



# NEW ZEALAND GOVERNMENT GAZETTE.

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By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary.

Vol. II.] AUCKLAND, MONDAY, SEPT. 18, 1854. [No. 28.

## GENERAL ASSEMBLY

SATURDAY, 16TH SEPTEMBER, 1854.

His Excellency the Officer administering the Government prorogued the General Assembly at the Council Chamber, at 3 o'clock, p.m., when His Excellency delivered the following

### ADDRESS.

Honourable Gentlemen of the Legislative Council and Gentlemen of the House of Representatives,—

You will be glad to learn that the state of the public business enables me to bring the present Session to a close.

On the occasion of its first meeting I urged upon the consideration of the Assembly the necessity of deciding upon the most advantageous apportionment of power between the General and the Provincial authorities, of maturing the measures necessary for securing its practical adjustment, and of adopting some guiding principle on which the Assembly should proceed in the exercise of its own constituent powers.

Although but little progress has yet been made towards the accomplishment of these important objects, I cannot bring the business of the Assembly to a close without congratulating you on the amount of useful legislation you have accomplished during the brief period which has elapsed since the commencement of the present Session.

Of the various measures which have been presented for my acceptance, there is not one to which I have thought it my duty to refuse my assent, and with the exception of the Appropriation Bill, I have been able to give to all the measures you have passed, an unqualified approval.

*Gentlemen of the House of Representatives,—*

It is provided by the Constitution Act, as you are aware, that it shall be competent for the Governor before declaring his pleasure in regard to any Bill presented for his assent, to make such amendments in it as he may think expedient, and to return it with such amendments for the further consideration of the House. I have to express my regret that the lateness of the period at which it has been presented for my assent has virtually precluded me from exercising that power with respect to the Bill for appropriating the Public Revenues.

With an explanation before you of the reasons for which provision was recommended to be made for the services which I find have been left unprovided for by that Bill, I can entertain no doubt that, with respect to some of them at least, you would, on reconsideration, have recognized the necessity which exists for their continued maintenance.

Without expressing any opinion as to the policy of transferring certain of the Public Departments from the control of the General Government to that of the Provincial authorities, an object sought to be accomplished by the Bill, I cannot refrain from expressing my conviction that a measure involving so important a question as the apportionment of Legislative and Executive power between the General Government and the subordinate local authorities ought rather to be determined by a permanent enactment, to which, after full discus-

sion, and with ample time for consideration, all the three branches of the Legislature shall have given their deliberate assent.

*Gentlemen of the Assembly,—*

I have had great pleasure in giving my assent, in Her Majesty's name, to the Bill "For regulating the disposal of the Waste Lands of the Crown in New Zealand."

With regard to the system now in operation for disposing of the Waste Lands of the Crown, established by Governor Sir George Grey, the Act affirms the validity of the Proclamation of the 4th March, 1853, and confirms the General Land Regulations contained in it, and at the same time, makes provision against their hasty or inconsiderate alteration. With regard to the future, the Waste Lands Act in effect provides that henceforward the Demesne Lands of the Crown shall be disposed of in accordance with the wishes of the Colonists of New Zealand. So far as may depend upon myself I have only to repeat the assurance I have already conveyed to both Houses of the Legislature, that I shall be prepared, as occasion may require, to adapt the existing Land Regulations to the particular requirements of the various Provinces, and as far as may be consistent with the interests of the Colony at large, in conformity with the wants and wishes of the several inhabitants—with respect to the unsatisfied claims alluded to in my address on opening the Session—it will now mainly rest with the colonists themselves to determine in what manner and to what extent compensation shall be awarded to those who may be found to have just and unsatisfied claims to compensation on account of their losses and sufferings arising out of the unfulfilled engagements of the New Zealand Company, and to which pointed reference has been made in the recent report of a Select Committee, of the House of Representatives on the subject of that Company's debt.

The operation of the no less important Bill to authorize the General Assembly to empower the Provincial Councils to make laws for regulating the sale and disposal of the Waste Lands of the Crown must necessarily be deferred until it shall have received the Royal assent; I shall not fail to urge Her Majesty's Government to take such measures as may be deemed necessary for enabling the General Assembly lawfully to delegate to the Provincial Legislatures the powers conferred upon the Assembly by the New Zealand Constitution Act.

Owing to the late period at which the "Bill for regulating the Law of Marriage," has been presented for my assent, I have been unable to give to its provisions that careful attention which the importance of that measure most undoubtedly demands; neither have I had the opportunity of offering to you any amendments which a deliberate consideration of the measure in its details might have enabled me to suggest; I have much pleasure, however, in declaring my entire approval of the principles on which the Act has been

based, and I am happy to believe that the Assembly have succeeded in devising a measure which, without disturbing the good feeling which has hitherto subsisted between the various religious denominations—without creating invidious distinctions between them, and without unnecessarily interfering with existing usages, will be found more efficient in its provisions than the disallowed Ordinance of 1851.

The "English Acts Act," to which I have also given my assent will have the effect of extending to New Zealand the benefit of those amendments, which, within the last few years have been effected by the British Parliament in the laws relating to the Administration of Justice; and the provisions of the "Secondary Punishments Act" will, I trust, be found to operate not less beneficially in promoting the efficiency of the Law.

On the subject of the charge of 268,000*l.* upon the Waste Lands of the Colony in favour of the New Zealand Company, it will no doubt be satisfactory to the Colonists, to be informed that both the Legislative Council and the House of Representatives have agreed to a Resolution to the effect, that the charge in favour of the New Zealand Company on the Land Fund of the Colony, is an oppressive burthen on its resources and appears to have been created by Parliament in ignorance of the real facts; and to have been obtained by that Company, by means of the suppression of material circumstances. I need hardly add, that I believe a full and fair enquiry into the subject by the Imperial Government is due to the Colonists of New Zealand.

The determination evinced by both Houses of the Legislature—to take effectual means to repress the spread of intemperance in this country, will, I believe, be hailed by the whole community with unqualified approval.

Cordially concurring in the views embodied in the Address presented to me on the subject of Education, that "the Establishment of a sound system of Education for the youth of New Zealand, is a matter of public concern;" and that in order to determine whether the education of youth in New Zealand, would be extended or improved by the interposition of the State, it is desirable to ascertain the present state of education in New Zealand. I will use my best endeavours to furnish the Assembly on the occasion of its next meeting with the information necessary for giving effect to the wishes of the Legislative Council embodied in the Resolution in question.

It only now remains for me to thank you, gentlemen, on the part of the country, for the time and attention you have given to the discharge of your public duties, and to express my earnest hope, that the measures you have passed may, by the Divine blessing, be found to promote the progress of the Country, and the happiness and contentment of the people.

R. H. WYNARD,  
Officer Administering the Government.