



NEW ZEALAND
GOVERNMENT GAZETTE.

PROVINCE OF CANTERBURY.

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official signature, are to be considered as Official Communications made to those persons to whom they may relate, and are to be obeyed accordingly.

By His Honor's command,

JOHN OLLIVIER,

Provincial Secretary.

VOL. V.]

FRIDAY, OCTOBER 1, 1858.

[No. XX.

*Provincial Secretary's Office,
Christchurch, October 1st, 1858.*

HIS HONOR the Superintendent opened the Provincial Council this day with the following

ADDRESS.

GENTLEMEN OF THE COUNCIL,—

On the opening of this the tenth session of the Provincial Legislature, I have to congratulate the Province on the highly satisfactory state of the finances and on the favorable growth of its social and commercial prosperity.

A reference to the statistics that will be laid before you, will shew that the material resources of Canterbury are steadily developing their value, and that the early promise of a yearly increasing rate of progression, has, during your late recess been amply realized.

As an additional reason for congratulation I may justly state that notwithstanding the very short experience of the power of Local Self Government enjoyed by Canterbury, the exercise of that power has resulted in the production of a system, the working of which in its entirety has been practically successful.

The General Assembly of New Zealand in its last session has effected certain alterations in the construction of the Provincial Government, some of which I anticipated when addressing you on the opening of your last session.

None of these alterations (as they now stand) directly prejudices the particular interests of Canterbury. Although it is to be regretted that measures have been enacted, involving

principles which being thus already established, may possibly in future Parliaments be extended with very mischievous results.

I here allude to the "Waste Lands' Act" and the "New Provinces Act." The latter statute in its immediate operation is not much calculated to affect Canterbury, and so far as this Province is concerned, is only to be regretted as disclosing an *animus* towards Provincial institutions generally, foreshadowing the serious impairment of their legislative functions and a consequent destruction of their usefulness as local governing powers.

The Waste Lands' Act, however cogent may have been the alleged necessity for its enactment, seems to have been conceived in a similar spirit to that which originated the New Provinces Bill. By the Waste Lands' Act of 1858, the Provinces are all but precluded from further legislation affecting the lands; thus, for the present, is annulled a power, which, if wisely exercised, might have wrought incalculable advantage to each individual Province without in the remotest degree impairing the general integrity of the colony.

With the exception of the two measures to which I have alluded, the tendency of the legislation of the past session of the General Assembly appears to be eminently beneficial to the colony.

Provincial powers have in some instances been taken over to the General Government with great propriety, it being evident that uniformity of Government throughout the Colony is desirable in all those affairs wherein one consistent system of laws may be conveniently adapted for universal application.

But, on the other hand, when local peculiarities and requirements of widely varying characters exist, it would seem equally desirable and rational that they should be provided for by substantive enactments in respect of each distinct case. And further, that in every instance *purely local requirements* would be best served by a Local Government. Undoubtedly the Imperial Parliament, when framing the Constitution Act, acknowledged this position; hence grew the power of local self-government for the Provinces.

A combination of circumstances having for some years past rendered a

general community of interest in the Waste Lands comprised within the limits of the several Provinces a condition impossible, it was consequently found impracticable to administer those lands under one uniform principle. A distinct system especially suited to the exigencies of each Province was found to be unavoidably necessary, and therefore adopting this conclusion, the General Assembly, of New Zealand by its Waste Lands Act of 1854, virtually enlarged the powers of the Constitution Act in favor of the provinces by enabling them individually to suggest to the General Government the scheme of administration most in accordance with the particular condition of each.

Provincial Legislation in the matter of the Waste Lands has been (in this province) sufficiently tested to convince the Colony of its usefulness, and of the impossibility of displacing it by any other system with equal advantage to the country. In this view of the case I confidently anticipate, that the difficulty out of which arose the Waste Lands' Act of 1858 will, in the next session of the General Assembly be obviated by a new process, and that Canterbury, in common with the other Provinces, may have restored to her the full power to regulate the administration of her lands by local ordinance.

I would here remark that although the Waste Lands' Act nominally transfers the lands to the General Government, yet by adopting the whole of the Provincial Legislation of Canterbury in reference thereto, it leaves the system of administration hitherto in operation within this Province substantially unaltered.

The General Legislature having added to our Colonial Code a great number of statutes calculated for general operation throughout the colony, but little law-making remains for the Provincial parliaments, thus leaving to your nearly undivided consideration the method in which shall be employed the very considerable revenue now at the disposal of the Province, a revenue raised by a process which happily exempts the population of this favored country from the pressure of direct taxation.

I have taken proper measures to secure for your guidance all necessary information on the various matters that will be submitted for your deliberation.

You will perceive by the Estimates of probable revenue and expenditure for the present financial year, that I calculate upon resources perfectly equal to every undertaking that will be suggested for your adoption.

The want of a more perfect means of communication between our principal sea-port and the Plains has long been a source of great embarrassment in the conduct of the commercial operations of the Province. Having the advantage of a safe and commodious harbour, perfectly adapted to a very large commerce, the germs of which commerce are now starting into vigorous growth, it has become a matter of the very highest importance that you should at once consider and determine the best method of securing the safe and expeditious transit of our marketable productions to the place of export. To this end I shall transmit for your consideration a proposal to construct a line of Railway from Lyttelton to Christchurch direct.

This line will involve a tunnel through the heights behind Lyttelton and would from the expensive nature of such a work require a very large outlay of money. It will therefore remain with you to consider whether the ultimate advantage to be realised to the Province by the completion of the undertaking in question would or would not justify the required disbursement.

There will be laid before you all the information at present available having reference to the practicability of the undertaking, its cost, the probable lapse of time during its progress to completion. These, however, are enquiries which cannot be satisfactorily answered except by competent engineering authority.

I may however state that I have a very high authority for believing that no formidable engineering difficulty stands in the way of this work.

The ordinary public works are in an active state of progression, and will be prosecuted with continued vigour, in order to the opening up of new districts for purchase and useful occupation.

You will be highly gratified to learn that our Emigration Agent in London (Mr. Fitz Gerald) has made very favorable arrangements for the introduction of Immigrants into the Pro-

vince, in numbers each year, sufficient to supply the demand for labour.

Among other matters that you will be asked to consider, is the great necessity for a special provision for the construction and maintenance of public works within the limits of towns. To meet this necessity, I shall submit a measure for your approval.

Your attention will be drawn to provisions for various social wants, but I hope that these ends may be accomplished without the enactment of many new Ordinances.

I shall have to recommend the establishment of an Institution very much required, viz:—a Hospital at Christchurch for the reception and treatment of sick persons. Also an additional Grant for educational purposes, in order that the several religious denominations may be better enabled to provide for the numerous children that are at present destitute of education in consequence of insufficient school accommodation.

You will receive a bill to amend the Cattle Trespass Ordinance, a Roads' Diversion Bill, and a Bill for the regulation of the Gao and Armed police.

The several subjects I have briefly noticed, together with a consideration of various proposals for the extension of the Public Works, enquiries into supplies necessary for carrying on the Government and defraying the current liabilities of the Province, will constitute the bulk of the business to which I shall invite your attention during this Session.

Gentlemen, I am happy in the assurance that it is quite unnecessary for me to remind you of the very serious responsibility owing to the Province, the Government of which is committed to our charge. I have the greatest confidence that an earnest desire to secure solid public advantages will characterise your deliberations, and that all your proceedings, as heretofore, will furnish evidence to the world that Canterbury rightly understands the proper uses of Local Self-Government.

Gentlemen, I have now to declare this Council duly opened for the transaction of public business.

W. S. MOORHOUSE,
SUPERINTENDENT.

HIS Honor the Superintendent directs the publication of the following Tenders for general information:—

Schedule of Contracts Advertised, and Tenders Received, Oct. 2nd, 1858.

NORTH ROAD.—Forming and Metalling from the Purarekanui to near the Eighth Mile.

	FORMING.	METALLING.
Tisch.....	£50.	6s. per yard.—Accepted.

NORTH ROAD.—Forming and Metalling from the Fourteenth to the Eighteenth Mile.

	FORMING.	METALLING.
Homersham	No Tender.	6s. 6d. per yard.—Accepted.

RANGIORA ROAD.—Forming and Metalling from Fifteenth to Nineteenth Mile.

	FORMING.	METALLING.
Ward		£2,846 5s.
Mounsey and Whittans		£2,070.
Bailey and Martin	£796 17s. 9d. ...	£1,558 15s. 6d.—Accepted.

TENDERS FOR PAINTING.

Tenders have been received from Balestiee ... Lyttelton—Accepted.

"	Allwright ...	"
"	Button ...	Christchurch.
"	Rees ...	"
"	Whincop ...	"

—Accepted.

The particulars of these Tenders being too long for publication in the form of an advertisement, the Provincial Secretary gives notice that they can be seen on application at his Office on any day between the hours of 10 and 4.

J. OLLIVIER, Provincial Secretary.