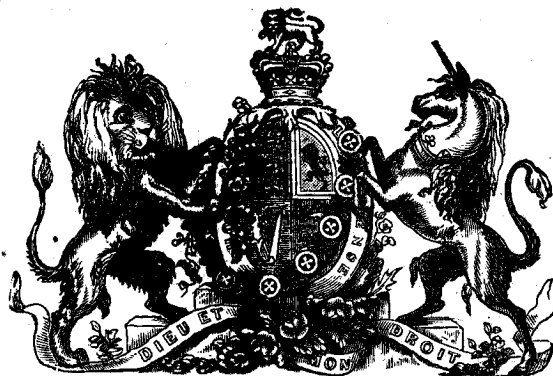


12932  
2

# Province of Hawke's Bay, New Zealand.



## VOTES & PROCEEDINGS

OF THE

## PROVINCIAL COUNCIL OF HAWKE'S BAY.

---

1864.—Sessions VII. & VIII.

---

NAPIER:

PRINTED UNDER THE AUTHORITY OF THE GOVERNMENT OF THE PROVINCE OF HAWKE'S BAY, BY  
JAMES WOOD,  
Printer for the time being to such Government.

1864.



# CONTENTS.

---

- 1.—JOURNAL OF VOTES & PROCEEDINGS, Sessions VII. & VIII
- 2.—COUNCIL PAPERS, Session VII. :—
  - Superintendent's Opening Address, January 18, 1864
  - Loan Amendment Act
- 3.—COUNCIL PAPERS, Session VIII. :—
  - Superintendent's Opening Address, June 28, 1864
  - Resolution on Three Million Loan
  - REPORTS, viz. :—
    - On Ahuriri Plains
    - On Survey Officers doing Private Work
    - On Audit of Accounts
    - On State of Province as regards Timber, &c.
  - Estimate of Probable Income
  - Estimate of Expenditure
  - Superintendent's Proroguing Address, 17th August, 1864.



# VOTES & PROCEEDINGS

OF THE

## HAWKE'S BAY PROVINCIAL COUNCIL.

---

---

### Session VII.

---

---

MONDAY, JANUARY 18TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Ormond.

The Council met pursuant to a Proclamation issued by His Honor the Superintendent, bearing date the 14th day of December, 1863, which was read by the Clerk.

The Speaker then read prayers.

The Speaker informed the Council of the election of O. L. W. Bousfield, Esq., to a seat in the Provincial Council for the Napier Country District, and Thomas Edwards, Esq., for the Town of Napier.

The Speaker laid upon the table the Auditor's Report on the accounts of the Province, for the quarters ending June 30th and September 30th, 1863.

The Speaker ruled that the Notice of Motion of Mr. Fitzgerald's of last session, in reference to salaried officers, lapsed.

His Honor the Superintendent then addressed the Council as annexed.

Mr. Curling moved that the Superintendent's address be printed.

Mr. Smith seconded the motion.

Motion agreed to, and address ordered to be printed accordingly.

Mr. McLean moved that all the Standing Rules and Orders be suspended.

Mr. Russell seconded the motion.

On a division being called for, Council divided.

Ayes.

Messrs. McLean,  
Smith,  
Kennedy,  
Tuke,  
Curling,  
Russell.

Noes.

Messrs. Dolbel,  
Rhodes,  
Fitzgerald,  
Bousfield,  
Edwards,  
Colenso,  
Tiffen.

Motion negatived.

Mr. Colenso on Jan. 19, 1864—To ask His Honor the Superintendent, if the Government have, during the past year, been able to effect anything towards securing a portion of the Ahuriri Plains for the use of Agricultural settlers.

Mr. Colenso on Jan. 19, 1864, to move—That copies of all correspondence with Inspectors or Managers of Banks, and with Loan or Money Agents (if any) respecting the Provincial Loan, be laid on the table forthwith.

Mr. Colenso on Jan. 19, 1864, to move—That this Council resolves that His Honor the Superintendent be requested to use every possible fair exertion, both positive and negative—to reserve and obtain so much of that portion of the Ahuriri plains, bounded by the Ngaruroro and Tutae-kuri rivers and by the sea and the first hills, as may not be required by the Maori proprietors for their own use, for the location and use of agricultural settlers.

Mr. Colenso on Jan. 19, 1864—To ask His Honor the Superintendent whether the necessary powers have been delegated to him by His Excellency the Governor to instruct the officer appointed under the Native Land Purchase Ordinance to lay information against breakers of that Ordinance, and whether that officer has power to lay such information *ab initio*.

Mr. Colenso on Jan. 19, 1864, to move—That it is the opinion of this Council, that (in order the more effectually to support and strengthen the Provincial Government, and also to satisfy a large body of the electors) His Honor the Superintendent be respectfully requested to consider the reconstruction of the Executive Council, so that the principal interests of the Province may be fairly represented therein; and also that Mr. Speaker do forward a copy of this opinion of the Provincial Council to His Honor the Superintendent forthwith.

Mr. Fitzgerald to move on 19th January (to-morrow)—That every officer appointed by the Superintendent and paid out of Provincial funds be disqualified from holding a seat in this Council.

Mr. Fitzgerald to move on Tuesday, January 19—That it is expedient the management of the Waste Lands of the Province shall be vested in a Board to consist of not less than three and not more than five members.

Mr. M'Lean to move on to-morrow, Tuesday, 19th January—For leave to bring in an Amended Loan Bill.

Mr. Russell moved—That the Council do adjourn until to-morrow, Tuesday, January 19th, at 11 o'clock.

Mr. Curling seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY, JANUARY 19<sup>TH</sup>, 1864.

THE Speaker took the Chair at 11 o'clock.

Present, all the members but Mr. Ormond.

The minutes of the last meeting were read and confirmed.

Mr. Tiffen on Jan. 20—To ask the Superintendent what steps (if any) have been taken by the Government for purchasing the 70-mile bush.

Mr. Tiffen on Jan. 20—To ask the Superintendent whether any attempt has been made to purchase the land in dispute at Puketitiri adjoining the Native Reserve of 500 acres.

Mr. Tiffen on Jan. 21, to move—That the Government be requested to prepare and get ready, previous to the next sitting of Council, an "Amended Fencing Ordinance" adapted to this Province.

Mr. Tiffen on Jan. 21, to move—That the Superintendent be requested to proclaim the Impounding Ordinance to be in operation over that portion of the Province lying South of the river Esk.

Mr. Tiffen to move on Jan. 22—That the Government be requested to prepare

prepare and get ready a Roads Act, previous to the next sitting of this Council.

Mr. Colenso on Jan. 20—To ask His Honor the Superintendent why the usual Quarterly Provincial Abstracts of Receipts and Expenditure, now extending over three quarters, have not been published in conformity with the resolution of the Provincial Council.

Mr. Colenso on Jan. 20—To ask His Honor the Superintendent, why the accounts of the Province, being only for six months, have been prepared by the Provincial Auditor and now laid on the table.

Mr. Colenso on Jan. 20, to move—That His Honor the Superintendent be requested to lay on the table forthwith, the letter from the Deputy Superintendent, containing his resignation of that office.

Mr. Dolbel on Jan. 20—To ask the Superintendent why a certain number of the Colonial Defence Force were not stationed at Mohaka during the time hostilities were anticipated there, and whether it is the intention of the Government for the future to station a certain number in that District.

Mr. Fitzgerald on Jan. 20, to move—That a dipping trough with the necessary requirements be erected at the Spit, for the purpose of dipping all sheep introduced into the Province by vessel—the cost of such work to be defrayed out of the £4000 voted in the loan for harbour improvements.

Mr. Colenso, in pursuance of notice, asked His Honor the Superintendent if the Government have, during the past year, been able to effect anything towards securing a portion of the Ahuriri Plains for the use of agricultural settlers.

His Honor the Superintendent, in reply, stated that he had been in negotiation with the natives in reference to the Plains, but from the disturbed state of the Province, did not think it advisable to proceed further in the matter, as it might place the natives in an antagonistic position towards each other, and might consequently lead to an outbreak in the Province.

Mr. Colenso, pursuant to notice, moved—That copies of all correspondence with Inspectors and Managers of Banks, and with Loan or Money Agents (if any) respecting the Provincial Loan, be laid on the table forthwith.

Mr. Tiffen seconded the motion.

His Honor the Superintendent having laid the correspondence moved for on the table, the motion was withdrawn.

Mr. Colenso, pursuant to notice, moved—That this Council resolves that His Honor the Superintendent be requested to use every possible fair exertion—both positive and negative—to reserve and obtain so much of that portion of the Ahuriri Plains, bounded by the Ngaruroro and Tutae-kuri rivers, and by the sea and the first hills, as may not be required by the Maori proprietors for their own use, for the location and use of agricultural settlers.

Mr. Tiffen seconded the motion.

On a division being called for, Council divided.

Ayes.  
Messrs. Bousfield,  
Rhodes,  
Fitzgerald,  
Tiffen,  
Edwards,  
Dolbel,  
Colenso.

Noes.  
Messrs. M'Lean,  
Kennedy,  
Tuke,  
Russell,  
Smith,  
Curling.

Motion agreed to.

Mr. Fitzgerald

Mr. Fitzgerald moved—That the Council do adjourn until 3 o'clock.  
 Mr. Tiffen seconded the motion.  
 Motion agreed to, and Council adjourned accordingly.

Council met pursuant to adjournment.

Mr. Colenso, pursuant to notice, asked His Honor the Superintendent whether the necessary powers have been delegated to him by His Excellency the Governor to instruct the officer appointed under the Native Land Purchase Ordinance to lay information against breakers of that Ordinance, or whether that officer has power to lay such information *ab initio*.

His Honor the Superintendent, in reply, stated that the power of laying information under the Ordinance had in the commencement been delegated only to a few. Mr. T. H. FitzGerald, when Superintendent, had received that delegation; but proceeding to exercise the powers granted to him in a recent case, he (Mr. FitzGerald) had been directed by the Hon. Colonial Secretary to withhold prosecutions under it, and in only one instance, as far as he was aware, had the proceedings been exercised, and that was in the case of Mr. Colenso. No powers had been delegated to him, and in his opinion the Act was not in force, as another Act had been passed by the General Assembly sanctioning the purchase of land from the natives, and which Act had received the sanction of Her Majesty.

Mr. Colenso, in pursuance of notice, moved—That it is the opinion of this Council that (in order the more effectually to support and strengthen the Provincial Government, and also to satisfy a large body of the electors) His Honor the Superintendent be respectfully requested to consider the reconstruction of his Executive Council, so that the principal interests of the Province may be fairly represented therein; and also that Mr. Speaker do forward a copy of this opinion of the Council to His Honor the Superintendent forthwith.

Mr. Bousfield seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Colenso, Bousfield.	Messrs. M'Lean, Rhodes, Russell, Kennedy, Dolbel, Smith, Tuke, Fitzgerald, Tiffen, Curling, Edwards.

Motion negatived.

Mr. Fitzgerald, pursuant to notice, moved—That every officer appointed by the Superintendent and paid out of Provincial funds, be disqualified from holding a seat in this Council.

Mr. Tiffen seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Bousfield, Edwards, Tuke, Fitzgerald, Tiffen.	Messrs. M'Lean, Russell, Rhodes, Dolbel, Smith, Kennedy, Curling.

Motion negatived.

Mr. Fitzgerald's notice in reference to the formation of a Land Board, and Mr. M'Lean's in reference to the bringing up of an Amended Loan Act, not being brought forward, lapsed.

Mr. Tuke



Mr. Tuke moved—That the Council do adjourn till to-morrow, Wednesday the 20th inst., at 11 o'clock.

Mr. Dolbel seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, JANUARY 20TH, 1864.

THE Speaker took the Chair at 11 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Tiffen on the 21st inst.—To ask the Superintendent whether it is the intention of the Government to prepare a Meanee Drainage Act previous to the next sitting of the Council.

Mr. Tiffen to move on 21st inst.—That the Government be requested to prepare and get ready a Roads Act previous to the next sitting of this Council.

Mr. Colenso to move on 21st inst.—That this Council be informed (as far as is consistent with military movements) why a portion of the Colonial Defence Force was removed to Te Waipukurau? and particularly why *two* stockades have been erected so near each other.

Mr. Colenso to move on 21st inst.—That so much of the public correspondence between His Honor the Superintendent of this Province and the General Government (printed in papers A No. 2 and B No. 5 of the General Assembly) as relates to Hawke's Bay and to this Provincial Council, be taken into consideration.

Mr. Colenso to move on 21st inst.—That in order that members may clearly know what is called "wandering from the subject," and also to prevent any future unpleasant interference and unseemly disputation, this Council do resolve itself into a Committee of the whole Council, to consider and determine what matter should be held to be so extraneous to a member's speech as to empower the Speaker to interrupt him at pleasure while addressing the Council.

Mr. Tiffen, pursuant to notice, asked the Superintendent what steps (if any) have been taken by the Government for purchasing the 70-mile bush.

His Honor the Superintendent, in reply, stated that he had been in communication for the purchase of the land in question, but it was impossible for him to attempt to complete it, as the chief owner of the bush was engaged at Rangatiki in some native feud, and until it was at an end he could not see his way clear to again enter into communication in reference to the purchase of it.

Mr. Tiffen, pursuant to notice, asked the Superintendent whether any attempt has been made to purchase the land in dispute at Puketitiri adjoining the Native reserve of 500 acres.

His Honor the Superintendent, in reply, stated that he had been in communication with the chief owner and proposals had been made but had not yet received an answer whether they were disposed to sell or not; the Council might be assured he would take advantage of purchasing if the land in question was offered for sale.

Mr. Colenso, pursuant to notice, asked His Honor the Superintendent why the usual Quarterly Provincial Abstracts of Receipts and Expenditure, now extending over three quarters, have not been published in conformity with the resolution of the Provincial Council.

His Honor the Superintendent, in reply, stated that all he could say was, that it was simply an inadvertence on his part. When his attention had been

called to it by the Provincial Treasurer, he immediately gave instructions to have the account prepared.

Mr. Colenso, pursuant to notice, asked His Honor the Superintendent why the accounts of the Province, being only for six months, have been prepared by the Provincial Auditor, and now laid on the table.

His Honor the Superintendent, in reply, stated that he could only say as he said before, that it was an inadvertence on his part; but the Council might be quite certain that the accounts would in future be published quarterly.

Mr. Colenso withdrew his notice in reference to the production of the letter from the Deputy Superintendent, resigning his office.

Mr. Dolbel, pursuant to notice, asked the Superintendent why a certain number of the Colonial Defence Force were not stationed at Mohaka during the time hostilities were anticipated there; and whether it is the intention of the Government for the future to station a certain number in that District.

His Honor the Superintendent, in reply, stated that he had spoken to the officer in command of the Colonial Defence Force, but that officer was unwilling to detach his men in small parties, particularly as they had not been drilled; however, he would do all in his power in the matter, as the settlers of Mohaka wished it.

Mr. Fitzgerald's notice in reference to a dipping trough, in the absence of the mover, lapsed.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Tiffen seconded the motion.  
Motion agreed to.

Mr. M'Lean moved—For leave to bring in an Amendment of Loan Act, Session 6, No. 1.

Mr. Ormond seconded the motion.  
Leave granted.

Mr. M'Lean moved—That No. 37 and 39 of Standing Rules and Orders be suspended.

Mr. Tiffen seconded the motion.  
Motion agreed to.

Mr. M'Lean moved—That the Amendment of Loan Act be read a first time.

Mr. Ormond seconded the motion.  
Motion agreed to, and Act read a first time accordingly.

Mr. M'Lean moved—That No. 40 of Standing Rules and Orders be suspended.

Mr. Tuki seconded the motion.  
There not being a quorum, the motion lapsed.

Mr. M'Lean to move on 21st inst.—That the Amendment of Loan Act be read a second time.

Mr. Ormond to move on to-morrow—That in No. 113 of the Standing Rules and Orders, that in the third line the word "eleven" be struck out and the word "eight" be substituted.

Mr. M'Lean moved—That this Council do adjourn until to-morrow, Thursday, 21st inst., at 11 o'clock.

Mr. Curling seconded the motion.  
Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, JANUARY 21<sup>ST</sup>, 1864.

THE Speaker took the Chair at 11 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Colenso brought forward a question of privilege in reference to words used by Mr. Ormond during the sitting of Council yesterday; Mr. Tuke during the discussion made use of the following expression, which at the request of Mr. Colenso, was ordered to be taken down,—“I heartily concur in Mr. Ormond’s expression that the real motives were that it was a factious opposition,” but on an explanation being given, Mr. Tuke withdrew his words and the matter then lapsed.

Mr. Ormond brought forward as a question of privilege that Mr. Colenso’s seat as a member of this Council is vacant; but the Speaker ruled that it was a matter for the law to decide, and Mr. Colenso, if occupying a seat in the Council unlawfully, did so at his own risk.

Mr. Tiffen, pursuant to notice, moved—That the Government be requested to prepare and get ready, previous to the next sitting of the Council, an “Amended Fencing Ordinance,” adapted to the requirements of this Province.

Mr. Tuke seconded the motion.

Motion agreed to.

Mr. Tiffen, pursuant to notice, asked the Superintendent whether it is the intention of the Government to prepare a “Meanee Drainage Act” previous to the next sitting of Council?

His Honor the Superintendent, in reply, stated that it was the intention of the Government to prepare a “Meanee Drainage Act.”

Mr. Tiffen, pursuant to notice, moved—That the Government be requested to prepare and get ready a “Roads Act” previous to the next sitting of this Council.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Colenso, pursuant to notice, moved—That this Council be informed (as far as is consistent with military movements) why a portion of the Colonial Defence Force was removed to Te Waipukurau; and particularly why *two* stockades have been erected there so near each other?

His Honor the Superintendent, in reply, stated that it was a matter in which the Provincial Government in reality had no authority. Those were powers which, were the Governor of the colony (the highest authority) to interfere with, the Commander-in-Chief of the Forces in New Zealand might object to it. A map had been prepared by the officer in command of the civil forces in conjunction with Major Douglas, he believed, of a general plan of defence. However, all the stockades were to be paid for by the General Government. A stockade had been erected at Mohaka, one ready for erection at Petane, and one on the Northern frontier was in course of erection.

Mr. Tiffen, pursuant to notice, moved—That the Superintendent be requested to proclaim the “Impounding Ordinance” to be in operation over that portion of the Province lying south of the River Esk.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Colenso, pursuant to notice, moved—That so much of the public correspondence between His Honor the Superintendent of this Province and the General Government (printed in Papers A No. 2 and B No. 5 of the General Assembly) as relates to Hawke’s Bay and to this Provincial Council, be taken into consideration.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Fitzgerald

Mr. Fitzgerald moved—That the Council do adjourn until 3 o'clock.  
 Mr. Smith seconded the motion.  
 Motion agreed to, and Council adjourned accordingly.

Council met pursuant to adjournment.

Mr. Colenso, pursuant to notice, moved—That, in order that members may clearly know what is called “wandering from the subject,” and also to prevent any future unpleasant interference and unseemly disputation, this Council do resolve itself into a Committee of the whole Council to consider and determine what matter should be held to be so extraneous to a member's speech as to empower the Speaker to interrupt him at pleasure while addressing the Council.

Mr. Bousfield seconded the motion.  
 Motion negatived.

Mr. Ormond moved that, in No. 113 of the Standing Rules and Orders, in the third line, the word “eleven” be struck out, and the word “eight” be substituted.

Mr. Smith seconded the motion.  
 On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Ormond, Smith, Russell, M'Lean.	Messrs. Bousfield, Tiffen, Colenso, Kennedy, Dolbel, Tuke, Edwards, Curling, Fitzgerald,

Motion negatived.

Mr. M'Lean moved that the Amendment of Loan Act be read a second time.  
 Mr. Smith seconded the motion.  
 On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Edwards, Tiffen, Dolbel, Tuke, Rhodes, Smith, Kennedy, Russell, M'Lean, Ormond, Fitzgerald,	Messrs. Bousfield, Colenso.

Motion agreed to, and Act read a second time accordingly.

The Council then went into Committee on the Act.

Mr. Ormond moved—That in the eighth line of the Schedule after the 12th number and word, and after the 15th number and word, the numbers 1 and 7 be respectively inserted.

The Chairman reported progress, and handed the Act, as amended, to the Speaker.

Mr. M'Lean to move on January 22—That the Amendment of Loan Act be read a third time.

Mr. Ormond moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. M'Lean seconded the motion.  
 Motion agreed to.

Mr. Rhodes moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Smith seconded the motion.

There

There not being a sufficient number of members present, this motion lapsed.

Mr. Rhodes moved that the Government be requested to prepare a suitable Thistle Act for this Province, to be brought forward at the next sittings of this Council.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Rhodes moved—That the Government be requested, during the recess, to send the Provincial Engineer to Clive to survey and report upon the most eligible site for a bridge over the Tukituki river near its mouth; also, to give in his opinion of the best kind of bridge for the locality, and the probable cost of the various kinds of bridges known as wooden, iron, or pontoon.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Rhodes moved the following Resolution:—That doubts having arisen as to the right of Mr. Colenso to sit in this Council, it is the opinion of this Council that His Honor the Superintendent shall, without delay, obtain all the evidence that can be procured as to the disqualification of the said member. Should this evidence be conclusive, it is the opinion of this Council that a new writ should be issued in accordance with clause 12 of the "Constitution Act, 1858," of the General Assembly of New Zealand,— and moved that the further discussion of this subject be adjourned until to-morrow, January 22, 1864.

Mr. Kennedy seconded the motion.

Motion agreed to.

Mr. Rhodes moved—That this Council do adjourn until Friday, the 22nd inst., at 3 o'clock.

Mr. Tuke seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, JANUARY 22ND, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Messrs. Dolbel, Bousfield, Edwards, and Colenso.

The minutes of the last meeting were read and confirmed.

Mr. Tiffen moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Tiffen moved—That doubts having arisen as to the right of Donald M'Lean, Esq., to sit in this Council as member for the Napier Country District, His Honor the Superintendent shall, without delay, obtain the opinion of the Attorney-General as to the validity of the said member's seat.

Mr. Tuke seconded the motion.

On an explanation being given by His Honor the Superintendent to the effect that he had resigned all emoluments attached to any office under the General Government on the 17th February, 1863, Mr. Tiffen withdrew his motion.

Mr. M'Lean pursuant to notice, moved—That the Amendment of Loan Act be read a third time.

Mr. Curling seconded the motion.

Motion agreed to.

The Speaker then put the question that this Bill do now pass.  
Bill passed accordingly.

Mr. M'Lean laid letters on the table in reference to Mr. Colenso's assistance to the Postmaster as interpreter.

Mr. Ormond moved that they be read.

Mr. Curling seconded the motion.

Motion agreed to, and letters read accordingly.

Mr. Rhodes, pursuant to notice, moved—That doubts having arisen as to the right of Mr. Colenso to sit in this Council, it is the opinion of this Council that His Honor the Superintendent shall, without delay, obtain all the evidence that can be procured as to the disqualification of the said member.

Should the evidence be conclusive, it is the opinion of this Council that a new writ should be issued in accordance with clause 12 of the Constitution Act and the provisions of the Disqualification Act, 1858, of the General Assembly of New Zealand.

Mr. Kennedy seconded the motion.

Motion agreed to.

Mr. Ormond moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Ormond moved—That this Council undertakes to indemnify the Superintendent in respect of an expenditure not to exceed £1000 for placing the steam dredge in an efficient state of repair, with a view to her being used for loading and discharging vessels in the Ahuriri roadstead, or as a steam tug if required.

Mr. M'Lean seconded the motion.

Motion agreed to.

His Honor the Superintendent, having thanked the members for their attendance, prorogued the Council *sine die*.

JOHN WILKINSON, Speaker.

# VOTES & PROCEEDINGS

OF THE

## HAWKE'S BAY PROVINCIAL COUNCIL.

---

### Session XXX.

---

TUESDAY, JUNE 28<sup>TH</sup>, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The Council met pursuant to a Proclamation issued by His Honor the Superintendent, bearing date the 4th day of June, 1864, which was read by the Clerk.

The Speaker then read prayers.

The Speaker informed the Council of the Election of William Airey Richardson, Esq., for the Napier Country District.

The Speaker laid upon the table the Auditor's Report on the accounts of the Province for the Financial Year ending March 31, 1864.

The minutes of the last meeting were read and confirmed.

His Honor the Superintendent then addressed the Council as annexed.

Mr. Fitzgerald moved that the Superintendent's address be printed.

Mr. Edwards seconded the motion.

Motion agreed to, and address ordered to be printed accordingly.

Mr. McLean to move, on next sitting day,—That a select committee be appointed for the purpose of examining the Provincial Acts in force in the Province, with instructions to report to this Council on the following points :—

1. What Acts of the original Province of Wellington appear inapplicable to the Province of Hawke's Bay, and should therefore be repealed.

2. What Acts appear to require amendment, and the basis upon which such amendment should be founded.

3. What would be the probable expense that would be incurred in printing the Acts of the Province when their re-arrangement is completed.

Such Select Committee to consist of Messrs. Rhodes, Tiffen, Ormond, Colenso, Curling, and the Mover.

Mr. Ormond to move, on next sitting day—That in the opinion of this Council it is desirable that a Bill should be passed during the present Session for the future Regulation and Management of the Highways of this Province.

That such Bill should make provision for the following :—

That the Public Roads of the Province shall be under the control of the Executive Government, excepting as otherwise provided for in the Act.

That in cases where application shall be made in that behalf by such a number of the inhabitants of any district as shall represent three-fourths of the votes of such district, the Superintendent shall proclaim the said district as subject to the control of a Road Board, which shall be elective, and shall

shall have full power and authority to assess rates for the construction and repair of any Branch roads within the boundaries of their district.

That the necessary provisions shall be contained in the Bill for the manner of election of the Board, and all other matters connected with its powers and working.

That all drays and carts shall be registered, with a view to levying a rate upon every cart or dray using a tire of less than        inches.

Mr. Dolbel to move, on next sitting day—To ask the Superintendent whether he has given authority to any persons to erect gates across the public road leading along the bank of the Meanee River; and whether he is aware that the said gates by their narrowness are a great obstruction on that road; and whether, if such authority has been given, the provisions of clause 4 of the Highways Act have been complied with.

Mr. Colenso moved that the Superintendent's speech be taken into consideration on Friday next.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Colenso gave notice, though not required by the Standing Rules and Orders to do so, that he would bring forward on next sitting day a question of privilege as affecting himself.

Mr. Ormond moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. M'Lean seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, JUNE 29TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Colenso, in moving a point of privilege in reference to a Resolution passed on the last day of the last Session, said that, as no writ had been issued during the recess of five months, and as His Honor the Superintendent had placed him on a Select Committee with himself, he concluded the matter had been dropped by the Government; believing this, he would only say he hoped members would not, until after mature deliberation, initiate any steps towards the invalidation of another member's seat.

Mr. Colenso to ask, on Thursday, the 30th of June—Whether it is the intention of the Government to introduce any measures during this Session for the re-adjustment of the representation of the Province in the Provincial Council.

Mr. Colenso, on Thursday, the 30th of June, to ask the Government—Why the Provincial accounts published in February and March, and dated from the Treasury January, 1864, bear the signature of Mr. Janisch, as Provincial Treasurer, seeing (as per *Gazette*) that gentleman had resigned his office in September, 1863.

Mr. Colenso to move, on Thursday, the 30th of June—That a Select Committee be appointed to audit the public accounts of the Province for the year ending March 31, 1864. Such Committee to consist of Messrs. Wilkinson, Tiffen, Kennedy, Edwards, and the Mover.

Mr. Colenso to move, on Thursday, June 30—For a Financial Statement



ment of the Province, in a Return shewing all the liabilities and assets of the Province at the present time, specifying the particulars of all such liabilities and assets.

Mr. Colenso to move on Thursday, June 30—For a Return of all the Crown Lands open for sale in the Province, shewing the quantities surveyed, the district, run and name of runholders; the amount of townships, suburban, bush, 10s. and 5s. land, specifying also, where 5s. land has been certified to, with the name of the run and of the runholder.

Mr. Colenso to move on Thursday, June 30—For a Return of the land lately purchased from the Natives, but not yet open for sale, shewing their position, acreage (approximate) and quality, and the amount paid for the same.

His Honor the Superintendent laid correspondence upon the table having reference to the validity of Mr. Colenso's seat in the Council.

Mr. McLean, pursuant to notice, moved—That a select committee be appointed for the purpose of examining the Provincial Acts in force in the Province, with instructions to report to this Council on the following points:—

1. What Acts of the original Province of Wellington appear inapplicable to the Province of Hawke's Bay, and should therefore be repealed.
2. What Acts appear to require amendment, and the basis upon which such amendment should be founded.
3. What would be the probable expense that would be incurred in printing the Acts of the Province when their re-arrangement is completed.

Such Select Committee to consist of Messrs. Rhodes, Tiffen, Ormond, Colenso, Curling, and the Mover.

Report to be brought up on Tuesday, 12th July, 1864.

Mr. Smith seconded the motion.

Motion agreed to.

Mr. Ormond, pursuant to notice, moved—That in the opinion of this Council it is desirable that a Bill should be passed during the present Session for the future Regulation and Management of the Highways of this Province.

That such Bill should make provision for the following:—

That the Public Roads of the Province shall be under the control of the Executive Government, excepting as otherwise provided for in the Act.

That in cases where application shall be made in that behalf by such a number of the inhabitants of any district as shall represent three-fourths of the votes of such district, the Superintendent shall proclaim the said district as subject to the control of a Road Board, which shall be elective, and shall have full power and authority to assess rates for the construction and repair of any Branch roads within the boundaries of their district.

That the necessary provisions shall be contained in the Bill for the manner of election of the Board, and all other matters connected with its powers and working.

That all drays and carts shall be registered, with a view to levying a rate upon every cart or dray using a tire of less than            inches.

Mr. McLean seconded the motion.

Mr. Kennedy moved as an amendment—That the consideration of the question of Roads Act be postponed until to-morrow.

Mr. Richardson seconded the amendment.

Mr. Kennedy withdrew his amendment.

The original motion was then put and agreed to.

His Honor the Superintendent laid a letter on the table from the Hon. Colonial Secretary in reference to Provincial legislation on roads in the Province

vince of Hawke's Bay, and the extirpation of Thistles on Native lands, and moved that it should be read.

Read accordingly.

Mr. Dolbel, pursuant to notice—Asked His Honor the Superintendent whether he has given authority to any persons to erect gates across the public road leading along the bank of the Meanee River; and whether he is aware that the said gates by their narrowness are a great obstruction on that road; and whether, if such authority has been given, the provisions of clause 4 of the Highways Act have been complied with.

His Honor the Superintendent, in reply, stated that no application had been made either by Mr. Tuke, the former proprietor, or Capt. Russell, for the erection of gates; therefore no leave could have been granted. Capt. Russell has informed Mr. Weber that he will remove the gates in question.

Mr. Smith moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. Dolbel seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, JUNE 30TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Colenso to move on Friday, July 1st, 1864—For a Return forthwith of all Immigrants and Emigrants (distinguishing sex) to and from the Province of Hawke's Bay, for the 15 months ending June 30th, 1864.

Mr. Colenso to move on Friday, July 1st, 1864—For a Return of all Licenses granted to retail spirit sellers in the Province of Hawke's Bay for the year 1864 (exclusive of the Town of Napier), specifying the name of the person to whom, the place where, and the amount received for such License.

Mr. Colenso to move on Friday, July 1st, 1864—For a Return of all persons vaccinated in the Province of Hawke's Bay under the regulations of the "Vaccination Act 1863," specifying sex, age, and descent, whether European, half-caste, or Maori.

Mr. Colenso to move on Friday, July 1, 1864—That there be laid on the table all correspondence or other documents (or copies of the same) relative to the removal of a portion of H.M. troops from Gore Browne Barracks at Napier to Waipawa.

Mr. Fitzgerald to move on Friday, July 1st, 1864—That the Superintendent be requested to place on the estimates a sufficient sum (to be determined by the Provincial Engineer) for making the road between the Union Bank of Australia and the Barracks.

Mr. Fitzgerald to move on Friday, July 1st, 1864—That the Superintendent be requested to place the sum of £50 on the estimates for a Public Time-piece.

Mr. Fitzgerald, on Friday, July 1st, 1864—To ask the Superintendent if the Government intend this session to introduce any measures with reference to the driving of cattle through the Town of Napier.

Mr. Ormond

Mr. Ormond to move on next sitting day—For leave to bring in a Bill to be called the Hawke's Bay Highways Act.

Mr. Smith to move on next sitting day—To give notice that the Superintendent be requested to place a sum of money on the estimates to improve and extend the Milton Road and metal the road to the Barracks.

Mr. Dolbel to move on to-morrow, the 1st July—For leave for the appointment of a Select Committee to enquire into and report upon the present Ferry Regulations now in force in the Province of Hawke's Bay, with a view to the adoption of some resolution required for the protection of the Ferryman and for the satisfaction of the public. Such Committee to consist of Messrs. Curling, Colenso, Smith, and the mover.

Mr. Ormond, in moving in a matter of privilege that came off yesterday, said that the member for Napier (Mr. Colenso) had in his opinion entertained a wrong idea as to the reason of the Government having not issued a new writ; the Superintendent had referred the matter for the opinion of the Attorney-General, and received an answer from the Hon. Colonial Secretary, to whom he wrote on the matter, informing him that the only tribunal in such cases was the Supreme Court. That being the case, the Government had taken no further action in the matter, it being open to any one to act; as far as the validity of the seat was concerned, Mr. O. entertained no doubt that the seat of Mr. Colenso was vacated by the office he had held.

Mr. Smith presented a petition signed by 53 persons, praying that a road might be formed from the present termination of the Milton road across the water to the road in immediate connexion with the Port, and moved that it be read.

Mr. Ormond seconded the motion.

Motion agreed to, and petition read accordingly.

Mr. Smith moved—That the petition be received.

Mr. Ormond seconded the motion.

Motion agreed to, and petition received accordingly.

Mr. Colenso, pursuant to notice, asked—Whether it is the intention of the Government to introduce any measure during this session for the re-adjustment of the representation of the Province in the Provincial Council.

His Honor the Superintendent, in reply, stated that the Government, on thinking over the subject, had come to the conclusion that the Census, which would be taken in December 1864, should first be received before they could arrive at a data upon which to frame a re-adjustment of the representation of the Province.

Mr. Colenso, pursuant to notice, asked the Government—Why the Provincial accounts published in February and March last and dated from the Treasury, January, 1864, bear the signature of Mr. Janisch as Provincial Treasurer? seeing (as per 'Gazette') that gentleman had resigned his office in September 1863.

His Honor the Superintendent, in reply, stated that most likely from a press of business Mr. Janisch did not get the accounts up for publication in the 'Government Gazette,' and the reason for Mr. Janisch having signed the account was owing to the responsibility of their correctness resting with him and not with the present Provincial Treasurer, whose duties commence on October 1st, 1864.

Mr. Colenso, pursuant to notice, moved—That a Select Committee be appointed to audit the public accounts of the Province for the year ending March 31st, 1864; such Committee to consist of Messrs. Wilkinson, Tiffen, Kennedy, Edwards, and the mover.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Colenso

Mr. Colenso, pursuant to notice, moved—For a financial statement of the Province, in a Return shewing all the liabilities and assets of the Province at the present time, specifying the particulars of all such liabilities and assets.

His Honor the Superintendent stated that as it is the intention of the Government to lay on the table a Return ending this day for the purpose of in future ending the financial year on the 30th June; and as the Return will contain the assets and liabilities of the Province, he hoped the members would be satisfied. He might mention that the accounts were in course of preparation.

Mr. Colenso, pursuant to notice, moved—For a Return of all the Crown Lands open for sale in the Province, shewing the quantity surveyed, the district, run and name of runholder; the amount of township, suburban, bush, 10s. and 5s. land; specifying also where 5s. land has been certified to, with the name of the run and of the runholder.

His Honor the Superintendent here stated that the Return called for will be prepared as far as it is possible to give the information required.

Mr. Colenso, pursuant to notice, moved—For a Return of the Lands lately purchased from the Natives, but not yet open for sale; shewing their position, acreage (approximate), and quality, and the amount paid for the same.

His Honor the Superintendent laid the return called for on the table.

His Honor the Superintendent laid correspondence on the table in reference to the leasing of the Ahuriri Plains from the Natives.

Mr. Fitzgerald moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Dolbel seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, JULY 1st, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Colenso to move, on next sitting day—That the names of Messrs. Dolbel and Richardson be substituted for the name of Mr. Wilkinson, to serve on the Select Audit Committee.

Mr. Colenso, on next sitting day—To ask the Government why the Provincial accounts, published in April, 1863, especially that of the preceding financial year (1862-3) bore the signature of Mr. Janisch as Provincial Treasurer, that gentleman, at date of publication, having only been a few days in office.

Mr. Colenso to move, on next sitting day—For leave to bring in a Bill to re-adjust and amend the Representation of the Province in the Provincial Council.

Mr. Colenso to move, on next sitting day—That there be laid on the table (if not adverse to the public welfare) all correspondence and documents (or copies of the same) relative to the necessity for the additional protection lately afforded to this Province, at the earnest request of His Honor the Superintendent, by the General Government.

Mr. Colenso to move—For an explanation why, in the Treasury accounts

accounts lately published, closing the financial year 1863-4, so large an advance as £3015 made to the Provincial Engineer is therein returned as unaccounted for; seeing (as by the same Treasury accounts) no less a sum than £1113 in excess of sums voted had already been expended by him during the said year.

Mr. Smith to move, on the first sitting day of the Committee of Supply, —That the Superintendent be requested to place a sum on the Estimates for the purpose of erecting a Public Slaughter-house for the Town of Napier.

Mr. Dolbel to move, on Tuesday, 5th July—That all correspondence relating to the application made by His Honor the Superintendent to Major Whitmore, that a certain number of the Colonial Defence Force to be stationed at Mohaka, be laid on the table.

Mr. Colenso moved that the consideration of the Superintendent's address be postponed till after the Notices of Motion had been disposed of.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Colenso, pursuant to notice, moved—For a Return forthwith of all Immigrants and Emigrants (distinguishing sex) to and from the Province of Hawke's Bay, for the 15 months ending June 30, 1864.

Mr. Tiffen seconded the motion.

His Honor the Superintendent here stated that he would supply the Return called for as soon as possible: he had applied to the Collector of Customs for it.

Mr. Colenso, pursuant to notice, moved—For a Return of all Licenses granted to retail spirit sellers in the Province of Hawke's Bay for the year 1864 (exclusive of the Town of Napier), specifying the name of the person to whom, the place where, and the amount received for, such License.

Mr. Tiffen seconded the motion.

Motion agreed to, and Return laid upon the table.

Mr. Colenso, pursuant to notice, moved—For a Return of all persons vaccinated in the Province of Hawke's Bay under the regulations of the "Vaccination Act" of 1863; specifying sex, age, and descent, whether European, half-caste, or Maori.

Mr. Tiffen seconded the motion.

Motion agreed to.

Prior to the motion being put, His Honor the Superintendent informed the Council that if the Return could not be procured in sufficient time to be laid upon the table, it would be sent to the Registrar-General, who is empowered to receive such Return.

Mr. Colenso, pursuant to notice, moved—That there be laid on the table all correspondence or other documents (or copies of the same) relative to the removal of a portion of H.M. troops from Gore Browne Barracks at Napier to Waipawa.

His Honor the Superintendent having laid the correspondence called for on the table, Mr. Colenso withdrew his motion.

Mr. Fitzgerald postponed his notices in reference to the road between the Union Bank of Australia and the Barracks, and money for a time-piece, till the first sitting day of the Committee of Supply.

Mr. Fitzgerald, pursuant to notice, asked the Superintendent if the Government intend this session to introduce any measure with reference to the driving of cattle through the Town of Napier.

His Honor the Superintendent, in reply, stated that if the member for the Town of Napier brought in a Bill on the subject, the Government would be happy to assist in the passing of it, as no doubt existed of the necessity for such an Act.

Mr. Ormond, pursuant to notice, brought in a Highways Act, and moved that it be read a first time.

Mr. Colenso seconded the motion.

Motion agreed to, and Act read a first time accordingly.

Mr. Ormond moved that the Act be printed.

Mr. Smith seconded the motion.

Motion agreed to, and Act ordered to be printed accordingly.

Mr. Ormond to move on Thursday, the 7th inst., for the second reading of the Highways Act.

Mr. Smith postponed his motion that His Honor the Superintendent be requested to place a sum of money on the Estimates to improve and extend the Milton road and metal the road to the Barracks, till the first sitting day of the Committee of Supply.

Mr. Dolbel, pursuant to notice, moved for leave for the appointment of a Select Committee to enquire into and report upon the present Ferry Regulations now in force in the Province of Hawke's Bay, with a view to the adoption of some resolution required for the protection of the ferryman and for the satisfaction of the public. Such Committee to consist of Messrs. Curling, Colenso, Rhodes, Smith, and the mover.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Colenso, in pursuance of adjournment, moved the consideration of the Superintendent's address.

Mr. M'Lean moved—That the Council do adjourn until 7 o'clock.

Mr. Colenso seconded the motion.

Motion agreed to, and Council adjourned accordingly.

Council met pursuant to adjournment.

The adjourned consideration of the Superintendent's address was proceeded with.

Mr. M'Lean moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Rhodes seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

---

TUESDAY, JULY 5TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Kennedy.

The minutes of the last meeting were read and confirmed.

Mr. Ormond to move on to-morrow, 6th July,—That this Council hereby authorise His Honor the Superintendent, pending the passing of the Estimates for the ensuing financial year, to carry on the ordinary expenditure of the Government at the rate of last year's Estimates.

Mr. Colenso, pursuant to notice, moved—That the names of Messrs. Dolbel and Richardson be substituted for the name of Mr. Wilkinson, to serve on the Select Audit Committee.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Colenso

Mr. Colenso, pursuant to notice—Asked the Government why the Provincial accounts, published in April, 1863, especially that of the preceding financial year (1862-3) bore the signature of Mr. Janisch as Provincial Treasurer, that gentleman, at date of publication, having only been a few days in office.

His Honor the Superintendent, in reply, read the following memorandum from Mr. Janisch:—

I began to act as Treasurer on or about the 14th April, 1863. Mr. Colenso had made out the monthly abstract of sums paid and received, and accounts current for the months of January and February, but had not copied them into the book kept for the purpose; consequently, I had to do this. The monthly abstract of sums paid and received, and the accounts current for March, were made out by me, and were not signed, as they should have been made out by Mr. Colenso. The quarterly accounts for March were made out by me and signed by me to the best of my recollection, in order to enable me to furnish the Superintendent with the financial year's accounts, which were made out by me. It will be observed that the whole of these accounts referred to a date prior to the acceptance of the office of Treasurer by me.

Mr. Colenso, pursuant to notice, moved—For leave to bring in a Bill to re-adjust and amend the Representation of the Province in the Provincial Council.

Mr. Fitzgerald seconded the motion.

Motion agreed to.

Mr. Colenso, pursuant to notice, moved—That there be laid on the table (if not adverse to the public welfare) all correspondence and documents (or copies of the same) relative to the necessity for the additional protection lately afforded to this Province, at the earnest request of His Honor the Superintendent, by the General Government.

Mr. Fitzgerald seconded the motion.

On a division being called for, Council divided.

Ayes.  
Messrs. Colenso,  
Edwards.

Noes.  
Messrs. Richardson,  
Dolbel,  
M'Lean,  
Ormond,  
Curling,  
Smith,  
Fitzgerald,  
Tiffen.

Motion negatived.

Mr. Colenso, pursuant to notice, moved—For an explanation why, in the Treasury accounts lately published, closing the financial year 1863-4, so large an advance as £3015 made to the Provincial Engineer, is therein returned as unaccounted for; seeing (as by the same Treasury accounts) no less a sum than £1113 in excess of sums voted had already been expended by him during the said year.

Mr. Tiffen seconded the motion.

His Honor the Superintendent stated, in reference to the published sum of £3015 standing as an advance to the Chief Provincial Surveyor and Provincial Engineer, this amount comprises £1265 for roads, £1600 for Colonial defences, and £150 for surveys. Since the publishing of the accounts, the Provincial Engineer has rendered his quarterly account, accounting for the £3015 alluded to. It is not possible, as the member for the Town (Mr. Colenso) knows, for advances to be accounted for in the same quarter for which the advances are made, so as to appear in the published accounts for the same quarter.

Mr. Dolbel, pursuant to notice, moved—That all correspondence relating to the application made by His Honor the Superintendent to Major Whitmore for a certain number of the Colonial Defence Force to be stationed at Mohaka, be laid on the table.

Mr. Tiffen seconded the motion.

Motion agreed to, and correspondence laid on the table.

Mr. Ormond

Mr. Ormond moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Ormond moved—That this Council authorises the Superintendent to take such measures and to incur such expenses as may be necessary, not exceeding £600, to ensure that the immigrants per 'Rangoon,' now in Sydney, may be brought to their destination here with as little delay as practicable.

Mr. M'Lean seconded the motion.

The Speaker suggested that the motion was more properly a subject for Committee, as dealing with money, and therefore asked the Council if there were any objection to his putting the question as it stood.

No objection being made, the question was put and carried.

Mr. Dolbel to move on the first sitting day of Committee of Supply—That the Superintendent be requested to place on the Estimates the sum of thirty pounds for a district constable to be located at Puketapu.

Mr. Richardson to move, on the next sitting day but one, the reply to His Honor's address.

Mr. Tuke, on next sitting day but one,—To ask the Superintendent if it is the intention of the Provincial Government to employ the military settlers on the roads, and at what rate of pay?

Mr. Fitzgerald moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. Smith seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, JULY 6TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Richardson.

The minutes of the last meeting were read and confirmed.

Mr. Fitzgerald to move, on to-morrow, the 7th inst.,—For leave to bring in a Bill to be called the Police Act of the Province of Hawke's Bay.

Mr. Dolbel to move, on the 7th of July, 1864,—That the Provincial Engineer be requested to survey and report upon that portion of road between Greenmeadows and Puketapu, and whether it would not be advisable that the said portion of road should be diverted as the main road

Mr. Dolbel, on July 7, 1864—To ask the Superintendent why the military settlers enrolled for the Province of Hawke's Bay have not been located on the reserve made and surveyed for them at Patoka?

Mr. Fitzgerald to move, in the first Committee of Supply,—That the sum of £500 be placed upon the Estimates as a grant in aid for clothing the militia of the Province.

His Honor the Superintendent laid the following correspondence on the table:—

In reference to Wellington Debt.

Panama Mail Service.

Provincial Engineer's report on a bridge across the Tuki Tuki river.

Chief Surveyor's Report.

Provincial Engineer's Report on Roads, &c.

Mr. Ormond



Mr. Ormond, pursuant to notice, moved—That this Council hereby authorise His Honor the Superintendent, pending the passing of the Estimates for the ensuing financial year, to carry on the ordinary expenditure of the Government at the rate of the past year's Estimates.

Mr. Fitzgerald seconded the motion.

Motion agreed to.

Mr. Kennedy moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. M'Lean seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, JULY 7TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Colenso to move, in Committee of Supply—That the Superintendent be requested to place a small sum on the Estimates for raising the thoroughfare known as Church-lane; or for diverting the surface water from flowing into it from the rear of Government Buildings.

Mr. M'Lean to move, on next sitting day,—For leave to bring in a Bill to be called the "Meanee Flat Drainage Bill."

His Honor the Superintendent laid on the table a statement of the expenditure of the Province of Hawke's Bay for the Financial year ending 31st March, 1864; shewing, also, the several sums voted by the Provincial Council for the said year; together with the excess of vote over expenditure, and that of expenditure over vote; as well as the expenditure for which no provision has been made.

Mr. Tuke presented a Petition that the Kereru road be made, and moved that it be read.

Mr. Ormond seconded the motion.

Motion agreed to, and petition read accordingly.

Mr. Tuke moved—That the petition be received.

Mr. Curling seconded the motion.

Mr. Tuke, at this stage of the proceedings, moved for leave to withdraw the Petition.

Mr. Smith seconded the motion.

Motion agreed to.

Mr. Rhodes presented a Petition from the inhabitants of Havelock for the erection of a lock-up and appointment of a policeman at that place, and moved that it be read.

Mr. Richardson seconded the motion.

The Speaker here ruled that the Petition was irregular, the usual prayer not being at the end of it.

Mr. Rhodes to move, on first sitting day of Committee of Supply, that the Superintendent place upon the Estimates a sufficient sum to provide a lock-up and policeman for the township of Havelock.

Mr. Richardson moved for leave to withdraw his notice moving a reply to His Honor the Superintendent's address.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Tuke, pursuant to notice—Asked the Superintendent if it is the intention of the Provincial Government to employ the military settlers on the roads, and at what rate of pay.

His Honor the Superintendent, in reply, stated that the management of the military settlers, under an Act of the General Assembly, was vested in the General Government; and however anxious the Provincial Government might be to avail themselves of the assistance by labour of the military settlers, they could not interfere with the rate of pay.

Mr. Fitzgerald, pursuant to notice, moved—For leave to bring in a Bill to be called “The Police Act of the Province of Hawke’s Bay.”

Mr. M’Lean seconded the motion.

Motion agreed to.

Mr. Fitzgerald moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. M’Lean seconded the motion.

Motion agreed to.

Mr. Fitzgerald moved that the Police Act be read a first time.

Mr. M’Lean seconded the motion.

Motion agreed to, Act read a first time accordingly.

Mr. Fitzgerald moved that the Act be printed.

Mr. M’Lean seconded the motion.

Motion agreed to, and Act ordered to be printed.

Mr. Dolbel, pursuant to notice, moved—That the Provincial Engineer be requested to survey and report upon that portion of road between the Green-meadows and Puketapu, and whether it would not be advisable that the said portion of road should be diverted as the main road.

Mr. Tuke seconded the motion.

Motion agreed to.

Mr. Dolbel, pursuant to notice—Asked the Superintendent why the military settlers enrolled for the Province of Hawke’s Bay have not been located on the reserve made and surveyed for them at Patoka?

His Honor the Superintendent, in reply, stated that any action taken in this matter was under the supervision of the General Government and its officers, and that he could not act in it, though anxious to give every assistance to the General Government in the location of the settlers.

Mr. Ormond, pursuant to notice, moved—That the Highways Act be read a second time.

Mr. M’Lean seconded the motion.

Mr. Colenso moved, as an amendment,—That the second reading be postponed till Tuesday, 12th inst.

Mr. M’Lean seconded the amendment.

Amendment agreed to.

Mr. Tuke gave notice that he should move in the first Committee of Supply—That the sum of £500 be placed on the estimates for the purpose of finishing the Kereru bush road.

Mr. Smith moved that the Council do adjourn until next sitting day, at 3 o’clock.

Mr. Dolbel seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

---

FRIDAY,

FRIDAY, JULY 8TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Major Lambert.

The minutes of the last meeting were read and confirmed.

The Speaker informed the Council of the election of Major Lambert for the District of Waipukurau.

Mr. Colenso to move, in Committee of Supply, on the first sitting day—That His Honor the Superintendent be respectfully requested to place on the Estimates a sufficient sum (as a grant in aid) to widen the western end of Carlyle-street.

Mr. Dolbel to move, on Tuesday, the 12th July—That the Provincial Engineer be requested to report upon the bridle track between Tangoio and Mohaka, and whether it would not be advisable to abandon the present road leading by the north side of the Waipatiki, Waipapa, and Moeangiangi gully, and lay it out on the south side of the above-mentioned place.

His Honor the Superintendent laid a statement of the Revenue and Expenditure of the Province of Hawke's Bay, for the Financial year ending 31st March, 1864, on the table.

Mr. Tuke to move, on next sitting day but one,—That the Provincial Engineer be requested to report on the best line of road from Puketapu to Oruowherro, being part of the main line to Puketitiri.

Mr. M'Lean, pursuant to notice, moved for leave to bring in a Bill to be called the "Hawke's Bay Drainage Bill."

Mr. Ormond seconded the motion.

Leave granted.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Hawke's Bay Drainage Act be read a first time.

Mr. Ormond seconded the motion.

Motion agreed to, and Act read a first time accordingly.

Mr. M'Lean moved that the Act be printed.

Mr. Ormond seconded the motion.

Motion agreed to, and Act ordered to be printed accordingly.

Mr. M'Lean to move on Thursday, the 14th inst.,—That the Hawke's Bay Drainage Act be read a second time.

Mr. M'Lean moved—That the Council do adjourn until Tuesday, July 12, at 3 o'clock.

Mr. Fitzgerald seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY,

TUESDAY, JULY 12TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Fitzgerald to move, on the 13th July,—For a Return of the sections, with the number, contents, and the present yearly value of each, in the Town of Napier and Scinde Island, originally set apart for educational purposes.

Mr. Smith to move, on sitting day after next,—That it is desirable the clause of the Harbour Regulations No. 4, affecting the rate of Pilotage charged at the Port of Napier, be altered; and that the Superintendent be requested to order for the future the rate of Pilotage to be increased as follows:—4d. per ton in and 4d. out to all vessels, the rate to be half (or 2d.) in the roadstead; taking a Pilot to be optional.

Mr. Smith to move, on sitting day after next,—That it is desirable the Government Wharf, Stockyard, and other Government erections which have been put up for the public convenience, should, as soon as possible, be made self-supporting; and with this view, the Council is of opinion that the Superintendent should let the same by public auction annually, subject to certain fixed rates.

Mr. Ormond to move, on next sitting day,—For leave to bring in a Bill to be called the "Hawke's Bay Loan Appropriation Act."

Mr. Fitzgerald to move, on Wednesday, 13th July—To ask the Superintendent if it is the intention of the Government to introduce this session any measure relative to Education.

His Honor the Superintendent laid the following papers on the table:—

Return of all the Lands open for sale in the Province of Hawke's Bay.

Return of Immigration and Emigration.

Letter from the Inspector of Sheep, in reference to the advisability of cattle being branded and inspected, &c.

Mr. Colenso moved—That the Return of Lands open for sale, and on Immigration and Emigration, be published in the Provincial Government Gazette.

Mr. Edwards seconded the motion.

Motion agreed to.

His Honor the Superintendent laid a letter, &c., from the New Zealand Christian Colonization Association, on the table.

Mr. Dolbel, pursuant to notice, moved—That the Provincial Engineer be requested to report upon the bridle track between Tangoio and Mohaka; and whether it would not be advisable to abandon the present road leading by the north side of the Waipatiki, Waipapa, and Moeangiangi gully, and lay it out on the south side of the above-mentioned place.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. M'Lean moved for leave to postpone, till Wednesday, 20th inst., the bringing up report of Select Committee on the Wellington Acts.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Colenso proceeded with the adjourned debate on the second reading of the Hawke's Bay Highways Act.

Mr. Ormond

Mr. Ormond moved that the Hawke's Bay Highways Act be read a second time.

Mr. Smith seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Curling, Ormond, M'Lean, Smith, Lambert, Tiffen. Rhodes, Fitzgerald, Richardson, Kennedy, Edwards.	Mr. Colenso.

Motion agreed to, and Act read a second time accordingly.

Mr. Ormond moved that the Council go into Committee on the Bill.

Mr. M'Lean seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

The Chairman read the first clause of the Bill.

Mr. Ormond moved that the Committee do adjourn until 7 o'clock.

Mr. M'Lean seconded the motion.

Motion agreed to, and Committee adjourned accordingly.

Committee met pursuant to adjournment.

The Chairman read the next clause in the Bill for consideration.

Mr. Tiffen moved—That in clause 8, in the first line, for “50 links” read “100 links;” and in second line, for “100 links” read “150 links.”

Agreed to.

Mr. Richardson moved, in clause 10—That in the 3rd line, after the word “notice” the words “if not less than one month” be inserted.

Agreed to.

Mr. Ormond moved—That, at the end of clause 11, the following be added, “and that no such proxy shall be exercised more than 28 days from the date thereof.”

Agreed to.

Mr. Ormond moved—That the consideration of clause 22 be postponed.

Agreed to.

Mr. Ormond moved that the following be inserted in the Bill in place of clause 24 :—

“The Board shall assess the rates imposed as aforesaid on each person liable to the same, and post a statement of such assessment in some convenient place, specifying the names of the ratepayers, the amounts payable, and the property for which the rate is assessed in each case; and the Board shall, by advertisement in some local paper, publish such statement, notice of which shall be posted in some public place within the district at some time not less than one month from the publishing thereof, when and where all objections to such assessments shall be heard and determined by the Board.

Mr. Ormond moved—That in clause 26, in the 6th line, the word “posting” be struck out, and the word “publishing” be substituted in lieu thereof.

Agreed to.

Mr. Rhodes moved—That the Chairman report progress, and ask leave to sit again on to-morrow.

Agreed to.

The Chairman reported progress, and asked for leave to sit again to-morrow.

Leave granted.

Mr. McLean moved—That the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Dolbel seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, JULY 13TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Fitzgerald to move, on Thursday, July 14,—That the Police Act be read a second time.

Mr. Richardson to move, in Committee of Supply,—That His Honor the Superintendent be requested to place on the Estimates, on the first sitting day, a sum of money for making a portion of the Petane road, and also for fencing in the burial ground in Petane.

Mr. Dolbel to move, on Friday, the 15th—For the appointment of a Select Committee to enquire into and report upon the state of the Province as regards Timber for building and other purposes; and whether it would not be advisable that immediate steps should be taken to improve the road between the Pohui bush and Petane bridge, and to devise some plan by which the working class might be located there under Bush License. Such Committee to consist of Messrs. Colenso, Richardson, Curling, Rhodes, Edwards, and the mover.

Mr. Colenso to move, on Thursday, July 14,—The first reading of the Provincial Council Amendment Bill.

Major Lambert, on the 14th inst.,—To ask His Honor the Superintendent if it has been brought to his notice that timber to a large extent has been, and is being, taken from the Hampden Reserve bush by persons not entitled so to do; and what steps have been taken to prevent persons from using the timber taken from the bush for purposes other than those for which the bush was reserved.

His Honor the Superintendent laid Mr. Weber's Reports on the line of road from Puketapu to Oruowherro, being part of the main line to Puketitiri, and on the Mohaka bridle track—on the table.

Mr. Ormond, by the request of Mr. Tuke, pursuant to notice, moved—That the Provincial Engineer be requested to report on the best line of road from Puketapu to Oruowherro, being part of the main line to Puketapu.

Mr. McLean seconded the motion.

Motion agreed to.

Mr. Rhodes, on to-morrow—To ask the Superintendent whether the Government would be prepared to give an equal amount towards the erection of a bridge over the Tukituki, at Clive, to that to be subscribed by its inhabitants?

Mr. Rhodes to move, on the first sitting day of Committee of Supply—That the Superintendent be requested to place a small sum on the Estimates for enlarging the lock-up at Clive.

Mr. Richardson

Mr. Richardson, by the request of Mr. Fitzgerald, pursuant to notice, moved—For a Return of the sections, with the number, contents, and the present yearly value of each, in the Town of Napier and Scinde Island, originally set apart for Educational purposes.

Mr. Smith seconded the motion.

His Honor the Superintendent here stated that the Return called for was in course of preparation, and when completed will be laid on the table.

Motion agreed to.

Mr. Ormond, pursuant to notice, moved—For leave to bring in a Bill, to be called “The Hawke’s Bay Loan Appropriation Act.”

Mr. M’Lean seconded the motion.

Motion agreed to.

Mr. Ormond moved—That Nos. 27 and 37 of Standing Rules and Orders be suspended.

Mr. M’Lean seconded the motion.

Motion agreed to.

Mr. Ormond moved—That the Hawke’s Bay Loan Appropriation Act be read a first time.

Mr. M’Lean seconded the motion.

Motion agreed to, and Act read a first time accordingly.

Mr. Ormond moved that the Act be printed.

Mr. M’Lean seconded the motion.

Motion agreed to, and Act ordered to be printed accordingly.

Mr. Ormond to move, on Wednesday, the 20th July, the second reading of the Hawke’s Bay Loan Appropriation Act.

Mr. Rhodes to move, on the first sitting day of the Committee of Supply—That the Superintendent be requested to place on the Estimates a sufficient sum for the purpose of erecting a bridge over the Ngaruroro, at or near Waitangi, either of wood or iron, whichever shall seem the most fitting after mature consideration.

Mr. Richardson, by the request of Mr. Fitzgerald, pursuant to notice, moved to ask the Superintendent if it is the intention of the Government to introduce any measure relative to Education.

His Honor the Superintendent, in reply, stated that the question of Education was one of great importance—he might say the greatest—as it not only affected the present generation but also the future; and the moral welfare of the Province depended in a great measure upon a proper system of education being established in it. The Government had this measure under their consideration; but after examining the Act now in force, they had come to the conclusion that it was perfectly sufficient for the present requirements of the Province. It was not the passing of Acts that would assist education; the people themselves must take more interest in the matter, otherwise all the Government could do would be insufficient to forward so admirable a measure as the present one. He was very glad to say that he should have to ask the Council for a much larger amount as grants in aid for Educational purposes than had been voted on a former occasion, as there were four more schools which he would be called on to assist.

Council went into Committee on the Highways Act.

Mr. Ormond moved that the following be substituted in lieu of clause 22:—

“The Board of Wardens shall assess and levy the rates upon the land within the District, such assessment shall be made upon the basis of the valuation of the actual market value of the land at the time of such assessment being made: Provided that in no case shall such valuation exceed the sum of £10 per acre, such valuation shall be final

final and conclusive: Provided always, that in no instance shall any rate exceed the amount of 6d. in the pound.

Agreed to.

Mr. Ormond moved—That the consideration of clauses 29, 30, 31, 32, 33, and 34, be postponed.

Agreed to.

Mr. Ormond moved—That in clause 36, at the end of the second line, the following be added: "The same being cultivated or laid down in English grasses.

Agreed to.

Major Lambert moved—That in clause 48, after the word "Superintendent" in the first line, the following be inserted, "with the advice of the Executive Council;" in the second line, after the words "thereto at," the word "a" be inserted; and the words "site of the Ferry at Waitangi and to the Meanee bridge" be struck out and the following substituted, "Southern boundary of the Town of Napier."

Agreed to.

Mr. Ormond moved—That in clause 48, the words "The following tolls shall be levied at such gates," be struck out, and the following inserted, "And shall fix the rate to be levied at such toll-bar."

Agreed to.

Major Lambert moved—That in clause 49, in the sixth line after the second word, the words "officers not on duty" be inserted.

Agreed to.

Mr. Ormond moved—That the Chairman report progress, and ask leave to sit again to-morrow.

Agreed to.

The Chairman reported progress, and asked leave to sit again to-morrow. Leave granted.

Mr. Rhodes moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. Smith seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, JULY 14TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Curling to move, on next sitting day,—For leave to bring in a Bill to be called "The Sheep and Scab Amendment Act."

His Honor the Superintendent laid a Return of the Liabilities and Assets of the Province of Hawke's Bay on the 1st July, 1864, and Return of Educational Reserves, on the table.

Mr. Smith, pursuant to notice, moved—That it is desirable the clause of the Harbour Regulations No. 4, affecting the rate of Pilotage charged at the Port of Napier, be altered; and that the Superintendent be requested to order for the future the rate of Pilotage to be increased as follows:—4d. per ton in and 4d. out to all vessels, the rate to be half (or 2d.) in the roadstead; taking a Pilot to be optional.

Mr. Kennedy seconded the motion.

Mr. Ormond moved, as an amendment— That the motion of the member for Napier (Mr. Smith) now under consideration, be referred to a Select Committee



mittee, to consist of Messrs. Kennedy, Fitzgerald, Tiffen, Dolbel, Edwards, and Smith. Report to be brought up on 20th instant.

Mr. M'Lean seconded the amendment.

Amendment agreed to.

Mr. Smith, prior to moving his notice, moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Smith moved, as an amendment to his notice—That it is desirable the Government Wharf, Stockyard, and other Government erections should be let annually, &c.—should be referred to same Committee as previous notice on Pilotage.

Mr. M'Lean seconded the amendment.

Amendment agreed to.

Major Lambert, pursuant to notice—Asked His Honor the Superintendent if it has been brought to his notice that timber to a large extent has been, and is being, taken from the Hampden Reserve bush by persons not entitled so to do; and what steps have been taken to prevent persons using the timber taken from the bush for purposes other than those for which the bush was reserved.

His Honor the Superintendent, in reply, stated that the subject had been brought to the notice of the Government, and the Commissioner of Crown Lands had written to Mr. Cooper (the Resident Magistrate) on the matter, requesting him to instruct the Police to cause the persons complained of to immediately desist in either felling or removing timber.

Mr. Ormond to move, on next sitting day—For the appointment of a Select Committee to draw up Regulations in respect of the Timber contained in all bush lands or public reserves. Such Committee to consist of Messrs. Lambert, Tiffen, Colenso, Fitzgerald, Richardson, and the mover.

Mr. Rhodes, pursuant to notice—Asked the Superintendent whether the Government would be prepared to give an equal amount towards the erection of a bridge over the Tukituki, at Clive, to that to be subscribed by its inhabitants?

His Honor the Superintendent, in reply, stated that, in reference to the question of the member for Clive, as it was not one that required immediate action, or that the inhabitants would be likely to act on at once, he could not see how he could be called upon to pledge the Council to vote any amount for this purpose. When the subject was brought before the Council, they, no doubt would take cognizance of the matter.

Mr. Colenso, pursuant to notice, moved—That the Provincial Council Amendment Bill be read a first time.

Mr. Edwards seconded the motion.

Motion agreed to, and Bill read a first time accordingly.

Mr. Colenso moved that the Bill be printed.

Mr. Edwards seconded the motion.

Motion agreed to, and Bill ordered to be printed accordingly.

Mr. Colenso to move for the second reading of the Provincial Council Amendment Bill on the 20th inst.

Mr. M'Lean moved for leave to postpone the second reading of the Hawke's Bay Drainage Act till Tuesday, 19th inst.

Mr. Colenso seconded the motion.

Motion agreed to.

Council went into Committee on the Highways Act.

Mr. Ormond moved—That clauses Nos. 29, 30, 31, 32, 33, and 34, be struck out of the Bill.

Agreed to.

Mr. Ormond moved—That clause 1 be re-committed, and that the following words be added after the last word: “Saving and except clauses Nos. 22, 23, 24, 25, 26, and 27, of the Districts Highway Act, 1856, of the Province of Wellington, Session 3 No. 4.”

Agreed to.

Mr. Ormond moved—That clauses Nos. 35, 36, 37, 38, be re-committed, and numbered respectively 29, 30, 31, 32.

Agreed to.

Mr. Ormond moved that the following be inserted in the Bill as clause 33 :—

“If any person acting under such authority as aforesaid shall make any pit or hole in any land wherein such materials shall be found, the Board shall forthwith cause the same to be sufficiently fenced off, and such fence to be supported and repaired during such time as the said pit or hole shall continue open; and when no material shall be found, shall cause such pit or hole to be forthwith filled up and levelled.”

Agreed to.

Mr. Ormond moved—That clauses 39 to 54 inclusive be re-committed and numbered respectively 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49.

Agreed to.

Mr. Ormond moved—That the following be inserted in the Bill as clause 50 :—

“If any person shall do any act whatever in order or with intent to evade the payment of all or any of the tolls by this Act imposed, and whereby the same shall be evaded, every such person shall, for every such offence, forfeit and pay any sum not exceeding £5, to be recovered in a summary way as hereinafter provided for.”

Mr. Rhodes moved—That, after the word £5, the following be inserted—“in addition to the toll evaded.”

Agreed to.

Mr. Ormond moved—That clause 55 be No. 51.

Agreed to.

Mr. Ormond moved that the following Schedule, marked A, be substituted in place of Schedule No. 2 :

SCHEDULE A.

Holder of property of the value of £100	...	..	One vote
“ “ £100 and under £250	...	...	Two votes
“ “ £250 “ £400	...	...	Three votes
“ “ £400 “ £700	...	...	Four votes
“ “ £700 “ £1200	...	...	Five votes
“ “ £1200 “ £2000	...	...	Six votes
“ “ £2000 “ £3000	...	...	Seven votes

Agreed to.

Mr. Ormond moved—That the Chairman report progress, and ask leave to sit again to-morrow.

Agreed to.

The Chairman reported progress, and asked leave to sit again to-morrow. Leave granted.

Mr. Smith moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Curling seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, JULY 15TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Dolbel, pursuant to notice, moved—For the appointment of a Select Committee to enquire into and report upon the state of the Province as regards Timber for building and other purposes; and whether it would not be advisable that immediate steps should be taken to improve the road between the Pohui bush and Petane bridge, and to devise some plan by which the working class might be located there under a Bush License. Such Committee to consist of Messrs. Colenso, Richardson, Curling, Rhodes, Edwards, and the mover.

Report to be brought up on the 20th inst.

Mr. Richardson seconded the motion.

Motion agreed to.

Mr. Smith moved—That No. 75 of Standing Rules and Orders be suspended.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Smith moved—That Mr. Dolbel's name be substituted for Mr. Tiffen's in the Select Committee on Pilotage and Government Wharfs, Stockyard, &c.

Mr. M'Lean seconded the motion.

Motion agreed to.

His Honor the Superintendent laid on the table the Estimates of Expenditure and Income for the year commencing 1st July, 1864, and ending June 30th, 1865.

Mr. Curling, pursuant to notice, moved,—For leave to bring in a Sheep and Scab Amendment Act.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Curling moved—That Nos. 27 and 37 of Standing Rules and Orders be suspended.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Curling moved—That the Sheep and Scab Amendment Act be read a first time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a first time accordingly.

Mr. Curling moved—That the Act be printed.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Curling to move on the 21st inst.—The second reading of the Sheep and Scab Amendment Act.

Mr. Ormond, pursuant to notice, moved—For the appointment of a Select Committee to draw up regulations in respect of the Timber contained in all Bush lands or Public Reserves. Such Committee to consist of Messrs. Lambert, Tiffen, Colenso, Fitzgerald, Richardson, and the mover. Report to be brought up on the 26th inst.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Rhodes

Mr. Rhodes to move on first sitting day of Committee of Supply—That a sum of money be placed on the Estimates for the purpose of improving the cart road to the barracks, by sundry small side cuttings from the point where the metalled road now turns off to the top of the hill near the Church property.

Major Lambert to move on the first day of Committee of Supply—For a sum of money to be placed upon the Estimates for the purpose of erecting a bridge over the Waipaoa Mate, a sum having been voted for this purpose and not expended.

Major Lambert to ask His Honor the Superintendent on next sitting day—If it has come to his knowledge that the horses of the Colonial Defence Force in the Province of Wellington were found from insufficiency of food unfit for the performance of a severe day's work, and failed the first day they were called out for service; and what (if any) information His Honor has that the horses of the Colonial Defence Force in this Province are in an efficient condition for actual service in the field.

The Council went into Committee on the Highways Act.

Mr. Ormond moved—That clause 1 be re-committed, and that after 27 in the fifth line the words "and thirty-four" be inserted.

Agreed to.

Mr. Ormond moved—That the following be inserted as Schedule 1:—

"The District Highways Act of the Province of Wellington, being No. 4 of Session No. 3, saving and except clauses 22, 23, 24, 25, 26, 27, and 34 of the said Act.

"An Act to extend the provisions of the Highways Act 1856, being Act No. 16 of Session No. 4 of the Province of Wellington."

Agreed to.

Mr. Ormond moved—That the following be inserted as Schedule 3:—

"I, the undersigned, A.B., do hereby nominate and appoint C.D., of \_\_\_\_\_ as my proxy, to act for me at the Board of Wardens for the District of \_\_\_\_\_ in the Province of Hawke's Bay, pursuant to the Highways Act, 1864.

"Witness,—

Agreed to.

Mr. Ormond moved—That clause 8 be re-committed, and the following words be struck out of the second line, "and not more than one hundred and fifty links."

Agreed to.

Mr. Ormond moved—That the following be inserted in the Bill as No. 52:—

"For the purposes of this Act wherever the word Superintendent shall be used, the same shall be held to mean the Superintendent acting by and with the advice of the Executive Council."

Agreed to.

Mr. Ormond moved—That the Chairman report progress and report the Bill as amended.

The Chairman reported progress and handed the Bill as amended to the Speaker.

Mr. M'Lean to move on next sitting day but one—That the Hawke's Bay Highways Act be read a third time.

Mr. M'Lean moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. Curling seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY, JULY 19<sup>TH</sup>, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke and Major Lambert  
The minutes of the last meeting were read and confirmed.

Mr. Colenso to move on Thursday, 21st July—That in the opinion of this Council it is necessary there should be an Inspector of Police for the Province of Hawke's Bay, and that His Honor the Superintendent be respectfully requested to consider the fitness and claim of the present energetic Sergeant-Major of Police, to hold that office.

Mr. Colenso to move in Committee of Supply—That His Honor the Superintendent be requested to increase the sum already on the estimates of (£25) for an Inspector of Schools to (at least) £100 per annum, so as to have the duty efficiently performed by a suitable person.

Mr. M'Lean to move on to-morrow—That the Council go into Committee of Supply.

Mr. Curling to move on the first sitting day of Committee of Supply—That the Superintendent be requested to place the sum of £150 on the Estimates to form a Bridle track between Te Apiti and Manawarakau, on the Southern Coast road.

Mr. Richardson brought up a petition from the inhabitants of Petane, in reference to the badness of the road between Napier and Petane, and moved that it be read.

Mr. Kennedy seconded the motion.

Motion agreed to, and petition read accordingly.

Mr. Dolbel moved—That the petition be received.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Ormond, at the request of Major Lambert, moved for leave to postpone the question having reference to the horses of the Colonial Defence Force till to-morrow.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Fitzgerald, pursuant to notice, moved—That the Police Act be read a second time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a second time.

Mr. Fitzgerald moved—For leave to postpone the going into Committee on the Police Act till to-morrow.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Hawke's Bay Drainage Act be read a second time.

Mr. Dolbel seconded the motion.

Mr. Colenso moved as an amendment—That the second reading of the Drainage Act be postponed till Thursday, 21st inst.

Mr. Edwards seconded the amendment.

Amendment agreed to.

Mr. M'Lean moved—That the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Kennedy seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, JULY 20TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Major Lambert pursuant to notice—Asked His Honor the Superintendent if it had come to his knowledge that the horses of the Colonial Defence Force in the Province of Wellington were found from insufficiency of food unfit for the performance of a severe day's work, and failed the first day they were called out for service; and what (if any) information His Honor has that the horses of the Colonial Defence Force in this Province are in an efficient condition for actual service in the field.

His Honor the Superintendent, in reply, stated that he was quite aware that the horses of the Wellington Defence Force were not in an efficient condition, but since the Hon. the Colonial Secretary's visit, the state of things had been rectified. He must also mention that the Provincial Government have no control over the Defence Force. His Honor also read a memorandum from the officer commanding the Defence Force, by which was shown that in regard to economy the Defence Force in this Province was on a very satisfactory footing in comparison with other detachments of the same force in New Zealand.

Mr. M'Lean moved for leave to postpone the bringing up of Report of Select Committee on the Wellington Acts till Friday, 22nd inst.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Smith moved for leave to postpone the bringing up Report of Select Committee on Pilot rates and Government Wharf renting till Tuesday, 26th instant.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Dolbel moved for leave to postpone the bringing up Report of Select Committee upon the state of the Province as regards Timber, &c., till Wednesday, 27th inst.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Ormond, pursuant to notice, moved—That the Loan Appropriation Act be read a second time.

Mr. Smith seconded the motion.

Motion agreed to, and Act read a second time accordingly.

The Council went into Committee on the Loan Appropriation Act.

Mr. Ormond moved—That the Chairman report progress, and ask leave to sit again on to-morrow.

The Chairman reported progress, and asked for leave to sit again to-morrow.

Leave granted.

Mr. Colenso moved—That the Provincial Council Amendment Act be read a second time.

Mr. Edwards seconded the motion.

Mr. Curling moved as an amendment—That the Act be read a second time this day 6 months.

Major Lambert seconded the amendment.

On a division being called for, Council divided.

Ayes,

Ayes.  
Messrs. Richardson,  
Dolbel,  
Tiffen.  
Rhodes,  
Tuke,  
Ormond,  
M'Lean,  
Curling,  
Lambert.

Noes.  
Messrs. Fitzgerald,  
Smith,  
Kennedy,  
Colenso,  
Edwards.

Amendment agreed to and original motion negatived.

Mr. M'Lean, pursuant to notice, moved--That the Highways Act be read a third time.

Mr. Ormond seconded the motion.

Motion agreed to, and Act read a third time accordingly.

Mr. Ormond moved--That this Act do now pass.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act passed.

His Honor the Superintendent laid on the table a copy of correspondence in reference to "Tikokino Reserves Act, 1863."

Mr. Fitzgerald moved that the Council do adjourn until 7 o'clock.

Mr. Tuke seconded the motion.

Motion agreed to, and Council adjourned accordingly.

Council met pursuant to adjournment.

Council went into Committee on the Police Act.

Mr. Fitzgerald moved--That in clause 1, in the third and fourth lines, in the first and second blanks, the words "ten" and "five" be respectively inserted.

Mr. Fitzgerald moved--That in paragraph 4 of clause 1 at the end the following be added, "shall give notice to the Police at least half-an-hour before entering the Town of Napier, and shall also have a man on horseback to go in front of the cattle at least 100 yards, to warn the inhabitants."

Mr. Fitzgerald moved--That the following be inserted after paragraph 5: "Every person releasing or attempting to release cattle impounded or damaging the Pound."

Mr. Fitzgerald moved--That the following paragraphs be inserted under clause 1:

"Every Constable whilst on duty who shall not have a distinguishing Badge on his right arm."

"Every Constable who shall resign or withdraw himself without leave from the Inspector or Sergeant-Major of Police, or without having given one month's notice to the Inspector or Sergeant-Major."

"Every Licensed Victualler knowingly harbouring or entertaining or suffering to remain in his house or premises any Constable during the time he is on duty."

"Every person guilty of any wilful neglect or violation of his duty as a Constable."

"Every person who shall assault or resist or incite any person to assault resist or interfere with any Constable in the execution of his duty."

"Every person who shall wilfully throw or leave any broken glass or bottle in a highway, public road, or other land unfenced."

Agreed to.

Mr. Wilkinson moved--That the following paragraph be inserted under clause 1:--

"All persons assembling in any street or public thoroughfare on the Lord's day, to the disturbance of any congregation of worshippers."

Agreed to.

Mr. Kennedy moved--That the following paragraph be inserted under clause 1:--

"Every

“Every person discharging fire-arms in or across public streets or in or across any public thoroughfare without permission from the Superintendent and under such regulations as he shall see fit.”

Agreed to.

Mr. Fitzgerald moved—That in the third line of clause 2 the word “ten” be inserted.

Agreed to.

Mr. Fitzgerald moved—That in the first paragraph of clause 2, after the word vegetation, the words “so as to endanger any property” be inserted, and at the end of the paragraph, the words “of the Town of Napier” be inserted.

Agreed to.

Mr. Fitzgerald moved—That the second paragraph of clause 2 be inserted at the end of clause 1, and the words “the Town of Napier” be added at the end of the paragraph.

Agreed to.

Mr. Fitzgerald moved—That in clause 3 the first two lines be struck out and the following substituted: “Upon complaint by the Police or any other person shewing cause of complaint, of the existence of any common nuisance within the limits of the Town of Napier.”

Agreed to.

Mr. Richardson moved—That in clause 3, at the end of the last line but one, the words “ten shillings” be inserted, and in the last line, between the words “exceeding” and “pound,” the word “ten” be inserted.

Agreed to.

Mr. Fitzgerald moved—That in clause 5 the word “exceeding” be struck out and the words “less than £5 or exceeding £25” be inserted.

Agreed to.

Mr. Fitzgerald moved—That in clause 7 in the second line, between the word “any” and “person” the word “other” be inserted, and the remainder of the clause be struck out.

Agreed to.

Mr. Fitzgerald moved—That the following words be added to clause 10, “Hawke’s Bay Police Act.”

Agreed to.

Mr. Smith moved—That the Chairman report progress, and ask leave to sit again on Friday, 22nd instant.

The Chairman reported progress, and asked leave to sit again on Friday, 22nd instant.

Leave granted.

Mr. M’Lean moved—That the Council do go into Committee of Supply.

Mr. Fitzgerald seconded the motion.

Motion agreed to, and Council went into Committee of Supply.

Mr. Fitzgerald moved—That the Chairman report progress, and ask leave to sit again to-morrow.

The Chairman reported progress, and asked leave to sit again to-morrow.  
Leave granted.

Mr. Curling moved that the Council do adjourn until next sitting day, at 3 o’clock.

Mr. M’Lean seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

---

THURSDAY,



THURSDAY, JULY 21ST, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

The Speaker read a letter, requesting that the Council Chamber might be granted for a Ball on Wednesday, 27th inst., from Mr. Butler, on behalf of the bachelors of Hawke's Bay.

Mr. Fitzgerald to move, in Committee of Supply,—For leave to ask the Superintendent to place the sum of £50 on the Estimates for making a wide footpath along the upper bank above high water mark, from or near the present Lock-up to the end of the reserve for road.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Colenso seconded the motion.

Motion agreed to.

His Honor the Superintendent said that he wished the Council to express an opinion on the action to be taken in reference to the approaching sitting of the Supreme Court, so that provision might be made for securing proper accommodation for His Honor the Judge.

Mr. Fitzgerald moved—That the Superintendent be authorised to procure the Mechanics' Institute for His Honor the Judge.

Mr. Rhodes seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Kennedy,	Messrs. Lambert,
Richardson,	Edwards,
Tuke,	Tiffen,
Fitzgerald,	Smith,
Ormond,	Colenso,
M'Lean,	
Rhodes,	
Curling.	

Motion agreed to.

Mr. Colenso to move, on Friday, July 22,—For a Return of all Lands sold in the Kereru Bush, shewing the acreage and the amount received.

Mr. Colenso to move, on Friday, July 22,—For an explanation by His Honor the Superintendent why His Honor has not fulfilled the Executive Act in his not having three members in his Executive Council.

Mr. Colenso to move, on Friday, July 22,—For an explanation from the Government why, since the Provincial account has been removed by them from the Bank of New Zealand to the Union Bank of Australia (on the 1st of January, 1864,) no interest on the public money appears to the credit of the Province, either in March or June quarters past, or in the Estimates of Revenue for the present financial year; seeing that the Bank of New Zealand had punctually paid over all interest due on the public money in their hands every quarter.

Mr. Kennedy moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.

On a division being called for, Council divided.

L

Ayes,

Ayes.  
Messrs. Richardson,  
Kennedy,  
Fitzgerald,  
Curling,  
M'Lean,  
Tuke,  
Smith,  
Lambert.

Noes:  
Messrs. Tiffen,  
Edwards,  
Colenso,  
Rhodes,

Motion agreed to.

Mr. Kennedy moved—That the letter from Mr. Butler be received.

Mr. Curling seconded the motion.

Motion agreed to.

During the debate on the above subject, Mr. Colenso desired that the words used by Mr. Kennedy be taken down, which was done; and being, "I deny it,"

Mr. Kennedy desired that the words made use of by Mr. Colenso be taken down, which was done, and being "It was a return Ball to the Masons."

Mr. Kennedy moved—That this Council do adjourn from Tuesday, the 26th July, to Thursday, the 28th July.

Mr. Tiffen moved, as an amendment,—That the Council do not adjourn from Tuesday, the 26th July, to Thursday, the 28th July.

Mr. Dolbel seconded the amendment.

On a division being called for, Council divided.

Ayes.  
Messrs. Tiffen,  
Tuke,  
Lambert,  
Dolbel,  
Edwards,  
Colenso,  
Rhodes.

Noes.  
Messrs. Curling,  
M'Lean,  
Richardson,  
Fitzgerald,  
Smith,  
Kennedy.

Amendment agreed to.

Mr. Colenso, pursuant to notice, moved—That in the opinion of this Council it is necessary there should be an Inspector of Police for the Province of Hawke's Bay, and that His Honor the Superintendent be respectfully requested to consider the fitness and claim of the present energetic Sergeant-Major of Police, to hold that office.

Mr. Tiffen seconded the motion.

Mr. Colenso withdrew his motion, having the assurance of His Honor that no appointment would be made to the detriment of Serjeant-major Scully.

Mr. Curling, pursuant to notice, moved—That the Sheep and Scab Amendment Act be read a second time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a second time accordingly.

Mr. Curling moved—That the Council go into Committee on the Sheep and Scab Amendment Act.

Mr. M'Lean seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. Colenso moved—That clause 1 be struck out.

On a division being called for, Council divided.

Ayes,

Ayes.  
Messrs. Colenso,  
Edwards.

Noes.  
Messrs. Richardson,  
M'Lean,  
Ormond,  
Rhodes,  
Lambert,  
Wilkinson,  
Dolbel,  
Smith,  
Tuke,  
Kennedy,  
Tiffen.

Motion negatived, and clause 1 stood as read.

Mr. Ormond moved—That in the last line of the third clause the No. "20" and "5" be respectively inserted in the two blanks.

Agreed to.

Mr. Ormond moved—That in clause 4 the words "with so many times and for such number of days as the Inspector shall think fit," be struck out, and the following inserted: "to the satisfaction of the Inspector."

Agreed to.

Mr. Ormond moved—That in clause 5, after the words "the sum of," the words "two shillings and sixpence" be inserted.

Agreed to.

Mr Ormond moved—That the Chairman report progress, and report the Bill as amended.

The Chairman reported progress and handed the Bill as amended to the Speaker.

Mr. Ormond moved—That No. 30 of Standing Rules and Orders be suspended.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Ormond moved— That the orders of the day not disposed of be made orders of the day for to-morrow.

Mr. Kennedy seconded the motion.

Motion agreed to.

Mr. Smith moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. Curling seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, JULY 22ND, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Curling to move, on Tuesday, 26th inst.,—That the Sheep and Scab Amendment Act be read a third time.

Mr. Dolbel to move, on the first sitting day of Committee of Supply, —That the Superintendent be requested to place on the Estimates the sum of £50 to make a bridle track over the Te Witi hill, between the Wairoa and Mahia.

Mr. Colenso

Mr. Colenso, pursuant to notice, moved—For a Return of all lands sold in the Kereru bush, shewing the acreage and the amount received.

His Honor the Superintendent laid the Return called for on the table.

Mr. Colenso, pursuant to notice, moved—For an explanation by His Honor the Superintendent why His Honor has not fulfilled the Executive Act in his not having three members in his Executive Council.

His Honor the Superintendent, in reply, stated that as the members of the Council were all present, and as he had an opportunity of seeing and speaking to them in reference to every subject, he did not see the strict necessity of filling up the vacancy during the present sitting of the Council.

Mr. Colenso, pursuant to notice, moved—For an explanation from the Government why, since the Provincial account has been removed by them from the Bank of New Zealand to the Union Bank of Australia (on the 1st of January, 1864,) no interest on the public money appears to the credit of the Province, either in March or June quarters past, or in the Estimates of Revenue for the present financial year; seeing that the Bank of New Zealand had punctually paid over all interest due on the public money in their hands every quarter.

Mr. Edwards seconded the motion.

His Honor the Superintendent, in reply, stated that, in reference to the question just asked, it was very simply answered. The case stood thus: the Union Bank of Australia made up their account of interest once in six months, whilst the New Zealand Bank made theirs up quarterly. If the Government considered it necessary to have it paid every three months, it is competent to do so; but he did not see any advantage to be derived from it. The Superintendent further stated that the Government proposed to bring forward supplementary Estimates, in which, if any omissions had been made, they would appear.

Mr. M'Lean, pursuant to notice, brought up Report of Select Committee on the Wellington Acts, and moved that it be read.

Mr. Ormond seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. M'Lean to move, on Tuesday, 26th inst.—For the adoption of the Report of the Select Committee on Wellington Acts.

Mr. Fitzgerald moved for leave to postpone the going into Committee on the Police Act till Tuesday, 26th instant.

Mr. Smith seconded the motion.

Motion agreed to.

Mr. Ormond moved for leave to postpone the going into Committee on the Loan Appropriation Act till Thursday, 28th instant.

Mr. M'Lean seconded the motion.

Leave granted.

Mr. Colenso resumed the adjourned debate on the Hawke's Bay Drainage Act.

Mr. M'Lean moved—That the Hawke's Bay Drainage Act be read a second time.

Mr. Richardson seconded the motion.

Motion agreed to, and Act read a second time accordingly.

Mr. M'Lean moved—That the Council go into Committee on the Drainage Act.

Mr. Richardson seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. Ormond moved—That the following be inserted in the Bill as clause 2:—

“ It shall be lawful for any number of persons, being landowners or persons interested in land within any districts to be formed in manner hereinafter

hereinafter provided for, to join together and co-operate in making any such joint application, and for that purpose, by deed poll, or letter of attorney under their respective hands, to authorise and empower one of their number to act on their behalf for the purposes of this Act. The attorney so nominated and appointed shall be deemed 'an applicant' in all respects, as well on his own behalf as on behalf of all the parties for whom he shall act as attorney, and all proceedings under this Act shall be made in his name, and all the said parties shall be bound by the lawful deeds and acts of such attorney: Provided always, that previously to any proceedings being taken under this Act by any person so authorised on behalf of other persons, the deed poll, or letter of attorney under which he shall propose to act shall be forwarded to the Superintendent and recorded by him."

Agreed to.

Mr. Ormond moved—That clause No. 2 in the Bill, and all subsequent clauses, be numbered respectively 3, 4, 5, 6, 7, 8, &c.

Agreed to.

Mr. Ormond moved that the following be added to clause 4:—" And provided that any damage or injury done to the property of such adjoining owner may be recovered by arbitration as provided in clause 10 of this Act."

Agreed to.

Mr. Tiffen moved—That in Clause 5, after the third word, the word "then" be struck out, and the words "after such survey" be inserted; the last word in the first line be struck out, and the words "plan and section" be inserted; and the last word but one in the second line be struck out, and after the last word in the second line the following be inserted, "and length."

Agreed to.

Mr. Ormond moved—That in the 7th clause, after the word "plan" in the third line, the words "and sections" be inserted.

Agreed to.

Mr. Ormond moved—That in clause 8 in the second line, after the word "thereto," the following be inserted, "in writing."

Agreed to.

Mr. Ormond moved—That the consideration of clause 13 be postponed.

Agreed to.

Mr. Ormond moved—That in clause 14, after the third word in the fifth line, the words "if not paid on demand" be inserted.

Agreed to.

Mr. Ormond moved—That in clause 15 in the third line the word "map" be struck out, and the words "plan and sections" be inserted: and in the fourth line the word "map" be struck out, and the words "plan and section" be inserted.

Agreed to.

M. Ormond moved—That the consideration of clause 17 be postponed.

Agreed to.

Mr. Ormond moved that clause 20 be struck out, and the following inserted in lieu thereof:—

" All costs of arbitration of survey, and all costs, charges, and expenses reasonably incurred by the applicant or adjoining owner in respect of any application under this Act, shall be in the discretion of the arbitrators or their umpire, as the case may be, and shall be borne and paid by either or any of the said parties to such arbitration in such proportion as the said arbitrators or umpire shall award and direct."

Agreed to.

Mr. Ormond moved—That in clause 22, in the first and fourth lines, the Nos. "12 and 3" be respectively substituted for "11 and 7."

Agreed to.

Mr. Tiffen moved—That in clause 26 in the sixth line, the word "map"

be struck out," and the words "sketch plan" be inserted; and in the last line, after the word "damages" the words "if any" be inserted.

Agreed to.

Mr. Ormond moved—That in clause 27 in the second line, after the word "thereto" the words "in writing" be inserted.

Agreed to.

Mr. Ormond moved—That in clause 29 in the eighteenth line, after the word "exceed £," the No. "50" be inserted.

Agreed to.

Mr. Ormond moved—That in clause 30, in the fifth line, before the last word, the No. "50" be inserted; and after the last letter the No. "5" be inserted.

Agreed to.

Mr. Ormond moved—That in clause 31, in the fifth line, the No. "14" be inserted in the place of "10."

Agreed to.

Mr. Ormond moved—That the consideration of clause 32 be postponed.

Agreed to.

Mr. Ormond moved—That the Chairman report progress, and ask leave to sit again on Thursday, 28th inst.

Agreed to.

The Chairman reported progress, and asked for leave to sit again on Thursday, 28th inst.

Leave granted.

Mr. Tiffen to move, on Tuesday, 26th July,—For a Return of the total expense that has been incurred in making the road round Redcliffe, ten chains in length, and the sums paid towards the same by private individuals.

Mr. Tiffen to move, on Tuesday, 26th July,—For a Return of all sums of money expended in clearing the Mangaone river and its tributaries.

Mr. Tiffen to move on Tuesday, 26th July—For a Return of the total sums expended on the Kereru Bush road.

The Council went into Committee of Supply.

Mr. M'Lean moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

The Chairman reported progress, and asked for leave to sit again next sitting day.

Leave granted.

Mr. M'Lean moved—That the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Colenso seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY, JULY 26TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Tiffen, pursuant to notice, moved—For a Return of the total expense that

that has been incurred in making the road round Redcliffe, ten chains in length, and the sums paid towards the same by private individuals.

Mr. Colenso seconded the motion.

His Honor the Superintendent, in reply, stated that the Return called for would be laid on the table.

Mr. Tiffen, pursuant to notice, moved—For a Return of all sums of money expended in clearing the Mangaone river and its tributaries.

Mr. Colenso seconded the motion.

His Honor the Superintendent stated that the Return called for would be laid on the table,

Mr. Tiffen, pursuant to notice, moved—For a Return of the total sums expended on the Kereru Bush road.

Mr. Colenso seconded the motion.

His Honor the Superintendent stated that the Return called for was in course of preparation, and when completed would be laid on the table.

Mr. Richardson to move in Committee of Supply—That His Honor the Superintendent be requested to place the sum of £600 on the Estimates, to be laid out in improving the road from the Harbour Ferry to Petane bridge.

Mr. Curling moved—That the Sheep and Scab Amendment Act be re-committed.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Curling moved—That the Council go into Committee on the Act.

Mr. M'Lean seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. M'Lean moved—That in clause 1 in the first line the word "recited" be struck out, and the words "mentioned as No. 2 Session No. 6 of Acts of the Provincial Council of Hawke's Bay" be inserted.

Agreed to.

Mr. M'Lean moved—That in clause 5 in the second line, between the words "pence" and "for," the words "under 100, over that number one shilling per head," be inserted.

Agreed to.

Mr. M'Lean moved—That in clause 9 the last word but one be struck out and the following words added: "mentioned as No. 2 of Session No. 6 of Acts of the Provincial Council of Hawke's Bay."

Agreed to.

Mr. M'Lean moved—That the Chairman report the Bill as amended.

Agreed to.

The Chairman reported progress, and handed the Bill, as amended, to the Speaker.

Mr. Curling to move, on Wednesday, 27th July—That the Sheep and Scab Amendment Act be read a third time.

Mr. M'Lean, pursuant to notice, moved—That the Report of Select Committee on the Wellington Acts be adopted.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Ormond, pursuant to notice, brought up Report of Select Committee on Regulations in respect of Timber in bush lands and public reserves, and moved that it be read.

Mr. M'Lean seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Ormond to move, on next sitting day but one, the adoption of the Report of Select Committee in regard of Timber Licenses, &c.

Mr. Smith

Mr. Smith, pursuant to notice, brought up Report of Select Committee on Pilotage, &c., and moved that it be read.

Mr. Curling seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Smith to move, on next sitting day but one—That the Report of Select Committee on Pilotage, &c., be adopted.

The Council went into Committee on the Police Act.

Messrs. Fitzgerald, Smith, and Kennedy moved the addition of clauses to the Act, but subsequently withdrew them.

Mr. Fitzgerald moved—That the Chairman report progress.

Agreed to.

The Chairman reported progress, and handed the Bill, as amended, to the Speaker.

Mr. Fitzgerald to move, on Friday, 29th instant—That the Police Act be read a third time.

Mr. Fitzgerald moved—That the Council do adjourn until 11 o'clock to-morrow.

Mr. Smith seconded the motion.

Major Lambert moved, as an amendment,—That the Council do not adjourn.

Mr. Colenso seconded the amendment.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Lambert, Colenso, Wilkinson, Dolbel, Richardson, Tiffen, Rhodes.	Messrs. Edwards, Kennedy, Smith, Fitzgerald.

Amendment agreed to, and original motion negatived.

The Council went into Committee of Supply.

The Chairman put the first notice—That the Superintendent be requested to place on the Estimates a sufficient sum (to be determined by the Provincial Engineer) for making the road between the Union Bank of Australia and the Barracks.

Mr. Tiffen moved, as an amendment—That this item be postponed until the Committee arrive at that portion of the Estimates under the head of roads.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Lambert, Ormond, Colenso, Tiffen, Wilkinson, Rhodes,	Messrs. Richardson, Dolbel, Curling, Smith, Edwards, Fitzgerald.

The Chairman gave his casting vote in favour of the Ayes.

Amendment agreed to.

On the Chairman putting the next notice—That the Superintendent be requested to place the sum of £50 on the Estimates for a public time-piece,

Mr. Tiffen moved, as an amendment,—That the item be postponed until the Committee arrive at that portion of the Estimates under the head of miscellaneous.

On a division being called for, Council divided.

Ayes,



Ayes.  
Messrs. Richardson,  
Rhodes,  
Tiffen,  
Colenso,  
Dolbel,  
Wilkinson,  
Lambert,  
Ormond,

Noes.  
Messrs. Edwards,  
Kennedy,  
Fitzgerald,  
Smith.

Amendment agreed to.

Mr. Rhodes moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

The Chairman reported progress, and asked for leave to sit again next sitting day.

Leave granted.

Mr. Rhodes moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.

Motion agreed to.

Major Lambert to move, on next sitting day but one,—That His Honor the Superintendent be requested to move the General Government to direct that in future the court of the officer appointed to revise the Electoral Roll of the Clive District be held in that district in some central place, and not in the town of Napier, as at present.

Mr. Rhodes to move, on to-morrow—That the series of motions which should have come on for discussion on first sitting day of Committee of Supply be considered in open Council, as was the former practice in this place.

Major Lambert moved that the Council do adjourn until to-morrow, at 11 o'clock.

Mr. Colenso seconded the motion.

Mr. Smith moved, as an amendment,—That the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Edwards seconded the amendment.

On a division being called for, Council divided.

Ayes.  
Messrs. Smith,  
Curling,  
Dolbel,  
Edwards,  
Fitzgerald,  
Rhodes,  
Richardson,

Noes.  
Messrs. Lambert,  
Colenso,  
Tiffen,

The amendment agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, JULY 27<sup>TH</sup>, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Fitzgerald to move, on Tuesday, 2nd August—That any land purchased

chased after the 31st August, 1864, by the Government in the Province of Hawke's Bay, be subject to the following Regulations :

“ That none of the land whatever shall be offered for sale until after it shall have been surveyed, marked off on the ground, mapped and numbered ; and main district line of road, with the gradients where practicable, similarly defined ; and that no land, whether town, suburban, or rural, be sold until after it shall have been duly advertised at least three months before the day of sale.”

Mr. Rhodes, pursuant to notice, moved—That the series of motions which should have come on for discussion on first sitting day of Committee of Supply be considered in open Council, as was the former practice in this place.

Mr. Fitzgerald seconded the motion.

Motion agreed to.

Mr. Dolbel moved for leave to postpone the bringing up Report of Select Committee upon the state of the Province as regards Timber, &c., to Tuesday, 2nd August.

Mr. Smith seconded the motion.

Motion agreed to.

Mr. Curling, pursuant to notice, moved—That the Sheep and Scab Amendment Act be read a third time.

Mr. McLean seconded the motion.

Motion agreed to, and Act read a third time accordingly.

Mr. Curling moved—That this Act do now pass.

Mr. Smith seconded the motion.

Motion agreed to, and Act passed accordingly.

Mr. Tiffen to move, on Friday, July 29—For the appointment of a Select Committee for the purpose of considering the advisability of amending or adding to the Standing Rules and Orders. Such Committee to consist of Messrs. Colenso, Ormond, Rhodes, Curling, and the mover.

Mr. Colenso moved—That No. 26 and 27 of Standing Rules and Orders be suspended.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Smith moved—That the Superintendent be requested to place a sum of money on the Estimates to improve and extend the Milton road, and metal the road to the Barracks.

Mr. Kennedy seconded the motion.

Motion agreed to.

Mr. Smith moved—That the Superintendent be requested to place a sum of money on the Estimates for the purpose of erecting a public slaughter-house for the Town of Napier.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Dolbel moved—That the Superintendent be requested to place the sum of thirty pounds on the Estimates for a district constable to be located at Puketapu.

Mr. Rhodes seconded the motion.

Motion agreed to.

Mr. Fitzgerald moved—That the sum of £500 be placed on the Estimates as a grant in aid for clothing the militia of the Province.

Mr. Kennedy seconded the motion.

Motion agreed to.

Mr. Colenso moved—That the Superintendent be requested to place a small sum on the Estimates for raising the thoroughfare known as Church lane, or

or for diverting the surface water from flowing into it from the rear of the Government buildings.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Rhodes moved—That the Superintendent be requested to place upon the Estimates a sufficient sum to provide a lock-up and policeman for the township of Havelock.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Tuke (by Mr. Kennedy) moved—That the sum of £500 be placed on the Estimates for the purpose of finishing the Kereru bush road.

Mr. Rhodes seconded the motion.

Motion agreed to.

Mr. Colenso moved—That the Superintendent be requested to place on the Estimates a sum sufficient (as grant in aid) to widen the western end of Carlyle-street.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Richardson moved—That the Superintendent be requested to place on the Estimates a sum of money for making a portion of the Petane road, and also for fencing in the burial ground in Petane.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Rhodes moved—That the Superintendent be requested to place a small sum on the Estimates for enlarging the lock-up at Clive.

Mr. Dolbel seconded the motion.

Motion agreed to.

Mr. Rhodes moved for leave to withdraw his notice in reference to a bridge across the Ngaruroro.

Mr. Colenso seconded the motion.

Leave granted.

Mr. Rhodes moved for leave to withdraw his notice in reference to the road to the Barracks.

Mr. Colenso seconded the motion.

Leave granted.

Major Lambert moved—That a sum of money be placed on the Estimates for the erection of a bridge across the Waipawa-mate.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Colenso moved for leave to withdraw his notice in reference to the Inspector of Schools.

Mr. Curling seconded the motion.

Leave granted.

Mr. Curling moved—That the Superintendent be requested to place the sum of £150 on the Estimates to form a bridle track between Te Apiti and Manawarakau on the Southern Coast road.

Major Lambert seconded the motion.

Motion agreed to.

Mr. Fitzgerald's notice for £50 for a footpath lapsed.

Mr. Dolbel moved—That the Superintendent be requested to place on the Estimates the sum of £50 to make a Bridle track over the Te Witi hill between the Wairoa and Mohaka.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Richardson

Mr. Richardson moved—That the Superintendent be requested to place the sum of £600 on the Estimates, to be laid out in improving the road from the Ferry to Petane Bridge.

Mr. Dolbel seconded the motion.

Motion agreed to.

The Council went into Committee of Supply.

Superintendent ... ..	£ 450
Superintendent's Clerk, also Clerk of the Council and Immigration Clerk at £275 per an. ...	275

Mr. Colenso moved— That this item be increased to £300 per annum.  
Agreed to.

Superintendent's Clerk, also Clerk of Council and Immigration Clerk at £300 per an. ...	£ 300
Native Interpreter ... ..	50
Contingencies ... ..	25
Additional Clerical assistance .. ..	50

*Audit Department.*

Provincial Auditor at £150 per annum ... ..	£ 150
Deputy Auditor at the rate of £150 per an. ...	20
Contingencies ... ..	10

*Law Officers' Department.*

Provincial Solicitor at £150 per annum ... ..	£150
Contingencies ... ..	3

Mr. M'Lean moved—That the item Legislative be postponed.  
Agreed to.

3. JUDICIAL.

Expenses of Witnesses and Contingencies... ..	£ 160
---	-------

*Sheriff's Department.*

Gaoler (Warden) at £150 per annum ... ..	£ 150
--	-------

Mr. M'Lean moved—That this item be increased to £175 per annum.  
Agreed to.

Gaoler (Warden) at £175 per annum ... ..	£ 175
1 Turnkey at £115 per annum ... ..	115
Assistant Turnkey at 5s. 6d. per diem, when em- ployed ... ..	

Mr. M'Lean moved—That the next item "Messenger at £20 per annum," be struck out and that this item be raised to £100.

Agreed to.

Assistant Turnkey ... ..	£ 100
Rations for Prisoners ... ..	200
Contingencies ... ..	60

*Coroner's Department.*

Contingencies ... ..	£ 10
----------------------	------

*Police Department.*

Police, Napier—Sergeant-Major, also Inspector of Slaughter Houses and Weights and Mea- sures, at £200 per annum ... ..	£ 200
1 Corporal at £125 per annum ... ..	125

Major Lambert moved—That 1 Sergeant at £130 be inserted instead of 1 Corporal at £125.

On a division being called for, Council divided.

Ayes,

Ayes.  
Messrs. Kennedy,  
Edwards,  
Smith,  
Colenso,  
M'Lean,  
Lambert,  
Fitzgerald.

Noes.  
Messrs. Wilkinson,  
Dolbel,  
Ormond,  
Richardson,  
Rhodes,  
Tiffen.

Amendment agreed to.

Sergeant at £130 per annum ... .. £ 130

Major Lambert moved—That the item, 2 Corporals at £125 per an. each be inserted.

Mr. Tiffen moved as an amendment—That there be 1 Corporal at £125.

Mr. Fitzgerald moved as a further amendment—That the pay of the Police be increased £10 a year each.

Mr. Rhodes moved as a further amendment—That the sum of £12 per annum be added to supply 2 suits of uniform similar to that worn at Canterbury by the Police there, and that the privates receive the same as now—£110.

1 Corporal ... .. £ 120

The amendments were negatived and the original motion of Major Lambert agreed to.

2 Corporals at £125 per annum each ... .. £ 250

4 Privates at £110 per annum each ... ..

Mr. M'Lean moved—That this item be changed to 5 Privates at £110 per annum each.

Agreed to.

5 Privates at £110 per annum each ... .. £ 550

Clive—1 Private at £110 per annum ... ..

Mr. Colenso moved as an amendment—That the word "Clive" be struck out and read "Havelock."

Amendment negatived and original motion agreed to.

Clive—1 Private at £110 per annum ... .. £ 110

Waipawa—2 Privates at £110 per annum each ... ..

Mr. M'Lean moved—That in this item the figure "2" be struck out and "1" inserted.

Agreed to.

Waipawa—1 Private at £110 per annum ... .. £ 110

Mohaka—1 Private at £110 per annum ... .. 110

1 District Constable ... .. 50

Special Constables ... .. 30

Horse Allowance to Sergeant-Major at £46 per an. 46

Mr. Colenso moved as an amendment—That this item be increased to £52 per annum.

Agreed to.

Horse Allowance to Sergeant-Major at £52 per an. £ 52

Allowance for 2 horses for Policeman at Waipawa at £72 ... .. 72

Mr. M'Lean moved—That the following item be inserted:—

Extra Policeman at Spit, £35 ... ..

Agreed to.

Extra Policeman at Spit, £35 ... .. £ 35

Rations for Prisoners ... .. 50

Expenses of Prisoners ... .. 20

Contingencies ... .. 60

CHARITABLE—*Hospital.*

Provincial Surgeon at £110 per annum ...	...	£ 110
Hospital attendants at £100 per annum ...	...	100
Rations for Patients ...	...	140
Charitable Aid ...	...	50
Contingencies ...	...	60

EDUCATION—*Schools.*

Inspector of Schools ...	...	25
--------------------------	-----	----

Mr. Rhodes moved, as an amendment—That £100 for trained schoolmasters be inserted in lieu of £25 for Inspector of Schools.

Mr. Colenso moved, as a further amendment, the following :—For an efficient and suitable Inspector of Schools, £100.

On a division being called for, Council divided.

Ayes.		Noes.
Messrs. Colenso, Dolbel.		Messrs. M'Lean, Rhodes, Lambert, Wilkinson, Tiffen,

Amendment negatived, and original item stood upon the Estimates.

Inspector of Schools ...	...	£25
--------------------------	-----	-----

Mr. Rhodes moved—That the Chairman report progress, and ask for leave to sit again to-morrow.

The Chairman reported progress, and asked for leave to sit again to-morrow.

Leave granted.

Mr. Rhodes moved—That the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Smith seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, JULY 28<sup>TH</sup>, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Richardson.

The minutes of the last meeting were read and confirmed.

Mr. Dolbel to move, on to-morrow—That the Superintendent be requested to place on the Estimates the sum of £30 to erect a foot-bridge over the Coquet creek at Mohaka,

Mr. Colenso to move, on Friday, 29th July,—That His Honor be respectfully requested to replace upon the Estimates the sum of £500 for making Hyderabad road, as voted in Session IV.

Mr. Colenso to move, on Friday,—That the Report (if any) of the Provincial Engineer to His Honor the Superintendent relative to the making of Hyderabad road, and consequent on the vote of the Provincial Council in Session IV., be laid on the table.

Major Lambert to move, on next sitting day—That the Return furnished

nished by the schoolmaster at Napier (Mr. Thomson) for last quarter, be laid on the table.

Mr. Fitzgerald to move, on Friday,—For a Select Committee to enquire into the practice of Officers of the Survey Department executing private work (the information for which is derived from the maps of the Province placed in charge), and to report on the desirability of its being put a stop to, as injurious to the public, as well as unfair to professional men not holding office under Government. Such Committee to consist of Messrs. Colenso, Richardson, Dolbel, Tiffen, and the mover.

Major Lambert, pursuant to notice, moved—That His Honor the Superintendent be requested to move the General Government to direct that in future the court of the officer appointed to revise the Electoral Roll of the Clive District be held in that District in some central place, and not in the town of Napier as at present.

Mr. Tiffen seconded the motion.

Major Lambert, by permission of the Council, amended the original motion to the following:—That His Honor the Superintendent be requested to move the General Government to direct that in future the court of the officer appointed to revise the Electoral Roll of the Clive District be held at Clive, Waipawa, Porangahau, and at such other places as His Honor the Superintendent may deem necessary, and in the town of Napier for the Napier District.

Agreed to.

Mr. Ormond, pursuant to notice, moved—That the Report of the Select Committee in regard of Timber Licenses be adopted.

Mr. Curling seconded the motion.

During the discussion, Mr. Colenso requested that the following expression made by Mr. Rhodes be taken down by the Clerk:

“That he could bring in a gentleman who had told him that Mr. Colenso had almost gone down on his knees in asking to be appointed a Justice of the Peace.”

Report adopted.

Mr. Smith, pursuant to notice, moved—that the Report of Select Committee on Pilotage, &c., be adopted.

Mr. Dolbel seconded the motion.

Mr. Colenso moved, as an amendment—That the Report be re-committed, and brought up on Wednesday next, August 3rd, 1864.

Mr. Ormond seconded the amendment.

Amendment agreed to.

The Council went into Committee on the Loan Appropriation Act.

Mr. M'Lean moved—That the item £4000 for bridge over the Ngaruroro be increased to £5000.

Mr. Tiffen moved, as an amendment—That the sum of £3000 be substituted for £4000 in the Loan Appropriation Act.

On a division being called for, Council divided.

Ayes.  
Messrs. Colenso,  
Tiffen.

Noes.  
Messrs. Ormond,  
M'Lean,  
Lambert,  
Tuke,  
Kennedy,  
Rhodes,  
Dolbel,  
Edwards,  
Smith,  
Wilkinson.

Amendment negatived, and original motion agreed to.

Mr. M'Lean

Mr. M'Lean moved—That the item £7500 for completing the main trunk line of road be changed to £7000; and the words “known as the Te Aute road” be added.

Agreed to.

Mr. M'Lean moved that the item £7500 for Harbour purposes be changed to £7000.

Mr. Fitzgerald moved—That the item £7500 for Harbour improvements be reduced to £2000, and that the balance (£5500) be applied to Educational purposes.

Amendment negatived, and original motion agreed to.

Mr. Ormond moved—That clause 1 be re-committed.

Agreed to.

Mr. Rhodes moved—That the Chairman report the Bill as amended.

The Chairman reported progress and handed the Bill as amended to the Speaker.

Mr. M'Lean to move, on Tuesday, August 2—That the Loan Appropriation Act be read a third time.

Mr. Rhodes moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Smith seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, JULY 29TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Colenso to move, on next sitting day—That His Honor the Superintendent be respectfully requested to replace on the Estimates the sum voted in 1863, Session VI., of £1000, as a reward for a payable gold field discovered within the Province.

Mr. Colenso to move, on next sitting day,—That it is the opinion of this Council that His Honor the Superintendent should publish the Report on the Harbour of Port Napier about to be submitted by His Honor to Marine Engineers in England, in the first Provincial Gazette after the forwarding of such Report.

Mr. Colenso, on next sitting day,—To ask His Honor the Superintendent whether the two punts advertised in the *Hawke's Bay Herald* of June 20, 1863, to be sold by auction by His Honor's order, were so sold; and if so, to whom, and for what amount.

Mr. M'Lean to move, on Wednesday, August 3, 1864—For leave to bring in a Bill to amend an Act called the Contractors' Act, Province of Wellington.

Mr. Ormond to move, on next sitting day—For leave to bring in a Bill to amend the Fencing Act, Province of Wellington.

Mr. Tiffen pursuant to notice, moved—For the appointment of a Select Committee for the purpose of considering the advisability of amending or adding to the Standing Rules and Orders. Such Committee to consist of Messrs. Colenso, Ormond, Rhodes, Curling, and the mover.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Dolbel



Mr. Dolbel, pursuant to notice, moved—That the Superintendent be requested to place on the Estimates the sum of thirty pounds to erect a foot-bridge over the Coquet creek at Mohaka.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Colenso, pursuant to notice, moved—That His Honor be respectfully requested to place upon the estimates the sum of £500 for making Hyderabad road, as voted in Session IV.

Mr. Dolbel seconded the motion.

Motion agreed to.

Mr. Colenso, pursuant to notice, moved—That the Report (if any) of the Provincial Engineer to His Honor the Superintendent, relative to the making of Hyderabad road, and consequent on the vote of the Provincial Council in Session IV., be laid on the table.

His Honor the Superintendent laid the Report called for on the table.

Major Lambert to move on next sitting day—For leave to bring in a Resolution expressive of the opinion of the Council as to the mode in which the share of the three million loan allocated to Hawke's Bay should in their opinion be expended, and move that the same be printed prior to its adoption being moved.

Major Lambert, by permission of the Council, inserted the words "and three previous quarters," when he then moved—For the return furnished by the Schoolmaster at Napier (Mr. Thomson) for last quarter and three previous quarters be laid on the table.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Colenso moved—That No. 75 of Standing Rules and Orders be suspended.

Mr. Tuke seconded the motion.

Motion agreed to.

Mr. Fitzgerald moved—That Mr. Edwards' name be substituted for Mr. Tiffen's in the motion having reference to enquiry into the Survey Department.

Mr. Tuke seconded the motion.

Motion agreed to.

Mr. Fitzgerald, pursuant to notice, moved—For the appointment of a Select Committee to enquire into the practice of officers of the Survey Department executing private work (the information for which is derived from the maps of the Province placed in charge), and to report upon the desirability of its being put a stop to, as injurious to the public, as well as unfair to professional men not holding office under Government. Such Committee to consist of Messrs. Colenso, Richardson, Dolbel, Edwards, and the mover. Report to be brought up on Wednesday, 3rd August.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Ormond, on behalf of Mr. Fitzgerald, moved—That the Police Act be read a third time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a third time accordingly.

Mr. Ormond moved—That the Bill do now pass.

Mr. M'Lean seconded the motion.

Motion agreed to.

The Council went into Committee on the Drainage Act.

Mr. Ormond moved—That the following be added to clause 4 :—“ And provided that any damage or injury done to the property of such adjoining owner may be recovered by arbitration as provided in clause 10 of this Act.”

Agreed to.

Mr. Ormond moved—That the following be added to clause 6 :—“ And the applicant

applicant, if he shall be satisfied with the terms contained in such assent, shall execute the Deed."

Agreed to.

Mr. Ormond moved—That the following be added to clause 8:—" Or if the applicant shall decline to execute the Deed containing the assent of the adjoining owner."

Agreed to.

Mr. Ormond moved—That the following be added to clause 11 and marked as "d":—" Whether the property of an adjoining owner is not benefitted by the proposed drains or improvement of drains, although the same be not cut through, made upon or lie contiguous to such property."

Agreed to.

Mr. Ormond moved—That in clause 12 in the part thereof marked " d " in the third line, after the word " therefrom " the following be inserted:—" Although such drains or improvements of drains be not cut through, made upon or lie contiguous to such property."

Agreed to.

Mr. Ormond moved—That clause 13 be re-committed and stand part of the Bill.

Agreed to.

Mr. Ormond moved—That in the 16th clause, after the words " lawful for the " in the second line, the following be inserted and the remainder of the clause be struck out:—

" Adjoining owner, and for the purpose of this clause, the applicant shall be considered an adjoining owner, their or any of their heirs or assigns for ever thereafter from time to time as it may become necessary to give notice in writing to any adjoining owner calling upon him or them to contribute towards the clearing out and otherwise maintaining the said drains in a proper state of efficiency, and if the said adjoining owner or owners neglect or refuse within a period of 14 days to contribute towards the clearing out and maintaining the said drains, it shall be lawful for the person or persons giving such notice to enter upon the lands in which such drains shall lie for the purpose of clearing out and maintaining the said drains, and to recover such proportion of the expenses incurred on that account as to the Court hereinafter mentioned shall seem reasonable. If the amount shall not exceed £20 the same shall be recoverable in a summary way; but if it exceed £20 the same shall be recoverable in the Supreme Court."

Agreed to.

Mr. Ormond moved—That in clause 17 in the third line, after the word " may " the following be inserted and the remainder of the clause be struck out:—

" At his own expense, after obtaining the written assent of the Superintendent, who shall first satisfy himself as to the efficiency of the said drains, fill up or otherwise deal with such drains on condition of first laying out and making in lieu thereof drains equally efficient."

Agreed to.

Mr. Ormond moved—That in clause 18, after the seventh word, the word " lawfully " be inserted.

Agreed to.

Mr. Ormond moved—That in clause 25 in the third line, after the second word, the words " the provisions of " and after the fourth word in the same line, the words " hereinbefore contained " shall be inserted, and in the last line but one after the word " proclamation " the words " and not before the provisions of " be inserted, and in the same line, after the words " this Act," the words " hereinbefore contained " be inserted.

Agreed to.

Mr. Ormond moved—That in clause 27 in the third line the words " the applicant shall forward the " be struck out and the following be inserted in lieu thereof:—" The applicant, if he shall be satisfied with the terms contained in such assent, shall sign the same and forward such."

Agreed to.

Mr. Ormond

Mr. Ormond moved—That the following be added to clause 28 :—“ Or if the said applicant shall decline to sign the written consent referred to in clause 27.”

Agreed to.

Mr. Ormond moved—That in clause 29 in the third line from the bottom, the number “50” be inserted after “£.”

Agreed to.

Mr. Ormond moved—That in clause 30 in the fifth and last line the following numbers be respectively inserted, “50” and “5.”

Agreed to.

Mr. Ormond moved—That the following be inserted in lieu of clause 32 :—  
“ In the construction of this Act it shall be understood that in the case of districts in which the provisions contained in the different clauses thereof from 1 to 25 inclusive shall have been proclaimed as in operation, the words “adjoining owner” shall mean the owner of property in any such district. In the case of districts in which the before-mentioned clauses have not been brought into operation, the words “adjoining owner” shall be understood to mean the owner of any land through which the applicant desires to carry out such drains.”

Agreed to.

Mr. Ormond moved—That in clause 33, after the third word, the words “and all sums made payable” be inserted.

Agreed to.

Mr. Ormond moved—That the Chairman report progress, and the Bill as amended.

The Chairman reported progress, and handed the Bill, as amended, to the Speaker.

Mr. Ormond to move on August 3—That the Drainage Act be read a third time.

The Council went into Committee of Supply.

The Chairman put the next item on the estimates.

Grant in aid of Buildings	...	...	...	£ 300
Grant under Education Act	...	...	...	400

#### 6. SPECIAL.

##### *Harbour Department.*

Harbour Master and Pilot at £200 per an.	...	...	...	£ 200
2 Boatmen at 6s. 6d. per diem	..	...	...	240
Bonus to Ferryman at Napier Heads at £45 per				
• annum	...	...	...	£ 45
1 Assistant Pilot	...	...	...	170

His Honor the Superintendent moved—That this item be changed to £144.

Agreed to.

Assistant Pilot	...	...	...	£ 144
1 Engineer	...	...	...	160

His Honor the Superintendent moved—That this item be changed to £200.

Agreed to.

1 Engineer	...	...	...	£ 200
------------	-----	-----	-----	-------

His Honor the Superintendent moved—That the following item be inserted :—

1 Fireman at £100

Agreed to.

1 Fireman	...	...	...	£ 100
Extra men in addition to the Pilot's crew (when employed)	...	...	...	100
Coal and Contingencies	...	...	...	625

##### *Inspectors of Sheep.*

Inspector of Sheep for all the inland Districts,  
also Registrar of Brands, at £250 per annum

Major Lambert

Major Lambert moved as an amendment—That there be two Inspectors of Sheep, one for the North and one for the South—the Ngaruroro would be the boundary—at a salary of £150 per annum each.

Agreed to.

2 Inspectors of Sheep, one for the North and one for the South, the Ngaruroro to be the boundary, at a salary of £150 per an. each	£ 300
Examining Inspector for Southern boundary of the Province, at £25 per annum, £25	

Mr. Ormond moved as an amendment—That this item be increased to £30.  
Agreed to.

Examining Inspector for Southern boundary of the Province, at £30 per annum ... ..	£ 30
Examining Inspector for the Port of Napier ...	

Mr. Ormond moved—That this item be struck out and the following be inserted in lieu thereof :—

Dipping Apparatus and Yard, £40

Agreed to.

Dipping Apparatus and Yard ... ..	£ 40
Inspector of Diseased Cattle, £50	

Mr. Colenso moved as an amendment—That the sum of £50 for Inspector of Diseased Cattle be struck out.

On a division being called for, Council divided.

Ayes.  
Messrs. Tiffen,  
Colenso.

Noes.  
Messrs. M'Lean,  
Tuke,  
Wilkinson,  
Smith,  
Kennedy,  
Richardson.

Amendment negatived.

Mr. Richardson moved—That the further consideration of this item be postponed.

Agreed to.

Mr. Richardson moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

Agreed to.

The Chairman reported progress, and asked for leave to sit again next sitting day.

Leave granted.

Mr. M'Lean moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Tuke seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY, AUGUST 2ND, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Colenso

Mr. Colenso on Wednesday, August 3—To ask His Honor the Superintendent whether His Honor knows of any inquest having been held on the body of a settler who died from being gored by an ox at Waikari on Thursday the 7th ultimo.

Mr. Fitzgerald, pursuant to notice, moved—That any land purchased after the 31st August, 1864, by the Government in the Province of Hawke's Bay, be subject to the following Regulations :

“ That none of the land whatever shall be offered for sale until after it shall have been surveyed, marked off on the ground, mapped and numbered; and the main district line of road, with the gradients where practicable, similarly defined; and that no land, whether town, suburban, or rural, be sold until after it shall have been duly advertised at least three months before the day of sale.”

Mr. Kennedy seconded the motion.  
Motion negatived.

Mr. Colenso to move on Thursday, August 4—That in the event of His Honor the Superintendent (as Chief Native Land Purchase Commissioner) being able to obtain any land from the natives, such land shall not be thrown open for sale, nor let as runs, until such portions of the same as may be suitable for Townships and for Agricultural Reserves shall have been set apart and reserved.

Mr. M'Lean to move on next sitting day—For leave to bring in an Act to repeal certain Acts of the Provincial Council of Wellington.

Mr. Colenso, pursuant to notice, moved—That His Honor the Superintendent be respectfully requested to replace on the Estimates the sum voted in 1863, Session VI., of £1000, as a reward for a payable gold field discovered within the Province.

Mr. Tiffen seconded the motion.  
Motion agreed to.

Mr. Colenso, pursuant to notice, moved—That it is the opinion of this Council that His Honor the Superintendent should publish the Report on the Harbour of Port Napier about to be submitted by His Honor to Marine Engineers in England, in the first Provincial Gazette after the forwarding of such Report.

Mr. Fitzgerald seconded the motion.  
Motion agreed to.

Mr. Colenso, pursuant to notice, asked His Honor the Superintendent whether the two punts advertised in the *Hawke's Bay Herald* of June 20, 1863, to be sold by auction by His Honor's order, were so sold; and if so, to whom, and for what amount.

His Honor the Superintendent, in reply, read a letter received from Mr. Janisch to the purport that the temporary Clerk engaged at the time of sale had omitted to make out the account as he should have done immediately after the sale, and therefore it escaped his notice; he now enclosed a cheque for the amount, with 10 per cent. added for the time it had remained in his hand.

Mr. Ormond, pursuant to notice, moved—For leave to bring in a Bill to amend the Fencing Act, Province of Wellington.

Mr. M'Lean seconded the motion.  
Leave granted.

Mr. Ormond moved—For the suspension of the necessary Rules and Orders to ensure the first reading and printing of the Bill.

Mr. M'Lean seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That the Bill be read a first time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Bill read a first time accordingly.

Mr. Ormond moved—That the Bill be printed.  
 Mr. M'Lean seconded the motion.  
 Motion agreed to.

Mr. Ormond to move on Thursday, August 4—That the Fencing Act Amendment be read a second time.

Major Lambert, pursuant to notice, moved—For leave to bring in a resolution expressive of the opinion of the Council as to the mode in which the share of the £3,000,000 loan allocated to Hawke's Bay should in their opinion be expended, and move that the same be printed prior to its being adopted.

Mr. Tiffen seconded the motion.  
 Motion agreed to.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
 Motion agreed to.

Mr. M'Lean moved—For leave to bring in a Bill to amend an Act called the Contractors' Act, Province of Wellington.

Mr. Curling seconded the motion.  
 Motion agreed to.

Mr. M'Lean moved—That the Bill be read a first time.  
 Mr. Curling seconded the motion.  
 Motion agreed to, and Bill read a first time accordingly.

Mr. M'Lean moved that the Bill be printed.  
 Mr. Curling seconded the motion.  
 Motion agreed to.

Mr. M'Lean to move, on Thursday, August 4—That the Contractors' Act be read a second time.

Mr. Dolbel moved for leave to postpone the bringing up of Report of Select Committee as regards timber for building, &c., until Wednesday, August 4.

Mr. Colenso seconded the motion.  
 Motion agreed to.

Mr. M'Lean laid on the table Quarterly Returns from Mr. Thomson and Report from Inspector of Schools.

Mr. M'Lean, pursuant to notice, moved—That the Loan Appropriation Act be read a third time.

Mr. Curling seconded the motion.  
 Motion agreed to, and Act read a third time accordingly.

Mr. M'Lean moved—That this Act do now pass.  
 Mr. Curling seconded the motion.  
 Motion agreed to, and Act passed accordingly.

Council went into Committee of Supply.

The Chairman put the next item on the Estimates for consideration.

Inspector of Diseased Cattle ... .. £50

Mr. Tiffen moved, as an amendment,—That all cattle entering the Province, either by vessel or overland, shall be inspected by a fully competent person named by His Honor the Superintendent, and a fee of £1 per head be paid by the owner of the cattle for such inspection.

Amendment agreed to.

Contingencies ... .. £ 5

*Receiver of Land Revenue's Department—*

Contingencies ... .. £ 5

*Returning*

*Returning Officer's Department—*

Expenses and Contingencies of Elections ... £50

*Ferries—*

Bonus to Ferry at Waihua River ... .. £20

His Honor the Superintendent moved—That this item be increased to £25.

Agreed to.

Bonus to Ferry at Waihua River ... .. £25

Bonus to Ferry at Waikari River ... .. 5

Bonus to Ferry at Wairoa River ... .. 20

*Miscellaneous—*

Expenses of Troops at Waipawa for six months... £770

General Printing ... .. 200

His Honor the Superintendent moved—That this item be increased to £350.

Agreed to.

General Printing ... .. £350 0 0

Insurance Government Buildings ... .. 96 10 0

Council Library and Newspapers ... .. 30 0 0

Powder, Saturday Gun ... .. 15 0 0

Registrar of Meteorological Tables ... .. 50 0 0

Contingencies for Meteorological Station ... .. 10 0 0

Miscellaneous Contingencies ... .. 200 0 0

Immigration, Assisted ... .. 338 5 0

Government Offices, Firewood, Coal, &c.. 50 0 0

Liabilities ... .. 6500 0 0

Mr. Tiffen moved—That the Chairman report progress, and ask for leave to sit again to-morrow.

The Chairman reported progress, and asked for leave to sit again to-morrow.

Leave granted.

Mr. Colenso moved—That the Council do adjourn until to-morrow, at 3 o'clock.

Mr. Edwards seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, AUGUST 3RD, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Dolbel to move, on to-morrow,—That the Superintendent be requested to place the sum of £25 on the Estimates as a bonus to the ferryman at Mohaka.

His Honor the Superintendent laid on the table—

Papers relative to New Zealand;

Letters from Mr. Morison in reference to Immigration and Iron Bridges, &c.;

Report of the Canterbury New Zealand Harbour Commission.

Mr. Colenso

Mr. Colenso, pursuant to notice—Asked His Honor the Superintendent whether His Honor knew of any inquest having been held on the body of a settler who died from being gored by an ox at Waikari, on Thursday, the 7th ultimo.

His Honor the Superintendent, in reply, stated that he believed there had been no inquest held. The Resident Magistrate went there, but, as the settlers lived at a great distance from the scene of the accident, it was impossible for him to summon a jury to hold an inquest on the body, as it would have been competent for him to have done so.

Mr. M'Lean to move, on to-morrow,—That this Council expresses its thanks to the Directors of the New Zealand Steam Navigation Company for their consideration in having on two occasions forwarded the English mails to Napier by special steamers, to the very great advantage of the inhabitants of the Province, and desires that the tenor of this Resolution be communicated to the said Company.

Mr. Ormond to move, on to-morrow,—For leave to bring in a Bill to amend the Impounding Act of the Province of Wellington, Session 3, No. 8.

Mr. Dolbel, pursuant to notice, brought up Report of Select Committee as regards timber for building, &c., and moved that it be read.

Mr. Colenso seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Dolbel moved that the Report be printed.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Dolbel to move, on Friday, August 5,—That the Report of Select Committee as regards timber for building, &c., be adopted.

Mr. M'Lean, pursuant to notice, moved—For leave to bring in a Bill to repeal certain Acts of the Provincial Council of Wellington.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. M'Lean to move, on next sitting day,—That the Act to amend certain Acts of the Province of Wellington be read a first time and printed.

Mr. Smith, pursuant to notice, brought up Report of Select Committee on Pilotage, and moved that it be read.

Mr. Dolbel seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Smith to move, on to-morrow,—That the Report of Select Committee on Pilotage, &c., be adopted.

Mr. Fitzgerald moved—For leave to postpone bringing up Report of Select Committee having reference to the Survey Department till August 5.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Curling moved—That all the Standing Rules and Orders be suspended.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Curling moved—That the Sheep and Scab Amendment Act be re-committed.

Mr. M'Lean seconded the motion.

Motion agreed to.

The Council went into Committee on the Sheep and Scab Amendment Act.

Mr. Ormond moved—That Clause 2 be re-committed, and the following words added:—"Excepting under the provisions and restrictions contained in clause 6 of this Act."

Agreed to.

Mr. Ormond



Mr. Ormond moved—That Clause 6 be re-committed, and the following words added:—“or to grant a certificate authorising the shipment of the said Sheep, or any other Sheep he may certify as being free from disease, and their conveyance to and landing upon any part of the coast of the said Province of Hawke’s Bay, and any person so landing any such Sheep under the authority aforesaid shall not be liable to any of the fines and penalties imposed by this Act.

Agreed to.

Mr. Ormond moved—That clause 9 be struck out and the following inserted in lieu thereof:—“No penalties imposed by this Act shall in any one case exceed £100.”

Agreed to.

Mr. Ormond moved—That the following be inserted as clause 10:—“All fines and penalties imposed by this Act which are, shall, or may be within the jurisdiction of Resident Magistrates’ Courts, shall be recoverable in a summary way. But this provision shall not be held to refer to, include, or interfere with, any fine or penalty contained in this Act which may be beyond the jurisdiction of such Court.

Agreed to.

Mr. Ormond moved—That the Chairman report the Bill as amended.

The Chairman reported the Bill as amended.

Mr. Curling to move on next sitting day—That the Sheep and Scab Amendment Act be read a third time.

Mr. Ormond, pursuant to notice, moved—That the Hawke’s Bay Drainage Act be read a third time.

Mr. M’Lean seconded the motion.

Motion agreed to, and Act read a third time accordingly and passed.

The Council went into Committee of Supply.

*Crown Lands.*

Commissioner of Crown Lands, also Provincial Treasurer, at £350 per annum ... ..	£ 350
Chief Clerk, also Clerk to Provincial Treasurer, at £300 per annum ... ..	300
Travelling expenses for Commissioner at 12s. 6d. per diem ... ..	20
Contingencies for Departments of Commissioner of Crown Lands and Provincial Treasurer	50

*Survey Department.*

1 Surveyor at £340 per annum ... ..	£ 340
-------------------------------------	-------

Mr. Tiffen moved as an amendment—That the sum of £300 be substituted for £340.

Agreed to.

1 Surveyor at £300 per annum ... ..	£ 300
1 Assistant Surveyor at £200 ... ..	200
Travelling expenses for 2 Surveyors at £36 per an.	72
Draughtsman, at £250 per annum ... ..	250
Contract Surveys ... ..	500
Labourers ... ..	720
Contingencies ... ..	40
Instruments, £68	

Mr. Tiffen moved—That this item be increased to £90.

Agreed to.

Instruments ... ..	£ 90
--------------------	------

*Provincial Engineer's Department.*

Provincial Engineer, also Chief Provincial Surveyor, at £400 per annum ... ..	£ 400
Clerk of Works and Accountant, including travelling expenses ... ..	200

Mr. M'Lean moved—That the consideration of this item be postponed.  
Agreed to.

Travelling expenses for Provincial Engineer at £100 per annum ... ..	£ 100
Contingencies ... ..	25

ROADS—*Te Aute.*

Mr. M'Lean moved—That the items under the head of Roads be postponed.  
Agreed to.

Repairs and Maintenance of Public Buildings, inclusive of papering, painting, sweeping chimneys, &c. ... ..	£ 409 11 8
Fireproof Room for Registrar of Deeds, £100	
“ “ Survey Office, £100	

Mr. M'Lean moved—That these two items be postponed.  
Agreed to.

Public Wells and Pumps ... ..	£ 15
Repairs Public fences ... ..	28 7 6
Clive Ferry Punt contingencies ... ..	70
Stables for Waipawa Police Force ... ..	

Mr. Rhodes moved—That this item be struck out.  
Agreed to.

Fencing Court House Reserve, Waipawa, £60

Mr. Rhodes moved—That this item be changed to £20.  
Agreed to.

Fencing Court House Reserve, Waipawa ...	£ 20
Fencing Custom House and Post Office, £40	

Mr. Rhodes moved—That this item be struck out.  
Agreed to.

Timber for temporary Barracks, Napier ...	£ 80
Light at Whangawai ... ..	10
Exhibition transit to Otago, £100	

Mr. Wilkinson moved—That the words “and other expenses” be added.  
Agreed to.

Exhibition transit to Otago and other expenses...	£ 100
Maintenance of Lighthouse per annum, £250	

Mr. Ormond moved—That this item be decreased to £100.  
Agreed to.

Maintenance of Lighthouse &c. ... ..	£ 100
Harbour Improvements ... ..	11 15
Award to Mr. Tiffen for 3 acres of land for making road through Meanee Flat ... ..	62
Burial ground, Petane, Fencing, £30	

Mr. Richardson moved—That this item be increased to £45.  
On a division being called for, Council divided.

Ayes

Ayes.  
Messrs. Richardson,  
Dolbel,  
Smith.

Noes.  
Messrs. Ormond,  
Lambert,  
Colenso,  
Wilkinson.

Amendment negatived.

Burial ground, Petane, Fencing ...	...	...	£ 30
Widows' and Orphan's Fund ...	...	...	100
Queen's Warehouse ...	...	...	250
Colonial Defences...	...	...	800

Mr. Ormond moved—That the Chairman report progress, and ask for leave to sit again on next Friday.

The Chairman reported progress, and asked for leave to sit again on next Friday.

Leave granted.

Mr. Ormond moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Colenso seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, AUGUST 4TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Mr. Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Colenso to move on to-morrow—That the paid country members who were not present in Council on Thursday, 4th August, be not paid for that day.

Mr. M'Lean moved—That the Council do adjourn until to-morrow at 3 o'clock.

Mr. Dolbel seconded the motion.

On a division being called for, Council divided.

Ayes.  
Messrs. M'Lean,  
Kennedy,  
Smith.

Noes.  
Messrs. Dolbel,  
Fitzgerald,  
Edwards,  
Colenso.

Motion negatived.

Mr. Colenso, pursuant to notice, moved—That in the event of His Honor the Superintendent (as Chief Native Land Purchase Commissioner) being able to obtain any land from the natives, such land shall not be thrown open for sale, nor let as runs, until such portions of the same as may be suitable for Townships and for Agricultural Reserves shall have been set apart and reserved.

Mr. Fitzgerald seconded the motion.

Motion agreed to.

Mr. Dolbel moved for leave to postpone till to-morrow the request to the Superintendent to place the sum of £25 on the estimates for a bonus to the Mohaka Ferryman of £25.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. M'Lean

Mr. M'Lean moved for leave to postpone the vote of thanks to the N.Z.S.N. Co. till to-morrow.

Mr. Colenso seconded the motion.  
Motion agreed to.

Mr. M'Lean, in the absence of Mr. Ormond, moved for leave to bring in a Bill to amend the Impounding Act of the Province of Wellington, Sess. 3 No. 8.

Mr. Colenso seconded the motion.  
Motion agreed to.

Mr. M'Lean to move on next sitting day—That the Impounding Act Amendment be read a first time.

Mr. M'Lean, pursuant to notice, moved—That the Act to repeal certain Acts of the Province of Wellington be read a first time and printed.

Mr. Colenso seconded the motion.  
Motion agreed to.

Mr. M'Lean to move on next sitting day—That the Wellington Act Repeal be read a second time.

Mr. Colenso, in the absence of Mr. Tiffen, moved for leave to postpone bringing up Report of Select Committee on Standing Rules and Orders until Wednesday next, August 10.

Mr. Edwards seconded the motion.  
Motion agreed to.

Mr. Kennedy, in the absence of Mr. Smith, moved—That the Report of Select Committee on Pilotage, &c., be adopted.

Mr. Fitzgerald seconded the motion.  
Motion agreed to, and Report adopted.

Mr. Ormond, pursuant to notice, moved—That the Fencing Amendment Act be read a second time.

Mr. M'Lean seconded the motion.  
Motion agreed to, and Act read a second time accordingly.

The Council went into Committee on the Fencing Amendment Act.

Mr. Ormond moved—That the Chairman report progress, and ask for leave to sit again presently.

Chairman reported progress, and asked for leave to sit again presently.  
Leave granted.

Mr. M'Lean, pursuant to notice, moved—That the Contractors' Act Amendment be read a second time.

Mr. Curling seconded the motion.  
On a division being called for, Council divided.

Ayes.	Noes.
Messrs. M'Lean, Kennedy, Tiffen, Curling, Ormond, Rhodes.	Messrs. Dolbel, Richardson, Edwards, Colenso, Fitzgerald.

Motion agreed to, and Act read a second time accordingly.  
Council went into Committee on the Contractors' Act Amendment.

Mr. Colenso moved—That clause 1 be struck out.  
On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Colenso, Dolbel, Richardson, Edwards, Fitzgerald.	Messrs. Tiffen, Lambert, M'Lean, Rhodes, Wilkinson, Kennedy, Ormond.

Motion negatived.

Mr. M'Lean

Mr. M'Lean moved—That the Chairman report the Bill to the Council.  
The Chairman reported the Bill and handed it to the Speaker.

Mr. M'Lean to move on Tuesday, August 9—That the Contractors' Amendment Act be read a third time.

Mr. Curling, pursuant to notice, moved—That the Sheep and Scab Amendment Act be read a third time.

Major Lambert seconded the motion.

Motion agreed to, and Act read a third time accordingly and passed.

The Council went into Committee on the adjourned sitting on the Fencing Amendment Act.

Mr. Ormond moved—That in clause 2 in the first line, the 2 first words and the 9th, 10th and 11th words be struck out and in lieu of the last mentioned words the following be inserted:—"a fence shall be considered"; and in the second line the words "unless the same be of" be struck out and the following inserted in lieu thereof:—"if the same accord with;" and the following be added at the end of the clause:—"provided however that any other fence which shall be considered by two Justices of the Peace to be equivalent thereto shall be considered a sufficient fence."

Agreed to.

Mr. Ormond moved—That the following be inserted in the Bill as clause 7:—

"All sums recoverable under this Act or of the Act before referred to as the Fencing Act of the Provincial Council of Wellington, No. 13 of Session 1, shall be recovered by summary proceedings in all cases in which the sum sought to be recovered is, shall, or may be, within the jurisdiction of Resident Magistrates' Courts: provided always that in all cases where the sum sought to be recovered under the provisions of the said Fencing Act of the Province of Wellington, No. 13 of Session 1, or of this Act, shall be beyond the jurisdiction of Resident Magistrates' Courts, all such sum or sums shall be recoverable in the Supreme Court of New Zealand, anything in the said Fencing Act contained to the contrary notwithstanding.

Agreed to.

#### *Schedule.*

Mr. Ormond moved—That in clause 3 of Schedule, in the 2nd line, after the word "rails" the following be inserted:—"the said rails to be"; in the 3rd line, after the last word, the words "7 feet and" be inserted; and in the 4th line, after the word "other" the word "respectively" be inserted.

Agreed to.

Mr. Ormond moved the insertion of the following in lieu of clause 4 of Schedule:—"a wire fence—the posts or iron standards shall not be more than 7 feet apart and the wires shall not be less than 7 in number. The wire nearest the ground shall not be more than  $4\frac{1}{2}$  inches therefrom, and the 2nd, 3rd, 4th, 5th, 6th and 7th shall not be more than  $4\frac{1}{2}$ , 5, 5, 6, 9 and 12 inches apart respectively.

Agreed to.

Mr. Ormond moved—That in clause 5 of Schedule the two last words of the 2nd line and the five first words of the 3rd line be struck out, and in the 4th line the word "five" be struck out and "3" substituted.

Agreed to.

Mr. Ormond moved—That the Chairman report the Bill as amended.

The Chairman reported the Bill as amended.

Mr. Ormond to move on Tuesday, August 9—That the Fencing Act Amendment be read a third time.

Major Lambert moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Colenso seconded the motion.

Motion agreed to.

Major Lambert to move on to-morrow—That the statement or resolution referring to the share of the three million loan to be allocated to Hawke's

Bay be considered to-morrow in Committee of the whole Council, with a view to its adoption being moved upon a future day.

Mr. M'Lean moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. Ormond seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, AUGUST 5TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Colenso withdrew his motion in reference to country members absent on Thursday, 4th inst., not being paid for that day.

The Speaker read a letter from the Provincial Solicitor in reference to his clerk being summoned by a Chairman of the Select Committee.

Mr. Colenso moved—That the letter be taken into consideration on Tuesday, August 9.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Dolbel, pursuant to notice, moved—That the Superintendent be requested to place the sum of £25 on the estimates as a bonus to the Mohaka Ferryman.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. M'Lean, pursuant to postponed notice, moved—That this Council expresses its thanks to the Directors of the New Zealand Steam Navigation Company for their consideration in having on two occasions forwarded the English mails to Napier by special steamers, to the very great advantage of the inhabitants of the Province, and desires that the tenor of this Resolution be communicated to the said Company.

Mr. Tiffen seconded the motion.

Motion agreed to unanimously.

Mr. Ormond, in the absence of Major Lambert, moved—That the consideration of the resolution in reference to the £3,000,000 loan be postponed till after the orders of the day have been disposed of.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Fitzgerald moved for leave to postpone his bringing up Report of Select Committee until next Wednesday, August 10.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Impounding Act Amendment be read a first time.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. M'Lean to move on next sitting day—That the Impounding Act Amendment be read a second time.

Mr. Dolbel, pursuant to notice, moved—That the Report of Select Committee in regard of Timber for building &c. be adopted.

Mr. Colenso

Mr. Colenso seconded the motion.  
Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Wellington Act Repeal be read a second time.

Mr. Curling seconded the motion.  
Motion agreed to.

The Council went into Committee on the Wellington Act Repeal Bill.

Mr. Ormond moved—That the consideration of clause 1 be postponed.  
Agreed to.

Mr. Ormond moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

The Chairman reported progress, and asked for leave to sit again next sitting day.

Mr. Rhodes, on behalf of Major Lambert, to move on next sitting day but one—That the Report and Return of the Napier School be taken into consideration.

The Council went into Committee of Supply.

Mr. M'Lean moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

The Chairman reported progress, and asked for leave to sit again on next sitting day.

Leave granted.

Major Lambert moved—That the Council go into Committee to take into consideration a resolution in reference to the allocation of their share of the £3,000,000 loan.

Mr. Rhodes seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. Ormond moved—That in the 1st paragraph in the 10th line, the word "their" be struck out and the word "its" be inserted in lieu thereof.

Agreed to.

Mr. Ormond moved—That in the second paragraph in the sixth line, the words "that Province" be struck out and the word "Wellington" substituted; and in the eighth line the word "Act" be struck out and the words "Government scheme" substituted; and in the sixteenth line of the same paragraph the words "line of" be struck out.

Agreed to.

Mr. Ormond moved—That in the third paragraph in the third line, after the second word the words "he had" be inserted, and the fourth and fifth words be struck out.

Agreed to.

Mr. Ormond moved—That in the fifth paragraph in the second line, the word "their" be struck out and the word "its" be substituted, and in the same line the number £80,000 be increased to £90,000.

Agreed to.

Mr. Ormond moved—That in the sixth paragraph in the fourth line, the word "construction" be struck out and the word "formation" substituted, and in the last line but two the word "these" be struck out and the word "their" inserted in lieu thereof.

Agreed to.

Mr. Ormond moved—That in the ninth paragraph in the fourth line, the sum of £30,000 be substituted for £40,000, and in the last line but two, after the first word, the letter "a" be inserted.

Agreed to.

Mr. Ormond moved—That in the last paragraph but one, before the last word, the word "general" be inserted.

Agreed to.

Major Lambert moved—That the Chairman report progress.

The Chairman reported progress.

Major Lambert

Major Lambert to move on next sitting day—That the Council adopt the resolution as reported from Committee referring to the share of the three million loan.

Major Lambert moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. M'Lean seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY, AUGUST 9TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. M'Lean to move on to-morrow—For leave to bring in a Bill to be intituled "The Hawke's Bay Town Road Act."

Mr. M'Lean to move on to-morrow—For leave to bring in a Bill to authorize Lodging House-keepers to sell malt liquors.

Mr. M'Lean brought in a petition in reference to a site for the Mechanics' Institute, and moved that it be read.

Mr. Curling seconded the motion.

Motion agreed to, and petition read accordingly.

Mr. M'Lean moved—That the petition be received.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean to move on next sitting day—That the Petition of several persons in reference to a site for the Mechanics' Institute be taken into consideration.

Mr. M'Lean to move on next sitting day—For leave to bring in a Bill to divert certain Educational reserves to sites for public schools.

Mr. Colenso, pursuant to notice, moved—That Mr. Wilson's letter be taken into consideration.

Major Lambert moved—That this Council consider the conduct of the Chairman of the Select Committee on Survey enquiry, in summoning Mr. Charles Allen as a witness, to be in accordance with the authority given by this Council to call for persons and papers.

Mr. Curling seconded the motion.

Motion agreed to.

Major Lambert, pursuant to notice, moved—That the Council adopt the resolution as reported from Committee, referring to the share of the £3,000,000 loan.

Mr. Curling seconded the motion.

On a division being called for, Council divided.

Ayes



Ayes.  
 Messrs. Edwards,  
 Smith,  
 Kennedy,  
 Tuke,  
 Tiffen,  
 Richardson,  
 Dolbel,  
 Rhodes,  
 Ormond,  
 Curling,  
 Lambert,  
 M'Lean.

Noes.  
 Mr. Colenso.

Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Contractors' Amendment Act be read a third time.

Mr. Curling seconded the motion.

Motion agreed to, and Act read a third time accordingly and passed.

Mr. Ormond, pursuant to notice, moved—That the Fencing Act be read a third time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a third time and passed.

Mr. M'Lean, pursuant to notice, moved—That the Impounding Act Amendment be read a second time.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Council go into Committee on the Act.

Mr. Ormond seconded the motion.

Motion agreed to.

The Council went into Committee on the Impounding Act Amendment.

Mr. Ormond moved—That in clause 3 the seven last words be struck out and the following inserted in lieu thereof:—"advertised in at least one of the newspapers published in the Province of Hawke's Bay."

Agreed to.

Mr. Ormond moved—That in clause 4 in the fourth line the words "the amount of" be struck out.

Agreed to.

Mr. Ormond moved—That the Chairman report the Bill as amended.

The Chairman reported the Bill as amended.

Mr. Ormond to move on Friday, 12th inst.—That the Impounding Act Amendment be read a third time.

The Council went into Committee on the adjourned debate on the Wellington Acts Repeal Bill.

Mr. Ormond moved—That clause 1 be struck out and the following be inserted in lieu thereof:—"The Acts specified in the Schedule hereunto annexed, or such of the said Acts as may be in force in the Province of Hawke's Bay, are hereby repealed, within and so far as they relate to the said Province of Hawke's Bay: Provided always that no such repeal shall revive any Act or Acts which may have been repealed by any of the Acts now sought to be repealed."

Agreed to.

Mr. Ormond to move on Friday, 12th inst.—That the Wellington Act Repeal be read a third time.

The Council went into Committee of Supply.

Mr. Ormond moved—That the item Colonial Defences, £800, be recommitted and struck out.

Agreed to.

*Roads—*

Te Aute ... .. £ 800  
Middle, £150

Mr. M'Lean moved—That this item be increased to £250.  
Agreed to.

Middle ... .. £ 250  
Clive to Havelock ... .. 60  
Porangahau ... .. 300  
Waipawa to Rua Taniwha ... .. 40  
Waipukurau to Rua Taniwha .. .. 30  
Taupo ... .. 400  
Petane ... .. 120  
Bridle Track to Mohaka ... .. 120  
Aorangi to Kereru, £160

Mr. Tiffen moved as an amendment—That the item of £160, Kereru Bush, be struck out.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Lambert, Wilkinson, Smith, Richardson, Tiffen, Colenso, Edwards.	Messrs. Tuke, Kennedy, Ormond, M'Lean.

Amendment agreed to.

Road Contingencies and Grants in Aid ... £ 1000  
Porangahau to Tautane ... .. 40  
Clive Road ... .. 50  
Omahu to Aorangi, £100

Mr. Tiffen moved—That this item be struck out.  
Motion negatived.

Omahu to Aorangi ... .. £ 100  
Havelock to Aorangi ... .. 100  
Hampden to Aorangi ... .. 100  
Mohaka to Upper Mohaka ... .. 50  
Town Roads ... .. 200  
Clearing Mangaone River, £40

Mr. Dolbel moved—That this item be increased to £60.  
Agreed to.

Clearing Mangaone River ... .. 60

LEGISLATIVE—*Provincial Council.*

Speaker, £50

Mr. Colenso moved—That this item be struck out.  
On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Rhodes, Lambert, Smith, Edwards, Dolbel, Colenso, Kennedy, Tiffen.	Messrs. Richardson, Tuke, M'Lean, Ormond.

Amendment agreed to.

Country members at 12s. per diem ... .. £ 250

Mr. Tuke

Mr. Tuke moved--That Country members receive £1 per day; Town members 12s.

Amendment negatived.

Messenger ... ..	£ 110
Contingencies ... ..	20

CHARITABLE—

Provincial Surgeon, £40

Mr. Colenso moved—That this item be struck out.

Agreed to.

Hospital Furniture ... ..	£ 50
Matron ... ..	

Mr. Tiffen moved—That this item be struck out.

Agreed to.

Inspector of Sheep, Southern boundary of Province, for 1863-4 ... ..	26 6 2
Examining Inspector, Napier, ditto ... ..	17 10
Immigration contingencies ... ..	100
Expenses for Native visitors ... ..	50
Gaol Messenger, July to August 4 ... ..	1 17 9
Clerk of Works ... ..	200
Bonus to Mr. Locke for assistance in settling Native disputes ... ..	40
Bonus to Mr. Fitzgerald in recognition of value of Trigonometrical Survey, £50	

Mr. Colenso moved—That this item be struck out.

Agreed to.

Major Lambert moved—That the Chairman report progress, and ask for leave to sit again to-morrow.

The Chairman reported progress, and asked for leave to sit again to-morrow.

Leave granted.

Mr. M'Lean moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Curling seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, AUGUST 10TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Dolbel to move on to-morrow—That the Superintendent be requested to place on the estimates the sum of £150 to complete the Taipo road.

Mr. Ormond to move on to-morrow—For leave to bring in a Bill to authorise the granting of certain lands, being public roads, but from which the line of road has been diverted.

Mr. M'Lean (by Mr. Ormond) pursuant to notice, moved—For leave to bring in a Bill to be intituled the Hawke's Bay Town Road Act.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Ormond

Mr. Ormond moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That the Hawke's Bay Town Road Act be read a first time and printed.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. M'Lean (by Mr. Ormond), pursuant to notice, moved—For leave to bring in a Bill to authorise Lodging House keepers to sell malt liquors.

Mr. Colenso seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That the Boarding House License Bill be read a first time and printed.

Mr. Curling seconded the motion.  
Motion agreed to, and Bill read a first time and ordered to be printed.

Mr. Ormond (for Mr. M'Lean) to move on Friday, August 12—That the Napier Town Road Act be read a second time.

- Mr. M'Lean to move—That the Boarding House License Act be read a second time to-morrow.

Mr. Fitzgerald to move on August 11—To ask the Superintendent to bring in a Bill to legalise the setting apart of a portion of the Reserve opposite the Masonic Hotel, bounded towards the north-west by Tennyson-st. and towards the south-east by Hastings-st., for the purpose of handing the same over to the Trustees of the Scinde Masonic Lodge, No. 419, for the purpose of erecting a Masonic Hall in accordance with a Resolution already passed by this Council.

Mr. M'Lean (by Mr. Ormond), pursuant to notice, moved—For leave to bring in a Bill to divert certain Educational Reserves to sites for public schools.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That the Public School Reserves Act be read a first time and printed.

Mr. Curling seconded the motion.  
Motion agreed to, and Act read a first time and ordered to be printed.

Mr. Ormond to move on Friday—That the Public School Reserves Act be read a second time.

Mr. M'Lean (by Mr. Ormond) moved—That the consideration of the Petition in reference to the Mechanics' Institute be postponed till after the orders of the day are disposed of.

Major Lambert, pursuant to notice, moved—That the Report and Returns of the Napier School be taken into consideration.

Mr. Rhodes to move on to-morrow—That this Council respectfully request His Honor the Superintendent to place the sum of £100 on the Estimates to assist in procuring from Great Britain two Trained Schoolmasters to teach in common schools under the Hawke's Bay Education Act.

Mr. Tiffen

Mr. Tiffen moved—For leave to postpone till next Friday the bringing up Report of Select Committee on Standing Rules and Orders.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Fitzgerald brought up Report with evidence of Select Committee appointed to enquire into the practice of officers of the Survey Department executing private work (the information for which is derived from the maps of the Province placed in charge), and to report on the desirability of its being put a stop to, as injurious to the public as well as unfair to professional men not holding office under Government. Such Committee to consist of Messrs. Colenso, Richardson, Dolbel, Edwards, and the mover, with power to call for persons and papers, and moved that it be read.

Mr. Colenso seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Rhodes moved—That the evidence and letter be read.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Fitzgerald moved—That the Report without the evidence be printed.

Mr. Colenso seconded the motion.

Mr. Rhodes moved as an amendment—That the Report of Select Committee be not printed, as it appears to the Council that the matter raised is purely of a private nature, with which the Council has nothing to do.

Major Lambert seconded the amendment.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Rhodes,	Messrs. Ormond,
Tuke,	Dolbel,
Lambert,	Curling,
M'Lean.	Smith,
	Fitzgerald,
	Richardson,
	Edwards,
	Colenso,
	Tiffen,
	Kennedy.

Amendment negatived, and original motion agreed to, and Report ordered to be printed accordingly.

Mr. M'Lean to move—For leave to bring in a Bill to manage and administer certain Reserves by granting leases thereof and for other purposes.

The Council went into Committee of Supply.

Fence at Town boundary for assisting the collection of Toll dues ... ..	£ 100
House for Toll-keeper ... ..	160
Bonus to Ferryman at Mohaka ... ..	25
District Constable at Puketapu, £30	

Mr. Rhodes moved—That this item be struck out.

Agreed to.

Allowance for Horse to enable Clive Policeman to attend Police duties at Havelock... ..	£ 15
Interest and Sinking fund on Provincial Loan ... ..	800
Reward for payable Gold-field ... ..	1000
Surveyor (additional) ... ..	100
Fireproof Rooms, Registrar of Deeds and Survey Office, £250	

Mr. Tiffen moved—That this item be increased to £350.

Agreed to.

Fireproof Rooms, Registrar of Deeds and Survey Office... ..	£ 350
---	-------

Major Lambert moved—That the item £450, salary for Superintendent, be recommitted.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Dolbel, Tuke, Rhodes, Ormond, Lambert, Wilkinson, Smith, Richardson, Kennedy.	Messrs. Edwards, Tiffen, Colenso.

Motion agreed to.

Major Lambert moved—That for the Superintendent's salary the sum of £525 be inserted in place of £450.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Richardson, Kennedy, Smith, Wilkinson, Fitzgerald, Lambert, Tuke, Dolbel, Ormond, Rhodes.	Messrs. Edwards, Colenso, Tiffen.

Motion agreed to.

Superintendent's salary, at the rate of £525

per annum ... .. £ 525

*Liabilities on Roads—*

Te Aute ... .. £ 400

Patangata to Tamumu ... .. 80

Porangahau ... .. 100

Taupo ... .. 40

Bridle track, Mohaka ... .. 20

Road Contingencies and Grants in Aid... .. 190

Porangahau to Tautane ... .. 12

*Supplementary Roads—*

Kereru Road, £140

Mr. Tiffen moved—That this item be struck out.

Agreed to.

Petane ... .. £ 180

Grants in Aid ... .. 1000

Road to Barracks from Milton Road, £200

Mr. Smith moved as an amendment—That a sum of £750 be placed on the Estimates instead of £200 for improving the road from Shakespeare-road by Milton-road to the Barracks.

On a division being called for, Council divided.

Ayes.	Noes:
Messrs. Smith, Edwards, Richardson, Dolbel.	Messrs. Tiffen, Colenso, Kennedy, M'Lean, Ormond, Tuke, Wilkinson, Rhodes, Lambert.

Amendment negatived.

Road to Barracks from Milton-road	... ..	£ 200
Bridge over Waipaoamate, and cutting banks of creek in vicinity	... ..	40
Bridle track on the coast line	... ..	100
Clive road to connect with site of proposed Ngaruroro bridge	... ..	60
Foot bridge, Coquet Creek	... ..	30
Bridle track, Owhiti hill	... ..	50
Hampden to Aorangi	... ..	80

Mr. Colenso moved—That the item of Messenger be recommitted.  
Agreed to.

Mr. Colenso moved—That this item be increased to £120.  
Agreed to.

Messenger	... ..	£ 120
Law Expenses	... ..	30
Time Piece, £50		

Mr. Tiffen moved—That this item be struck out.  
Agreed to.

Clothing Militia, £500

Mr. Tiffen moved—That this item be struck out.  
Agreed to.

Enlarging Lock-up at Clive	... ..	£ 25
Road from Ferry to Petane Bridge		£600

Mr. Rhodes moved—That this item be struck out.  
On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Tiffen, Colenso, Kennedy, M'Lean, Ormond, Tuke, Wilkinson, Rhodes, Lambert.	Messrs. Smith, Dolbel, Edwards, Richardson.

Amendment agreed to.

Hyderabad Road, £500

Major Lambert moved—That this item be struck out.  
Agreed to.

Mr. M'Lean moved—That the Chairman report progress.  
The Chairman reported progress.

Mr. Rhodes to move on next sitting day but one—That the Superintendent be respectfully requested to replace on the Estimates the sum of £200 for improving the road between Havelock and Clive.

Mr. M'Lean moved—That the consideration of the Petition in reference to a site for the Mechanics' Institute be postponed till to-morrow.

Mr. Ormond seconded the motion.  
Motion agreed to.

Mr. M'Lean to move on Friday next—For leave to bring in an Appropriation Bill for 1864-65.

Mr. Rhodes moved—That the Council do adjourn until next sitting day at 3 o'clock.

Mr. M'Lean

Mr. M'Lean seconded the motion.  
Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

THURSDAY, AUGUST 11TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

Mr. Dolbel withdrew his notice for £150 being placed on the estimates to complete Taipo road.

Mr. Smith to move on Friday, August 12—That the Superintendent be requested to place on the estimates the sum of £350 for making the Battery road available between the Shakespeare and Milton roads.

Mr. M'Lean, pursuant to notice, moved—For leave to bring in a Bill to authorise the granting of certain lands, being public roads, but from which the line of road has been diverted.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Deviation of Roads Act be read a first time.

Mr. Curling seconded the motion.

Motion agreed to, and Act read a first time accordingly.

Mr. M'Lean to move on next sitting day—That the Deviation of Roads Act be read a second time.

Mr. Fitzgerald, pursuant to notice, moved in reference to setting apart a site for the Masonic Lodge, by permission of the Council amended this notice as follows:—To ask the Superintendent to bring in a Bill to legalise the setting apart of the Reserve between Town Sections Nos. 138, 139, 140, 141, 142 and the sea, containing about  $\frac{1}{2}$  an acre, for the purpose of handing the same over to the Trustees of the Scinde Masonic Lodge, No. 419, for the purpose of erecting a Masonic Hall in accordance with a Resolution already passed by this Council.

Mr. Kennedy seconded the motion.

Motion agreed to.

Mr. M'Lean, pursuant to postponed notice, moved—That the Mechanics' Institute Petition be considered.

Mr. Curling seconded the motion.

Mr. Ormond moved as an amendment—That the Government be requested to bring in a Bill for the purpose of granting a suitable site for the Mechanics' Institute.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean to move—For leave to bring in a Bill on next sitting day to convey a certain Reserve as the site for the Mechanics' Institute.

Mr. Rhodes withdrew his notice in reference to a grant of £100 to bring out two trained schoolmasters to teach in common schools.

Mr. M'Lean



Mr. M'Lean, pursuant to notice, moved—For leave to bring in a Bill to manage and administer certain Reserves by granting leases thereof and for other purposes.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. M'Lean moved—That the Reserve Bill be read a first time.

Mr. Curling seconded the motion.

Motion agreed to, and Act read a first time accordingly.

Mr. M'Lean to move on Tuesday next—That the Reserve Bill be read a second time.

Mr. M'Lean, pursuant to notice, moved—That the Boarding House License Bill be read a second time.

Mr. Colenso seconded the motion.

Motion agreed to, and Bill read a second time accordingly.

Mr. M'Lean moved—That the Council go into Committee on the Bill.

Mr. Curling seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. M'Lean moved—That the Chairman report the Bill.

The Chairman reported the Bill and handed it to the Speaker.

Mr. Colenso moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Ormond seconded the motion.

Motion agreed to.

Mr. Colenso to move on Friday, August 12—For the appointment of a Select Committee to draw up a resolution to be transmitted through His Honor the Superintendent to the General Government, recommending their taking immediate steps to put a stop to illegal squatting on the Ahuriri plains. Such Committee to consist of Messrs. Tiffen, Lambert, Fitzgerald, Dolbel, Richardson, and the mover.

Mr. M'Lean to move on Tuesday next—That the Boarding House License Bill be read a third time.

Major Lambert moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Ormond seconded the motion.

Motion agreed to.

Major Lambert to move on to-morrow—That His Honor the Superintendent be requested to bring in a Bill to legalise the granting a piece of land as a suitable site for the purpose of erecting a Club House for the use of the members of the Hawke's Bay Club.

Mr. M'Lean moved that the Council do adjourn until next sitting day, at 3 o'clock.

Mr. Curling seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

FRIDAY, AUGUST 12TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Messrs. Tuke and Richardson.

The minutes of the last meeting were read and confirmed.

Mr. M'Lean to move on next sitting day—For leave to bring in a Bill to be intituled the Masonic Reserves Bill.

Mr. Fitzgerald to move on next sitting day—To ask the Superintendent when the Return relating to Educational Reserves, which was asked for on July 13, will be furnished.

Mr. Fitzgerald to move on Tuesday next—That the Report of the Select Committee on Survey enquiry be adopted.

Mr. Rhodes' motion in reference to placing £200 on the estimates for the road between Havelock and Clive, lapsed.

Mr. M'Lean, pursuant to notice, moved—For leave to bring in the Appropriation Bill for 1864-65.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Appropriation Act be read a first time and printed.

Mr. Curling seconded the motion.

Motion agreed to, Act read a first time and ordered to be printed.

Mr. M'Lean to move on next sitting day—That the Appropriation Act be read a second time.

Mr. Smith, pursuant to notice moved in reference to Battery Point, by permission of the Council amended it—That the Superintendent be requested to place on the estimates the sum of £200 for making the Battery road available between the Shakespeare and Milton roads.

Mr. Fitzgerald seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Colenso, Edwards, Fitzgerald, Kennedy, Dolbel, Smith.	Messrs. M'Lean, Ormond, Lambert, Curling, Rhodes, Tiffen.

The Speaker gave his casting vote for the ayes.

Motion agreed to.

The Speaker laid on the table the Provincial Auditor's Return for the period from the 1st April to the 30th June, 1864.

Mr. M'Lean, pursuant to notice, moved—For leave to bring in the Mechanics' Institute Reserve Bill.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Mechanics' Institute Reserves Act be read a first time and printed.

Mr. Ormond seconded the motion.

Motion agreed to, and Act read a first time and ordered to be printed.

Mr. Colenso, pursuant to notice, moved—For the appointment of a Select Committee to draw up a resolution, to be transmitted through His Honor the Superintendent

Superintendent to the General Government, recommending their taking immediate steps to put a stop to illegal squatting on the Ahuriri plains. Such Committee to consist of Messrs. Tiffen, Lambert, Fitzgerald, Dolbel, Richardson, and the mover. Report to be brought up on Wednesday next.

Mr. Tiffen seconded the motion.

Motion agreed to.

Mr. Dolbel to move on next sitting day—To bring up a Report on Ferry Regulations.

Mr. M'Lean to move on next sitting day—That the Mechanics' Institute Reserve Bill be read a second time.

Major Lambert, pursuant to notice, moved—That the Superintendent be requested to bring in a Bill to legalise the granting a piece of land in a suitable site for the purpose of erecting a Club House for the use of the members of the Hawke's Bay Club.

Mr. Colenso seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Fitzgerald, Rhodes, Colenso, Lambert, Tiffen, Ormond.	Messrs. Edwards, Kennedy, Dolbel, Smith, M'Lean, Curling.

The Speaker voted with the ayes.

Motion agreed to.

Mr. Tiffen brought up Report of Select Committee on the Standing Rules and Orders, and moved that it be read.

Mr. Colenso seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. M'Lean, pursuant to notice, moved—That the Deviation of Roads Act be read a second time.

Mr. Curling seconded the motion.

Motion agreed to, and Act read a second time accordingly.

Mr. M'Lean moved—That the Council go into Committee on the Act.

Mr. Curling seconded the motion.

Motion agreed to.

Council went into Committee accordingly.

Mr. Ormond moved—That clauses 3, 4 and 5 be respectively numbered 4, 5 and 6.

Agreed to.

Mr. Ormond moved—That the consideration of the Preamble be postponed.

Agreed to.

Mr. M'Lean moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

The Chairman reported progress, and asked for leave to sit again next sitting day.

Leave granted.

Mr. Ormond moved—That the Impounding Act Amendment be read a third time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a third time and passed.

Mr. Ormond moved—That the Wellington Acts Repeal be read a third time.

Mr. M'Lean seconded the motion.

Motion agreed to, and Act read a third time and passed.

Mr. M'Lean

Mr. M'Lean moved—That the Town Roads Act be read a second time.  
Mr. Curling seconded the motion.  
Motion agreed to.

Mr. Ormond moved—That a Select Committee be appointed to report upon the Town Roads Bill. Committee to consist of Messrs. Smith, Colenso, Fitzgerald, Tiffen, Kennedy, and the mover. Report to be brought up on Tuesday next.

Mr. Colenso seconded the motion.  
Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Hampden School-house Reserve Bill be read a second time.

Mr. Curling seconded the motion.  
Motion agreed to, and Act read a second time accordingly.

Mr. M'Lean moved—That the Council go into Committee on the Act.

Mr. Colenso seconded the motion.  
Motion agreed to, and Council went into Committee accordingly.

Mr. M'Lean moved—That the consideration of the Preamble be postponed.

Mr. M'Lean moved—That the Chairman report progress, and ask for leave to sit again next sitting day.

The Chairman reported progress, and asked for leave to sit again next sitting day.

Leave granted.

Mr. Kennedy brought up Report of Audit Committee, and moved it be read.

Mr. Colenso seconded the motion.  
Motion agreed to, and Report read accordingly.

Mr. Kennedy moved—That the Audit Report be printed.

Mr. Edwards seconded the motion.  
Motion agreed to.

Mr. Kennedy to move on Tuesday next—That the Report of the Audit Committee be then considered.

Mr. Tiffen moved—That No. 2 of Standing Rules and Orders be suspended.

Mr. M'Lean seconded the motion.  
Motion agreed to.

Mr. Tiffen moved—That the Council do adjourn until 3 o'clock on Monday, August 15, 1864.

Mr. Colenso seconded the motion.  
Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

MONDAY, AUGUST 15<sup>TH</sup>, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members.

The minutes of the last meeting were read and confirmed.

His Honor

His Honor the Superintendent laid on the table Return of Educational Reserves in the Town of Napier.

Mr. M'Lean, pursuant to notice, moved—For leave to bring in the Masonic Reserves Bill.

Mr. Ormond seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Kennedy, Smith, Tuke, Fitzgerald, Curling, M'Lean, Ormond.	Messrs. Lambert, Richardson, Edwards, Colenso, Tiffen.

Motion agreed to.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Masonic Reserves Bill be read a first time.

Mr. Curling seconded the motion.

Motion agreed to, and Bill read a first time accordingly.

Mr. M'Lean to move on next sitting day—That the Masonic Reserves Bill be read a second time.

Mr Fitzgerald withdrew his notice in reference to the Educational Reserves.

Mr. Colenso, on behalf of Mr. Dolbel, brought up Report of Select Committee on Ferry Regulations, and moved that it be read.

Mr. Tiffen seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Colenso moved—That the necessary Standing Rules and Orders be suspended to permit the moving of the adoption of the Ferry Report.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Colenso moved—That the Ferry Report be adopted.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Smith moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Smith moved—That this Council undertakes to indemnify the Superintendent for an expenditure of £200 on Battery road between Shakespeare and Milton road.

Mr. Colenso seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Kennedy, Colenso, Edwards, Richardson, Smith, Fitzgerald.	Messrs. M'Lean, Curling, Lambert, Tiffen.

Motion agreed to.

Major Lambert moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
Motion agreed to.

Major Lambert to move on to-morrow—That in compliance with a resolution of this Council His Honor the Superintendent be requested, with as little delay as possible, to introduce a Bill to enable the Council to grant a site for the purpose of building a Club House for the Hawke's Bay Club.

Mr. Colenso to move on Wednesday, August 17—That His Honor the Superintendent be pleased to set aside a reserve in some eligible spot for the "Young Men's Christian Association" Society.

Mr. Tiffen to move on Wednesday—That His Honor the Superintendent be requested to set aside a reserve in Clive Square for purposes of the Total Abstinence Society.

Mr. M'Lean, pursuant to notice, moved—That the Appropriation Act be read a second time.

Mr. Curling seconded the motion.  
Motion agreed to, and Act read a second time accordingly.

Mr. M'Lean moved—That the Council go into Committee on the Appropriation Act.

Mr. Tuke seconded the motion.  
Motion agreed to, and Council went into Committee accordingly.

Mr. Colenso moved—That in clause 1, after the words "Crown lands" the words "and Treasurer" be inserted.  
Agreed to.

Mr. M'Lean moved—That the Chairman report the Bill as amended.  
The Chairman handed the Bill as amended to the Speaker.

Mr. M'Lean moved—That No. 26 of Standing Rules and Orders be suspended.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. M'Lean to move on next sitting day—That the Appropriation Act be read a third time.

Mr. M'Lean moved—That the second reading of the Mechanics' Institute Reserve Bill be postponed till next sitting day.

Mr. Curling seconded the motion.  
Motion agreed to.

Mr. M'Lean moved—That the second reading of the Diversion of Roads Act be postponed till next sitting day.

Mr. Curling seconded the motion.  
Motion agreed to.

The Council went into Committee on the Hampden School-house Reserve.

Mr. M'Lean moved—That the last four lines of the Preamble, from the third word in the ninth line, be struck out and the following inserted:—"parcel of Land should be appropriated as the site for a common School-house."

Agreed to.

Mr. M'Lean moved—That the following be inserted in the respective blanks in the third line of the Preamble:—"25th February, 1863."

Agreed to.

Mr. M'Lean moved—That clauses 1 and 2 be struck out and the following inserted in lieu thereof:—

"1. The said parcel of Land as described in the Schedule hereto annexed, shall henceforth be appropriated as the site for a common School-house."

Agreed to.

Mr. M'Lean to move on next sitting day but one—That the Hampden School-house Reserve Bill be read a third time.

Major Lambert

Major Lambert moved—That the Council do adjourn until to-morrow at 3 o'clock.

Mr. Richardson seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

TUESDAY, AUGUST 16TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Messrs. Rhodes, Dolbel and Smith.

The minutes of the last meeting were read and confirmed.

Major Lambert, pursuant to notice, moved—That His Honor the Superintendent be requested with as little delay as possible to introduce a Bill to enable the Council to grant a site for the purpose of building a Club House for the Hawke's Bay Club.

Mr. Tiffen seconded the motion.

On a division being called for, Council divided.

Ayes.	Noes.
Messrs. Richardson,	Messrs. Tuke,
Edwards,	M'Lean,
Fitzgerald,	Ormond,
Colenso,	Curling,
Lambert,	Kennedy.
Tiffen.	

Motion agreed to.

Mr. Ormond brought up Report of Select Committee on Town Roads and moved it be read.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Ormond moved—That the Report be received.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. Fitzgerald, pursuant to notice, moved—That the Survey Report be adopted.

Mr. Tuke moved as an amendment—That the Report be withdrawn.

Major Lambert seconded the amendment.

Amendment agreed to.

Mr. Kennedy moved—That the consideration of the Audit Report be postponed for half-an-hour.

Major Lambert seconded the motion.

Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Reserve Administration Bill be read a second time.

Mr. Curling seconded the motion.

Motion agreed to, and Bill read a second time accordingly.

Mr. M'Lean moved—That the Council go into Committee on the Act.

Mr. Ormond seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. M'Lean moved—That the Committee adjourn and sit again presently.  
Agreed to.

Mr. M'Lean

Mr. M'Lean moved—That the Boarding House License Act be read a third time.

Mr. Ormond seconded the motion.

Motion agreed to, and Act read a third time and passed.

Mr. M'Lean moved—That the Masonic Reserves Bill be read a second time.

Mr. Ormond seconded the motion.

Major Lambert moved as an amendment—That the Masonic Reserves Bill be read this day six months.

Mr. Colenso seconded the amendment.

On a division being called for, Council divided.

Ayes.  
Messrs. Edwards,  
Colenso,  
Richardson,  
Tiffen,  
Lambert.

Noes.  
Messrs. Ormond,  
M'Lean,  
Tuke,  
Kennedy,  
Curling.

The Speaker voted with the ayes.

Amendment agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Appropriation Act be read a third time.

Mr. Ormond seconded the motion.

Motion agreed to, and Act read a third time accordingly.

Mr. Kennedy moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. Kennedy moved—That the Report of the Audit Committee be adopted.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. M'Lean, pursuant to notice, moved—That the Mechanics' Institute Reserve Bill be read a second time.

Mr. Curling seconded the motion.

Motion agreed to.

Mr. Ormond moved—That the Council go into Committee on the Act.

Mr. Curling seconded the motion.

Motion agreed to, and Council went into Committee accordingly.

Mr. Ormond moved—That the Chairman report progress, and ask for leave to sit again to-morrow.

The Chairman reported progress, and asked for leave to sit again to-morrow. Leave granted.

The Council went into Committee on the Diversion of Roads Bill.

Mr. M'Lean moved—That the following be inserted as clause 3 in the Bill:—

“3. All that portion of Browning-street situate in Napier aforesaid, containing 4 perches or thereabouts, as the same is delineated in the plan hereunto annexed, shall be stopped up as and for a public street or thoroughfare.”

Agreed to.

Mr. M'Lean moved—That the following be inserted at the end as part of the Preamble:—

“And whereas it is also expedient to stop up a portion of Browning-st., also situate in the Township of Napier, and to sell, exchange, or dispose of the land over which such portion of Browning-st. formerly passed.”

Agreed to.



The Council went into Committee on the Reserves Administration Bill.

Mr. Colenso moved—That in the third clause in the sixth line the words “the purchaser or purchasers” be struck out and the words “lessee or lessees” be inserted in lieu thereof.

Agreed to.

Mr. Colenso moved—That in paragraph two in the Schedule, in the twenty-fifth line, before the word “Kidnappers,” the word “Cape” be introduced.

Agreed to.

Mr. M'Lean moved—That the Chairman report the Bill as amended.

The Chairman reported progress and handed the Bill as amended to the Speaker.

Mr. M'Lean moved—That the Reserves Administration Bill, Mechanics' Institute Bill, and Diversion of Roads Bill be read a third time the day after to-morrow.

Mr. M'Lean moved—That the Council do adjourn until to-morrow at 3 o'clock.

Mr. Richardson seconded the motion.

Motion agreed to, and Council adjourned accordingly.

JOHN WILKINSON, Speaker.

WEDNESDAY, AUGUST 17TH, 1864.

THE Speaker took the Chair at 3 o'clock.

Present, all the members but Messrs. Rhodes and Tuke.

The minutes of the last meeting were read and confirmed.

Mr. Colenso withdrew his motion in reference to the “Young Men's Christian Association Society.”

Mr. Tiffen's notice in reference to Total Abstinence Society lapsed.

Mr. Colenso moved—That his notice in reference to bringing up Report of Select Committee on the Ahuriri Plains, be postponed till after the orders of the day are disposed of.

Mr. M'Lean seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Hampden School-house Reserve Bill be read a third time.

Mr. Curling seconded the motion.

Motion agreed to, and Bill read a third time and passed.

Mr. M'Lean moved—That No. 27 of Standing Rules and Orders be suspended.

Mr. Colenso seconded the motion.

Motion agreed to.

Mr. M'Lean moved—That the Reserves Administration Bill be read a third time.

Mr. Curling seconded the motion.

Motion agreed to, and Bill read a third time and passed.

The Council went into Committee on the Mechanics' Institute Reserve Bill.

Mr. M'Lean moved the insertion of the following as the Schedule:—

“All that parcel of land in the Province of Hawke's Bay, in the Colony of New Zealand, in the Town of Napier, containing by admeasurement one rood more or less, being the Northern portion of a block of land granted to the Superintendent of the Province and Colony aforesaid

in trust for purposes of public utility, included in the grant No. 959, dated the fourteenth day of April, 1862. Bounded towards the North-west by Browning-st., 240 links, towards the South-west by Herschell-street, 114 links, towards the South-east by other portion of the said block, 200 links, and towards the East by Beach road, 125 links.

Agreed to.

Mr. M'Lean moved—That the Chairman report the Bill as amended. The Chairman handed the Bill as amended to the Speaker.

Mr. M'Lean moved—That the Mechanics' Institute Reserve Bill be read a third time.

Mr. Curling seconded the motion.

Motion agreed to, and Act read a third time and passed.

Mr. M'Lean moved—That the Diversion of Roads Act be read a third time.

Mr. Curling seconded the motion.

Motion agreed to, and Act read a third time and passed.

Mr. Colenso, in pursuance of postponed motion, brought up Report of Select Committee on the Ahuriri Plains, and moved it be read.

Mr. Edwards seconded the motion.

Motion agreed to, and Report read accordingly.

Mr. Colenso moved—That the Report be printed.

Mr. Dolbel seconded the motion.

Motion agreed to, and Report ordered to be printed accordingly.

Mr. Colenso moved—That Nos. 82 and 84 of Standing Rules and Orders be suspended.

Mr. Edwards seconded the motion.

Motion agreed to.

Mr. Colenso moved—That the Report be adopted.

Mr. M'Lean seconded the motion.

Motion agreed to, and Report adopted accordingly.

His Honor the Superintendent then addressed the Council as annexed, at the end of which he prorogued it.

JOHN WILKINSON, Speaker.

1864.

PROVINCIAL COUNCIL OF HAWKE'S BAY.

A D D R E S S

OF

HIS HONOR THE SUPERINTENDENT,

ON OPENING THE PROVINCIAL COUNCIL,

Monday, January 18, 1864.

MR. SPEAKER AND GENTLEMEN OF THE  
PROVINCIAL COUNCIL,—

In compliance with the requirements of the Constitution Act—that a session of the Provincial Council should be held in every year, I have considered it essential to call you together on the present occasion.

The more immediate object for doing so has been explained to you in my circular letter of the 14th of December last.

The "Loan Act" which was passed during the last session of the Council, and which has received the assent of His Excellency the Governor, has enabled me to conclude arrangements with the Union Bank of Australia for negotiating the loan in England. The correspondence with the different banks relating to the subject will be laid before you.

It has been found, on reference to persons acquainted with monetary transactions in the London market that the loan could be effected to greater advantage if the interest on the debentures were made payable in London instead of at the Provincial Treasury. The Amendment of Loan Act, together with the form of Debentures and Coupon, now laid before you, has been prepared with the view of facilitating this object.

It is not my intention to bring any other business forward during this session, as many of the members must find it in-

convenient to attend at this season of the year.

I congratulate the Council and the inhabitants generally on the tranquillity that has prevailed in this Province during a period of considerable danger, arising from a state of war with the native tribes in the Provinces of Taranaki and Auckland.

The defenceless position of the Province when the war commenced—the absence of any organized force excepting the military detachment stationed at Napier, called for strenuous exertions on the part of the Government to provide greater security for the inhabitants.

The establishment of one hundred of the Defence Force; the training and arming of the Militia and Volunteers; the prospect of obtaining a considerable influx of military settlers,—while it inspires confidence, also affords the strongest hope that the disasters of war may be averted from this Province.

I have to express my strong sense of the readiness with which the General Government responded to the appeals made for assistance in furtherance of these measures, which, although still inadequate to the requirements of the Province, without the assistance of additional military support, have had the effect of inducing the natives to yield readier submission to our rule, by referring several disputed cases to our courts of justice for settlement.

The co-operation afforded at all times

by Major Douglas, Commanding the Garrison; and the zeal and energy displayed by Major Whitmore, Commanding the Civil Forces, deserve my best thanks. Nor do I fail to recognise with pleasure the genuine feelings of loyalty evinced by all classes of our community when called upon during an important crisis to make preparations for defence.

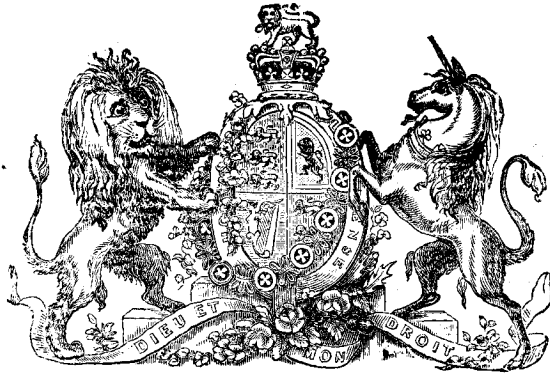
The spirit of insurrection, originating in jealousy of British authority which has existed among some of the New Zealand tribes, is not yet suppressed; but I feel assured that I am only expressing your sentiments when I recognise the noble efforts made by the Imperial Government

to establish Her Majesty's authority in this colony.

The firmness and ability displayed by His Excellency's government in carrying out a decided policy requires no comment from me, and I am sure you will join with me in according to General Cameron and the Forces under his command, the highest praise for the gallantry displayed by them in the service in which they are engaged.

DONALD M'LEAN,  
Superintendent.

# Province of Hawke's Bay.



## AMENDMENT OF LOAN ACT.

IN THE TWENTY SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION VII, NO. 1.

### ANALYSIS.

Title.	3. Debentures to be for sums of £100 in form put forth in Schedule, &c.
Preamble.	4. Debentures payable at 15 years in London.
1. Repeal of Clauses 4, 5, 6, and 7 of Hawke's Bay Loan Act, Session 6, No. 1.	5. Interest on Debentures payable half-yearly in London.
2. Repayment of all sums raised under this Act to be charged upon the Public Revenue of the Province.	

*AN ACT to amend an Act of the Provincial Council of the Province of Hawke's Bay, Session 6, No. 1, intituled "An Act to authorise the Superintendent to raise a Loan for the purchase of Native Land, for promoting Immigration to the Province and for other purposes."*

[Assented to February 11, 1864.]

**WHEREAS** by an Act of the Provincial Council of the Province of Hawke's Bay, Session 6, No. 1, it is enacted that it shall be lawful for the Superintendent, by and with the advice of his Executive Council, to borrow on Debentures, under the Public Seal of the Province, any sum or sums not exceeding in the whole the sum of Sixty Thousand Pounds for the purposes in the said Act specified: And whereas in the second Schedule to the said Act is set forth the Form in which the said Debentures shall be issued: And whereas it is expedient to repeal the fourth, fifth, sixth, and seventh clauses of the said Act, including the second Schedule thereto, and to enact other clauses in lieu thereof.

**BE IT THEREFORE ENACTED** by the Superintendent of the Province of Hawke's Bay, with the advice and consent of the Provincial Council thereof, as follows:—

I. The Fourth, Fifth, Sixth, and Seventh Clauses of the said Act and the Second Schedule annexed thereto are hereby repealed.

II. The repayment of all sum and sums to be raised by virtue

Repeal of Clauses 4, 5, 6, and 7 of Hawke's Bay Loan Act, Sess. 6, No. 1.  
Repayment of all sums raised



# Council Paper.

## ADDRESS

OF

### HIS HONOR THE SUPERINTENDENT,

#### ON OPENING THE PROVINCIAL COUNCIL,

Tuesday, June 28, 1864.

MR. SPEAKER AND GENTLEMEN OF THE PROVINCIAL COUNCIL,—

The requirements of the Provincial service render it necessary that I should call you together for the despatch of public business.

It must be a source of great satisfaction to us all to know that this Province has been steadily advancing in material prosperity, notwithstanding threatened dangers and the difficulties inseparable from a state of war which has been raging in other parts of the Island.

During the period that has elapsed since I assumed the duties of the office to which you have elected me, this Island has undergone one of the severest ordeals to which it has ever been subjected.

The various eventful changes that have taken place are sufficiently recent to render any particular notice of them at present unnecessary.

The war since the renewal of hostilities had assumed such wide dimensions that it was impossible to foresee how far it might spread.

The proximity of our northern frontier to the disturbed districts, and the danger of fugitives from the seat of war retreating within our borders, together with the large numbers of natives on the East Coast, rendered the position of the out-settlers at times very precarious. I therefore considered it my duty to use every effort to induce the General Government to afford this Province additional protection.

The present state of the natives within the Province contrasts very favorably with their conduct 15 months ago, when the local journals had frequent occasion to record acts of aggression such as the stopping of road improvements, carriage of mails, breaking open a lock-up, and other violations of the law, which they are becoming aware cannot now be repeated with impunity.

A combination of causes which it may be unnecessary to enumerate, and the timely precautions which have been adopted, together with the friendly disposition of most of the resident chiefs, which it has been my constant effort to promote, have enabled us to avert the calamities of war, to which all the other Provinces in this Island have been more or less exposed.

The various interests—agricultural, pastoral, and commercial—indicate a wholesome state of prosperity, and reflect much credit on the energy and enterprise of the inhabitants.

The Provincial share of the Customs Revenue has very nearly doubled the estimated receipts of the past year, and the exports may be computed to have increased in a similar ratio.

The Provincial Treasurer has prepared a Financial statement, which will be laid before you, and I am glad to observe that, although various unexpected requirements have been met, the expenditure has always been kept within our income.

I regret that the question of the apportionment of the debt between this Province and that of Wellington has not yet been adjusted—the Commissioners appointed by you to settle this question having failed in doing so. The correspondence on the subject will be laid before you, and it will be for you to determine what further steps should be taken in the matter.

From the late address of His Honor the Superintendent of Wellington to his Council, it appears that the General Government have given to the Executive Government of that Province the administration of its share of the Three-million Loan, and I shall invite your assistance in obtaining the same advantages for this Province, and in projecting a scheme for its appropriation.

It is matter of congratulation to the Province that the facilities of steam communication have been so much increased as to enable us to have regular and speedy communication with all parts of New Zealand.

When the war first broke out you are aware that our communication with Auckland was confined to monthly visits by the Inter Colonial Royal mail Company's Steam boats. The necessity for early information during such a critical time was so urgent, that, acting on the advice of my Executive, we found it necessary to incur an expenditure for a fortnightly Steam Service, which you will be asked to sanction.

Pursuant to a resolution of the Council which made provision for the repair of the "Huntress" Steamer, I have arranged with the firm of Messrs. Vickery and Masefield to make the necessary repairs, and I am in hopes that, in the course of two months, this boat will be ready to perform the service for which she is intended.

The system of assisted Immigration to the Province is likely to be attended with success. Already advices of 115 immigrants having left England have been received; and 100 more are shortly expected to follow. A well regulated and steady stream of Immigration may by this means be kept up, which, taken in connection with the immigrants proposed to be brought out under the General Government scheme of military Settlement, will be sufficient to meet the requirements of the place.

It is my desire to avail of the valuable assistance of Miss Rye—a lady to whose disinterested efforts in the cause of immigration the colonies

are very much indebted—in bringing out female immigrants, a class which you must admit are much required in this Province. The addition to the adult population from all sources during the past year will after the arrival of the Rangoon be upwards of 700.

Papers will be laid before you from His Honor the Superintendent of Canterbury respecting the Panama Steam Service, upon which I must be guided by your opinion as to the action this Province should take in the matter.

In reference to the progress made in the formation and improvement of roads,—the Provincial Engineer informs me that the main Trunk line from Napier to Eparaima, a distance of 65 miles, is now open for horse drays and traffic, and is metalled, with the exception of  $3\frac{1}{2}$  miles from Havelock to Waipawa; so that mails will now be carried by horse conveyance as far as Waipawa.

Several new lines have been opened up during the last year, the most important of which is the Taupo Road, leading from Pekapeka to Patoka, and the military settlement at Pukititiri.

Also a line of road between Hampden and the Northern portion of the Rua Taniwha to Aorangi, shortening the distance to Napier from the Rua Taniwha Plains by ten (10) miles.

Another road has been made along the banks of the Tutaekuri, from the Meanee flats to the Taupo Road at Puketapu, to avoid cuttings on the original line, which were too steep for horse drays, and which enables the settlers at Tutaekuri to reach town without crossing that river, except at the Bridge.

Several minor roads have been made in the Mohaka and in the Tautane Districts, and also a line connecting Petane with the main Taupo Road at Pekapeka, to facilitate communication with the military settlements in the event of heavy winter floods.

These works have been carried on by Mr. Weber with his usual energy and skill.

The importance of a tramway is becoming more and more evident, and while I do not wish to embark in any undertaking involving a heavy outlay, I feel that this is a subject which deserves to be kept under your notice, with the view to future action in this direction. At present we are importing large quantities of Timber from Australia and adjacent Provinces, while abun-

dance of the finest description of White Pine, Totara, and Rimu, is actually within our reach, if only the necessary exertion is used to render it available.

I am in hopes that you will not allow the New Zealand Exhibition of 1865 to pass over without making an effort to have some of the various productions of this Province sent for exhibition to Otago.

I have considered the subject of a General Road Act and a Thistle Act, both of which were mooted in the last session of the Council. Before bringing in these Acts, I am of opinion that the former in particular should be referred to a Committee of this Council. There are great difficulties in the successful working of any Road Act, owing to the peculiar circumstances of this Province. The subject of Tolls, which is involved in the Road Bill, is quite a new one as far as this Province is concerned. The fact of a large portion of the Trunk Roads of this District passing through native land increases the difficulties. The same difficulties present themselves in an Act for the Eradication of Thistles.

The Drainage Act, if urgently required, may possibly be rendered applicable to such Districts only as are numerously populated and where a majority of the landed proprietors apply for its being brought into operation.

I invite the earnest consideration of the Council to these questions before any action is taken.

Whether regard be had to the present satisfactory state of the relations existing between the European and Native race in this Province—to the efforts that have been made to preserve its tranquillity—to its present state of increased prosperity—or to its prospects for the future,—I can only add that if the result of the exertions that have been used by my Executive and myself have fallen short of possible expectations, it has been our constant endeavour to carry out to the best of our ability, with due consideration for all interests involved, what we conceive to be most beneficial to the welfare of the community at large.

DONALD M'LEAN,  
Superintendent.

Council Chamber,  
Napier, 28th June, 1864.



# Council Paper.

---

1864.

---

## RESOLUTION

OF THE

### PROVINCIAL COUNCIL OF HAWKE'S BAY,

IN RESPECT OF THE

#### ALLOCATION OF THEIR SHARE OF THE £3,000,000 LOAN.

---

THE Provincial Council of Hawke's Bay, in responding to the desire expressed by the Superintendent in the speech with which he opened the business of this session—that their co-operation and assistance should be given in pressing upon the consideration of the General Government the importance of taking immediate steps to secure to the Province and to the Northern Island generally the very great advantages that would accrue from the expenditure of that part of the Three Million Loan which has been allocated by the General Assembly for purposes of colonization and settlement in Hawke's Bay—beg to assure His Honor of their desire to afford him the most earnest support in their power, and with this view the following Memorandum or Resolution is agreed to as a statement of its opinions upon this question, and the Superintendent is hereby requested to urge upon the General Government the desirability of attending to the views contained therein.

The Council, before proceeding to shew the interests that will be promoted by the carrying out the scheme of colonization and settlement in Hawke's Bay, desire to refer to statements contained in the speech of the Superintendent of Wellington (Dr. Featherston). That gentleman therein informs the Provincial Council of that Province, that he had proposed to the General Government a plan under which the share of the Loan allocated to Wellington should be expended under the administration of the Provincial Authorities. That he had received authority in place of carrying out the scheme of colonization by military settlements as proposed in the Government scheme that Immigrants should be introduced from the Home Country who should obtain grants of land in districts indicated by him, which should be paid for at a future time, and that these Immigrants should be employed in forming Main Trunk lines of Roads connecting different districts and provinces with each other. He especially pointed out the importance of connecting the Districts of Wairarapa and Manawatu in the Wellington Province with the District of Ruataniwha in the Province of Hawke's Bay; and shewed that with the exception of some 50 miles, lines of road had already been made by the respective Provinces, and that the formation of a road of about 50 miles in length, chiefly through forest land, would complete a connected Trunk line of Road of some 200 miles in length, through the interior of that part of the Island leading from the chief town of the one Province to that of the other.

His Honor also informed the Council that the General Government had replied to the proposal made by him, and had expressed their willingness to allow the scheme of colonization he had proposed to be carried out under the direction of the Provincial Authorities, and had authorized him to commence the various important public works he had proposed to them.

The Council have drawn at such length from the statements made by the Superintendent of Wellington, as they embody to a very great extent their own opinions, and they have the satisfaction of knowing that, as assent has been given by the General Government to the proposals therein mentioned in the case of the Wellington Province, they are not likely to be refused to Hawke's Bay.

The Council will now point out the different public works in the Province of Hawke's Bay which are in its opinion fair charges upon the £90,000 which is allocated to the Province for purposes of settlement. The Council believe that the object of the Assembly in devoting such large sums to this purpose in the various provinces in the Northern Island was to open up the country by means of military roads, as well as for, or rather in connection with, the settlement of the country by a European population.

The two great works of this nature which are called for in this Province are the construction of the great Trunk line of Road connecting Hawke's Bay with the Taupo District, and thence by the Waikato Military Settlement to Auckland, and the completion of the Main Trunk line South by the formation of our share of the 50 miles of road through the forest known as the Tamaki Bush, and which has been already referred to in the quotation from the speech of the Superintendent of Wellington. The importance of the works indicated, the Council feel need not be dwelt upon. Ministers must be thoroughly alive to the immense military advantages which would be derived from them, and the necessity which exists for their construction before any successful efforts can be made for the civilization of the natives in the interior, and the making them amenable to the law.

Before leaving this subject the Council would desire to point out that the Province has already from Provincial funds during past years done a great deal towards forming those parts of the Trunk lines indicated which lie within the Province. That a good road exists for a distance of miles on the great South Trunk line, and that the great Northern Road has had large sums spent upon it and is for a distance of miles a good summer road for drays, and at all times open for horse traffic. The completion of that portion of the South Road which lies between the Wairarapa open country and the Ruataniwha Plains, would form a continuous line of road of 200 miles in length, fit for any kind of traffic, and connecting the ports of Wellington and Napier with each other.

The extension of the Great Northern Road would open up for settlement the large districts in the centre of the island, and enable the stockowners of Hawke's Bay to supply the Military Settlements on the Waikato, and the Province of Auckland, with live stock, to the material benefit of both.

The Council, having indicated the Public Works which they recommend should be constructed in the Province with the funds allocated by the Parliament of New Zealand for that purpose, will now proceed to express their views as to the most beneficial mode of appropriating the sum of £30,000 devoted to purposes of colonisation. The Council desire to express their strong opinion that little permanent benefit would accrue to the Colony or the Province by the introduction of a large body of what are termed Military Settlers. In place thereof they would suggest that the real object the Colony has in view would be more successfully met by introducing from the home country a class of settlers accustomed to agricultural pursuits, who, bringing with them their wives and families, would become permanent settlers, and, by peopling the country, would effect the result aimed at in a more certain and prosperous manner.

The Council would therefore suggest that the immigration for this purpose should be conducted under the charge of an officer, who might be nominated by the Province and approved by His Excellency's Government, and who, by judicious selection in the United Kingdom, might send out and people the Province with a class of valuable settlers. The Council think that it would not be requisite to offer a free grant of land to intending immigrants, and agree with the Superintendent of Wellington in thinking that a good class of men could be found eager to avail themselves of the chance of settlement in the Colony afforded by a free passage being found them, and that it would be better to give them their land subject to the payment of a certain price for it at a future period. As this course has been approved in the case

of the Province of Wellington, the Council hope a similar deviation may be permitted in the General Government scheme in the case of their own Province.

It is unnecessary perhaps to state that the Council concludes that the public works which they have recommended should be carried out would be formed by the Immigrants, who should in their opinion be located in the districts in which those works are to be prosecuted, and in all cases that allow of it upon the actual lines of road. The men should in the opinion of the Council be allowed to work upon the roads at the usual daily rate of pay current in the Province on such days as they may desire and be able to spare from the occupations necessarily attendant upon their settlement in a new country. The pay they would receive for the time they could devote to road making would it is believed be sufficient to keep them and their families during the period that must necessarily elapse before their settlement can become self-supporting.

The Council have expressed their opinion upon the very important interests that appear to them connected with the outlay of the large sum allocated to the Province of Hawke's Bay by the General Assembly for purposes of colonization and settlement; and although they have freely offered their advice as to the manner in which the scheme should be conducted, they have done so in the hope of assisting rather than of obstructing the plans of the General Government.

The Council has only, in addition, to add that they feel assured the Superintendent will place their views before the Government in such manner as will prove most conducive to the attainment of the ends they have proposed, and which they believe to be of incalculable advantage to the future interests and progress of the Province.



# Council Paper.

1864.

PROVINCIAL COUNCIL OF HAWKE'S BAY.

## REPORT

OF

### SELECT COMMITTEE ON AHURIRI PLAINS.

*Members* :—Messrs. Tiffen (Chairman), Lambert, Fitzgerald, Richardson, Dolbel, and the Mover.

THE Select Committee appointed "to draw up a Resolution to the General Government, to be transmitted through His Honor the Superintendent, "recommending their taking immediate steps to put a stop to illegal squatting on "the Ahuriri Plains," beg to submit the following Resolution for the consideration of the Provincial Council:—

That the correspondence between His Honor the Superintendent and the General Government on the subject of "leasing the Ahuriri Plains for depasturing purposes," (dated as per margin), gives the Council great satisfaction, as it is an earnest that His Excellency's responsible advisers are determined not to sanction such illegal occupation; nevertheless the Council sees, with growing serious apprehension, that permanent occupation is really intended—as fencing and stockyard-building are being vigorously proceeded with.

These Plains—having an area of about 80,000 acres, in close proximity to Napier Harbour—are absolutely needful to the future permanent welfare of the Province, being the only places well adapted for an agricultural community; they are at present mostly leased for terms of from 14 to 21 years to about 15 persons, who, from their being among the early settlers, are looked upon by the natives as some of the most influential persons in the Province; and who, it is greatly feared, by their so illegally acting, are the means (unknowingly, it is hoped,) of raising in the native mind contempt for the laws, which spirit all classes of Her Majesty's subjects have seen the absolute necessity of repressing and putting down.

The Council are also strongly of opinion that, if the present illegal occupation were put a stop to, a considerable portion of these Plains would ere long be acquired for agricultural purposes, either by direct sales to the Crown, or through the operation of the Native Lands Bill.

H. S. TIFFEN,  
Chairman.

His Honor the Superintendent—  
to the Hon Colonial Secretary—  
January 23rd, 1864.  
February 16th, 1864.  
Hon. Colonial Secretary to His  
Honor the Superintendent—  
February 22nd, 1864.  
April 21th, 1864.



# Council Paper.

1864.

PROVINCIAL COUNCIL OF HAWKE'S BAY.

## REPORT OF A SELECT COMMITTEE

*(Appointed 29th July, 1864, on the Motion of Mr. Fitzgerald).*

*Members* :—Messrs. Colenso, Richardson, Dolbel, Edwards, and the Mover.

YOUR COMMITTEE having taken the motion—"To enquire into the practice of officers of the Survey Department executing private work, the information for which is derived from the maps of the Province placed in charge, and to report upon the desirability of its being put a stop to as injurious to the public, as well as unfair to professional men not holding office under Government."—With power to call for persons and papers.

And having examined such witnesses as attended their respective summonses, and read carefully several letters, &c., are of opinion—

1st. That private work of any kind should not be allowed to be executed, or even mentioned by any Officer of the Survey Department during office hours or at the Survey office.

2nd. That, if possible, private work should not at all be performed by any Officer of the Survey Department, such being at least unfair to professional men, from the fact of such Officer necessarily having so very much valuable and useful public information in his own private possession; at the same time your Committee see a difficulty which they believe the Executive Government should surmount, namely, that of seeming to interfere with the private time of any Government Officer.

M. FITZGERALD,

Committee Rooms, August 10, 1864.

Chairman.





# Council Paper.

---

1864.

---

PROVINCIAL COUNCIL OF HAWKE'S BAY.

---

## REPORT OF AUDIT COMMITTEE.

---

*Members* :—Messrs. Edwards, Richardson, Tiffen, Kennedy, and the Mover.

---

YOUR COMMITTEE, after careful examination of the accounts of the Province for the period extending from 1st April, 1863, to 31st March, 1864, find the same to be mainly correct, and the balance in the hands of the Provincial Treasurer to be £2,292 1s. 8d.

Your Committee must, however, in the performance of their duty, call the attention of this Council to certain irregularities, of a more or less important nature, which are to be found in those accounts, and which are more particularly set forth in the Schedule hereunto annexed.

Your Committee are also strongly of opinion that, for the future, the following should be closely and regularly attended to :—

1. That, as far as possible, every Public Work or article for Public Service, should be only done or supplied by contract, and that all vouchers should shew on their face that such were in accordance with contract, which contract should also be shewn or referred to for easy reference.

2. That all accepted Tenders should be published in the *Provincial Gazette*.

3. That all sums paid under the head of "Grants in aid of Roads," or of "Road Contingencies," should shew on their respective vouchers the road for which such sum or sums were paid, as well as the amount (if any) paid by the party receiving such "Grant in Aid."

4. That the Monthly Balance Sheet of the Provincial Treasurer should be declared to in the usual way before the expiration of the following month.

5. That large "unexpended balances" in the hands of officers should not be allowed to stand over at the end of a quarter, more particularly at the end of a financial year.

Your Committee also desire to call the attention of the Government to what they believe to be (at least) an overstepping of the intention and spirit of the "Hawke's Bay Education Act," in the quarterly school returns from the Presbyterian School, Napier. The names of a large number of the children of respectable and wealthy parents are inserted as being educated wholly or in part at the public expense. This, your Committee are of opinion, should be immediately put a stop to.

A. KENNEDY,

Chairman.

Committee Rooms, 11th August, 1864.

# Council Paper.

1864.

## PROVINCIAL COUNCIL OF HAWKE'S BAY.

### REPORT OF THE SELECT COMMITTEE

*(Appointed July 15, 1864, on the Motion of Mr. Dolbel),*

“ To inquire into and report upon the state of the Province as regards Timber for Building and other purposes, and whether it would not be advisable that immediate steps should be taken to improve the Road between the Pohui Bush and Petane Bridge, and to devise some plans by which the Working Classes might be located there under a Bush License; such Committee to consist of

“ Messrs. Colenso,  
Richardson,  
Curling,  
Rhodes,  
Edwards, and  
The Mover.”

THE Committee met on Friday, July 29; present, all the Members; when the following Report was unanimously agreed on:—

Your Committee, having considered the matter entrusted to them, beg to report as follows:—

1. That there is ample evidence of very large and almost inexhaustible quantities of superior building timbers in this Province; which, in several forests, grow to an unusual size, and are very valuable; although, at present, from want of a road, difficult if not impossible to bring to market.

2. That, seeing there is, and will be such a great demand for all such timber, it is very advisable that some means should be either planned or encouraged by the Government, through which some of those valuable timbers could be brought into the market as early as possible.

3. That the large forest of heavy timber known as “the Pohui Bush,” being one of the nearest to Port, and still (mainly) in the hands of the Crown, it is deemed proper to recommend the improvement of the present road leading to it (particularly from or about Kaiwaka on the Petane River), so as to admit of timber being brought from the said “Bush” to the said River; down which, your Committee believes, timber could very easily be brought to Napier.

4. That it is also believed, that a sum of £300 will fully effect this; but your

Committee would even recommend an outlay by the Government of £500 (if required) for this purpose, under the direction of the Provincial Engineer, and consequent on his favorable report of the said road from the bush to the river.

5. That your Committee is further of opinion, that such outlay by the Government should be recovered through a slight increase on the upset price per acre of the said valuable bush ; and that some of the Sections in the same as (per Government Map) should be cut up into smaller lots to suit the working-class engaged in the occupation of sawing and splitting Timber.

6. That, inasmuch as the Report of a recent Select Committee—touching on Bush Licenses—has been already adopted by the Council, your Committee refrain from entering again on that subject.

WILLIAM COLENZO,  
Chairman.

Committee Rooms,  
August 3, 1864.

# Council Paper.

1864.

## PROVINCIAL COUNCIL OF HAWKE'S BAY.

### ESTIMATE OF THE PROBABLE INCOME

FOR THE

YEAR COMMENCING 1ST JULY, 1864, AND ENDING 30TH JUNE, 1865.

	£	s.	d.	£	s.	d.
<b>ORDINARY REVENUE :—</b>						
Customs 3-8ths gross Receipts ... ..	4000	0	0			
Licences, Publicans' and Auctioneers' ... ..	840	0	0			
Assessment on Sheep ... ..	350	0	0			
Pilotage and Wharfage Fees ... ..	100	0	0			
Brand and Pound Fees ... ..	40	0	0			
Rent Clive Ferry ... ..	166	0	0			
Rents Educational Reserves... ..	105	0	0			
Immigrants' Promissory Notes ... ..	300	0	0			
				5901	0	0
<b>TERRITORIAL REVENUE :—</b>						
Land Sales ... ..	9000	0	0			
Assessment on Runs ... ..	550	0	0			
Refund of Land Purchase Sixths ... ..	4090	5	6			
				13640	5	6
<b>MISCELLANEOUS :—</b>						
Refunds by General Government, viz. :—						
Colonial Defences ... ..	1000	0	0			
Colonial Defence Force ... ..	112	1	11			
Militia ... ..	73	3	6			
Survey of Military Settlement at Puketitiri ... ..	419	10	0			
Extra Expenditure on Taupo Road ... ..	1881	1	2			
				3485	16	7
Balance in hands of the Provincial Treasurer 30th June, 1864... ..				738	18	9
<b>GRAND TOTAL</b> ... ..	<b>£23,766</b>	<b>0</b>	<b>10</b>			

## SUPPLEMENTARY ESTIMATE OF REVENUE.

	£	s.	d.	£	s.	d.
Estimate of Revenue for 1864-5... .. .				23766	0	10
<b>ORDINARY :—</b>						
Customs ... .. .	1000	0	0	1000	0	0
<b>TERRITORIAL :—</b>						
Land Sales ... .. .	4000	0	0	4000	0	0
<b>MISCELLANEOUS</b> ... .. .	233	19	2	233	19	2
				£29,000	0	0

# ESTIMATE OF EXPENDITURE

OF THE

## Province of Hawke's Bay,

FROM 1ST JULY, 1864, TO 30TH JUNE, 1865.

DEPARTMENTS.	VOTE FOR 12 MONTHS.			TOTALS.		
	£	s.	d.	£	s.	d.
<b>1.—EXECUTIVE.</b>						
<i>Superintendent's Department :—</i>						
Superintendent, at £525 per annum ... ..	525	0	0			
Superintendent's Clerk, also Clerk of the Council and Immigration Clerk, at £300 per annum ... ..	300	0	0			
Native Interpreter, at £50 per annum ... ..	50	0	0			
Additional Clerical assistance ... ..	50	0	0			
Contingencies ... ..	25	0	0			
				950	0	0
<i>Audit Department :—</i>						
Provincial Auditor, at £150 per annum ... ..	150	0	0			
Deputy Auditor, at the rate of £150 ditto ... ..	20	0	0			
Contingencies ... ..	10	0	0			
				180	0	0
<i>Law Officer's Department :—</i>						
Provincial Solicitor, at £150 per annum ... ..	150	0	0			
Contingencies ... ..	3	0	0			
				153	0	0
<b>2.—LEGISLATIVE.</b>						
<i>Provincial Council :—</i>						
Country Members, at 12s. per diem ... ..	250	0	0			
Messenger, at £120 per annum ... ..	120	0	0			
Contingencies ... ..	20	0	0			
				390	0	0
<b>3.—JUDICIAL.</b>						
<i>Supreme Court :—</i>						
Expenses of Witnesses and Contingencies ... ..	160	0	0			
				160	0	0
<i>Sheriff's Department :—</i>						
Gaoler (Warden), at £175 per annum ... ..	175	0	0			
1 Turnkey, at £115 ditto ... ..	115	0	0			
1 Assistant Turnkey, at £100 ditto ... ..	100	0	0			
Messenger, from 1st July to 4th August ... ..	1	17	9			
Rations for Prisoners ... ..	200	0	0			
Contingencies ... ..	60	0	0			
				651	17	9
<i>Coroner's Department :—</i>						
Contingencies ... ..	10	0	0			
				10	0	0
<i>Police Department :—</i>						
Police, Napier—Serjeant-Major, also Inspector of Slaughter Houses and Weights and Measures, at £200 per annum ... ..	200	0	0			
1 Serjeant, at £130 per annum ... ..	130	0	0			
2 Corporals, at £125 ditto ... ..	250	0	0			
5 Privates, at £110 each ditto ... ..	550	0	0			
Clive—1 Private, at £110 ditto ... ..	110	0	0			
Waipawa—1 ditto, at £110 ditto ... ..	110	0	0			
Mohaka—1 ditto, at £110 ditto ... ..	110	0	0			
1 District Constable, at £50 ditto ... ..	50	0	0			
Special Constables ... ..	30	0	0			
Spit, Napier—Extra Policeman ... ..	35	0	0			
Carried forward ... ..	1575	0	0	2494	17	9

DEPARTMENTS.	VOTE FOR 12 MONTHS.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward ... ..	1575	0	0	2494	17	9
<i>Police Department (continued) :—</i>						
Horse Allowance to Serjeant-Major, at £52 per annum ... ..	52	0	0			
Allowance for 2 Horses for Policeman at Waipawa, at £72 per annum ... ..	72	0	0			
Allowance for Horse to enable Clive Policeman to attend Police duties at Havelock ... ..	15	0	0			
Rations for Prisoners ... ..	50	0	0			
Expenses of Prisoners ... ..	20	0	0			
Contingencies ... ..	60	0	0			
				1844	0	0
4.—CHARITABLE.						
<i>Hospital :—</i>						
Provincial Surgeon, at £110 per annum ... ..	110	0	0			
Hospital Attendants, at £100 ditto ... ..	100	0	0			
Rations for Patients ... ..	140	0	0			
Hospital Furniture ... ..	50	0	0			
Charitable Aid ... ..	50	0	0			
Contingencies ... ..	60	0	0			
				510	0	0
5.—EDUCATION.						
<i>Schools :—</i>						
Inspector of Schools ... ..	25	0	0			
Grant in aid of Buildings ... ..	300	0	0			
Grant under Education Act ... ..	400	0	0			
				725	0	0
6.—SPECIAL.						
<i>Harbour Department :—</i>						
Harbour Master and Pilot, at £200 per annum ... ..	200	0	0			
2 Boatmen, at 6s. 6d. per diem ... ..	240	0	0			
Bonus to Ferryman at Napier Heads, at £45 per annum ... ..	45	0	0			
1 Assistant Pilot, at £144 per annum ... ..	144	0	0			
1 Engineer, at £200 per annum ... ..	200	0	0			
1 Fireman, at £100 per annum ... ..	100	0	0			
Extra men in addition to the Pilot's crew, when employed ... ..	100	0	0			
Coal and Contingencies ... ..	625	0	0			
				1654	0	0
<i>Inspectors of Sheep :—</i>						
2 Inspectors of Sheep for all the Inland Districts, also Registrar of Brands, at £150 each per annum ... ..	300	0	0			
Examining Inspector for Southern Boundary of Province ... ..	30	0	0			
Examining Inspector for Southern Boundary of Province for 1863-64 ... ..	26	6	2			
Examining Inspector for Napier for 1863-64 ... ..	17	10	0			
Dipping Apparatus and Yard ... ..	40	0	0			
Contingencies ... ..	5	0	0			
				418	16	2
<i>Receiver of Land Revenues Department :—</i>						
Contingencies ... ..	5	0	0			
				5	0	0
<i>Returning Officer's Department :—</i>						
Expenses and Contingencies of Elections ... ..	50	0	0			
				50	0	0
<i>Ferries :—</i>						
Bonus to Ferry at Waihua River ... ..	25	0	0			
Bonus to Ferry at Waikari River ... ..	5	0	0			
Bonus to Ferry at Wairoa River ... ..	20	0	0			
Bonus to Ferry at Mohaka River ... ..	25	0	0			
				75	0	0
<i>Miscellaneous :—</i>						
Expenses of Troops at Waipawa for 6 months ... ..	770	0	0			
General Printing ... ..	350	0	0			
Carried forward ... ..	1120	0	0	7776	13	11



DEPARTMENTS.	VOTE FOR 12 MONTHS.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward ... ..	1120	0	0	7776	13	11
<i>Miscellaneous</i> (continued) :—						
Insurance Government Buildings ... ..	96	10	0			
Council Library and Newspapers ... ..	30	0	0			
Powder Saturday Gun ... ..	15	0	0			
Registrar of Meteorological Tables ... ..	50	0	0			
Contingencies for Meteorological Station ... ..	10	0	0			
Miscellaneous Contingencies ... ..	200	0	0			
Immigration (assisted) ... ..	338	5	0			
Government Offices—Firewood, Coal, &c. ... ..	50	0	0			
Immigration Contingencies ... ..	100	0	0			
Expenses of Native Visitors ... ..	50	0	0			
Bonus to Mr. Locke for assistance in settling						
Native Disputes ... ..	40	0	0			
Law Expenses ... ..	30	0	0			
Interest and Sinking Fund on Provincial Loan ... ..	800	0	0			
Reward for Payable Gold Field ... ..	1000	0	0			
				3929	15	0
<i>Liabilities</i> ... ..	6500	0	0	6500	0	0
<i>Crown Lands</i> :—						
Commissioner of Crown Lands, also Provincial						
Treasurer, at £350 per annum ... ..	350	0	0			
Chief Clerk, also Clerk to Provincial Treasurer,						
at £300 per annum ... ..	300	0	0			
Travelling Expenses for Commissioner, at 12s.						
6d. per diem ... ..	20	0	0			
Contingencies for Departments of Commissioner						
of Crown Lands and Provincial Treasurer ... ..	50	0	0	720	0	0
<b>PUBLIC WORKS AND UNDERTAKINGS.</b>						
<i>Survey Department</i> :—						
1 Surveyor, at £300 per annum ... ..	300	0	0			
1 Assistant Surveyor, at £300 per annum ... ..	300	0	0			
Travelling Expenses for 2 Surveyors at £36 each						
per annum ... ..	72	0	0			
1 Draughtsman, at £250 per annum ... ..	250	0	0			
Contract Surveys ... ..	500	0	0			
Laborers ... ..	720	0	0			
Instruments ... ..	90	0	0			
Contingencies ... ..	40	0	0	2272	0	0
<i>Provincial Engineer's Department</i> :—						
Provincial Engineer, also Chief Provincial Sur-						
veyor, at £400 per annum... ..	400	0	0			
Clerk of Works and Accountant, including Tra-						
velling Expenses ... ..	200	0	0			
Travelling Expenses for Provincial Engineer, at						
£100 per annum ... ..	100	0	0			
Contingencies ... ..	25	0	0	725	0	0
<i>Roads</i> :—						
Te Aute ... ..	1200	0	0			
Middle ... ..	250	0	0			
Clive to Havelock ... ..	60	0	0			
Patangata to Tamumu ... ..	80	0	0			
Porangahau ... ..	400	0	0			
Waipawa to Ruataniwha ... ..	40	0	0			
Waipukurau to Ruataniwha ... ..	30	0	0			
Taupo ... ..	440	0	0			
Petane ... ..	300	0	0			
Bridle Track to Mohaka ... ..	140	0	0			
Road Contingencies and Grants in Aid ... ..	2190	0	0			
Porangahau to Tautane ... ..	52	0	0			
Clive Road ... ..	50	0	0			
Omahu to Aorangi ... ..	100	0	0			
Havelock to Aorangi ... ..	100	0	0			
Carried forward .. ..	5432	0	0	21,923	8	11

DEPARTMENTS.	VOTE FOR 12 MONTHS.			TOTALS.		
	£	s.	d.	£	s.	d.
Brought forward .. ..	5432	0	0	21,923	8	11
<i>Roads</i> (continued) :—						
Hampden by Aorangi .. ..	100	0	0			
Hampden to Aorangi .. ..	80	0	0			
Mohaka to Upper Mohaka .. ..	50	0	0			
Town Roads .. ..	200	0	0			
Clearing Mangaone River .. ..	60	0	0			
Road to Barracks from Milton Road .. ..	200	0	0			
Bridle Track on the Coast Line .. ..	100	0	0			
Bridge over Waipawamate, and cutting Banks of Creeks in vicinity .. ..	40	0	0			
Clive Road, to connect with site of proposed Ngaruroro Bridge .. ..	60	0	0			
Foot Bridge, Coquet Creek, Mohaka .. ..	30	0	0			
Bridle Track, Owahi Hill .. ..	50	0	0			
Repairs and Maintenance of Public Buildings, inclusive of Papering, Painting, Sweeping Chimneys, &c, .. ..	409	11	8			
Fire-proof Rooms for Registrar of Deeds and Survey Office .. ..	350	0	0			
Public Wells and Pumps .. ..	15	0	0			
Repairs Public Fences .. ..	28	7	6			
Clive Ferry Punt Contingencies .. ..	70	0	0			
Fencing Court House Reserve Waipawa .. ..	20	0	0			
Timber for Temporary Barracks, Napier .. ..	80	0	0			
Bonus to John Greening .. ..	10	0	0			
Exhibition Transit and other expenses to Otago .. ..	100	0	0			
Maintenance of Lighthouse, per annum .. ..	100	0	0			
Harbour Improvements .. ..	11	15	0			
Award to Mr. Tiffen for three acres of land for making Road through Meanee Flats .. ..	32	0	0			
Burial Ground, Petane, Fencing .. ..	30	0	0			
Widows' and Orphans' Fund .. ..	100	0	0			
Queen's Warehouse .. ..	250	0	0			
Fence at Town Boundary for assisting the collection of Toll dues .. ..	160	0	0			
House for Toll Keeper .. ..	100	0	0			
Enlarging Lock-up at Clive .. ..	25	0	0			
				8293	14	2
GRAND TOTAL .. ..	.....			30,217	3	1

I hereby certify that the above is correct.

E. S. CURLING,

Chairman of Committees.

# Council Paper.

1864.

PROVINCIAL COUNCIL OF HAWKE'S BAY.

---

## ADDRESS

OF

HIS HONOR THE SUPERINTENDENT

ON

PROROGUING THE PROVINCIAL COUNCIL,

17TH AUGUST, 1864.

---

*Mr. Speaker and Gentlemen of the Provincial Council,—*

After an unusually long Session, I am happy to be able to release you from your duties.

I take this opportunity of expressing my thanks for the care, time, and attention which you have devoted to the consideration of the various subjects brought before you.

The following Bills will be transmitted for His Excellency the Governor's assent:—

1. Highways
2. Sheep and Scab
3. Police
4. Loan Appropriation
5. Drainage
6. Contractors
7. Fencing
8. Impounding
9. Wellington Acts Repeal
10. Diversion of Roads
11. Hampden School-house Reserve.
12. Reserves Administration
13. Appropriation
14. Mechanics' Institute Reserve
15. Boarding-house Licences

Those Bills will supply a want in local legislation which has been much felt.

While desirous of avoiding, as much as possible, the introduction of any new laws beyond what is really necessary, I believe that those now referred to will be found essentially applicable to the growing requirements of the community. The Bill for the administration of the reserves in different parts of the country for educational purposes, will, I trust, produce additional revenues for this important object, and, taken in connection with the introduction of trained teachers, greater advantages to the rising generation may be reasonably expected.

The resolution passed by you respecting the claims of this Province to its share of the £3,000,000 Loan, indicating the various objects for which you desire that it should be apportioned, will be forwarded in due course to His Excellency's Government. From the all but unanimous manner in which this resolution has been adopted, I have every reason to expect that it will meet with that consideration which the important nature of the subject entitles it to on general as well as Provincial grounds.

The recent accounts from Tauranga induce the hope that peace will be established in that part of the island; and, while all must appreciate the advantages of a peace concluded upon a just and reliable basis, it is nevertheless a positive duty to further the adoption of such measures, by the introduction of population and otherwise, as shall effectually prevent the possibility of such calamities within our borders as have befallen other Provinces in this Island. It is gratifying to acknowledge the very disinterested co-operation and assistance afforded by my Executive and the Council generally, by which I have been enabled during periods of considerable difficulty to administer this Government without the support in Council of gentlemen holding offices of emolument in the Provincial service.

This feature alone gives the best possible proof of the independence and public spirit which characterises the representatives of the people of Hawke's Bay.

I have also to acknowledge the liberal manner in which the necessary supplies have been voted, and it will be my endeavour to see that the various sums for public purposes are expended with every regard to economy.

It is satisfactory to be able to notice that most of the native tribes in this Province have been led to refrain from any direct participation in the insurrectionary and fanatical acts of which various tribes in other parts of this Island have been guilty.

I trust the state of tranquillity at present enjoyed may continue.

I am in hopes that, before the Council is again called together, the position of native affairs may be so far improved as to enable me to effect certain purchases of land, the acquisition of which would open up a field for such an enlarged scheme of immigration as must tend not only to the greater stability, but also to the fuller development of the resources of the Province.

I now declare this Council prorogued.

DONALD M'LEAN,  
Superintendent.