



**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, JUNE 15, 1849.

[No. 16.]

JOURNAL OF PROCEEDINGS
IN THE
LEGISLATIVE COUNCIL.

WELLINGTON, MONDAY, JUNE 4, 1849.

Present—

His Excellency the Lieutenant-Governor and all the Members, excepting the Hon. Dillon Bell, and W. O. Cautley.

The Council met pursuant to adjournment.

The minutes of last meeting were read and confirmed.

His Excellency the Lieutenant-Governor delivered the following reply to the address presented to him on Friday, June 1st:—

In accordance with the wishes of the Legislative Council, expressed in their address of the 1st June, I have directed the Attorney General to prepare a "Bill to authorize the levying and collecting of tolls within the Province of New Munster, based upon the

general principles with respect to the mode of electing Commissioners, determining the amount of tolls, and securing their payment, as already adopted in an Ordinance of this Session, for levying a rate for the repairs of roads in any Town."

Whilst I have given these instructions, in deference to the opinion of the Legislative Council, I feel bound to state that I do not coincide in their opinion; for, although the principle embodied in a Bill for imposing tolls, viz., that of making those pay for the roads who use them, must be acknowledged as just in theory, I cannot but think that in a colony so recently established as this, and so peculiarly circumstanced in other respects, such a mode of obtaining funds for the repair of roads will in practice be found unsuitable to the state of the community, and insufficient for attaining the objects sought.

My reasons for this opinion are:

First—That, with the exception of a single locality near the Kaiwarra bridge, I do not believe there is any other position in the Province where the tolls collected (if esta-

blished upon a moderate scale) will pay even for the expenses of erecting and keeping up the toll gates and residence of the toll-keeper, and of collecting the tolls; whilst in that one locality I fear that, after deducting these expenses and providing for the necessary arrangements connected with applying the balance, the amount actually available for the repair of roads will be exceedingly small for some time to come.

Secondly—In the peculiar circumstances of New Zealand, and with a numerous native population just beginning to adapt themselves to European habits and pursuits, and to acquire property in cattle, horses, carts, &c., &c., I fear the establishment of a system of tolls (which to be of any service at all must necessarily be very high) will tend to discourage and retard the rapid advance which the natives are making in the particulars to which I have referred, and will be considered by them as both burdensome and annoying.

Thirdly—I should have wished that notice of any Bill for the purpose of levying tolls should have been given to the public in sufficient time to have enabled the colonists generally to express their opinion in reference to the principle involved, prior to such a Bill being passed into law, because I cannot help fearing that the dissatisfaction which will be excited by the contemplated tax will not be compensated for by the amount of good which will be effected by its application.

Having thus stated generally the objections which I entertain to the establishment of toll gates in the present state of this Province, I am quite willing to meet the different view of the question which has been taken by the Legislative Council, and to this end I would suggest, that in order to carry out that view with the least delay and in the most effectual manner, a committee of the Legislative Council be appointed to draw up such an outline of the plan and details which the Council desire should be embodied in the Bill, as may enable the Attorney General to prepare the draft in accordance with their wishes.

E. EYRE.

Mr. Hickson moved, agreeable to notice, that Council do now go into committee on Road Bill, when Mr. Ludlam brought forward his resolution, proposed on Wednesday, the 23rd day of May.

On the motion of Dr. Monro, a sub-committee, appointed to take into consideration the scale of fees to be levied upon carriers, and others using the streets, such committee to consist of

Hon. the Attorney-General
 „ G. Moore
 „ A. Ludlam
 „ H. Seymour.

Mr. Ludlam, agreeable to notice, moved, seconded by Mr. Moore,

That this Council is of opinion that the portion of the Parliamentary Grant spent in this Province on public roads has not been productive of so much benefit to the colony as under a different system of application it might have been, and this Council recommends to his Excellency the Lieutenant-Governor that for the future, wherever practicable, the system of contracts should be resorted to in the construction of all public works.

Resolution adopted.

Dr. Monro moved, agreeable to notice, seconded by Mr. Ludlam,

That the sum of £6000, reserved by the Charter of the colony as a Civil List for each Province, is a much larger amount than is required for the maintenance of the Administration of Justice and the Principal Civil Officers of the Government, these being the objects for which the Imperial Parliament empowered Her Majesty to make such a reservation; and this Council is further of opinion that the reservation of so large a sum effectually debars it from exercising an efficient control over the expenditure of the Province.

Resolution adopted.

Dr. Greenwood moved, seconded by Mr. Seymour,

That it is desirable in future Estimates to separate the items chargeable on the ordinary revenue from those which are to be defrayed from the Parliamentary Grant.

Motion aged to.

On the motion of the Attorney-General, Council in committee on Constabulary Force Bill.

Preamble and clauses 1 to 16, inclusive, read, amended, and agreed to, when

The Attorney-General moved adjournment of committee.

Dr. Monro moved as an amendment, "that committee proceed."

Amendment put and negatived.

Motion of adjournment put and carried.

Council resumed.

Mr. Ludlam gave notice that on Tuesday, June 5th, he should move that a committee of the following members be appointed to report upon a Bill to authorize the levying and collection of tolls for repairs of public roads,

Hon. the Colonial Treasurer

„ D. Monro

„ G. Moore

„ H. Seymour

„ A. Ludlam.

At the suggestion of the Lieutenant-Governor, committee nominated at once.

On the motion of the Attorney-General, Council adjourned at a quarter to seven o'clock, p.m., to Tuesday, the 5th of June, at two o'clock.

TUESDAY, JUNE 5, 1849.

Present—

His Excellency the Lieutenant-Governor and all the members, except the Hon. Dillon Bell, and W. O. Cautley.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

On the motion of Mr. Seymour, seconded by Dr. Greenwood, "a Bill to provide a cheap and expeditious mode of proceeding against persons occupying land or premises within the Province of New Munster, without right, title, or licence," was read a first time.

The Attorney-General moved that Council proceed in committee on "Constabulary Force Bill."

Motion agreed to.

Bill committed, and clauses from 16 to 41 inclusive, as well as preamble and additional clauses were considered, amended, and agreed to.

On the motion of the Attorney-General, Council resumed.

His Excellency the Lieutenant-Governor laid on the table a copy of a despatch from Earl Grey to Governor Grey on the subject of the introduction of Exiles into New Zealand.

His Excellency the Lieutenant-Governor laid on the table a Bill to confer upon the Lieutenant-Governor of New Munster the same powers, in certain cases, as are conferred on the Officer Administering the Government of the colony for the time being.

On the motion of the Colonial Secretary, Bill read.

The Attorney-General moved "that the Bill be printed."

Question put and negatived.

The Attorney-General gave notice that at the next meeting of Council (Thursday) he should move the first reading of this Bill.

Mr. Hickson moved that Mr. M'Lean's last correspondence be printed in the *Government Gazette*.

Motion agreed to.

Mr. Seymour gave notice that on Thursday next, the 7th day of June, he should move the second reading of Occupation by persons without title Bill.

On the motion of Mr. Ludlam, Council in committee on Road Bill.

Remaining clauses considered, amended, and agreed to.

On the motion of Mr. Hickson, Council resumed.

On the motion of the Colonial Treasurer, Council adjourned at a quarter past six o'clock p.m., to Thursday next, the 7th day of June, at two o'clock.

THURSDAY, JUNE 7, 1849.

Present—

His Excellency the Lieutenant-Governor and eight of the Members.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

The Attorney-General moved, seconded by the Colonial Secretary, that a Bill to confer upon the Lieutenant-Governor of New Munster certain powers in certain cases, be read a first time.

Bill read a first time accordingly.

On the motion of Mr. Seymour, seconded by Dr. Greenwood, Occupation by persons without title Bill read a second time and committed.

Clauses, title and preamble considered, amended, and agreed to.

On the motion of Mr. Seymour, Council resumed.

On the motion of the Attorney-General, the standing orders suspended in order to propose the second reading of a Bill to confer upon the Lieutenant-Governor of New Munster certain powers, &c.

On the motion of the Attorney-General, seconded by Dr. Greenwood, "this Bill be read a second time and committed."

Preamble, clause with schedule annexed, considered, amended, and agreed to.

On the motion of the Attorney-General, Council resumed, and the report being brought up, adopted.

The Attorney General gave notice that on Tuesday next, the 12th day of June, he should move the third reading of this Bill.

His Excellency the Lieutenant-Governor laid on the table some returns relating to the exports and imports of the Province.

Mr. Seymour gave notice that on Friday, the 8th of June, he should present the report of the Committee on Education.

On the motion of Col. M'Cleverty, Council adjourned at a quarter past four o'clock p.m., to Friday, the 8th of June, at two o'clock.

FRIDAY, JUNE 8, 1849.

Present—

His Excellency the Lieutenant-Governor and the members, with the exception of the Hon. the Attorney-General, the Hon. the Colonial Treasurer, Hon. Dillon Bell, and W. O. Cautley.

The Council met pursuant to adjournment.

The minutes of the last meeting read and confirmed.

Mr. Seymour, agreeable to notice, having read, presented the report of the committee on education.

Report laid on the table.

Mr. Seymour gave notice that on Monday next he should move that the report of the Education committee be adopted by the Council.

Dr. Monro brought up the report on Scab Bill.

On the motion of Dr. Monro, seconded by Mr. Seymour, this Bill read a third time, and passed.

His Excellency the Lieutenant-Governor laid on the table some returns, giving the quantities of certain articles imported in each quarter during the last two years, with the entered values, rate of duty charged, and amount of duties paid in each case.

On the motion of Mr. Hickson, a select committee appointed to take into consideration the present mode of levying customs duties in the colony, with the view of recommending that an alteration be made in the same, and that such sub-committee do consist of,

Hon. H. Seymour
 „ G. Hunter
 „ W. M. Bannatyne
 „ G. Moore
 „ W. Hickson

His Excellency the Lieutenant-Governor laid on the table two despatches from Sir G. Grey, and other papers relating to the subject of compensation for destruction of property, by order of the officer in command, during the late disturbances at Wanganui.

Dr. Monro gave notice that on Monday next, the 11th day of June, he should move that the Road Bill be re-committed.

Dr. Greenwood gave notice that on Monday next, he should move "A resolution expressive of the opinion of this Council on the proposed introduction of Exiles."

On the motion of Dr. Greenwood Council adjourned at twenty minutes past 4 o'clock p.m., to Monday the 11th day of June, at 2 o'clock.

H. S. HARRISON,
 Clerk of Council.

Council Chamber,
 June 8th, 1849.

REPORT ON THE PURCHASE OF THE RANGITIKEI DISTRICT.

Wanganui, 21st May, 1849.

SIR,—

I HAVE the honor to report to you, for the information of his Excellency the Lieu-

tenant-Governor, that the arrangements with the Ngatiapa tribe for the purchase of the district of land situated between the Rangitikei River and the Wanganui block, were satisfactorily concluded on the 16th instant.

The Ngatiapa having arrived at Wanganui, I held a meeting with them on the 15th instant, at the military parade ground, which was attended by the officers of the 65th Regiment, also by Capt. Campbell and Dr. Rees, Justices of the Peace, Robert Park, Esq., New Zealand Company's Surveyor, and several of the European settlers, besides native chiefs from different tribes, who were invited to attend.

When all were assembled, I briefly informed the claimants that I was glad to see them coming forward so promptly to conclude the negotiations respecting the transfer of their land, and requested them to make any statement they wished on the subject before signing the deed of sale, that all who favored us with their presence might understand the object of our meeting, and the favourable disposition or otherwise by which they were influenced in disposing of their land to the Government.

The principal chiefs and claimants responded to this request, by declaring in most emphatic terms, that it was their firm and mature resolution to part with their lands to the Government; and that they anxiously desired to participate in the various advantages they would derive from the settlement of a numerous European population amongst them.

The deed of sale was then read over, the natives fully assenting to the boundaries and other conditions therein specified, excepting two, named Reihana and Ngawaka, who, although agreeing to the general provisions of the deed, requested, before attaching their signature, to retain some large reserves they had previously applied for, as communicated in my letter of the 10th of April; but which, from their extent and position, I could not grant. I therefore gave these natives to understand that as ample reserves were already provided for them, I could not now allow of those unnecessary ones after my explicit determination to the contrary.

George King, the chief of Putikiwaranui, in addressing the Ngatiapa, remonstrated against such untimely applications being

made for reserves, when to his knowledge the district had been entirely surrendered to the Government at the previous meetings and public deliberations of their tribe. After a short discussion among the natives, I again read over the boundaries of the purchase, to which the whole of the claimants unanimously assented. Reihana and Ngawaka, coming forward among the first to sign the deed, remarking, as they did so, to some few around them, (who objected to their making such demands) that they merely wished to exact as much land as they could before holding the pen, which act they very properly regarded as signifying their ir retrievable consent to the final transfer of their land.

On the 16th the whole men, women, and children of the Ngatiapa tribe, with the officers and gentlemen who attended yesterday, made their appearance at an early hour on the parade ground, where a tent, with other conveniences, was provided by Lieut. Smith, of the Royal Artillery, and the officers of the 65th.

The natives having ranged themselves in the order in which they should be paid, I directed their attention, especially those who were not present on the previous day, to the deed of sale, which was read over by Mr. Ronaldson, a young man connected with the Rev. Mr. Taylor's establishment, who afterwards assisted in writing on the deed the names of those natives who were only able to make their marks.

The signing being finished, Abraham Tipae, the chief of Wangaehu, reminded the Ngatiapa of the necessity of adhering to the engagements now entered into, of looking up to the Governors of the island as their guardians, and to the Europeans as their friends, to all of whom they were now more closely united by the deed to which they attached their names. He then addressed the people of the Wangaehu, Turakina, and Rangitikei rivers separately, enquiring whether they fully comprehended the nature of the agreement they had concluded, and whether they were quite resolved to abide by the favorable promises publicly declared by them at this meeting, to which they all replied in their usual way of expressing their consent, "Ai." Abraham continued, by stating that if any of them should hereafter disturb the present amicable arrangement or interfere with the land they had ceded, that

he should himself be the first to bring such offenders to justice.

Paora Turangapito, the principal chief of Turakina, and leading warrior of the Ngatiapa, next addressed his followers, to the effect that the alienation of the lands of their forefathers and ancestors was a great event; and one in which he was glad to take part before his death, a circumstance likely soon to take place, as he was labouring under severe disease, but he trusted his survivors would carefully observe and fulfil their present important engagements. One or two laments over their country were recited by this chief, the whole tribe joining in the chorus.

Aperahama Parea of Waitotera, Mawae, and different other chiefs, who were seated near me, remarked that it was quite unnecessary for them to address or advise the Ngatiapa on the present occasion, as the "Tangis" or laments for their land, which they had just repeated, was the best possible evidence of their favourable disposition towards the Europeans, and of their fixed determination to part with their land.

The first instalment of one thousand pounds was then divided in eighty-six equal proportions, of ten pounds to each Hapu or subdivision of a tribe, and the remaining 14 bags of ten pounds each were handed to the following chiefs:—Kingi Hori and Humia of Rangitikei, 6 bags; Paora Turangapiti of Turakina, 4 bags; Aperahama Lipae of Wangaehu, 4 bags; making in all one thousand pounds, in one hundred bags of ten pounds each. The enclosed schedule marked A. exhibits the name of the Hapus, and natives to whom the money was delivered.

After the payment of the money the natives quietly dispersed to their encampment, on the south side of the river; and on the following morning they were seen in busy groups passing from shop to shop, more eagerly disposing of their cash than they appeared the previous day to obtain it.

Upwards of eight hundred pounds of the whole amount has already been expended by them in the purchase of thirty horses, agricultural implements, a variety of different articles including clothing, of which they very much needed a supply.

The deed of sale with its translation is herewith forwarded, in which it will be perceived the terms of payment are inserted,

as authorised in your letter of the 25th ultimo; that is, that the total purchase-money should be two thousand five hundred pounds, one thousand pounds of the said amount to be immediately paid to the natives, and the remaining fifteen hundred pounds to be paid in three subsequent equal annual instalments, falling due on the 15th day of May in each year.

Attached to the deed there is a plan showing the probable extent of the purchase and the position of the native reserves. A more accurate map will be furnished when Mr. Park has completed a contemplated survey of the interior of the Rangitikei river.

From the desire of the natives to possess the whole of the land between the Turakina and Wangaehu rivers, I considered it advisable to acquiesce in their wishes, as the place is peculiarly adapted from its well-defined natural boundaries for a reserve, and from its extent will also render it a sufficient and desirable situation for the eventual settlement of the whole tribe. There are already several villages and native cultivations on this reserve, and the chief of Turakina informs me, that in the course of a few years he will dispose of the Turakina reserve of eight hundred acres, as he intends at my suggestion, to make immediate preparations to settle between the rivers.

The right of eel-fishing, in such places as may not be drained by European settlers, the village and cultivation, including sixteen hundred acres of land at Parewanui, Kawana Hakeki's burial ground, fifty acres near some fishing lagoons colored red on the map, the right of cultivation till March eighteen hundred and fifty-two on some spots of land opposite Awahou, and a

similar right for a period of three years on two places on the north bank of the Wangaehu, comprehend the whole of the native reserves within the purchase, as specified in the deed of sale, which further provides that the Government have a right of constructing a public road or roads through all the native reserves.

Mr. Park, whose experience as a surveyor renders him most efficient in discharging his duties, is at present engaged in making maps for the natives, which with copies of the deed I shall leave with the chiefs, as records of reference, in which the arrangements now concluded are detailed.

The Ngatiapa are as yet a rude, uncultivated race, whose improvement as a tribe has hitherto been much neglected, consequently settlers may have some little difficulties to contend with in their first intercourse with them, but the cession of their country, increasing knowledge, and ameliorated circumstances, will soon bring about a perfectly amicable understanding.

I am glad to observe that many of the chiefs in this neighbourhood congratulate the Government on the successful termination of the present purchase, notwithstanding the opposition evinced by various tribes when the negotiations were first undertaken.

I have the honor to remain,

Sir,

Your most obedient Servant,

DONALD M'LEAN,

Inspector of Police.

The Hon. the Colonial Secretary, &c., &c.,
Wellington.

SCHEDULE A.

REFERRED TO IN DESPATCH OF 21ST MAY, 1849.

RESIDENCE.	HAPU.	NAME OF NATIVE RECEIVING PAYMENT.	No. of Bags, each containing £10 in silver.
Parawanui Rangitikei }	Ngatiteheru	Reihana, chief	1
	Ngatimawae	Hamuera	1
	Ngaitumana	Penihamire	1
	Ngatitumakui	Manahi	1
	Ngatitamatea	Hamepa	1
	Ngatiapu	Te Ropia	1
	Ngatimotu	Matawakarei	1
	Ngatiwarara	Rewate	1
	Ngatitama	Paora	1
	Ngatikokopu	Komitai	1
	Tumokai	Parakaia Witiki	1
	Ngaitamakahu	Hakaraia	1
	Rakei	Manihere	1
	Ngateika	Hopapa	1
	Ngaitumapau	Honi Karaka	1
	Ngariki	Te Whaitera	1
	Ngatipewakarau	Ihare Tipene	1
	Ngatirangiwakapo	Haora	1
	Tuanini	Ropatu Hamuera	1
	Hiri e Apa	Hemi Te Kiose	1
	Ngatihaimahanga	Reupene	1
	Ngaitumanga	Raihana	1
	Ngaitupuna	Keripungo	1
	Ngatitemawai	Nekorima	1
			24 Bags.
Te Awahou	Ngatikauwae	Kawana Humia	1
	Ngapotiki	Hura	1
	Ngaitotutu	Raiatua	1
	Ngatikuhuaimu	Hori Te Mohi	1
	Ngaitai	Tito Te Upoko	1
	Ngatirangiwaho	Mohi	1
	Ngaitupatupatu	Tamehana	1
	Te Kirimera	Rawiri	1
	Ngatimaera	Aripeta	1
	Ngatihora	Rerepeti	1
	Ngaitamatane	Rihimona	1
	Ngatematai	Te Nguwha	1
	Ngatitanira	Wiremu	1
Turakina River	Ngatirangiwae	Paora Turangapito	1
	Hinetuatirangi	Rewetore	1
	Ngatikiriwake	Hopa	1
	Ngatiruahou	Watekiri	1
	Ngatikura	Hinia	1
	Tuhouhara	Kiore, a young boy	1
	Te upoko e tamiki	Rupuha	1
	Ngatetina pokai	Waka	1
	Rangitaumani	Taituha	1
	Ngatiteporetu	Hori Tairapaego Te Waka	1—10

RESIDENCE.	HAPU.	NAME OF NATIVE RECEIVING PAYMENT.	No. of Bags, each containing £10 in silver.
Turakina River	I Katikiau	Matiha	10
	Ngatititeritonga	Hakopa	1
	Ngatitaitimanaina	Wateranui	1
	Ngatikoko	Te Warena	1
	Ngatiporenga	Matenga	1
	Rangipikiata	Timoti	1
	Ngatitupatana	Pita	1
	Ngatirangipuhi	Hohua	1
	Ngatitamangarikau	Hone Wettu	1
	Ngaitamakina	Riripinipi	1
	Tupatana	Pehira	1
	Ngatitamatea	Hori Te Rangiao and Son	1
	Ngatitumoetera	Te Hueana	1
	Ngatitamarora	Paihana	1
	Ngatihika	Te Poihipi	1
	Ngatiwiti	Heremia	1
	Ngatiapa	Te Ropiha, Heremia	1
Ngatirangitameana	Tamati	1	
Hapahapaitakitaki	Hapurona	1	
		29	
Wangaehu	Tamakakaenui	Te Hina	1
	Ngatihoro	Matene	1
	Ngatitumapanu	Rawiri	1
	Ngatetamaea	Haira	1
	Ngatehinewaipuku	Tamihana	1
	Ngaterangewakaturia	Te Wunu	1
	Kaitekitiki	Ihoka	1
	Ngatikakahutahi	Raniera Te Toka	1
	Ngatihingariti	Hori Kaine	1
			9
	Ngatipaehu	Kawana Te Iki	1
	Timahunga	E Piha	1
	Ngatihura	Matiu	1
	Ngatiruahau	Pairama	1
Ngatipaenga	Hauria	1	
Ngaitura tiki	Wiremu Matene	1	
Ngatimahairangi	Anaru	1	
Tirahaerakau	Hoani Maku	1	
..	Rihiona	1	
..	Matiu Te Upokoiri	1	
..	Punapa Uruterangi	1	
		20	
Fourteen bags were divided among the principal Chiefs of the respective rivers, as follows :—			
	Paora Turangapito	4	
	Kingi Hori and Hunia	6	
	Aperahama	4	
		14	
	Amount of the Hapus	86	
	Bags	100	

Honi Ropiha Te Moko should have been inserted in the above list, as he has claims on the north bank of the Wangaehu; his tribe is named *Ngatirongomai*, and will be entitled to a small share of the next instalment.

DONALD M'LEAN, Inspector of Police.

ERRATUM.—In the notice of the meeting of Magistrates, to take into consideration the applications for Bush Licenses, published in last *Gazette*, for Thursday 25th June, read Monday 25th June.