




NEW ZEALAND
GOVERNMENT GAZETTE
(PROVINCE OF NELSON).

Published by Authority.

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By His Honour's command,

ALFRED DOMETT, Provincial Secretary.

VOL. VI.

NELSON, WEDNESDAY, JANUARY 6, 1858.

No. 1.

PROVINCIAL COUNCIL.

TUESDAY, JANUARY 5, 1858.

The Fifth Session of the Provincial Council was opened at the Council Chamber this day, at one o'clock, upon which occasion his Honour the Superintendent delivered the following Speech:—

MR. SPEAKER, AND GENTLEMEN OF THE PROVINCIAL COUNCIL—

1. It gives me much pleasure in addressing you, the second chosen body of representatives of the people, to be able to congratulate you on the present prosperous state of this province.

2. The causes which have contributed to this result are various, and will no doubt readily suggest themselves to your minds. Among the most obvious and important is the recent discovery of the Gold Fields in Massacre Bay, which have supplied us at once with a source of population, a profitable means for their employment, and an export always in demand. And it is a special ground for gratification that, notwithstanding the large accession of numbers to the population of the districts alluded to, no extraordinary measures have been required for the preservation of law and order.

3. A bill to regulate the occupation of those districts, and to enable the miners to make local rules and regulations on all matters of detail connected with that particular branch of industry, will be submitted to you. This bill, although elaborate and compassing a variety of objects, will nevertheless be found inadequate to the full legislative requirements of the case; but the limitations imposed by the Constitution Act upon the powers of legislation conferred upon Provincial Councils prevent its being made more perfect. I have therefore, in order to facilitate the business as far as possible, prepared a draft bill for the administration of justice and settlement of disputes connected with mining matters, which will be submitted for your consideration, and, if approved of by a resolution of this Council, will be forwarded by me to his Excellency's Government, with a request that it may be laid before the General Assembly as an embodiment of your opinions on a subject in which this province is particularly concerned.

4. In the provision which has been made for raising the revenue from the Gold Fields which may be required for defraying the expenses connected therewith, you will observe that the fee for the right to dig for gold on the Waste Lands of the Crown is limited to the annual payment of twenty shillings; a

sum which I believe will meet with the concurrence of those immediately affected by it, and which I feel assured you will agree with me in considering quite sufficient, when the precarious nature of the employment is considered, as well as the impolicy of placing any unnecessary impediment in the way of a pursuit calculated to add so considerably to the material prosperity of the province.

5. One of the subjects to which I consider it my duty to request your earliest attention, will be a bill (to be immediately submitted to you) for legalizing and bringing into operation, with as little delay as possible, certain bills passed in the last session of the Provincial Council, entitled, "Education Amendment Act," "Education Loan Act," "Debentures Act," "Public Reserves Act," "Coasting Passengers Act," and "Motupiko Reserves Sale Act." These bills were reserved by me for the signification of the Governor's pleasure thereon; and, in accordance with a course which had been pursued by my predecessor and acted upon by the then existing General Government, and in compliance with what I conceived to be a literal construction of a letter received by me on the subject, were transmitted to Auckland for that purpose on the 1st of July. Information, however, reached me from the Colonial Secretary, on the 18th August, to the effect that his Excellency could not be advised to give his assent to what only purported to be copies of the bills, together with instructions to forward not only the original bills, but also authenticated duplicates. The latter part of these instructions it was totally impossible for me to comply with, for reasons that will be fully explained in the correspondence on the subject, copies of which will be laid before you. With the greatest possible despatch, however, that portion of the instructions relative to forwarding the original bills was acted on by me; but notwithstanding every effort was made for their special conveyance to Auckland, I regret to say that, through stress of weather, the vessel engaged for the purpose did not reach its destination till after the period allowed by the Constitution Act for the Governor expressing his pleasure thereon had expired.

6. A bill was passed by the last Council, after a most lengthened and careful consideration of its merits; providing for the sale and occupation of the Waste Lands of the province. His Excellency was advised to withhold his assent to that measure. I am therefore induced to submit for your consideration another bill, which will be devoid of that principle of sale, which formed the chief characteristic of the former one, and which was the main cause of its disallowance. In so doing, however, I wish it to be understood, that I have myself

seen no reason to doubt the soundness of the views which induced me to submit that measure to the late Council, believing as I do, that any measure which facilitates the acquisition of the Waste Lands of a young colony, by those who have the means and inclination to bring them under cultivation, or turn them into beneficial uses, by improving them for pastoral purposes, must be not only conducive to individual, but also to general prosperity, while the evils attendant on and inducements to the acquisition of large tracts of the most useful lands by mere speculators, would by that particular measure have been removed; and the still greater evil of absenteeism been considered checked. The correspondence which has passed between the General Government and myself on this subject will be laid before you, from which you will be able to judge whether the reasons adduced by his Excellency's Government are satisfactory or not.

7. A bill will be laid before you, having for its object the abatement of the nuisance consequent on large numbers of dogs being at large, without any acknowledged owners.

8. In accordance with a resolution of the late Council, I have given effect to their wishes, by bringing into operation the Local Post Act. The limited means, however, placed at my disposal, prevented my making arrangements as efficient as I could have wished. The General Government having discontinued the grant for the conveyance of the Wellington mail, via Wairau, I have felt it my duty to continue the service temporarily, as far as the Wairau is concerned, at the sole expense of the province, in order to avoid the total suspension of all postal communication with so important a district. I trust that the measures now in progress, for connecting the districts of Wairau and Waitohi, will shortly enable me, by employing the constables stationed in the former place in carrying the mails, to organize such a postal service as will be efficient, yet less costly than the present arrangement.

9. The important object of inter-colonial and inter-provincial steam postal communication, appears likely shortly to be attained through the efforts of a company recently established in England, under the title of the New Zealand and Australian Mail Steam Navigation Company. Should, however, anything arise to prevent the execution of the scheme contemplated by this company, I consider it advisable for the interest of this province to subsidize two sailing vessels for the conveyance of the mails to and from Sydney and Melbourne. The increased trade which has lately arisen between those ports and the Province of Nelson, will, I apprehend make it inexpensive, and not difficult of accomplishment.

10. The numerous representations which

have been made to the General Government in reference to the irregular sittings of the Supreme Court, have no doubt had their effect in expediting the appointment which has been lately gazetted of another Judge of that Court. I trust therefore that on no future occasion shall we have to experience the evils consequent upon such a delay in the holding of a Session of the Court as has now again occurred, three months having elapsed since the period when a gaol delivery should have taken place at Nelson.

11. The increase of the value of the Imports and Exports, and of the amount of Customs Revenue for 1857 over those of 1856 is very considerable, and affords a good ground of present congratulation and of hope for the future. The Imports in 1856 amounted in value to £81,172 3s. 6d., and in 1857 to £125,708 19s. The aggregate value of Exports of New Zealand produce for the years 1855 and 1856 amounts to £54,665 15s., while for the single year 1857 these Exports amounted in value to £60,000, or more than double the average of the two preceding years. The Customs revenue amounted in the last quarter of 1857 to £5,000, and though the large quantity of goods lately imported, and at present in the warehouses, as well as the uncertainty attending operations connected with mining, may render it imprudent to calculate on the receipt of a Customs revenue fully proportionate to the amount just stated during the whole of the year 1858, yet the steady productiveness of the Gold-fields, the satisfactory prospects of the Copper and other mining operations, the usual increase of our Wool export, and the natural growth of a young colony, may remove all apprehension of any considerable decrease.

12. Our Land Fund, from various and obvious causes, which I need not detail, was, during the last year, much smaller than during the two or three previous years, the gross total of land revenue in 1857 (exclusive of scrip) amounting to £10,324 9s. 6d.; and though perhaps no great increase in that revenue is to be immediately expected, there is still no reason to fear that it will fall below its present amount. This province has, no doubt, in the financial scheme which has lately received the sanction of the Imperial Parliament, been saddled with an undue proportion of the debt of the New Zealand Company, compared with the other provinces of New Zealand, when the capital received in exchange in the shape of available land is taken into consideration. But even should any re-distribution of the burden of that debt among the provinces of the Middle Island be found impracticable, I still trust that the Land Fund of this province, relieved as it is by the financial arrangement

alluded to from all obligation to contribute towards the purchase of native lands in the Northern Island, will prove not only sufficient to liquidate our annual share of the debt, but to furnish a surplus of some importance, to be expended on public works. It is a gratifying fact, at all events, so far as I can learn, that all the land scrip issued for this province, except a very trifling amount, has been expended, and that the future produce of sales will therefore be almost exclusively in cash. But to maintain the land sales at the present rate, we must undoubtedly look to the opening up of new districts. Explorations should therefore be encouraged as much as possible to discover any such districts we may be still unacquainted with, and the construction of roads carried on with the greatest practicable celerity, to render available such districts as are already known and unoccupied. A deep conviction of the necessity of such undertakings, to enable us to meet the liabilities imposed upon us by the General Government and the Imperial Parliament, induces me again to lay before you, as I have already stated, the Debenture Bill of last session, without proposing any reduction in the amount of funds to be raised for the purposes last mentioned under its authority, notwithstanding the despatch of the Secretary of State for the Colonies lately received, which cautions the General Government from assenting to any act of the Provincial Legislatures for raising money on the future revenue of the Provinces. I trust you will concur with me in the opinion that either this province must be relieved from a portion of the debt which has been unduly imposed upon it, or your endeavours to provide the means of enabling it to meet its liabilities by a moderate and cautious anticipation of its future income, must receive the sanction of the General Government.

13. Another ground for considering this province an exception to the rule laid down by the Secretary of State, is the existence of the gold-fields, and the consequent introduction into the province of a considerable number of persons who might often be without the means of subsistence were no public works to be undertaken, on which, from time to time, the unsuccessful diggers might be employed.

14. These matters, gentlemen, and any others which your experience may suggest, as requiring to be legislated upon, I leave in your hands, with entire confidence in your desire and ability to deal with them in the manner best calculated to advance the interests of the province, and to secure the highest amount of prosperity to all classes of its inhabitants.

J. P. ROBINSON,
Superintendent.

5th January, 1858.

Colonial Secretary's Office,
Auckland, December 2nd, 1857.
HIS Excellency the Governor directs it to be notified that a Writ issued for the election of a Superintendent of the Province of Nelson, has been returned with a certificate to the effect that

JOHN PERRY ROBINSON, of Motupipi, has been duly elected.

E. W. STAFFORD.

Colonial Secretary's Office,
Auckland, December 2nd, 1857.
HIS Excellency the Governor directs it to be notified that Writs issued for the Election of Members of the Provincial Council for the Province of Nelson, have been returned with certificates to the effect that

For the Town of Nelson,

James Mackay,
David Monro,
Thomas Renwick,
Alfred Domett,
Oswald Curtis,
Henry Adams,

For Suburban North,

Thomas Dodson,
William Wells,

For Waimea East,

John Sharp,
John Ward,
John Fedor Augustus Kelling,
John Wallis Barnicoat,
William McRae,

For Waimea South,

Edward Baigent,
Alfred Saunders,
Joseph Simmonds,

For Waimea West,

Emanuel Benahar Ashley Eban,

For Motueka,

Charles Parker,
Thomas Henry Vyvyan,
Thomas Jacka,

For Massacre Bay,

William Robert Nicholson,

For Wairau,

James Balfour Wemyss,
Charles Elliott,
John Tinline,

For Amuri,

William Robinson,
have been duly elected.

E. W. STAFFORD.

Resident Magistrate's Office,
Nelson, 2nd January, 1858.
I HEREBY certify that JOSEPH HAYDON
WARD has this day produced before me

his Diploma as Doctor of Medicine from the University of St. Andrew, his Diploma from the Royal College of Surgeons, England, and his Certificate from the Apothecaries' Hall, London, and has thereby qualified himself as a Medical Practitioner under the terms of the Ordinance of the Provincial Council of New Munster, Session I., No. 2, passed the 18th May, 1849, intituled "An Ordinance to define the Qualifications, and to provide for the Remuneration, in certain cases, of Medical Practitioners."

JOHN POYNTER,
Resident Magistrate.

A PPLICATIONS for DEPASTURAGE LICENSES, in accordance with the Land Regulations of the 1st July, 1856, received by the Commissioner of Crown Lands during the month of November, 1857.

C. F. Watts . . .	District—The Clarence. Boundaries—On the North, by the Clarence; on the East, by the Lower Gorge; on the South, by the seaward Kai-koras; and on the West, by river Gore. Estimated extent—30,000 acres. Deposit paid—£50.
C. E. Dampier . . .	District—The Hurunui. Boundaries—On the Northward and Westward, by the snowy range called the "Mytholm Range," which trends north-eastward from the main course of the river Hurunui, towards Mount "Te Koa;" on the Eastward, by the north branch of the Hurunui and its tributaries, including the Island Hills on either side that river; and on the Southward, by the run already applied for by the said C. E. Dampier. Estimated extent—10,000 acres. Deposit paid—£15.
John Bow . . .	District—East Wairau. Boundaries—On the Northward, by a line drawn from Section 17, Waitohi Pass, to the coast line of Port Underwood, a distance of about 3 miles; Eastward, by the sea beach from the Wairau river mouth, a distance of about 7 miles in the direction of Port Underwood; South, by the river Wairau and native reserve; and Westward, by the sections surveyed by the New Zealand Company. Estimated extent—About 6,000 acres. Deposit paid—£15.

ALFRED DOMETT, Commissioner.