



NEW ZEALAND
GOVERNMENT GAZETTE
(PROVINCE OF NELSON).

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By His Honor's command,

S. L. MULLER, *Provincial Secretary.*

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NELSON, WEDNESDAY, JANUARY 23, 1856.

No. 4.

PROVINCIAL COUNCIL.

WEDNESDAY, JANUARY 23, 1856.

THE Superintendent opened the Third Session of the Provincial Council, at the Council Chamber, at one o'clock, when his Honor delivered the following speech:—

MR. SPEAKER AND GENTLEMEN OF THE PROVINCIAL COUNCIL—

In opening the present session, I cannot but congratulate you on the circumstance that the people of the province, by means of the elections which have taken place during the recess, have been enabled, in the exercise of their privileges, to testify their sense of the importance attached to your proceedings, and to bestow their confidence on those calculated to add to your ability to promote the public welfare; while, from the augmentation in your number, additional weight has been conferred upon your deliberations, and ample security afforded for anticipating the most beneficial results from the acts of a legislative body in which every public interest is duly represented.

I have also to congratulate you, that in resuming the consideration of those measures called for by the progress of the province, you will be encouraged by the knowledge of the continued prosperity which all classes enjoy,

and that the success which has attended the praiseworthy efforts of the colonists to subdue the wilderness warrants the belief that a similar success—similar efforts—may be looked for as a permanent feature in the condition of this country. This belief will find ample corroboration from an examination of the Statistics of the Province which will be laid before you, which, commencing from the year following the arrival of the first colonists, and brought up to the end of 1854, have been carefully compiled from various sources. In the first six years of the period embraced by them, Nelson appears to have been generally in a stationary and sometimes in a retrograding condition, while they present unmistakable evidence that in the last six years the province has, in all the elements of prosperity, with but one exception, to which I will presently refer, exhibited a steady, and latterly a rapid, advance. When we consider the difficulties which unavoidably surrounded a people, few in number, landed in a country so remote from the old centres of civilization—when we remember the doubts, the apparent dangers, the obstructions too numerous to instance, with which they had to contend—when those amongst you who, with myself, have been, almost from the first days of its colonization, identified with its struggles and its success, contrast the universally diffused indications of

wealth and comfort which now surround us with the wild and unproductive land which greeted our arrival, we may indeed well feel grateful for the present and hopeful for the future.

During the past year there has been a considerable addition to the population, 1,294 persons having arrived in Nelson in that period; of these, 445 have been introduced by the Government, 227 of whom are the result of 460 applications which had been received in England up to the last advices, 365 additional applications having been forwarded up to the end of the year. From the full powers which Mr. Macdonald and Mr. Tytler possess, and the means placed at their disposal for emigration purposes, a continuous stream of immigrants to the province may be expected. In this matter we are much indebted to our old fellow-colonist Mr. Tytler, who, with the zeal which he has ever displayed in the performance of any duty entrusted to him, has been of great assistance in carrying out the wishes of the Government.

The funds which you placed at the disposal of the Government for exploration and surveys of lines of road, have been most usefully employed in examining, in various directions, the less known parts of the province, and have, amongst other advantages, led to the discovery of some additional country available for pasturage, and of a short route to the southern portions of the island, which will be productive of much future benefit. Two explorations for a road to Massacre Bay having been attended with but partial success, and recognising the advantages which would ensue from a communication by land with that district, if practicable, I have entered into a contract for the examination of the intervening country in another direction.

On no subject has the Government bestowed more attention than on that of the roads and public works, becoming with the advancing settlement of the country daily more necessary; and it is with no little gratification that I am able to inform you that, during the last financial period of fifteen months, upwards of sixteen miles of road have been formed, and more than six miles metalled, while repairs have been effected over a space of fifty-six miles previously open, and six miles of new road opened out for traffic. Thirty-one bridges and twenty-seven culverts have also been erected in the same time. Much, however, as has been accomplished in this respect, and which is mainly attributable to the energy and judgment of the Commissioner of Public Works, it falls far short of what is necessary. So long as the population was confined to the neighbourhood of a few main thoroughfares, the task of maintaining a communication between the settled

localities was comparatively easy, but now the most distant portions of the country, from Cape Farewell on the one side to the Hurunui on the other, are fast becoming peopled. From all quarters throughout that wide extent, applications are constantly received by the Government for the construction of various works necessary to the convenience of the inhabitants, the due supervision of which by any central authority, except in an irregular and intermittent manner, unsatisfactory alike to the Government and the inhabitants, is simply impossible. The advantages to the entire community which would result from extensive means of intercommunication are so obvious to every member of the Council, that it would be superfluous in me to do more than express my earnest desire to co-operate with you in establishing a system calculated to ensure them; at the same time I feel bound to record my conviction, arrived at after an attentive consideration of the subject, and the experience of the last two years, that this object can only be effectually attained through the instrumentality of the residents in the several districts, who are most competent to determine what works are required and in what manner they should be executed. A bill based upon this principle will accordingly be laid before you.

Our past experience has already warned us that those measures universally essential to the preservation of the health of a population concentrated within confined limits, can no longer be neglected with impunity. As obviously any prolonged delay in adopting such measures would, whilst continuing and increasing evils which all must recognise, entail additional difficulty and expense in the construction of works inevitably necessary in the end, a bill for providing for the health of the Town of Nelson will be submitted for your consideration.

Important as these two measures are, as affecting our physical health and progress, the means by which the intellectual culture of the future population may be generally and cheaply provided for is as essential a consideration. I regret to have to state that it is this most vital question, in which the future of the province is so deeply involved, to which I previously alluded as forming the solitary exception in the general advance made by the colonists. The very able report of the Education Commission appointed under the Act of last session will have been perused by you with great interest; aware of the strong, and for the most part conscientious, differences of opinion which exist on this subject here, as in all countries where public opinion is permitted to express itself; I endeavoured, in appointing that commission, in so far as the limited numbers which the act by which it was consti-

tuted would allow, to provide for the due representation of the different views with which the question was regarded. It was therefore a source of great gratification to me, as it must have been to others, that the consideration of these conflicting views resulted in the recommendation of a scheme of so liberal and practical a character, as was certain to receive for any system based upon it that amount of public approval without which no mode of general education could long be sustained. You will perceive that the Education Bill which has been prepared vests the determination of the mode of instruction in each district in the parents of those to be instructed; the sole restrictive provision being one to prevent the violation of the religious scruples of the minority. That this measure will be eagerly accepted by the people of the province I feel confident, and it will be a legitimate source of pleasure and pride to us to believe that we have laid the foundation of a system, by means of which the mental condition of the future inhabitants of this fertile country may correspond with their material prosperity.

In the three bills which I have briefly noticed, two pervading principles will be found—one, that all should contribute to works which are for the benefit of all—the other, that the members of each community should, through their own agents, direct the execution of them. This latter principle is the main-spring of action in all those countries remarkable for political freedom, social advancement, and commercial enterprise. It is eminently suited to the genius of the race by which this country has been colonised, and is most consonant to the spirit of our constitution. Its importance in forming the future character of the population is thus forcibly illustrated by that eminent political economist, Stuart Mill:—“A people amongst whom there is no habit of spontaneous action for a collective interest—who look habitually to their government to command or prompt them in all matters of joint concern—who expect to have everything done for them, except what can be made an affair of mere habit and routine—have their faculties only half developed; their education is defective in one of its most important branches;” and again, “the discussion and management of collective interests is the great school of that public spirit, and the great source of that intelligence of public affairs, which are always regarded as the distinctive character of the public of free countries.”

In accordance with the powers conferred by the Waste Land Act, I have caused a set of Regulations for the Disposal of the Waste Lands to be prepared for your consideration. In transmitting them to you, I will remark upon

them at greater length than is permitted to me in the limits of this address. I may, however, briefly observe here, that they have been prepared, after a careful consideration, as the most suited to the circumstances at present attending the disposal of the Waste Lands; and that in the event—as is not improbable—of a larger control in this matter being given to the province, they would require but few modifications to adapt them to the change.

The different branches of revenue during the past year exhibit the prosperous condition of the province, the revenue of the Customs having amounted to £9,674 1s. 1d.; while one hundred and fifty-nine vessels, of an aggregate burden of 17,055 tons, have entered the port of Nelson; being in both respects an increase over the previous year. The receipts of the Land Department amounted to £13,920 18s.; 29,317 acres having been sold during the year. The manner in which the revenue has been dealt with has, however, prevented the province in a very great degree from reaping that benefit which would otherwise have been experienced from its expenditure on public works. I need but shortly instance that, since the commencement of the last financial period of fifteen months, the proportion of the Customs receipts paid to the Provincial Treasury has not only been changed from two-thirds to one-half, but the alteration was made retrospective, thereby causing a refund. Again, the land revenue, the whole of which, after deducting the expenses provided for by the Constitution Act, had previously been received, was first treated in the like retrospective manner, and shortly afterwards impounded altogether to meet a debt alleged to be due by Nelson to the General Government, the particulars of which are, notwithstanding repeated requests on my part, to this moment unknown to me, while the amount of this alleged debt has been so repeatedly altered, that I have been for the present compelled to abandon the attempt to come to an understanding on a subject which must ultimately be considered by the General Assembly.

The effect of this treatment of the revenue without any previous warning, and in violation of financial arrangements made at the introduction of the Constitution, upon which the expenditure of the provinces was based, has been most injurious, and were it to be continued would inevitably lead to disastrous consequences, as effectually preventing any public work of magnitude or prolonged execution from being undertaken. That I am now enabled to submit to you Estimates for the current year with any degree of certainty is due to our new Governor, who, pending a final settlement of financial differences in the next session of the General Assembly, promptly

determined to liberate the Land Fund. I trust, however, that on the occasion of the next opening of this Council I shall be able to announce that this question, upon which the progress of the country so materially depends, has been satisfactorily settled, and that the future consideration of all public matters connected with the revenue will be unembarrassed by unnecessary doubts. The amount of Provincial Revenue which has been actually available for the financial period just expired, inclusive of the balance in the Treasury at its commencement, has been £36,171 3s. 1d., and the Expenditure £32,429 1s. 2d., of which it is gratifying to reflect that the large sum of £24,700 9s. 4d. was expended for public purposes.

I am in correspondence with the Governor on the subject of a more extended Postal Communication throughout the province, so much required by every interest, to establish which his Excellency has assured me is his earnest desire, in evidence of which arrangements have already been made for the regular transmission of mails to the Wairau and Massacre Bay.

The agreement, in accordance with your wishes, entered into by the Superintendent of Wellington and myself for the establishment of Steam Communication to Melbourne, having

hitherto failed, through the inability of the contractor to procure a suitable steamer, I propose to renew the attempt in the ensuing year, provided the Government of Wellington and Canterbury, which are equally interested, will contribute for this object.

In addition to the subjects to which I have alluded, other questions of public importance will be brought before your notice during the session, which I feel certain will receive from you that attentive consideration which has hitherto characterized the proceedings of the Council.

Gentlemen, before concluding, I would observe, that the recent news received from England suggests the propriety of an address to her Majesty on the noble achievements of her forces, and those of her gallant allies, during the past year. It could not but be gratifying to her Majesty to learn with what admiration the inhabitants of this distant portion of her dominions have regarded the heroic courage and constancy displayed by the allied troops—how deeply they sympathize with the struggles of their mother-country—what interest they feel in the success of a war which they justly consider to be a war of principle—one of justice against oppression.