



NEW ZEALAND GOVERNMENT GAZETTE.

(PROVINCE OF NEW MUNSTER.)

Published by Authority.

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By His Excellency's Command,

ALFRED DOMETT, *Colonial Secretary.*

VOL. II.]

WELLINGTON, FRIDAY, MAY 25, 1849.

[No. 13.]

JOURNAL OF PROCEEDINGS IN THE LEGISLATIVE COUNCIL.

WELLINGTON, MONDAY, MAY 14, 1849.

Present—

His Excellency the Lieutenant-Governor, and all the Members, excepting Mr. Dillon Bell.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

Mr. Bannatyne presented a petition from Mr. Watkin, Wesleyan Minister.

Petition read and received.

Mr. Bannatyne gave notice that on Monday, May 21st, he should move the consideration of this petition.

Dr. Monro moved, and Mr. Bannatyne seconded,—

That copies of all papers relating to New Zealand, and the other Australian Colonies, published by authority of Parliament, since the

1st of January, 1839; and of the *Government Gazette* of both Provinces of this colony, and of all Acts of Parliament, letters patent, and other official documents, affecting it, be procured as soon as possible, and laid on the table of this Province.

Motion agreed to.

Mr. Bannatyne moved, and Mr. Ludlam seconded,—That the Council do go into Committee on "Entire Horses Bill."

Motion agreed to.

On the motion of Mr. Bannatyne, title read.

On the motion of Dr. Greenwood,—That the title do stand as read.

Mr. Bannatyne moved as an amendment that the words "and other animals" be added in the title.

Debate ensued.

Further consideration of title postponed.

On the motion of Mr. Bannatyne, seconded by the Attorney-General, the 1st clause read.

Debate ensued.

Dr. Monro moved as an amendment, seconded by Mr. Ludlam, that the follow-

ing be substituted in the place of clause 1:—

Be it therefore enacted, by his Excellency the Lieutenant-Governor of New Munster, by and with the advice and consent of the Legislative Council thereof, that the owner of any entire Horse, Bull, Ass, or Mule, which shall be found straying or running at large, shall be liable to a penalty of not more than £5, nor less than £2. *Provided always*, that this enactment shall not extend to any entire animal being depastured on any land belonging to, or rented by, the owner of such animal.

Debate ensued respecting the legal position and liability of Wairarapa settlers.

Amendment agreed to.

On the motion of Mr. Ludlam clause 2 read.

The Colonial Treasurer, moved, seconded by the Senior Military Officer,—

That no animal under 12 months of age, be subject to provisions under this act.

Dr. Monro thought that this point should be left to the discretion of the Justices of the Peace.

Further consideration of this bill in Committee adjourned.

The Council resumed the orders of the day.

Mr. Hickson moved the consideration of Mr. Grimstone's memorial by moving the following resolution, seconded by Mr. Moore:—

That this Council do recommend that the Government will place upon the estimates for the ensuing year, the sum of two hundred and sixty-nine pounds two shillings and sixpence, to be paid to Mr. S. E. Grimstone, as compensation for his past services.

Debate ensued.

His Excellency the Lieutenant-Governor stated what had been done in the case by previous Governments.

Mr. Hickson replied.

Motion negatived.

AYES.

The Hon. Wm. Hickson.
 " W. M. Bannatyne.
 " G. Hunter.
 " G. Moore.

NOES.

The Hon. The Senior Military Officer.
 " The Attorney General.
 " The Colonial Treasurer.
 " A. Ludlam.
 " Dr. Monro.
 " Dr. Greenwood.
 " H. Seymour.

On a question from Dr. Monro, the Attorney-General stated that he thought every Member ought either to vote or withdraw.

The Colonial Secretary stated that he should have voted with the Ayes.

Dr. Monro brought forward his motion for certain returns agreeable to his notice on Friday last.

The motion seconded by Mr. Moore and carried.

His Excellency the Lieutenant-Governor, in reply, laid on the table some of the returns, and stated that the rest would be got ready as soon as possible.

The Colonial Treasurer moved, seconded by the Colonial Secretary, that the Council do now go into Committee on the "Census Bill."

Mr. Ludlam moved as an amendment, seconded by Mr. Moore, that this Council do now adjourn.

The Colonial Treasurer gave notice that on Monday next he should move,—

An Address to his Excellency the Lieutenant-Governor that he will be pleased to lay on the table a bill to repeal the Ordinance, No. 10, Sess. 8, entitled Education Ordinance, and to establish Public Schools giving a religious education upon a non-sectarian principle under the superintendence and control of the State.

Question of adjournment put and carried.

The Council adjourned at 5 o'clock p.m. until Tuesday the 15th day of May next, at 2 o'clock.

TUESDAY, MAY 15TH, 1849.

Present—

His Excellency the Lieutenant-Governor and all the members, with the exception of The Hon. Dillon Bell

W. M. Bannatyne.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

Mr. Moore presented a memorial from Mr. Kenneth Mathieson, ship builder, praying the consideration of Council respecting the erection of a slip or other convenience in the Port of Wellington, for facilitating the hauling ashore and repairing with expedition, vessels requiring the same.

Memorial read and received.

His Excellency the Lieutenant-Governor laid on the table the following returns:—

1. A Return of the Extraordinary Receipts and Expenditure of Wellington for the years ending 31st March 1848 and 1849 respectively.

2. Abstract of the Revenue and Expenditure of Wellington for the quarter ending 31st March, 1849.

3. Abstract of the Revenue and Expenditure of Wellington for the year ending 31st December, 1848.

4. Comparative Return of Revenue collected during the years ending 31st March 1847, 8, and 9.

5. Comparative Return of the value of Imports and Exports into and from the ports of the Province of New Munster.

6. Comparative Return of Manufactories, Mines, and Works in the Province of New Munster.

7. Comparative Return of the quantity of land (in acres) under cultivation in the various settlements of the Province of New Munster, from 1843 to 1848 inclusive.

8. Comparative Return of the Amount of Stock in the various settlements of the Province of New Munster, from 1843 to 1848 inclusive.

9. Comparative Return of the Whaling Stations and their productions, and of the amount of produce shipped from New Munster, from 1841 to 1848.

10. Comparative Return of the European Population of the various settlements in the Province of New Munster, from 1843 to 1848 inclusive.

11. Abstract Return of the European Population of the various settlements in the Province of New Munster, for the year 1848.

12. Comparative Return of Ordinary Revenue and Expenditure of Wellington, during the Financial years ending 31st March, 1843 and 1849 respectively.

On the motion of the Colonial Treasurer the Council resolved itself into Committee on "Census Bill."

On the motion of the Colonial Treasurer the 1st clause read and agreed to.

Upon the 2nd clause being read, Col. McCleverty proposed that the schedule be first read and disposed of.

Schedule read accordingly and amended, and a fair copy of it ordered to be prepared.

On the motion of Dr. Greenwood that clause 2 "do stand as read."

The Colonial Treasurer moved that the following amendment be substituted:—

Be it enacted, That the Collectors to be appointed, as hereinafter mentioned, shall on or before the day of

in every year leave at the abode of every householder within their respective districts, a copy of the schedule to this Ordinance annexed, and every householder shall within seven days from the time of the said schedule being left at his house furnish in writing the information required by the said schedule, by filling up the same, and shall subscribe his name at the foot thereof, and every householder, not being an aboriginal native, refusing or neglecting to give true answers to the questions in the said schedule, or refusing to answer any question put to him by any of the said Collectors, or wilfully giving a false answer to, or obstructing any of the said Collectors in the discharge of his duty, shall forfeit and pay a sum not more than five pounds, and not less than five shillings, to be recovered in a summary way. *Provided always*, that any person, proving his inability to write, shall be exempt from this enactment as far as

relates to the filling up of the said schedule himself.

Amendment put and agreed to.

On the motion of Dr. Monro, the following amendment was substituted for clause 3:—

Be it enacted, That the Governor or Lieutenant-Governor of New Munster, shall on or before day of February, in each year, by notice in the *Government Gazette*, appoint one or more persons, being constables, to leave the schedules aforesaid, in the manner aforesaid, and to put questions to any householder, for the purpose of filling up the said schedule and subscribe the same, in any case of a householder being unable to write, and to collect the said schedules when filled up, as hereinbefore directed.

Upon clause 4 being read, Dr. Monro moved that the following be substituted:—

And be it enacted, That it shall be lawful for his Excellency the Lieutenant-Governor to cause an allowance for the number of days which any such person, appointed as aforesaid, shall be actually employed in taking such account as aforesaid, at a rate, not exceeding ten shillings per day, if employed on horseback.

Amendment put and agreed to.

On the motion of the Attorney-General clause 5 read and agreed to.

On the motion of the Colonial Secretary the following clause was added:—

Be it enacted, That this Ordinance shall come into operation on and from the day of the passing thereof.

On the motion of the Colonial Treasurer, title read and amended.

Committee on Census Bill adjourned, and Council resumed the orders of the day.

Mr. Moore gave notice that on Monday next he should move the consideration of Mr. Mathieson's memorial.

On the motion of Col. McCleverty, Council adjourned at 6 o'clock p.m., until Thursday next, the 17th day of May, at 2 o'clock.

THURSDAY, MAY 17TH, 1849.

Present—

His Excellency the Lieutenant-Governor and all the members, with the exception of The Hon. Dillon Bell

„ W. M. Bannatyne.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

On the motion of the Colonial Treasurer, the Council resolved itself into a Committee on "Census Bill."

Council resumed, and report brought up.

The Colonial Treasurer gave notice of his intention to move, on Tuesday next, the third reading of this bill.

On the motion of Dr. Monro, seconded by Mr. Ludlam, "Scab Bill" read a second time and committed.

Clause 1 to 10 inclusive, read, amended, and agreed to. Further consideration of the bill in Committee adjourned.

The Colonial Secretary brought up report of "Medical Practitioners Bill," and gave notice that at the next meeting of Council he should move the third reading of this bill.

Mr. Hickson moved, seconded by Mr. Ludlam, that the "Road Bill" be read a first time.

Bill read a first time accordingly.

Mr. Hickson gave notice that on Tuesday next, he should move the second reading of this bill.

Mr. Hickson moved that this Council do now adjourn until Friday next, the 18th day of May, at 2 o'clock.

Council adjourned at half-past 5 o'clock p.m.

FRIDAY, MAY 18TH, 1849.

Present—

His Excellency the Lieutenant-Governor and all the members, excepting Mr. Dillon Bell.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

The Colonial Treasurer having waved the order of precedence,

Dr. Monro moved that the Council do resolve itself into Committee on "Scab Bill."

Bill in Committee, and clauses 11 and 12 amended and agreed to, and clause 13 expunged.

The Council resumed, and the report being brought up, not adopted.

On the motion of Dr. Monro, seconded by Mr. Ludlam, bill recommitted, read, amended, and agreed to.

Dr. Monro gave notice that on Tuesday next he would bring up report.

On the motion of the Colonial Secretary the "Medical Practitioners Bill" read a third time and passed.

The Colonial Treasurer moved, agreeable to notice, that the "Appropriation Bill" be read a second time.

Motion seconded by the Attorney-General, and bill read a second time accordingly.

Dr. Monro gave notice that on Monday he should move—

That by the Charter of this Colony, the only items of expenditure provided for, out of the Civil List, are such as may be classed under the heads of the maintenance of the Administration of Justice, and of the Principal Civil Officers of the Government.

The Colonial Treasurer gave notice that on Wednesday next, he should move that Council do go into Committee on "Appropriation Bill."

Mr. Bannatyne moved that Council do go into Committee on "Entire Horses Bill." Council in Committee.

The "Entire Horses Bill" read, amended, and agreed to.

On the motion of Mr. Bannatyne, Council resumed, and the report of Committee on "Entire Horses Bill" brought up and adopted.

Mr. Bannatyne gave notice that on Monday next, he should move the third reading of this bill.

On the motion of Mr. Ludlam, Council adjourned at 20 minutes past 5 o'clock p.m., to Monday the 21st day of May next, at 2 o'clock.

HENRY SHAFTO HARRISON,
Clerk of Council.

Colonial Secretary's Office,
Wellington, 24th May, 1849.

HIS EXCELLENCY THE LIEUTENANT-GOVERNOR has been pleased to appoint

DANIEL WAKEFIELD, Esquire,

to the Commission of the Peace for the Province of New Munster.

By His Excellency's Command,

ALFRED DOMETT,
Colonial Secretary.