



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. IV.]

WELLINGTON, TUESDAY, JULY 8, 1851.

[No. 17.]

PROCLAMATION.

By His Excellency SIR GEORGE GREY, a Knight Commander of the most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Islands of New Zealand, and Governor of the Provinces of New Ulster and New Munster, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by a Proclamation bearing date the 18th day of January, 1844, the Colony of New Zealand was, for the purposes of the Ordinance for establishing a Supreme Court, divided into two districts by the names of the Northern and Southern districts:

And whereas, by a Proclamation bearing date the 30th day of July, 1850, the Southern district of New Zealand was, for the purposes of the said Ordinance, subdivided into two districts called respectively the Middle and Southern districts, the said Middle district being by the same Proclamation assigned to Henry Samuel Chapman, Esquire, one of the Judges of the Supreme Court, and the said Southern district being

assigned to Sidney Stephen, Esquire, a Judge of the same Court:

And whereas it is expedient, for the purposes of the said recited Ordinance, to alter the boundary between the said districts, so that all that portion of the Southern district which lies to the North of the 44th degree of south latitude, shall be within the said Middle district:

Now therefore, I, the Governor-in-Chief, with the advice of the Executive Council, do hereby proclaim and declare that so much of the said last recited Proclamation as declares "that the Southern district shall include all that portion of the Colony of New Zealand which lies to the southward of the 42nd degree of south latitude," shall be, and the same is revoked; and I do further proclaim and declare that the said Middle district shall, for the purposes aforesaid, extend from the northern boundary of the same, as described in the said last recited Proclamation, to the 44th degree of south latitude, together with so much of the sea adjacent thereto as lies within the jurisdiction of the Vice-Admiral of New Zealand:

And that the said Southern district shall include all that portion of the Colony of New Zealand which lies to the southward

of the 44th degree of south latitude, together with so much of the sea adjacent thereto as lies within the jurisdiction of the Vice-Admiral of New Zealand.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Government House, at Wellington, in the Province of New Munster, in the Islands aforesaid, this twenty-eighth day of June, in the year of Our Lord One thousand eight hundred and fifty-one.

G. GREY.

Governor-in-Chief.

By His Excellency's command,
ALFRED DOMETT,
Colonial Secretary.
GOD SAVE THE QUEEN!

JOURNAL OF PROCEEDINGS
IN THE
LEGISLATIVE COUNCIL
OF THE ISLANDS OF NEW ZEALAND.

WELLINGTON, THURSDAY, JUNE 12, 1851.

Present—

His Excellency the Governor-in-Chief.
His Excellency the Lieutenant-Governor,
and twelve members.

Absent, the Hon. the Colonial Treasurer.
The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The minutes of the last meeting read and confirmed.

Mr. Cautley, in pursuance of his notice given yesterday, moved for certain returns.

His Excellency stated in reply, that the returns should be furnished so far as it might be in the power of the Government to do so.

On the motion of the Attorney-General of New Zealand, seconded by the Colonial Secretary of New Zealand, Provincial Councils Bill read a first time.

His Excellency laid on the table a Memorial from certain persons residing at Nelson, "respecting the Franchise provided by the Bill about to be proposed for the establishment of Provincial Councils in the Colony."

On the motion of the Colonial Secretary of New Zealand, Memorial ordered to be printed.

On the motion of the Attorney-General of New Munster, Council in Committee on remaining clauses of Language Ordinance Bill. Clause 3 read, divided into two clauses, amended, and agreed to, when further consideration of this Bill in Committee postponed; and Council resumed.

On the motion of the Attorney-General of New Munster, of which he had given previous notice, respecting the engrossing of Ordinances, it was resolved that, in the 24th of the General Rules of the Legislative Council, instead of the word "engrossed" there be inserted the words "printed in duplicate."

Also that after Rule 25 there be inserted a new Rule 25 a, to the following effect:— "When the Bill shall have received the assent of the Governor, the said duplicate copies thereof shall be duly authenticated by the signature of the Clerk of the Council."

The Attorney-General of New Zealand gave notice that, on Wednesday next, he should move the second reading of Provincial Councils Bill.

Mr. Hickson gave notice that to-morrow he should move further consideration in Committee of Customs Bill.

Mr. Dillon Bell gave notice that, on consideration in Committee, of clauses 3, 4, and 9, of Land-Claimants Bill, he should move the amendments as annexed.

3. Every person resident within the islands of New Zealand who shall be desirous of taking advantage of the provisions of this Ordinance, shall by himself or his agent on or before the first day of January, 1852, give notice in writing to the Colonial Secretary of the Province of New Munster of his desire and intention so to do; and every person resident elsewhere who shall be so desirous as aforesaid shall by himself or his agent on or before the first day of January, 1853, give a similar notice in writing to the said Colonial Secretary of such his desire and intention. Every such claimant shall in such notice specify the nature of his claim to any such land as aforesaid, and whether the same shall arise in respect of such landorder, or in respect of such scrip as aforesaid, and whether such claim be original or derivative, and if derivative, on what title the claim of such person may be founded.

4. No claim to land in the islands of New Zealand, in respect of any such landorder, contract, or scrip as aforesaid which shall not have been preferred in writing to the said Colonial Secretary on or before the said first day of January, 1853, shall be deemed by the Colonial Government to come within the provisions of this Ordinance for the adjustment thereof, unless it shall be made to appear to the satisfaction of the Governor for the time being that any claimant preferring his claim after the said date was from some reasonable and sufficient cause unable to give the notice within the prescribed time: in which case it shall be lawful for the Governor to refer such claim to a Commissioner as hereinafter provided.

Provided always, that the lands, tenements, and hereditaments comprised in any such Grant shall continue and be subject to such equitable estates, charges, and liens, if any, created by the purchaser or purchasers named in the landorder, contract, or scrip to which the same shall relate, or any person deriving title from, through, or under him, her, or them, as at the date of such grant shall be subsisting, or be then or thereafter capable of taking effect, and the

rights and interests of the parties interested as or through the purchaser or purchasers named in such land-order, contract, or scrip (*inter se*) shall remain unaffected thereby.

Mr. Cautley gave notice that he should move the annexed amendment on the 15th clause, No. 2 of the said Bill, when committed.

It shall be lawful for the Governor to issue to any person who may be found by such Commissioner to have purchased an allotment of land in any of the settlements of the New Zealand Company, Scrip to the amount of the original cost of such purchase of every separate allotment as duly ascertained and reported upon by such Commissioner. Provided always that in case of one portion only of an allotment as aforesaid being offered to such Commissioner for exchange for Scrip, an appraisal of the value of the portion of the allotment to be retained by such purchaser shall be duly made or caused to be made by such Commissioner, and a balance of Scrip shall be given for the portion of the allotment so to be surrendered which, together with the value of the portion of the allotment to be retained, estimated as aforesaid, shall not exceed the original cost of such allotment. Provided always, &c.

Also the following additional clause—

And whereas by the second clause of an Ordinance passed in the tenth year of the reign of her Majesty Queen Victoria, and entitled "An Ordinance to repeal the Crown Grants Ordinance, Sess. 5, No. 3, and to impose fees for the delivery of all Crown Grants," it is enacted that a fee of twenty shillings shall be paid on the delivery of all Crown Grants, Now be it enacted that the said fee of twenty shillings to be received under the authority of the above recited Ordinance for Grants from the Crown for land purchased prior to the date of the passing of this Ordinance in the settlements of the New Zealand Company, shall be chargeable in the first instance with expenses incurred in the issuing of such Grants, and the balance, if any, shall be applied to the introduction of immigration to the settlement in which the land so granted shall be situated exclusively, any thing in the above recited Ordinance or any other Ordinance to the contrary notwithstanding.

Mr. Cutfield gave notice that he should move, when Council went into committee on the Bill in question, the annexed amendment on clause the 14th :

It shall be lawful for such person within calendar months after the passing hereof to select an equal quantity of land in any district which may be appropriated to that purpose by his Excellency the Governor, or in the event of such person failing or declining to make such selection then it shall be lawful, &c.

Capt. Smith gave notice that he should postpone the bringing forward the motion, in his name, for to-morrow, until Tuesday next.

The Colonial Secretary of New Munster gave notice that, on Tuesday next he should move that Council do go into committee on Census Bill.

His Excellency then adjourned the Council at half-past three o'clock p.m., to Friday the 13th day of June, at two o'clock.

FRIDAY, JUNE 13.

Present—

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

His Excellency EDWARD JOHN EYRE, Lieut.
tenant-Governor of New Munster.

And the Members as on Thursday.

Absent, the Hon. the Colonial Treasurer.

The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The Minutes of the last meeting read and confirmed.

His Excellency laid on the table a Bill for regulating Building Societies.

Mr. Hickson moved the order of the day for further consideration, in Committee, of Customs Bill.

Motion adopted and Council in Committee, when items 22, 36, and 76, were read, amended, and agreed to.

On the motion of Mr. Hickson, seconded by the Colonial Secretary of New Zealand, it was resolved that certain items, termed "Maritime Stores," should be included in the list of those articles headed "Free of Duty."

On the motion of Mr. Cautley, seconded by Mr. Cutfield, it was agreed that certain agricultural implements be admitted free of duty.

On the consideration of the item spirits, the Colonial Secretary of New Munster moved as an amendment, seconded by Mr. Dillon Bell, that the duty be six shillings per gallon.

Amendment put and carried, being

Ayes,

His Excellency the Lieut.-Governor,
Hon. The Colonial Secretary of New Zealand,

„ The Colonial Secretary of New Munster,

„ Capt. Smith,

„ G. Cutfield,

„ The Attorney General of New Zealand

„ C. A. Dillon,

„ W. O. Cautley.

Noes,

Hon. W. Hickson,

„ The Attorney General of New Munster,

„ Dillon Bell,

„ Collector of Customs,

„ Col. M'Cleverty.

Upon it being moved, as an amendment, that the duty be seven shillings per gallon, the amendment was negatived, being

Ayes,

Hon. Collector of Customs.
 „ The Attorney General of New Munster,
 „ Dillon Bell,
 „ Col. M'Cleverty.

Noes,

His Excellency the Lieut.-Governor,
 Hon. the Colonial Secretary of New Zealand,
 „ The Colonial Secretary of New Munster,
 „ Capt. Smith,
 „ G. Cutfield,
 „ The Attorney General of New Zealand,
 „ C. A. Billon,
 „ W. Hickson,
 „ W. O. Cautley.

Mr. Carkeek gave notice of his intention to move the insertion of a number of articles in the Schedule, with proposed duty on each, when further consideration of Schedule to Customs Bill adjourned to Tuesday next.

On the motion of the Attorney-General of New Zealand, Bill recommitted.

Title, Preamble, and Clause 1, 2, 3, 4, read, amended, and agreed to, when Council resumed.

Mr. Hickson gave notice that, on Tuesday next, he should move further consideration of the Bill in Committee.

His Excellency the Lieutenant-Governor gave notice that at the next sitting of Council he should ask for information respecting the intentions of His Excellency the Governor-in-Chief on the subject of Education.

Mr. Dillon Bell gave notice that, on consideration, in Committee, of Land-Claimants Bill, he should move an amendment or addition to the 14th clause, to the effect of limiting its operation to land in districts granted to the New Zealand Company by the Crown.

His Excellency then adjourned the Council at a quarter to five o'clock, p.m., to Tuesday next, the 17th day of June, at two o'clock.

TUESDAY, JUNE 17.

Present—

His Excellency the Governor-in-Chief,
 His Excellency the Lieutenant Governor,
 and the Members as on Friday last, also the Colonial Treasurer.

The Council met pursuant to adjournment
 The Rev. the Colonial Chaplain read prayers.

The minutes of the last meeting read and confirmed.

The Colonial Treasurer having postponed the motion for the second reading of Hutt Fencing Bill,

Captain Smith moved the order of the day for further consideration, in Committee, of Land Claimants Bill. Motion adopted and Council in Committee on this Bill.

On the motion of Mr. Cautley, certain letters on the subjects of land claims read.

Clauses 3, 4, 5, 6, 7, 10 of Land Claimants Bill read, amended and agreed to, when Council resumed.

On the motion of the Colonial Secretary of New Munster Council in Committee on Census Bill. Title, preamble, clauses 1, 2, 3, 4, 5, 6, 7, 8, 9, with schedule to this Bill read, amended and agreed to, when Council resumed.

Mr. Hickson having postponed until Thursday bringing forward the motion, standing in his name, for the further consideration in Committee of schedule to Customs Bill,

His Excellency the Lieutenant Governor, agreeable to his notice of Friday, asked for information respecting the intentions of His Excellency the Governor-in-Chief on the subject of education.

His Excellency the Governor-in-Chief, in reply, stated that it was not his intention to introduce a Bill on the subject during the present session of the General Legislative Council, but trusted that when that measure should be brought before the Provincial Council it would frame such a Bill as might meet the requirements of the Province.

The Attorney General of New Zealand gave notice that to-morrow he should move

That an alteration be made in the Rules of Council, so that it may be no longer necessary for strangers to withdraw, as of course, on a division of Council or of any Committee thereof.

Mr. Cautley gave notice that to-morrow he should move

For any documentary information which may be in the possession of the Government on the subject of any proposal to unite the whole or any part of the Nelson settlement to the Canterbury block; or for any information on the subject in the possession of the Executive Government which they may be able to afford.

His Excellency then adjourned the Council at 5 p.m., to Wednesday the 18th day of June, at 2 o'clock.

WEDNESDAY, JUNE 18.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant-Governor and the Members as on yesterday.

The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The minutes of last meeting read and confirmed.

The hon. the Colonial Treasurer and Captain Smith having waved the order of precedence

The Attorney General of New Zealand moved, agreeable to notice—

That an alteration be made in the Rules of the Council so that it may be no longer necessary for strangers to withdraw, as of course, on divisions of Council or of any Committee thereof.

Motion seconded by Mr. Cautley.

His Excellency the Governor-in-Chief stated, that if it were understood that the practice need not be persevered in, which was the opinion of the Council, no rule was then necessary.

Motion consequently withdrawn.

On the motion of the Colonial Treasurer, seconded by Col. M'Cleverty, Hutt Fencing Bill read a second time.

The Attorney General of New Zealand moved, agreeable to his notice of June 12th, the second reading of Provincial Councils Bill, seconded by His Excellency the Lieutenant Governor.

Debate ensued.

Motion put and carried and Bill read a second time accordingly.

Captain Smith having waved the order of precedence

Mr. Cautley moved, seconded by Mr. Hickson—

For any documentary information which may be in the possession of the Government on the subject of any proposal to unite the whole or any part of the Nelson settlement to the Canterbury block, or for any other information on the subject in the possession of the Executive Government which they may be able to afford.

His Excellency the Governor-in-Chief, in reply, afforded, so far as the Government had it in its power, the information required.

The Attorney General of New Zealand gave notice that on Tuesday next he should move that Council do go into Committee on Provincial Councils Bill.

Captain Smith gave notice that to-morrow he should move further consideration, in Committee, of Land Claimants Bill.

His Excellency then adjourned the Council at 5 o'clock, p.m., to Thursday the 19th day of June, at 2 o'clock.

THURSDAY, JUNE 19.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant Governor, and the Members as on yesterday.

The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The minutes of the last meeting read amended and confirmed.

The Colonial Secretary of New Munster presented a Letter from the Licensed Vic-

tuallers Association, addressed to Sir George Grey, K.C.B., and the General Legislative Council of New Zealand, calling the attention of His Excellency and the Council to certain enactments and the increased duties on spirits.

On the motion of Mr. Hickson, seconded by Mr. Carkeek, Council in Committee on Schedule to Customs Bill, when the insertion of a number of articles in the Schedule with respective duties, which Mr. Carkeek, on Friday last, gave notice of his intention to move, was agreed to.

Mr. Hickson moved, seconded by Mr. Carkeek—

That flour and bread stuffs be admitted duty free without limit as to period of repeal.

Mr. Cautley moved as an amendment, seconded by the Colonial Treasurer—

That this duty be repealed for one year.

Upon a division, for the amendment

The Ayes were 9.

The Noes were 4.

For the motion—

Ayes 6.

Noes 8.

Amendment consequently carried.

The Hon. Mr. Dillon moved that the duty on wines be increased, namely—

On Wines in wood, per gall. 3s.

„ in bottle per dozen 8s.

Motion put and negatived, being

Ayes—

Hon. C. A. Dillon.

„ Collector of Customs.

„ W. O. Cautley.

„ Captain Smith.

Noes.

His Excellency the Lieutenant Governor.

Hon. the Colonial Secretary of New Zealand

„ Colonial Secretary of New Munster

„ The Attorney General of New Zealand

„ „ „ of New Munster

„ G. Cutfield.

„ W. Hickson.

„ Dillon Bell.

„ The Colonial Treasurer.

„ Col. M'Cleverty.

On the motion of Mr. Cautley Schedule ordered to be reprinted, when Council resumed.

On the motion of Captain Smith Council in Committee on Land Claimants Bill.

Clauses 12, 13, and 20 with schedule read and agreed to, when Council resumed.

On the motion of Mr. Dillon Bell, Building Society's Bill ordered to be printed.

Mr. Dillon Bell gave notice that on Thursday next, the 26th day of June, he should move the first reading of this Bill.

The Colonial Secretary of New Munster gave notice that on consideration in Com-

mittee of Land Claimants Bill he should move the amendments, as annexed—

Where the Commissioner shall have adjudicated upon any adverse claim, or upon any disputed boundary, or upon any claims arising out of any contract for compensation with the late New Zealand Company, the party grieved by such adjudication may appeal to a Judge of the Supreme Court, who shall decide upon such claims summarily, and who shall have power to amend, revise or confirm such Commissioner's report, or make such other order or report as to such Judge shall seem meet according to the equity and justice of the case, and according to the true intent and meaning of this Ordinance.

It shall also be lawful for any Commissioner, in case he shall have any doubt respecting any disputed claim or disputed boundary or otherwise, at the request of either party, and at such Commissioner's discretion, to submit a case for the opinion of a Judge of the Supreme Court, either generally upon the whole case, or confined to such point respecting which such doubt shall have arisen, whereupon such Judge shall certify to such Commissioner his opinion according to the true intent and meaning of this Ordinance.

It shall also be lawful for any Commissioner in all cases, whether upon claims disputed or not, and without the request of the claimants or of either party, to submit a like case to a Judge of the Supreme Court for such Commissioner's own guidance, and such Judge shall thereupon certify in the manner hereinbefore provided.

In all cases submitted to a Judge of the Supreme Court as well as in all cases of appeal to such Judge, it shall be lawful to such Judge to hear and decide the case without argument by Counsel and without any further evidence than that which shall have been submitted to such Commissioner, but if the parties shall desire to be heard by Counsel, it shall be lawful for such Judge, at his discretion, to direct that Counsel be heard, provided that no costs be allowed as between party and party, saving the right of the client to have the Attorney's bill taxed as by law allowed, and provided also that if such Judge shall be of opinion that the equity and justice of the case require other and better evidence than was given before the Commission, it shall be lawful for such Judge to require and permit such evidence to be produced.

In any case where land has been mortgaged to two or more mortgagees, it shall be lawful for such Judge at his discretion to direct an ejectment to be tried.

No fees whatever shall be charged in any case of appeal or reference to any such Judge.

Provided always that nothing herein contained shall be deemed in any way to affect any right or prerogative of the Crown, whether exercised by her Majesty or his Excellency the Governor under and by virtue of his commission or the Charter of the colony.

His Excellency the Lieutenant Governor gave notice that he should move that clause 15, No. 2, of this Bill, when considered in Committee, be struck out.

Mr. Hickson gave notice that when Council go into Committee on this Bill he should move the amendment as annexed for clause 14.

In case the said Company shall have contracted with any purchaser for the disposal of a particular section of land in respect of any land

order or contract, and it shall not be in the power of the Government to give possession of such land to the person entitled to the same, it shall be lawful for such person within six months from the time of the passing this Ordinance to select an equal quantity of land in lieu thereof, or in respect of such scrip as aforesaid. Provided always that all land so to be selected as aforesaid, shall be selected within the boundaries of the respective district to which such land order, contract, or scrip may refer.

Col. M'Cleverty gave notice that on Tuesday next he should move the third reading of Land Fund Appropriation Ordinance.

The Attorney General of New Munster gave notice that on Friday next he should move the third reading of Debtors Writ of Arrest Ordinance.

His Excellency then adjourned the Council at 20 minutes to 5 o'clock, to Friday the 20th day of June, at 2 o'clock.

FRIDAY, JUNE 20.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant Governor, and the Members as on yesterday.

The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The minutes of the last meeting read and confirmed.

Captain Smith moved the order of the day for further consideration in Committee of Land Claimants Bill.

The amendments, of which notice had been given, read and considered.

Debate ensued.

Further consideration of this Bill in Committee postponed and Council resumed.

On the motion of the Attorney General of New Munster, seconded by the Attorney General of New Zealand, Debtors Writ of Arrest Bill read a third time and passed.

On the motion of the Colonial Secretary of New Munster the proposed amendments for clauses of Land Claimants Bill ordered to be printed.

The following notices of amendments were given to be moved on the further consideration in Committee of Land Claimants Bill.

Mr. Hickson to move the following amendment for clause 14—

In case the said Company shall have contracted with any purchaser for the disposal of a particular section of land in respect of any land order or contract, and it shall not be in the power of the Government to give possession of such land to the person entitled to the same, it shall be lawful for such person within six months from the time of the passing of this Ordinance to select any equal quantity of land in lieu thereof, or in respect of such scrip as aforesaid. Provided always that all land so to be selected as aforesaid, shall be selected within the boundaries of the respective district to which such land order, contract, or scrip may refer.

Mr. Dillon Bell gave notice of the following amendment for 15th clause, as also to move that in the 14th clause, after the words

"section of land" in the second line, the following words "in the Town of Wellington or the District of Porirua," and in the schedule to insert words for the purpose of barring the dower of widows of grantees, at the same time he withdrew his amendment for the 9th clause.

The Attorney General of New Munster gave notice that he should move—

That a provision enabling the Government to reserve land for roads be introduced into the New Zealand Company's Land Claimants Bill.

The Attorney General of New Munster gave notice that on Tuesday next he should move further consideration in Committee of Language Ordinance.

The Colonial Secretary of New Munster gave notice that on Tuesday next he should move the insertion of an additional clause in this Bill.

His Excellency then adjourned the Council at a quarter to 5 o'clock, p.m., to Tuesday next, the 24th day of June, at 2 o'clock.

TUESDAY, JUNE 24.

Present—

His Excellency the Governor-in-Chief,
His Excellency the Lieutenant-Governor
and the Members as on Friday last, with the exception of the Hon. the Collector of Customs.

The Council met pursuant to adjournment
The Rev. the Colonial Chaplain read prayers.

The minutes of last meeting read and confirmed.

On the motion of the Attorney General of New Zealand, seconded by the Attorney General of New Munster, Council in committee on Provincial Councils Bill. Title, preamble, and clause 1 read and agreed to.

On the motion that clause 2 do stand as read

Mr. Dillon Bell moved as an amendment, seconded by the Colonial Treasurer, that the following be inserted in this clause—

Provided always that every Member so appointed by the Governor shall be a person holding a public office under the Colonial Government.

Upon a division for the amendment—

Ayes.

Hon. the Colonial Secretary of New Munster,
,, Colonial Treasurer,
,, Capt. Smith
,, Dillon Bell,
,, C. Dillon,
,, W. Hickson.

Noes.

His Excellency the Lieutenant-Governor,
Hon. the Colonial Secretary of New Zealand,
,, The Attorney General of New Zealand

,, The Attorney General of New Munster,
,, G. Cutfield
,, W. O. Cautley,
,, Col. M'Cleverty.

Original motion then put and carried.

Clauses 3 and 4 read and agreed to.

On the question that clause 5 do stand as read, debate ensued.

Mr. Cautley moved as an amendment that the word "tenement" be substituted for that of dwelling house.

Committee divided on the amendment

Ayes.

His Excellency the Lieutenant Governor,
Hon. The Colonial Secretary of New Munster,

,, Capt. Smith
,, G. Cutfield,
,, Dillon Bell,
,, C. Dillon,
,, W. Hickson,
,, W. O. Cautley,
,, The Colonial Treasurer,
,, Col. M'Cleverty.

Noes.

Hon. the Colonial Secretary of New Zealand
,, The Attorney General of New Zealand
,, Attorney General of New Munster.

Further consideration of this clause postponed.

Clauses 6, 7, 8, 9, 10, 11, read and agreed to.

Clause 12 read when, on the motion of the Attorney General of New Zealand, committee on this Bill adjourned till to-morrow.

On the motion of Col. M'Cleverty, seconded by the Colonial Treasurer, Land Fund Appropriation Ordinance read a third time and passed.

His Excellency laid on the table a draft of Municipal Election Franchise Bill.

The Attorney General of New Zealand gave notice that to-morrow he should move the first reading of this Bill.

Mr. Cautley gave notice that to-morrow he should move

For any correspondence which may have taken place between the Superintendent of Nelson and any inhabitants of Nelson on the subject of the application of the New Zealand Banking Ordinance to the Nelson settlement, and of any correspondence which may have taken place between the Superintendent and Executive Government on that subject, and further, whether it is the intention of the Government to extend the provisions of that Act to the Nelson settlement during the present session of Council.

The Colonial Treasurer gave notice that to-morrow he should move that the Rules and Regulations for depasturing Cattle outside hundreds on waste lands of the Crown be read and considered.

Mr. Dillon Bell gave notice that on consideration in committee of the 12th clause of Provincial Councils Bill he should move as

an amendment, the insertion of the words "or Speaker," after the word Governor, and that he should bring before the committee the question "whether writs for election of members ought not to be issued by the Speaker."

The Colonial Secretary of New Munster gave notice that on further consideration of Interpretation Ordinance in committee, he should move the insertion of the three following clauses:—

3. That the language of every Ordinance shall be construed according to its plain import, and where it is doubtful, according to the purpose thereof.

4. That wherever the doing of any act is prohibited by any Ordinance, the prohibition shall be taken to extend to the causing such act to be done, unless there be something in the subject or the words of the Ordinance repugnant thereto.

Addition to clause 6.

And all Proclamations made or to be made, by the Governor-in-Chief, or the Lieutenant-Governor under the authority and in pursuance of any Ordinance, shall be deemed to be part of such Ordinance, and shall be read therewith, and shall be taken judicial notice of accordingly.

His Excellency then adjourned the Council at twenty minutes past five o'clock, p.m. to Wednesday, the 25th day of June, at two o'clock.

WEDNESDAY, JUNE 25.

Present—

His Excellency the Governor-in-Chief.
His Excellency the Lieutenant-Governor.
And the Members as on Tuesday.

The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The Minutes of the last meeting read and confirmed.

His Excellency laid on the table the latest received Parliamentary papers.

The Attorney General of New Zealand moved the order of the day for further consideration, in committee, of Provincial Councils Bill.

Motion seconded by the Attorney General of New Munster and adopted.

Remaining clauses of this Bill from 11 read, amended, and agreed to.

Clause 5 reconsidered, amended and agreed to when, on the motion of the Attorney General of New Zealand, Council resumed.

The Attorney General of New Zealand moved the first reading of Municipal Election Franchise Bill.

Motion seconded by the Colonial Treasurer; agreed to, and Bill read a first time accordingly.

The Colonial Treasurer moved, seconded by Mr. Dillon, that the Pasturage Rules and regulations be read and considered. Debate

ensued and motion postponed until to-morrow.

On the motion of the Attorney General of New Munster, Council in committee on Language Ordinance Bill.

The Colonial Secretary of New Munster moved the adoption of the additional clauses of which notice had been given.

Clauses agreed to, together with the blanks filled up in the 7th clause of this Bill.

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

The Attorney General of New Zealand gave notice that to-morrow he should move the second reading of Municipal Franchise Bill.

Captain Smith gave notice that he should postpone the motion for further consideration, in committee, of Land Claimants Bill until Tuesday next, the 1st of July.

The Colonial Treasurer gave notice that to-morrow he should move consideration of Pasturage Rules and Regulations; also that on Friday he should move the second reading of Marriage Amendment Bill.

Mr. Cautley, agreeable to the notice he gave yesterday, brought forward the motion standing in his name.

The Colonial Secretary of New Munster laid on the table, in reply, certain letters on the subject.

The Attorney General of New Munster gave notice that on Friday next he should move the third reading of Interpretation Ordinance.

His Excellency then adjourned the Council at a quarter to five o'clock, p. m., to Thursday, the 26th day of June, at two o'clock.

THURSDAY, JUNE 26.

Present—

His Excellency the Governor-in-Chief.

His Excellency the Lieutenant-Governor and the Members as on yesterday.

The Council met pursuant to adjournment.

The Rev. the Colonial Chaplain read prayers.

The minutes of the last meeting read and confirmed.

Mr. Dillon Bell moved the order of the day for the first reading of Building Society's Bill.

Motion seconded by the Attorney General of New Zealand, and agreed to.

Bill read a first time accordingly.

On the motion of the Attorney General of New Zealand, seconded by Mr. Cautley, Municipal Election Franchise Bill read a second time.

On the motion of the Colonial Treasurer, seconded by Col. M'Cleverty, Rules and Regulations for depasturing cattle outside

hundreds on the waste lands of the Crown discussed in committee.

The Attorney General of New Zealand moved that Council resolve itself into a committee to reconsider the 32nd and 33rd clauses of Provincial Councils Bill.

These clauses amended and agreed to, and on the motion of the Attorney General of New Zealand Council resumed. Report brought up and adopted.

His Excellency laid on the table Blue book containing further papers relating to the affairs of New Zealand, 1849-50.

Also a Bill to amend the Crown Lands Ordinance No. 1. Session 10, and to extend the operation thereof to the Province of New Munster, which Bill was ordered to be printed.

Also a letter from the Agent of the Canterbury Association respecting the arrangement the arrangement of Provinces in New Zealand, which was read.

The Blue book for the Province of New Munster for the year 1850 was also laid upon the table by the Colonial Secretary of that Province.

The Attorney General of New Zealand gave notice that to-morrow he should move Council in committee on Municipal Franchise Bill.

Mr. Dillon Bell gave notice that on Tuesday next he should move the second reading of Building Society's Bill.

The Colonial Secretary of New Munster gave notice that on Tuesday next he should bring up the report on Census Bill.

Mr. Hickson gave notice that to-morrow he should bring up the report on Customs Bill.

His Excellency then adjourned the Council at a quarter to five o'clock, p. m., to Friday, the 27th day of June at two o'clock.

FRIDAY, JUNE 27.

Present—

His Excellency the Governor-in-Chief,
His Excellency the Lieutenant Governor,
and the Members as on yesterday.

The Council met pursuant to adjournment
The Rev. the Colonial Chaplain read prayers.

The minutes of the last meeting read and confirmed.

The Colonial Secretary of New Munster presented and read a petition signed by Henry Green, minister, and others, on behalf of the Primitive Methodists Society of Wellington and its vicinity, addressed to his Excellency the Governor-in-Chief and the Honorable the Legislative Council now assembled, praying that its ministers may enjoy the same privileges of performing the rite of marriage as in the case of ministers of other Christian

denominations, as expressed in a certain schedule.

The Colonial Treasurer moved the order of the day for the second reading of Marriage Amendment Bill, seconded by the Attorney General of New Zealand, adopted, and Bill read a second time accordingly.

On the motion of the Colonial Treasurer, seconded by the Attorney General of New Zealand, Council in committee on this Bill.

Title, clauses 4, 5, 6, 7, 8, 9, 10, 11 read, amended, and agreed to, when Council resumed.

On the motion of the Attorney General of New Zealand, Council in committee on Municipal Election Franchise Bill.

Title, preamble, and clause 1 read and agreed to, when Council resumed. The report brought up and adopted.

His Excellency laid on the table his reply to a letter from the Agent of the Canterbury Association respecting the arrangement of Provinces in New Zealand.

Reply read, and with letter ordered to be printed.

His Excellency laid on the table copies of all correspondence between her Majesty's Government and the East India Company on the subject of steam navigation with the Australian colonies. Also return to an order of the Legislative Council on Mr. Cautley's motion of June the 12th.

Return ordered to be printed.

Also a letter addressed to Sir George Grey, K. C. B., Governor-in-Chief, and signed Algernon Grey Tollemache, stating that gentleman's arrangements with the late New Zealand Company, and asking for information on the subject of the Land Claimants Bill with reference to the fulfilment of those arrangements.

The Colonial Secretary of New Munster gave notice that on Tuesday next he should move that this Council recommend that the following clause do form part of the Rules and Regulations for depasturing cattle on waste lands:—

Provided always, that in estimating the sufficiency of stock for any sheep run applied for, the Commissioner shall make allowance for natural increase according to the following scale:

For any No. up to 1,000, increase to be allowed for 5 years	..	..	..	..	..	..	..	..	..
.. .. . from 1,000 to 5,000	..	..	..	..	..	..	..	..	..
.. .. . from 5,000 to 10,000	..	..	..	..	..	..	..	..	..
.. .. . 10,000 and upwards	..	..	..	..	..	..	..	..	..

And that in case of any questions arising (in connection with the calculation of increase to be allowed for) as to the proprietorship of stock, division of runs, or of flocks or herds by the same proprietor, distances within which any proprietor is to be considered entitled to the benefits of the allowance aforesaid in respect of different flocks or herds, or as to any mode whatever by which the above regulations may be attempted to be evaded, or the benefits thereof unduly obtained, the Commissioner shall have full power

to decide them in such manner as may most effectually carry out the said regulation in the true spirit and meaning thereof.

Mr. Cautley gave notice that on Tuesday next he should move an address to the Crown on the subject of rendering any further lands liable to the rules for the sale and letting of lands of the Canterbury Association.

His Excellency then adjourned the Council at a quarter past four, p.m., to Tuesday next, the 1st day of July, at two o'clock.

TOTAL AMOUNT of Notes in circulation at the Office of the Colonial Bank of Issue, at Wellington, on the 28th day of June, 1851:—

Amount of Notes in circulation on the 28th day of June, 1851, being the close of the preceding four weeks, viz.:—

£5 and upwards	£ 990
Under £5.....	6153
Total.....	£7143

Total amount of Coin held by the same Office on the same day:—

Gold	£ 2219
Silver	924
Total	£3143

I, Henry W. Petre, the Colonial Treasurer, do hereby certify that the above is a true account, as required by the Ordinance, No. 16, Session 8.

HENRY W. PETRE,
Colonial Treasurer.

Colonial Treasury, Wellington,
30th day of June, 1851.

The sum of four thousand pounds has been invested, under the warrant of his Excellency the Governor-in-Chief, in the public funds in England, through the Commissariat Department, by arrangements made through the Lords Commissioners of Her Majesty's Treasury.

HENRY W. PETRE,
Colonial Treasurer.