



**NEW ZEALAND
GOVERNMENT GAZETTE**

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official Signature thereunto annexed, are to be considered as Official Communications made to those persons to whom they may relate, and are to be obeyed accordingly.

CHARLES BROWN, Superintendent.

VOL. IV. NEW PLYMOUTH, SATURDAY, NOVEMBER 29, 1856. [No. 15.]

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA:

SESSION III., No. 5

**AN ORDINANCE
TO AMEND THE MUNICIPAL POLICE ORDINANCE OF THE TOWN
AND PROVINCE OF NEW PLYMOUTH, SESSION I, No. 6.**

Analysis.

<p>Title.</p> <p>Preamble.</p> <p>1. Additional penalties against discharging Fire-</p> <p><i>AN ORDINANCE to amend the Municipal Police Ordinance of the Town and Province of New Plymouth, Session I, No. 6.</i></p> <p><i>Whereas by the first section of an Ordinance of the Superintendent and Provincial Council of the Province of New Plymouth intituled "An Ordinance to regulate the Municipal Police of the Town and Province of New Plymouth" it is amongst other things enacted, that every person who shall discharge any Firework or Firearm within the</i></p>	<p>arms in the Town.</p> <p>2. Superintendent may distribute penalties</p> <p>3. Ordinance incorporated with Police Ordinance.</p> <p>distance of half-a-mile from the centre of the Huatoki Bridge, in Devon Street, in the Town of New Plymouth, shall for every such offence forfeit and pay a sum not less than 10 shillings nor exceeding 5 pounds. <i>And whereas such penalties have proved insufficient to repress the said offence and it is expedient to enact further penalties for the punishment thereof.</i></p> <p><i>Be it therefore enacted by the Superintendent of the Province of New Plymouth</i></p>
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with the Advice and Consent of the Provincial Council thereof as follows:—

1. That from and after the passing of this Ordinance it shall be lawful for the Resident Magistrate acting within the District, or for two Justices of the Peace, to direct that, any person offending against the clause herein mentioned of the said recited Ordinance, shall for a first offence suffer a term of imprisonment, with or without hard labour not exceeding one month, instead of, or in addition to, the penalty thereby imposed. And for every subsequent offence a term of imprisonment with or without hard labour not exceeding three months, with a penalty not exceeding twenty pounds at the discretion of such Resident Magistrate or Justices of the Peace.

2. That it shall be competent to the Superintendent, on the recommendation of the Resident Magistrate or Justices trying such offenders, to direct the whole or any part of the penalties imposed under the authority of the said recited Ordinance, or of this Ordinance to be paid to any person or persons who shall be instrumental in procuring the conviction of offenders.

3. This Ordinance shall be deemed and taken to form part of the recited Ordinance, and the penalties hereby imposed shall be considered to be imposed by and contained in the said recited Ordinance.

Passed the Provincial Council the twenty second day of October, one thousand eight hundred and fifty-six.

I. NEWTON WATT,
Speaker.

Assented to on behalf of the Governor the twenty-seventh day of October, one thousand eight hundred and fifty-six.

CHARLES BROWN,
Superintendent.

ERRATA.—In the memorandum of the Superintendent under the head of Town Rates, published in the *Government Gazette* of the Province, Vol. 4, No. 14, page 227—for “final clauses of the Ordinance” read “penal clauses of the Ordinance.”

Superintendent's Office,
New Plymouth, Nov. 28, 1856.

THE following communication to the Honorable the Colonial Secretary transmitting “An Ordinance to establish an Executive Government of the Province of New Plymouth and to enlarge the Provincial Council”—reserved by me under the 27th Clause of the Constitution Act for the signification of His Excellency the Governor's pleasure thereon—is published for general information.

CHARLES BROWN,
Superintendent.

Superintendent's Office.

New Plymouth, 24th Nov., 1856.

Sir,—I have the honor to transmit an Ordinance reserved by me under the 27th Clause of the Constitution Act, for the signification of His Excellency the Governor's pleasure thereon.

The Ordinance includes two subjects, one, the enlargement of the Provincial Council, and the other a question of Executive Government concerning the Province, the latter I am debarred from disallowing or assenting to, by the course adopted of combining it with the former.

I enclose copy of the only memorial received on the subject, from some of the inhabitants of the Province in support of the Ordinance, and of my reply pointing out to the Memorialists that the wishes of less than ten per cent of the Electors of the Province would not justify my assent to the measure requested, and suggesting the obtaining of additional signatures to the Memorial for the information of the General Government. Had this been done to an extent expressing the opinion of the majority of the constituency, I should have been prepared to assent to a separate enactment constituting an Executive Council, and the enlargement of the Provincial Council as a separate enactment I should have been prepared to recommend for assent, on the ground that the Provincial Council must be best sensible of the benefits to be derived from its enlargement.

On the whole I am of opinion that the two questions, only recently before the Electors of the Province, have not had the attention which they demand, and that a great portion of the unexpired term of the existence of the Provincial Legislature ending next year under the Constitution Act, ought to be allowed for their consideration by the Legislature and Constituency of the Province.

I have the honor to be, Sir,

Your very obedient servant,

CHARLES BROWN,

Superintendent.

To the Honorable
The Colonial Secretary.