

Province of Hawke's Bay, New Zealand.



ACTS AND PROCEEDINGS

OF THE

PROVINCIAL COUNCIL OF HAWKE'S BAY.

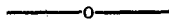
1862.—SESSION IV.

Napier :

PRINTED, BY AUTHORITY, BY JAMES WOOD.

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1862.

C O N T E N T S.



1. JOURNAL OF VOTES AND PROCEEDINGS.
2. SUPERINTENDENT'S OPENING SPEECH, FEBRUARY 3, 1862.
3. ESTIMATE OF EXPENDITURE FOR 1862-63.
4. ACTS, VIZ. :—
 - PROVINCIAL AUDITOR'S SALARY.
 - PUBLIC LICENSING AMENDMENT.
 - EXECUTIVE AMENDMENT.
 - APPROPRIATION.

1862.

Provincial Council of Hawke's Bay.

JOURNAL

OF

VOTES AND PROCEEDINGS.

SESSION IV.

MONDAY, FEBRUARY 3, 1862.

THE Council met, pursuant to a proclamation issued by His Honor the Superintendent, bearing date the 13th of January 1862. All the members present except Mr. Rhodes. The Speaker took the chair at 3 o'clock and read prayers.

1. New Members :—Thomas Dawson Triphook, William Colenso, and James Wood took their seats for the Town of Napier ; Charles Lambert for the Waipukurau District ; Henry Stokes Tiffen, for the Te Aute District ; John Davis Ormond, for the Porangahau District ; and Michael Fitzgerald, for the Waimarama District.
2. Superintendent's Speech :—His Honor the Superintendent then addressed the Council as printed at the end hereof. The speech, on the motion of Mr. Curling, seconded by Capt. Lambert, was ordered to be printed.
3. Papers :—The Speaker laid on the table the report of the Council Auditors for the quarters ending 30th June, 30th September, and 31st December 1861.—Also, a letter from the Superintendent enclosing copy of a memorial on the subject of Land Regulations, together with the reply thereto.—His Honor the Superintendent laid on the table the following Returns, Correspondence, and Reports :—
 1. Statement of Expenditure of the Province of Hawke's Bay for the year ending December 31, 1861.
 2. Estimates of Revenue for 1862.
 3. Estimates for 1862.
 4. Statement of Revenue for 1861.
 5. Correspondence with the Col. Secretary in reference to the amounts due and payable on account of Interest and Sinking Fund for sums raised for Land Purchases in this Province.
 6. Mr. Gill's Report on Waipureku and Inland Lines of Road.
 7. Mr. Wright's Report on Waipureku and Inland Line of Road, together with Map on which the Lines of Road are marked off.

8. Reports of Messrs. Tiffen, Gill, and Wright for the half-year ending June 30th, 1861.
9. Reports of Messrs. Tiffen and Gill for the half-year ending December 31st, 1861.
10. Message from His Excellency the Governor returning the Sheep and Scab Act for amendment.
11. Correspondence with the Colonial Secretary on the subject of Waipureku being handed over to the Provincial Government.
12. Correspondence with the Colonial Secretary in reference to the embankment in the Iron Pot.
13. Correspondence with the Colonial Secretary relating to the validity of the appointments by the late Superintendent on the Land Board, and Mr. Tiffen being re-appointed.
14. A letter from the Colonial Secretary in reply to a Resolution of this Council, relating to the conduct of Surveys in this Province under the Native Land Purchase Department.
15. Copy of a Letter from the Secretary of Crown Lands to Commissioner of Crown Lands at Napier, requiring explanation of the circumstances under which the Superintendent of Hawke's Bay purchased land at Hampden.

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

Capt. Lambert seconded the motion.

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

Council adjourned at till Tuesday next, at 3 o'clock.

NOTICES OF MOTION.

TUESDAY, FEBRUARY 4.

1. Mr. TIFFEN to move, For leave to bring in a Bill to empower the Superintendent to convey to the trustees the Reserve set aside as a site for the Mechanics' Institute or Athenæum.
2. Capt. CARTER to move, That this Council do resolve itself into a Committee of Supply on the Estimates for the quarter ending 31st March, 1862.
3. Mr. M. FITZGERALD to move, For leave to ask the Superintendent to place the sum of £80 on the Estimates for the Bridge erected by Mr. Collins at Tamumu.
4. Mr. WOOD to move a reply to the opening address of His Honor the Superintendent.

WEDNESDAY, FEBRUARY 5.

5. Dr. HITCHINGS to move, That His Honor the Superintendent be requested to place a sum of money on the estimates for the purchase of a Public Weighing Machine, to be placed on the Eastern Spit.
6. Dr. HITCHINGS to move, That His Honor the Superintendent be requested to place a sum of money on the estimates for the purpose of removing the present Lock-up to some more convenient site.

TUESDAY, FEBRUARY 4, 1862.

Council met ; all the members present ; the Speaker in the chair. Minutes of preceding day read and confirmed.

1. Petition of E. G. Wright :—Mr. FitzGerald presented a petition from Mr. E. G. Wright, setting forth certain circumstances in connection with the recent appointment of Provincial Engineer, and praying the Council to take the same into consideration. Petition, on the motion of Mr. FitzGerald, seconded by Mr. Triphook, read and received.
2. Petition of Havelock residents :—Mr. Rhodes presented a petition signed by 35 inhabitants of Havelock and neighbourhood, setting forth the state of the roads,

and praying that such sums may be placed on the estimates as the Provincial Engineer may think sufficient for necessary improvements. Petition, on the motion of Mr. Rhodes, seconded by Mr. FitzGerald, read and received.

3. Reply to Superintendent's Address :—Mr. Wood moved a reply to the opening address. Mr. Ormond seconded the motion *pro forma* on the understanding that the debate should be adjourned. Adjourned till Friday the 9th inst.
4. Athenæum :—On the motion of Mr. Tiffen, seconded by Mr. T. H. FitzGerald, the Athenæum Bill (see notice No. 1, page 2) was brought up and read a first time. At a subsequent part of the day the standing rules and orders were suspended with the view of passing this bill through its various stages. It was then read a second time, considered in committee, read a third time, and passed.
5. Expenditure for first quarter of 1862 :—A discussion arose as to the propriety of sanctioning, by resolution only, the expenditure for the first three months of the year. It ended in the Council being adjourned for an hour.

On resuming, Mr. Ormond moved the following resolution :—That the Council hereby authorize His Honor the Superintendent to conduct the expenditure of the Province during the three months ending 31st March, 1862, in conformity with and upon the basis laid down in the Estimates of Expenditure for the year 1861 ; and that this resolution shall be *considered* a full and entire authority for that purpose. It being also understood that any necessary public works, the execution of which is urgently called for, shall be proceeded with by the Executive at their discretion, *subject to the further sanction of this Council.*

Mr. Tiffen having seconded the motion, a debate ensued, which ended in the adoption of the resolution with the exception of the words printed in italics, which were expunged upon an objection having been taken to them by Mr. Colenso.

6. Chairmanship of Committees :—Mr. E. S. Curling tendered his resignation as Chairman of Committees, but consented, at the unanimous request of members, to resume office.
7. Ferry over Ngaruroro River :—On the motion of Mr. Rhodes, seconded by Mr. Dolbel, standing rule 27 was suspended with the view of the Council going into committee to consider the subject of moving this Ferry. Council went into committee accordingly. The reports of the Provincial Engineer and the Director of Works, which were laid on the table on Monday by the Superintendent, were read by the Chairman.

Capt. Lambert moved :—That the Punt be placed so as to cross the river at the line marked B on the plan attached to the report of the Director of Works, and continued to Havelock, so as to pass, if practicable, between the river and the large bush.

Mr. T. H. FitzGerald moved as an amendment :—That in the opinion of this Committee it is most expedient at the present time to locate the Ferry over the Ngaruroro at or near the site now in use, and that the Superintendent be requested to obtain from the natives a suitable piece of land as a site for the Ferry House, on such terms as may be approved of by him and the Native Rananga when legally constituted.

Debate ensued. The amendment of Mr. FitzGerald was put, and negatived by the following division :—

Ayes, 6—Messrs. Hitchings, Rhodes, FitzGerald, Alexander, Dolbel, and Wood.

Noes, 8—Messrs. Ormond, M. Fitzgerald, Tucker, Carter, Triphook, Lambert, Colenso, and Tiffen.

Mr. Triphook then moved :—That the further consideration of this question be postponed until the proposed adjourned meeting of Council.

Dr. Hitchings seconded the amendment, which was put and carried.

8. Appointment of Auditor and Deputy Auditor :—His Honor the Superintendent informed the Council that, before adjourning, they would have to elect an Auditor and Deputy Auditor under an Act of the General Assembly intituled "The Provincial Audit Act."

The Council having, on the motion of Mr. T. H. FitzGerald, seconded by Mr. Colenso, gone into committee on the subject,—it was moved by Mr. Curling, seconded by Mr. Tiffen, and agreed to, that Mr. George Edward Gordon Richardson be elected Auditor. The election of Deputy Auditor was deferred till Wednesday.

Council adjourned till Wednesday, at 3 p.m.

NOTICES OF MOTION.

WEDNESDAY, FEBRUARY 5.

1. Mr. TRIPHOOK to move, That the Superintendent be requested to place upon the Estimates a sum sufficient for forming a suitable approach to the Provincial Hospital, Napier, from the summit of the Shakespeare-road, and that the Director of Works be requested to furnish an estimate of the sum required.
2. Mr. TRIPHOOK to move, That the Reports of the Provincial Engineer and Director of Works on the Waipureku and Inland Line of Road be printed, and the map accompanying be lithographed.
3. Mr. TRIPHOOK to move, That the Chief Surveyor be requested to execute a complete Traverse Survey, and a connected Plan of the Te Aute and Middle Lines of Road from Havelock to Abbotsford, on a scale of not more than 20 chains to the inch, shewing distinctly the physical features of the lines of road, and fixing permanent stations at intervals of one mile apart.
4. Mr. M. FITZGERALD to move, For leave to ask the Superintendent to place the sum of £150 on the Estimates for a Bridge over the Maraetotara on the road from Napier to Pourerere via Waimarama; and a further sum of £50 for the same road between Te Aute and Kairakau, to make a horse track by the beach.
5. Mr. WOOD to move, That a Select Committee be appointed for the purpose of examining the Standing Rules and Orders of this Council, with a view to their revision. Such Committee to consist of Messrs. Tiffen, Ormond, T. H. FitzGerald, Colenso, and the mover. Report to be brought up on Friday, the 7th instant.
6. Mr. FITZGERALD to move, For a return of applications for 5s. land certificates made during the year 1861 to the Commissioner of Crown Lands, shewing date and the name of applicant, the number of acres and locality of the land for which certificates are sought; the date at which certificates were granted, and, also, specially distinguishing the cases where certificates were refused and the grounds for refusal.
7. Mr. FITZGERALD to move, For the appointment of a Select Committee to enquire into the movement now going forward amongst the Agricultural and Working Classes of this Province, having for its object, the acquisition, by way of lease, of the Waste Agricultural Land in Hawke's Bay, still in the hands of the Natives; and to report to this Council whether assistance should be afforded by the Provincial Government in developing the objects sought for by the settlers and bringing them to a successful issue or not. Such Committee to consist of Messrs. Alexander, Triphook, Wood, Rhodes, Dolbel, Curling, and the mover,—with power to call for persons and papers.
8. Mr. FITZGERALD to move, That His Honor the Superintendent be requested to communicate with Messrs. Stuart, Kinross, & Co., with the view to ascertaining on what terms the road opposite the Catholic Church in this town could be restored to a width suitable for traffic at that place, and that would lessen or avoid the danger to horsemen or wheeled vehicles by collision, for want of room, now so imminent there, and to report the result of such communication to this Council.

THURSDAY, FEBRUARY 6.

9. Mr. FITZGERALD to move, For the appointment of a Select Committee to enquire into and report upon the practice pursued in the Land office, Napier, in reference to applications for certificates for 5s. land; and the nature of the examination made by the Commissioner of Crown Lands previous to granting or refusing them,—with power to call for persons and papers. Committee to consist of Messrs. Ormond, Lambert, Triphook, M. Fitzgerald, and the mover.

WEDNESDAY, FEBRUARY 5, 1862.

Council met ; all the members present ; the Speaker in the chair. Minutes of preceding day read and agreed to.

1. Postponements :—Dr. Hitchings obtained leave to postpone until next sitting day Notices Nos. 5 and 6, page 2 ; Mr. Triphook to postpone Notices Nos. 1 and 3, page 4 ; Mr. M. Fitzgerald to postpone Notice No. 3, page 2, and No. 4, page 4 ; Mr. Wood, to postpone No. 6, page 2, and No. 5, page 4 ; Mr. T. H. FitzGerald, to postpone Nos. 7 and 9, page 4.
2. Ways and Means :—On the motion of Mr. Wood, the Council went into Committee of Ways and Means for the purpose of hearing certain financial explanations of His Honor the Superintendent. Said explanations were then given.
3. Waipureku and Inland line of road :—Mr. Triphook moved No. 2, page 4—that Mr. Wright's report be printed and plan lithographed. The motion was seconded by Mr. Rhodes. Motion negatived.
4. Five Shilling Land Applications :—Mr. T. H. FitzGerald moved No. 6, page 4,—For a return &c. Mr. Dolbel seconded the motion, which was agreed to.
5. Width of Shakespeare Road :—Mr. T. H. FitzGerald moved No. 8, page 4,—That His Honor &c. Mr. Tiffen seconded the motion, which was agreed to.
6. Petition of Roger Barry :—On the motion of Mr. Alexander, seconded by Mr. Tiffen, standing rule 85 was suspended with the view of presenting a petition from Roger Barry, contractor for the Meanee Bridge, setting forth losses he had sustained in the work, and praying for compensation. Petition read. Mr. Colenso protested against its being received on the ground that it infringed the standing rules and orders by praying for a grant of public money. The Speaker ruled that it could not be received.
7. Printing a financial paper :—Mr. T. H. FitzGerald moved the suspension of standing rule 27, for the purpose of moving that a document laid on the table should be printed. Mr. Triphook seconded the motion, which was negatived on a division, viz. :—
Ayes,—Messrs. T. H. FitzGerald, Triphook, Dolbel—3.
Noes,—Messrs. Alexander, Carter, Tiffen, Colenso, Ormond, M. Fitzgerald, Wood, Lambert, Hitchings—9.
8. Deputy Auditor :—On the motion of Mr. Tiffen, seconded by Mr. Colenso, Mr. William Smith was elected Deputy Provincial Auditor.
9. Provincial Auditor's Salary Act :—On the motion of Capt Carter, seconded by Mr. Tiffen, all the standing rules and orders which might prevent a bill passing through its various stages were suspended. Capt. Carter then brought up "An Act to make provision for the payment of a salary to the Auditor and Deputy Auditor of the Province of Hawke's Bay, appointed pursuant to the Provincial Audit Act, 1861." The Bill was then read a first and second time, considered in committee, reported to the Speaker with amendments, read a third time and passed.
10. Waipureku Ferry :—Mr. Rhodes moved the suspension of standing rule 27, with the view of moving that something should be done during the recess towards keeping communication open between Napier and the interior. The motion was seconded by Mr. T. H. FitzGerald. Mr. Ormond moved as an amendment that the question be considered that day six months. The amendment was seconded by Mr. Curling and agreed to.
11. Work done by Natives at Pohui Bush :—Mr. Alexander moved the suspension of standing rule 27, with the view of moving a resolution that certain work performed by natives in the Pohui Bush be paid for. Mr. T. H. FitzGerald seconded the motion. Mr. M. Fitzgerald moved as an amendment that the question be considered that day six months. Mr. Alexander withdrew his motion.

The Council adjourned till Monday, March 10, at 3 o'clock.

NOTICE OF MOTION.

Mr. ORMOND to move on the second day after next meeting of Council—

That, under clause 8 of the New Zealand Land Regulations, dated March 4, 1853, it is provided that 10 per cent. on the upset price shall be paid as deposit by any applicant for land to be put up to public auction. Under clause 23 it is further provided that "Immediate payment in cash of one tenth of the purchase money shall be the condition of any such sale by auction, and the remaining nine-tenths of the purchase money must be paid by the purchaser within one calendar month next after the time of such sale by auction."

That from experience of the working of these clauses of the Regulations, the Council is of opinion that facilities are offered to the unscrupulous to extort money from, and otherwise obstruct the *bonâ fide* purchaser, whilst at the same time it is manifest that under the one clause a very slight risk of capital has to be incurred, and, under the other, no capital at all is required by the persons who take advantage of these flaws in the regulations.

That the public interests will not suffer by securing the *bonâ fide* purchaser from extortion.

That this Council is aware that under clause 2 of the "Waste Lands Act, 1858," the Governor in Council is empowered to augment the price at which the waste lands of the Crown shall be sold in any Province, either by auction or otherwise, on the recommendation of Superintendent and Provincial Council. The Council, therefore, recommends the following alteration in clause 8, before referred to, viz. :—

That upon the application of any intending purchaser who desires to put up land to auction, fifty per cent. of the upset price thereof shall be deposited with the Commissioner or other officer appointed to receive the same, in the place of ten per cent., as at present required by the regulations: Provided also that the deposit of fifty per cent. shall be made subject to the same conditions as the ten per cent. deposit now is, that is to say—If some other person than the original applicant become the purchaser of such lands, then the deposit made by such original applicant will be returned to him; but if no other purchaser comes forward, and the original applicant does not complete the purchase himself, the deposit of fifty per cent. will be forfeited.

And with respect to clause 23. That portion of the clause which secures one month's credit to the nominal purchaser should be altered, and cash payments in full required to be made to the Commissioner or other officer on the fall of the hammer, and that, failing the same, the lot shall then and there be re-submitted to public competition.

The Council is further of opinion that whilst these proposed alterations would secure the *bonâ fide* purchaser from unfair and fictitious competition, no unreasonable difficulty is thrown in his way, or in that of any real competitor. At the same time, the public interests will not be affected, and the law will withdraw its apparent countenance from a most injurious and baneful, not to say morally criminal practice.

—o—

MONDAY, MARCH 10, 1862.

Council met pursuant to adjournment. Present, Messrs. Carter, Colenso, Wood, M. Fitzgerald, Tiffen, Triphook, Dolbel, Hitchings.

1. The Speakership :—The Speaker's chair being vacant through the departure of Mr. Tucker, it was moved by Capt. Carter, seconded by Mr. Wood, and agreed to, that Mr. M. Fitzgerald be Chairman of Council. It was then moved by Capt. Carter, seconded by Mr. Wood, and agreed to, that Dr. Hitchings be Speaker *pro tem*. His Honor the Superintendent having confirmed the appointment of Dr. Hitchings, he took the Speaker's chair accordingly—intimating that he only did so until next sitting day. The minutes of last meeting were then read and confirmed.
2. Returns &c. :—The Superintendent laid on the table return of 5s. land certificates granted during 1861 &c.—(see Notice No. 6, page 4.) Also, correspondence with Messrs. Stuart, Kinross & Co. on the subject of Shakespeare-road (see Notice No. 8, page 4.)

3. New Member :—His Honor the Superintendent handed the Speaker a letter notifying the election of G. G. Carlyon Esq., as a member for the Waipukurau district.
4. Adjournment :—The country members having been prevented from attending by the state of the rivers, the Council was adjourned, on the motion of Capt. Carter, to Monday, March 17—all notices of motion being postponed until that day, to be taken in their order on the notice board.

NOTICES OF MOTION.

FOR NEXT SITTING DAY.

1. Mr. WOOD, to move that His Honor the Superintendent be requested to lay on the table an approximate statement of the Assets and Liabilities of the Province.
2. Mr. WOOD, to move that the Council do resolve itself into a Committee of Ways and Means for the consideration of the Estimates of Revenue.
3. Mr. M. FITZGERALD, to move for the appointment of a select committee, to consist of Messrs. T. H. FitzGerald, Alexander, Ormond, Curling, and the mover, for the purpose of reporting upon the Estimates generally—what salaries (if any) that can be reduced, and what offices (if any) can which be amalgamated.

MONDAY, MARCH 17, 1862.

Council met ; present, all the members except Mr. Curling. Minutes of last meeting read and confirmed.

1. Papers :—The Superintendent laid the following upon the table :—
 Correspondence in reference to interest on Wellington debt, &c.
 Colonial Secretary to Superintendent in reference to Agricultural reserve at Hampden.
 Report of the Inspector of Schools.
 Supplementary Estimates, 1862-3.
2. Petitions :—Mr. Rhodes presented a petition from the inhabitants of Clive, the surrounding district, and the East Coast, bearing 101 signatures, recommending that the Ferry should be moved to Waitangi, and praying that the road from the future site of the Ferry to Clive should be put into a state of repair. Petition read and received.

Mr. Alexander presented a petition from the inhabitants of Petane, bearing 34 signatures, praying that the road between Petane Bridge and the Port ; the side cutting on the banks of the Petane River, near Munn's point ; and the new road between the School-house and the Travellers' Rest, be repaired and rendered passable for travellers. Petition read and received—Mr. Alexander giving notice that he would move its consideration in committee on the estimates.

Mr. Triphook presented a petition, signed by 55 of the working class of Napier, praying that the Estimates might be re-considered, with the view of a larger amount being placed thereon for the benefit of the inhabitants of Napier and surrounding country. Petition read. On the motion that it be received, it was moved by Mr. Ormond, seconded by Mr. Colenso, that the petition be not received, and be sent back with an intimation that the language it is couched in renders its receipt in its present shape impossible. Amendment agreed to.

3. Approach to Hospital :—Mr. Triphook moved pursuant to Notice No. 1, page 4. Mr. T. H. FitzGerald seconded the motion, which was agreed to.
4. Traverse Survey :—Mr. Triphook moved pursuant to Notice No. 3, page 4. Mr. Alexander seconded the motion. On its being stated by the Chief Surveyor that

sufficient information could be procured for the members of this Council from the maps at present in the office, without going to the expense necessitated by this motion, Mr. Triphook withdrew it on that understanding.

5. Bridge over Maraetotara :—Mr. M. Fitzgerald moved pursuant to Notice 4, page 4. Mr. Ormond seconded the motion, which was agreed to.
6. Standing Rules and Orders :—Mr. Wood moved pursuant to Notice 5, page 4. Mr. Tiffen seconded the motion, which was agreed to.
7. Bridge at Tamumu :—Mr. M. Fitzgerald moved pursuant to Notice 3, page 2. Mr. Alexander seconded the motion, which was agreed to.
8. Assets and Liabilities :—Mr. Wood moved pursuant to Notice 1, page 7. Mr. Ormond seconded the motion, which was negatived.
9. Ways and Means :—Mr. Wood moved pursuant to Notice 2, page 7. Capt. Lambert seconded the motion. Motion agreed to, and Estimates of Revenue discussed in Committee accordingly—Mr. Rhodes having, in the absence of Mr. Curling, been chosen Chairman of Committees *pro tem*.
10. The Estimates :—Mr. M. Fitzgerald moved pursuant to Notice 3, page 7. Mr. Alexander seconded the motion. Mr. Ormond moved, as an amendment, “for the appointment of a select committee, to consist of Messrs. Wood, M. Fitzgerald, Triphook, Lambert, Carlyon, and the mover, for the purpose of reporting whether any recommendations can be made to the Superintendent under which the conduct of the public service can be carried on upon a more economical scale. Report to be brought up on Tuesday the 18th inst.” Mr. Colenso seconded the amendment, which was agreed to. Capt. Carter moved that the consideration of the Estimates be postponed till after said committee had brought up their report. Mr. Colenso seconded the motion, which was agreed to.
11. The Speakership :—Dr. Hitchings having resigned as Speaker, it was moved by Mr. Colenso, seconded by Mr. Dolbel, that Capt. Lambert be elected Speaker. Motion agreed to, and the Superintendent having confirmed the appointment of Capt. Lambert, he took the chair accordingly.

Council adjourned till Tuesday, March 18.

NOTICES OF MOTION.

TUESDAY, MARCH 18.

1. Capt. LAMBERT, to move for a Return of the number of horses, cattle, and sheep that have been impounded during the last twelve months, and the amount of fine received by the pound-keeper.
2. Capt. LAMBERT, to move for a Return shewing the number of persons arrested by the police, their crime, and the number of days they each were in the Lock-up during the year 1861.
3. Mr. TRIPHOOK, to move for a Return of the total amount of the 5s. or unagricultural land of the Province, under certificate from the Commissioner of Crown Lands, open for selection subject to three months notice to the runholder, shewing in each case the date of application, the name of applicant, the amount certified, the locality and the date of the certificate.
4. Capt. CARTER, to move for the appointment of a select committee to consider the the best manner of dealing with the Agricultural Reserve at Hampden, with a view to the disposal of the same for the purpose of which it was purchased. Committee to consist of Messrs. T. H. FitzGerald, Ormond, Alexander, Colenso, and the mover.
5. Mr. RHODES, to move that the petition read and received this day for the removal of the Clive Ferry Punt to Waitangi be taken into consideration.

TUESDAY, MARCH 18.

Council met ; all the members present ; the Speaker in the chair. Minutes of preceding day read and confirmed.

1. Papers :—The Superintendent laid the following upon the table :—

Report of the Provincial Engineer on the different lines of road proposed to connect Napier and Clive with Havelock.

Estimate of Revenue for first three months of 1863.

Statement of the Estimated Revenue for 1862-3, with necessary and probable deductions.

2. Privilege.—Mr. FitzGerald, on the previous sitting day, had called attention to remarks made by the member for Te Aute (Mr. Tiffen) on the 5th February, and reported in the *Herald* of the 8th, containing the assertion that he (Mr. FitzGerald) when Superintendent, had stated that he had particular powers delegated to him by the General Government, which powers were really not in existence at the time. He would now move, as follows :—

That the matter of privilege complained of yesterday, and affecting some communications between the late Superintendent and the Commissioner of Crown Lands, should be investigated by this Council, and the clerk directed to take down statements made or evidence given.

Dr. Hitchings seconded the motion, which was agreed to.

Mr. Tiffen then made the following statement,—

The report in the *Hawke's Bay Herald* is generally correct. In corroboration of the statement I beg to state the following :—On February 15, 1860, the Waste Lands Act of 1858 came into operation. On 15th March, 1860, a proclamation appeared in the Government Gazette, in which Hampden was declared to be reserved. About the 20th March Mr. Tanner applied to me to have his run awarded to him. I refused to do so, having been informed by the Superintendent that certain powers contained in clauses 3, 4 and 5 of the Waste Lands Act of 1858 had been delegated to him by the Governor ; therefore he intended that the whole of that land should be divided into sections. Mr. Tanner requested me to attend with him on the Superintendent, which I did ; and he (the Superintendent) then reiterated the statement he had made to me the previous day. On the 7th May a portion of this block was thrown open for general selection. On the 23rd November the powers contained in clauses 3, 4 and 5 of the Waste Lands Act of 1858, were delegated by the Governor to the Superintendent.

Mr. FitzGerald then obtained leave to put certain questions, which, with the answers are, subjoined :—

Q. Was it in consequence of the statement made by the Superintendent, of holding certain powers lately delegated to him under the Act, that you declined gazetting Mr. Tanner to his run ?—A. Yes.

Q. Had you ever read the Act of 1858, and the clauses in question (3, 4 and 5) ?—A. Yes.

Q. Will you explain for the information of the Council, how you considered yourself bound to withhold action in reference to Mr. Tanner's run, seeing that the clauses in question solely related to the appointment of officers of the Land and Survey Departments ?—A. By the additional Land Regulations of the Province of Wellington, certain powers were given to Superintendents to make reserves. By the Waste Lands Act of 1858, the Superintendents were deprived of these powers, which were then vested wholly in the Governor. By the delegation of these powers, contained in clauses 3, 4 and 5, he again resumed the power of dealing with the spirit of the Land Regulations. Between the 15th February and the 23rd November, no such powers were held by the Superintendent.

Q. It does not appear from the foregoing answers that you had sufficient cause for withholding action under the Land Regulations, supposing even the statement of the Superintendent were true ?—A. I considered that it was.

Mr. Tanner was now called upon for evidence on this matter, and, having been introduced into the Council Chamber, stated as follows :—

On or about the 28th March I applied to the Commissioner to have my run awarded me. He stated that the Superintendent had told him not to do so. I asked him the grounds; he said he didn't know. I then asked him (the Commissioner) to go with me to the Superintendent's office to enquire into the matter, which he did. I asked the Superintendent why he would not allow the Commissioner to gazette me my run—shewing him it was a matter of some importance to me, as, in accordance with the Regulations, I was entitled to select 80 acres, and should have selected where the township of Hampden at present stands. He told me the land would be thrown open for sale; gazetting me the run might prejudice the sale, and therefore he instructed the Commissioner not to do so. I asked him what power he had. He said he had the power—whereupon the Commissioner asked him if he had received these powers from the Governor. He replied in the affirmative. I am not perfectly certain of the very words, but I believe he said he would send a copy of those powers the following day. The Commissioner seemed satisfied, and told me I could not help myself. Not feeling so satisfied myself that all was right, I told the Superintendent that I would take legal steps in the matter, as it sufficiently affected my interests to make me try what I could to get my run gazetted to me. He threatened that if I did so he would reserve the whole block, which appearing to me a worse alternative, I let the matter drop.

Mr. FitzGerald now addressed the Council at considerable length on the subject. He afterwards reduced to writing the substance of his remarks, for the purpose of being entered on the minutes. The following was his written statement:—

I recollect the application that was made to me by the Commissioner of Crown Lands on the subject of Mr. Tanner's run. On or about the 28th March, 1860, Mr. Tiffen wished without delay, to gazette Mr. Tanner's run. This would have included the township of Hampden and the agricultural land in its vicinity then under survey, and intended to be divided into sections against the day on which it was to be thrown open for sale. It was advertised in the *Gazette* of 30th March, 1860, to be open for sale on the 7th of May, following, in blocks varying from 60 to 160 acres each. I objected to Mr. Tanner's run being gazetted till after the sale had taken place, as the land would be much diminished in value in the eyes of the public if any person had the right of selecting 80 acres as a homestead wherever he might think fit; and I pointed out to him that although the power of gazetting Mr. Tanner the run lay with the Commissioner, that any attempt to exercise it in this instance would necessarily oblige me to proclaim the whole block as suburban land, which I had the power of doing under the additional Land Regulations of the Province of Wellington—the powers of which were delegated under the 6th clause of the Waste Lands Act, 1858, that had just come into force. This induced him to desist. Mr. Tanner, in consequence of the statement I had made to him, consented to the delay. The clauses referred to by Mr. Tiffen—3, 4 and 5—had nothing whatever to do with the case in point; and as the Waste Lands Act only came into operation on the 15th March, 1860, it would have been clearly absurd in me to affirm, as he said I did, that I had applied for and received the delegation of the powers under clauses 3, 4 and 5 from the Governor—seeing there had been only 10 or 12 days to have had it done. The Provincial Council was in session on the 23rd March, and proposed additional Land Regulations for adoption, including the formation of a Land Board, which they thought could only be obtained by applying to the General Assembly. The clauses 3, 4 and 5 could not possibly have been alleged by me as any barrier to the Commissioner gazetting Mr. Tanner's run, as they applied only to the power of appointing officers to the Land and Survey Departments; and no thought of applying for those powers had ever been entertained by me until the Colonial Secretary pointed out to me, in the month of October, 1860, that, however indisposed his Government was to propose the additional Land Regulations to the General Assembly, by the delegation of the powers contained in clauses 3, 4 and 5, the object of the formation of the Land Board could be effected. That consequently on the 9th November, 1860, I applied by letter from Napier (copy of same produced) for the delegation of those powers, which were shortly afterwards granted.

The two members concerned having, at the request of the Speaker, left the room,—

Dr. Hitchings moved that, both parties having been afforded a hearing, the question of privilege should lapse.

Mr. Ormond seconded the motion, which was agreed to.

3. Petition.—Mr. Colenso presented the petition of the working men of Napier, amended by some objectionable expressions having been expunged, and moved that it be read and received.
Mr. Triphook seconded both motions, which were agreed to.
4. Horses and Cattle Impounded.—The notice of motion by Capt. Lambert (No. 1, page 8) was allowed to lapse.
5. Persons imprisoned in Lock-up.—The notice of motion by Capt. Lambert (No. 2, page 8) was allowed to lapse.
6. Return of Unagricultural Land.—Mr. Triphook moved pursuant to notice 3, page 8. Mr. T. H. FitzGerald seconded the motion, which was agreed to.
7. Agricultural Reserve at Hampden.—Capt. Carter moved pursuant to notice 4, page 8. Mr. Tiffen seconded the motion, which was agreed to.
8. Postponements.—Mr. Rhodes obtained leave to postpone till the estimates were under discussion, his motion (No. 5, page 8) for the consideration of the petition for the removal of the punt. Mr. Alexander obtained similar leave with regard to the petition that certain sums should be placed on the estimates for repair of the Petane and Pohui road.
9. Leasing of Native Lands.—Mr. T. H. FitzGerald moved pursuant to notice 7, page 4—the names of the committee being altered to Messrs. Wood, Alexander, Curling, Ormond, Colenso, and the mover, and the report to be brought up on Tuesday, the 25th inst. Dr. Hitchings seconded the motion, which was agreed to.
10. Public Weighing Machine.—Dr. Hitchings moved pursuant to notice 5, page 2. Mr. Dolbel seconded the motion, which was agreed to.
11. Removal of Lock-up.—Dr. Hitchings moved pursuant to notice 6, page 2. Mr. Colenso seconded the motion, which was agreed to.
12. Economy of Public Service.—Mr. Ormond brought up “report of the select committee appointed to report whether any recommendation can be made to the Superintendent, under which the conduct of the public service can be carried on upon a more economical scale”; and moved that it be read. Mr. M. Fitzgerald seconded the motion, which was agreed to, and report read accordingly.
13. Adjournment.—On the motion of Mr. M. Fitzgerald, seconded by Mr. Triphook, the Council adjourned till half-past 7 p.m., at which hour it again met.
14. Estimates of Expenditure.—The Council then went into committee upon the estimates—Mr. Tiffen having been elected Chairman of Committees *pro tem*. The estimates having been partially considered, the chairman reported progress and obtained leave to sit again.
15. Adjournment.—On the motion of Mr. M. Fitzgerald, seconded by Mr. Ormond the Council adjourned till next day (Wednesday) at 3 o'clock.

NOTICES OF MOTION.

WEDNESDAY, MARCH 19.

1. Mr. COLENSO, to move the consideration of some portions of our present Executive Act, and the necessity of their being altered.
2. Mr. COLENSO, to move for the formation of a printing committee. Such committee to consist of Messrs. Ormond, Triphook, Carter, Dolbel and the mover.
3. Mr. COLENSO, to move for leave to bring in a bill to alter a portion of the present Ordinance regulating the sale of spirituous and fermented liquors.
4. Mr. COLENSO, to ask His Honor the Superintendent whether any steps had been, or are being taken by the Government to enable lodging-house keepers to supply malt liquors to their lodgers and customers.

THURSDAY, MARCH 20.

5. Mr. COLENZO, to move that the petition presented and received from the working men of Napier be then taken into consideration.

—o—

WEDNESDAY, MARCH 19, 1862.

THE Council met pursuant to adjournment. Present, all the members. The minutes of last meeting were read and confirmed.

1. Papers.—The Superintendent laid on the table the Report of the Director of Works for the half year ending 31st December, 1861.
2. The Question of Privilege.—After the reading of the minutes containing the statements in this matter, Mr. Ormond moved that the Council is of opinion that the evidence given on a question of privilege raised by Mr. T. H. FitzGerald be not printed at government expense.
Mr. M. Fitzgerald seconded the motion, which was negatived on the following division :—
Ayes,—Messrs. Ormond, Tiffen, M. Fitzgerald, Carlyon—4.
Noes,—Messrs. Rhodes, Dolbel, Hitchings, T. H. FitzGerald, Triphook, Wood, Colenso, Carter—8.
3. Petitions.—Mr. Dolbel presented a petition from certain inhabitants at Mohaka and Wairoa, setting forth that a ferry was much required over the Wairoa river, and praying the Council to take the matter into consideration.
The petition, on the motion of Mr. Dolbel, seconded by Mr. Colenso, was read and received, and notice given by Mr. Dolbel for its consideration in Committee of Supply.
4. Executive Act.—Mr. Colenso moved pursuant to notice 1, page 11. On the suggestion of Mr. Ormond, the motion was withdrawn with the view of bringing in a bill to amend the Executive Act.
5. Printing.—Mr. Colenso moved pursuant to notice 2, page 11, with the addition of the following words,—“with instructions to take evidence and report upon the items of printing now upon the estimates.” Report to be brought up on Friday 21st inst.
Mr. Wood seconded the motion, which was agreed to.
6. Alteration in Licensing Ordinance.—Mr. Colenso moved pursuant to notice 3, page 11. Mr. Alexander seconded the motion, which was agreed to.
7. Supply of Malt Liquors by Lodging House keepers.—Mr. Colenso moved pursuant, to notice 4, page 11.
The Superintendent, in reply, said that Mr. Ward had told him that a similar law existed in Canterbury, but on looking over the Acts of that province he could find no such enactment. He intended, however, to write to Canterbury to gain information upon this subject.
8. Application for certificates of 5s. land.—Mr. T. H. FitzGerald moved pursuant to notice 9, page 4. Report to be brought up on Tuesday the 25th inst.
Mr. Tiffen seconded the motion, which was agreed to.
9. Alteration in clauses 8 and 23 of the Land Regulations.—Mr. Ormond moved pursuant to notice in page 6, substituting, by consent, the following for the sixth clause :—

And with respect to clause 23. That portion of the clause which secures one month's credit for nine-tenths of the purchase money to the purchaser or last bidder shall be altered; and cash payment to the amount of one half of the purchase money shall be made to the Commissioner or other officer on the fall of the hammer; and that, failing such payment being made, the lot shall there and then be re-submitted to public competition.

Mr. Curling seconded the motion and debate ensued. [An adjournment here took place.] On resuming, Mr. Triphook moved as an amendment that the motion be considered that day six months. Mr. T. H. FitzGerald seconded the amendment.

Mr. Rhodes moved as a second amendment, that paragraphs 1, 2, 3, and 7 of the original motion be struck out; and that in the end of paragraph 4, the following words be struck out,—“Alteration in clause 8 before referred to, viz.”—And that the following be added to clause 4 in lieu thereof:—“That this Council is of opinion that the minimum price of unagricultural land should, on and after the first day of September 1862, be raised to 10s per acre, in the Province of Hawke’s Bay, and that the Governor in Council be requested to give effect to the same.” And that the remainder of paragraph 4, paragraph 5, and paragraph 6 as amended by Mr. Ormond, be added to the foregoing resolution.

Mr. T. H. FitzGerald seconded the amendment, which was agreed to on the following division:—

Ayes,—Messrs. Alexander, Colenso, Carter, T. H. FitzGerald, Triphook, Rhodes, Hitchings, Wood—8.

Noes,—Messrs. Carlyon, Ormond, Curling, Tiffen, Dolbel, M. FitzGerald—6.

10. Estimates of Expenditure.—The Council then went into committee upon the Estimates of Expenditure. The Chairman having reported progress, the Council adjourned till Thursday, March 20.

NOTICES OF MOTION.

THURSDAY, MARCH 20.

1. Mr. DOLBEL to ask the Superintendent why an equal share of the revenue of 1861 has not been spent in the Mohaka district, as £1000 was voted last session for the Tauranga road and only £204 expended. And whether the Government intend to push it on more rapidly for the future.
2. Dr. HITCHINGS to ask the Superintendent to place a small sum on the estimates (say £25 per annum) for the services of Mrs. Hodges, who acts as gaolress when there are female prisoners.
3. Mr. TRIPHOOK to move that the Superintendent be requested to place a sufficient sum on the estimates for filling and reclaiming Shakespeare Flat.
4. Mr. COLENZO to move for a select committee to enable him to bring in a bill to amend the Executive Act. Such committee to consist of Messrs. Ormond, Rhodes, Curling, T. H. FitzGerald, and the mover.

THURSDAY, MARCH 20, 1862.

Council met; all the members present; the Speaker in the chair. Minutes of preceding day read and confirmed.

1. Working Men’s Petition.—Mr. Colenso moved and Mr. Triphook seconded, the consideration of this petition (notice 5, page 12). The matter dropped after a short discussion.
2. Mohaka District.—Mr. Dolbel asked the question of which he had given notice (No. 1, page 13). The Superintendent, in reply, stated that it was not possible for the Provincial Engineer to go to Mohaka till September last, but when there he issued tenders for works on that line of road, and the reason was that the Provincial Engineer did not think it advisable that the work should be carried on until the contracts accepted were finished.

3. Services of Gaolress.—Dr. Hitchings moved pursuant to notice 2, page 13. Mr. Dolbel seconded the motion, which was agreed to.
4. Shakespeare Flat.—Mr. Triphook moved pursuant to notice 3, page 13. Mr. Wood seconded the motion. On a division being called for the Council divided as follows :—
 Ayes,—Messrs. Triphook, Wood, Hitchings, T. H. FitzGerald, Dolbel, Colenso, Rhodes, Carter—8.
 Noes,—Messrs. Curling, Carlyon, Tiffen, Ormond, Alexander, M. Fitzgerald—6.
 The motion was accordingly agreed to.
5. Executive Amendment Bill.—Mr. Colenso moved No. 4, page 13. Mr. Ormond seconded the motion, which was agreed to.
6. Licensing Amendment Bill.—Mr. Colenso, pursuant to leave granted, brought up a Licensing Amendment Bill, which on the motion of Mr. Colenso, seconded by Mr. Ormond, was read a first time and its second reading made an order of the day for the 21st inst.
7. Petitions.—Mr. Rhodes presented a petition bearing 203 signatures, praying that a sum of money be placed on the estimates for making a line of road from Hastings street to Tareha's Bridge. Petition read and received. Standing rule 27 having been suspended for that purpose, Mr. Rhodes moved and Dr. Hitchings seconded, —That His Honor the Superintendent be requested to place the sum of £500 on the estimates for the purpose of improving the road between Napier and Waitangi. On a division being called for the Council divided as follows :—
 Ayes,—Messrs. M. FitzGerald, Wood, Triphook, Hitchings, T. H. FitzGerald, Dolbel, Rhodes—7.
 Noes,—Messrs. Curling, Carlyon, Tiffen, Ormond, Alexander, Carter, Colenso—7.
 The Speaker voted with the ayes. Motion agreed to.
- Mr. Alexander presented a petition from Mr. E. N. Smith, praying for compensation for a line of road proposed to be cut through his land, as he had not been allowed the per-centage usual for such purpose. Petition read and received; and on the motion of Mr. Alexander, seconded by Mr. Curling, ordered to be taken into consideration in committee upon the estimates.
8. Estimates.—The Council went into committee upon the estimates of expenditure. The Chairman having reported progress,—
 The Council adjourned till Friday, March 21.

NOTICES OF MOTION.

1. Mr. M. FITZGERALD to ask the Superintendent if settlers occupying native land pay assessment on their stock to the Provincial Government, and if they are allowed to register brands and pay for the registry of the same.

FRIDAY, MARCH 21, 1862.

THE Council met pursuant to adjournment. Present, all the members. The minutes of last meeting were read and confirmed.

1. Occupants of Native Land.—Mr. M. Fitzgerald asked the Superintendent pursuant to notice 1 page 14.

The Superintendent, in reply, stated that there was nothing in the Acts of the Province in reference to persons residing on, or running stock on, native land; and the Government did not think it advisable to receive money either as assessment or for the registry of brands of cattle running on native land, as by their so doing they sanctioned the breaking of the Native Land Purchase Ordinance.

2. Postponements.—Leave was granted to postpone till Tuesday the 25th inst., viz.—
Capt. Carter, the bringing up report of Hampden reserve committee; Mr. Colenso, report of printing committee; Mr. Colenso, the second reading of the Licensing Amendment Bill.
3. Estimates.—The Council then went into committee upon the estimates of expenditure. The Chairman having reported progress,—
The Council adjourned till Saturday, March 22.

NOTICES OF MOTION.

TUESDAY, MARCH 25.

1. Mr. DOLBEL, to ask the Superintendent when it is intended to lay out the line of road between Mohaka Harbour and Tauranga Bush.
2. Mr. T. H. FITZGERALD, to move the reconsideration of the resolution passed by this Council on the 19th inst., relative to the augmentation of the price of un-agricultural land, with a view to its amendment.

SATURDAY, MARCH 22, 1862.

THE Council met pursuant to adjournment. Present, the Speaker and all the members except Mr. T. H. FitzGerald. The minutes of last meeting were read and confirmed.

1. Mr. Alexander, by request of the Superintendent, laid on the table the return of the amount of land under certificate from the Commissioner as un-agricultural.
2. Publicans' Licensing Amendment Bill.—All standing rules and orders which might be a bar to certain bills being brought forward to-day, although on the notice paper for Tuesday next, having been suspended on the motion of Mr. Ormond, seconded by Mr. Colenso,—the Publican's Licensing Amendment Bill was then, on the motion of Mr. Colenso, read a second time, considered in committee, reported with amendments, and its third reading made an order of the day for next sitting day.
3. Executive Amendment Bill.—This Bill, on the motion of Mr. Colenso, was also read a second time and considered in committee. The Chairman having reported progress,—
The Council adjourned till Monday, March 24.

NOTICES OF MOTION.

TUESDAY, MARCH 25.

4. Mr. RHODES to move that a Toll Bar be erected on the new Meanee Bridge, for the purpose of raising a fund to keep the Bridge and Road in repair.

MONDAY, MARCH 24, 1862.

THE Council met pursuant to adjournment. All members present except T. H. FitzGerald. The minutes of last meeting were read and confirmed.

1. Estimates.—The Superintendent laid on the table re-modelled estimates of expenditure.
2. Mr. Dolbel asked pursuant to notice 1, page 15.
The Superintendent said, in reply, that the Provincial Engineer would very shortly proceed to Mohaka, and would be directed to see to the laying off of the line.
3. Postponements.—On the motion of Mr. Colenso the third reading of the Publican's Licensing Amendment Bill and of the Executive Act Amendment Bill were postponed till to-morrow.
4. Estimates.—The Council then went into committee upon the re-modelled estimates of expenditure. The Chairman having reported progress and handed the estimates, as amended, and as certified to by him, to the Speaker,—
The Council adjourned till Tuesday, March 25.

NOTICE OF MOTION.

1. Mr. COLENZO, to move for an expression of the opinion of the Council as to whether the Provincial Treasurer is bound to obey a warrant issued to him by the Superintendent of the Province, ordering him to pay moneys on the public account—such warrant not having been signed by the Provincial Auditor or his Deputy.

—o—

TUESDAY, MARCH 25, 1862.

THE Council met pursuant to adjournment. Present, all the members. The minutes of the preceding meeting were read and confirmed.

1. Select Committees discharged.—The Standing Rules and Orders Committee, on the motion of Mr. Wood, and the Application for 5s. certificates Committee, on the motion of Mr. T. H. FitzGerald, were discharged.
2. Reports brought up.—Mr. T. H. FitzGerald brought up report of Select Committee appointed to enquire into the movement for acquiring waste agricultural land by way of lease. Report read and adopted. Capt. Carter brought up report of the Hampden Agricultural Reserve Committee. Read and adopted. Mr. Colenso brought up report of the Printing Committee. Report read and adopted.
3. Augmentation of Price of 5s. land.—Mr. T. H. FitzGerald moved pursuant to notice 2, page 15. He then moved that the following be substituted in lieu of the 1st clause of the resolution passed on the 19th inst., but that the rest of the resolution remain as before :—That this Council beg to recommend His Excellency the Governor that, on and after the 1st September, 1862, the minimum price at which the waste lands of the Crown, within the Province of Hawke's Bay shall be offered for sale by auction, should be fixed at not less than ten shillings per acre, and that His Honor the Superintendent be requested to signify his approval of this recommendation to His Excellency the Governor.
Mr. Triphook seconded the motion, which was agreed to.
4. Toll at Meanee Bridge.—After some discussion, Mr. Rhodes obtained leave to withdraw his motion (No. 4, page 15.)
5. Publican's Licensing Amendment Bill.—On the motion of Mr. Colenso, this Bill was read a third time and passed.
6. Executive Act Amendment Bill.—On the motion of Mr. Colenso this Bill was re-committed. The Council having resumed and the Bill handed to the Speaker with amendments, it was then read a third time and passed.

7. Appropriation Act.—The Standing Rules and Orders relative to Bills having been suspended, the Appropriation Act, on the motion of Capt. Carter, was read a first and second time, and committed. The Council having resumed, the Act was then read a third time and passed.
8. Whether Provincial Treasurer bound to obey a Warrant under certain circumstances.—All the Standing Rules and Orders having been suspended on the motion of Mr. Colenso, he moved pursuant to notice 1, page 16. After some remarks by Mr. Ormond and others, the question lapsed.
9. Mohaka.—Standing Rule 27 having been suspended on the motion of Mr. Dolbel, he moved that this Council is of opinion that the Superintendent should authorise the expenditure of £100 in excess of the sum voted on the Estimates for the road from the Harbour to Tauranga Bush, if he has funds.
Mr. Curling seconded the motion. On its being put the Council divided as follows :—
Ayes,—Messrs. Dolbel, T. H. FitzGerald, Triphook, Wood, Ormond, Alexander, Colenso, Carter—8.
Nocs,—Messrs. M. Fitzgerald, Hitchings, Curling, Carlyon, Tiffen—5.
The motion was accordingly agreed to.
10. Land for Court house at Waipukurau.—Standing Rule 27 having been suspended on the motion of Mr. Ormond, seconded by Mr. Curling,—Mr. Ormond moved and Mr. Colenso seconded,—That the portion of land conveyed to the Provincial Government as a site for a court house at Waipukurau, by Mr. H. R. Russell, be re-conveyed to that gentleman by the Superintendent, in consequence of its not being now required for the purposes for which it was given up, and in consideration of which alone it was placed in the hands of the Government. The original purchase money of the said land to be returned to the Provincial Government. Motion agreed to.
11. Public Clock.—Standing rule 27 having been suspended, on the motion of Mr. Wood, seconded by Mr. Triphook,—it was moved by Mr. Wood, seconded by Mr. T. H. FitzGerald,—That His Honor the Superintendent be authorised to purchase a Public Clock to be placed in front of the Government buildings.—Motion negatived.
12. Repair of Breastwork within the Harbour.—Standing rule 27 having been suspended on the motion of Capt. Carter, seconded by Mr. Colenso,—it was moved by Capt. Carter and seconded by Mr. Ormond,—That this Council authorise the Superintendent to pay out of the Provincial funds the sum of one hundred pounds to enable him to protect and to keep in repair the breastwork within the harbour—the same to be treated as an advance and to be made a first charge against the harbour endowments.—Motion agreed to.
13. Road to Tarawera.—Standing rule 27 having been suspended on the motion of Capt. Carter, seconded by Mr. Ormond,—it was moved by Capt. Carter, seconded by Mr. T. H. FitzGerald,—That the Superintendent be authorised to expend the sum of £100 on the road to Tarawera.—Motion withdrawn.
14. Payment to Town Members.—Dr. Hitchings moved that standing rule 27 be suspended for the purpose of the Superintendent being authorised to pay the town members at the rate of 12s 6d per diem.—Motion not seconded.
15. Advance from the Bank.—Standing rule 27 having been suspended on the motion of Capt. Carter, seconded by Mr. Colenso,—it was moved by Mr. Colenso and seconded by Mr. Alexander,—That the Superintendent be authorised to arrange with the Manager of the Union Bank of Australia, or the Manager of the Bank of New Zealand, for an advance of two thousand pounds, if necessary.—Motion agreed to.
16. Prorogation.—His Honor the Superintendent then prorogued the Council.



1862.

Provincial Council of Hawke's Bay.

ADDRESS

OF

HIS HONOR THE SUPERINTENDENT

ON

OPENING THE PROVINCIAL COUNCIL,

3rd FEBRUARY, 1862.

Mr. Speaker and Gentlemen of the Provincial Council of Hawke's Bay—

It is a subject of congratulation that we meet on the present occasion with an increased number of members to this Council, thereby affording a more satisfactory representation than hitherto of all parts of the Province.

I have perhaps called you together much earlier than may be convenient to some of you, but under the circumstances connected with the recent elections, we could not have met sooner, although I was very anxious that we should do so, in order that appropriations might be made for the current expenditure, or at all events for the first quarter of this year.

Since the last sitting of the Council many circumstances of vital importance to the colony, and especially to this Province, have occurred. Amongst the first, I may mention the conflict at one time likely to arise from the assertion of the Queen's supremacy and maintenance of law and order among the natives of the Northern portion of this island, which could only

have been effected by a strong military force; and the probability of warlike operations being undertaken excited the sympathies of the Natives of this Province, who were under the impression that one of the objects of the force assembled was to obtain possession of their lands. It was also feared that, from this cause, the amicable relations hitherto existing between the two races were likely to be ruptured, and the lives and properties of the settlers endangered, to whom no military protection could be afforded, and who would, in the event of an outbreak, have been compelled to abandon their homes, the location and outlay on which had been the work of years.

We had reason at this period to be thankful to the General Government for responding so promptly to the request by this Council for an increase to the detachment of troops stationed at Napier; the knowledge that military assistance was at hand no doubt in some measure served to allay the alarm at one time existing in the minds of many of the inland settlers, of

their helpless position should an outbreak have taken place among the Natives.

I am however happy to think that there is now, by the policy of His Excellency Sir G. Grey, every prospect of a peaceful solution of the Native difficulties under which the Northern Island has for some time past suffered; nevertheless it is a fact that until very recently our relations with the natives in some portions of this Province have been very unsatisfactory, chiefly owing to the cattle of Europeans unavoidably trespassing on their lands. The Natives on various occasions have taken the law into their own hands by seizing cattle, and have made, before releasing them, such demands—though no doubt just—which to Englishmen were intolerable. We must however attribute this to the hitherto supposed inability of our magistrates to render any assistance to the Natives on this question, it never having been considered, until very recently, that Native claims for trespass could be sustained under the Impounding Ordinance.

The application of this Ordinance has been brought into force and acted upon at the instance of the General Government, who wish to arrive at an amicable solution of the existing difficulties.

I must now call your attention to the fact that the leasing of Native lands as runs by Europeans has not as yet received any check: on the contrary, I believe runs are still sought for and obtained, notwithstanding that the Native Land Purchase Ordinance, which is still in force, prohibits Europeans dealing with the Natives for their lands.

These illegal acts give a very unfair advantage over those persons who, out of respect to this law, have abstained from infringing it, and from availing themselves of a source of profit arising therefrom.

I venture to predict that these leases, if persisted in, will, in the absence of any legal tenure, be the means of causing frequent disturbances, not only between Europeans and Natives, but among the Natives themselves. These leases will also conflict with the proposed plan by the Governor for the introduction among the Natives of law, order, and management of their own lands.

The permanent occupation of the Ahuriri plains for pastoral purposes would be highly detrimental to the Province. It would be a death-blow to our future prosperity, not only as affecting the interests of the working classes, but of the revenue as well.

I shall recommend that no action whatever be taken in reference to leasing these plains for agricultural settlements until the system about to be introduced by his Excellency the Governor is fully inaugurated.

I now turn to matters more immediately affecting the Government of this Province since I have been in office.

Most of you no doubt recollect that when we last met in Council a doubt was entertained of the legality of the appointments made by my predecessor in office for the management and administration of the Waste Lands of the Province. This doubt arose from the appointment of officers to the Land Board having been made subsequently to the date of the Governor's acceptance of my predecessor's resignation. On the receipt of the Warrant from the Governor delegating to me the powers, under section VI. of the Waste Lands Act 1858, I considered it advisable to cancel the appointments made and the Proclamation which abrogated the powers held by the Commissioner of Crown Lands, and to reinstate that officer with the powers previously held by him.

The General Government has since thought it necessary, in order to prevent any doubt in respect of the authority under which the Commissioner of Crown Lands now acts, to issue another commission to that officer. It also appears that, if the Council desires to constitute a Waste Land Board, it can only be established under some law to be made by the General Assembly. I shall furnish you with copies of the correspondence on this subject.

By the provisions of an Act recently passed by the General Assembly for the Audit of Accounts of Provincial Governments, it is necessary that we should, within one month after the commencement of the Session, concur in the nomination of an Auditor and Deputy Auditor of the public accounts, who will hold their offices under warrant of the Speaker, by whom their appointments will be notified to the Governor. We shall therefore have to select fit persons for these offices at the present sitting. I have placed sums on the estimates for the payment of their salaries.

The next subject of importance is the apportionment of the Wellington debt between Wellington and Hawke's Bay. You are aware, no doubt, that this question was, during the last meeting of the General Assembly, referred by consent of one of our representatives and the Superintendent of Wellington to the Auditor-General of New Zealand for his opinion, to determine how an arrangement between the two Provinces could be arrived at. It appears that the Auditor-General proposed that population should be the basis of apportionment, and that £100,000 should be the extent of the Permanent Debt; and, that Hawke's Bay is entitled to pay—first, £7,920, the amount spent on public works prior to separation;—second, that this Province should pay 3-17ths of the re-

mainder of £100,000, viz., £92,080, which would give £16,250 as her share of the public debt of the original Province. Our proportion was taken to be 3-17ths to that of Wellington, according to the ratio of population which this Province bears to her. Consequently £24,170 would have to be borne by Hawke's Bay as her share of the debt. I believe that though the Referee was of opinion that this Province is liable for this amount, still the Superintendent of Wellington was not satisfied with the Auditor-General's award. An Apportionment Bill was introduced during the late session of the General Assembly, but only by courtesy of the House it passed a first reading and had subsequently to be withdrawn, it being understood that most of the members of the General Assembly did not desire, as provided for in the Bill, to delegate to Arbitrators the functions of the House of Representatives. The apportionment of the debt is still in abeyance, pending the final adjustment of it at next session of the General Assembly. In the meantime the House of Representatives has authorised an advance of £2500 to be made to the Treasurer of the Province of Wellington from the 5-6ths of the land purchases paid into the hands of the Receiver of Land Revenue at Napier, who has recently been instructed to pay £1250 as the first instalment to the Sub-Colonial Treasurer; the same amount having been paid to the Superintendent of Wellington by the General Government, so that, with the sum of £2500 just mentioned and £8000 previously paid, a sum amounting to £10,500, will have been absorbed as interest accruing on the Permanent Debt. A provision was, however, made by the House that the payment of £2500 should not prejudice the principal or interest of our share of the debt on its final adjustment.

In addition to this debt there are other demands arising against this Province which will absorb a portion of our yearly Revenues. By copies of correspondence between the Colonial Secretary and myself, I shall presently lay on the table, you will perceive that I have recently been called upon to pay to the Sub-Colonial Treasurer at Napier upwards of £2071, shown to be the share of this Province in the apportionment between the two Provinces of Hawke's Bay and Wellington for interest and sinking fund to 30th June, 1860, on amounts raised for land purchases.

Before complying with the request I sought some explanation of the data on which the adjustment was based, as in some portion of the accounts rendered, they did not appear to agree with the provisions of the 15th Section of the New Provinces Act. The replies to the information desired by me (since received) were not, to me, sufficiently explanatory, nor does it

appear that the Wellington Government is satisfied with the adjustment proposed; also, during this month another statement of amounts due by this Province on the same account to the 30th June last, have been furnished to me with the request that I should pay to the Sub-Colonial Treasurer at Napier upwards of £526 for interest on advances by the General Government on account of this Province, together with £2500 for interest and sinking funds on moneys raised for land purchases pending settlement of account.

From the reasons, however, previously given, that it was desirable that the question of adjustment of accounts between the two Provinces should stand over until the next session of the General Assembly, I have not complied with this request.

A short time since I issued a notice that the Agricultural Reserve at Hampden was open for selection and occupation by the working classes, subject to such regulations, price, and conditions as this Council shall determine on, at its present sitting.

During the second session of this Council, certain resolutions under the proposed supplementary Land Regulations, but never passed into law, were adopted, which empowered the Superintendent, with the advice and consent of the Executive Council, to make purchases out of Provincial funds, of Blocks of land suitable for the profitable occupation of the working classes. A certain Block of land was purchased by my predecessor at Tikokino for an agricultural reserve. I believe it was his wish that the Land Board then in contemplation to be formed, should draw up Regulations for the occupation of it. It was also my desire to carry out his intentions in this matter, but, as you are aware, no Land Board has yet been established, nor can it be until obtained in the manner I have alluded to—consequently the Executive considered it incumbent on them not to delay any longer in framing regulations for the selection and occupation of this Reserve.

A difficulty, however, not anticipated, arose by the Deed of Trust, though prepared, not having been executed by my predecessor, for as he had purchased the land, it devolved on him to complete the Deed, and under which the present Executive could only act. On this discovery it was decided by the Provincial Government, in order that there should not be any further delay in this matter, to issue the notice before alluded to. Another reason for adopting this course of action was that, under the 11th Clause of proposed Land Regulations, persons occupying the reserve should pay 10 per cent. on the value of the land, with a right of purchasing at any time during a period of 10 years, at 10s. per acre.

The Executive concluded that it was never contemplated that the land to be purchased would cost the Province more than 10s. per acre; the reserve at Hampden realised at auction £601 10s. beyond the upset price; and at the present time the value of this land is very much increased, and should not therefore be disposed of at a less price than it cost the Province. Under these circumstances the Provincial Government considered the best mode of dealing with this reserve, was to issue the notice before mentioned, fully persuaded that the Council would act with strict justice, when framing regulations, price, and conditions, towards those persons who would avail themselves of the opportunity of occupying the reserve. I am sorry now to state that the Executive's intention in this matter has been frustrated by another difficulty not anticipated arising, which I shall take the first opportunity of explaining to the Council.

The principal subject now for consideration is, what is our financial position? For the past year our revenue has been chiefly derived from the sale of 5s. land; but for how many years longer we can venture to depend upon the land as a source of revenue, I am not prepared to venture an opinion.

The revenue to be derived from customs must be comparatively small, as long as duties on articles of consumption, &c. are paid in Wellington and Auckland, but I trust in the course of a short time, when the proposed re-arrangement of steam communication to which I shall presently allude is established, that a considerable increase will be made to our customs revenue.

Now with respect to the estimates of revenue for the past year. Under the head of ordinary, £4597 has been received, which exceeds the gross amount estimated.

The revenue on account of customs has been fully realised.

The extraordinary revenue, or revenue from the sale of land, has been also greater than anticipated, though not exactly from the sources as stated in the estimates. This has amounted to £31,561 17s. 4d. That portion estimated under the head of reclaimed land at Napier, owing to these works, except a small portion being still in an incomplete state, has not been realised. At all events our financial position is more satisfactory than it was at the close of 1860, when we were £4021 14s. 6d. in debt to the Union Bank.

Most of you are aware that when I assumed office the balance in the chest was very small, and that to enable Public Works to be carried on, I was authorized by you to obtain an advance from the Union Bank, which I did to the extent of £2000.

Great caution has been exercised by the

Provincial Government in prosecuting new works or roads in the inland districts through the past winter. The great difficulty which still exists is the scarcity of labour, and the high price of timber. In some instances contractors would not undertake work except at exorbitant rates which the Government could not accept; also, that until the last few months there has been barely sufficient funds to carry on existing contracts and undertakings, together with the prospect of having to meet the demands made by the General Government previously alluded to.

The principal expenditure has been on Harbour Improvements, and reclamation of lands, which it is to be hoped will in due time realize some portion of the amount already expended on them.

The reclaiming of land near Heydn's and Vautier's and Waghorn Street, has not proceeded with that vigor and rapidity you may have expected. This has partly arisen from a want of sufficient punts, of which there are only 10 whilst 14 might have been employed. Under these circumstances it has been impossible to recover any portion of the revenue estimated to be derived from these works; but I trust that, should the Council think fit to vote the amount required for their completion, especially with the assistance of the new Dredging Machinery which is daily expected, the amount stated in the estimates of revenue will be realized. That portion of land between Vautier's and Heydn's which has been in course of reclamation would be a great addition to the limited space hitherto available for a mercantile community. From its easy access by good water frontage, I am disposed to anticipate remunerative prices will be obtained for the sections to be laid off thereon.

Of the sum of £6450 voted for Harbour Improvements, £2000 was included for certain works which have not been undertaken, as I foresaw that the whole vote would be required for the works in progress, and especially for the payment of sundry arrears of which I was not acquainted when I assumed office, and other unforeseen contingencies.

£5812 16s. 11d. has been expended on the Harbour Improvements to the 31st December, 1861. Included in this is the cost of the new Dredging Machinery and freight thereon; also the expenses of the temporary wharf, repairs of damages to some of the works during a gale in the winter, coal-store, timber for new Dredging Machinery, and timber for breastwork, which the works in progress required for their protection.

The balance of vote, £637 3s. 1d., under the head of unexpended balances, which amount I propose bringing forward for your sanction, is necessary to meet advances made in November, December, and

January, for Harbour Works. I may here mention that all dredging operations ceased on the 12th of last month, so that beyond the contracts, a portion of which has been paid for, and attendant expenses for piling in deep water, and advances made in January on account of these works, which I have provided for in the estimates, you know the extent of our expenditure.

Having proceeded thus far and made a considerable outlay on the reclamation of land for the most part still unfitted for sale, it is for the Council to consider whether we should now abandon these works in this state, or vote a sufficient sum only for their completion. I may here remark that it will be impossible to complete these works without the assistance of the dredge.

Should the Council feel justified in voting the amount required, I would suggest that the proceeds of the sale of these sections should be allowed to be set aside for the formation of a fund for the gradual improvement of the Harbour, under the supervision of a Harbour Commission appointed for that purpose; and that for the future no funds except those derived from this source should be applied to such work.

In consequence of the shallowness of the landing-place at the Eastern Spit, which appears to have been gradually increasing, and proving of the greatest disadvantage to vessels frequenting the Iron Pot, it was found advisable to erect a temporary jetty, which has afforded in some measure facilities for vessels being easily discharged and loaded. Whilst touching on this subject I may mention that had we sufficient funds at our disposal I should at this sitting have proposed the erection of a wharf about 500 feet in length, from Pilot Reserve extending along Town Sections numbers 514 to 518—the Custom-house reserve and street inclusive. There is now no doubt that the embankment ought to have been the first work undertaken. It would have rendered the Harbour as complete as one could desire. The embankment could not, I fear, be completed at a less cost than £5,000. Connected, however, with such a proposition you would have had to consider the question of the right of the Provincial Government to interfere with the water frontages of the proprietors of the Town Sections before mentioned. They assert that they purchased these sections on the faith of the water frontages being retained by them; whilst, on the other hand, the right of the Provincial Government to reclaim any portion of the sea in front of these sections is vested in the Superintendent under a Deed of Grant. It would, however, appear from a communication I have received from the General Government that, should it be found desirable to

form an embankment, it would be necessary for the Provincial Government to obtain an Act of the General Assembly authorizing it, so that persons who might think their rights interfered with would have the opportunity of putting forward their claims. I shall also furnish you with the correspondence on this question of importance.

Now with respect to Bridges and Roads. The Meanee bridge will be completed in a few days; and the road across the Meanee flats, which will be connected with the road made through the hills leading to Puketapu, will be also shortly open thus far, and afford every convenience and facility to persons in that locality for bringing their produce to Napier. The Patiki bridge has also been completed. The Petane road, as also a portion of Havelock road in Te Aute line, and cutting at Kaikora creek, have been finished. Several contracts for formation and metalling of the worst portions of Te Aute line have been let out to Europeans and Natives. I am in hopes that this line will be made this summer in a more passable and complete state than it was last winter. I am, however, sorry to say we have met with obstructions by some of the Natives in the maintenance of that portion of the road which passes through Native land. They desire that the Government should pay for the metal required—a demand I am not authorised to entertain. Some portion of the Middle road, near the Kao-kao-roa flats, is being metalled by contract. Some portion of the road from Mohaka harbour inland to Tauranga bush is completed. The only approach to the Pohui bush by the River Esk has been facilitated by the works at Kai-waka hill, recently finished. The approach to the bush from Towgood and Campbell's is about completion. There is no doubt that every facility should be offered for the occupation of this bush, in which there is very fine timber suitable for all purposes. It is a well-known fact that our market is, and has been for some time past, supplied with timber from Auckland and Wellington. Water carriage by the Mangaone river from the Pohui bush would be a less expensive means of transport for timber, but, until certain obstructions in the river bed are removed, great delay will occur in getting timber brought to Napier by this route.

As regards the roads in the town of Napier, Hastings-street has been completed to the beach. The widening and metalling of Shakespeare-road is almost completed. The expenditure on this road is in excess of the vote, as connected with this work is the extension of the road across Shakespeare Flat, to form a junction with Waghorn-street. A further sum is required to complete this extension of Shakespeare-road. Waghorn-street is part-

ly finished, and I am in hopes that this new line of road will be ready for traffic in the course of one month.

With respect to the delay in the removal of the Ferry at Waipureku, no doubt the settlers at Clive, as well as the settlers inland, have every reason for complaint. It is, however, a well-known fact that the question of "grass money," and the demand on the part of the native chiefs that rent should be paid by the Provincial Government for a site for the ferryman's house and paddock, has been the cause of the non-removal of the punt.

The recent floods causing the insulation of the approach on the Napier side, from the urgent necessity which demanded it, made it imperative that the Provincial Government should take all risks of the obstruction stated by the natives would be offered by them were it removed to a temporary site, so as to enable the communication with Clive and the inland districts to be re-opened.

Now, the question is, what site should be chosen as a permanent one, by which the settlers at Clive should derive equal benefit? From competent authority it is evident that the present position of the punt is not a safe one; neither is the site known by the designation of "Willows" (Pukeno), on the Ngaruroro river. The sites best suited as permanent ones are higher up the river: one known by the name of "Karaka," and the other between latter and Taranuiorangi; from either of which sites a branch road could be made to Clive. In entertaining this question, the expense of making the road and its branches will have to be fully considered. I shall presently lay on the table the reports of Provincial Engineer and Director of Works with reference to this subject.

With respect to the conduct of surveys for the year 1861, a great amount of work has been satisfactorily performed by the Survey Department. I shall furnish you with copies of the Chief Surveyor's report, in which is explained the cause for a greater amount of expenditure than was estimated for the past year.

The next subject of great importance to us as a Province is steam communication. I believe some plan is in course of arrangement to establish Inter-Provincial services on the West and East Coasts of the Northern Island. It is proposed to bring the English mail *via* Otago and Wellington from Melbourne, or *via* Auckland from Sydney for Napier. By the former route we should get the mail one day sooner than by the latter, and nine clear days for the replies to letters for the homeward mail *via* Wellington. I am given to understand that the Sydney steamer to Auckland has, in the interval between her arrival at Auckland and her return to Sydney, ample time for a trip to

Napier, to bring on passengers and goods from Sydney. The cost of this trip would be extra to the contract by the General Government; and, therefore, should we desire to avail ourselves of this opportunity, which will produce advantages incalculable to us as a Province, I hope you will have no objection to vote a sufficient sum for the purpose.

The Sheep and Scab Act passed by this Council during the last session, and reserved by me for the signification of the Governor's assent thereto, has been returned to me, with a message from His Excellency, in order that the Act may be amended by the insertion of a clause to provide for the extent of the penalties to be imposed by this Act. You will, therefore, take His Excellency's message into consideration at the present sitting. The message and letter on the subject from the Colonial Secretary shall be submitted to you.

With regard to the Registration of Deeds in this Province, this department, by the "Registration of Deeds Amendment Act, 1861," has been placed under the direction of the General Government. This arrangement took place from the commencement of the year, and for the service of that department a provision has been made by the General Assembly.

With regard to Immigration, I believe, and am supported by the members of my Executive Council, that to promote the true interests of this Province, we should give assistance to those immigrants only who are sent for by resident inhabitants, who will be responsible for the amount of their passage money.

For any information you may desire to have on the subject of Education, I shall lay before you the report of the Inspector of Schools for the past year.

By the Estimates of Revenue and Expenditure of the present year, which I shall presently place on the table, it will be observed that £5,048 is for Ordinary, and £22,567 is for Extraordinary revenue, which, with £7,618 5s. 9d. (the balance in the chest on the 31st Dec., 1861), gives a total of £35,233 5s. 9d. as revenue for the present year.

The Estimate for the Ordinary Expenditure of the Provincial Government is £1,885; under the head of Legislative, £428; Judicial and Police, £1902; Charitable, £415; Education, £500; Special, £4,915 6s. 3d.; Crown Lands, £770; Public Works and Undertakings (including Surveys), £19,432 0s. 6d.; which, together with the unexpended balances of appropriation for 1861, amounting to £1766 18s. 1d., and which I intend bringing forward for your sanction, makes a total of estimates of expenditure for 1862 of £31,914 4s. 10d. This will leave a

margin of £3319 0s. 11d. in favor of the revenue estimated.

I would now beg to suggest to the Council whether it would not be advisable to pass an Act of Appropriation only, at the present sitting, of the amount required for the first quarter of the year, for the following reasons :—

First : That by having the financial year to commence on the 1st of April and end on the 31st of March, we should thereby suit the convenience of a great number of the members of this Council, who, at this season of the year, can ill spare the time to attend sessions.

Secondly : That as the dissolution of this Council will likely take place at the commencement of next year, we should be enabled, after having made appropriation

for the first quarter of this year, to meet at the end of April next, to which period it would perhaps be advisable to adjourn ; when, on that occasion, we would make appropriation for the year ending March, 1863, and legislate upon the many questions of moment which require your particular attention.

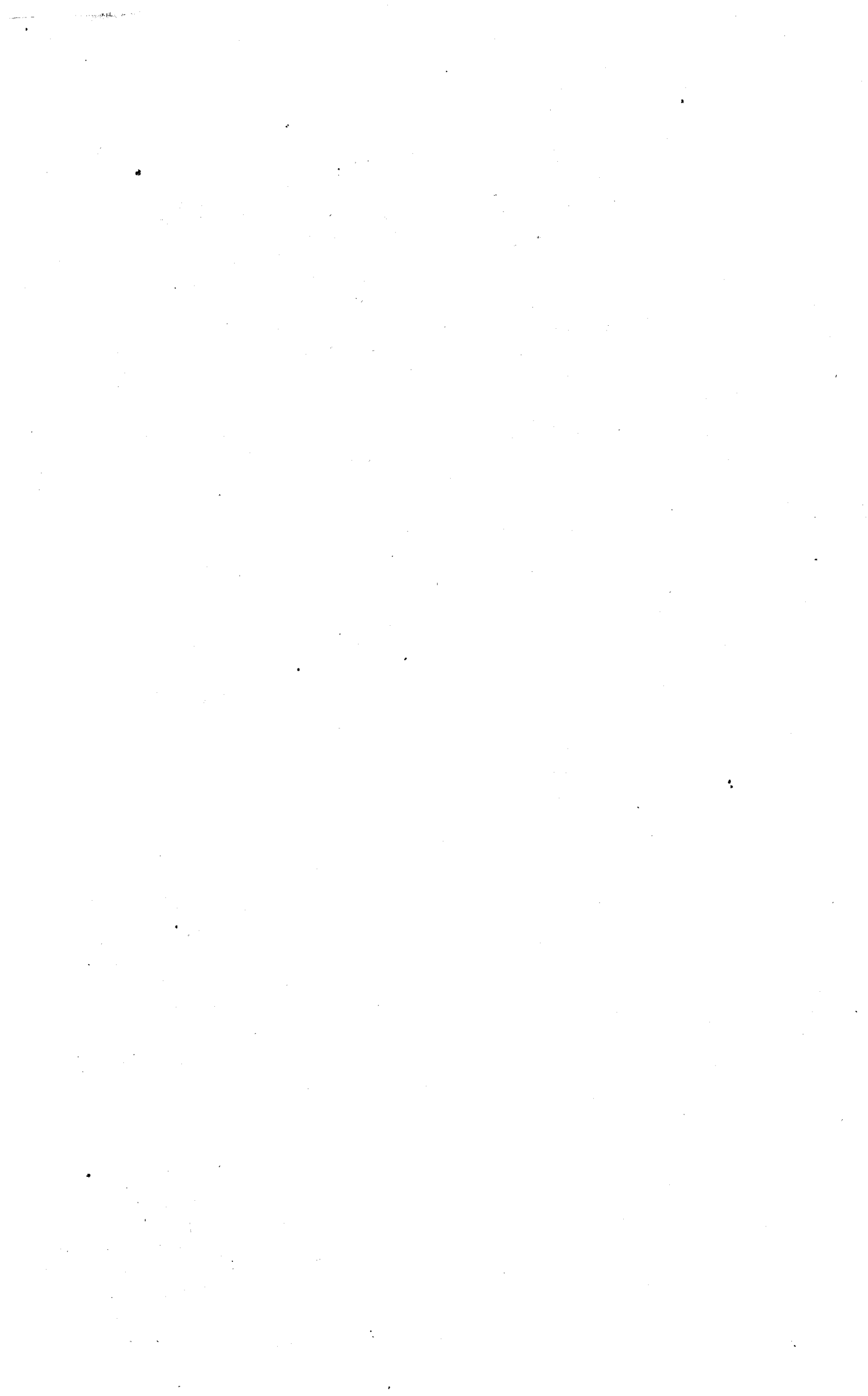
I shall now conclude, fearing I have somewhat trespassed upon your patience and attention ; but I trust I shall be excused in my endeavour to render an account—cursory as it is—of the proceedings of my Government, in which I have been solely actuated to perform the duties devolving on me with impartiality, and with due consideration for the efficiency of the departments under my charge.

J. C. LAMBTON CARTER,

Superintendent.

Council Chamber,

February 3, 1862.



ESTIMATE OF EXPENDITURE

OF THE

Province of Hawke's Bay,

FROM JANUARY 1ST, 1862, TO MARCH 31ST, 1863.

	Paid in March Qr. and due on Contracts, &c., to 31st March, 1862.			Proposed Estimates from April 1st, 1862, to March 31st, 1863.						Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1.—EXECUTIVE.												
<i>Superintendent's Department</i>	285	0	8									
Superintendent at £400 per annum				450	0	0						
1 member of Executive at 15s per diem when on duty				10	0	0						
Superintendent's Clerk, also Clerk of Council and Immigration Clerk				250	0	0						
Contingencies				25	0	0						
							735	0	0			
							285	0	8			
										1020	0	8
<i>Treasury Department</i>	100	0	0									
Provincial Treasurer and Inspector of Schools, at £300				300	0	0						
Contingencies				20	0	0						
							320	0	0			
							100	0	0			
										420	0	0
<i>Audit Department</i>	72	9	2									
Provincial Auditor at £150..				150	0	0						
Deputy Auditor at the rate of £150 per annum.....				30	0	0						
Contingencies				40	0	0						
							220	0	0			
							72	9	2			
										292	9	2
<i>Law Officer's Department</i>	33	6	8									
Provincial Solicitor and Crown Prosecutor at £115				115	0	0						
Contingencies				3	0	0						
							118	0	0			
							33	6	8			
										151	6	8
<i>Interpreter's Department</i> ...	33	6	8									
Native Interpreter at £100...				100	0	0						
Contingencies				3	0	0						
							103	0	0			
							33	6	8			
										136	6	8
Carried forward.....	.....			.....			.....			2020	3	2

	Paid in March Qr. and due on Contracts, &c., to 31st March, 1862.			Proposed Estimates from April 1st, 1862, to 31st March, 1863.						Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward.....	.....						.....			2020	3	2
2.—LEGISLATIVE.												
<i>Provincial Council</i>	104	11	6									
7 Country Members at 12s 6d per diem				62	10	0						
Messenger at £100.....				100	0	0						
Contingencies				10	0	0						
							172	10	0			
							104	11	6			
										277	1	6
3.—JUDICIAL.												
<i>Supreme Court—</i>												
Expenses of Witnesses and Contingencies				100	0	0				100	0	0
<i>Sheriff's Department</i>	102	8	5									
Gaoler (Warder) at £150 ...				150	0	0						
Turnkey at £100				100	0	0						
Rations for Prisoners.....				105	0	0						
Contingencies				60	0	0						
							415	0	0			
							102	8	5			
										517	8	5
<i>Coroner's Department</i>												
Contingencies				10	0	0				10	0	0
<i>Police Department</i>	420	2	5									
Police, Napier,—Inspector, also Clerk to Provincial Engineer at £210 to 30th June				52	10	0						
1 Sergeant-major from 1st July to 31st March 1863, at £140 per annum.....				105	0	0						
1 Corporal at £115				115	0	0						
4 Privates at £100 each.....				400	0	0						
1 Private at £100, Clive ...				100	0	0						
2 Privates at £100 each, Waipawa				200	0	0						
1 District Constable at £25, Mohaka				25	0	0						
Horse Allowance to the Inspector at £36 to June 30				9	0	0						
Horse allowance to policeman at £36 per annum				36	0	0						
Horse allowance for the Sergeant-major at £46, for nine months				34	10	0						
Rations for Prisoners				50	0	0						
Expenses for Prisoners				20	0	0						
Contingencies				40	0	0						
							1187	0	0			
							420	2	5			
										1607	2	5
4.—CHARITABLE.												
<i>Hospital Charges, &c.</i>	105	10	5									
Provincial Surgeon at £110				110	0	0						
Carried forward.....	105	10	5	110	0	0	.....			4531	15	6

	Paid in March Qr. and due on Contracts, &c., to 31st March, 1863.			Proposed Estimates from April 1st, 1862, to 31st June, 1863.			Total.					
	£	s.	d.	£	s.	d.	£	s.	d.			
Brought forward.....	105	10	5	110	0	0				4531	15	6
CHARITABLE—continued.												
Hospital Attendants				100	0	0						
Rations for Patients				80	0	0						
Furniture and Water Bed ...				40	0	0						
Charitable Aid				50	0	0						
Contingencies				35	0	0						
							415	0	0			
							105	10	5			
										520	10	5
5.—EDUCATION.												
<i>Schools</i>	171	2	8									
Grants in Aid of Buildings..				50	0	0						
Grants under Education Act				250	0	0						
							300	0	0			
							171	2	8			
										471	2	8
6.—SPECIAL.												
<i>Harbour Department</i>	226	3	3									
Harbour Master and Pilot at £200				200	0	0						
2 Boatmen at 6s 6d per day				240	0	0						
Bonus to Ferryman at Napier												
Heads to 31st Dec. at £60				45	0	0						
Contingencies				60	0	0						
							545	0	0			
							226	3	3			
										771	3	3
Immigration Clerk	8	6	8							8	6	8
<i>Inspectors of Sheep, &c.</i>	146	5	2									
Inspector of Sheep, also Inspector of Weights and Measures, Inspector of Slaughter Places, and Registrar of Brands Napier..				200	0	0						
Inspector of Sheep, and Registrar of Brands, to reside at or near the southern boundary of the Province, at £150				150	0	0						
Contingencies				8	0	0						
							358	0	0			
							146	5	2			
										504	5	2
Registrar of Dogs.....	35	0	0							35	0	0
Pound-keeper	8	6	8							8	6	8
<i>Receiver of Land Revenue's Department</i>	18	18	9									
Contingencies				5	0	0						
							5	0	0			
							18	18	9			
										23	18	9
<i>Returning Officer's Department</i>	7	7	4									
Carried forward.....	7	7	4							6874	9	1

	Paid in March Qr. and due on Contracts, &c., to 31st March 1862.			Proposed Estimates from April 1st, 1862, to March 31st, 1863.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward.....	7	7	4	.....	.....	.....	6874	9	1
SPECIAL—continued.									
Expenses and Contingencies of Elections				50	0	0	50	0	0
							7	7	4
<i>Waipureku Ferry Punt</i>	44	3	2						
Contingencies				60	0	0	60	0	0
							44	3	2
<i>Bonus to Ferry at—</i>									
Waihua River.....	10	0	0	20	0	0			
Waikari River	1	5	0	5	0	0			
Wairoa River				20	0	0			
<i>Local Posts</i>	40	12	11						
Mail from Waipawa to Ruataniwha for 3 months.....				8	15	0			
Mail from Puketapu to Peka- peka & Mangaone, via Tu- taekuri for 3 months				6	5	0	15	0	0
							40	12	11
Steam Subsidy	125	0	0	500	0	0			
							500	0	0
							125	0	0
General Printing	61	10	2	200	0	0			
Insurance Government Build- ings				90	0	0			
Special Constables				30	0	0			
Council Library and News- papers				30	0	0			
Saturday Gun (powder)				15	0	0			
Registrar of Meteorological Tables.....				25	0	0			
Miscellaneous Contingencies..	29	4	1	300	0	0			
Reward for Payable Gold Fields				1000	0	0			
Immigration guaranteed				500	0	0			
<i>Government Offices</i>	19	2	9						
Furniture and Papering.....				15	0	0			
Firewood, Coal, and Light...				30	0	0	45	0	0
							19	2	9
Compensation to Capt. Henton for carrying a road through his property				13	0	0			
Carried forward.....	.....	.....	.....	.....	.....	.....	10130	14	6

	Paid in March Qr. and due on contracts &c., to 31st March, 1862.			Proposed Estimates from April 1st, 1862, to March 31st, 1863.			Total.			
	£	s.	d.	£	s.	d.	£	s.	d.	
Brought forward.....	.....			.....			.....			10130 14 6
SPECIAL—continued.										
Registrar of Deeds	21	10	6							21 10 6
7.—CROWN LANDS.										
<i>Crown Lands Department ...</i>	232	9	10							
Commissioner of Crown Lands and Chief Provincial Surveyor at £350 per annum..				350	0	0				
Chief Clerk at £250				250	0	0				
Travelling Expenses for Commissioner at 12s 6d per day when on duty ...				20	0	0				
Contingencies				50	0	0				
							670	0	0	
							232	9	10	
										902 9 10
8.—PUBLIC WORKS AND UNDERTAKINGS.										
<i>Survey Department.....</i>	814	4	7							
2 Surveyors at £300 per an..				600	0	0				
Travelling Allowance for 2 Surveyors at £36 per an...				72	0	0				
1 Draughtsman at £250.....				250	0	0				
Labourers				1000	0	0				
Contracts.....				500	0	0				
Contingencies				15	0	0				
							2437	0	0	
							814	4	7	
										3251 4 7
<i>Provincial Engineer's Department.....</i>	156	0	6							
Provincial Engineer, also Director of Works and Paymaster of Roads at £300...				300	0	0				
Travelling Expenses				100	0	0				
Contingencies				5	0	0				
							405	0	0	
							156	0	6	
										561 0 6
<i>Director of Works' Department.....</i>	76	13	4							
Bonus to Director of Works on leaving Provincial Government service.....				100	0	0				
							100	0	0	
							76	13	4	
										176 13 4
Harbour Improvements	1048	1	3							1048 1 3
Napier Gaol	1150	0	0							1150 0 0
Furniture for Gaol				100	0	0				100 0 0
Shakespeare Road	280	10	0							280 10 0
Waghorn Street	248	8	3							248 8 3
Hospital Road from Milton Road	11	9	6							11 9 6
Painting Waipawa Court House, &c.	23	3	0							23 3 0
Carried forward . ...	.....			.....			.....			17905 5 3

	Paid in March Qr. and due on contracts, &c., to 31st March, 1862.			Proposed Estimates from April 1st, 1862, to March 31st, 1863.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward.....	.....	.....	.....	.....	.....	.....	17905	5	3
PUBLIC WORKS, &c.—continued.									
Observatory	130	0	0				130	0	0
Lock-up at Clive	8	11	0				8	11	0
Public Wells.....	14	6					0	14	6
Meanee Bridge, including approaches	500	16	0				500	16	0
Muddy Creek Bridge, approaches and metalling ...	62	10	0				62	10	0
Te Aute Road	1911	13	1				1911	13	1
Middle Road.....	103	1	7				103	1	7
Porangahau Road.....	25	18	0				25	18	0
Waipawa to Ruataniwha	150	15	0				150	15	0
Paupo Road, Awatoto to Puketapu and Patoka.....	650	0	0				650	0	0
Poraiti Road	10	2	0				10	2	0
Pohue Bush Road	148	13	0				148	13	0
Bridle Track, Mangakopiko-piko to Pohue	30	0	0				30	0	0
Mohaka Road	90	4	6				90	4	6
Grants in Aid of Bridle Track to Pohue	10	0	0				10	0	0
<i>Liabilities—</i>									
First Instalment of Interest on Wellington debt, &c., as per Resolution of House of Representatives	1250	0	0				1250	0	0
Interest and Sinking Fund on account of monies raised for land purchases to September, 1861	2500	0	0				2500	0	0
Due General Government by separate account to September, 1861	526	6	6				526	6	6
Second instalment of Interest &c., on Wellington debt...	1250	0	0				1250	0	0
Probable amount on account of Interest and Sinking Fund for money raised for land purchases up to September, 1862	2000	0	0				2000	0	0
Probable amount of Interest &c., on Wellington debt for second six months of 1862.....	1250	0	0				1250	0	0
PUBLIC WORKS.									
<i>Steam Dredge—</i>									
Engineer at £18 per month..				54	0	0			
Bridge across Shakespeare Flat Road				35	0	0			
Bridge Waghorn Street				20	0	0			
Painting Survey Office				8	0	0			
Hyderabad Road				500	0	0			
Hastings Street towards Clive Approach to Milton Road by Mr. Catchpool's				300	0	0			
				10	0	0			
Carried forward.....	.....	.....	.....	927	0	0	.....	.....	.....
							30514	10	5

	Paid in March Qr. and due on con- tracts, &c., to 31st March, 1862.	Proposed Estimates from April 1st, 1862, to March 31st, 1863.	Total.
		£ s. d.	£ s. d.
Brought forward.....		927 0 0	30514 10 5
PUBLIC WORKS, &c.—con- tinued.			
To Hospital from Shakespeare Road		15 0 0	
Repairs Town Roads		200 0 0	
Repairs Awatoto Road.....		100 0 0	
Line from Awapuni to Clive, including bridge over the Awapuni		800 0 0	
New Ferry Punt		175 0 0	
Te Aute Road		800 0 0	
Middle Road		150 0 0	
Porangahau Road, including approaches to Eparaima Bridge		250 0 0	
Bridges between Porangahau and Tautane		200 0 0	
Patangata, Waitukai and Ta- mumu Road.....		125 0 0	
Bridge at Tamumu		40 0 0	
Road from Waitukai to Eden- ham		80 0 0	
Mohaka Road		150 0 0	
Bridle Track to Mohaka		250 0 0	
Petane Road		110 0 0	
Aorangi to Kereru Bush		200 0 0	
Road from Meanee to Puke- tapu		400 0 0	
Grants in Aid and Miscel- laneous Contingencies ...		560 0 0	
Waipukurau to Ruataniwha		100 0 0	
Tarring and battening Epa- raima Bridge		100 0 0	
			5732 0 0
			36246 10 5

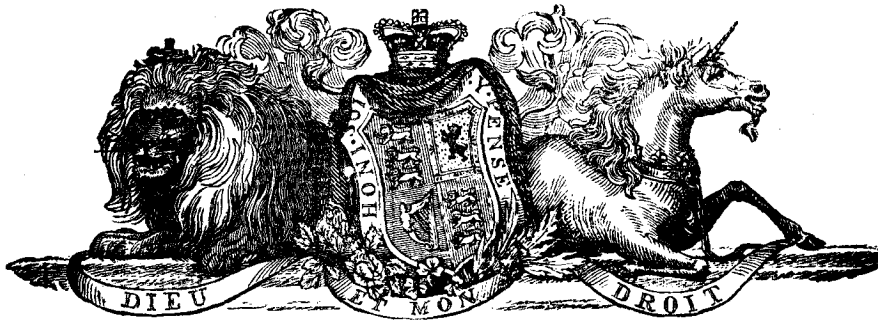
I hereby certify that the above is correct.

E. S. CURLING,

Chairman of Committees.



Province of Hawke's Bay.



PROVINCIAL AUDITOR'S SALARY ACT.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION IV., No. 2.

ANALYSIS.

- | | |
|--|--|
| Title.
Preamble.
1. Provision for Auditor's Salary and expenses for Department | 2. Provision for Salary of Deputy Auditor.
3. Schedule. |
|--|--|

AN ACT to make provision for the payment of a Salary to the Auditor and Deputy Auditor of the Province of Hawke's Bay, appointed pursuant to the Provincial Audit Act, 1861.

[Assented to 5th March, 1862.]

WHEREAS by the Provincial Audit Act, 1861, it is enacted that it shall be the duty of the Superintendent and Provincial Council of every Province to make provision by Act for the payment of a Salary to the Auditor and also Deputy Auditor, whilst acting, to be appointed pursuant to the said Act, and for the expenses of the Department. **AND WHEREAS** an Auditor and Deputy Auditor have been duly nominated for the said Province of Hawke's Bay.

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay, with the advice and consent of the Provincial Council thereof, as follows :

Provision for Auditor's
Salary and expenses for
Department.

1. That out of the Revenue of the said Province there shall be paid to the Auditor of the said Province a Salary according to the yearly sum set forth in the Schedule to this Act: Also a sum for the expenses of the Department, as set forth in the Schedule of this Act.

Provision for Salary of
Deputy Auditor.

2. There shall be paid, out of the Revenue of the said Province, to the Deputy Auditor of the said Province, whilst acting, a certain sum at the rate of the yearly amount set forth in the Schedule to this Act.

— o —
SCHEDULE.

Schedule.

Annual Salary of Auditor, £150.

Contingent Expenses of Department, £10.

Deputy Auditor, whilst acting, at the rate of £150 per annum.

JOHN TUCKER,
Speaker.

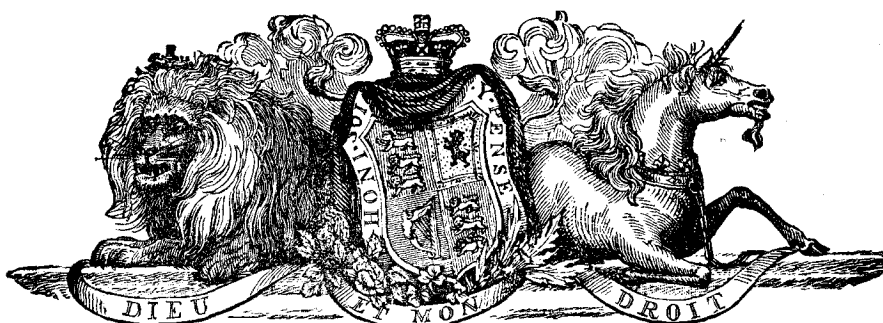
I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. C. LAMBTON CARTER,
Superintendent.

I hereby assent to this Ordinance this fifth day of March, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY,
Governor.

Province of Hawke's Bay.



PUBLICANS' LICENSING A M E N D M E N T.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION IV, No. 3.

ANALYSIS.

- | | |
|---|---|
| Title.
Preamble.
1. Repeals 16 and 17 of amended Ordinance.
2. Enables two Magistrates to transfer a License.
3. Provides for transfer of License when Licensee | deserts or is ejected from premises, and refuses, &c.
4. Provides for issue of a License, when person to whom Certificate to receive a License is granted neglects to take it up.
5. Operation. |
|---|---|

*AN ACT to amend the Ordinance of the 2nd Session of the late
Legislative Council of New Zealand, No. 12.*

Title.

[Assented to 28th May, 1862.]

WHEREAS it is expedient to amend the Ordinance of the late
Legislative Council of New Zealand, Session 2, No. XII, intituled
"An Ordinance for Regulating the sale of Fermented and
Spirituous Liquors," so far as concerns the Province of Hawke's
Bay.

Preamble.

BE IT THEREFORE ENACTED by the Superintendent, with the
advice and consent of the Provincial Council, as follows :

1. That Clauses numbers 16 and 17 of the said Ordinance shall
be, and they are hereby, repealed.

Repeals 16 and 17 of
amended Ordinance.

2. Any two Justices of the Peace in Petty Session may transfer
a License granted under the said Ordinance to the appointee of the

Enables two Magistrates
to transfer a License.

holder of such License, by an endorsement on the License in the form in the Schedule (F) to the said Ordinance annexed, subject to such conditions as required in respect of the person originally Licensed.

Provides for transfer of License, when Licensee deserts or is ejected from premises, and refuses, &c.

3. Whenever a person to whom any License shall have been granted shall have deserted or been legally ejected from the house to which such License may refer, or shall refuse or neglect to transfer such License on the request of the person legally entitled to the occupation of the house to which such License refers, any two Magistrates in Petty Session assembled, if they shall think the justice of the case requires it, may, by endorsement on the License or by a Certificate under their respective hand and seals, authorize any other person on his entering into the usual recognizances, to act under such License in the same manner as if the License had been legally transferred to him.

Provides for issue of a License, when person to whom Certificate to receive a License is granted neglects to take it up.

4. Whenever a person to whom the Justices, at their annual Licensing Meeting, shall have granted a Certificate authorizing the issue to him of a License, shall refuse or neglect to take up such License at the time required by the Ordinance aforesaid, then any two Justices of the Peace, of whom the Resident Magistrate or Acting Resident Magistrate, if there be a Resident Magistrate or Acting Resident Magistrate for the district, shall be one, may, upon the application in writing of the person legally entitled to the occupation of the house to which such License refers, grant to such person a Certificate authorising such License to be issued to him upon his entering into the Recognizances required by the said Licensing Ordinance, and such Certificate shall be transmitted to the Treasurer of the Province, who, on receipt thereof and payment of the sum required by the said Ordinance, or a proportionate part thereof, according to the time such License may have to run, shall issue a License in the form prescribed by the said Ordinance.

Operation.

5. This Act shall come into operation from and after the passing thereof, and the notification of the Governor's assent thereto.

CHARLES LAMBERT, Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. C. LAMBTON CARTER, Superintendent.

I hereby assent to this Act this twenty-eighth day of May, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY, Governor.

Province of Hawke's Bay.



EXECUTIVE AMENDMENT ACT.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION IV, No. 4.

ANALYSIS.

Title.
Preamble.
1. Certain Clauses repealed.

2. Executive Council to consist of 3 persons, members
of Provincial Council.
3. Operation.

*AN ACT to Repeal Clauses 9 and 11 of the Executive Act, Province
of Hawke's Bay, Session 1, No. 1.* Title.

[Assented to 28th May, 1862.]

THAT WHEREAS under Clauses Nine and Eleven of the Executive Act, Province of Hawke's Bay, Session 1, No. 1, certain provisions are made which it is now expedient should be repealed. Preamble.

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay, with the advice and consent of the Provincial Council thereof, as follows :

Certain Clauses repealed

1. From and after the passing of this Act and the notification of the Governor's assent thereto, the above recited Clauses, 9 and 11 of the Executive Act, Province of Hawke's Bay, Session 1, No. 1, shall be, and the same are hereby repealed.

Executive Council to consist of 3 persons, members of Provincial Council.

2. The Superintendent shall appoint an Executive Council, to consist of three persons being Members of the Provincial Council, such Members to hold Office during the pleasure of the Superintendent.

Operation.

3. This Act shall come into operation from and after the passing thereof, and the notification of the Governor's assent thereto.

CHARLES LAMBERT, Speaker.

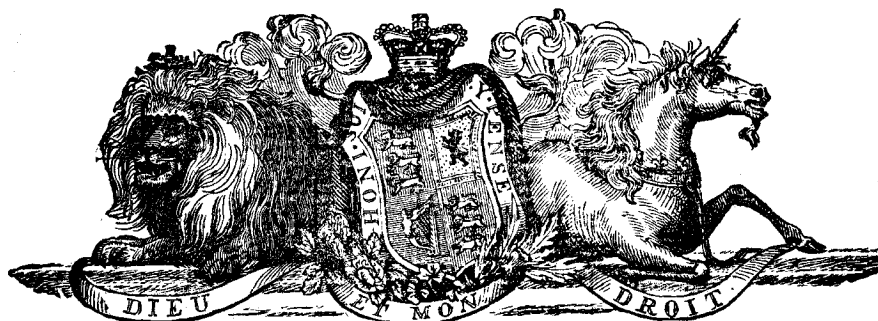
I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. C. LAMBTON CARTER, Superintendent.

I hereby assent to this Act this twenty-eighth day of May, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY, Governor.

Province of Hawke's Bay.



APPROPRIATION.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION IV, No. 5.

ANALYSIS.

- | | | |
|---|--|---|
| Title. | | purposes herein specified on Warrant of Superintendent. |
| Preamble. | | 3. Superintendent indemnified for the issue of his Warrants for a certain sum. Schedule of Supplementary Estimates. |
| 1. Appropriation of the sum of £17,365 10s to defray the charges of the Government of the Province for the years 1862-63. Specification of charges. | | 4. Superintendent indemnified. Schedule. |
| 2. Power to Treasurer to make such payments for the | | |

AN ACT to appropriate the Revenue of the Province of Hawke's Bay for the Year commencing the 1st day of April, 1862, and ending the 31st day of March, 1863.

Title.

[Assented to 28th May, 1862.]

BE IT ENACTED by the Superintendent of the Province of Hawke's Bay, with the advice and consent of the Provincial Council thereof, as follows :

Preamble.

1. That out of the Revenue of the Province there may be issued and applied for defraying the charge of the Government of

Appropriation of the sum of £17,365 10s. to defray the charges of

the Government of the Province for the years 1862-63. Specification of charges.

the Province of Hawke's Bay for the Financial Year commencing April 1st, 1862, and ending March 31st, 1863, the sum of £17,365 10s., in any sums not exceeding the several sums for the several purposes hereinafter specified, that is to say—

ORDINARY EXPENDITURE—

	£	s.	d.	£	s.	d.
Superintendent's Department ...	735	0	0			
Treasury do. ...	320	0	0			
Audit do. ...	220	0	0			
Provincial Solicitor's do. ...	118	0	0			
Native Interpreter's do. ...	103	0	0			
Provincial Council ...	172	10	0			
Judicial—Supreme Court, &c. ...	100	0	0			
Sheriff's Department ...	415	0	0			
Coroner's do. ...	10	0	0			
Police do. ...	1187	0	0			
Charitable do. ...	415	0	0			
Schools do. ...	300	0	0			
Harbour do. ...	545	0	0			
Inspectors of Sheep &c. Department	358	0	0			
Receiver of Land Revenue Department	5	0	0			
Returning Officer's Department ...	50	0	0			
Waipureku Ferry Punt ...	60	0	0			
Bonus to Ferries ...	45	0	0			
Conveyance of Mails ...	15	0	0			
Steam Subsidy ...	500	0	0			
General Printing ...	200	0	0			
Insurance Government Buildings...	90	0	0			
Special Constables ...	30	0	0			
Council Library and Newspapers...	30	0	0			
Saturday's Gun (powder) ...	15	0	0			
Registrar Meteorological Tables ...	25	0	0			
Miscellaneous Contingencies ...	300	0	0			
Reward for Payable Gold-field ...	1000	0	0			
Immigration to be refunded ...	500	0	0			
Government Offices (furniture) ...	45	0	0			
				7908	10	0

PUBLIC WORKS AND UNDERTAKINGS—

Compensation for Line of Road ...	13	0	0			
Crown Lands ...	670	0	0			
Surveys ...	2437	0	0			
Provincial Engineer, Director of Works, &c. ...	505	0	0			
Furniture Napier Gaol ...	100	0	0			
Roads and Bridges ...	5732	0	0			
				9457	0	0
Total				£17,365	10	0

Power to Treasurer to make such payments for the purposes herein specified on Warrant of Superintendent.

2. The Treasurer of the Province shall issue from time to time any sum or sums of Money for the purposes hereinbefore mentioned, not exceeding in the whole the sums respectively specified and provided as referred to such persons, and in such portions as the Superintendent of the Province shall, by any Warrant issued by him, from time to time direct, and such Treasurer shall in his accounts be allowed credit for all sums paid by him in pursuance

of such Warrants, and the receipts of the persons to whom such sums shall have been paid.

3. And whereas the actual expenditure for the Civil Government and Public Works and Undertakings has exceeded in some instances the sums authorised by the Appropriation Act for the Twelve Months from January 1st, 1861, to December 31st, 1861, by the sum of £1838 14s. 2d, according to the items enumerated in the Schedule hereunto annexed: And whereas the said expenditure was reasonable and necessary, therefore the Superintendent is hereby indemnified for the issue of his Warrants for the said sum of One Thousand Eight Hundred and Thirty-eight Pounds Fourteen Shillings and Two Pence sterling, for the following purposes:

Superintendent indemnified for the issue of his Warrants for a certain sum. Schedule of Supplementary Estimates.

SCHEDULE REFERRED TO.—SUPPLEMENTARY ESTIMATES.

Superintendent's Department ...	27	5	0
Treasury do. ...	31	1	0
Returning Officers ...	16	10	6
Printing, general (including Council printing) ...	31	11	8
Miscellaneous ...	147	8	9
Waipureku Ferry Punt ...	43	15	4
Legal Expenses (including appeal N. L. P. Ordinance) ...	64	4	1
Schools—Inspector and grants for Teachers ...	50	12	1
Surveys ...	531	14	2
Police, Court-house Waipawa ...	37	14	6
Widening and Repairing Shakespeare-road ...	123	14	5
Cemetery, Napier ...	3	10	0
Pump Well, Carlyle-street ...	0	2	0
Boat-shed for Surf Boat ...	3	0	0
Clive Road ...	75	0	0
Bridle Track from Tongoio to Mohaka ...	5	4	0
Public Pound ...	5	8	6
Receiver of Land Revenue Department ...	4	13	6
Government Offices (furnishing) ...	24	19	8
Government Offices (building) ...	60	14	9
Hospital (building) ...	31	11	0
Immigration Barracks ...	5	8	0
Native Hostelry ...	16	5	0
Lock-up, Napier ...	2	10	0
Observatory ...	0	5	0
Wellington Provincial Government	494	11	3
	<u>£ 1838</u>	<u>14</u>	<u>2</u>

4. And whereas the Expenditure, either paid or for which the Province is liable, for the Civil Government and Public Works and Undertakings for the Three Months commencing January 1st, 1862, and ending March 31st, 1862, was authorised by a Resolution of Council according to the items enumerated in the Schedule hereunto annexed: And whereas the said Expenditure and Liabilities were reasonable and necessary, therefore the Superin-

Superintendent indemnified. Schedule.

tendent is hereby indemnified for the issue of his Warrants for the said sum of Ten Thousand One Hundred and Four Pounds Thirteen Shillings and Eleven Pence sterling, for the following purposes :

SCHEDULE ABOVE REFERRED TO.

Superintendent's Department	...	285	0	8
Treasury	do.	100	0	0
Audit	do.	72	9	2
Law Officer's	do.	33	6	8
Native Interpreter	...	33	6	8
Provincial Council	...	104	11	6
Sheriff's Department	...	102	8	5
Police	...	420	2	5
Charitable	...	105	10	5
Schools	...	171	2	8
Harbour	...	226	3	3
Immigration Clerk	...	8	6	8
Inspector of Sheep, &c.	...	146	5	2
Registrars of Dogs	...	35	0	0
Pound-keeper	...	8	6	8
Receiver of Land Revenue	...	18	18	9
Returning Officers	...	7	7	4
Waipureku Ferry Punt	...	44	3	2
Bonus to Ferries	...	11	5	0
Local Posts	...	40	12	11
Steam Subsidy	...	125	0	0
General Printing	...	61	10	2
Miscellaneous Contingencies	...	29	4	1
Government Offices	...	19	2	9
Registrar of Deeds	...	21	10	6
Crown Lands	...	232	9	10
Survey	...	814	4	7
Engineer's Department	...	156	0	6
Director of Works	...	76	13	4
Harbour Improvements	...	1048	1	3
Napier Gaol	..	1150	0	0
Shakespeare-road	...	280	10	0
Waghorn-street	...	248	8	3
Hospital-road	...	11	9	6
Roads, &c.	...	3856	1	8
		<hr/>		
		£10,104 13 11		

CHARLES LAMBERT, Speaker.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereto.

J. C. LAMBERTON CARTER, Superintendent.

I hereby assent to this Act this twenty-eighth day of May, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY, Governor.