



NEW ZEALAND
GOVERNMENT GAZETTE.
(PROVINCE OF NELSON.)

PUBLISHED BY AUTHORITY.

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E. W. STAFFORD, *Superintendent.*

VOL. I.

NELSON, FRIDAY, NOVEMBER 4, 1853.

No. 7.

THE ADDRESS of his Honor the Superintendent in opening the Provincial Council, is published for general information.

By his Honor's command,
JOHN SHARP,
Clerk to Superintendent.
Superintendent's Office,
Nelson, 4th November, 1853.

MR. SPEAKER, AND GENTLEMEN OF THE
PROVINCIAL COUNCIL—

The opening of the proceedings of the first Legislative Council which has ever been assembled in Nelson, is an event of no ordinary character in the history of the Province.

In this remote portion of the British empire has now been established the type of those institutions which have for ages, in our parent country, earned the respect, and secured the liberties, of our forefathers; and which have tended to achieve for that country its proud position amongst the nations of the world.

That the privileges conferred by the Constitutional Act are duly appreciated,

and that they will not be inconsiderately exercised, the great interest bestowed on the first elections held under the authority of that act is a sufficient guarantee.

The inhabitants of the Province have now for the first time, through their elected Representatives, the means of expressing their wishes on all subjects of public interest; as you, gentlemen, have the power of carrying out these wishes to their legitimate end.

I have the fullest confidence that, duly considering the great responsibility which has devolved upon you, in undertaking the task of legislating for so many important interests, the principles which should direct the policy of the Government of the Province will receive your most attentive consideration.

The powers which you possess are very great, enabling you, with certain exceptions, to make, either by new enactments or by amending existing Ordinances, all laws necessary for the peace, order, and good government of the Province. I willingly declare my belief that these powers will be exercised by you with wisdom and justice, and that your acts will be

directed to secure, upon a firm basis, the liberties of the people, while calculated to increase their attachment to the person and throne of their sovereign; and on this, the first occasion of addressing you, I gladly avail myself of the opportunity afforded by it of expressing my earnest desire to co-operate with you for the attainment of those results.

One remarkable feature of superiority distinguishes also your legislative powers from those of the Councils of the neighbouring British colonies, and of the General Assembly of New Zealand, inasmuch as no law enacted by you can be disallowed by any authority out of the colony. Every act of yours must thus be considered, affirmed or disallowed, by those who, from their intimate knowledge of the subject to which it may relate, are the most competent judges of its fitness.

With respect also to those questions excepted from your direct control, any addresses which you may forward to the Imperial Parliament, or to the General Assembly, on any public matter affecting the Province, will be entitled to, and will undoubtedly receive, respectful consideration.

In congratulating you upon the power you thus possess of promoting the public welfare of the Province, I cannot but regret at the same time that some uncertainty as to its undisturbed exercise may arise from the fact that no session of the General Assembly of the colony has yet been held; by which the harmonious operation of the New Constitution would have been much facilitated, the limits of interference in the action of the respective Legislatures declared, and the possibility of conflicting enactments avoided.

Prominently amongst the questions with respect to which any conflict may arise, is that of the Appropriation of the ordinary Revenue of the Province. On this subject instructions have been issued by his Excellency the Governor, in pursuance of which the Revenue derived from the Customs has been apportioned; whereby, after deducting the expenses of the department, two-thirds of the receipts are paid to the Treasurer of the Province, and one-third remitted to Auckland for the use of the General Government. A copy of these instructions, with my reply thereto, will be laid before you. Being unable, after the most careful consideration of this most important question, to discover any existing authority for apportioning the Customs' Revenue, other than that possessed by the

General Assembly, I cannot submit to you, except at your express desire, any Bill for appropriating that Revenue. This determination has been arrived at most unwillingly, from the circumstance that many subjects connected with the advancement of the Province urgently demand a considerable expenditure of its revenue; but on a question of such paramount importance, and one so capable of becoming a precedent for the future, I am unable to act otherwise.

Should you be of opinion however, that the peculiar position of the public affairs of the Province would warrant you in appropriating that portion of the Customs' Revenue now paid to the Provincial Treasurer, it will afford me much gratification to defer to your wishes.

In framing an Appropriation Bill, the strictest economy, consistent with the efficiency of the public service, will be observed; but it is most desirable that, to prevent any uncertainty concerning such appropriation, it should be confirmed by the General Assembly at as early a period as possible.

Had I received any certain assurance that the General Assembly would have met immediately, I should have preferred, both with reference to this question and many others of great importance, that this Council should not have assembled until the session of the General Assembly was concluded, but in the absence of such assurance I deemed it my duty, at the earliest possible moment, to call you together for the purpose of considering what measures were necessary for promoting the public interests. As it is however very inconvenient for those members who are engaged in agricultural or pastoral pursuits to attend at this season of the year, I propose, should a session of the General Assembly have been held in the interval, to summon you in April or May next, about which time I believe the periodical sittings of the Council might be most advantageously held.

The necessity of providing for the proper administration of the various departments which have hitherto been controlled by the Governor, but which are now transferred to the Superintendent, will require your attentive consideration. It is advisable that you should declare, by specific Ordinances, the manner in which the Executive Government of the Province should be constituted, so as to ensure that the public service may be efficiently performed. With this object, Bills have been prepared, which will shortly be submitted to you.

With respect to the question of the cost of certain departments being borne by the

Province, or paid from the General Revenue, I am in correspondence with his Excellency; a copy of this correspondence, in which I have protested against any liability on the part of the Provincial Treasury for the expenses of departments not under the control of the Provincial Government, will be furnished to you for an expression of your opinion.

It is a source of great gratification to me to be able to congratulate you upon the very large increase in the value of the various articles exported from the Province during the last nine months. By the official returns, the amount of Exports through the Customs at Nelson, for the nine months ending the 30th September last, was £35,214; to which must be added that portion of the wool produced in the Wairau, which from its having been sent to Wellington for shipment to London, was entered at that port, and which may fairly be estimated at £5,000, making a total of upwards of £40,000 for the nine months, being at the rate of about £53,000 yearly. The Imports for the same period of nine months amounted to £31,722. As might justly have been expected from so material an addition to the wealth of the Province as evidenced by these returns, there has been a corresponding increase in the Customs' Revenue; the amount collected during the same nine months being £3,956 12s. 11d. That received in the twelve previous months having been £3,327 3s. 8d.

It is also gratifying to me to have to inform you, that when the Sub Treasurer's accounts were closed on the 31st August, after all payments due up to that time were made, the sum of £1,895 19s. 11d. was paid over to the Treasurer of the Province; to which is to be added £717 16s. 11d. received by that officer from the Customs up to the 31st October, amounting in all to £2,613 16s. 10d. From this sum is to be deducted £189 18s. 9d., being the payments made in September under the authority of the last Appropriation Bill, leaving the sum of £2,423 18s. 1d. now in the Provincial Treasury. Of this sum £1,499 17s. 7d. was originally received from the Parliamentary Grant, towards the cost of making a road to the Waitohi, and should be considered as only available for that purpose.

Should you determine to appropriate the Revenue paid to the Provincial Treasurer in pursuance of his Excellency's arrangements, a vote in supply will be required to defray the expenses of the various departments, which have accrued since the 30th

September, since which time no payments have been made.

The receipts from the Land Revenue from the commencement of the year to the 31st October, also shew a steady and gratifying increase over the previous year. During the last ten months the sales of land in the towns of Nelson and Waitohi, have amounted to the sum of £2,856 8s. 9d., and of suburban and rural land to £20,124 18s. 11d. Of the total sum of £22,981 7s. 8d. thus received, £7,387 15s. 3d. was in cash, and £15,593 12s. 5d. in scrip. From these receipts £856 has been paid, or is due, on account of immigrants, fifty-four in number, introduced under the system of assisted passages, and the further sum of £1,743 is also liable on account of applications already forwarded to England under the same system. The total number of Immigrants who have arrived during the last ten months being 312.

The whole question of Immigration should receive from you the most earnest and careful consideration, as that upon which all others so materially depend. The steadily increasing demand for all articles the production of the country, requires that a correspondend supply of labour should be obtainable to take advantage of this circumstance, whereby the general wealth of the Province, and the individual prosperity of its inhabitants, would be manifoldly increased. It is my duty to transmit to you the despatches and communications which I have received on this subject.

The desirability of establishing Steam communication becomes daily more evident, and will I have no doubt be considered by you. I believe that it is possible that by paying a bonus on the passengers introduced by this means, the maintenance of steam vessels to the Australian colonies might be rendered subservient to the purposes of immigration.

Amongst the most important questions which will engage your attention is that of the public Roads, which have been for the last winter in a state of great disrepair. With a view to the maintenance of roads, and works of a similar character, a Bill has been prepared, authorising the levying of a rate upon lands within certain districts, to be expended on public works within the district in which it may be raised. By this Bill the rate payers would determine the amount to be raised (within certain limits) and the manner in which it should be expended—an economy in the supervision effected—and the community generally within each district accustomed to consider

and take part in the management of its public affairs—while it would materially assist in establishing efficient lines of communication, than which nothing can confer a greater benefit upon any country, and which are especially needed in this Province at a time when facilities for transporting various articles of production require to be much increased. To enable certain of the main roads to be put into an efficient state as speedily as possible, I propose that some portion of the cost of repairing them should be defrayed from the ordinary revenue, in proportion to the nett amount actually spent within the district in the construction and repair of roads under the provisions of this Bill; but I believe that you will agree with me, that for the future, the greater portion of the sums available for public works would be most properly expended in opening out new districts, and thereby facilitating the settlement of the country.

The necessity of considerable alteration in the lines of roads originally laid out, whereby a great saving will be effected in their construction, and the means of communication much increased, requires that a Bill authorising such alterations should be considered by you, and with that object one will be laid before you.

The recent purchase from the Natives of a large tract of country for the sum of five thousand Pounds, by which all the lands within the Province, with the exception of D'Urville's Island, have become the property of the Crown, is calculated to add most considerably to the future importance of the Province. Within the limits of this purchase many of the finest harbours in New Zealand are situated, some of them in connection with tracts of most fertile land, containing large quantities of valuable timber. An opportunity is thus afforded, to an extent which did not previously exist, for the exercise of that enterprise and industry for which the inhabitants of Nelson have always been distinguished—a large field added to the future producing means of the Province—and the capability of acquiring valuable properties and comfortable homes by any of the older settlers who have hitherto been unable to do so, or by those who may hereafter arrive, much increased. Two thousand pounds of the purchase money has already been paid, and the remainder will be paid in six annual payments, for which provision has been made from the territorial revenue. Before this block will be open for settlement, it is necessary that a meeting of the natives

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concerned in it should take place in Nelson. This meeting has been appointed for next January, at which Mr. M'Lean, through whose agency the purchase was principally effected, will be present, when the apportionment of the remaining payments amongst all the natives interested in it, and the reserves to be made for their use, will be finally settled. It will also be necessary that surveys to some extent should be undertaken in this district, for the purpose of reserving the sites required for towns and public purposes, and of laying out the best lines of communication before any portions become private property. By which means the possibility of much future expense and inconvenience will be avoided.

The evidence daily received of the existence of many valuable minerals in different parts of the Province, affords the most gratifying prospects for the future. I have been requested to invite your attention to the question of the leasing of the mines on Crown lands, when I believe that you will carefully consider the manner in which such an important element of wealth, and means of employment, can be most rapidly developed.

The absence of any sufficient Council Chamber, and the offices necessarily connected with it, will require that you should make provision for these objects. I would also suggest that a small sum should be devoted annually to the purpose of procuring a Council Library, which is much required, and which might, under proper arrangement, become a source of great benefit to the whole community.

For the purpose of enabling the Council to obtain a knowledge of all questions affecting the public interests, it might be advisable for you to enact an Ordinance compelling the attendance and production of persons and documents: should you desire to enact any other Ordinance establishing your own privileges, it will afford me much gratification to co-operate with you for that purpose.

Returns on various subjects will be sent to you. For the comprehensive nature of these Returns, and the information afforded by them, I am much indebted to the officers in the respective departments from which they were received. Should you desire any additional information which can be supplied from the Public Departments, it will be immediately furnished to you.

With reference to any other subjects upon which I may desire to address you, I will communicate with you by message.

EDWARD W. STAFFORD.