



EMPOWERING ORDINANCE, 1854.

*

IN THE SEVENTEENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

No. 6. A

ANALYSIS.

Preamble.

1. Superintendent empowered to perform certain acts heretofore performed by the Governor, &c. Saving powers of the Governor.

2. Also certain acts heretofore performed by Resident Magistrate.

Saving certain powers of Resident Magistrate.

AN ORDINANCE to Empower the Superintendent of the Province of Otago to perform certain acts heretofore performed by the Governor or Lieutenant-Governors of New Zealand, and by the Resident Magistrate of Otago.

WHEREAS by certain Ordinances, passed by the Governor-in-Chief, Preamble. Governors, and Lieutenant-Governors of New Zealand, and by the Lieutenant-Governor of New Munster, enumerated in the Schedule to this Ordinance annexed, certain powers are vested in the Governor-in-Chief, Governors, or Lieutenant-Governors, or in the Officer administering the Government of the Colony or Province for the time being: And whereas by various Ordinances passed as aforesaid, certain powers are vested in the Resident Magistrate for Otago: And whereas it is expedient that such powers should be vested in and exercised by the Superintendent of the Province of Otago:

BE IT ENACTED by the Superintendent of the said Province, with the advice and consent of the Provincial Council thereof, as follows:—

1. All such powers as are by the several Ordinances recited in the Schedule to this Ordinance, conferred on the Governor-in-Chief, Lieutenant-Governors, or Governors, of New Zealand, or on the Lieutenant-Governor of New Munster, or on the Officer administering the Government of the Colony or Province for the time being, and as may be hereby conferred upon the Superintendent of the Province, without repugnance to any of the provisions con- Superintendent empowered to perform certain acts heretofore performed by the Governor, &c. Saving powers of the Governor.

tained in the Act of the Session of Parliament holden in the fifteenth and sixteenth years of the reign of Her Majesty, chapter seventy-two, entitled, "An Act to grant a Representative Constitution to the Colony of New Zealand," are hereby, within the limits of the Province of Otago, conferred on the Superintendent thereof. Provided always that nothing herein contained shall be construed to limit or control the Governor of New Zealand in the exercise of any power heretofore exercised by His Excellency under authority of the several Ordinances named in the Schedule to this Ordinance.

Also certain acts heretofore performed by Resident Magistrate.

Saving certain powers of Resident Magistrate.

2. All powers of Executive Government within the Province of Otago, vested by any such Ordinance in the Resident Magistrate, shall be, and are hereby, transferred from said Resident Magistrate to, and shall be, and are hereby, vested in the Superintendent of the Province. Provided always that nothing herein contained shall be construed to limit or interfere with the powers of such Resident Magistrate as Returning Officer of any of the Electoral Districts within the Province of Otago, or any powers of Civil or Criminal Jurisdiction vested in such Resident Magistrate, or any powers exercised by him in virtue of any authority derived from the Supreme Court of New Zealand.

Passed the Provincial Council this 10th day of March 1854.

ARCHIBALD ANDERSON,
Speaker.

ROBERT CHAPMAN,
Clerk of Council.

Assented to on behalf of the Governor, at Dunedin, the Eighteenth day of March, One Thousand Eight Hundred and Fifty-four.

W. CARGILL,
Superintendent of the Province of Otago.

SCHEDULE TO THIS ORDINANCE.

Session II. No. 9.—An Ordinance to provide for the Registration of Deeds and Instruments affecting Real Property.

Session II. No. 12.—An Ordinance for Regulating the Sale of Fermented and Spirituous Liquors.

Session II. No. 13.—An Ordinance for Licensing Auctioneers.

Session II. No. 17.—An Ordinance for imposing a Tax on Raupo Houses.

Session III. No. 8.—An Ordinance to establish a Court of Requests for the more easy and speedy Recovery of Small Debts.

Session III. No. 21.—An Ordinance to amend an Ordinance for Regulating the Sale of Fermented and Spirituous Liquors.

Session V. No. 1.—An Ordinance for raising a Militia within the Colony.

Session VI. No. 1.—An Ordinance to empower the Governors of New Zealand to Regulate the Importation and Sale of Arms, Gunpowder, and other Warlike Stores.

Session VII. No. 2.—An Ordinance to provide for the Establishment and Maintenance of a Constabulary Force.

Session VII. No. 4.—An Ordinance to Regulate the Appointment and the Duties of Sheriff in the Colony of New Zealand.

Session VII. No. 5.—An Ordinance to Regulate the Appointment and the Duties of Coroner in the Colony of New Zealand.

Session VII. No. 7.—An Ordinance for the Regulation of Prisons.

Session VII. No. 16.—An Ordinance to provide for the Establishment of Resident Magistrates' Courts, and to make special provision for the Administration of Justice in certain cases.

Session VII. No. 17.—An Ordinance to repeal the Cattle Trespass Ordinance, and the Cattle Trespass Amendment Ordinance, and to provide for the Summary Recovery of Compensation for Damages done by Cattle Trespassing.

Session VII. No. 18.—An Ordinance to Regulate the Removal and the Making

and Repair of Arms, Gunpowder, and other Warlike Stores, within the Colony of New Zealand.

Session VII. No. 19.—An Ordinance to provide for the Prevention, by summary proceeding, of unauthorised Purchases and Leases of Land.

Session VII. No. 20.—An Ordinance to Establish Courts of Sessions of the Peace.

Session VII. No. 21.—An Ordinance to make provision for the safe custody of, and the prevention of offences by, persons dangerously insane, and for the care and maintenance of persons of unsound mind.

Session VIII. No. 2.—An Ordinance to prohibit the keeping of Gunpowder exceeding a certain quantity.

Session VIII. No. 4.—An Ordinance to provide for the Management of Savings Banks.

Session VIII. No. 5.—An Ordinance to Regulate the Slaughtering of Cattle in certain places.

Session VIII. No. 6.—An Ordinance to authorise and regulate the Impounding of Cattle.

Session VIII. No. 9.—An Ordinance for Registering Births, Deaths, and Marriages in the Colony of New Zealand.

Session VIII. No. 10.—An Ordinance for promoting the Education of Youth in the Colony of New Zealand.

Session VIII. No. 12.—An Ordinance to provide for the Protection of Footpaths in the Colony of New Zealand.

Session XI. No. 8.—An Ordinance for taking a Census of the Colony of New Zealand.

Session XI. No. 11.—An Ordinance for the Regulation of Building and Land Societies.

ORDINANCES OF NEW MUNSTER.

Session I. No. 7.—An Ordinance to authorise the Levying and Collecting of Rates for the making and Repairing of Roads, Streets, &c., in any Town of the Province of New Munster.

Session I. No. 9.—An Ordinance to increase the efficiency of the Constabulary Force.

Session I. No. 10.—An Ordinance to authorise the Levying and Collection of Tolls on Roads, and of Rates on Land in the Province of New Munster.

Session I. No. 11.—An Ordinance to abate the Dog Nuisance.