



# NEW ZEALAND GOVERNMENT GAZETTE.

(PROVINCE OF NEW MUNSTER.)

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.*

*By His Excellency's Command,*

ALFRED DOMETT, *Colonial Secretary.*

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VOL. I.] WELLINGTON, THURSDAY, DECEMBER 28, 1848. [No. 26.

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## JOURNAL OF PROCEEDINGS IN THE LEGISLATIVE COUNCIL.

WELLINGTON, THURSDAY, DEC. 21, 1848.

Present—

His Excellency SIR GEORGE GREY, K.C.B.,  
Governor-in-Chief.

His Excellency EDWARD JOHN EYRE, Lieut.-  
Governor.

The Hon. Lieut.-Colonel M'Cleverty, Senior  
Military Officer.

The Hon. Alfred Domett, Colonial Secretary.

The Hon. W. Henry Petre, Colonial Treasurer.

The following gentlemen having taken the  
prescribed oath, took their seats:—

The Hon. D. Wakefield, Attorney-General.

„ „ Francis Dillon Bell.

„ „ W. M. Bannatyne.

„ „ Wm. Hickson.

„ „ Geo. Hunter.

„ „ A. Ludlam.

„ „ Geo. Moore.

The Rev. R. Cole being in attendance  
read prayers.

The GOVERNOR-IN-CHIEF then opened the  
session by reading the following Address:—

GENTLEMEN OF THE LEGISLATIVE COUNCIL,

It is with feelings of very great satisfaction  
that I discharge the duty of opening the pro-  
ceedings of the first Legislative body which  
has ever assembled in the Southern portion  
of New Zealand, and that I now, for the first  
time, see the Government placed in possession  
of the legitimate means of making known to  
the public the reasons for the various mea-  
sures it may adopt, and of thereby gaining  
that confidence which I feel satisfied an accu-  
rate knowledge of its intentions and views  
will always obtain for it.

These feelings of satisfaction are heighten-  
ed by my now having it in my power to en-  
sure to the inhabitants of the South of New  
Zealand a share in the general legislation of  
the whole of these extensive Islands, by call-  
ing to the General Legislature a portion of  
the members of the several Provincial Legis-  
lative Councils, and by, for the present, as-  
sembling the General Legislative Council al-  
ternately in the Northern and Southern por-  
tions of New Zealand; two measures which

shall receive my early attention, in the full belief that they will confer very important advantages upon the Southern settlements, and will contribute greatly to the advancement of the whole of New Zealand, whilst the increased number and the more varied experience of those persons, upon whose wisdom and advice I shall have to rely in framing laws for the general Government of New Zealand, will give me greater confidence in the various measures I may adopt, and will, I trust, in a great degree remove the difficulties I unavoidably labour under, from my necessarily imperfect acquaintance with the local requirements of so many distant and scattered settlements, and from my consequent inability to judge of the several degrees of influence which local causes should be allowed to exercise in modifying those laws which are to be put in force throughout the whole territory.

The circumstance of my being aided in the General Council by the advice and knowledge of so many gentlemen from the various portions of New Zealand, will also enable me with greater confidence to propose and carry out any changes in the Constitution or powers of the Provincial Legislative Councils, which time and experience may point out as necessary, and the same circumstance will ultimately afford me the greatest assistance in introducing into this country a complete system of Representative Government, a measure which I anxiously desire to see accomplished, and the removal of the difficulties in the way of which has always been to me an object of the greatest solicitude.

From what I have already stated, you will have seen that the duties which will devolve on this Council are of the most important kind, being the entire conduct of all subjects of legislation connected with local affairs and the control of the Provincial Revenue—a fair share in the general legislation of the whole of the New Zealand Islands—the removal of the difficulties which stand in the way of an immediate introduction of a complete Representative Government—and ultimately the supervision of all the details of such a measure, and its adaptation to the peculiar circumstances of each Province.—These are duties which are in part unusual, springing from causes peculiar to New Zealand, and a right discharge of which forms an object of legitimate ambition for every intelligent mind, and will certainly, if well performed, establish a just claim upon the lasting gratitude of the inhabitants of these Islands.

I do not propose to make any remarks upon the subject of the local affairs of this Province, as this duty devolves more properly upon the Lieutenant-Governor, who will, upon a future occasion, propose for your consideration all such measures connected with these, as may appear to his Excellency to be calculated to promote the welfare of the Province, or to advance its interests; but upon

the subject of the administration of the provincial revenue, I must make a few remarks, as this is a point connected with the general finances of the country, and in which the welfare of the whole islands is involved.

I would remind you therefore, that the fact of the colony being able to defray the expenses of its internal Government from its own resources, is a necessary preliminary to the introduction of a complete representative form of government; the strongest inducement is thus afforded you to watch with the utmost vigilance the mode in which the revenue is appropriated in order to obtain at the earliest possible period for the European inhabitants of New Zealand that form of government which they appear so earnestly to desire. But apart from these considerations you will find that an orderly regulation of the finances of your adopted country, and a frugal expenditure of the public resources in this the early stage of the colony will do more to establish its present prosperity and to promote its future welfare, than any other measure which you can adopt, whilst upon the other hand to plunge the colony into financial embarrassments at this early period of its history, or to create a large and unnecessarily expensive Government establishment, would entail upon New Zealand misfortunes which many years of the most careful administration of public affairs might not be able hereafter to remove.

There appears no reason to doubt that, under a prudent system of management, this Province may shortly be able, from its own income, to defray the whole of its legitimate civil expenditure. Its revenue is already considerable, and by slight modifications in the mode of collecting it, is capable of considerable improvement. In about two years from the present time, the great lines of road now in progress will be completed, and the town of Wellington will then be connected, by easy lines of communication, with immense tracts of fertile country, which will, I trust, be shortly in a great measure the property of the Crown; and which will then be fully laid open to the industry and energy of the settlers. These causes, taken in conjunction with the measures which I am about to propose for your adoption, ought to render the progress of this portion of New Zealand very rapid, and to cause a continued augmentation of its revenue.

It would also seem probable that the revenue of the Nelson district will rapidly augment, as its inhabitants are now reaping the due reward of their industry and energy in the state of prosperity to which they are attaining; whilst the rapid increase of their flocks and herds since the acquisition of the Wairau district must speedily ensure them a large export of very valuable commodities.

Having thus before you upon every side the prospect of an increasing revenue, whilst

no corresponding augmentation is necessary in the Government expenditure, and bearing in mind that the aid this Province has hitherto received from the Parliamentary Grant has been chiefly devoted to great public works, and will for the future be almost exclusively devoted to that purpose, there can be no doubt that, under an economical administration of its finances, it will shortly be able to provide the means of defraying the entire cost of its civil Government, thus relieving Great Britain from all charges which are not connected with the Naval or Military expenditure.

There are two points connected with that portion of your duties, which relates to subjects of general interest for the whole Islands, which I am anxious to bring under your notice, viz.,—The subject of Steam Communication between the various settlements, and the subject of a loan for the purpose of promoting Emigration.

Upon the first of the above points I would offer the following observations for your consideration. You are aware that the purchasers of land in the Nelson settlement have set apart a fund for the purpose of promoting Steam Navigation in Cook's Straits, which now amounts, I believe, with interest, to nearly fourteen thousand pounds. An essential part of the plan I propose for your consideration is, that the Nelson settlers should expend this sum in bringing out emigrants to Nelson in such proportion in each year, and under such system as, after due consideration, they may think most likely to promote the interests of that settlement.

The subject of communication by steam, which appears to be one of general interest rather than peculiar to one settlement, might then be taken up by the Governments of the several provinces; to promote such a plan, I would, upon behalf of the general Government, give up the Government Brig, and an annual sum of about eighteen hundred pounds the yearly cost of that vessel. If to this amount the Legislature of each Province would add the requisite proportionate annual vote, a considerable sum would be available in each year for the purposes of Steam Navigation; and as the whole management of the Post Office is now in the hands of the Local Government, I think, with the amount of about £5000 yearly at its disposal, it might easily contract for the delivery at, and carriage of mails between, the principal settlements in New Zealand by steamers of a sufficient tonnage; the proprietors of the steamers being allowed to make such arrangements regarding the conveyance of passengers and goods as they might consider most advantageous for their own interests.

I earnestly recommend the consideration of this measure to your attention, as one which is calculated in no ordinary degree to pro-

mote the prosperity of every portion of these Islands.

The second measure of general interest I have to recommend for your consideration is, the subject of a loan for the purposes of immigration.

One of the great wants always experienced in a new settlement is that of some safe mode of investment for funds which are in the hands of the trustees of savings banks, of benefit societies, and of other similar associations. I think, therefore, that a great benefit might be conferred upon the public, and that a great advantage might be secured to the colony, by the Government being authorized by law, to sell, at par, debentures in sums of not less than fifty pounds each, bearing interest at five per cent., for a total amount of twenty-thousand pounds, the whole amount realized by the sale of such debentures to be immediately expended in bringing out immigrants to this country.

It would be necessary to make the interest payable on these debentures a first charge upon that portion of the revenue of the colony which is under the control of this Council, and to secure their ultimate repayment from the same source. It would also be requisite to authorize the Government to sell these debentures from time to time, as they might be applied for at the Colonial Treasury, as it is probable that a considerable period might elapse before the debentures for the whole amount could be disposed of.

The Council would further have to determine some date before which it would not be in the power of the Government to call these debentures in. It is, however, sufficient for me to indicate the general plan which I recommend for the consideration of the Council, leaving it to yourselves, if you are favorable to the measure, after consultation with the persons best qualified to give advice on such subjects, to modify the details in such manner as you may judge most expedient.

In reference to that portion of your duties which relates to the removal of the difficulties which stand in the way of an immediate introduction of a representative government into the New Zealand Islands, I should inform you that I have proposed for Her Majesty's Government the plan of a complete system of representative government; which might, I think, if no wholly unforeseen difficulties occur, be introduced into the whole of New Zealand in a period of about four years from the present time. If this plan should be approved by Her Majesty's advisers, I shall have to rely upon the wisdom of the Legislative Council of each Province for the adaptation of the details of the plan to their particular district. In the mean time I trust that they will by their regularity, order, and diligence in the despatch of business, give an example worthy of the imitation of all future legislative bodies in New Zealand. I rely also upon

their taking care to place the finances of each Province upon so sound and perfect a basis, that when a representative form of government is introduced, there may be every probability of such institutions working well from the satisfactory state of the finances, and from the order and regularity with which public affairs are administered in every department, at the time that the new Constitution is brought into operation.

In conclusion, I would congratulate yourselves and the inhabitants of this Province generally, both European and Native, upon the degree of prosperity and tranquillity to which, under the blessing of Divine Providence, this colony has attained. Every cause of dispute between the two races, both in the Middle Island and in the vicinity of Wellington, has now been removed, and such questions as are still outstanding in the Province of New Munster are being daily satisfactorily adjusted, whilst the Native race are making advances in civilization which surpass the expectations of their most sanguine friends.

Probably no surer proof could be afforded of the real prosperity of this portion of the Province of New Munster than the rapidity with which its inhabitants have recovered from the effects of the recent earthquakes, from which at one time it appeared so probable that very calamitous results might follow. The settlers, in this instance, have exhibited their usual energy and perseverance, and I have done my utmost to second this by causing a circular letter to be addressed to the Governors of the neighbouring colonies, explaining the exact nature of the injuries sustained from the earthquakes, and requesting them to make public in their several Governments the fact that public confidence is entirely restored, as also that commercial and other operations have, for some time past, been resumed and carried on with their usual activity.

I cannot allude to the great degree of prosperity and tranquillity which prevail throughout so large an extent of country, in portions of which Europeans are scattered amongst such various tribes, without acknowledging that this fact is greatly to be attributed to the exertions and prudence of the various Military and Civil authorities in this Province, the value of whose services have long been known, and whose merits I am glad to have this opportunity of again publicly recording. I am sure that you will feel it to be both a duty and a pleasure, in so far as it depends upon you, to afford them every assistance and encouragement in the performance of their duties; in your proceedings to promote these objects, as in all your efforts to promote the welfare of the Province, you may rely upon receiving at all times my earnest and hearty co-operation.

G. GREY.

Legislative Council Chamber,  
Wellington, 21st December, 1848.

On the motion of Mr. Bannatyne it was ordered that his Excellency's address to the Council, be printed.

The GOVERNOR-IN-CHIEF gave notice that, on Friday next, he should propose a series of standing orders for the adoption of the Council.

Mr. BELL gave notice that, on Friday next, he should move—

That this Council do address His Excellency the Governor-in-Chief, requesting that His Excellency will be pleased to afford such further information to the Council on the subject of the introduction hereafter of a Representative form of Government into this Province, as will put the Council fully in possession of His Excellency's views, and of the plan which it is His Excellency's intention to lay before Her Majesty's Government.

The Council adjourned at half-past four o'clock, until three o'clock on Friday, the 22nd instant.

FRIDAY, DECEMBER 22, 1848.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant-Governor,  
and all the Members.

The Council met pursuant to adjournment.

The Minutes of the last meeting read and confirmed.

The GOVERNOR-IN-CHIEF moved the order of the day for the consideration in Council of a series of standing orders.

The nine first rules considered and adopted, when

Mr. BELL moved the order of the day according to notice,

That this Council do address His Excellency the Governor-in-Chief, requesting that His Excellency will be pleased to afford such further information to the Council on the subject of the introduction hereafter of a Representative form of Government into this Province, as will put the Council fully in possession of His Excellency's views, and of the plan which it is His Excellency's intention to lay before Her Majesty's Government.

Motion seconded by Mr. Moore.

On the motion of Mr. Bell the following Address was presented to the Governor-in-Chief:—

To His Excellency Sir GEORGE GREY,  
K.C.B., &c., &c.

SIR,—The Legislative Council of the Province of New Munster, while they acknowledge the clear and comprehensive character of the speech with which your Excellency opened the present session, desire nevertheless to address your Excellency, requesting that you will be pleased to afford such further information to the Council on the subject of the introduction of a Representative form of Government into this Province, as may put them fully in possession of your Excellency's views, and of the plan which it is your intention to submit to her Majesty's Government.

Had not Parliament conferred a Constitution upon the colony, and had that Constitution not been subsequently suspended at your Excellency's sole and urgent instance, the Council might perhaps have been satisfied with the general allusions to your intentions on this point contained in your Excellency's address on the opening of Council. But having regard to all that has passed in Parliament and elsewhere on the subject of introducing Representative Institutions into the whole colony, and especially to the probable large increase of the population of this Province at an early period by the foundation of important settlements, the Council would submit to your Excellency, that in their opinion the Government would best consult the interests and feelings of the whole community, and most efficiently conduce to extensive immigration into the colony, by at once declaring as distinctly as possible in detail both the character and composition of the Representative Government, which your Excellency stated in general terms you should recommend for adoption by her Majesty's Government, and also whether your Excellency has it in contemplation to take any steps in conjunction with the Executive Council to secure that adoption at the earliest possible period.

The Council are unwilling to trouble your Excellency here with an enumeration of all the points on which they wish for information. But they submit that the questions which they more especially hope to receive an assurance upon are—First, the period within which the representative form of Government which your Excellency proposes shall certainly be introduced into this Province. Secondly, the principle upon which you propose that the elective franchise shall be based. And, thirdly, the power and constitution of such representative assemblies as will be created.

Relying, indeed, with confidence on your Excellency's consenting to afford the detailed information which they ask, the Council would respectfully request you to acquaint them, at the earliest opportunity, with the purport of the recommendations which your Excellency may have addressed to her Majesty's Government on the subject.

Council Chamber, Wellington,

December 22, 1848.

Address read and received.

The Council resumed the consideration of the standing orders, and adopted the rules, from ten to thirty-three inclusive.

Further consideration postponed.

The Council adjourned at half-past four o'clock until three o'clock on Saturday the 23rd instant.

SATURDAY, DECEMBER 23, 1848.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant-Governor,  
and all the Members.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

The following Reply of his Excellency the Governor-in-Chief to the Address of the Legislative Council of New Munster presented on Friday the 22nd instant, was then delivered :—

I feel much pleasure in complying with the wishes of the Legislative Council, as expressed in their address of the 22nd inst., by informing them,

1. That I have reported it to Her Majesty's Government, as my opinion, that a complete system of representative government, of the form aftermentioned, may with safety be introduced into the whole of the New Zealand Islands, at the date when the act suspending the Constitution recently conferred upon these Islands expires.

2. That I have recommended that, at that date, a general assembly should be constituted for the whole Islands, consisting of a legislative council composed of persons summoned thereto by Her Majesty; and of an assembly to be composed of representatives, returned by the several provinces into which New Zealand may be divided, in such proportions as the European population of each province may bear to the European population of the whole Islands, in so nearly as these several amounts of population can be ascertained.

3. That I have further recommended that a legislative council, consisting of one chamber, should be constituted in each province into which New Zealand may be divided, to be composed of persons summoned thereto by Her Majesty, and of representatives elected thereto by the electors of the province; in which chamber the Governor should not have a seat.

4. That I have recommended that the General Assembly for the New Zealand Islands should possess in full the ample powers of legislation which are usually conferred upon such assemblies; and that I have further recommended that the provincial legislative councils should have (until any alteration on that subject should be made by the General Assembly) the same powers of legislation as are conferred on the provincial legislative councils, by the ordinance which provides for the establishment of provincial legislative councils in the colony of New Zealand.

5. That I have recommended that those districts which desire to have municipal corporations, should have such institutions bestowed upon them; but that the possession of the advantage of a provincial legislative council should in no way be made dependent upon a district accepting a municipal corporation, or not: on the contrary, I have recommended that the representatives should be returned by direct election, both to the General Assembly and to the Provincial Legislative Councils.

6. That I have recommended that the right of voting at elections should be exercised by such European subjects of Her Majesty, as have either a small estate of freehold in possession, in lands or tenements situated within the district for which such vote is to be given, or are householders within such district, occupying a dwelling of a small annual value; and that I have further recommended that the right of voting at such elections should be exercised by such Native subjects of the Queen as are possessed of property, in Government securities, in vessels, or in tenements, within such district for which such vote is to be given, of the clear value of two hundred pounds, or who may be authorised to exercise such vote by a certificate granted to them for that purpose by the Governor-in-Chief.

7. In reference to that portion of the address of the Council, in which they request me to state whether I have it in contemplation to take any immediate steps in conjunction with the Council, to secure the adoption, at the earliest possible period, of the measures which I propose,—I have to state that I shall be glad, in conjunction with this Council, to request Her Majesty's advisers to cause the provisions of such a form of representative government, as I have detailed, to be embodied in an act of Parliament, to take effect from the period which I have named, or at such earlier date, as may for that purpose be proclaimed by the Governor-in-Chief, if in his opinion the state of the colony would justify him in so doing;—but upon this latter point I am anxious not to be considered as holding out any expectations which it may not be in my power to fulfil.

G. GREY.

The Reply, on the motion of Mr. Bell, was then ordered to be printed.

The COLONIAL SECRETARY gave notice of the following motion for Tuesday next, the 26th instant:—

That the Council do resolve itself into a Committee of the whole Council, for the purpose of taking into consideration the reply of His Excellency the Governor-in-Chief to the address of the Legislative Council.

The standing orders were further considered, and the rules adopted by the Council.

The Council adjourned at a quarter to five o'clock p.m. to Tuesday the 26th instant at 2 o'clock.

TUESDAY, DECEMBER 26, 1848.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant-Governor, and all the Members.

The Council met pursuant to adjournment.

The Minutes of the last meeting read and confirmed.

The COLONIAL SECRETARY moved the order of the day,

That this Council do resolve itself into a Committee of the whole Council, to take into

consideration the reply of His Excellency the Governor-in-Chief to their Address of the 22nd instant.

Council in Committee.

Committee, on the motion of Mr. Hickson, adopted the following report:—

The Committee of the whole Council having taken into consideration His Excellency's reply to their address of the 22nd instant, beg to report that they are of opinion,

That the number of persons summoned by Her Majesty to the Provincial Council, in accordance with the third head of His Excellency's reply, should never exceed five, that being, in their opinion, a sufficient number of persons to represent the Government in the Legislative Body.

The Committee are not prepared to suggest any further alterations in the plan proposed by His Excellency.

They would recommend the Council to request His Excellency to urge Her Majesty's advisers to cause the provisions of such a form of Representative Government to be embodied in an Act of Parliament, to take effect at the period named, or at such earlier date as may, for that purpose, be proclaimed by the Governor-in-Chief, the Committee being convinced that it is of the greatest importance to the Islands of New Zealand, that Representative Institutions should be introduced at the earliest practicable date.

The Committee adjourned, and their Report was brought up.

On the motion of the Attorney-General the Council adopted the Report of the Committee.

On the motion of Mr. Hickson the Council adopted the following resolution:—

That this Council has much pleasure in expressing its satisfaction at the exposition, by His Excellency the Governor-in-Chief, of his plans for the introduction of Representative Institutions into New Zealand.

The Council adjourned at ten minutes past five, *sine die*.

H. S. HARRISON,  
Clerk of Council.

Colonial Secretary's Office,  
Wellington, 27th December, 1848.

HIS EXCELLENCY THE GOVERNOR-IN-CHIEF has been pleased to direct the publication of the following Circular upon the subject of the late Earthquakes—which has been addressed to the Government Secretaries of the several Australian Colonies.

By His Excellency's Command,  
ALFRED DOMETT,  
Colonial Secretary.

(Copy.)

CIRCULAR.

Colonial Secretary's Office,  
Wellington, 18th December, 1848.

SIR,—I have the honor to address you on a matter, which though somewhat unusual as the subject of official correspondence, you will probably deem of sufficient importance

to warrant the request I am directed to make in connection with it.

An impression appearing to have been produced in some of the Colonies in the neighbourhood of New Zealand, that the consequences of the shocks of earthquake lately experienced here have been of a much more severe character than was really the case, His Excellency the Governor-in-Chief considers it to be his duty to take every means in his power to correct that erroneous impression, and to diffuse as widely as possible a knowledge of the actual circumstances.

With this object in view, Sir George Grey directs me to request you will move His Excellency to be good enough to give publicity to the following facts;—viz., that the detrimental effects of the occurrences above alluded to were confined almost entirely to damage done to the brick buildings and erections in this town which formed a very small proportion of the whole; that all traces of these effects are already fast disappearing, and will be very soon hardly discernible; that public confidence is completely restored; and that all commercial and other operations have long since been resumed and carried on with their usual activity.

A detailed account of the effects of the earthquakes, and of the previous state of the damaged houses, will be found in a Report published in the *New Zealand Government Gazette*, a copy of which I have the honor to enclose for the information of His Excellency.

I have the honor to be,  
Sir,

Your most obedient humble Servant,  
ALFRED DOMETT,

Colonial Secretary.

The Honorable the Colonial Secretary.

NOTE.—For Report of Board of Inquiry referred to in foregoing Circular—*vide Government Gazette* of December 6th, 1848, No. 23.

## NOTICE.

Colonial Secretary's Office,  
Wellington, 26th December, 1848.

**I**N compliance with the wish of the Scotch Association for colonizing the Southern portion of the Middle Island of New Zealand, HIS EXCELLENCY THE GOVERNOR-IN-CHIEF directs it to be notified for general information, that the site of their present settlement will, in future, in official correspondence, be designated OTAGO instead of OTAKOU, as heretofore.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

Colonial Secretary's Office,  
Wellington, 26th December, 1848.

**H**IS EXCELLENCY THE GOVERNOR-IN-CHIEF has been pleased to appoint

DANIEL WAKEFIELD, Esquire,

to be Attorney-General for the Province of New Munster. The appointment to bear date the 21st instant.

By His Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

Colonial Secretary's Office,  
Wellington, 26th December, 1848.

**H**IS EXCELLENCY THE LIEUTENANT-GOVERNOR has been pleased to appoint

Mr. JOHN ELISHA SMITH,

to be Clerk to the Magistrates at Wellington. The appointment to take effect from the 1st proximo.

By his Excellency's Command,

ALFRED DOMETT,  
Colonial Secretary.

