



NEW ZEALAND GOVERNMENT GAZETTE.

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By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary.

VOL. VII. AUCKLAND, TUESDAY, JULY 27, 1847. No. 15.

JOURNAL OF PROCEEDINGS IN THE LEGISLATIVE COUNCIL.

MONDAY, 26TH DAY OF JULY, 1847.

PRESENT:

His Excellency George Gray, Lieutenant-Governor,
The Honorable Andrew Sinclair, Colonial Secretary,
The Honorable William Swainson, Attorney General,
The Honorable Alexander Shepherd, Colonial Treasurer,
William Brown, Esquire,
William Donnelly, Esquire.
Absent—A. Domett, Esquire.

The Council met pursuant to summons.

The Rev. J. F. Churton, Colonial Chaplain, being in attendance, read prayers.

The Lieutenant-Governor then opened the Council with the following

ADDRESS:

GENTLEMEN,

The Despatches which have been recently published in the *Government Gazette*, will in some degree have made you acquainted with the circumstances which have rendered it proper for me to have recourse to your counsel and advice, previously to the introduction of the intended change in the form of Government of this Colony.

In accordance with the custom which I have usually adopted, I should, under ordinary circumstances, have preferred laying those despatches before this Council, previously to their publication. You will, however, I feel sure, acquit me of any intentional want of respect to the Legislative body, when I state, that my object in directing their publication, was to enable the Lieutenant-Governor, who intended to proceed immediately to the Southern settlements, to take down with him in-

telligence, which is so interesting and important to the inhabitants of them. I have always lamented the difficulty which has been experienced in keeping the Southern settlements well informed upon the proceedings of the Executive Government and the Legislature, and I am sure you would have joined me in regretting that immediately before the separation of the two colonies, any just ground of complaint should have been allowed to exist, of the Government neglecting to avail itself of the earliest opportunity of conveying to Wellington, the intelligence of which its inhabitants will now be put in possession.

It will be my duty, in the course of this session, to submit to your consideration, two distinct classes of laws. The first will embrace such laws as seem to be immediately required upon those subjects which, under the new constitution, the General Assembly alone will have the power of Legislating upon, for both provinces, into which these Islands are to be divided; as well as laws upon those subjects, regarding which it appears desirable, in as far as possible, to secure an almost absolute uniformity of legislation, throughout the New Zealand Islands. The second class will comprise those laws upon subjects which affect chiefly local interests, but which are yet of so pressing a character, that it is indispensable immediately to legislate upon them, without waiting the formation of Legislative bodies for each colony.

The first class of laws will evidently require the most scrupulous care and attention upon your part, and I rely with confidence upon your ability to enable me successfully to legislate upon these subjects. Amongst the laws of this class to which I shall have to direct your attention, will be the law for the regulation of the Currency of this Colony, which the Secretary of State has directed me to lay before you:—a law to regulate Marriages, and to regulate the Registry of Marriages, Births, and Deaths. These being subjects upon which I think that uniformity of legislation is indispensable. I shall also submit for your consideration a law to provide for the payment of the Principal and Interest of our Colonial Debt, from the revenues of the two Provinces into which New Zealand is about to be divided; as well as a law to make provision from the revenues

of the colony for the purposes of the public Education of both races:—this latter being a subject which, from its vast importance for the future welfare of this country, demands, and will I am sure receive, your most attentive and serious consideration.

The subjects which may be termed of local interest, regarding which I shall have to submit laws for your consideration, are regulations for the slaughtering and impounding of Cattle;—the keeping and carriage of Gunpowder; and the like,—upon which matters the Statute Books of the neighbouring colonies will afford us much information; but still great care will be required in adapting those laws which we may take as our guides to the circumstances of this colony.

It will also be necessary for me in the course of this Session, to propose for your consideration Estimates and a short Act of Appropriation, which will in some degree form the groundwork of the future expenditure of the provinces into which New Zealand is to be divided. This is a subject which we must approach with the greatest care. The whole success of the new form of Constitution will depend upon an economical administration of the governments. Whilst we should liberally provide for those establishments which are necessary for the security and protection of life and property, and for those public works which are necessary to promote the progress of the Colony, and to facilitate the development of its resources, we cannot too cautiously abstain from entailing permanent charges on the revenue by the creation of either excessive or overpaid Government establishments. To fall into this error would be to sow the seeds of future disunion between the Executive Government, and the contemplated Representative bodies, and consequently to embroil them in differences which would in a great degree distract the attention of both from general measures for the promotion of the prosperity of the country, and direct it upon mere differences of an unimportant and almost personal nature.

Upon reviewing the proceedings of your last session, it has been a matter of great gratification to me to find that they have worked so beneficially for the country. The measures you adopted for laying the foundation for the collection of a revenue which might in some degree prove adequate to the expenditure of the country, have, I trust, not been regarded as establishing a claim upon the liberality of the British Parliament, which, with its wonted generosity, has afforded this country assistance which will, I trust, enable it fully to overcome the difficulties which, such a short time since, appeared likely to overwhelm it.—You will, I am sure, feel that such liberality on the part of Great Britain, at the time that her own inhabitants are suffering from almost unexampled privations and distress, has imposed upon this Council, no less than myself, a paramount obligation to economize to the utmost the Local Revenues, so that we may entail the least possible amount of expense upon the mother country.

I have to congratulate you upon the success which has attended your efforts to devise laws suited for the adjustment of disputes arising between the European and Native races. The provisions you have made upon this subject have already conferred great benefits upon

the native race, and have, I believe, tended more than any other step which has been taken since the foundation of the colony to attach them to our laws and institutions, and to make them feel that the maintenance and enforcement of their just rights are objects of deep concern to the government.

I have also to congratulate you upon the great improvement which has taken place in the condition of New Zealand, since we last assembled here;—on the prospects now opening of adequate Naval and Military protection being provided for these islands;—and of Emigration to New Zealand again commencing at a time when its condition appears to promise so much success to the intending emigrant.

In conclusion, I must remind you, that this Council is now shortly to give place to differently constituted Legislatures, and that it should therefore be our ambition, and a very laudable one, to endeavour in this, the closing session, to enact laws which by conferring real and lasting benefit upon your adopted country, should enhance and secure any claims which the first Legislative body of New Zealand, may have established upon the remembrance and gratitude of after times.

G. GREY.

Legislative Council Chamber,
Auckland, July 26th, 1847.

On the motion of Mr. Brown, it was ordered that His Excellency's address to the Council be printed.

The Lieutenant-Governor laid on the Table the following bills, viz:

1. An Ordinance to prohibit the keeping of Gunpowder exceeding a certain quantity.
2. An Ordinance to provide for the Government and Discipline of the Native Troops, to be raised in the Colony of New Zealand.
3. An Ordinance to prohibit the Sale, &c., of Spirits, and to regulate the Sale, &c., of other Intoxicating Liquors, to persons of the Native Race.
4. An Ordinance for regulating the Slaughtering of Cattle in certain places.
5. An Ordinance to provide for the Management of Savings Banks.
6. An Ordinance to authorise and regulate the impounding of Cattle.

The Attorney General gave notice that he should move that the "Bill for the Government and discipline of Native Troops" be read a first time to-morrow.

The Attorney General gave notice that he should move that the "Spirits Bill" be read a first time to-morrow.

The Colonial Secretary gave notice that he should move that the "Gunpowder Bill" be read a first time to-morrow.

The Council adjourned at half past 2 o'clock, till 2 o'clock on Tuesday, the 27th instant.

Auckland:—Printed by J. WILLIAMSON, for the New Zealand Government.