



NEW ZEALAND GOVERNMENT GAZETTE.

(PROVINCE OF NEW MUNSTER.)

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official Signatures 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, TUESDAY, JUNE 5, 1849.

[No. 14.]

JOURNAL OF PROCEEDINGS IN THE LEGISLATIVE COUNCIL.

WELLINGTON, MONDAY, MAY 21, 1849.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

His Excellency the Lieutenant-Governor laid on the table an amended copy of the Civil List, in which were some alterations made with a view to meet the wishes of the Council, regarding it; also, the following returns:—

1. Return of the value of goods imported, and of the number and tonnage of shipping entered inwards at the Ports of Wellington and Nelson, in the Province of New Munster, for the year ended the fifth day of January, 1849.

2. Return of the number of cattle, sheep and horses imported at the Ports of Wellington and Nelson, in the Province of New Munster, during the year ended the 5th of January, 1849.

3. Return of vessels belonging to the Ports of New Munster on the 31st December, 1848.

4. Return of vessels registered or licensed at, and belonging to the Ports of New Munster on the 31st of December, 1848.

5. Return of vessels inwards, and immigration at the Ports of Wellington and Nelson for the year ending 5th of January, 1849.

6. Return of vessels outwards, and emigration at the Ports of Wellington and Nelson for the year ending 5th January, 1849.

7. Comparative return of the value of goods imported, and of the number of shipping entered inwards at the Port of Otago, in New Munster for the year ending 5th day of January, 1849.

8. Returns of all vessels belonging to the Port of Otago on the 5th January, 1849.

9. Comparative return of the value of goods exported and of the number and ton-

nage of shipping entered outwards at the Port of Otago, in the Province of New Munster, for the year ending 5th January, 1849.

10. Return of vessels outwards and of emigration at the Port of Otago, in the Province of New Munster during the year ending 5th of January, 1849.

11. Return of vessels inwards, and of immigration at the Port of Otago, in the Province of New Munster, for the year ending 5th January, 1849.

Return of vessels belonging to the Port of Otago on the 31st December, 1848.

12. Return of vessels registered or licensed at, and belonging to, the Port of Otago.

13. Return of vessels registered or licensed at, and belonging to, the Port of Otago on the 31st December, 1848.

14. Return of emigration and immigration at the Port of Otago during the year ending 5th of January, 1849.

15. Return of the number of sheep, cattle and horses imported at the Port of Otago for the year ending the 31st of December, 1848.

16. Return of the value of goods exported, and of the number and tonnage of shipping entered outwards at the Ports of Wellington and Nelson, in the Province of New Munster, for the year ended 5th of January, 1849.

17. Return of emigration and immigration at the Port of Wellington during the year ended 5th of January, 1849.

18. Return of emigration and immigration at the Port of Nelson during the year ended 5th day of January, 1849.

19. Return of Revenue from various sources paid into the Treasury at Wellington during the years ending 31st March, 1848, and 31st March, 1849, respectively.

Mr. Bannatyne having waved the order of precedence.

The Colonial Treasurer, agreeable to notice, moved the following address to His Excellency the Lieutenant-Governor:—

“Address of the Legislative Council of New Munster to His Excellency the Lieutenant-Governor:—

“The Legislative Council, in addressing Your Excellency on the subject of the education of the people of this Province, and in recommending new measures thereupon, are desirous of expressing their deep sense of its importance and the gravity of the responsibility they are thereby incurring.

“They nevertheless feel it to be their duty to declare their opinion that the system established by the Ordinance, at present in operation, is at variance with the conclusions arrived at by the highest authorities on this matter, and based upon principles directly opposed to those which the widest practical experience of various countries has proved to be correct.

“The Council allude particularly to the principle adopted in the Ordinance, of affording Government assistance solely to sectarian education, excluding therefrom all schools not under

the superintendence of the heads of certain religious denominations.

“The true principle to be observed, in the opinion of this Council is, that pecuniary support should be given by Government, (to such a degree only as not to supersede the necessity of private exertions) to all establishments which confer religious education, conducted by properly qualified laymen, and founded on the broad and simple precepts of Christianity.

“But, influenced by certain considerations connected with the aboriginal population of these islands, and by the possible difficulty of procuring properly qualified lay instructors for the Europeans, the Council restrict themselves at present to a request that your Excellency will be pleased to introduce a Bill declaratory of the great principle above stated, and limiting the bestowal of public funds to schools founded on the system of “combined literary and separate religious instruction,” so long adhered to, so completely tested, and so successfully carried on in England and Ireland by the National Board of Education.

“They therefore pray that your Excellency will lay on the table an Ordinance to restrict the operation of the Education Ordinance, Sess. 8. No. 10, of the Legislative Council of New Zealand, to the aboriginal, and to make provision for the religious education of the European population of the Province of New Munster.”

The motion was seconded by the senior Military Officer.

Dr. Monro moved as an amendment the postponement of the consideration of this question to this day week, Monday, the 28th day of May.

Amendment put and carried.

Mr. Moore moved the consideration of Mr. Mathieson's memorial.

His Excellency the Lieutenant-Governor replied, that with every disposition to further the views of the Memorialist, he was afraid that the Government had no power to act in the matter, because these lands, below high water mark, are vested in the New Zealand Company.

Debate ensued, when

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

Dr. Monro having withdrawn his motion standing in his name for this day,

Mr. Bannatyne moved that the “Entire Horse Bill” be recommitted.

Bill in Committee.

On the motion of Mr. Bannatyne clause 4 was added, and report brought up.

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

Dr. Greenwood gave notice that on Tuesday next, he should move—

That this Council do receive no petition for any sum of money, relating to the public service, but what shall come recommended from the Lieutenant-Governor and the Executive Council.

The Attorney-General moved that the standing orders be suspended, in order to

move the first reading of "Constabulary Force Bill."

The motion for the suspending of standing orders agreed to.

On the motion of the Attorney-General the "Constabulary Force Bill" read a first time.

The Attorney-General gave notice that on Friday next, he should move the second reading of this bill.

Dr. Monro moved—

That a select committee be appointed to report upon the expediency of repealing the 'Dog Nuisance Ordinance,' now in force, and to recommend to the Council the mode of legislation which may appear to it best calculated to meet the evils arising from the great number of dogs in this Province.

Such Committee to consist of—

The Hon. the Colonial Secretary.
 " " Attorney-General
 " " Colonial Treasurer.
 " " Alfred Ludlam.
 " " David Munro.

Motion agreed to.

On the motion of Mr. Hickson, Council adjourned at 5 o'clock p.m., until to-morrow, Tuesday, at 2 o'clock.

TUESDAY, MAY 22, 1849.

Present—

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

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

Mr. Bannatyne brought forward Mr. Watkin's petition for the consideration of Council.

Dr. Greenwood moved, seconded by Mr. Seymour,—

That this Council do receive no petition for any sum of money, relating to the public service, but what shall come recommended from the Lieutenant-Governor and the Executive Council.

Debate ensued.

Motion put and negatived.

Mr. Hickson moved the second reading of "Road Bill," seconded by Mr. Ludlam.

Debate ensued.

Motion put and carried, and the bill read a second time accordingly.

On the motion of Mr. Ludlam, seconded by the Attorney-General, bill committed, and title, preamble, and clauses 1 to 10 inclusive, read, amended, and agreed to.

On the motion of Dr. Monro, it was agreed that a select committee be appointed to classify and select such returns as may appear to be of the greatest public interest, and to cause the same to be printed; and that such Committee do consist of—

The Hon. the Colonial Treasurer.
 " " J. D. Greenwood.
 " " D. Monro.

On the motion of Mr. Ludlam, Council adjourned at a quarter to 7 o'clock p.m., until to-morrow, Wednesday, the 23rd day of May.

WEDNESDAY, MAY 23, 1849.

Present—

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

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

Mr. Moore presented a memorial from the Committee of the Port Nicholson Mechanics' Institute, praying "that such a sum of money may be granted out of the public funds of the Province, to the trustees of the Institute, and upon such terms as to the honorable Council may seem fitting."

Memorial read and received.

Mr. Moore gave notice that on Monday next, he should move the further consideration of this memorial.

The hon. the Colonial Treasurer, Dr. Monro, and Mr. Bannatyne, having waved their respective order of precedence, Mr. Hickson moved that Council do go into Committee on "Road Bill;" motion carried, and remaining clauses from 11th were considered, amended and agreed to, when Council resumed, and the report having been brought up bill recommitted.

Debate ensued, and further consideration of this bill in committee adjourned.

His Excellency the Lieutenant-Governor laid on the table the following Extract from a despatch addressed to the Lieutenant-Governor of New Munster, by his Excellency the Governor-in-Chief, dated Auckland, April 27th, 1849, in reference to a correspondence between the Local Government and the Acting Principal Agent of the New Zealand Company, which correspondence was laid on the table on the 1st day of May last:—

"In reference to my despatch, No. 13, of the 24th March last, in which I instructed you to bring certain papers before your Legislative Council, requesting them at the same time, to make provision for the expenses which must for the future be incurred in purchasing lands from the natives, I have now to acquaint you that since the date of that despatch a correspondence has passed on these subjects between myself and the Principal Agent of the New Zealand Company, the result of which is, that he has paid to the Government the sum of £3800 upon account of the advances it has made for the purchase of the Porirua and Wairau districts, on the understanding that 'these payments are made subject to the right of the Company to an adjustment of them in proportion to the extent and proportionate value of the lands selected by them out of the whole blocks purchased.'

"It has been further arranged that the other various items contained in the statement furnished by the Auditor General of New Munster, of the expenses incurred in purchasing lands for the Company, shall be hereafter adjusted, and the Princip

Agent of the New Zealand Company further undertakes, that, as regards all future purchases of land on account of the New Zealand Company, he will be prepared to make the necessary advances for such purchases upon your requisition."

A true copy of extract—H. S. HARRISON.

His Excellency, at the same time, laid on the table some departmental returns, together with a petition from John Roots, setting forth "the neglect of certain purchasers of town acres to carry out an original agreement, namely, to make the road fifty feet wide," and praying attention thereto.

On the motion of Mr. Ludlam the Council adjourned at half-past five o'clock, p.m., to Friday, May 25, at 2 o'clock.

FRIDAY, MAY 25, 1849.

Present—

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

The Council met pursuant to adjournment.

The minutes of last meeting read and confirmed.

The Colonial Treasurer, agreeable to notice, moved the third reading of the "Census Bill."

Bill read and passed.

On the motion of Mr. Bannatyne "Entire Horse Bill," read a third time and passed.

On the motion of the Colonial Treasurer, Council in Committee on "Appropriation Bill."

On the motion of the Colonial Treasurer, Title and Preamble read and agreed to; also, the following sections, comprising—

Establishment of his Excellency the

Lieutenant-Governor

Colonial Secretary's department

Colonial Treasurer's department

Auditor General's department, and

Survey department

were considered, amended, and agreed to, when

Mr. Ludlam moved that the committee adjourn, and

On the motion of Mr. Hickson, the Council adjourned at 6 o'clock, p.m., to Monday, May 28.

H. S. HARRISON,
Clerk of Council.

Colonial Secretary's Office,
Wellington, 31st May, 1849.

HIS EXCELLENCY THE LIEUTENANT-GOVERNOR has been pleased to direct the publication of the following Notice for general information.

By His Excellency's Command,

ALFRED DOMETT,
Colonial Secretary.

PORT OF OTAGO—NEW ZEALAND.

THIS IS TO GIVE NOTICE to all Captains of ships and vessels bound to Otago in New Zealand, that there is a Flag Staff erected on Tairoa's Head, at the entrance of the harbour, under the direction of the Pilot, with signal flags, to signal any ship or vessel appearing off the Heads, and the undermentioned signals are to be attended to:—

FLAG No. 1.—Blue Peter; keep to sea, the bar is not fit to take.

FLAG No. 2.—Red; take the bar, there is no danger.

FLAG No. 3.—Blue, with a white St. Andrew's Cross; ebb tide, and the bar not fit to take.

FLAG No. 4.—White; first quarter flood.

It is necessary when the Flags are shown, that they should be answered from the ship, if understood, by a Pendant or Flag where best seen.

(Signed) JOHN MACARTHY,
Sub-Collector H. M. Customs.

Colonial Secretary's Office,
Wellington, June 4, 1849.

HIS EXCELLENCY THE LIEUTENANT-GOVERNOR directs that the attention of all public officers in the Province of New Munster be called to the subjoined estimates of expenditure for the current year.

These estimates having now received the sanction of the Legislative Council, his Excellency desires that it may be distinctly understood that the expenditure to be incurred for each department or any particular service must on no account whatever exceed the amount set opposite to the name of such department or service in the estimates; nor where two or more departments are presided over by the same officer, or in any other case, are the sums appropriated to one department or service to be applied to any other. It is also to be particularly noted, that although the sums specified for each service is the maximum to be spent on that service, and on no account to be exceeded, yet it is by no means to be considered the minimum, but that the strictest economy and greatest care must be observed with regard to every item of contingent expenditure.

Any changes in the amount or distribution of expenditure which may be rendered necessary in any department by the establishment of the scale of expenses contained in the subjoined schedule, must be considered as commencing on the 1st of June, 1849.

By his Excellency's command,

ALFRED DOMETT,
Colonial Secretary.

ESTIMATES FOR THE YEAR 1849-50.

WELLINGTON.

<i>Establishment of His Excellency the Lieut.-Governor.</i>		£	s.	d.	£.	s.	d.
His Excellency the Lieut.-Governor		*800	0	0			
" Forage allowance		109	10	0			
Private Secretary and Clerk of Executive Council		200	0	0			
Confidential Clerk in Private Secretary's office		125	0	0			
Native Secretary and Interpreter		*200	0	0			
Messenger, 3s. per diem		54	15	0			
Contingencies		36	0	0	1525	5	0
<i>Colonial Secretary's Establishment.</i>							
Colonial Secretary		*400	0	0			
Chief Clerk		250	0	0			
Second Clerk		125	0	0			
Messenger (to the offices generally) 3s. per diem		54	15	0			
Contingencies		40	0	0	869	15	0
<i>Colonial Treasurer's Department.</i>							
Colonial Treasurer		*400	0	0			
Clerk		150	0	0			
Contingencies		15	10	0	565	10	0
<i>Auditor General's Department.</i>							
Auditor General		*300	0	0			
Clerk		125	0	0			
Contingencies		19	16	0	444	16	0
<i>Survey Department.</i>							
Surveyor's Salary		*250	0	0			
" Forage allowance		54	15	0			
Contingencies		100	0	0	404	15	0
<i>Public Works Department.</i>							
Government Gardener		70	0	0			
Contingencies		12	0	0	82	0	0
<i>Customs Department.</i>							
Collector		*400	0	0			
Landing Waiter		180	0	0			
Tide Waiter		80	0	0			
Occasional Tide Waiters		50	0	0			
Clerk and Warehousekeeper		130	0	0			
Boarding Officer (also Harbour Master)		100	0	0			
Locker		100	0	0			
Messenger (also Messenger to Post office) 1s. 6d. per diem		27	7	6			
Rents of Office		70	0	0			
Contingencies		105	0	0	1242	7	6
<i>Harbour Master's Department.</i>							
Harbour Master (also Boarding Officer)		100	0	0			
Coxswain to Harbour Master's boat, 3s. 3d. per diem		59	6	3			
4 Boatmen, Natives, at 2s. 3d. per diem		164	5	0			
Pilot		100	0	0			
1 European Boatman to Pilot's boat 3s. per diem each		54	15	0			
3 Native 2s. 3d. per diem each		123	3	9			
Signal Man, 3s. per diem		54	15	0			
Contingencies		54	0	0			
					710	5	0
Amount carried forward					5844	13	6

* The sums marked with an asterisk are provided for from the Civil List.

	£.	s.	d.	£.	s.	d.
Amount brought forward				5844	13	6
<i>Medical Department.</i>						
Colonial Surgeon	*200	0	0			
" Forage allowance	54	15	0			
Two Hospital Attendants	120	0	0			
Rent of Hospital	70	0	0			
Contingencies	374	15	0	819	10	0
<i>Supreme Court Department.</i>						
The Judge	*800	0	0			
Registrar of the Court (also Registrar General of the Province)	Nil.					
Crier of the Court	60	0	0			
Contingencies	146	11	6	1006	11	6
<i>Registrar General's Department.</i>						
Registrar General (also Registrar of Supreme Court)	*300	0	0			
Clerk	125	0	0			
Contingencies	60	0	0	485	0	0
<i>Attorney General's Department.</i>						
Attorney General	*400	0	0			
Clerk to ditto	120	0	0			
Contingencies	20	0	0	540	0	0
<i>Resident Magistrates.</i>						
At Wellington (also Sheriff)	*300	0	0			
" Forage allowance	54	15	0			
" Clerk to Resident Magistrate	100	0	0			
" Interpreter, also Interpreter to Supreme Court	100	0	0			
Resident Magistrate Waikanae (also Inspector of Police)	*200	0	0			
" Forage allowance	54	15	0			
Contingencies, Wellington	32	10	0			
" Waikanae	15	0	0	857	0	0
<i>Sheriff's Department.</i>						
Sheriff (also Resident Magistrate at Wellington)	Nil.					
Gaoler	109	10	0			
Turnkey	73	0	0			
Overseer of Hard Labour	63	17	6			
Contingencies	310	0	0	556	7	6
<i>Coroner's Department.</i>						
Coroner (also Colonial Surgeon)				30	0	0
<i>Post Office Department.</i>						
Deputy Postmaster General						
Clerk	200	0	0			
Messenger (also Messenger to Custom House) 1s. 6d. per diem	27	7	6			
Office Rent	25	0	0			
Contingencies	170	0	0	422	7	6
<i>Police Department.</i>						
Inspector (also Resident Magistrate at Waikanae)	Nil.					
Sub-Inspector	140	0	0			
2 Sergeants @ 4s. 3d. per day each	155	2	6			
3 Corporals @ 3s. 10d. per day each	209	17	6			
20 Privates @ 3s. 6d.	1277	10	0			
Rent of Police Office	30	0	0			
Contingencies	54	10	0	1867	0	0
<i>Ecclesiastical.</i>						
Colonial Chaplain				*200	0	0
<i>Miscellaneous Estimates.</i>						
Native Presents and Entertainment of Native Chiefs	150	0	0			
Charitable Aid	100	0	0			
Ferries between Wellington and Wanganui	50	0	0			
Miscellaneous	275	0	0			
				575	0	0
Total for Wellington				13,203	10	0

NELSON.		£.	s.	d.	£.	s.	d.
<i>Establishment of His Honor the Superintendent.</i>							
His Honor the Superintendent		*500	0	0			
Clerk and Interpreter (also Sheriff and Clerk to the Magistrates)			Nil.				
Assistant Clerk at 5s. per day		75	0	0			
Contingencies		85	0	0	610	0	0
<i>Resident Magistrate's Department.</i>							
Resident Magistrate (also Superintendent)			Nil.				
Clerk to Magistrates (also Clerk to Superintendent, Interpreter, and Sheriff)		175	0	0			
Messenger, 2s. 3d. per diem		41	1	3			
Contingencies		48	0	0	264	1	3
<i>Sheriff and Gaol Department.</i>							
Sheriff (also Clerk to the Superintendent, Interpreter, and Clerk to the Magistrates)		25	0	0			
Gaoler		85	0	0			
Turnkey, 3s. per diem		54	15	0			
Contingencies		57	10	0	222	5	0
<i>Police Department.</i>							
Sergeant Major 5s. per diem		91	5	0			
4 Privates, 3s. 6d. per diem each		255	10	0			
Contingencies		55	0	0	401	15	0
<i>Customs Department.</i>							
Sub-Collector		200	0	0			
Landing Waiter		150	0	0			
Contingencies		10	0	0	360	0	0
<i>Post-Office Department.</i>							
Deputy Postmaster (also Sub-Collector of Customs)			Nil.				
Clerk		120	0	0			
Contingencies		55	0	0	175	0	0
<i>Sub-Treasury Department.</i>							
Sub-Treasurer (also Sub-Collector of Customs)		50	0	0			
Contingencies		42	0	0	92	0	0
<i>Registrar of Deeds Department.</i>							
Registrar of Deeds (also Crown-Solicitor and Deputy-Registrar)		200	0	0			
Contingencies		17	0	0	217	0	0
<i>Registrar of Births, &c., Department.</i>							
Deputy-Registrar (also Registrar of Deeds and Crown-Solicitor)			Nil.				
Contingencies		8	10	0	8	10	0
<i>Harbour Department.</i>							
Harbour Master							
Pilot		100	0	0			
Coxswain, 3s. 3d. per diem		59	6	3			
Boatman, 3s. per diem		54	15	0			
Contingencies		61	5	0	275	6	3
<i>Coroner's Department.</i>							
Contingencies						20	0
<i>Medical Aid Department.</i>							
Contingencies						120	0
<i>Miscellaneous Department.</i>							
Contingencies						162	0
Total for Nelson					2927	17	6

* The sums marked with an asterisk are provided for from the Civil List.

OTAGO.		£	s.	d.	£	s.	d.	
<i>Resident Magistrate's Department.</i>								
Resident Magistrate (not yet appointed)							
Clerk to the Bench	100	0	0				
Contingencies	20	0	0	120	0	0	
<i>Customs Department.</i>								
Sub Collector	180	0	0				
Occasional assistance	50	0	0				
Contingencies	30	0	0	260	0	0	
<i>Post Office Department.</i>								
Post Master at Dunedin	50	0	0				
Contingencies	50	0	0	100	0	0	
<i>Harbor Department.</i>								
Pilot				100	0	0	
<i>Police Department.</i>								
Sub-Inspector	150	0	0				
Forage Allowance to ditto at 3s. per diem	54	15	0				
One Serjeant at 4s. 3d. per diem	77	11	3				
Four Privates at 3s. 6d. per diem each	255	17	6	537	16	11	
Total for Otago						1117	16	3
WHANGANUI.								
<i>Resident Magistrate's Department.</i>								
Resident Magistrate	*100	0	0				
Interpreter, 5s. per diem	91	5	0				
Contingencies	72	0	0	263	5	0	
<i>Post Office Department.</i>								
Post Master	40	0	0				
Contingencies	25	0	0	65	0	0	
Total for Whanganui						328	5	0
AKAROA.								
<i>Resident Magistrate's Department.</i>								
Resident Magistrate	*200	0	0				
Chief Constable 3s. 3d. per diem	59	6	3				
Second Constable 3s. per diem	54	15	0				
Contingencies	17	0	0	331	1	3	
<i>Post Office Department.</i>								
Post Master (also Resident Magistrate)	Nil.						
Contingencies	10	0	0	10	0	0	
Total for Akaroa						341	1	3
<i>General Charges on the Province.</i>								
LEGISLATIVE COUNCIL.								
Clerk to the Legislative Council	100	0	0				
Payment of £50 each to three Nelson Members	†150	0	0				
Printing	100	0	0				
Contingencies	50	0	0	400	0	0	
Printing <i>Government Gazette</i>				200	0	0	
Printing Forms and Miscellaneous Printing				100	0	0	
Interest on Debentures				400	0	0	
Public Offices, Court House, Council Chamber, &c.				900	0	0	
Whanganui Boat, — Salary to Master, Wages of Crew, Provisions, &c.				238	0	0	
Total general charges on the Province						2238†	0	0

* The sums marked with an asterisk are provided for from the Civil List.

† This item is provided for by the Provincial Councils' Ordinance.

‡ In this amount no sum is included for Education, that question having been temporarily deferred.