



**NEW ZEALAND  
GOVERNMENT GAZETTE.  
PROVINCE OF NEW ULSTER.**

Published by Authority.

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By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary.

**VOL. II. AUCKLAND, MONDAY, AUGUST 27, 1849. No 19**

**PROCLAMATION.**

By his Excellency SIR GEORGE GREY,  
K. C. B. Governor-in-Chief in and  
over the Islands of New Zealand,  
and Governor of the Province of  
New Ulster and New Munster and  
Vice Admiral of the same, &c.,  
&c., &c.

**I** THE Governor of the Province of New  
Ulster, do hereby proclaim that at eleven  
o'clock, on Monday, the twentyfourth day of Sep-  
tember, one thousand eight hundred and forty-  
nine, the Colonial Treasurer will put up to  
Auction, at Auckland, the undermentioned  
allotments of land, hereby declared to be  
within the limits of settlement.

Immediate payment in cash to be an indis-  
pensable condition of sale.

**TOWN OF AUCKLAND.**

	Section	lot	Contents.			Upset price		
			A.	R.	P.	£	s.	d.
	9,	2,	0	0	26	80	0	0
	9,	3,	0	0	25	80	0	0
	9,	4,	0	0	32	80	0	0

**SUBURBAN.**

Parish of Waitemata, near Cooper's Bay.

	Section	lot	A.	R.	P.	£	s.	d.
	1,	84,	3	3	27	78	7	6
	1,	91,	3	0	0	60	0	0

Near Onehunga,

	Section	lot	A.	R.	P.	£	s.	d.
	13,	4A,	6	3	0	40	10	0
	13,	5A,	4	1	32	26	14	0

Parish of Takapuna,

Lot		Contents.			Upset price.		
		A.	R.	P.	£	s.	d.
1,		25	0	10	25	1	3
2,		23	0	3	23	0	4
3,		25	1	36	25	9	6
4,		19	3	32	19	9	0
5,		21	1	5	21	5	7
6,		21	0	23	21	2	10
7,		23	0	33	23	4	1
8,		24	1	30	24	8	9
9,		23	2	28	23	13	6

Parish of Waitemata, Village of Onehunga.

	Section	lot	A.	R.	P.	£	s.	d.
	20,	9,	1	0	0	20	0	0
	20,	10,	1	0	0	30	0	0

**COUNTRY FARMS.**

Parish of Manurewa, near the Tamaki,

Lot		A.	R.	P.	£	s.	d.
1,		63	0	0	63	0	0
5,		77	2	23	77	12	10
6,		66	0	11	66	1	3
7,		76	0	11	76	1	3
9,		74	0	0	74	0	0
10,		80	0	0	80	0	0
11,		80	0	0	80	0	0
12,		148	0	0	148	0	0
18,		133	3	28	133	18	6
19,		112	2	16	112	12	0
20,		112	1	33	112	9	1
21,		86	0	0	86	0	0
25,		213	0	13	213	1	7
27, <sup>A</sup>		75	0	0	75	0	0
28, <sup>A</sup>		160	0	0	160	0	0
30,		173	0	12	173	1	6
32,		108	3	15	108	17	0
33,		81	0	0	81	0	0

## COUNTRY LANDS.

Lot	Contents.	Upset price.		
		£	s.	d.
Lot 54,	80 0 0	80	0	0
" 55,	80 0 0	80	0	0
Parish of Pakuranga,				
Lot 125,	80 0 0	80	0	0
" 126,	80 0 0	80	0	0

Given under my hand, and issued under the Public Seal of the Province of New Ulster, at Auckland, this twenty-second day of August, in the Year of our Lord one thousand eight hundred and forty-nine.

G. GREY,  
Governor.

By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.  
God Save the Queen!

Colonial Secretary's Office,  
Auckland, 13th August, 1849.

**TENDERS** in duplicate, will be received at this Office, until noon on WEDNESDAY, the 29th instant, for the ERECTION OF A NATIVE HOSTLERY, in Mechanics' Bay.

Plans and Specifications may be seen and further particulars obtained at the office of the Superintendent of Works.

By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.

~~TRANSFER OF LICENSES~~

**NOTICE** is hereby given that a Special Meeting of the Justices of the Peace for the District of Howick, will be holden at the Resident Magistrate's Court, at Howick, on Tuesday, the fourth day of September next, at eleven o'clock in the forenoon, for the purpose of receiving applications for the Transfer of Publican's Licenses.

JAMES WHITE,  
Clerk to the Magistrates.

Resident Magistrate's Court,  
Howick, 18th August 1849.

**JOURNAL OF PROCEEDINGS**  
IN THE  
**LEGISLATIVE COUNCIL.**

(Continued from Page 105)

THURSDAY, 9TH AUGUST, 1849.

PRESENT:

His Excellency the Governor-in-Chief and  
nine Members.

ABSENT:

His Excellency Major-General Pitt, K.H.

The Council met pursuant to adjournment.

The Colonial Chaplain was in attendance and read prayers.

The Colonial Secretary presented a petition from the Kirk Session of the Free Presbyterian Church, praying the repeal or modification of the Marriage Ordinance. Petition read and

received, and further consideration thereof postponed until other petitions on the same subject, about to be presented to the Council, are received.

On the motion of Mr. Merriman, seconded by Mr. Barstow, it was ordered that the debate on the "Crown Titles Bill" be further adjourned until Tuesday, 14th instant.

The Colonial Secretary moved the order of the day for further consideration in Committee of the "Crown Lands Bill."

The Governor submitted to the Council several new clauses, the consideration of which were deferred to a future day.

Clause 17 amended by striking out the word "divide" in first line of Clause, and inserting, in lieu thereof, the words "have divided," also by inserting the word "respectively" after the word "half-caste" in 25th line. Clause, as amended, agreed to.

Clause 18 amended by striking out the word "held" in 32nd and 34th lines, and inserting the word "occupied" in lieu thereof. Clause, as amended, agreed to.

Clauses from 19 to 27 read and agreed to.

Clause 28 amended by inserting the word "be" before the word "furnished" in 39th line. Clause, as amended, agreed to.

Clause 29 agreed to.

Clause 30 amended by inserting after the word "Wardens" in 8th line the words "or any two of them;" and also by inserting after the figure "5," at the end of the 10th line, the words "to be recovered in a summary way."

Clause 31 amended by striking out the word "by" in 19th line, and inserting, in lieu thereof, the word "in;" also by striking out the word "and" in 26th line, and inserting after the words "great cattle," the words "five shillings;" and by inserting, after the words "small cattle" in the 27th line, the words "one shilling;" Clause, as amended, agreed to.

Clause 32 amended by inserting in the 33rd line, after the word "Wardens," the words "or any two of them." Clause, as amended, agreed to.

Clause 33 amended by striking out the word "they" in 40th line, and inserting the words "such Wardens or any two of them." Clause, as amended, agreed to.

Clause 34 agreed to. Consideration of clauses 35 and 36 postponed. On motion of Colonial Secretary further consideration in Committee of Bill postponed to Saturday the 11th inst.

Lieutenant-Colonel Hulme moved the order of the day for taking into consideration the motion of which he had given notice, but subsequently withdrew it and substituted the following in lieu thereof. "That the Legislative Council do resolve itself into a Committee to prepare an address to His Excellency the Governor-in-Chief requesting him to extend to the natives of New Ulster under such rules and regulations as to His Excellency may seem meet, the right to lease their Waste Lands to Europeans so that large tracts of country shall be opened up for depasturing cattle." Council in Committee on motion.

On motion of Lieutenant-Colonel Hulme it was ordered that the following members be appointed a Sub-committee—

Mr. Merriman,

Mr. Barstow,

Lieut.-Colonel Hulme,

Major Matson, and

Mr. Kempthorne, for the purpose of preparing a Memorial on the subject.

The Governor laid on the table a Bill for the appropriation of the Revenue for 1849-50. Bill ordered to be printed.

His Excellency then read the following "Financial Minute," which on motion of Mr. Kempthorne was ordered to be printed.

Gentlemen of the Legislative Council.—In laying before you the Estimates of the probable expenditure of the Province of New Ulster for the year 1850-51, I feel much satisfaction in congratulating you upon the steady increase which, for the last few years the revenue of this province has continued to make in each successive year, as also upon the fact that the revenue and expenditure are now so nearly equalized, that there is every probability that within a very moderate period of time, the revenue will amply suffice to defray all the legitimate expenses of the Civil Government.

The various amounts of expenditure which it is proposed to incur upon account of the several services stated in the Estimates, will be so fully discussed by the Council when in Committee, that I shall upon the present occasion refrain from troubling you with these details, and shall confine myself to directing your attention to those general principles on which it is proposed to conduct the financial policy of the Government, an acquaintance with which appears essential to enable you to afford me your advice and assistance in reference to the details contained in the Estimates, when these are brought under your consideration.

You are aware that the revenues of these islands are at present principally raised from duties of customs, which are imposed upon all imported articles which are actually retained in New Zealand for the purpose of consumption in the country. These duties consist at present of certain fixed duties upon spirits and tobacco, and of *ad valorem* duties upon all other articles.

It was necessary, in the first instance, to adopt this system of *ad valorem* duties, in order that the experience of a few years might establish the average quantity and value of each description of goods which was likely to be annually consumed in these markets, and that the Government might thus be furnished with the necessary data for calculating what amount of paid duty should be imposed upon each article, with a view to raising in the whole a revenue adequate to the requirements of these colonies.

Although it was clear that the system of *ad valorem* duties, was not one likely for any lengthened period of time to be satisfactory to the community, yet for the reasons I have above stated and for others, it would not only have been difficult in the first instance to have introduced a complete system of fixed duties, but I think that even for some time to come, such a system cannot be introduced in a complete form. Indeed many years must probably elapse before the necessary warehouses and conveniences for the storing and examination of goods, which would form a necessary part of such a system of fixed duties can be established in many of the ports of these islands.

I have, however, always felt that it would be desirable at the earliest possible period to replace the present *ad valorem* duties, by fixed duties of customs, to as great an extent as was practicable, and then from time to time to extend such a system of fixed duties, as the circumstances of the Colony would admit of such extension. With this view a Schedule of fixed duties which it was proposed to levy on certain articles was by my directions some time since proposed for the consideration of the Government of the Province of New Munster, and since this Council has been assem-

bled for the despatch of business, I have received a report of a committee of the Provincial Legislative Council of that Province upon this subject, which report I have directed to be laid on the table for your information, as it is my intention at a future period, to take steps for proposing to the Legislature, such a change in the mode of collecting the revenue as I have above indicated, but such a proceeding on the part of the Government would I think rather have the effect of increasing the amount of revenue raised, than of reducing it below the amount at which it has been estimated.

I now proceed to make such remarks upon the proposed appropriation of the revenue for the year 1850-51 as will probably be useful to the Council.

In the first place you will observe that those salaries of public officers which have hitherto been usually charged upon the Parliamentary Grant, are now stated as a charge upon the revenues of the Province. This arrangement appeared to be necessary because the aid afforded by the British Parliament for the purpose of defraying the salaries of officers was only temporarily so afforded, and it therefore appeared to be desirable at the first fitting opportunity to carry out the intentions of Parliament by relieving Great Britain of these charges, and because the Parliamentary Grant was made in aid of the revenues of the whole of New Zealand, and there appeared no reason why this Grant should be appropriated to paying the salaries of the Civil Officers of one Province, rather than the corresponding salaries of officers of another Province.

In reference, however, to those officers who left Great Britain under a specific agreement as to the rate of salary they were to receive, I have felt it to be my duty to have their salaries borne upon the present estimates, at the rate which was specified when they took office, without any reference to the amount of salary paid to the officers of corresponding rank in the Province of New Munster. But in the case of the Colonial Secretary, who was appointed in this colony, I have felt it to be my duty to have his salary placed upon the estimates at the same amount which would under the existing state of things be paid to the Colonial Secretary of a Province if he were recently appointed. I cannot, however, but feel that there would be a great degree of apparent hardship in placing the senior officer of the Government, in so unequal a position in reference to other officers, and in making so large a reduction in the salary of a Government officer after nearly six years of most faithful and uninterrupted service, and if the Council under these circumstances think proper to make this a peculiar case, I shall very gladly assent to such a proceeding. I think that the preferable rule would be that officers' salaries should commence at a stipulated amount, and then up to a fixed limit, increase at a certain rate for so many years service. Neither the revenue nor the establishments of the Government have hitherto assumed a sufficiently permanent and satisfactory form to enable me to propose, with any confidence, a plan of this nature for the consideration of Her Majesty's Government; but if the Council should think proper in this instance to establish the principle, that the salaries of the Colonial Secretary, and the superior officers of Government, should increase at a certain rate for each year's service, I will endeavour to prepare and submit for the consideration of the Lords of the Treasury, a general plan for the adoption of a similar principle for the whole Government establishment.

No appropriation has yet been made of the Civil List, which has been placed at the disposal of the Crown; the Council will therefore find that no reference to the Civil List has been made in the estimates. I felt unwilling to recommend any such appropriation of the Civil List, until the future form of the Institutions to be conferred upon this country had been definitely arranged, and until some subsidiary questions connected with them (such, for example, as the question I have just raised for the consideration of the Council) had been completely adjusted.

The Council will observe that the sum of £262 has been placed upon the Estimates as the probable cost of the maintenance of the Government schooner "Albert."

This vessel is at present employed upon the marine survey of some of the Northern Ports, being temporarily attached to H.M.S. "Acheron." I propose, however, that the "Albert" should be almost immediately placed upon the Manukau Harbour, and should there be employed in running between the northern and southern shores of that harbour for the transport of passengers and goods, such moderate rates of freight and passage money being charged as would probably suffice to pay at least a considerable portion of the cost of the vessel.

I think that the Council would find that the result of this arrangement would be, that a very large amount of produce from the Waikato and Waipa Rivers, which is now almost wasted, would find its way into the Auckland market, increasing our internal trade and the commerce of this port, whilst the increased facilities of communication with the interior of the country which would be afforded, would probably lead to the formation of settlements and stations in the interior, and consequently to a much greater development of the resources of the country, and to a greater amalgamation of the Native and European races. Upon the whole, with great confidence I recommend the Council at least to sanction the trial of this experiment for a period of twelve months. I believe that it will be successful, and that at an extremely small cost an advantage will be conferred upon the Province, the full benefits of which it is at present difficult to foresee.

Amongst the items of Miscellaneous Expenditure borne upon the Estimates, there are two to which I am particularly anxious to direct the attention of the Council. The first of these is a charge of £1175 for the maintenance of schools, which amount is, strictly speaking, beyond the control of this Council, being the estimated proportion of one-twentieth of the revenue, which amount is, under the direction of the Governor and Executive Council, applicable to the purposes of education. It was, however, requisite to include this amount upon the Estimates, in order that the Council might see in what manner it was proposed to dispose of the whole revenue of the Colony; and I think the Council will feel with me, that in a country such as this, where the great mass of the native inhabitants are just emerging from a state of barbarism, one of the first and most important duties of a Government is to furnish the most ample and efficient means of education which it is in its power to afford. Indeed, the sum of about £1200, which is borne upon the estimates for this purpose, is manifestly entirely inadequate to attain the objects contemplated; but a trust that from the land fund, and from other sources available for this purpose, additional sums may be obtained which will enable the Government largely to assist the efforts for the education of the native race, which are now being made with so much zeal, devotion, and success.

The other amount borne upon the Miscellaneous Estimates to which I am anxious particularly to direct your attention, is the proposed amount of £1000 as the annual contribution of this Province for the purpose of maintaining a steam communication between certain ports in New Zealand.

Should the proposed vote pass the Council, the Government are prepared to surrender for the same object the sum of about £1800 per annum, at present devoted to the maintenance of the Government Brig; and advertisements shall at once be issued for tenders for the conveyance of mails by Steam-vessels between various ports in New Zealand, the Government simply requiring contracts to be entered into for the delivery of the mails by a steamer of a tonnage agreed on at the specified ports on certain days, it being left to the owners of the vessel or vessels to make such arrangements for the transport of passengers and goods as they may think proper. I trust the Council will lend me their aid in carrying out this plan which I believe will more rapidly promote the development of the resources of New Zealand and the prosperity and welfare of its inhabitants than almost any other proceeding which could be adopted. In fact I think that the establishment of an efficient steam communication of the nature I have described will be the commencement of

a new era in this colony from which the rapid rise of many of its settlements would be dated.

To the amount of the Miscellaneous Estimates will require to be added such sums as the Council may think fit to award to Mr. J. S. Poteik for his losses at Kororareka which are recommended by the Secretary of State to the consideration of the Council. Various papers connected with this subject have by my directions been laid upon the table, and should the Council require any further information the matter can, if they desire it, be referred to the Committee.

Plans and Estimates for the erection of a Wharf in Commercial Bay have been laid upon the table.—By the kind permission of Lieut.-Colonel Bolton, these plans and estimates have been completed by the Ordnance Department.—I need not point out to the Council the great advantages and facilities which would be afforded to the commerce of this port, by the erection of a commodious Wharf in Commercial Bay; it may be sufficient to state that the subject has long occupied the anxious attention of the Government; that various plans have been prepared and considered; and that of all these plans, that are now submitted to the Council (and which is only a portion of a very extensive plan) has appeared to combine, more than all others, efficiency, convenience, and economy,—yet the estimated expense of constructing a wharf in Commercial Bay upon this incomplete plan amounts to no less a sum than nearly nine thousand pounds. It would however be possible, by deferring to a later period the filling in of a portion of the land recovered from the sea, to avoid for the present the payment of a considerable portion of the estimated cost of this work. Moreover, by the sale of the land so recovered from the sea, Government would probably ultimately realize a sum nearly sufficient to repay the cost of the wharves, nevertheless it would be requisite in the first instance to incur a very large amount of expense.

I think, however, that the advantages which would result to the commerce of Auckland by the erection of these wharves would be so very great, that they would justify the expenditure of a very large amount of money. I therefore recommend the subject to the early consideration of the Council, who might perhaps adopt measures to the effect, that if the Government should find it possible to commence the works, and that the sums available from the land fund and other sources should prove inadequate to the cost, then that if the Executive Government applied any portion of the revenue of the Province to the same purpose, the Council would approve and ratify such a proceeding on the part of the Government.

The Council will observe that the total estimated expenditure for the year 1850-51 is £25,420 4s. 6d., whilst the total Revenue amounts to only £23,500, leaving a deficiency of £1920 4s. 6d. which will be supplied from the Parliamentary Grant should any necessity exist for having recourse to those funds, but should the revenue continue to improve as it has hitherto done, there can be no doubt that, in the year 1850-51, it will amply suffice to defray all the charges which are borne upon the estimate.

G. GREY.

Council Chambers,  
August 9, 1849.

The Colonial Treasurer gave notice that he would move the first reading of the Appropriation Bill on Saturday the 11th instant.

The Colonial Treasurer also gave notice that he would present a Petition on Saturday next from several denominations of Christians praying for a modification of the Marriage Ordinance, and also that he would move for all Despatches on the subject of the said Ordinance that have been received from the Secretary of State.

Mr. Merriman gave notice that on Saturday next he would move for the following Returns:—

1st. "Return of the Estimated Receipts and

Colony since the year 1846 to the present time."

2nd. "A Return of expenses incurred on Pensioners' Villages since their foundation."

3rd. "Return of the expenses of the "Victoria" and "Albert," since 1847, and how those vessels have been employed."

4th. "Return from the Resident Magistrates' Courts at Auckland and Howick, showing the number of summonses issued and how disposed of."

5th. "Return of the number of Parkhurst Boys introduced into this colony, and what has become of them."

Mr. Barstow gave notice that he would move, on Saturday next, for the following Return:—

"Return of all monies due by or owing to the Government of New Zealand at the expiration of the year 1848-49, showing on what account and by whom any liabilities may have been incurred, also the debtor and creditor account of the land fund at the same time."

Council adjourned to two o'clock on Saturday the 11th instant.

SATURDAY, 11TH AUGUST, 1849.

PRESENT :

His Excellency the Governor, and nine members.

ABSENT :

His Excellency Major-General Pitt, K.H.

The Council met pursuant to adjournment.

The Colonial Chaplain was in attendance and read prayers.

The Minutes of the last meeting were read and confirmed.

The Colonial Treasurer presented a Petition from a number of the inhabitants of Auckland and its vicinity of various classes and different religious denominations praying for a modification of the Marriage Ordinance.

Petition read and received and ordered to be printed.

To His Excellency the GOVERNOR-IN-CHIEF of New Zealand, and the Honourable the General Legislative Council, now assembled at Auckland.

The humble Memorial of a number of the Inhabitants of Auckland and its vicinity of various classes, and different religious denominations (Episcopalians, Presbyterians, Wesleyans, Roman Catholics, Independents, Baptists, &c., &c.)

Respectfully sheweth,

That the Marriage Ordinance for the Colony of New Zealand (Session 8, No. 7), in addition to other matters which interfere with its applicability to the circumstances of the Colony, is especially objectionable, as containing provisions which confer upon Ministers connected with the Churches of England and Rome exclusive powers to grant Licenses for Marriage on account of their ecclesiastical position and relations; while they not only withhold that privilege from other Churches, but impose upon *their* ministers and members regulations which they feel to be degrading and unmerited, as well as vexatious, tedious, and expensive in their practical working, and which in certain cases tend to promote criminal neglect of the marriage rite, owing to the difficulties which they place in the way of parties residing in some remote districts of the country. Your Memorialists have no desire to deprive the denominations favoured by this Ordinance of the full and free exercise for themselves

of all the privileges which it bestows, but they, with respectful earnestness, ask that such privileges, in a matter in which all are equally interested, should not be restricted to two particular sections of the Christian community. Such restriction they cannot but regard as sectarian and unjust; and they beg leave to declare their solemn conviction, that as there is no particular church established by law in the Colony, there should be one, and only one, system of legislation with respect to the several Churches existing in it; and that that system should be carried out with even-handed impartiality, without favoritism, and according to the principle of strict religious equality.

Your memorialists would further represent that there are two classes in the community, who, besides bearing their full share in the general hardships inflicted by the Ordinance are especially aggrieved by it inasmuch as from one (the Scotch Presbyterian settlers) it withholds privileges in the performance of the marriage ceremony which they always and freely possessed in their own country; and, on the other (the Wesleyan Methodists) it actually inflicts a new and unprovoked disability, by taking away from them the power of granting licenses which they had enjoyed uninterruptedly for many years; and they feel this the more, because the effects on the minds of the Native population will be most injurious, many mixed marriages having been celebrated by them.

For this and other reasons, your Memorialists respectfully pray that, before the termination of the present session of Council, such alterations may be made in the Marriage Ordinance as will remove the grounds of complaint stated in the premises, by extending to the other religious bodies, who are, or may be, in the colony, the same rights and privileges, in all matters and arrangements pertaining to the celebration of Marriage, which are now granted to the Church of England and to the Church of Rome.

And your Memorialists will ever pray, &c.

The Surveyor-General presented a similar Petition from the Wesleyan Clergy of Auckland, on behalf of themselves and their congregations.

Petition read and received and ordered to be printed.

To His Excellency the GOVERNOR-IN-CHIEF of New Zealand, and the Honourable the Members of the General Legislative Council now assembled.

The Memorial of the Wesleyan Clergy of Auckland on behalf of themselves and their congregations, Respectfully sheweth,—

That the Marriage Ordinances for this Colony, passed by the Legislative Council, Sess. 8, No. 7, is held by them to be partial and sectarian in principle, and felt by them to be most oppressive in its practical working. They regard it as partial and sectarian, in as much as it selects from the religious denominations of the Colony two Churches on which it confers powers and privileges that it withholds from other Churches, and thus creates an invidious distinction in a country where there is no Establishment, and where all Churches possess an inalienable right to equal civil and religious rights.

That in their view the Wesleyan Ministers, they regard the distinction as the more invidious, and the partiality peculiarly marked, inasmuch as the Wesleyan Church has for many years employed a number of agents at great annual cost in promoting the best interests of the country, the members of which have never been wanting in loyalty, but have always stood among the foremost in aiding to suppress rebellion and to support and establish British rule; and especially as they are now deprived of powers and privileges formerly possessed and exercised by them, and rendered liable to be tried as felons should they continue to exercise the right they have so long indisputably possessed in this land.

That the practical working of the Ordinance has been felt to be most vexatious and oppressive, involving expense, loss of time, and other sacrifices to the mem-

bers of their congregations such as they respectfully submit ought not to be imposed on them more than on others; besides, in some points, being totally inapplicable to the present state of the Colony, and calculated to induce in some cases a criminal neglect of the marriage rite.

Your memorialists therefore pray that, before the present session shall close, your Excellency and your Honourable Council will be pleased to adopt such measures as shall place the Wesleyan Church on a level, in the Marriage Ordinance, with those Churches entitled to marry by license.

Your memorialists respectfully add, that in this prayer they are supported by all the Wesleyan Ministers in the Colony, who, at their last Annual District Meeting, held at Auckland in July 1848, addressed to His Excellency the Governor-in-Chief a Memorial embodying the same views as are herein expressed.

And your memorialists will ever pray, &c.

WALTER LAWRY,  
General Superintendent,  
New Zealand.

THOMAS BIDDLE,  
JOSEPH HORNOR FLETCHER.

Auckland, August 11, 1849.

On motion of the Colonial Secretary it was ordered that the Petition presented by him on the 9th instant, on the same subject, from the Kirk Session of the Free Church of Scotland be printed.

To His Excellency the GOVERNOR-IN-CHIEF, and the Honourable the Legislative Council of New Zealand. The respectful Memorial of the Kirk Session of the Free Presbyterian Church, Auckland, Sheweth,—

That while there is in this Colony no Established Church, and consequently no reason why one body of professing Christians should have conferred upon it, the possession of rights and privileges to the exclusion of others, by the Marriage Ordinance passed by the Legislative Council of New Zealand, in the eleventh year of the reign of Her Majesty Queen Victoria, the right to have licences to marry without publication of hands, has been conferred exclusively upon the United Church of England and Ireland and the Roman Catholic Church;

That while the Presbyterians of this Colony have done nothing to warrant any interference whatever with those rights and liberties which they enjoy in their native country, these rights and liberties have been, by the aforesaid Ordinance, seriously infringed; and many of the Presbyterians, in consequence of its partial, unnecessary, and oppressive restrictions have been subjected to much hardship, delay, and expense, or have been obliged to conform to the rites and ceremonies of other churches, and so to violate their conscientious religious scruples;

That while the Ministers of the Presbyterian Church receive no fees, and have no beneficial interest in the solemnization of marriage, and while in the discharge of their ecclesiastical and spiritual functions, they are controlled by, and answerable to, their ecclesiastical superior alone, by the said Ordinance these functions are interfered with, and certain duties attempted to be imposed upon them, and enforced by legal pains and penalties;

That on all these and other grounds, the aforesaid Marriage Ordinance is a great and oppressive grievance to the Presbyterians of this Colony; and your Memorialists would respectfully pray your Excellency and the Honourable the Legislative Council, to take the same into consideration, and repeal or modify its provisions so as to press unduly and oppressively upon none; and your memorialists shall ever pray, &c.

Signed in name, and by the appointment of the Kirk Session of the Free Presbyterian Church, Auckland, this seventh day of August, eighteen hundred and forty-nine years.

GEORGE A. PANTON, Moderator.

The Colonial Secretary moved the order of

the day for the further consideration in Committee of the Crown Lands Bill.

Clauses 37 to the end considered, and several amendments introduced. Further consideration of Bill in Committee postponed until Tuesday, 14th instant.

The Colonial Treasurer moved the Order of the Day for the first reading of the "Appropriation Bill."

Bill read a first time.

Ordered to be read a second time on Tuesday, the 14th instant.

The Colonial Treasurer, according to notice, moved that all Despatches relative to the Marriage Ordinance be laid on the Table.

Mr. Merriman, according to notice, moved that the following Returns be laid on the Table.

1st. "A Return of the estimated Expenditure of the general Government for the year 1849-50, which either in whole or in part falls upon the Province of New Ulster, which are not included in the Estimates already laid upon the table."

2nd. "A Return of the estimated Expenditure of the Province of New Munster for the years 1849-50-1850-51."

3rd. "A Quarterly Return of the Revenue and Expenditure of the Colony of New Zealand, from local or imperial funds, from 1st April, 1846 to 1st July, 1849, distinguishing the different heads under which received and expended."

4th. "A Return of Total Expenditure upon the Roads in the Province of New Ulster, from 1st April, 1846, to 1st July last, showing the amount expended in each month, and as far as practicable specifying the different items of Expenditure, and showing whether expended on European or Native labour, and also specifying whether expended on Military or Civil labour."

5th. "A Return of the Work performed, specifying the extent of Roads completed, the locality in which those Roads are situated, and as far as practicable the extent of each piece of Road so completed, the width and extent of Road in progress, the locality in which those Roads are situated, and as far as practicable the estimated expense of completing the Roads so in progress."

6th. "A Return of the expenses and the several services upon which the Government Schooner has been employed since 1st January, 1847, until the 1st of July last."

7th. "A like Return of the Government Brig."

8th. "A Return showing the number of Parkhurst Boys introduced into the Colony, the date of their introduction, and as far as practicable shewing how many of those introduced have been criminally convicted and how many are still resident in the colony at the present date."

Mr. Barstow according to notice moved that the following Returns be laid on the table:

1st. "Return of all moneys due by or owing to the Government of New Zealand at the expiration of the year 1848-49, showing on

what account and by whom any liabilities may have been incurred, but subsequently withdrew it and gave notice that on some future day he would introduce a more specific motion on the subject."

2nd. "A Return of the debtor and creditor account of the Land Fund at the same time."

3rd. "Return of the Strength and Expence of the Police Force at Auckland, for the year 1848-49, together with the number of informations laid for Felony or Misdemeanor, and the number of convictions consequent thereon."

4th. "Return of Population for the same period."

5th. "Return of Contract Prices paid for each article for Provisioning the Native Labourers upon the roads during each year that they may have been so supplied, showing the kind of Provisions allowed, its quantity and price."

The Surveyor-General gave notice that on Tuesday the 14th instant he would propose that the Council do address the Governor requesting him to introduce a Bill making certain specified amendments in the Marriage Ordinance, which will extend to the Presbyterian and Wesleyan Churches the privileges now enjoyed by the Churches of England and Rome.

Mr. Merriman renewed his notices of motion for certain Returns relative to the Resident Magistrates' Courts at Auckland and Howick, and also the expenses of the Pensioners Villages, until Tuesday, 16th inst.

Council adjourned until two o'clock on Tuesday, the 14th instant.

TUESDAY, 14TH AUGUST, 1849.

PRESENT :

His Excellency the Governor-in-Chief and nine Members.

ABSENT :

His Excellency Major-General Pitt, K.H.

The Council met pursuant to adjournment.

The Colonial Chaplain was in attendance, and read prayers.

The Minutes of the last meeting were read and confirmed.

Mr. Merriman presented a Petition from a numerous body of the inhabitants of the Northern District of the Province of New Ulster relative to the "Crown Titles Bill."

Petition read and received and ordered to be printed.

To His Excellency Sir GEORGE GREY, K.C.B., Governor-in-Chief of New Zealand, and the Legislative Council assembled.

The Petition of the undersigned Inhabitants of the Province of New Ulster,

Humbly Sheweth,—

That your petitioners are anxious to express their gratification (a feeling which they believe to be universal) that a bill, professing for its object the Quietting of Titles to Land in the Province of New Ulster, should have been introduced into your Honourable Council.

That for years past, in fact from the very foundation of the colony, the doubts and uncertainties which have hung over titles have operated most prejudicially to the interests of this Province.

That your petitioners express their decided conviction that misgivings as to validity of titles have had

the effect of damping the enterprise of settlers already here, of deterring others from coming, of discouraging the investment and employment of capital, and of locking up the resources of the country more than any other cause whatever.

That, under this conviction, your petitioners naturally look upon a liberal and comprehensive settlement of all questions on this important subject as more to be desired, and as more calculated to advance the prosperity of the Province, than any other measure that could be proposed.

That, without going into the details of the bill (to some of which many of your petitioners have objections), your petitioners unanimously desire to express their concurrence in the principle of Quietting all Crown Titles, but at the same time they are most desirous of calling the attention of the Council to the last clause of the bill now before them, wherein it is proposed to delay the operation of such a measure till it shall have received the Royal assent.

That your petitioners look upon this clause as calculated in a great degree to neutralise the beneficial effect which might otherwise ensue from such a measure, and they cannot but express their fears that, especially at a time when a neighbouring country is apparently holding out such inducements to settlers, the most injurious consequences will follow from leaving the final settlement of this important matter in abeyance for at least a year to come.

Your petitioners therefore humbly pray that your Excellency and the Honourable Council will be pleased to amend the Crown Titles Bill, and pass it in such a form as will render it, what it professes to be, a final settlement of all questions affecting the validity of Crown Titles; and that such settlement may be allowed to come into immediate operation.

And your petitioners will ever pray, &c.

Mr. Merriman, according to notice moved the consideration of the subject relative to the introduction of Exiles into this Colony—a debate thereon ensued.

Mr. Merriman then gave notice that on Tuesday, the 21st instant he would submit for the consideration of Council a resolution on the above subject, founded on the despatch from the Right Honorable Earl Grey, dated 5th August, 1848.

The Colonial Secretary according to notice moved the order of the day for further consideration in committee, of the "Crown Lands Bill." Bill considered and several amendments introduced and further consideration postponed until Thursday, the 16th instant.

The Governor laid upon the table—

1st. The New Munster Government Gazette containing the proceedings of the Legislative Council of that Province.

2nd. The Expenses of the Government schooner "Albert."

3rd. The Expenses of the Government brig "Victoria."

4th. The Return of Population.

5th. The Return of Contract Prices and expenses for provisioning the road parties.

6th. A Return showing the debtor and creditor account of the Land Fund.

The Colonial Treasurer moved the order of the day for second reading of "Appropriation Bill." Bill read a second time and committed. Preamble and Title read and agreed to, and further consideration in committee postponed until Thursday, the 16th instant.

The Surveyor General moved the consideration of the motion of which he had given notice relative to a modification of the Marriage Ordinance. A discussion thereon ensued. Motion withdrawn.

Lieutenant-Colonel Hulme gave notice that when Council are in committee on the Estimates he would move that a sum of money be voted to erect a Government House.

Council adjourned until two o'clock on Thursday the 16th inst.

THURSDAY, AUGUST 16, 1849.

PRESENT :

The Governor-in-Chief and nine members.

ABSENT :

His Excellency Major-General Pitt, K. H.

The Council met pursuant to adjournment.

The Colonial Chaplain was in attendance and read prayers.

The Minutes of the last meeting were read and confirmed.

Mr. Barstow presented a Petition from a numerous body of Residents, at the Tamaki, praying that a Distillation Ordinance be introduced. Petition read and received and ordered to be printed.

To His Excellency, the GOVERNOR-IN-CHIEF of New Zealand, and the Honourable the Members of the Legislative Council, in Council assembled.

The Memorial of the Undersigned, Landholders residing on the Tamaki,

Humbly Sheweth—

That, in the opinion of your Memorialists, to allow the distillation of spirits, would be of essential benefit to the Colony, for the following reasons.

1st. In the opinion of your Memorialists it is the duty of the Government to encourage within the Colony the manufacture of such products as may be in demand, and that the colony is adapted for producing—as next in importance to an export—is our Colony being able to supply itself.

2nd. A direct stimulus would be given to the farming interest, by causing a demand for barley and other grain.

Your Memorialists would humbly add that the climate of New Zealand, though admirably adapted for the growth of grain, yet, like the climate of England, is precarious, and as the supply of labour is also precarious there is therefore very considerable risk of grain being sprouted by wet in harvest, and it is well known that wheat sprouted is totally worthless to the baker, though comparatively uninjured to the distiller.

3rd. The natives are now becoming extensive producers of wheat and other grain crops—and if their civilization and progress in industrial pursuits be of consequence—it is surely of importance that they be able to find a market for their produce.

Lastly, in reply to the arguments of those who advocate the total disuse of spirits, your Memorialists would humbly urge, that if people will use spirits they may as well use an article that is bona fide the produce of the Colony as an article that is imported.

Your Memorialists therefore humbly pray that you may be pleased to pass an Ordinance to allow the distillation of spirits in New Zealand, and your Memorialists as in duty bound will ever pray.

Mr. Merriman moved the adjourned debate in the "Crown Titles Bill." On motion of the Attorney General it was ordered that Council do go into committee on Bill on Monday the 20th inst.

The Colonial Treasurer moved the order of the day for the consideration in committee of "Appropriation Bill." Bill considered and several amendments introduced, and farther consideration postponed until Saturday 18th inst.

Lieut.-Colonel Hulme according to notice, moved that a sum of money be voted to re-erect Government House. Further consideration postponed to a future day.

The Colonial Secretary moved that the further consideration in committee on "Crown Lands Bill" be adjourned to Saturday 18th inst.

Mr. Merriman according to notice moved for the following Returns:—

1. "Return showing the Expenditure incurred in locating the Pensioners at Onehunga, Howick, Panmure and Orahuhu respectively, showing the number of Cottages erected and expense thereof; cost of breaking up the acres, the quantity so broken up, the number of Cottages now occupied, rate of pay given to the privates and length of time each rate has continued; civil pay to the various officers; number of men that have been in the hospital, and length of confinement with the rates of pay drawn while so in hospital; number of cases of drunkenness brought before the Magistrates; amount of money advanced to Pensioners to purchase stock and furniture, from what fund advanced and how applied, and to what fund ultimately chargeable."

2. "A Return of all summonses issued from the Resident Magistrate's Court, at Auckland, between the 1st day of January and the 1st day of July, 1849, showing in how many cases the debt or damage claimed was under 40 shillings, exceeding 40 shillings, and under £5, exceeding £5 but under £10, exceeding £10. Distinguishing under each head the number of cases where the claim was a simple debt and where not."

3. "A similar return of the number of cases in which judgments have been given for the plaintiff."

4. "A Return of the Extra Expenses beyond the pay of the Policemen incurred in serving summonses from the Resident Magistrate's Court."

5. "A similar Return from the Resident Magistrate's Court at Howick."

6. "A Return of the amount paid from Colonial funds for the transport of Pensioners and their families to this colony."

7. "A Return of the amount due from the Colony for the transport of the Pensioners and their families to this country."

8. "A Return of the total number of Pensioners and their families introduced into this colony."

Mr. Barstow moved for the following Returns:—

1. "Return of appropriation of parliamentary grant for the service of New Zealand for the year 1850-51."

2. "Return of strength of Police Force with daily state and distribution at present time."

Council adjourned until 2 o'clock on Saturday 18th inst.