece or parcel of land being part of Rural Section 6647 bounded on the northward and southward by the northern and southern boundaries respectively of the above-mentioned section on the westward by the Reserve for Mr. White's Tramway and on the eastward by a line parallel to and one chain distant from the last-described boundary.</p>	<p>2 3 38</p>
<p>Road through Section 7662</p>	<p>Bounded on the northward for a distance of two chains thirty-eight links by the said section on the eastward by the Kakahu stream and on the westward by the continuation of the eastern side of the long straight portion of the road above mentioned and on the southward by a line parallel to and</p>	<p>0 0 24</p>

Road through Section 6937	<p>one chain distant from the northern boundary.</p> <p>Being that portion of the said road passing through Section No. 6937 extending from the southern bank of the Kakahu stream southerly until it is intersected by a line being the continuation of the eastern side of the road passing through Section 7662 the eastern boundary of this land being sixteen chains forty-six links in length.</p>	1 1 08
Little River Road	All that piece or parcel of land being the road leading across Birdling's Valley in front of Sections 2567 and 5501.	2 1 04

2. The Reserve No 254 Ordinance 1868.

Whereas by a Grant from the Crown bearing date the Eighteenth day of November one thousand eight hundred and sixty-five all that piece or parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Ashley District and containing by admeasurement seven acres and two roods more or less commencing at a point on the Upper Sefton Road the same being the northernmost corner of Reserve No. 201 (in red) following the north-eastern and south-eastern boundaries of the said reserve distances of ten chains and five chains respectively to a road following that road south-easterly a distance of seven chains to the terrace road thence following the terrace road northerly a distance of fifteen chains forty links to the south-eastern corner of Section No. 2083 following the southern boundary of the said section westerly a distance of ten chains seventy links to the Upper Sefton Road before mentioned and from thence returning along that road a distance of eighty-seven links to the commencing point numbered 254 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Ashley District aforesaid was granted unto the Superintendent of the Province of

Canterbury and his successors in trust for a Gravel Pit Reserve And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of the said land comprised in the said recited grant.

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 may sell, let, or otherwise dispose of Land comprised in recited Grant.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of that parcel of land comprised in the said recited grant.

2. Title.

This Ordinance shall be entitled and may be cited as “The Reserve No. 254 Ordinance 1868.”

3. The Education Rate in Aid Ordinance 1868 Repeal Ordinance 1868.

Whereas it is expedient to repeal “The Education Rate in Aid Ordinance 1868”

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 “Education Rate in Aid Ordinance 1868” shall be and the same is hereby repealed.

2. Certain Sections of “The Education Ordinance 1864 revived

Sections 29 30 31 and 32 of “The Education Ordinance 1864” and so much of Clause 24 and 34 of the said last-mentioned Ordinance as is repealed by the said “Education Rate in Aid Ordinance 1868” shall be and the same are hereby revived and shall be deemed and considered to be in full force and effect in like manner as if the same had not been repealed by the said Ordinance hereby repealed.

4. The Kaiapoi Bridge Ordinance 1868.

Whereas by an Act of the General Assembly of New Zealand entitled "The Highways and Watercourses Diversion Act, 1858," it is enacted that it shall be lawful for the Superintendent of any Province, with the advice and consent of the Provincial Council thereof, by Ordinance to be made for that purpose, to build bridges over any river, stream, or creek in such Province; and whereas it is expedient that a bridge be constructed over the north branch of the river Waimakariri, at Kaiapoi, at a part thereof in continuation of the North Road, in the Province of Canterbury, and to provide for the maintaining and keeping in repair the said bridge and the approaches thereto:

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

1. Bridge may be constructed over Waimakariri at Kaiapoi.

It shall be lawful for the Superintendent to construct a swing or draw bridge and make approaches thereto over the north branch of the river Waimakariri at Kaiapoi at or about a part thereof in continuation of the North Road: Provided that such bridge shall be so constructed that when the swing or draw shall be opened for the passage of vessels a clear space of at least thirty feet in width shall be left for such vessel to pass through.

2. Bridge to be proclaimed open for traffic on certificate of Provincial Engineer.

The Superintendent shall, by Proclamation in the Provincial Government Gazette, notify that the said bridge is open for public traffic as soon he shall have received a certificate under the hand of the Provincial Engineer to that effect and thereupon it shall be lawful for the Superintendent to cause tolls to be levied at such rates not exceeding the sum set forth in the schedule to this Ordinance annexed Provided that not more than one toll be levied on the same beast or vehicle between the hours of twelve o'clock at night and twelve o'clock the following night.

3. Superintendent may let Bridge and Tolls.

It shall be lawful for the Superintendent, with the advice of the Executive Council from time to time to let the said bridge and tolls for any term not exceeding three years at such annual rent and on such conditions as shall think fit and to transfer the management and control of such bridge to the Borough Council of Kaiapoi.

4. Tolls to be property of Collector.

All tolls imposed under the authority of this Ordinance shall be \$ be and be deemed to be the property of the collector thereof and may be recovered in the ordinary course of law.

5. Penalty for evading payment of Toll.

Any person refusing or evading, or attempting to evade the payment of any toll leviable under this Ordinance shall forfeit and pay to the collector of any such toll for every such offence any sum not exceeding five pounds which sum may be recovered as a debt due to such collector in the ordinary course of law.

Schedule of Tolls above referred to.

For every horse, ass, or mule	Threepence
For every horse, ass, mule, or other beast	Threepence
For all horned cattle driven without packs, per head	Twopence
For every wheeled vehicle drawn by one horse or other beast	Sixpence
For every additional horse or other beast drawing such vehicle	Threepence
For every sheep, lamb, goat or pig in one drove, not exceeding one hundred	One halfpenny
For every additional sheep, lamb, goat, or pig	One farthing

Notes.

Assented 12th December 1868.

The changes made from the 1863 Kaiapoi Bridge Ordinance were as follows:

The punctuation conventions are different. This is without usual punctuation.

Section 1 reference to "swing or drawbridge" as not to impede the navigation of the said river. replaced "when the swing or draw shall be opened for the passage of vessels a clear space of at least thirty feet in width shall be left for such vessel to pass through." this new

Section 2 the same as before, except "so soon as" becomes "as soon as."

Section 3 new proviso "and to transfer the management and control of such bridge to the Borough Council of Kaiapoi."

Section 4 the formula "the ordinary course of law." replaced "recoverable in a summary way." This also the case in section 5.

Section 5 new portion "for every such offence any sum not exceeding five pounds" also "forfeit and pay to the collector"

There is no equivalent section to "6. This Ordinance shall be entitled, and may be cited as "The Kaiapoi Bridge Ordinance, 1863."

The Schedule remains the same as in the previous 1863 Ordinance.

5. The Railway Tolls and Management Ordinance 1867 Amendment Ordinance 1868.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury intituled "The Railway Tolls and Management Ordinance 1867" And whereas it is expedient to repeal the Schedule to the said Ordinance annexed and to substitute in lieu thereof an amended Schedule.

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 Schedule to the said recited Ordinance shall be and is hereby repealed.

2. Charges not to exceed Tolls specified in Schedule.

The charges to be made by the Superintendent his Officers Agents an Servants pursuant to the powers contained in Clause 3 of the said recited Ordinance shall not exceed the Tolls specified in the Schedule to this Ordinance.

3. Title.

This Ordinance shall be intituled and may be cited as "The Railway Tolls and Management Ordinance 1867 Amendment Ordinance 1868."

The Schedule referred to in the foregoing Ordinance:-

Tolls on Lyttleton and Christchurch Railway with Ferrymead Branch.

Merchandise

By dead weight or measurement except as hereinafter mentioned seven shillings per ton.

Wool

Per bale not exceeding 5 cwt. two shillings and fourpence exceeding 5 cwt. seven pence per cwt. or fraction of an cwt. in addition.

Sawn Timber, Boards, and Scantling (100 Palings or 1000 Shingles to be considered 100 feet of Timber) (including stacking)

V.D.L. one shilling and sixpence. Other Timber one shilling and fourpence per hundred superficial feet. Piles and heavy timber by special agreement.

Passengers

First Class each two shillings and sixpence Return Ticket available only on the day of issue four shillings Second Class each one shilling and sixpence Return Ticket available only on the day of issue two shillings and sixpence for any

intermediate Stations First Class passengers each sixpence a mile or fraction of a mile. Return Tickets available only on the day of issue 25 per cent. reduction on Double Fares Second Class fourpence per mile or fraction of a mile Return Ticket 25 per cent reduction on double fares .

Sheep, Pigs, Goats.

Ten shillings per score under that number to be paid for by special agreement.

Other Animals.

Other Animals on such terms and at such rates as the Superintendent and Executive Council may from time to time determine.

Tolls on Great South Railway.

Merchandise

By dead weight or measurement except as hereinafter mentioned For any distance not exceeding five miles three shillings and ninepence per ton For every additional mile or fraction of a mile up to ten miles ninepence per ton And for every mile or fraction of a mile above ten miles sixpence per ton.

Coals

Per ton for any distance not exceeding five miles three shillings For every additional mile or fraction of a mile up to ten miles eightpence Second ten miles sixpence per mile Beyond twenty miles fourpence per mile.

Wool

Twopence a-mile per bale of weight not exceeding 5 cwt. and for every cwt. exceeding 5 cwt. one halfpenny per cwt. or fraction of a cwt. per mile.

Timber

For any distance not exceeding ten miles one shilling per hundred Superficial feet And one penny per hundred feet for every mile above ten miles

Grain and other Farm Produce

(except Hay and Straw) for any distance not exceeding six miles two shillings and sixpence per ton And fivepence per ton for every mile above six miles.

Passengers

First Class each fourpence a mile for any distance exceeding three miles Return Ticket 25 per cent reduction upon Double Fares Second Class each threepence a mile for any distance exceeding three miles Return Ticket at similar reduction For any intermediate Station First Class sixpence a mile not exceeding three miles Return Ticket as above Second Class not exceeding three miles fourpence a-mile Return Ticket as above.

Sheep, Pigs, and Goats.

Ten shillings per score for the first ten miles or under and fivepence per score for every mile exceeding the first ten miles Other animals on such terms and at such rates as the Superintendent and Executive Council may from time to time determine.

On Lyttelton and Christchurch and Great Southern Railways respectively.

Parcels.

Not exceeding 14 lbs. weight one shilling each Above 14 lbs and not exceeding 28 lbs one shilling and sixpence Every additional 28 lbs or fraction thereof sixpence.

Passengers' Luggage

Not exceeding half a hundred-weight one shilling Every additional half hundred-weight or fraction thereof one shilling.

Packages

Under half & ton sent by Goods train to be charged as half a ton at Goods rates.

Packages

Weighing or measuring more than two tons to be charged by special agreement.

Stoves and other Castings

(not packed) to be charged freight and a-half.

Glass, China, Pictures, and other Valuables and Hazardous Goods.

On such terms and at such rates as the Superintendent and Executive Council may from time to time determine.

Tolls for through Carriage by both Lines.

Merchandise

By dead weight or measurement except as hereinafter mentioned per ton ninepence a mile.

Wool

Six shillings a bale.

Grain and other Farm Produce

(except Hay and Straw)—Sixpence a ton per mile.

Packages

Weighing or measuring more than two tons to be charged by special agreement

Stoves and other Castings (not packed)
To be charged freight and a-half.

Glass, China, Pictures and other Valuable or Hazardous Goods
On such terms and at such rates as the Superintendent and Executive Council
may from time to time determine.

Wharfage Dues and Warehousing Charges.

Merchandise
Landed on or shipped from Government wharves or jetties two shillings and
sixpence per ton.

Merchandise
Transshipping into lighters or otherwise from vessels lying alongside the
Government jetties one shilling per ton.

Warehousing Charges.
On goods not removed from the Railway within twelve working hours and on
goods awaiting order for delivery one shilling per ton per week or fraction of a
week.
An additional charge of one shilling per ton will be made on Bonded Goods for
the Customs' examination.

6. The Municipal Corporations Reserves Ordinance 1868.

Whereas the lands tenements and hereditaments described in the Schedules to
this Ordinance annexed are vested in the Superintendent of the Province of
Canterbury and his successors subject to the provisions of an Act passed by the
General Assembly of New Zealand entitled "The Public Reserves Act 1854"
And whereas an Act was passed by the said General Assembly of New Zealand
entitled "The Public Reserves Act Amendment Act 1862" whereby the
Superintendent and Provincial Council of any Province may by any Ordinance
duly passed in that behalf direct and declare that any lands vested or which
might thereafter be vested in the Superintendent of any Province under the
provisions of "The Public Reserves Act 1854" upon trust for any public purposes
should be transferred to and vested in and held by any Corporation
Commissioners or other person or persons having corporate succession to be
named in such Ordinance in such manner and with such powers of lease

management and disposition over the same and over all rents issues profits and proceeds thereof and other powers provisoes and conditions as should in such Ordinance be expressed and declared And it is also by the said Act provided that every Act or Ordinance passed by any Superintendent and Provincial Council under the authority of that Act should be reserved for the signification of the Governor's pleasure thereon and should have no force or effect until the confirmation by the Governor of the same should have been signified by proclamation in the Government Gazette of the Province to which the same right relate And whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury entituled "The Municipal Councils Reserves Ordinance 1862" the lands tenements and hereditaments described in the schedules A and B to this Ordinance annexed were declared to be vested in the Christchurch City Council and the Lyttelton Municipal Council respectively upon certain trusts in such Ordinance mentioned But such Ordinance was not reserved for th signification of the Governor's pleasure thereon and no proclamation of the confirmation of such Ordinance hath yet been published And whereas it is expedient that the specific purposes for which the lands tenements and hereditaments specified in schedule A to this Ordinance annexed should be changed and that such lands should be appropriated for other and different purposes of public utility And whereas it is also expedient that the said lands tenements and hereditaments vested in the Superintendent of the Province of Canterbury and respectively described in the schedules hereto annexed should be respectively vested in the Mayor Councillors and citizens of the city of Christchurch the Mayor Councillors and burgesses of the borough of Lyttelton and the Mayor Councillors and burgesses of the borough of Timaru respectively.

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. Purposes of Reserves described in Schedule A.

That the specific purpose for which the lands tenements and hereditaments described in the Schedule A to this Ordinance annexed have been reserved shall be and are hereby changed and that henceforth the said lands tenements and hereditaments shall be reserved for the sites of public buildings for the use and benefit of the inhabitants of the City of Christchurch.

2. Lands tenements and hereditaments described in Schedule A transferred to the Mayor Councillors and Citizens of Christchurch.

That the said lands tenements and hereditaments described in the said Schedule A shall be and the same are hereby transferred to and vested in and held by the Mayor Councillors and Citizens of the City of Christchurch and their successors as a Body Corporate in trust as and for the sites for public buildings for the use and benefit of the inhabitants of the City of Christchurch and upon trust to use and occupy the same when and so long as the same or any part thereof shall not be built upon for general Municipal purposes.

3. Lands tenements and hereditaments described in Schedule B transferred to the Mayor Councillors and Burgesses of Lyttelton.

That the lands tenements and hereditaments described in Schedule B to this Ordinance annexed shall be and the same are hereby transferred to and vested in and held by the Mayor Councillors and Burgesses of the Borough of Lyttelton and their successors as a Body Corporate in trust as and for the sites for public buildings for the use and benefit of the inhabitants of the borough of Lyttelton and upon trust to use and occupy the same when and so long as the same or my part thereof shall not be built upon for general Municipal purposes.

4. Lands tenements and hereditaments described in Schedule C transferred to the Mayor Councillors and Burgesses of Timaru.

That the lands tenements and hereditaments described in Schedule C to this Ordinance annexed shall be and the same are hereby transferred to and vested in and held by the Mayor Councillors and Burgesses of the Borough of Timaru and their successors as a Body Corporate in trust for such public purposes as the same have been respectively reserved.

5. Superintendent may grant and convey lands tenements and hereditaments.

That it shall be lawful for the Superintendent in Council to grant and convey to the said several Corporate Bodies respectively the said lands tenements and hereditaments hereinbefore declared to be vested in such bodies respectively upon trust for the several purposes hereinbefore expressed.

6. Corporate bodies may lease and manage said lands tenements and hereditaments.

That notwithstanding the trust hereinbefore declared it shall be lawful for the said Corporate Bodies respectively to lease and manage the lands tenements and hereditaments hereby transferred to them respectively at such rents issues and profits as they may deem expedient so that such rents or rack rents and such leases be not for any longer term than 21 years to take effect from the day of the execution thereof.

7. Rents issues and profits to form part of fund of such corporate bodies.

All rents issues and profits received by virtue of this Ordinance shall form part of the City and Borough funds of the said Corporate Bodies respectively.

Schedule A.

Reserve No. 9.

Containing sixteen perches more or less situate in Oxford Terrace West having one chain frontage to the south aide of Worcester Street and extending back southerly in a rectangular block a distance of one chain.

Reserve No. 10.

Containing sixteen perches more or less situate on Oxford Terrace West having one chain frontage to the north side of Worcester Street and extending back northerly in a rectangular block a distance of one chain immediately north of and opposite Reserve No. 9.

Reserve No. 15

Containing one rood and eighteen perches more or less in two blocks containing 29 perches each being situate in the Market Place Christchurch Block No. 1 extending three chains along the west side of Colombo Street and extending westerly in a rectangular block a distance of 61 links Block No. 2 extending 3 chains along the north side of Armagh Street and extending northerly in a rectangular block a distance of 61 links.

Schedule B.**Reserves Nos. 35 and 36**

Two roods more or less situate in the Market Place Lyttelton being bounded on the north by the Market Place 356 links on the east by St. David's Street 143 links on the south by London Street 356 links and on the west by Oxford Street 143 links and numbered 35 and 36 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the town of Lyttelton.

Reserve No. 34

One acre two roods twenty-eight perches more or less situate in Oxford Street Lyttelton being bounded on the north by London Street 246 links on the north-east by Christchurch Road 180 links on the east by St. David's Street 361 links on the south by Norwich Quay 356 links and on the west by Oxford Street 500 links and numbered 34 (in red) on the map of the Chief Surveyor of the Province of (Canterbury - setting out and describing the town of Lyttelton.

Reserve No. 101.

Fifty-two acres one rood and thirty perches more or less situate on the north of Lyttelton commencing at a point on the north-western boundary of Rural Section 350 a distance of 6 chains 25 links from the south-western corner of the said Section 350 thence to the north-eastward along the said north-western boundary of Section 350 and on in the same direction altogether a distance of 23 chains to a point 10 chains 50 links from the Trigonometrical Station on Mount Pleasant and extending north-westerly in a rectangular block above and adjoining Rural Section 501 a distance of 22 chains 80 links subject nevertheless to a road one chain wide through this reserve from the north-eastern boundary line of Section 601 to the summit of the hill as the same is more particularly delineated and numbered 101 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the town of Lyttelton.

Reserve No. 68.

Ninety-six acres more or less in two blocks Block I.—Lighty-five acres situate at the eastern end of the town of Lyttelton bounded on the north by Rural Sections Nos. 1 and 258 11 chains 33 links and 22 chains 10 links respectively on the eastward south-eastward and southward by the reserve for the Sumner Road a distance of 48 chains 50 links and on the westward by Town Sections 176 177 178 179 180 181 and 182 the Roman Catholic Cemetery Reserve No 45 (in red) the Dissenters' Cemetery Reserve No. 46 and Town Sections 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 315 316 317 318 319 320 and 321 Block II. contains eleven acres more or less being bounded on the northward by the reserve for the Sumner Road and Rural Section 130 distance of 35 chains 60 links and 5 chains respectively on the south-eastward and southward by the reserve of one chain above high-water mark n distance of 49 chains 20 links and on the north-westward by Town Section 341 a distance of 290 links.

Schedule C.

822 (in red)—Two roods and thirty-eight perches more or less being sections No. 53 74 and 75 in the Town of Timaru Nos. 74 and 75 situate in and fronting on High Street and No. 53 fronting on the reserve from highwater-mark.

823 (in red)—One rood and thirty-eight perches more or less being Town Sections Nos. 59 and 60 situate in and fronting on High Street in the Town of Timaru.

824 (in red)—One rood and four perches more or less being Town Sections No. 82 situate in the Town of Timaru and fronting on the reserve from highwater-mark.

825 (in red)—One rood more or less being Town Section No. 92 situate in and fronting on High Street in the Town of Timaru.

827 (in red)—One rood more or less being Town Section No. 167 situate in and fronting on Heaton Street in the Town of Timaru.

828 (in red)—One rood more or less being Town Section No. 169 situate in and fronting on Heaton Street in the Town of Timaru.

829 (in red)—One rood more or less being Town Section No. 771 situate in and fronting on Heaton Street in the Town of Timaru.

830 (in red)—One rood more or less being Town Section No. 176 situate in and fronting on Heaton Street and Rose Street in the Town of Timaru.

831 (in red)—One acre more or less being Town Sections Nos. 243 244 245 and 246 situate in and fronting on Rose Street and Russell Square in the Town of Timaru.

832 (in red)—One rood three perches more or less being Town Section No. 267 situate in and fronting on King Street and Queen Street in the Town of Timaru.

833 (in red)—One rood more or less being Town Section No. 270 situate in and fronting on King Street in the Town of Timaru.

834 (in red,)—One rood more or less being Town Section No. 272 situate in and fronting on King Street in the Town of Timaru.

835 (in red)—One rood more less being Town Section No. 274 situate in and fronting on King Street in the Town of Timaru.

836 (in red)—One rood more or less being Town Section No. 276 situate in and fronting on King Street in the Town of Timaru.

837 (in red)—One rood more or less being Town Section No. 278 situate in and fronting on King Street in the Town of Timaru.

838 (in red)—One rood more or less being Town Section No. 283 situate in and fronting on Charles Street and Prince's Street in the Town of Timaru.

839 (in red)—One rood and nine perches more or less being Town Section No. 287 situate in and fronting on King Street and Princes Street in the Town of Timaru.

840 (in red)—Fifty three perches more or less being Town Section No. 296 situate in and fronting on King Street and Queen Street in the Town of Timaru.

841 (in red)—One rood more or less being Town Section No. 315 situate in and fronting on Charles Street in the Town of Timaru.

842 (in red)—One rood more or less being Town Section No. 329 situate in and fronting on Edward Street and Catherine Street in the Town of Timaru.

843 (in red)—One rood more or less being Town Section No. 364 situate in and fronting on High Street in the Town of Timaru.

844 (in red)—One rood more or less being Town Section No. 370 situate in and fronting on High Street in the Town of Timaru.

845 (in red)—One rood more or less being Town Section No. 391 situate in and fronting on Heaton Street in the Town of Timaru.

846 (in red)—One rood more or less being Town Section No. 396 situate in and fronting on Heaton Street in the Town of Timaru.

847 (in red)—One rood more or less being Town Section No. 398 situate in and fronting on Heaton Street in the Town of Timaru.

848 (in red)—One rood more or less being Town Section No. 400 situate in and fronting on Heaton Street in the Town of Timaru.

849 (in red)—One rood more or less being Town Section No. 402 situate in and fronting on Heaton Street in the Town of Timaru.

850 (in red)—Two roods more or less being Town Sections Nos. 401 and 416 situate in and fronting on Cross Street in the Town of Timaru Section 404 being situated also in Heaton Street and 416 in Browne Street.

851 (in red)—Two roods and two perches more or less being Town Sections Nos. 428 and 440 situate in and fronting on Cross Street in the Town of Timaru Section 428 being situated also in Browne Street and Section 440 situate in William Street.

852 (in red)—One rood and two perches more or less being Town Section No. 430 situate in and fronting on William Street in the Town of Timaru.

853 (in red)—One rood two perches more or less being Town Section No. 432 situate in and fronting on William Street in the Town of Timaru.

854 (in red)—One rood and two perches more or less being Town Section No. 434 situate in and fronting on William Street in the Town of Timaru.

855 (in red)—One rood and two perches more or less being Town Section No. 336 situate in and fronting on William Street in the Town of Timaru.

856 (in red)—One rood and two perches more or less being Town Section No; 438 situate in and fronting on William Street in the Town of Timaru.

7. The Trespass of Cattle Ordinance 1868.

No Ordinance Assent Withheld.

8. The Fencing Ordinance 1868.

No Ordinance Assent Withheld.

9. The Rakaia Bridge Ordinance 1868.

Whereas by an Act of the General Assembly of New Zealand entitled "The Highways and Watercourses Diversion Act, 1858," it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by Ordinance to be made for that purpose to authorise and empower the Superintendent to build bridges and other erections on the banks or in the beds of any river stream or creek in such Province. And whereas by an Act of the General Assembly of New Zealand intituled " The Provincial Council Powers Extension Act 1863 " it is enacted that whenever any Ordinance shall be passed by any Provincial Council for the purpose of authorising the making or carrying out of some work of utility to the Public or to the inhabitants of some particular district such law may so far as may be necessary for the making or carrying on of such work of utility effect any road or highway or the bed of any river stream or creek although the same respectively may be lands of the Crown And whereas it is for the benefit of the Public that a Bridge should be constructed and maintained across the River Rakaia.

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 may Construct Bridge.

It shall be lawful for the Superintendent to construct a Bridge over the River Rakaia and make approaches thereto at such place as to the Superintendent shall seem fit.

2. When fit for Public Traffic Bridge to be proclaimed Open.

When such Bridge shall in the opinion of the Superintendent and Executive Council be fit for public traffic the Superintendent shall by proclamation in the Provincial Government Gazette notify that the said Bridge is open for public traffic.

3. Tolls to be paid as set forth in Schedule to this Ordinance.

Tolls shall be paid for the passage across the said Bridge of passengers animals vehicles articles and things at the respective rates set forth in the Schedule to this Ordinance Such Tolls shall be paid by the persons using the Bridge to the Toll Collector or one of the Toll Collectors hereinafter mentioned.

4. Superintendent to appoint Toll Collectors.

It shall be lawful for the Superintendent for the time being by warrant under his hand from time to time to appoint one or more person or persons as Toll Collectors to collect the Tolls aforesaid and such person or persons at pleasure to remove and others to appoint.

5. Penalty for Evading Tolls.

Any person who shall evade or attempt to evade the payment or or who shall refuse or neglect to pay any Toll payable under this Ordinance shall forfeit and pay for every such offence any sum not exceeding Five Pounds And it shall be lawful for any Toll Collector or Collectors to prevent the passage across the said Bridge of any passenger animal vehicle article or thing of what kind soever unless the Tolls hereby made payable for the passage of the same shall have been previously paid.

6. Penalty for Obstructing Passage of Bridge.

Any person wilfully obstructing the passage of the said Bridge or the approaches thereto except under this Ordinance or under the authority of the Superintendent for the purpose of repairing the same shall for every such offence forfeit and pay any sum not exceeding Ten Pounds.

7. Carriages or other Vehicles to Cross Bridge at Walking Pace.

No carriage cart or other vehicle shall in crossing the said Bridge proceed at any time at a greater rate than a walking pace and every person who shall drive at a greater rate shall for every such offence forfeit and pay any sum not exceeding Ten Pounds.

8. No Carriage or other Vehicle which exceeds including load the weight of Four Tons to Cross Bridge.

No carriage cart or other vehicle machine or engine that shall exceed including any load thereon the weight of Four Tons shall be at any time permitted to cross the said Bridge And no article or thing shall be conveyed across the said Bridge except in a wheeled vehicle or carried by passengers or animals.

9. Superintendent may take Tolls at Lower Rates than set out in Schedule.

It shall be lawful for the Superintendent with the advice and consent of the Executive Council from time to time if he shall think fit to take in satisfaction of the tolls payable under this ordinance while the said tolls shall he unlet tolls at lower rates than are set out in the schedule hereto and also in any lease to be granted as hereinafter mentioned to stipulate that the lessees shall not exact the full amount of the tolls set out in such schedule but such lesser amounts as may in such lease or in any schedule thereto be particularly specified.

10. Superintendent may Construct Bridge by Contract and grant to Contractor a Lease of Tolls.

It shall be lawful for the Superintendent with the advice and consent of his Executive Council to contract with any person or persons company or companies for the construction of such Bridge and the approaches thereto And if he with the advice and consent aforesaid shall think fit so to do as the consideration or as part of the consideration for the construction of the same to agree to grant and to grant a lease of the tolls payable under this Ordinance to the person or persons company or companies erecting the same Bridge for any term not exceeding ten years from the date of the lease either at a nominal rent at such other rent or rents and in either case subject to such covenants and agreements on the part of the Lessees their executors administrators successors or assigns as to the Superintendent with the advice and consent aforesaid shall seem fit.

11. No Monies to be paid for the Construction of Bridge unless appropriated for the purpose by Ordinance of the Superintendent and Provincial Council.

No contract shall be entered into for the construction of the said Bridge or the approaches thereto by which any money may become payable by the Provincial Treasurer on account of such contract or otherwise unless the sum or sums contracted to be paid shall have been previously appropriated for the purpose by some Ordinance of the Superintendent and Provincial Council.

12. Title.

This Ordinance shall be intituled and may be cited as “The Rakaia Bridge Ordinance, 1868.”

The Schedule referred to in the foregoing Ordinance.

	£	s.	d.
For every passenger including in each denomination every person who shall in any manner be carried across the said bridge as well as foot passengers	00	02	00
For every vehicle including in such denomination any machine or engine or other thing on two wheels only	00	02	06
For any vehicle (including in such denomination any machine or engine or other thing) on more than two wheels	00	04	00
For every horse ass or mule whether drawing any vehicle or not	00	01	00
For all horned or neat cattle per head	00	00	06

For every sheep lamb goat or pig

00 00 01

The above tolls shall be payable for every passage of the bridge.

All vehicles or persons carrying Her Majesty's Mails and the horses drawing such vehicles and the driver thereof and all Police Constables on duty and Prisoners in their charge shall be exempt from toll.

10. The Diversion of Roads on Great Southern Railway, Special No 2 Ordinance 1868.

Whereas by an Act of the General Assembly of New Zealand intituled "The Highways and Watercourses Diversion Act 1858 " it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any Law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed and also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should he so sold exchanged or disposed of.

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

And whereas it is for the public benefit and for the purpose of ensuring the safety of Trains running upon the Great Southern Railway that the parcel of land mentioned and described in the Schedule hereto and in the Plan hereunto annexed should be stopped up pursuant to the powers given to the Superintendent with the advice and consent of the Provincial Council by the said recited Act intituled "The Highways and Watercourses Diversion Act 1858."

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

1. Road described in Schedule shall be stopped up.

From and after the passing of this Ordinance the Public Road passing over the parcel of land described in the Schedule hereto and in the Plan hereunto annexed shall be stopped up.

2. Title.

This Ordinance shall be intitled and may be cited as "The Diversion of Roads on Great Southern Railway Special Ordinance No. 2 1868."

Schedule.

All that parcel of land part of the road one chain wide separating rural Sections Nos. 66 and 72 containing by admeasurement fourteen perches more or less the eastern and western boundaries being respectively the eastern and western sides of the road above mentioned the northern boundary being a straight line parallel to and 4 chains 55 links distant from the Town Belt south and the southern boundary being a line parallel to the last described boundary and 90 links distant therefrom.

11. The Education Ordinances 1864 and 1865 Amendment Ordinance 1868.

Analysis.

Preamble.

1. Estimates for the year ending 1st October 1869, may be made at any time previous to 1st April 1869.
2. Upon election of Committee under "Education Ordinance Amendment Ordinance Amendment Ordinance, 1865, powers of Committee previously in existence shall cease and determine.
3. Educational District what to mean.

Whereas an Ordinance entitled "The Education Ordinance 1864" was passed in the XXII. Session of the Provincial Council by the Superintendent and Provincial Council for the establishment and maintenance of Schools within the Province. And whereas an Amendment Ordinance was passed in the XXIV. Session of the said Council entitled "The Education Ordinance Amendment Ordinance 1865" And whereas it is expedient to make provision for the making of Estimates under Clause 28 of the first recited Ordinance and also for amending the provisions as to election of Local Committees of certain Schools.

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

1. Estimates for the year ending 1st October 1869, may be made at any time previous to 1st April 1869.

That notwithstanding anything to the contrary contained in Clauses 4 and 28 of “The Education Ordinance 1864” the estimates required pursuant to Clause 28 of the said recited Act for the year ending the 1st day of October 1869 may be made at any time previous to the 1st day of April 1869.

2. Upon election of Committee under “Education Ordinance Amendment Ordinance 1865, powers of Committee previously in existence shall cease and determine.

Whenever a District School Committee shall have been elected under the authority of the second clause of “The Education Ordinance Amendment Ordinance 1865” all the functions and powers of Committee previously in existence in such district shall thenceforth absolutely cease and determine.

3. Educational District what to mean.

An “Educational District” shall be taken to mean any Educational District proclaimed by the Superintendent under the 35th clause of the said “Education Ordinance 1864.”

12. The Road Ordinance 1864 Amendment Ordinance 1868.

Analysis..

Preamble.

1. Repealing Clause.

2. Districts set forth in Schedule deemed to be Districts for purposes set forth in “Roads Ordinance 1864.”

3. Ratepayers’ Rolls to be altered for the several districts affected by this Ordinance.

4. Title.

Whereas an Ordinance was passed by the Superintendent and Provincial Council of the Province of Canterbury intituled “The Roads Ordinance 1864” and whereas it is expedient to amend the Schedule A to the said Ordinance for the purpose of altering certain districts and creating new ones.

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

1. Repealing Clause.

Clauses 2 3 and 4 of the said schedule shall be and are hereby repealed.

2. Districts set forth in Schedule deemed to be Districts for purposes set forth in "Roads Ordinance 1864."

Every District set forth and described in the schedule to this Ordinance shall be deemed to be a District for the purposes set forth in "The Roads Ordinance 1864."

3. Ratepayers' Rolls to be altered for the several districts affected by this Ordinance.

The Superintendent shall appoint some competent person to make such alterations in the Ratepayers' Rolls for the several districts affected by this Ordinance 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 Rolls for the aforesaid districts 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 this property The said Rolls so altered under the provisions of this section shall be the Ratepayers' Rolls 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.

4. Title.

This Ordinance shall be intituled and may be cited as "The Roads Ordinance 1864 Amendment Ordinance 1868.

Schedule.

1. Kowai District.

Comprises that portion of the Province bounded on the north by the Waipara district on the south by the south bank of the Ashley to the eastern side of the road running between Sections 1684 and 2673 thence crossing the Ashley to the eastern side of the road forming the eastern boundary of Section 2163 following that road passing by the southern boundary of section 9286 to the western boundary of Run No. 11 following northerly and westerly along that boundary to the east bank of the Makerikeri following northerly the eastern bank of that river and the eastern boundary of Run No. 194 to the summit of Mount Grey thence following the watershed between the Rivers Waipara and Okuku by Mount Karetu and the Okuku range to the westernmost corner of Run 464.

2. Ashley District.

Comprises that portion of the Province bounded on the north by the Waipara district on the east by the Kowai district on the south and west by the south bank of the Ashley from the eastern side of the road running between Sections 1684 and 2673 to its source.

3. Cust District.

Comprises that portion of the Province bounded on the north by the Kowai and Ashley districts on the east by a true north and south line drawn through Trig. Pole C. 30 on the bank of the Waimakariri from the River Ashley to the Oxford and Rangiora road following the said road to the west boundary of the Pasturage Run No. 3 following the west boundary of run No. 3 to the River Eyre thence following the river Eyre to the west boundary of Pasturage Run No. 83 and following the west boundary of Run No. 83 to the bank of the Waimakariri on the south by the Eyre and the south bank of the Waimakariri and On the west by the boundary line between Runs 119 and 13514 and 108 Class 2 and Runs 35 and 34 and a line drawn from the north-western corner of Run No. 14 to the confluence of the Glentui with the Ashley.

4. Oxford District.

Comprises that portion of the Province bounded on the north by the Ashley and Waipara districts on the east by the Ashley and Cust districts on the south by the south bank of the Waimakariri to a point in line with the northern boundary of Run 270 thence easterly following that boundary to the Puketirake range thence northerly following that range to Ashley Head.

5. Esk District.

Comprises that portion of the Province bounded on the north by the Waipara district the Province of Nelson and by the County of Westland on the east by the Oxford district and on the south by the south bank of the Waimakariri to the head waters of its westernmost source and a true west straight line to the County of Westland aforesaid.

6. Mandeville and Rangiora District.

Comprises that portion of the Province bounded on the north by the south bank of the Ashley on the east by the sea, on the west by the Cust district on the south by the Oxford and Rangiora road the Oxford and Kaiapoi road and the centre of the Rangiora main drain as at present existing to the north bank of the northern branch of the Waimakariri following that branch to a point in line with the western boundary of the town of Kaiapoi district thence following the western and southern boundaries of the said district to the north bank of the Waimakariri thence following a straight line to the westernmost corner of section 669 and from thence by the south bank of the Waimakariri to the sea save and except the town of Kaiapoi district hereinbefore mentioned.

7. Eyreton District.

Comprises that portion of the Province bounded on the north by the Mandeville and Rangiora district and also by the town of Kaiapoi district on the west by the Cust district and on the south and east by the south bank of the Waimakariri from Trig. Pole C 30 to a point opposite the westernmost corner of section 669.

13. The Appropriation Ordinance No. 3 1868.

Analysis

Preamble.

1. Appropriation of Public Revenues for period ending 31st December 1869.
2. Appropriation of Public Revenues for defraying outstanding liabilities as per Schedule.
3. Sums to be issued in accordance with Audit Acts.
4. 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 period ending 31st December 1869.

Out of the public revenues of the said Province there may be issued and applied for the public service of the Province and for defraying the charge of the Government thereof for the period commencing on the 1st day of January 1869 and ending the 31st day of June, 1869 the sum of Two hundred and twenty eight thousand two hundred and ninety-nine pounds six shillings and ten pence in manner set forth in Schedules A B and C to this Ordinance respectively.

2. Appropriation of Public Revenues for defraying outstanding liabilities as per Schedule.

Out of the Public Revenues of the said Province here may be issued and applied for the public service of the said Province and for defraying certain liabilities under contracts and engagements entered into previously to the passing of this Act the further sum of Sixty-five thousand five hundred and ninety pounds eight shillings and fourpence in manner set forth in Schedule D to this Ordinance.

3. Sums to be issued in accordance with Audit Acts.

The said sums hereby appropriated shall be issued and paid in the manner prescribed by “The Provincial Audit Act 1866” and “The Provincial Audit Act Amendment Act 1868.”

4. Title.

This Ordinance shall be entitled and may be cited as "The Appropriation Ordinance No. 3, 1863."