



NEW ZEALAND GOVERNMENT GAZETTE (PROVINCE OF NELSON).

Published by Authority.

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By His Honour's command,

ALFRED DOMETT, Provincial Secretary.

VOL. VIII. NELSON, WEDNESDAY, MARCH 28, 1860.

No. 5.

PROVINCIAL COUNCIL.

TUESDAY, MARCH 27, 1860.

The seventh session of the Provincial Council was opened this day, at one o'clock, upon which occasion the following address of the Superintendent was read by the Clerk, his Honour's attendance being prevented by indisposition.

MR. SPEAKER AND GENTLEMEN OF THE PROVINCIAL COUNCIL—

1. The first subject to which it appears to me desirable to call your attention in opening the present session, is that of the financial position of the Province. In so doing, it affords me satisfaction to be able to inform you that my estimate of the probable revenue for the current year has been considerably exceeded by that actually raised. This is chiefly owing to the Sales of Land, which produced upwards of £48,000 during the three quarters ended 31st December last, being an excess over the estimated amount of about £15,000. The total revenue during the last three quarters amounted to £72,012 8s. 10d., including the balance from the previous year, to which should be added the estimated revenue for the present quarter, making a gross probable total of £74,500. So far the financial position of the Province cannot be viewed in any other light than as extremely satisfactory.

2. It would afford me much pleasure could I feel myself justified in assuring you that this satisfactory financial position is likely to continue. Two circumstances, however, appear to me calculated to prevent it. Heretofore it has been found that a balance in favour of the Province has accrued from the five-eighths of the Customs revenue apportioned to the General Government. A despatch lately received by me from the Colonial Secretary, a copy of which will be laid before you, will acquaint you with the fact that that apportionment has, during the last year, been found insufficient for the requirements of the General Government, and that the sum of one thou-

sand one hundred and eighteen pounds and three pence has been claimed by them and paid by me in consequence. As our Province is the only one, excepting New Plymouth, which had not a surplus to receive, the cause of this deficit in our case demands some inquiry. It is owing apparently to the large expense, as compared with that of the other Provinces, of our Customs and Post Office departments. An examination of the official Returns will show that the cost of collecting the Customs revenue in this Province, in proportion to the amount collected, is nearly double the proportionate cost in Wellington and Canterbury, much greater than that in Auckland, and one-third greater than the cost of collecting in Otago, where the amount of revenue last year was about the same as in Nelson. This seems to show that the Customs Establishment in this Province is unnecessarily large, a fact which will doubtless engage the attention of the General Assembly at its approaching session. Another cause of the deficit is the expenditure in the Post Office, which has been swelled by the addition of the bonus to the Nelson Steam Association to the expenses of that department.

3. The other circumstance which I consider calculated injuriously to affect our future revenue, is the division of the province under the "New Provinces Act." Of the merits or demerits of that Act, it appears to me the time has arrived when an expression of your opinion thereon may be properly and beneficially made. My own opinion is entirely unfavourable to that measure. Could I believe it calculated to extend the blessings of local self-government, no person would be found to rejoice more in its full development than I should. The only valid objection I have ever heard urged against Provincial Institutions, as established under the Constitution Act, has been their expensiveness. I cannot, however, see that that expense can be diminished by the increase of provinces; for every new province, if it is to be governed on true representative principles, will necessarily require a complete staff of officers and suitable offices, which will be so much additional expense in

administering the affairs of the same aggregate number of people. The cost of administering the affairs of 1,000 people, the number entitled under certain circumstances to obtain separation, will be nearly as great as that of ten times that number; while no proportionate diminution can be made in the expenses of the old province. Moreover, the departure from the principle of the people's right to elect their Superintendent, and the taking from the Superintendents and Councils the right of making all laws on subjects not excepted by the Constitution Act, and obliging them to be reserved for the central ministry of the day, leads to the impression that the "New Provinces Act" is not calculated to extend local self-government, but the reverse. Nor can I admit that that portion of the population inhabiting the Wairau district was not in the equal enjoyment of local self-government with other portions of this province. Its representatives in this Council were as great in number, in proportion to its population, as those of the districts of Golden Bay, Motueka, or the Waimea; and it would be just as true to say that those districts do not participate in local self-government, because they have not separate Government establishments, as to say that the Wairau did not. Neither can I admit that there existed any desire on the part either of the Government or Council of this province to withhold from that or any other district of the province their fair share of the public funds. On the contrary, the present Government and Council have evinced on all occasions the utmost willingness to give every district a share of the revenue, apportioned with the utmost impartiality to its population and prospective requirements. Further, I consider that this province has special reasons to complain of the New Provinces Act, on account of the departure, with respect to this province, from the principle laid down in the Act itself with regard to the distance of the boundaries of any new province. That principle provides that no point of the boundary of any new province to be established under the Act shall be less than sixty miles, measured in a straight line, from the capital town of the old province, except with regard to this province, where, under an exceptional clause, the boundary is brought within seven miles of the boundary of our town. I have considered it my duty to call the attention of his Excellency's Government to what I conceive to be a fatal objection to the validity of the boundaries as defined in the Order in Council relative to the formation of the Province of Marlborough. The correspondence on this subject will be laid before you; and I trust, should you coincide with me in opinion that the New Provinces Act as at present constituted is not calculated to extend the operations of local self-government, giving to the people an extension of representative institutions, that his Excellency's Government may be induced to modify that measure so as to obtain that desirable object. I may remark also that the provisions of the Act appear to me to carry on the face of them strong evidence of crude and hasty legislation, particularly as applied to the small number of electors required to claim to establish a new province; the absence of all provision for the liquidation of a share of the provincial debt; and the extraordinary provision made by the 16th clause, which hands over all public reserves of an old province to the Superintendent of any new province established under the Act.

4. I now come to a more pleasing portion of my duty; to inform you briefly what has been effected with the sums voted by you last session, for the Public Works of the Province. The large sums placed at my disposal for these objects have been expended as rapidly as circumstances would permit. Some delay,

however, arose in consequence of my desire to have the assistance of the gentleman now filling the office of Provincial Engineer, whose previous engagements prevented his undertaking the management of the Works in question till a somewhat late period. Nevertheless, I did not think it advisable to have works requiring considerable skill, scientific knowledge, and practical experience, for their construction and supervision, to be carried forward without his presence and advice. Since their commencement under his direction, their progress has been very satisfactory, and they cannot fail, when completed, to contribute greatly to the future progress of the Province. The new Pier, which is now carried out seaward to its full length of 380 feet, will, with the head or arm, 200 feet in length, to be added to it, in accordance with the terms of the existing contract, enable any vessel drawing sixteen feet eight inches of water to lie alongside and take in or discharge cargo at low water spring tides; while the two sets of iron tramways and the warehouses proposed to be erected will afford the means of performing those operations with the greatest possible convenience, economy, and despatch. Moreover, the approaches to the jetty have been improved by the removal, by blasting, of the rocks that impeded navigation in its neighbourhood and about Green Point. On calculating the cost of Lighthouses of different materials, it was found that the cheapest and most durable would be one of cast iron. Accordingly, plans and specifications of a building of that material, fifty feet high, and of a light of the third order, with all its appurtenances, have been sent to England, with orders for their execution there. This, it is trusted, will prove a great addition to the other advantages of our Port. The erection of a Council Chamber and Public Offices has been actively proceeded with during the recess. A vote will be required for their completion, which should take place before your next session, when they will be found, I hope, as ornamental to the town as useful to yourselves and the public. In order to complete this improvement, and provide, while there is an opportunity, for the future wants of the town, I should strongly recommend the purchase of the acre now for sale between the Government Buildings and Hardy-street.

5. The various trunk lines of Road, under the judicious and active management of the respective Local Boards, have been, by means principally furnished by the Council, placed in a condition surpassing that of these roads in any former period in the history of the Province. This remark particularly applies to the road leading from the town to Wakefield, and the Suburban North road, while the road connecting Motueka with the town, *via* the Motere will, when a few more obstacles shall have been removed, be entitled to the character of a good cart road. The work of road-making in the Gold Fields district has been actively carried on during the past eleven months. The "Gold Fields Act," which came into operation on the first day of November, 1859, besides necessitating a refund to the persons concerned of two-thirds of the sums which had been received by the Provincial Treasurer for licenses granted within the boundaries of the Gold Fields, provides, as you are aware, that all the expenses of their administration shall be defrayed, and all public works carried on, from the revenue derivable therefrom. The duty of providing for and managing the latter having thus devolved upon the General Government, I addressed his Excellency's Government in reference to the unexpended portion of the sums voted by you for the Public Works of that district. The result of my

proposals was an assurance on their part that the sums so voted by the Provincial Government, if expended by me, should be repaid to the Province out of the Golds Fields revenues. The receipt of this assurance induced me at once to carry forward the estimated works with the utmost despatch. The amount of the vote has indeed been considerably exceeded, and the existing contracts will require a supplementary grant, which, with others required for the extension and completion of those important works, will, I doubt not, receive your approval.

6. Of the Bridle Roads connecting the outlying districts of the Province with Nelson, I will allude first to that over the ranges between Motuoka and Takaka, that is, the road connecting Nelson with the Golden Bay Gold Fields. This road is now in course of formation, but, from the rugged and difficult character of the country it passes over, it will require a further outlay than that already appropriated to that object, to make it generally useful. The advantages to be derived from a direct overland communication with the Aorere Gold Fields, enabling stock to be driven to that district and travellers to visit it at all times, will be sufficiently apparent to insure for it the attention it merits.

7. While alluding to objects affected by the Gold Fields Act, I wish to express my opinion that the boundaries of the Gold Fields as at present defined are larger than necessary, and include large portions of rich agricultural and timbered land, which, being unavailable for the purposes of mining, are thereby rendered equally unavailable for settlement, either by miners or agriculturists. The residents in the Takaka district have, in a memorial to his Excellency the Governor, called his attention to this subject; and I cannot refrain from expressing my regret that this Council did not, when it had the opportunity and power to do so, accede to the proposal made to it of permitting small quantities of land to be sold to *bona fide* settlers, at a price to be assessed by the Government; believing, as I do, that nothing will more effectually tend to the full development of the auriferous lands than affording facilities and encouragement to the diggers to become permanent settlers in those districts where gold is known to abound. The necessity for this course will, I believe, become daily more apparent, and will ultimately lead to the adoption of some plan containing the principle referred to.

8. To return to the subject of Public Works. In my address to you at the opening of your last session, I briefly drew your attention to the necessity that existed for connecting this Province with that of Canterbury by means of two lines of road; the one proceeding along the Eastern Coast of the Island by way of the Pelorus, Wairau, Awatere, and Kaikoras; the other, the central line to the South, passing through the Wairau Gorge and Hanmer plain. The first of these important undertakings was in a forward state and progressing rapidly towards completion as far as the Wairau, when its further progress was stayed, except so far as carrying out contracts already entered into, in consequence of the division of the Province under the New Provinces Act.

9. The middle line of road to Canterbury, that through the Wairau Gorge, has been very greatly improved; and when the works now going on shall have been completed, at the end of the present season, will afford a safe and easy bridle track from Nelson to Jollie's Pass. To this point all river crossings at all dangerous or difficult have been rendered unnecessary by side cuttings; while the road through the Big Bush has been made as easy as any other part of the route. Some further improvements about Jollie's

Pass should be made next season; and I trust that this and future Councils will always take care to maintain this direct line of communication with our southern neighbours in a state of thorough repair, so as to afford at all times a safe and easy route for horse travellers, at all events. Large reserves have been made at some of the most necessary halting places, which it is intended to offer as an inducement to the establishment of accommodation houses to properly qualified persons.

10. Nothing has yet been done towards improving the road to the Grey district, the exploration previously necessary not having been far enough advanced. Of these explorations, which, feeling the importance of the Grey district to the province, the Government has done all in its power to institute and encourage, I proceed now to give a brief account.

11. Mr. Rochfort was sent with a party as long ago as February, 1859, to make a traverse of the rivers Grey and Buller, and their principal tributaries, and of the coast between the mouths of the former; and to furnish a description of the lands available for pasture or agriculture, lying around or adjacent to them. He had performed a part of his task, when the accidental loss of his instruments in the Buller river, and other circumstances, compelled him to return to Nelson. The Government chartered a vessel to take provisions to the Grey for Mr. Haast's exploring party, which afforded Mr. Rochfort an opportunity to return, and some other gentlemen to visit the district, whose reports have added to the information of the public respecting it. Mr. Rochfort expects to finish his work in less than three months from the present time.

12. In the same month of February, 1859, the Government entered into an engagement with Mr. James Mackay, junior, to employ him in the endeavour to discover a more direct route than that previously described by Mr. Brunner, from the neighbourhood of the Lake country to the Grey district. His other public avocations prevented him undertaking this exploration at the time; but he has since completed it, and his well-known activity and enterprise have been rewarded with considerable success. Mr. Mackay proceeded by a new route from the Grey to a point inland in the required direction, but was compelled by want of provisions to return to the coast. From the cause just stated, he could not complete his engagement till January, when he started from the Nelson end of the route, and, according to a report recently received, succeeded in reaching the point where he had commenced his return on his former journey, by a new route up a tributary of the Buller. He reports that a bridle-road can be made by this track without any considerable difficulty.

13. Dr. Hochstetter having been invited by the Government to undertake a scientific exploration of part of this province, performed that task, as you are aware, with an energy and ability that merited and received the warmest acknowledgments of the Government and the public. The very satisfactory results of his labours were made known in an admirable lecture by himself. His engagement was followed by that of his friend and companion Mr. Haast, and of Mr. Burnett, to whose qualifications for examining and reporting upon the coal fields known to exist in this province, the most satisfactory testimony was borne by Dr. Hochstetter. The object proposed to them was to extend as far as lay in their power the geological investigation commenced by Dr. Hochstetter, and by topographical observations to fill up and complete the blanks in the map of the country that would necessarily be left by Mr. Rochfort. Some

months must elapse before their investigations will be accomplished.

14. Mr. Travers having lately made a journey, accompanied, on the part of the Government, by Mr. Maling, of the Survey Office, to endeavour to find a pass from Lake Tennyson to the Grey country, and having succeeded in finding one into what in all probability is a valley down which a tributary of the Grey river flows, the Government immediately despatched Mr. Lewis and Mr. Maling to endeavour to place beyond all doubt the interesting point left undecided by Mr. Travers. If, as is to be hoped and expected, this route be found to lead into the Grey country, and to continue as open and easy as Mr. Travers describes that part he visited, it will be most desirable to improve it into a complete bridle-track as soon as possible. A sum will be placed on the Estimates for your approval to effect this object, in case of a favourable result to Mr. Lewis's exploration.

15. To complete, then, the bridle-road connecting the Nelson districts proper with Golden Bay and the gold fields; and the middle road connecting Nelson with Canterbury; to open a similar line of road by Mr. Mackay's route on the west, or some possible improvement of it, to the Buller and the Grey districts, and by Mr. Travers's route on the east to the Grey districts; these are the great works for extending and improving our means of communication with the outlying portions of the province, which I would earnestly recommend to your attention. And another work which I may class in importance with these, will be the formation of a dray-road reported practicable by the Provincial Secretary and the Provincial Engineer, connecting the Amuri district with a shipping place at Gore Bay, through which, it is hoped, the exports and imports of that valuable district will flow in future, instead of the distant coast town of Kaipoi. Instructions have been given for the laying out of a township at Gore Bay, and a vote for the road and for moorings to be laid down in the Bay will be placed on the Estimates.

16. A very small amount of legislation will be proposed to you by Government during this session. I have always been averse to the practice of unnecessary legislation, and of loading our statute books with enactments that run any chance of being found superfluous. The most important subjects on which some legislation may be requisite, have been taken out of your hands and entrusted to the General Assembly. On some of these you legislated last session, but as they affected the Crown Lands, your enactments, having been reserved by me for his Excellency's opinion thereon, were disallowed. These Acts were, The Land for Compensation Act, 1859, The Naval and Military Settlers Act, 1859, and The Compensation for Roads Act, 1859. All these are still required. But the subject of the first has been so frequently brought under your notice and occupied so much of your time, and the justice of the claims it refers to has been so generally recognised, that I regret the necessity should still exist of my bringing it again before you. It would be useless for you again to legislate upon it; but I would recommend the preparation by the Council of a memorial to his Excellency, praying that this Act, and the Naval and Military Settlers Act, or others embodying the same provisions, may be laid before the General Assembly for their adoption.

17. Bills will be submitted to you for the protection of Bridle Roads, and the Licensing of Drivers of Vehicles plying for hire. There is another subject on which you may usefully legislate. In order to give every assistance and encouragement to the praiseworthy efforts of a portion of the public to foster in

the community a knowledge of the use of the rifle, as a means of defence in case of need, I should advise that a sum of £1,000 to begin with should be placed on the estimates, to be expended in the purchase of rifles of the most approved kind, which should be lent to the Volunteer Corps, on certain security being given for their return, or payment of the prime cost, to the Government. I would propose that an annual public competition should take place for prizes for the best rifle-shooting; such prizes to consist either of these rifles, or others of a more superior make and finish, but in all cases to be given only for the exhibition of a certain defined degree of proficiency in the use of the implement. It would be as well if these arrangements, and the principle of the distribution of the prizes, were embodied in a short Act, which would ensure consistency in the proceedings, and give greater confidence to the public in the proper management of them.

18. In conclusion, gentlemen, you will allow me to allude to the encouraging prospects for the future of the province, even should its dismemberment, by the creation of Marlborough, be maintained. The quantity of chrome ore in the Dun Mountain, its having been found at the Croixelles, and the confidence of the persons most directly interested in their power of exporting it at a remunerative profit, lead us to hope that a considerable addition to our prosperity may be afforded thereby.

Another mineral of the very greatest value, with respect to which every succeeding exploration confirms our anticipation that it will form one of the staple productions of our province in peculiar, is coal. The coal at Pakawau was pronounced by Dr. Hochstetter the only true black coal he had seen in the colony; and that from the River Grey, of which samples have been lately forwarded, is said to be superior to the Pakawau coal. Its position near the mouth of the Grey, from the description received of it, appears to afford every facility for working and exporting it. If Mr. Burnett's report upon these points be favourable, I shall ask you to enable me, by voting a sum of money for the purpose, to send a vessel with a party of miners to the Grey, to procure a sufficient quantity of the coal to make its merits thoroughly known and appreciated. With the steam vessels constantly plying round the coasts of the colony, and the ready market obviously existing for this mineral, it will be somewhat surprising if capitalists be not speedily found to turn to account the promising indications above alluded to.

Lastly, the additional experience gained since your last session strongly corroborates the opinion that gold will be found more extensively distributed through the province than was at first anticipated. Its recent discovery in the Buller district, and also in the Wangapeka district, in the neighbourhood of that discovered some time since in the Baton river, appears to afford conclusive evidence of the auriferous character of the country intervening between the northern and southern portions of the province; and without in any degree wishing to excite any unwarrantable enthusiasm in reference to the paying quality of the country referred to, it is quite within the bounds of probability, that no great time will elapse ere the improved methods now in operation amongst some of the most successful diggers at the Aorere gold fields will be brought to bear upon the districts alluded to, and result in proving their value as a labour field and means of subsistence for a large population.

I now declare this Council open for the despatch of business.

J. P. ROBINSON,
Superintendent.

Colonial Secretary's Office, Auckland,
January 25, 1860.

THE friends of the person named below having made inquiries respecting him, any one who can give any information of such a person is requested to communicate with this office.

E. W. STAFFORD.

Christian and Surname—Jean Baptiste Berland.
Trade or Occupation—Watchmaker and Jeweller.
Residence before going to the Colony—Island of Jersey.

If Married or Single—Married, Wife and Family in France.

Name of the Ship in which Colonist emigrated, and date of arrival in New Zealand—"Joseph Fletcher," Capt. Pook, 23rd October, 1856, at Port Lyttelton, Canterbury.

When last heard of, and at what place—27th February, 1857, Canterbury.

ALTERATION OF ROADS.

I, THE undersigned, JOHN LEWTHWAITE, of the City of Nelson, Innkeeper, hereby give notice, that I intend to APPLY to two or more Justices of the Peace having jurisdiction within the Province of Nelson, at a sitting to be held at the Court House, in the said City of Nelson, on MONDAY, the Seventh day of May, 1860, at Eleven o'clock in the Forenoon, for an ORDER for STOPPING UP, DIVERTING, and MAKING the under-mentioned ROADS; and that I shall cause Survey Plans of the several Roads proposed to be stopped up, substituted, and made, together with Books of Reference and Estimates, to be deposited on or before the Twenty-fourth day of March, 1860, with the Clerk to the Magistrates, at Nelson, and with Mr. THOMAS FAGAN, Chief Constable for the said city:—

1.—To stop up a certain road in the City of Nelson, lying between Sections numbered 63 and 64 on the plan of the said city, commencing at the Haven Road, and terminating at the boundary of Section No. 11, Block G.

And to substitute in the place thereof a certain other road in the said City of Nelson, thirty feet in width, commencing at the south-east corner of Section numbered 66 on the plan of the said city, and proceeding in a north-westerly direction through Sections numbered respectively 66, 65, 64, and 63 on the said plan, and there terminating.

Dated this Twentieth day of March, 1860.

JOHN LEWTHWAITE.

ALTERATION OF ROADS.

THE undersigned hereby gives notice, that he intends to APPLY to two or more Justices of the Peace having jurisdiction within the Province of Nelson, at a sitting to be held on MONDAY, the 7th or 21st day of May now next, at the Court House, Richmond, for an ORDER for STOPPING UP and DIVERTING, and also for making the under-mentioned ROADS; and further, that he will cause survey plans of the several roads proposed to be stopped up, substituted, and made, together with Books of Reference and Estimates, to be deposited, on or before

the 2nd day of April next, with the Clerk to the Magistrates at Richmond, and with Mr. WILLIAM STANTON, Constable for Waimea East, and Mr. THOMAS ANDREWS, Constable for Waimea South:—

To stop up a certain road in Waimea South, commencing at the trunk line in Eighty-eight Valley, and proceeding 103 chains in a S.E. direction along the S.W. side of Sections 5 of XIX. and 10 of XX., the N.E. side of 12 of XX., and through Sections 21 and 37, until it meets a certain road in Section 37, and there terminates.

And to substitute a certain other road, 60 links wide, commencing at the trunk line in Eighty-eight Valley, and proceeding within and along the N. side of Section 5 of XIX., and through 26 for 12 chains in a S.E. direction; thence for 23 chains in a S.S.E. direction through 26; thence for 8 chains S. through the east corner of 10 of XX. and waste land of the Crown; thence for 25 chains S.E., through waste land of the Crown and Sections 11 of XX. and 21; thence 35 chains S.S.E. and S.E. through Sections 21 and 37, terminating at the beforenamed road in 37, at a point $4\frac{1}{2}$ chains from the E. boundary of 37.

Also to make a road 20 feet wide, commencing on the W. side of the trunk line in Eighty-eight Valley, Waimea South, at the E. corner of Section 44, and proceeding 815 links within and along the N. side of the said Section, to the E. bank of the Eighty-eight stream, and there terminating.

Also to stop up parts of a certain road in Waimea East, commencing at the cross roads at the W. corner of Section 59, and going S.E. 20 $\frac{1}{2}$ chains, between Sections 58 and 59; thence 38 chains S. through Section 2 of 1, and there terminating; excepting a small portion of the firstnamed part, where the proposed road will intersect the said road.

And to substitute a road, 50 links wide, commencing on the E. side of the public road, passing along the W. side of Section 59, at 9 $\frac{1}{2}$ chains from the W. corner of the said Section, and proceeding 7 chains S.E., and 45 chains S., through Sections 59 and 2 of 1, to the ridge of the hills; thence 20 chains S.S.E., and 13 chains E., through Sections 2 of 1 and III., and ending at the termination of the road proposed to be stopped up.

T. J. THOMPSON,

Surveyor to the Waimea Road Board.
Richmond, March 23, 1860.

Land Office, Nelson, March 27, 1860.

CROWN GRANTS in favour of the under-mentioned persons are now READY FOR ISSUE at this Office:—

F. D. Bell
W. Bowler
A. C. Berry
A. Bradley
M. Batty
W. Collins
Jas. Dent
H. Edwards
E. Fairhall, jun.
C. Gaukrodger
Geo. Humphreys
A. Kerr

J. H. Levien
A. R. Macdonell
J. Mackay, jun.
J. Marsden
Geo. Parkes
W. Robinson
W. Rodgeron
J. Stanley
J. Trass
F. Taylor
F. A. Weld
Wells and Hackett.

ALFRED DOMETT, Commissioner.