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GOVERNMENT GAZETTE.

PROVINCE OF CANTERBURY.

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By His Honor's command,

RICHARD PACKER,

Provincial Secretary.

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[No. VII.]

*Provincial Secretary's Office,
Christchurch, April 2, 1857.*

HIS Honor the Superintendent opened the Provincial Council this day with the following speech:—

Mr. Speaker and Gentlemen of the Provincial Council,—

In opening your Council for the last time I cannot forbear asking you to survey the four years which have elapsed since your duties commenced, and to examine what has been done during that time.

You will remember that although almost unprecented success had attended the Settlement, which had then been formed less than three years, yet we commenced our duties in a community in which there were no existing establishments, or even traditions of Government: in which everything had to be created and organised from the beginning; and with an exchequer so absolutely empty, that we had to borrow a small sum in order to make the first payments of salaries. The settlement was then at a stand. The operations of the Canterbury Association

were at an end—Immigration had ceased—Public Works had been abandoned—and there were looming in the distance, questions, such as the settlement of our relations with the Canterbury Association, and the adjustment of the Land question, to which no one could look without some anxiety.

I may indeed congratulate you on the change which has taken place since that time. Our population, our trade and our Revenues, are steadily increasing; our exports have increased so largely as to promise, and at no distant date, to balance the imports; whilst in the formation of new homesteads, in the cultivation of the land, in the increase of stock, in the accumulation of wealth and the advancement of civilization and comfort of every description, the same remarkable progress exhibits itself in every direction. You may without vanity, Gentlemen, claim a share of the credit due to the prosperity of the Province for which you have legislated; for however difficult it may be sometimes to trace the immediate influence of good or bad government upon the social condition of a commu-

nity, in some respects, at all events, that influence makes itself directly felt, especially in everything which affects the public credit. It is due to you, gentlemen, that, whereas when your Immigration Agent went to England three years ago, the Provincial Government was absolutely without any credit whatever, you are now in a position to raise without difficulty any sums that you may require, to carry on Immigration and Public Works, at the ordinary Colonial interest.

In opening the first Council in 1853 I ventured to point out a line of policy for your adoption, and I enlarged especially upon the nature and extent of the establishments of Government, which would become necessary. You concurred in the opinions I then laid down, and the experience of four years has but confirmed me in those views.

The best mode of conducting the Provincial Governments has naturally been a matter of constant enquiry and discussion in the several Provinces of the Colony: but it is obvious that all our opinions on this subject must be modified by the policy of the General Government, and by the attitude which it is to assume towards the several Provincial Governments.

If the whole of what are properly called the powers of Government are to be assumed and administered by the General Government, then the Provincial Governments will descend into mere Parish Boards, for managing local Public Works. But that is not the case at present. It is undeniable that at present almost the whole real Government of the country is administered by the Superintendents of the Provinces; and when I look on the past four years, or look around me to what is going on at the present moment, I confess I see no reason to wish that this state of things should be altered.

I am sorry to be compelled to say, that since I addressed this Council in September, 1853, scarcely a step has been made in solving any one of the political difficulties in which this Colony is involved; and I do not hesitate to say, that since the introduction of Ministerial Responsibility into the General Government, those difficulties have been even greater than before. For you well know that there were certain great questions with which the General Government alone could deal, and in respect of which the complaints of the Provinces have been loud, constant,

and increasing. I will name of these: the confusion in the Finances of the Colony; the deficient administration of Justice by the Supreme Court; the mismanagement of the Native Land Purchase Department; the conflicting jurisdiction between the General and Provincial Governments; the inconvenience of the Steam and Postal arrangements. Now, what has been done by the General Government towards the settlement of any one of these great questions? The Finances are conducted on a scheme which is still awaiting settlement by the Parliament of England; the deficiency of the administration of Justice by the Supreme Court has never been greater or more oppressive than now; the complaints of the Native Land Purchase Department are louder than ever; not even an attempt has been made to put an end by law to the mischievous conflict of authority between the General and Provincial Governments, whilst the mode in which the Government is administered at present has tended to stimulate to the utmost that most unseemly conflict; and lastly, the Steam Postal Service is about to be arranged in a manner both inconvenient and unjust towards the greatest part of the Colony.

Now, when I regard these things, and watch the progress of the Colony during the past four years, I am bound to confess, and I believe that there cannot be two opinions on this matter, that the whole of that progress has been due to local enterprise, to Provincial action, and to the Provincial Governments, and that the General Government has either been absolutely inert in guiding or advancing the prosperity of the Colony, or has been positively mischievous in its action. In those Departments which fall peculiarly to the charge of the General Government, there is either no improvement, or an absolute retrogression; whilst the action of the Provincial Governments generally has been to keep pace with the increasing requirements and the expanding energies of the country. Gentlemen, I see no prospect of any alteration in this state of things for many years to come; and therefore I do not wish to see the action of the Provincial Councils in any way curtailed, or their present powers contracted.

It was in the anticipation that this might be the case that I counselled you

to establish your Provincial Government not like a mere Corporation, or a Vestry or Parish Board—forms of local government indeed well adapted to the limited powers and petty interests with which they are invariably entrusted—but to regard it as a Government in the usual acceptation of that word, charged with great powers, responsible, in truth almost solely responsible, for the happiness and well being of the community, and therefore to be surrounded with so much of state, and so much only, as to secure its dignity, and encumbered with so much of form, and so much only, as should secure the patient and considerate use of those powers. You began by considering your Superintendent to be, although under another name (as the late Sir W. Molesworth pointed out in the House of Commons, he must of necessity be) the Lieutenant Governor of the Province, having ten times more real power for good or for mischief to the people under his rule than the Governor of the Colony himself. You therefore adopted the form of government in your Province which has been sanctioned by immemorial usage in the British colonies—you constituted an Executive Council to advise the Superintendent in the execution of his duties.

But we did not think it desirable to pledge ourselves, as an invariable rule of government, to the full usage of what is termed “Ministerial Responsibility.” Indeed it must be sufficiently apparent to thinking men, that it is impossible in the Provincial Governments to insist upon having a “ministry” formed of the heads of departments, resigning office with every adverse vote of the Legislature. Such an attempt in a small community in which there are often no clearly defined political parties, and where the matters under discussion are for the most part of a social and local character upon which individuals may agree or differ without respect to party principle,—such an attempt is not only impossible in itself, but is invested with an appearance of absurdity to lookers on. But without going to the length of adopting all the forms and fashions of party government, I maintain that you have enjoyed in this Province, even in a greater measure than most other parts of New Zealand, all the benefits of a real and practical responsibility of the Executive to the Legislature, and through the

Legislature, to the people. I earnestly hope you will never consent to any alteration in a form of government which has secured this responsibility. You cannot overlook the fact that in that Province where the doctrine of responsible government has been completely set aside, there party has been most violent, and government more unpopular and inefficient than in any other.

So far as the Executive Government of the Provinces is created by the Provincial Legislature, the object to be gained is very simple. The Constitution Act, by giving to the Superintendent alone the right of issuing any public money, virtually places the whole Executive power of the Province in his hands. Your object then must be to secure a harmony of action between the Superintendent and the Provincial Council, and to secure a responsibility to the Council for his acts. I know of no practical way by which this can be accomplished, except by requiring him always to act by the advice of a Committee of the Provincial Council, which must necessarily, if harmony between the Superintendent and the Provincial Council be attained, consist of the members of that body, generally looked up to as its leaders, and enjoying the confidence and esteem of the community. That seems to me the best practical Government which you can adopt in these communities. It is the least formal and expensive form of Government which can be trusted with the exercise of so great powers, and which offers sufficient guarantee for their moderate and prudent exercise.

I am aware it has been thought by some few persons, that this form of Government is costly. Those only can hold such an opinion who have neglected to study the public accounts. So essential do I think it, that there should be no mistake on the minds of the people in this matter, that I have placed the accounts for the past year, and the Estimates for the present year, before you, in a form which shows the public expenditure on account of the Executive Government, the Legislative, the administration of Justice, and so on, under separate heads. I find that the cost of the Executive Government during the first half-year ending in March, 1854, was 25 per cent. of the whole expenditure of the Province. In the three subsequent years the cost

of the Executive Government varied from $7\frac{1}{2}$ to $8\frac{1}{2}$ per cent. of that expenditure; and on the expenditure of the current year, if the Estimates before you are, adhered to, it will be less than 4 per cent. So that out of the whole expenditure during the ensuing year, 96 per cent. will consist of expenses which may be incurred or not, as you please, but which have nothing whatever to do with the form of Government, and will equally be incurred under one form of Government or another. I think then you will perceive, gentlemen, that nothing can be more fallacious than the idea that the form of Government you have maintained during the past four years is an expensive one.

Amongst the various subjects with which you have dealt, there are two to which I will specially allude, and upon which I am able to congratulate you on the result of your legislation. The first is the Waste Lands.

You have had to make laws for the management of the Waste Lands which should at once open the country to the small farmer and working settler, and at the same time afford such security to the squatter as would induce him to pursue his lucrative though speculative trade. You had to satisfy claims and to protect interests often supposed to be hostile or incompatible. It must be admitted your policy has been most successful. Not only have none of the squatting settlers abandoned their pursuits, but every acre of new country is applied for for pastoral purposes as soon as discovered; whilst at the same time land is being sold in small lots for agricultural purposes, quite as quickly as the utmost wants of the Province demand; more quickly even than it can be profitably occupied by the purchasers. I think I may say, there is such a general sense of stability and security in the present arrangements, a feeling that the interests of the pastoral settlers are protected, whilst those of the agriculturist are not in the slightest degree interfered with, a feeling that justice has been done to all parties and interests, that we may anticipate the maintainance of the present laws in all their main features for many years to come.

Whilst adverting to the Waste Lands I desire to draw your attention to a correspondence between the Superintendent and the Waste Lands Board, which will be laid before you.

My chief object in this correspondence has been that there should be a clear understanding as to the duties and position of the Waste Lands Board, and as to the rights of the public. The Waste Lands now practically belong to the people. An applicant for waste land does not go to the Board asking as a favor to be allowed to purchase land, but demanding, as a right, to be put in possession of land which the law makes his own upon certain conditions. The Board sit there judicially, simply to decide whether the requisite conditions are fulfilled, and to record the sale: and there can be no doubt that any person who is wrongfully prevented from occupying land as a pastoral settler or as a freehold purchaser has an action against the Board for depriving him of his rights. I believe this state of the law to be immeasurably the greatest boon which has been conferred upon a colonial community: it places at once the most absolute bar to all unfairness or land jobbing, because no man can be deprived of his right to land not already sold or reserved, and which he has once applied for. I feel assured that you, gentlemen, will preserve for the people this great right which they have now acquired, and that you will agree with me in thinking that this principle cannot be too clearly enunciated.

In case an action is brought against the Board, I have been asked to give a general guarantee of indemnity. I have of course declined to do so. The only funds out of which I could give such an indemnity are at your disposal, not at mine; and I could not take on myself to depart from a rule you have already laid down, and the wisdom of which seems to me indisputable, namely that officers of government who incur legal expenses through their own faults, must bear the loss themselves.

But I do not mean to say that the Board should be compelled to pay all the costs of actions in which they may become involved by mistakes honestly made, after all due care on their part to do what is right. I simply assert that the Superintendent can give them no general guarantee, but that in every case of the kind it will become your duty to decide whether you will depart from the general rule you have laid down for the guidance of myself and my successors, and will order such costs to be paid. I shall leave it to

your decision whether you think the case to be brought before you is one which ought to be treated as an exception to the rule.

The second subject to which I referred, is the settlement of the affairs of the Canterbury Association. It rarely falls to the lot of any legislative body to deal with a question so full of difficulty and delicacy as that I am alluding to. Still more rarely does it follow that such matters can be arranged with perfect satisfaction to all parties concerned. The termination of our relations with the Canterbury Association may be looked back upon by all concerned with unalloyed satisfaction; and, as frequently happens with actions performed in an honorable and generous spirit, the burden which the Province assumed in undertaking the debt of the Association has proved to be far less onerous than might have been anticipated, whilst the conduct of the Province in the matter has tended more than anything else, to establish its credit in England. I desire to warn you, however, that this result will still depend solely on the manner in which the Association's Estate is managed, and on the punctuality with which the rents are collected in the colony. If this be not attended to, you will be called on for heavy advances from the Revenues to pay the Dividends on the loan, which must of course be punctually paid in London at all sacrifices.

I would further strongly counsel you to expend all the monies arising from the sale of portions of the Estate to pay off these debentures. As a matter of honour and credit I think the proceeds of this Estate ought to be devoted to the same purpose which it would have been had it remained in the hands of the Association. I shall therefore ask for a vote this session to enable me to discharge Five Hundred Pounds of the debt, for which monies are already, or will be shortly in hand.

Full accounts of the management of the Estates, will, of course, be laid before you.

Whilst referring to our relations with the Association, I cannot but again remind you how much we owe to the continued attachment of its members, especially Mr. Godley and Mr. Selve, to the interests of this Province. The Council are aware that these gentlemen have again advanced considerable sums to induce Messrs. Willis to

continue the Immigration, and that these debts have not yet been all discharged. The papers on your table will inform you that they were prepared to guarantee the interest, due in July last, had not the funds arrived in time. Although the necessity did not occur, still the Province is under no small obligation to gentlemen, who, without any hope of pecuniary reward have been so generously ready to afford pecuniary assistance, rather than that the interests or credit of the Province should suffer.

I think some special acknowledgement of the services of Mr. Selve and Mr. Godley is due from the Government of the Province.

I may further congratulate you upon the completion of the purchase of all the Native Land within the Province, and I cannot but advert to the agency by which this has been accomplished. It was one of the objects of my journey to Auckland last year, and I cannot too highly acknowledge the immediate and kind attention with which his Excellency the Governor met my application on the subject. Still you must observe that it was not through the Land Purchase Department that these troublesome questions were settled. A Commissioner was sent down here last summer, who after remaining some time was compelled to return to Auckland, having no sufficient instructions to enable him to act. But when at Auckland, I begged that Mr. Hamilton might be appointed to act as a Commissioner; and I offered to advance all the cost of the service, although I was aware the charge ought not to come, and will not ultimately come, on the Province. The result has been, that these questions, which have not been settled by the General Government in four years, and would not have been settled, in all probability in as many more, were settled in a few weeks by local agency. It is one instance, in the many which occur all over New Zealand, proving the necessity of leaving to the Provincial authorities the duty of purchasing Native Lands.

But, I turn from matters of congratulation to those of a contrary character. You may not have forgotten that, at the first opening of the Council, I urged upon you most strongly the necessity of some permanent provision for the education of the people. It is with the deepest regret that I

shall be compelled to resign the Government, leaving nothing of a permanent nature done in this matter. The system at present in operation is the very worst which can be adopted. It is a system of giving just enough assistance to paralyse all independent exertion, without giving enough to establish a thoroughly efficient system of education; and its worst feature is, that it offers no prospect of permanence, the salaries of the masters being dependent from year to year on the political views and sympathies of the party in power.

I have abandoned the hope that any general system will be adopted by this Council, and I am compelled to confess with much disappointment, that on this subject, which has always seemed to me of infinitely greater moment to the future welfare of the country than any other which you can consider, there is a feeling of lukewarmness and indifference, not so much in your Council, as amongst the people generally. Unsatisfactory as are the schools in many respects, the people have not availed themselves of them as they might have done, for in no respect are they more unsatisfactory than in the smallness of the number of children in attendance, in proportion to the sums expended by the Government.

A correspondence will be laid before you with the Bishop of Christchurch and the Presbyterian and Wesleyan Ministers, and the report of the Inspector of Schools will be in your hands.

There are however some things, gentlemen, which in the absence of a general law for providing Schools, I think we might effect in the present Session. The first is to set aside a Reserve of Land for every District, sufficient to support a good School, so soon as the land shall obtain its normal value. I do not think 500 acres of land for Lyttelton, a similar reserve for Christchurch, 300 for Kaiapoi, and 200 for every other district, would be too large a quantity. If you should approve of such a plan, I would proceed to make such reserves without delay, leaving the question as to how the proceeds of the lands were to be dealt with to a future occasion.

The next thing I would ask you to do is to make your vote for Educational purposes for five years, instead of for one year. This will give a certain degree of permanence to the system which will have the best effect on the schools generally; and I think you might look to the Revenues being in a great measure relieved from the charge of education by

the increase in value of the land endowments, at the end of that time. And the third thing is to sanction the payment of a fixed salary for that time to an Inspector of Schools. Without such an officer I am quite persuaded that the money you vote will be, comparatively speaking, wasted.

You will perceive that the Bishop of Christchurch would prefer the grant for Church Schools to be made in one sum, leaving it to his discretion to apportion it. I think this would be a good plan, but I would suggest at the same time whether it would not be wise to affix a condition to all grants for schools, that they should be made to depend on the sum raised by the inhabitants of the District. I do not know how else you can thoroughly enlist the co-operation of the inhabitants in the maintenance of the Schools, and without that co-operation, I am persuaded the money will be wasted.

Without adopting any general system of education, I should be very glad if one General school could be established in Christchurch, to which parents of all denominations could send their children, and another of the same kind in Lyttelton:—the clergy of the several denominations giving religious instructions to the children of their own congregations at specified times, either in a class room, or, what would be still better, in their Churches. You will see by the correspondence that all denominations would gladly agree to such a plan. To carry it out it will be necessary to build and furnish a schoolroom in Christchurch, a thing greatly needed, for one great drawback to both the Schools here, is the want of a sufficient schoolroom, and of proper schoolroom furniture. I think such a school, properly conducted, would do much towards preparing the public mind for some general system of Education in a future year.

I now turn to the immediate business of the present Session, and I am happy to inform you that your duties will be very light. The only bills to be laid before you on the part of the Government are two Bills of a local nature, involving no matters of principle. The one is for making Kaiapoi a town for certain purposes, the other is for making a road through Cathedral Square, and enabling the Government to recover possession of the centre plot of land by exchanging Waste Lands for it.

The principal items of discussion will be the Estimates for the year, and those especially showing the Extraordinary Expenditure. I am glad to be able to state that your revenues this year may be estimated at £28,000, which, with the loan of £30,000, will enable you to spend £58,000 in the course of the ensuing year.

I lost no time at the close of the extraordinary Session of last spring in putting in hand the various Public Works for which you had voted supplies and in negotiating for the loan which you had authorised me to raise. But the increase in the Revenues through sales of land, and the necessity of suspending the works during harvest, rendered it unnecessary for me to borrow money, the balances in the chest more than providing for all the works which I could execute in the time with all the labour available. The whole of the Loan will therefore be at your disposal for the present year. And I would urge upon you to devote an increased portion of it for Immigration. The neighbouring Provinces of Wellington and Otago are voting large supplies for Immigration purposes, and I think it would be a wise policy to work in harmony with them in this matter.

I do not think it would be right to incur any larger debt at present. I entirely agree in the policy of borrowing for purposes of Immigration and Public Works, but I do not think it wise to incur so large a debt that the annual Interest should bear more than a certain relation to the annual resources of the country. If the experiment of borrowing succeeds this year, it may, and probably will, be quite wise to borrow again next and every succeeding year; because the interest on one or two hundred thousand pounds a few years hence may bear a smaller proportion to the then Revenues than the interest on £30,000 does to our present Revenues. The only thing to be guarded against is borrowing to such an extent as to cripple the credit of the country in any temporary depression which may occur, and to which all countries, but especially young countries are periodically liable.

But in discussing the Estimates, gentlemen, a subject will come before you of the greatest importance. Referring to the expenditure on behalf of the Resident Magistrates' Courts, a correspondence between the General and Provincial Governments will be laid before you, and you will be called on to say what course the Province should take in reference to the present state of affairs.

As this is the time and place for me to justify what has been done by the Provincial Government, I will ask your attention to this matter for a few moments. I entertain no doubt as to the full right of the Superintendent to appoint Resident Magistrates for the following reasons:—

The office is one created by a Colonial Ordinance, and the person selected to fill it must be already one of Her Majesty's Justices of the Peace, and the Governor is empowered to appoint to it "provisionally, until Her Majesty's pleasure be known." This power of Provisional appointment is

not delegated by the Crown, but is given by a Local Ordinance, one which may be altered or repealed by a Provincial Ordinance. The Constitution Act alone limits the powers of the Provincial Councils: but the Constitution Act only debars the Provincial Councils from interfering with the Superior Courts. No one can read the second matter excluded from the Provincial powers "the establishment or abolition of any Court of judicature of civil or criminal jurisdiction, except Courts for trying and punishing such offences as by the law of New Zealand are or may be made punishable in a summary way, or altering the constitution, jurisdiction, or practice of any such Court, except as aforesaid,"—without inferring that the Provincial Councils are specially empowered to alter the constitution of any Court of summary criminal jurisdiction: that is the plain meaning of the words. Now the Resident Magistrates' Courts are Courts of summary criminal jurisdiction. Their constitution may therefore be altered by the Provincial Laws. I am quite at a loss to conceive what argument can be set up against the plain and manifest intention of the Constitution Act to place the Courts of summary jurisdiction under the Provincial Legislatures.

Under your first Empowering Ordinance the right of appointment of Resident Magistrates was vested in the Superintendent. That Ordinance was disallowed by the Governor under the advice of the Attorney-General, but it was re-enacted with the alterations suggested by the Governor. We are at liberty then to conclude that an Ordinance which was disallowed by the General Government had been carefully considered; and yet this power now in question was not objected to by Her Majesty's then Attorney-General. We have then almost the highest legal authority in this Colony for saying, that the power of the Superintendent to appoint is not to be questioned. Not only so, but the same power was exercised by me, and the right so to exercise it fully recognized by Mr Whittaker, the present Attorney-General when the acting Attorney-General in 1855.

But I am prepared to say that, without any Empowering Ordinance at all, the power of appointing Resident Magistrates, and performing all other functions of Government, is fully and entirely vested in the Superintendent by the "Interpretation Ordinance" of the late Legislative Council Session XI, No. 3,—and which has not been objected to by the Law officers of the Crown in England.

The doubts which have arisen upon this question are not derived from legal opinions by competent Lawyers, but from vague expressions arising on the debates in the General Assembly, and dictated more by a

regard to the policy, than to the right, of such appointments. But in such grave questions as the jurisdiction of the Courts, there ought to be no doubt whatever; and I confess I never was more astonished, than when, upon applying to the General Government to give its aid in the support of the authority of the Courts of Law, I heard, that the vague doubts to which I have referred, were adopted for the first time by his Excellency's advisers, and thrown into the scale to bring the administration of justice into disrepute.

You will perceive that I have stated, in the correspondence, that no expenses would be paid after last month on behalf of the Resident Magistrates' Courts. I thought it my duty to state this, because this Council laid it down as a general principle at starting, that no departments should be maintained out of Provincial Revenues, which were not placed under Provincial jurisdiction. I have always scrupulously adhered to the resolutions which have been passed by the Provincial Council for the guidance of the Government especially in matters of important principle.

I have however placed the departments on the estimates, and I shall be ready to concur with you in any course you may finally adopt.

It now becomes your duty, gentlemen, to act promptly for the well being of the Province in this emergency, and it seems to me that the proper and dignified course for the Province to assume, is to assert the validity of its own acts, until there is valid ground for believing them to be illegal. The present state of affairs ought not to continue an hour: and although I could not guarantee the Resident Magistrates against legal consequences without your sanction, yet I will readily concur with you in such a guarantee. If you will give me the necessary authority, I will issue fresh commissions, and I have not the smallest doubt, but that I am correctly advised, that those commissions could not be successfully attached in law.

It will then be left for the General Government to pursue its own course, or to the Province to reconsider its course at any future time. But the existing embarrassment, which is unmeasurably greater at this time of the year than at any other, will be removed at once.

I will not occupy your time, gentlemen, by alluding to any particular items in the proposed expenditure on Public Works, except to two: One is that proposed for Timaru. Next year there will be more than £30,000 worth of produce exported thence. If there were heavy moorings laid down there, a large ship could load, and the exporters would save a very considerable sum in the way of freight. If there be a Government agent on the spot, a Town will soon spring up, and Town and will be sold, and probably much of

the rural land in the neighbourhood also. With some preparations it may be quite worth while to land a body of Immigrants direct from England at that place next year. I would strongly urge upon you the expediency of opening that country for agricultural settlement, for which it is peculiarly adapted. The large squatting population of the district (a district which is daily extending by fresh discoveries of country further inland) will afford a good market to a considerable agricultural population; so that the community might become in a great measure, self supporting; whilst wood, of which there is a scarcity, could be supplied from Akaroa, with equal, if not greater facility, than it is now supplied to Christchurch.

The only other item to which I will allude is that for building Government Offices. This is a work which you cannot longer delay, in common justice to the gentlemen you employ in the Government. I have forborne, whilst I continued to hold the office of Superintendent, to remind you that I have never been provided with an office or office conveniences of any kind whatever. In justice to my successor I must press upon you that such a state of things is not right. The present offices for the clerks cannot be occupied without danger to the health. Now that funds are to be obtained, these evils ought to be at once remedied. The Government Offices alone would not cost above £1,500 ---£3,000 will build the offices, and Council Chamber in addition, and if you vote the money this session, the Council Chamber will only then be completed by the time the lease of your present Chamber is expired.

The last subject to which I will refer is one which I can also press upon you without reserve, as I am shortly about to vacate the office of Superintendent. It has always appeared to me a very unseemly and dangerous proceeding that those charged with the expenditure of the public revenues should vote money to themselves. The salary of the Superintendent and the expenses of members of the Council ought to be settled by a permanent act instead of by annual vote. I would suggest to you that the present is the best time for passing such an Act, and if you will acquaint me by a resolution that you coincide in this view, I will send down a bill for the purpose.

The main business of the session, however will consist in appropriating the revenues to the public works and undertakings. If the colony continues as prosperous as at present, this will always occupy the most prominent place in your debates. I have no doubt but that the present proposals of the Government will meet your best attention.

I have now to declare this Council opened for the despatch of business.

JAMES EDWARD FITZGERALD,
SUPERINTENDENT.