



NEW ZEALAND
GOVERNMENT GAZETTE
(PROVINCE OF NELSON).

Published by Authority.

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By His Honor's command,
ALFRED DOMETT, Provincial Secretary.

VOL. X. NELSON, WEDNESDAY, MAY 14, 1862. No. 8.

PROVINCIAL COUNCIL.

TUESDAY, MAY 13, 1862.

THE Ninth Session of the Provincial Council was opened this day, at One o'clock, upon which the following Address of the Superintendent was delivered:—

MR. SPEAKER, AND GENTLEMEN OF THE
PROVINCIAL COUNCIL.—

1. Before alluding to those matters which are more immediately connected with the past and present progress of the Province, I deem it my duty to refer to the loss it has, in common with every other portion of the British dominions, sustained by the death of the Prince Consort. This duty I consider to be particularly imperative on the present occasion, in consequence of my having been absent on the West Coast for several weeks after the melancholy intelligence reached this Province, whereby I was deprived of the opportunity of inviting the co-operation of its inhabitants to an expression of sympathy with our beloved Sovereign, and of paying the outward marks of respect so especially due to the memory of one who, whether viewed as the husband of our illustrious Queen, as a promoter of the arts and sciences, or as the earnest advocate for the moral, intellectual, and social improvement of the condition of the humbler classes of the people, must ever retain one of the highest positions in the affections of all who owe allegiance to the throne of England. As the representatives of the people of this Province, assembled for the first time since your election, you will, I feel

assured, take this, the earliest opportunity afforded you of forwarding an address of condolence to her Majesty on her irreparable loss.

2. Adverting now to the ordinary affairs of the Province, I have the satisfaction of informing you that its financial position during the past year has been quite equal to my expectation; and although the Revenue did not reach the amount anticipated by the late Council, it has been, nevertheless, such as to show in each of the revenue departments most satisfactory results.

3. The total Customs Revenue for the financial year ended 31st March last was £20,994 16s. 1d., three-eighths of which being the portion (less the gold duty, the whole of which is Provincial Revenue) allotted to the Province, gave £7,539 12s. 2d., being above £1,500 beyond my estimate. The land revenue for the same period amounted to £20,413 17s. 8d.; while from miscellaneous sources the amount received has been £5,423 8s. 4d.; making with the balance in the Treasury at the commencement of the year a total revenue of £39,440 13s. 2d., or £3,289 18s. 2d. in excess of my total estimate.

4. The management of that portion of the gold-fields which comes under the operation of the Gold-fields Act, having been delegated to me under the specified limitations by his Excellency the Governor, it becomes necessary that I should request you to make suitable provision for defraying the cost of its management, for keeping in repair the lines of communication, and treating it generally as one of the most important portions of the Province.

The heaviest item of expense connected with the Collingwood gold-fields, exclusive of public works, has hitherto been that under the head of Police.

With the decrease in the number of diggers, a cor-

responding reduction has been made in this department of the public service; which I have no doubt you will concur with me in thinking should be extended to other departments at Collingwood under the control of the General Government.

In addition to the Collingwood gold-fields, other auriferous districts, including those of the Tadmire, Wangapeka, Baton, Waimangaroa, and Buller, have been prospected and partially worked, with more or less success. I have not considered it necessary to bring either of the places mentioned under the operation of the Gold Fields Act, in consequence of the limited number of diggers employed, and their particularly good conduct in preserving the peace; respecting, as they have done, each other's rights, and mutually aiding one another in carrying out their own views of equity in the apportionment of the land constituting their claims. By this very exemplary conduct, the expense of Commissioners, with their staffs, has been avoided; and it will be as pleasing to you as it is to me to know that no circumstance has hitherto come to my knowledge showing the necessity for the employment of a single constable.

Should, however, a large accession to the present number of diggers take place, it is scarcely to be expected that this highly satisfactory state of things will remain. It is probable that an addition to the present number may include some lawless characters, in which case it will be my duty, for the purpose of preserving law and order, to appoint the necessary officers with a sufficient force at their command to effect these objects. I am, however, reluctant to advise that any sum should be specifically voted by you for this purpose, which, if not required, could not, in consequence of a recent Act of the General Assembly, be applied to Public Works. It, therefore, appears to me to be desirable that any sums voted for this or similar purposes, would be better brought under the heading "Miscellaneous Services," thereby leaving it to the Government to appropriate it to such objects as the interests of the Province may, in its opinion, require.

5. Hitherto I have not shrunk from the responsibility of expending portions of the public revenue on objects which I have considered likely to promote the welfare of the Province, although they had not been previously voted by the Council. In so doing, however, I have been fully conscious of the weight of that responsibility, and I have never exercised it without feeling confident that my acts in so doing would meet with the approval of the people as well as their representatives. I am happy to say that in no one instance have I been deceived in this respect, the Council having always voted the sums so expended in its subsequent Session. The Audit Act of the General Assembly, to which I refer, makes this mode of proceeding no longer practicable, as, under its provisions, expenditure by the Superintendent of a province of any sum either not voted by its Provincial Council, or in excess of its votes, is made an offence, to which heavy pecuniary and other penalties are attached. I trust you will hardly expect that I should do any act that would render me liable to prosecution for a penal offence, much as I regret the injury and inconvenience that may arise from the mode in which it is proposed by this Act to attain an object in itself laudable.

6. My opinion on the New Provinces Act has been more than once frankly stated to you. On the present occasion it appears to me advisable to call your attention to the position in which you might be placed with respect to any settlements on the West Coast, should any considerable number of diggers resort thither. You are aware that any person can acquire the miner's right for the sum of £1, and that this right confers the power of voting at elections.

Under the New Provinces Act, then, it would require but 201 holders of miner's rights to compel the erection of the West Coast district into a separate Province. In authorising the expenditure, as you will be requested to do, of large sums for throwing open and otherwise facilitating the settlement of that part of the country, it seems to me that you will naturally consider it desirable that you should take some steps towards procuring the amendment of the Act in question, at least by the enactment of the provision for very considerably increasing the number of electors and amount of population entitled to claim separation from the parent Province. This is more particularly necessary where the population exercising this power will contain a large number of those who from the nature of the case have more inducements to change their place of residence, and, consequently, are less likely to become permanent settlers in such a district than persons engaged in other occupations.

7. The General Government having made some alterations in the steam postal service of the colony, of which I have been informed in a private letter from the Postmaster-General, I have postponed taking any conclusive steps in the matter, until I could have the benefit of an expression of your opinion upon the proposed arrangements. The alteration that has been made is, as you are aware, the removal of the direct line of steamers between Sydney and Cook Strait. To provide a substitute for this it is proposed to pay to the Inter-colonial Royal Mail Company a sum of £5,000 a year as a subsidy for running a steamer from Sydney to Cook Strait and back in the month, touching only at two of the three ports of Nelson, Wellington, and Canterbury. Of this £5,000, £2,000 is to be paid by the General Government, and the remaining £3,000 is to be raised by two out of the three provinces just named. The question for your consideration will be, whether it is advisable to pay a subsidy of £1,500 a year for a steamer which is apparently to be used for the conveyance of passengers and merchandise only; a business which there is some reason to believe would be of sufficient extent and importance to induce the placing of a steamer on this line without any bonus whatever. Irrespective of the impolicy of saddling the future revenues of the Province with a sum which would probably absorb, by anticipation, nearly a fourth of its share of the Customs revenue, while we have also to provide a subsidy for our Provincial steamer, I am of opinion that the steam service of the colony should be wholly provided by the General Government out of the general revenues of New Zealand; and that any scheme to be adopted by it should include the establishment of a direct line of mail steamers between Australia and Cook Strait.

8. Some time back I received a letter informing me that his Excellency the Governor would authorise the raising, by the Province, of a loan to defray the expense of the erection of a new Post-office, and also, though this is doubtfully indicated in the letter, of a new Gaol in this Province. As I have heard no complaints whatever of the insufficiency of the buildings at present used for those purposes, I am not aware that any urgent necessity exists for any such expenditure. The letter, however, states that, unless the Provincial Legislature will make such provision, the Government will feel itself called upon to propose to the General Assembly, at its next Session, to sanction the necessary expenditure charging the amount against the Province. This letter will be laid before you, and I shall be glad to receive the expression of your opinion upon it.

9. There is much greater and more pressing necessity for a Lunatic Asylum. Had the House of Re-

representatives confirmed the engagement formally entered into by the late Colonial Government for the erection of a Central Lunatic Asylum at Nelson, and for which, in consequence of that engagement, a site was purchased by the Province, the reproach, which the utterly inadequate provision at present existing for the care and maintenance of these unfortunate beings casts upon our social condition, would long ago have been removed. The small building now occupied by lunatics in this town was erected only for temporary occupation until the General Asylum should be built. It has, of course, far too little accommodation for all the patients requiring it. The General Government has lately published an Act, to be introduced into the General Assembly next Session, to authorise the Governor to cause Provincial Asylums to be erected at the expense of the provinces respectively, should they not, within a given time, take this duty upon themselves. On every account, therefore, it is incumbent upon us at once to provide for the establishment of this institution. I trust that if a bill be submitted to you, as it is my intention to do, enabling me to raise a loan for this purpose, it will meet your cordial concurrence, as well as the sanction of his Excellency the Governor, who has already promised that sanction to loans for objects much less indispensable.

The increase of the public debt for the last-named object I regard as almost forced upon us by circumstances. But opposed as I am, as a general principle, to entailing upon those who succeed us pecuniary burdens of this kind, I think it my duty to recommend you no longer to delay the appropriation of an annual sum to commence a sinking fund for the liquidation of our previous debt, and that now proposed to be incurred. A bill will, therefore, be brought in to enable me to invest any sum appropriated by you in the manner most likely to secure this desirable object.

10. I come now to the efforts which have been made during the recess, to open up the country. In my address, on opening the last Session of the Council, I alluded to the hope, then entertained, that a route might be found from the upper part of the Wai-au river to the Grey district. The passes through which this route had been expected to be discovered, had been explored, as then stated, but without leading to the result desired. Since then, one of our most enterprising explorers, Mr. John Rochfort, has succeeded in penetrating from the Grey to the Hammer Plain by the Ahaura river.

Mr. Rochfort having agreed to point out this route to Government, provided a bonus were paid him for the information, I consented to pay the sum required; and immediately sent a person on the part of the Government to report upon the practicability of the route for a bridle track. This report proving very satisfactory, a road party was set to work without delay upon the new route. When myself in the Grey district, I directed another party, under Mr. Rochfort, to commence at the other (the western) end of the line, at the junction of the Ahaura and Grey, so that, in a few months at the farthest, I trust that a horse road will be at last opened, which, though a circuitous one, will at least allow our settlers to enter and occupy this district with sheep and cattle.

The delay that has taken place in attaining even this result, has been as much a matter of regret to the Government as it could have been to any of the public. But it has been unavoidably occasioned by the necessity of endeavouring to find a really practicable route to the westward, and by the failure of the many attempts that have been made to achieve the object. I allude particularly to the explorations of the valleys running into the Upper Wai-au from Lake Tennyson, southward; and of those leading from

Mount Arthur to the south and west. No practicable route was found in any of these directions, except that by Mr. Rochfort, just spoken of, and which is very far from a direct line even to the Grey district. I will not detain you with a detailed account of the several explorations in question (the reports of which will be laid before you), but merely state, as a general result of them, the apparent certainty that no more direct line to the western districts can be found than that by the Lakes Arthur and Howick, and thence into the valley connecting the Grey and Buller rivers; cutting off the angle made by the river flowing down that valley (which it has been proposed to call the Thackeray) and the Buller itself into which it flows. Some further investigation is still required to determine whether this cross line is practicable or not. But it seems so clear that the main line to the west must follow the course thus generally indicated (whether or not some abbreviations of it may be made here and there), that I have no hesitation in asking for rather a large vote to open a road at once in this direction. It is gratifying to know that, although this road may be rather an expensive one, it may ultimately be made a dray road, and one that will be available both for winter and summer, as its course is supposed to be below the snow-level of the high central ranges which are rendered impassable at the former season.

I have thus endeavored to explain what is doing, and what should be done, to open a communication by land with the West Coast. Meanwhile, I may here observe that Mr. Rochfort has instructions, as soon as the line commenced at each end, between the Ahaura and Hammer plain—as before noted, is finished, to make a clear foot-track from the Ahaura junction to the mouth of the Grey river; thence up the coast to the Buller mouth; continuing the coast-line to the Heaphy or Wakapoi river, and on to Collingwood. This will greatly increase the facility of communication by gold-diggers and foot-travellers between the several districts of the West Coast.

This being done with respect to the opening of the district by land, the next object is to open it from the sea; and for this purpose, in my opinion, our most advisable course at present would be to get the best road practicable from the mouth of the Buller River to the Thackeray Valley, because of the great superiority of the mouth of the Buller as a shipping-port to that of the Grey River. A report, by Mr. Clouston, will be laid before you, containing his opinion on the respective capabilities of the two river-mouths as harbors. That of the Buller has been carefully surveyed by him, in conjunction with Messrs. Brunner and Burnett, and its geographical position laid down; which, I may remark in passing, proves to be closely in accordance with that given in the New Zealand Pilot.

11. A great and reasonable desire, fully participated in by the Government, exists that something should be done to accelerate the occupation by settlers of the West Coast. As far as relates to the attainment of this object by road-making, I have said what appears to me to be the utmost that the means at our disposal will enable us to do. The other principal means for stimulating the settlement of this part of the country is undoubtedly the mode of disposing of available lands.

These, as you are aware, can only be dealt with in strict accordance with the regulations established by law for that purpose; and the Waste Land Regulations give the Government no other power whatever than that of surveying the land into sections, and putting them up for sale by auction to the highest bidder.

Instructions have been given to lay out the land

most immediately available in the vicinity of the mouth of the Buller in sections suitable for actual settlers. These, of course, I cannot prevent from falling into the hands of mere land speculators, who may desire to become possessed of them. This might indeed have been done, to some extent, had the assent of her Majesty been obtained to the amended Waste Land Regulations embodying the resolutions passed in the last session of this Council. Those amendments, you are aware, enabled the Government to place actual settlers on land to be paid for by them in road-making, and would have been especially suitable to the lands I am speaking of, and to the class of settlers who may be expected to become their first occupants. When I learn that these amended regulations, although they are much more limited in their operations than I or the previous Council desired, have become law, I will take every proper means to make known to intending immigrants or others, through every channel open to me, whatever advantages this district possesses for settlement.

12. The coal-field in the neighbourhood of the Buller has been proved, from recent examinations made for the Government by Mr. Burnett, to be of considerable extent, and to contain coal of the very best quality, fully equal to that found at the Grey; while it is so situated as to leave no doubt of the possibility of working it so as to secure a highly remunerative return to those who may embark in the undertaking. The preliminary report of Mr. Burnett, or a portion of this coal-field will be laid before you, by which it will be seen that there are four seams, varying in thickness from five to twelve feet, most of them so situated as to be pronounced by that gentleman highly favorable for working; the dip being such that the mines will be self draining ones, thereby apparently obviating the necessity of the costly pumping machinery generally necessary for such purposes. The farthest of these seams is not more than about twelve miles from the port of the Buller.

Mr. Burnett is now actively engaged in a closer examination, than could be made during my stay in that neighbourhood, of the mountain range in which the coal referred to is found, in the expectation that seams may be found even nearer to the port. I hope ere long to have such a report from him as will justify my sending the Provincial Engineer to lay out a line of road to connect the nearest coal-seam with the port. The great extent of these coal-fields, and the fact that vessels of suitable build, of from two to three hundred tons burthen, can enter and leave the port at the Buller river with safety, warrant the opinion that not only may the coal be made eminently useful to the whole of New Zealand, but that from its geographical position, the City of Melbourne may also be supplied with it, as I am informed that the voyage may be made in as short a time from that place as from Newcastle.

13. In the last session of the Council the sum of £3,000 was voted for the erection of a bridge over the Wairoa River; this sum being considered sufficient

for its construction on the plan proposed by the Provincial Engineer. The lowest tender received by the Government amounted to £3,950. Shortly after the receipt of the tenders, plans for the construction of an iron bridge were submitted to the Government, and, as the lowest tender received was much in excess of the sum voted, I have considered it advisable to refer the matter to you for your decision, as to whether the superstructure shall be of wood or iron, the foundations, which will suit for either, being proceeded with in the meantime.

14. I have again to call the attention of the representatives of the Province to the claims of those who came to this settlement, under promises and engagements made by the New Zealand Company, in which time their claims to compensation have been before the public, and each successive Governor of the Colony. The justness of most of the claims made I have never doubted. It therefore affords me the greatest satisfaction to find that the claims, which were enquired into and reported upon by the Commissioners appointed under an Act of this Council five years ago, have, within the last few weeks, been again investigated by commissioners appointed by the Governor, under an Act of the General Assembly, and that, with very few exceptions, the previous decisions of the first Commissioners have been confirmed. A copy of the last Commissioners' report will be immediately laid before you for approval in accordance with the requirements of the Act; having obtained which, it will only be necessary for me to assent also to it, when the Governor will at once be empowered to grant the compensation awarded. I, therefore, ask you, on behalf of the claimants, to give your earliest attention to this subject, in order that a long delayed act of justice may be done to the pioneers of our settlement.

15. A few bills only will be laid before you by me this Session for your consideration. Among these one of considerable importance is an act for the prevention of scab in sheep, based upon the principles of the Act in force in the neighboring Province of Canterbury.

This Act, which has been much called for by some of the flockowners of the Amuri district, will, it is hoped, among other beneficial effects, have that of facilitating the export of sheep from this Province to Canterbury and Otago.

16. Reports on the various explorations undertaken, and public works completed, during the last year, will be laid before you; and I shall have the honor of addressing you by special message on any of these or any other subject requiring it, to which I have not adverted on the present occasion.

17. Gentlemen, I feel the greatest confidence that you will, as the representatives of the people of this Province, be actuated by no other desire than that of promoting its happiness and prosperity; and you may rest assured that I will most cordially co-operate with you to the fullest extent of my power in the accomplishment of these objects.