



# 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.

VOL. II.]

WELLINGTON, SATURDAY, APRIL 7, 1849.

[No. 7.]

Wellington, 4th April, 1849.

**HIS EXCELLENCY THE LIEUTENANT-GOVERNOR** has been pleased to direct the publication of the following notices of Bills about to be brought under the consideration of the Legislative Council, for general information.

By His Excellency's Command,

HENRY SHAFTO HARRISON,  
Clerk of the Legislative Council.

AN Ordinance for taking a Census.

1. Resident Magistrate to warn all householders to be ready with information required in schedule A. on a certain day.
2. Power to Lieutenant-Governor to appoint persons to collect information. Penalty for refusing or neglecting to answer questions.
3. Persons so appointed to render an account of their proceedings by a certain day to a Justice of the Peace, and transmit the original documents to the Colonial Secretary.
4. Persons so appointed to be remunerated.
5. Fines to be recovered summarily.

AN Ordinance to Prevent Entire Horses from being suffered to stray or run at large.

1. The owner of every entire horse liable to a penalty for suffering the same to be at large.

AN Ordinance to regulate the Sale of Bread.

1. Bread to be sold by weight only, not by measure. Penalty.
2. Scales and weights to be kept in shop and bread to be weighed when required. Penalty.
3. Ingredients, all bread not made of wheat, to be specially marked. Fancy bread excepted.
4. Penalty recoverable summarily.
5. Limitation of prosecution.

AN Ordinance for preventing the extension of the infectious diseases commonly called the Scab, as well as the Influenza or Catarrh in Sheep or Lambs.

1. Penalty of \_\_\_\_\_ for each infected sheep at large.

2. When infected sheep kept on land crossed by a public way notice to be given.
3. Penalty for abandoning sheep.
4. Power to Justices to assess damages caused by communicating infection.
5. Proviso when influenza appears after being turned out.
6. Penalty for not destroying infected carcasses.
7. Penalty for casting infected carcasses into running streams or other waters.
8. Power to Justices to remove sheep by warrant.
9. Power to Justices to cause examination of suspected sheep.
10. Penalty on butchers for having infected sheep in their possession.
11. Mode of procedure for enforcing the Ordinance.
12. Limit of Ordinance and power to extend by Proclamation.

An Ordinance to define the qualification of Medical Practitioners.

1. Who shall be deemed a legally qualified Medical Practitioner.
2. Lieutenant-Governor of New Munster and the Superintendent of Nelson to appoint a Medical Board.
3. Certificate to be granted by the Board.
4. Remuneration to medical witnesses.
5. Medical Board to keep a list of all properly qualified Medical Practitioners.

An Ordinance to Increase the Efficiency of the Constabulary Force.

1. Power to Inspector and Sub-Inspector of Police to board vessels.
2. Power to constable, without warrant, to search boats and carriages.
3. The like to enter any ship or vessel for the execution of his duty.
4. Fine for trading on Sunday.
5. Fine for playing billiards or other games on Sunday.
6. Regulations as to public houses, to extend to other houses of public resort.
7. Fine for drunkenness.
8. Power to any two Justices to imprison persons having certain implements with felonious intent.
9. Power to Constables to arrest persons with stolen property upon them.
10. Penalty for damaging public buildings.
11. Penalty on persons committing certain acts in the nature of nuisance, specified in schedule A.
12. Power to Constables to seize certain articles enumerated in schedule A.
13. Penalty for discharging fire arms and fire works.
14. Penalty for burning shavings or other things in the street, and setting fire to the bush.
15. Penalty for bathing in public.
16. Penalty for exposing the person.
17. Penalty for nuisances.

18. Penalty for injuring the streets by hauling timber, &c., thereon.

19. Penalty on uncovered openings in the footway.

20. Penalty for making any opening on the footway.

21. Penalty for not having gutters.

22. Penalty for removing night soil during the day time.

23. Penalty for throwing dead animals into the streets, or into streams.

24. Penalty for damaging the footpath or carriage ways.

25. Penalty for riding upon carriages without reins.

26. Penalty for furious riding or driving, or driving wild cattle through the streets.

27. Penalty for affixing placards.

28. Penalty for committing nuisances in the thoroughfares.

29. Provisions respecting mad dogs.

30. Penalty for compounding informations.

31. Limits of the Town to be set out.

32. Regulating the building of houses and power to Justices to order chimnies to be repaired when in a dangerous state.

33. Declaring the limits of the Ordinance.

34. Respecting penalties imposed by other Ordinances.

35. Procedure.

36. Commencement of Ordinance.

37. This Ordinance to be read together with No. 2. Sess. 7.

38. Interpretation clause.

An Ordinance to authorise the Collection of a Rate for Making and Repairing Roads and Streets, &c.

1. Repeal of No. 6, Session 5.

2. Lieutenant-Governor to proclaim districts to be brought within this ordinance.

3. Commissioners to be elected by freeholders or occupiers.

4. Claims to vote to be sent in by a certain day.

5. Resident Magistrate to decide upon claims, to publish a list of voters, and to appoint a day for election of Commissioners.

6. Commissioners to continue in office for one year, and eligible for re-election.

7. A Power to Commissioners to appoint Assessors.

8. In case of non-election of Commissioners, or of Commissioners declining to act, Resident Magistrate to appoint Assessors to carry out the provisions of this ordinance.

9. Rate to be made on nett annual value, or upon the acreage.

10. When Assessment made, notice to be given.

11. Appeal.

12. How Rate may be distrained for.

13. Rate may be recovered.

14. One or more persons to be appointed

Commissioners or Assessors to levy the amount.

15. Collectors to give security.
16. Collectors to furnish weekly accounts.
17. To pay balance to Colonial Treasurer.
18. Appropriation Clause.
19. Assessors power to enter Houses, &c.
20. Proceedings for Penalties.
21. No *certiorari* as to informality.
22. Proceedings against persons acting under ordinance.
23. Not to extend to certain lands and buildings.
24. Commencement of Ordinance.
25. Interpretation.

Colonial Secretary's Office,  
Wellington, 5th April, 1849.

**HIS EXCELLENCY THE LIEUTENANT-GOVERNOR** has been pleased to direct the publication of the following copy of a Despatch for general information.

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

Downing-street, 5th August, 1848.

SIR,—I have the honour to transmit to you the enclosed copy of a correspondence, laid before Parliament, in May last, on the subject of convict discipline and transportation.

Many of these papers will probably not be without interest to you, but my immediate object in sending them to you is to draw your attention to my despatch to the Lieutenant-Governor of Van Diemen's Land, No. 66, of the 27th of April last, in which you will find an exposition of the views of Her Majesty's Government, respecting the future treatment of offenders who receive the sentence of transportation.

You are doubtless aware that it has for some time past been resolved that all convicts should, in the first instance, undergo a period of separate imprisonment in this country, varying from six to eighteen months, followed by labour on public works, either here, or at Bermuda, or at Gibraltar. By several of the accompanying papers you will find that the effects of this discipline have, as yet, been very satisfactory. The letter from Mr. Kingsford, who has so zealously and efficiently performed his duties as Chaplain at Gibraltar, and which is enclosed in my despatch above referred to, bears testimony to the good and apparently lasting improvement produced on the minds of prisoners, who have fallen under his notice at that station. At Port Phillip the despatches referred to in the margin, will shew with what rapidity the men who have arrived there under the name of Exiles, have been engaged for the service of the resident proprietors. And similar information has since arrived, respecting a party of exiles, who landed so lately as December last at Port Phillip.

The settlers in that district have now for a considerable time had an opportunity of observing the characters of men of this class, and although the demand for labour is unquestionably great, it is not to be supposed that they would have been so eager to obtain the services of such persons, if there had not been much which was satisfactory in the conduct of those who had fallen under their observation. Whilst such evidence in their favour had been received from Gibraltar and Port Phillip, I enclose for your information a despatch from the Governor of Bermuda, in which you will find that he gives the most gratifying account of a large party of men, whom he had selected as deserving of the indulgence of being sent to Van Diemen's Land with tickets of leave, and that he expresses a sanguine expectation of improvement in their future conduct, and of the addition which they will make to the useful labour of the colony.

Notwithstanding these encouraging circumstances, however, it is not the opinion of her Majesty's government, that either with a view to the preservation of good order, or to the infliction of an adequate amount of punishment under their original sentences, the men ought to be entirely set at large on reaching the colony to which they may be sent after a certain period of good conduct. It is considered better that they should rather be allowed tickets of leave. These admit of restricting them to particular districts, and of enforcing the payment of moderate sums in return for the cost of their conveyance, but do not in other respects interfere with the freedom of the men to whom they are granted, nor diminish the ordinary motives to industry and good conduct.

You will further perceive that while it is proposed to require from those persons repayment of the cost of their removal to the colonies to which they may ultimately be sent, because it is conceived that they ought not to receive free passages which cannot be granted to many of those unconvicted of crime who apply for that privilege, it is proposed that whatever sums are thus recovered from them, should be applied, not to relieve this country from the charge incurred on their account, but, for the benefit of the colonies which may receive them, either by sending out free emigrants to meet the great demand for labour which exists in most of those colonies, or in any other manner which may be more suitable to the peculiar circumstances of others of them.

Such being the system under which it is proposed hereafter to proceed, I think it right to point out to you that if the inhabitants of New Zealand should be willing to receive men with tickets of leave they will obtain the advantage of a supply of labour, together with a probable addition to the funds applicable to general emigration, or

to some other public object of importance, while by the power which is to be reserved of dispersing those men in different districts, together with the reformatory nature of their previous punishment, there is good reason to hope that their presence, in moderate numbers, will not be found injurious to the general character of the community. Considering the urgent representations which are constantly received at this office of the want of an adequate supply of labour, it seems possible that if this system of convict discipline were well understood, the colonists might be desirous of receiving men upon the foregoing terms, in their last stage of punishment, and after they had earned a favourable character from the authority under whose control they had been placed. I should be glad therefore, if you would ascertain, in the manner which may appear to you best suited to the purpose, how far this would be the prevalent opinion in the colony under your government, and if I should learn from you that the measure would be wished for, I should be prepared to take the necessary steps for including New Zealand in the places into which convicts holding tickets of leave may be introduced.

I have the honour,

&c., &c.,  
GREY.

(Signed)  
To Governor Grey,  
&c., &c.

#### NOTICE.

Colonial Secretary's Office,  
Wellington, 4th April, 1849.

**HIS EXCELLENCY THE LIEUTENANT-GOVERNOR** directs it to be notified, that the Resident Magistrate of Waikanae will hold a Court at Porirua (Farramatta) every alternate Wednesday at noon.

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

#### NOTICE.

Custom-House, Wellington,  
30th March, 1849.

**A STORE** situated in Farish-street, Wellington, the property of W. S. Loxley, Esq., merchant, has been this day approved for the free warehousing and securing of goods for duty under bond, in terms of the ordinance of the Governor and Council of New Zealand, No. 3 of 4 Victoria, Section 34.

P. D. Hogg,  
Collector.

#### ERRATUM.

**I**N the Notice of the General Licensing Meeting for the Nineteenth of April, read Tuesday the Seventeenth.