



AUCKLAND PROVINCIAL GOVERNMENT GAZETTE.

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PROVINCIAL COUNCIL.

TUESDAY, 18TH OCTOBER, 1853.

The Provincial Council of Auckland met pursuant to Proclamation of 6th September, 1853.

PRESENT:—James T. Boylan, Thomas Houghton Bartley, Robert Mitchell, James O'Neill, James Derron, Andrew O'Brien, Wm. Connell, William Field Porter, John Watson Bain, John Anderson Gilfillan, Allan O'Neill, Patrick Dignan, James Carlton Hill, Patrick Donovan, William Powditch, F. Charles Lewis, Joseph Brennan, John Williamson, Joseph Newman, James Dilworth, William Innis Taylor, James Macky, James Busby, and George Clarke, Esquires.

His Honor Robert Henry Wynyard, C.B., the Superintendent, opened the Council with the following Address.

GENTLEMEN OF THE PROVINCIAL COUNCIL.—I cannot address you on this, the first occasion of the Meeting of the First Representative Council of the Province, without feeling that we are engaged in a proceeding of great interest in the history of New Zealand.

While the early settlers in a young colony are few in number, and fully occupied in providing for their own immediate wants, it is, no doubt, necessary that the parent state should take means for the enactment and administration of such laws as may be necessary for maintaining amongst them peace, order, and good government.

But this period in the existence of a British Dependency is, I believe, of but limited duration: as soon as the Colonists have at least an equal in-

terest in the country with the parent state, and when they comprise amongst themselves, men, having the leisure, intelligence, and public spirit necessary for the conduct of public affairs, then, I believe, that every argument is in favour of conferring upon the Colonists themselves, full powers of self-government, and that the introduction of the representative principle into the constitution of her dependencies, will not only give a powerful stimulus to their progress, but will have the effect of preserving to the Mother Country, unimpaired their loyalty and attachment.

The irregular manner in which these Islands were originally colonised, and the existence of a numerous native race, powerful and intelligent, but, for the most part, still unprepared for the exercise of political power, have rendered it a task of no ordinary difficulty to devise a Constitution, based upon the representative principle, suited to the peculiar condition and circumstances of New Zealand. But however difficult the task, the Colonists can scarcely fail to recognize in the recent Act for granting a Representative Constitution to the Colony of New Zealand, an earnest desire on the part of the Imperial Government to accomplish that object in a just and liberal spirit.

Extending from the North Cape to Mokou, a distance of nearly 300 miles, with an extreme breadth of about 150 miles, the newly-created Province of Auckland is in the direct line of steam communication about to be established with Great Britain, and will shortly become the nearest, instead of the most distant of her Australasian possessions; with an extensive sea-board, indented into numerous safe and commodious harbours, with its surface generally available for cultivation, having a healthy climate and fertile soil, abundantly watered, rich in valuable timber, and not without indications of mineral wealth. I believe it would be difficult to find any equal portion of the earth's surface, which comprises so

many natural advantages for British colonization as the Northern Province of New Zealand.

The population of the Province, comprising about two-thirds of the native, and more than one-third of the European population of these Islands, may be estimated to amount to 70,000, and notwithstanding the attraction of the Australian gold fields, it continues to increase by new arrivals from Great Britain and the neighbouring colonies.

During the last twelve months the number of immigrants who arrived in the Province, exceeded the number of Emigrants who left the Province by 563; the Revenues of the Province, both General and Territorial, are increasing, and already exceed the aggregate Revenues of the whole of the other Provinces of New Zealand. In the course of the year not less than £60,000 were collected in the Northern Province alone.

Of the exports of New Zealand, more than one-half, I believe are shipped from the port of Auckland; the declared value of the exports cleared at this port in the course of the year ending the 30th September last, amounted to £127,730 11s. 0d.; the greater part of which (to the amount of £95,419 5s.) being the actual produce of the Province.

The shipping belonging to, and the shipping frequenting the ports of the Province, are both rapidly increasing.

In addition to the numerous whalers and other ships trading to the Northern Ports, 825 vessels, including coasters, entered the port of Auckland in the course of last year.

As you are aware, a powerful stimulus has also recently been given to agricultural pursuits, since the recent alteration made by Governor Sir George Grey in the mode of disposing of the Waste Lands of the Crown. The Land Fund has also increased four-fold; in all parts of the Province great activity prevails in the work of cultivation, and there are already within a few miles of Auckland alone, upwards of 20,000 acres of land fenced and in cultivation.

Actively engaged as are the inhabitants of the Province in productive industry; raising already a large excess of food, having a ready market close at hand for all their surplus produce with no rivalry between the races, but the pursuit of peaceful industry, and with an improving Revenue and rapidly increasing trade, it may be doubted whether any portion of Her Majesty's subjects, enjoy in a more abundant measure, the blessings of peace and plenty, or have before them a more certain prospect of a prosperous career.

Such is the condition of the Province now entrusted to our care. To administer its affairs to the best of our ability for the common weal, is the duty which has been deputed to ourselves by the suffrages of our countrymen.

Our countrymen, I say, Gentlemen, for although the franchise has been conferred upon the inhabitants in New Zealand without distinction of race, I believe that on the occasion of the recent elections, the privilege was, in fact, exercised almost exclusively by the natural-born subjects of the Crown.

Placed then in a position of trust and confidence by the suffrages of a large portion of our countrymen, and entrusted with a large measure of power and influence, to be exercised for the benefit of both Races; seeing too, that the fitness of the Colonists for the exercise of political power will be tested by the acts of ourselves their chosen Representatives, I cannot doubt but that it will be our common pride to prove, by our efforts to work unanimously together to promote the public good, by the practical, business-like character of our proceedings, and by the judge-

ment and moderation with which they shall be conducted, that the Colonists of the Province of Auckland may be safely entrusted with the amplest powers of representative self-government, and also that the obligation incurred towards the Native inhabitants of New Zealand by the Government of Great Britain will, so far as may depend upon ourselves, be justly and honorably fulfilled.

The Legislative Council of New Zealand, as originally constituted, was composed of Members appointed by or under the authority of the Crown and was presided over by the Governor of the colony, charged with the duty of introducing such measures for their consideration, as he thought desirable; and that no Legislative measure could be introduced for consideration by any Member of the Council, nor could any subject be proposed for discussion by them, except with the assent of the Representative of the Crown. But under the provisions of the recent Act for granting a Constitution to New Zealand, full powers of Provincial Legislation are now vested in a Council wholly elected by the people, conducting their proceedings under the presidency of a Speaker, one of their own number and elected by themselves.

To the Council so constituted power is given, and it will be their especial duty, to originate and introduce for discussion and adoption, whatever Legislative measures may from time to time appear to themselves to be necessary for the peace, order, and good government of the Province.

So far then as Legislation may avail, the future prosperity of the Province of Auckland will be in the hands of the people and their chosen Representatives.

In the practical business of law-making, in giving precise effect to your intentions in the making or amending of a Law, you may not improbably, at the outset find some difficulty; a difficulty however which time and experience will tend to remove.

Looking to the composition of the Council, to its numbers, to the various interests they represent, and to the amount of experience, intelligence and ability to be found amongst its Members, the public have reason to believe that, although you may have had but little experience in the mechanics of Law-making, yet that avoiding hasty, partial, and uncalled for Legislation, your Legislative measures will be at least conceived in a just and liberal spirit, that they will be founded on sound principles, efficient in their provisions, intelligible in their language, and adapted to accomplish the objects for which they may be enacted.

By the Royal Instructions addressed to the first Governor of New Zealand for the guidance of the Legislative Council, it was enjoined upon them that their "Laws and Ordinances should be drawn up in a simple and compendious form, avoiding as far as may be all prolixity and tautology." As to the form and style in which the Acts of the Provincial Council should be framed, I think it would tend to their brevity, simplicity, and practical utility, if they were preceded by and drawn up with reference to a general Interpretation Ordinance to be enacted for the purpose. The Ordinance to provide "for the interpretation of Ordinances and for the shortening of the language used therein," *vide* Legislative Council, New Zealand, Session xi. No. 3, and "the Act for shortening Acts of the Legislative Council" recently passed by the Legislative Council of New South Wales, may serve as an illustration of my meaning. A similar Act adapted to the circumstances of the Province, might, I think use

fully form the first on your Provincial Statute Book.

What shall be the constitution of the Executive Government of the Province, is a question which will require your early attention and careful consideration.

While the Constitution Act was in progress much difference of opinion was expressed in Parliament as to whether New Zealand would be best governed solely by a General and Central Authority, or by a Local Government to be established in the several Provinces. Believing that this question would be best solved by those having local knowledge and experience, Her Majesty's Government made no provision in the Constitution, for giving Executive authority to the Superintendents of the Provinces, leaving it to the Colonial Legislatures to make such provision on the subject as may be deemed expedient.

Amongst the Colonists I believe there is but one opinion, that under existing circumstances and in its present condition, New Zealand cannot be governed efficiently by a General Central Authority, and that the head of the Province should be clothed with such Executive powers as may be necessary for carrying on the functions of Provincial Government. Under the Provisions of the Constabulary Force, Slaughter House, Impounding, Harbour Regulations, Arms, Footpath, and other Ordinances of local operation, the Governor of the Colony, either alone or with the advice of the Executive Council, is authorized to exercise various useful powers of local interests. It will be competent for the Provincial Legislature to confer these powers upon the Superintendent. Whether these powers or any of them should be vested in that Officer, and whether the powers which it may be deemed desirable to confer upon him, should be exercised by himself singly, or with the advice of certain Officers of the Provincial Government, acting as an Executive Council, and if so, what shall be the constitution of such Council, are questions which will no doubt receive your careful consideration.

Under any circumstances it will be necessary that there should be a Provincial Secretary—Law Officer—Treasurer—Clerk of Works—and Auditor, for conducting the public business of the Province, and I have no doubt you will provide for these officers, such salaries as will enable me to secure the zealous services of trustworthy, able, and experienced men. I have no recommendation to make as to the precise amount of the salary to be attached to these several offices; but, I think you will agree with me that it is a sound principle, consistent with a wise economy, and applicable to every branch of the public service,—that public officers should be fully employed and well paid; and that the Public will be best served and the duties of a public office will be most efficiently discharged when the office itself is made worth holding.

Amongst the subjects to which your attention will no doubt early be directed, will, probably, be the unsatisfactory condition of the City of Auckland as regards the safety, health, and convenience of its inhabitants—the prevention of fires within the city—the abatement of nuisances and the improvement of its sanitary condition, will doubtless form the subject of one of your earliest enactments.

The want of power on the part of the local authorities to punish desertion and other misconduct on the part of seamen belonging to foreign ships, has, I believe, had the effect of discouraging the resort of foreign shipping to our ports; the evil in question may, partially at least, be remedied by an Act of the Provincial Legis-

lature, and I have no doubt the subject will receive your careful attention.

By the Harbor Regulation Ordinance and the Ordinance subsequently passed for its amendment, power was given to the Governor in Council to make regulations of a temporary nature, for the safety of shipping, and for the prevention of obstructions to the navigation of our harbours and navigable rivers. The Regulations which were some time ago made by the Governor in Council for the harbour of Auckland, are, I believe, no longer in force; whether they should be re-enacted or whether other regulations should be framed to supply their place, is also a question which I would suggest for your consideration.

The Estimate of the Funds which will be at the disposal of the Council for the support of the Government of the Province, will shortly be laid before you.

You will be glad to learn that after providing for the payment of salaries, and the ordinary expenses of the various establishments, maintainable out of the Provincial Revenue, that a sum of £14,000 or £15,000, will be available for Roads and Public Works during the current year.

With regard to the salaries of public officers, two courses were open for me to pursue: either to estimate for them on such a scale as might appear to myself to be calculated to command the zealous services of able and efficient men: or, to place the salaries before you on the same scale at which they have heretofore been paid. I propose to adopt the latter course. Looking at the present state of prices, and the cost of the most of the necessaries of life, none of these salaries can, I think, be deemed excessive; and I have the satisfaction to believe that, in proposing any alteration in the appropriation of this branch of the public expenditure, which the interests of the public may seem to require, you will not be unmindful of the just claims and reasonable expectations of private individuals.

The people of Auckland of all classes, but more especially the sick and needy, have recently had occasion to lament a public loss in the death of that indefatigable parish priest, and poor man's friend, the late Colonial Chaplain. Provisions of a temporary nature were made for supplying the vacancy in the office until the 30th September last: you may not, perhaps, be prepared to make provision for the permanent maintenance of that office; but, I think that, in the midst of a season of great material prosperity, you would not willingly signalize the commencement of popular Government in New Zealand by refusing public aid for moral and religious purposes.

I am aware of the difficulties which are supposed to stand in the way of providing, by means of public grants, for the regular religious visitation of our hospital and gaol; but, approaching the consideration of the subject, with the desire to minister to the spiritual necessities of their unfortunate inmates, I feel assured that you will be able to devise a means, and that you will willingly vote the funds necessary for promoting so desirable an object.

As you are probably aware, the Bill for granting a Constitution to New Zealand, as originally introduced into Parliament, provided that the head of the Executive of the Province should be a paid officer, appointed by the Crown. But it was ultimately decided that he should be chosen by the inhabitants of the Province, and that the question whether his office should be a paid or an honorary office should be left to the decision of the Provincial Legislature.

To be chosen by the inhabitants of this Province to fill its highest place of public trust, is, indeed, the most honourable distinction which it is within the power of the Colonists of New Zealand to confer. But in the early stages of a newly founded colony, there are few persons having sufficient leisure and independent means, or who can afford to withdraw themselves so far from their ordinary pursuits as to command the time necessary for discharging gratuitously the duties of so important an office. To decide that the Superintendent should be unpaid, would be to confine the choice of the electors within narrow and inconvenient limits, and would, in effect, be to impose a high property qualification on a candidate for the office.

After giving to the subject full consideration, and fortunately, in my own case, unbiassed by any considerations personal to myself, I have arrived at the conclusion that, having regard to the interests of the Province, it is my duty to recommend you to make provision for the payment of a salary to the Superintendent, and to provide that the amount be fixed by an Act of Council, and that it be not liable to an annual vote.

In a newly-constituted popular assembly, unpractised in the preparation of Legislative enactments, and new to the practical business of Legislation, the duties of Speaker will, no doubt, be laborious and responsible. Looking to the importance of the office, and to the experience and ability which ought to distinguish the holder of it, I think it can hardly be expected that its onerous and responsible duties should be gratuitously performed. I would therefore suggest for your consideration the propriety of providing for that officer a suitable salary.

With reference to the appropriation of that portion of the Provincial Revenue available for Public Works, you will probably consider the completion of portions of the main lines of roads already commenced, the opening of a line of communication with the Waikato River, the buoysing, &c., of the Manukau Harbour, as suggested by Captain Drury, the improvement of the harbour accommodation of the Port of Auckland, and the erection of a suitable Council Chamber and Public Offices, to be amongst the subjects most pressing calling for attention.

It would be competent for me, under the provision of the Constitution relating to the appropriation of public moneys, at once to recommend to you to vote a certain amount for the above-mentioned or any other specific public purposes. I should prefer, however, to avail myself of your greater knowledge and experience; and I shall be prepared to give the most favourable consideration to any resolutions the Council may adopt; specifying the Public Works they would deem it most desirable to undertake, and the several sums to be appropriated to their completion.

Seeing the importance of having this portion of the public funds expended under zealous and skilful superintendence, the selection of the officer who is to discharge these duties will necessarily involve the most careful consideration upon my own part, and upon that of the officers of the Provincial Government, whose duty it will be to tender me advice upon such subjects, as the sum of 14,000*l.* or 15,000*l.*, judiciously appropriated, and expended under able and vigilant supervision, can scarcely fail to effect a marked improvement in the Province.

In conclusion, gentlemen, I would remind you that the novel experiment in popular government about to be tried in the several Provinces of New Zealand will be regarded with watchful interest. Of the result of the experiment, so far as

the Province of Auckland is concerned, I have no misgiving. The constituency have already performed their part; their elections have been conducted in a peaceable, orderly, and creditable manner; and we have it in our own power, by working heartily together for the public good, to vindicate the wisdom of their choice.

As regards the Executive, I trust that in the appointments I may make for carrying on the Government, there will be recognised a sincere desire on my part that the public business should be conducted zealously and efficiently, by persons fully enjoying the public confidence; and as to the proceedings of Council, I feel assured that so far as may be consistent with perfect freedom of discussion and liberty of speech, your deliberations will be conducted in a spirit of fairness and moderation, and that your powers, freely granted and liberally conferred, may be temperately, considerately, and generously used.

R. H. WYNYARD,
Superintendent.

Auckland, 18th October, 1853.

His Honor the Superintendent having withdrawn, the Council, in pursuance of the 20th clause of the New Zealand Constitution Act, proceeded to the election of a Speaker, and unanimously elected Thomas Houghton Bartley, Esquire, who, having been conducted to the chair, the Council deputed W. F. Porter and James Busby, Esquires, to present the Speaker to His Honor the Superintendent, who was pleased to approve of the choice, and to confirm the election of Speaker in the following terms:—

“The Provincial Council having presented Thomas Houghton Bartley, Esquire, Barrister-at-Law, as the gentleman duly elected to serve as Speaker, I have much pleasure in signifying my approval of the same.

(Signed) R. H. WYNYARD,
“Superintendent

“Auckland, 18th Oct., 1853.”

The Speaker having resumed the chair, William Connell, Esquire, moved that the following Members be appointed a Select Committee, to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of the Council—Mr. Busby, Mr. Porter, Mr. Gillfillan, Mr. J. O'Neill, Mr. Williamson, Mr. Boylan, Mr. Connell.

Mr. Connell moved that the Council do now adjourn until two o'clock on Wednesday, the 19th instant.

Council adjourned at a quarter to four o'clock.

WEDNESDAY, 19TH OCTOBER, 1853.

Council met pursuant to adjournment.

The Speaker took the chair.

Applications were read from David Landon and Matthew McCormack soliciting the situation of Office-keeper and Messenger.

Mr. Connell, as Chairman of the Committee on the Standing Rules and Orders, brought up the Report, and moved that the same be read and adopted, and that the Standing Rules therein recommended become the Standing Rules and Orders of this Council, and that the same be printed for the information of the Members. Agreed to.

Mr. Gilfillan moved that the following Members be appointed a Select Committee to prepare a Reply to the Address of His Honor the Superintendent, and to present the same at to-morrow's sitting—Mr. Clarke, Mr. Newman, Mr. Boylan, Mr. Macky, Mr. Williamson, Mr. Dignan, and Mr. Gilfillan. Agreed to.

Mr. Busby gave notice that, at the next meeting of Council, he would move that a Select Committee, composed of the following Members, be appointed to prepare a Petition to the Queen and both Houses of Parliament praying that the Northern Province of New Zealand may be constituted a separate Colony, with a Governor or Lieutenant-Governor, responsible only to Her Majesty and the Parliament of England, through Her Majesty's constitutional adviser, the Secretary of State for the Colonies, viz., Mr. Boylan, Mr. Macky, Mr. Bain, Mr. Hill, and Mr. Busby.

Mr. Gilfillan gave notice that, on Thursday, the 20th instant, he would move for leave to bring in a Bill for the Interpretation of the Acts of this Council, with a view to the shortening the language to be used therein.

Mr. Boylan gave notice that on Thursday, the 20th instant, he would move that the following Members be appointed a Committee to report upon the Sewerage and Drainage of the City, viz., Mr. Williamson, Mr. Derrom, Mr. Mitchell, Mr. Dignan, Mr. O'Neill, Mr. Clarke.

Mr. Brennan gave notice that on Thursday the 20th instant, he would move that the following Members be appointed a Committee to report upon the state of the Roads and relative works necessary to the interests of the interior, at the next meeting of Council, viz., Mr. Taylor, Mr. Lewis, Mr. Dilworth, Mr. Hill, Mr. Dignan, Mr. Powditch, and Mr. Brennan.

Mr. J. O'Neill gave notice that at the next meeting of the Council he would move that a Committee, consisting of the following members be appointed, a Committee, to prepare a Petition to the Commons House of Parliament, praying that the Revenue of this Province may be released from the payment of any portion of the New Zealand Company's Debt, viz. Mr. Porter, Mr. Busby, Mr. Connell, Mr. Mitchell, and Mr. J. O'Neill.

Mr. Porter gave notice that at the next meeting of Council he would move that the following members be appointed a Committee to enquire and report upon the means of procuring better accommodation for the discharging of vessels, and of giving protection to the small craft in the Port of Auckland, viz. Mr. Boylan, Mr. Connell, Mr. Macky, Mr. Derrom, Mr. Powditch, Mr. Mitchell, Mr. Porter.

Mr. Clarke gave notice that he would propose at the next meeting of Council that the meeting of Council be uniformly commenced by prayer.

Mr. O'Brien gave notice that he would

move at the next sitting of the Council that a Clerk to the Council be appointed.

On a motion of Mr. Newman it was resolved that Mr. O'Brien's notice should take precedence of the other notices at the next sitting of Council.

Council adjourned at half-past three o'clock, until three o'clock on Thursday the 20th instant.

THURSDAY, 20TH OCTOBER, 1853.

The Council met pursuant to adjournment.

In the absence of a clerk, the Speaker read the minutes of the last Council, which were confirmed. The Speaker informed the Council that the standing Rules and Orders as adopted had been submitted to the Superintendent, from whom he had received the following communication on the subjects:—

Superintendent's Office, Auckland.

20th October, 1853.

SIR,—I have the honour to request that you will call the attention of the Council to the 26th and 27th clauses of the New Constitution Act,—the former clause requiring that the "Rules and Orders" shall provide the *manner*, in which drafts of Laws or Ordinances, transmitted by the Superintendent, shall be taken into consideration:—and the latter clause, making a similar provision, as to the amendments made by the Superintendent in Bills presented to him by the Council.

It appears to me, and I would suggest to the Council, that it would be desirable that additions to the "Rules and Orders," to meet these requirements of the Act, should be made, before I signify my approval.

I have the honour to be,

Sir,

Your most obedient servant,

R. H. WYNYARD,

Superintendent.

To the Speaker of the Provincial Council.

Mr. Connell moved that the Standing Committee, as recommended by the report of the Committee on Standing Orders and Rules be appointed to consist of the members of that Committee, and that it be an instruction to them, to report in the first instance on such Rules and Regulations as are required by the 26th and 27th clauses of the Act of Parliament, and that in the meantime his Honor the Superintendent be requested to confirm the Rules already proposed, and Council might then proceed to business. Agreed to.

A copy of the foregoing resolution having been forwarded to his Honor the Superintendent, the Rules were confirmed upon the understanding that the 26th and 27th clauses of the Act be carried into effect.

Mr. Gilfillan brought up the report from the Committee appointed to prepare a reply to the address of His Honor the Superintendent on the opening of Council. Report read and adopted and ordered to be presented to His Honor.

REPLY TO ADDRESS.

To His Honour ROBERT HENRY WYNYARD, Esq., C.B., Superintendent of the Province of Auckland.

MAY IT PLEASE YOUR HONOUR—

We, the Members of the Provincial Council of Auckland, in Council assembled, beg leave

to thank your Honour for the address delivered by your Honour at the opening of the first Session of our Council.

We have caused the address to be printed, and entered on our minutes, and are much gratified with the manner in which the present state and prospects of the Province have therein been laid before us.

Rejoicing with your Honour that our duties should commence under circumstances so favourable, we beg to assure your Honour that we shall be prepared to give due consideration to the suggestions embodied in the address, and that we shall, at all times, be ready to co-operate with your Honour in the carrying out of such measures as shall tend to promote the lasting prosperity and welfare of the Province of Auckland.

Mr. O'Brien brought forward the motion of which he had given notice, adding that G. M. Manners Mitford, Esquire, be appointed Clerk of Council. A letter from Mr. Coates, offering himself as a candidate, was read. Debate ensued. Mr. Connell moved that Mr. Coates be requested, with the concurrence of the General Government, to act temporarily as Clerk.

Mr. Busby, according to notice, moved the appointment of a Committee to prepare a Petition, praying that the Northern Province might be constituted a separate Province. Agreed to.

Mr. Boylan, according to notice, moved the appointment of the Committee to report upon the Sewerage and Drainage of the City. Agreed to.

Mr. Brennan, according to notice, moved the appointment of the Committee to report on the state of the Roads in the interior, but subsequently withdrew his motion.

Mr. J. O'Neill, according to notice, moved the appointment of the Committee, praying that the Revenue of the Province might be relieved from the payment of any portion of the New Zealand Company's Debt. Agreed to.

Mr. Porter and Mr. Clarke respectively postponed the consideration of their motions until Tuesday, the 25th instant.

Mr. Gilfillan, according to notice, brought in the Bill to interpret the acts of the Council. Bill read a first time, and ordered to be printed.

Mr. Porter gave notice that, on Tuesday, the 25th instant, he would move for a Committee to enquire into the state of the Slaughter House at Newmarket, and report upon the same, and that the following members be such Committee, Mr. Connell, Mr. Bain, Mr. Gilfillan, Mr. Newman, and Mr. Porter.

Mr. Bain gave notice that, on Tuesday next, he would move for leave to bring in a Bill for the protection of Foreign Shipping, and the punishment of Foreign Seamen for desertion and other misconduct.

Mr. Allan O'Neill gave notice that, at the next meeting of Council, he would move that the following members be a Committee to consider and report on the best means of opening up the Northern District by two Roads, one leading to the Kaipara, and the other in the direction of the Bay of Islands,

viz., Mr. Busby, Mr. Clarke, Mr. Dignan, Mr. Donovan, Mr. Powditch, Mr. Hill, and Mr. A. O'Neill.

Mr. Williamson gave notice that, on Tuesday next, he would move that, with a view of completing the Road between Auckland and the beach at Onehunga, a Committee be appointed, composed of the following members, to enquire and report to the Council on the state of the Road so far as it has been formed, on the most suitable line to be constructed in continuation from Epsom to the Onehunga terminus, and on the probable expense of the work, viz. Mr. Taylor, Mr. Dilworth, Mr. Boylan, Mr. A. O'Neill, Mr. Bain, and Mr. Williamson.

Mr. Connell gave notice that, on Tuesday next, he would move that a Committee of five be appointed, consisting of the following members, to enquire and report whether suitable material for Road-making is to be found in the vicinity of Auckland in a state fit for immediate use, and, if so, to suggest means of rendering the same available, viz., Mr. Gilfillan, Mr. Bain, Mr. Dignan, Mr. Porter, and Mr. Connell.

Mr. Gilfillan gave notice that, on Tuesday next, he would move the second reading of the Interpretation Bill.

Council adjourned at three o'clock until three o'clock on Tuesday, the 25th instant.

TUESDAY, 25TH OCTOBER 1853.

The Council met pursuant to adjournment.

ABSENT:—Mr. Macky.

The Speaker took the Chair.

The minutes of last meeting read and confirmed.

The Speaker laid on the table the reply of His Honor the Superintendent to the address of Council.

Reply read and ordered to be printed.

Superintendent's Office, Auckland,
20th October, 1853.

GENTLEMEN,—I have received with much pleasure the answer from the Provincial Council to my address of the 18th instant: and again beg to assure the Members of Council, through you, of my desire to co-operate with them in forwarding the interests and prosperity of the Province of Auckland, by every means in my power.

I have the honour to be,

&c., &c., &c.,

R. H. WYNYARD,

Superintendent.

To the Speaker and gentlemen forming the Deputation from the Provincial Council.

The Speaker laid on the table, a communication from the Superintendent, informing the Council that His Excellency the Governor had consented to Mr. Coates acting temporarily as Clerk of Council.

Mr. J. O'Neill presented a Petition from certain residents in the neighbourhood of Newmarket, praying that the Slaughter

House might be removed to some other locality.

Mr. Gilfillan gave notice that, on Tuesday next, the 1st November, he would move for leave to bring in a Bill for abating the nuisance caused by dogs in the streets of certain Towns and High-ways in the Province of Auckland.

Mr. Gilfillan gave notice that, on Thursday day, the 27th October, he would move that an address be presented to His Honor the Superintendent, respectfully suggesting that he will bring under the notice of His Excellency the Governor the recent detention at New Plymouth of the Auckland Mail, by the *Joseph Fleicher*, from London, in the hope that His Excellency will direct an enquiry to be instituted into the reason thereof; and, if it should appear needful, to issue such instructions as shall prevent the recurrence of the inconvenience to which the community of this Province were subjected by the delay in the receipt of the mail referred to.

Mr. Williamson gave notice that, on Tuesday next, the 1st November, he would move that with a view to the amendment of so much of the New Zealand Constitution Act, 15 and 16 Victoria, as relates to the powers of the General Assembly, which affect the jurisdiction of the Provincial Councils, and to the New Zealand Company's debt, this Council do prepare an address to the Governor and the General Assembly of New Zealand, requesting His Excellency and the Honourable House of Representatives, and Legislative Council, to petition Her Majesty and the Imperial Parliament to amend the Constitution Act, so far as it respects those matters; and that a copy of such address be forwarded by this Council, through the Governor to H.M. Principal Secretary of State for the Colonies.

Mr. J. O'Neill gave notice that, at the next meeting of Council, he would move that the Committee appointed to inquire into the subject of drainage, be also empowered to report on the state of the streets and thoroughfares of this city.

Mr. Dilworth gave notice that on Thursday the 27th inst., he would move for a Committee to enquire into and report to this Council upon the best means to prevent the importation of diseased sheep and the spread of existing disease amongst sheep.

Mr. Connell gave notice that, on Tuesday, the 25th instant, he would move that a select committee be appointed to enquire and report to the Council—

1st. What officers are required for carrying on the Provincial Government? 2nd. Having regard to the extent and nature of the duties, what would be appropriate salaries to attach to the respective officers required? 3. What are the duties at present performed by the officers whose salaries have hitherto been paid by the General Government, but are in future to be chargeable to the Provincial Government. 4th. What amount of salaries have been hitherto paid to these officers? 5th.

Whether any alteration in respect of any such officer as to duty, salary, or otherwise, is advisable. The Committee to report any facts and opinions relating to the general subject they may deem advisable, though not called for by the foregoing enquiries, and that the Committee consist of the following members:—Mr. Clarke, Mr. Gilfillan, Mr. Newman, Mr. Boylan, Mr. Dilworth, Mr. Mitchell, and Mr. Connell.

Mr. Powditch gave notice that, at the next meeting of Council, he would move to consider that portion of His Honor's address relative to the recommendation of Works most necessary to be commenced.

Mr. Busby brought up the Report of the Committee on the Petition to the Queen and Parliament, praying for Provincial separation, which was ordered to be printed.

REPORT.

THE Select Committee appointed "to prepare a Petition to the Queen and both Houses of Parliament, praying that the Province of Auckland may be constituted a Separate Colony with a Governor or Lieutenant-Governor, to be appointed by Her Majesty the Queen, and to be responsible only to Her Majesty through Her Majesty's constitutional advisers in England," have prepared the annexed Petition, and have agreed to submit it to the Council, and to recommend it to its unanimous adoption.

JAMES BUSBY,
Chairman.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please your Majesty.

We, Your Majesty's faithful and dutiful subjects, the Members of the Provincial Council of Auckland, elected under and by authority of Act passed in the fifteenth and sixteenth years of Your Majesty's Reign, desire to approach Your Majesty with the expression of our unfeigned attachments to Your Majesty's person and Government.

2. Your Majesty's Petitioners would humbly represent that the NEW ZEALAND CONSTITUTION ACT which provides for the establishment of a Provincial Council for each of the six colonies which have been planted in the New Zealand Islands by Your Majesty's subjects, and for a general or central Government and Legislature for the whole, cannot be brought into operation without working great injustice to the Inhabitants of the Province of Auckland, should the Central Legislature be assembled in one of the Southern Provinces, or to the Inhabitants of the Southern Provinces should it be assembled at Auckland.

3. That Auckland was fixed upon as the Seat of Government, and the Capital of the New Zealand Islands by the first Governor appointed by Your Majesty, and that in consideration thereof, the Inhabi-

tants purchased from the Government the land upon which the City is built, and in its neighbourhood, at prices unprecedentedly high under similar circumstances, and expended their capital in buildings and improvements on the faith of its continuing to be the capital city of New Zealand, and that the Seat of the Central Government and Legislature could not therefore be established elsewhere without a violation of the public faith towards them.

4. That in no part of the world could the centralization of the Powers of Government be attended with greater difficulty or with less advantage than in the Islands of New Zealand. The proofs of which proposition will be found at length in a Despatch from Sir George Grey to Your Majesty's Secretary of State for the Colonies, dated August 30th, 1851, and more particularly in paragraphs from 25 to 29 inclusive.

5. That Your Majesty's Petitioners believe that it would not only be disadvantageous and difficult, but absolutely impracticable to administer the affairs of the New Zealand Colonies under the provisions of the Constitution Act, and they consider that the Governor-in-Chief has virtually admitted this impracticability by submitting upon his own authority to the Provincial Councils the appropriation of the Revenues which under the existing laws can be legally appropriated only by the General Assembly.

5. That Your Majesty's Petitioners deprecate any injustice towards the Southern Provinces by interfering with their affairs of which Your Majesty's Petitioners know nothing. That there is no community of interest nor of feeling, that there is neither commercial nor social intercourse between the inhabitants of the Northern Province and those of the South. That since the foundation of the Colonies, it has occurred only in the instance of one vessel that a cargo has been loaded at Auckland to be discharged at Wellington, and that in no instance has a cargo been loaded at Wellington to be discharged at Auckland. That there is in short as little connexion between the Province of Auckland and that of Wellington, as between that of Auckland and Your Majesty's Colonies of Canada and Nova Scotia.

6. Your Majesty's Petitioners further humbly represent that under the late Constitution much inconvenience and loss resulted to the inhabitants of this Province by the Acts of the Lieutenant-Governor residing at Auckland, having been subject to the revision of the Governor-in-Chief when residing at Wellington, and that the present Constitution gives to the Superintendent and the Provincial Council no independent jurisdiction whatever; that the most trivial as well as the most important acts of the Superintendent are subject to

revisal at the will of the Governor-in-Chief; that the acts of the Provincial Council even in matters of an exclusively local character are subject to be nullified by acts of the General Assembly; that such a distribution of the powers of Government and Legislation is not more unusual than it is calculated to impede the administration of public affairs, and to add to its expense by the multiplication of unnecessary offices, and that it affords no advantage whatever to compensate such evils.

7. That the only reason of any weight alleged by Sir George Grey in recommending a Central Government to control that of the Provinces is the necessity of maintaining the protection of the Crown over the native race, but Your Majesty's Petitioners humbly represent that not only could this protection be afforded in this Northern Province where most of the natives reside much more efficiently by the constant residence of a competent authority in the Province, but that the presence of such authority is essential to the public safety in order to the settlement on the instant of any dispute with the natives which might arise.

8. Finally, Your Majesty's Petitioners humbly represent that the only way to obviate the insurmountable obstacles which oppose themselves to the establishment of the present Constitution, and to deal fairly with the conflicting and irreconcilable interests of Your Majesty's subjects in this and in the Southern Provinces is to constitute the Northern Province of New Zealand a separate Colony, with a Governor or Lieutenant-Governor to be appointed by Your Majesty, and to be responsible only to Your Majesty through Your Majesty's Constitutional Advisers in England.

9. Your Majesty's Petitioners therefore humbly pray that the Northern Province may be so constituted a Separate Colony accordingly, assuring Your Majesty that its Revenues are amply sufficient for the support of a Government suitable to their condition, and that there is in themselves, and as they believe, generally in the inhabitants of the Colony, every disposition to provide liberally for the maintenance of the public servants, and the economical administration of the public affairs of the Colony.

And Your Majesty's Petitioners will ever humbly pray that Your Majesty may long continue to reign in the affections of an united and happy people.

Mr. Porter, according to notice, moved the appointment of a Committee respecting the discharging of Vessels, &c. Agreed to.

Mr. Clarke, according to notice, moved that the business of the Council be uniformly commenced by prayer. Mr. Williamson

seconded the motion. Mr. Porter, moved, and Mr. Derrom seconded, the following amendment:—

That, while the Council fully recognizes the Divine Superintendence in all human affairs, and the duty of asking God's blessing on its deliberations, believes that the interests of Religion are best served by this Council abstaining from any course which might appear to coerce the religious feelings of any of its members, and that the motion of Mr. Clarke be taken into consideration this day six months. Debate ensued. Mr. Clarke subsequently withdrew his motion.

Mr. Porter, according to notice, moved the appointment of the Committee to enquire and report on the state of the Slaughter House. Agreed to.

Mr. Bain, according to notice, moved for leave to bring in a Bill for the protection of Foreign Shipping, and the punishment of Foreign Seamen for desertion, and other misconduct. Agreed to.

Mr. A. O'Neill, according to notice, moved for the appointment of a Committee for considering the best means of opening up the Northern District by formation of Roads. Agreed to.

Mr. Williamson, according to notice, moved the appointment of a Committee for reporting on the best means of completing the Road between Auckland and Onehunga. Seconded by Mr. Connell.

Mr. Powditch moved, and Mr. Taylor seconded, the following amendment—That the Committee named by Mr. Williamson be a Standing Committee to enquire and report on Roads and Public Works relative thereto.

Amendment put and carried.

Mr. Porter moved, as an amendment, which was seconded by Mr. Lewis, that the consideration of the motion be postponed for one week.

Amendment put and negatived.

Mr. Connell, according to notice, moved for the Committee for enquiring and reporting upon material for Road-making. Agreed to.

Mr. Gilfillan, according to notice, moved the second reading of the Interpretation Act. Bill read a second time.

Moved by Mr. Gilfillan, seconded by Mr. Connell, that the Speaker do leave the chair, and that Council do resolve itself into a Committee of the whole Council. Debate ensued.

Mr. Dignan moved, and Mr. Newman seconded, that the Standing Rules and Orders be suspended.

Mr. Gilfillan moved, and Mr. Connell seconded, that Council do adjourn. Council divided. Ayes 12. Noes 10. Amendment carried.

Council adjourned at quarter to five o'clock, until three o'clock on Wednesday, the 26th inst.

WEDNESDAY, 26TH OCTOBER.

The Council met pursuant to adjournment. ABSENT:—Messrs. Macky, Hill, and Donovan.

The Speaker took the chair.

The minutes of last meeting were read and confirmed.

The Speaker laid on the table a letter from Mr. Schultz, offering the use of the Odd Fellows' Hall for the meetings of the Provincial Council. Letter read, and referred for the Report of the Committee on Standing Rules and Orders.

Mr. Busby gave notice that, at the next meeting of Council, he would move that an Address be presented to his Honor the Superintendent, praying that there be laid on the table of this House—1st. A Return of the Number of Letters posted at and directed to the Post Offices of Russell, Hokianga, and Mongonui, during the twelve months ending on 30th September last; also, a Return of the Number of Letters posted at Auckland, and conveyed by the Southern mail, and of the letters received at Auckland by the Southern mail during the same period. 2nd. A Return of the value of all goods which have paid duty at Auckland and been conveyed to Wangarei, the Bay of Islands, Wangaroa, Monganui, Hokianga, and other settlements situated to the North of Auckland, and of the amount of duty collected thereon. 3rd. A Return of all proceedings commenced before the Judge of the Supreme Court of the Northern Province under the authority of the Crown Titles (New Ulster) Ordinance, passed the 25th of August, 1849, by or on behalf of any native claimants to land included within any grant made by the Crown, together with the decision of the Judge on such proceedings and the issue thereof. 4th. Copies of all correspondence between the Officers from time to time commanding Her Majesty's forces in this colony, and the local Government thereof, relative to the location of a detachment of troops at the Bay of Islands, also of all correspondence between the local government and proprietors of land at the Bay of Islands, relating to the acquirement of a suitable position for the said detachments.

Mr. Gilfillan gave notice that he would, at the next sitting of Council, move that the Council go into Committee of the whole Council on the Interpretation Bill.

Mr. Powditch gave notice that, at the next sitting of Council, he would move to consider that portion of his Honor's address relative to appointment of Clerk of Works, and to consider the same in relation to that appointment being independent of, or subordinate to control of a Board of Public Works.

Mr. Boylan gave notice that, at the next meeting of Council he would move that a deputation be appointed to wait upon his Honor the Superintendent, to request him that he would have a Bill prepared and laid before the Council, for the better regulation

of the City, and for the improvement of its anatory state, the deputation to consist of Mr. O'Brien, Mr. Porter, Mr. Connell, Mr. O'Neill, and Mr. Boylan.

Mr. Powditch gave notice that, at the next meeting of Council, he would move to take into consideration that portion of his Honor's address relative to the opinion on the question of a General Central Authority, and that paragraph mentioning the sum of £14 or 15,000 available for Roads and Public Works.

Mr. Williamson gave notice that he would move, at the sitting of Council, that Mr. Newman's name be added to the Onehunga Road Committee.

Mr. A. O'Neill gave notice that, at the next sitting of Council, he would move for a Committee of the whole House to take into consideration the necessity of appointing a competent person as Messenger for the Provincial Council.

Mr. Connell gave notice that, at the next sitting of Council, he would move that an address be presented to his Honor the Superintendent, requesting that he will apply to the Government for the following Books for the use of the Council,—4 copies of the Ordinance of New Zealand, 1 copy of the *Government Gazette*, from the commencement of the Colony.

Mr. J. O'Neill, according to notice, moved that the Committee appointed to enquire into the subject of Drainage, be also empowered to report on the state of the Streets and Thoroughfares of the City. Agreed to.

Mr. Connell, according to notice, moved the appointment of the Committee for enquiry into the number of officers, &c., required for the service of the Provincial Government.

Mr. Powditch, according to notice, moved that the Council consider that portion of His Honor's address relative to the recommendation of Works most urgently to be commenced.

Mr. J. O'Neill moved as an amendment, which was seconded by Mr. Lewis, that the further discussion of this motion be postponed until after the various reports on roads are brought up; but withdrew the amendment upon

Mr. Newman proposing, and Mr. Boylan seconding that a Deputation be appointed to wait upon His Honor the Superintendent, to beg His Honor to direct the Punt to be put in such repair as to make Howick accessible. Deputation to consist of Mr. Lewis, Mr. Brennan, Mr. Williamson, and the mover.

Council then adjourned at twenty minutes past four, until three o'clock on Thursday, the 27th instant.

THURSDAY, 27th OCTOBER, 1853.

The Council met pursuant to adjournment. The Speaker took the Chair.

The minutes of the last meeting were read and confirmed.

Mr. J. O'Neill gave notice that at the next meeting of the Council he would move for a

Return showing the sums of money in the hands of Government, arising from unclaimed Intestate Estates, with the names of intestate, date of death, and date when paid into the Treasury.

Mr. Dignan gave notice that on Tuesday next he would move that a Return of all applications made for the purchase of Land, under the late Land Regulations, be laid on the table, stating the name of applicant, the quantity required, and district, and the quantity granted.

Mr. Hill gave notice that, on Tuesday next, he would move that it be referred to the Standing Committee on Rules and Orders, to arrange for the better accommodation of the Members of Council during their attendance on its sittings.

Mr. Hill gave notice that, on Tuesday next, he would move that His Honor the Superintendent be requested to move His Excellency the Governor to cause Maps of all lines or intended lines of Road surveyed in the Province of Auckland, to be furnished to this Council with as little delay as possible.

Mr. Hill gave notice that, on Tuesday next, he would move that His Honor the Superintendent be requested to move His Excellency the Governor, to cause a return to be made to this Council of the amount of Parliamentary Grant for New Zealand, for each of the last seven years, stating the amount appropriated to each of the six Provinces each year, out of the said Grants.

Mr. Hill gave notice that, on Wednesday next, he would move that His Honor the Superintendent be requested to move His Excellency the Governor to cause a return to be made to this Council of the total amounts of Revenue Income, stating General Revenue and Land Revenue separately, for each and every year since the foundation of the Colony by Government, and of the total expenditure for each year, stating general expenditure and emigration expenditure.

Mr. Gilfillan gave notice that, on Tuesday next, he would move that the Interpretation Bill be engrossed and read a third time.

Mr. Connell brought up the supplementary report from the Committee on the Standing Rules and Orders, providing according to the Constitution Act, for the manner of taking into consideration Bills forwarded to the Council by His Honor the Superintendent, and also for the printing of the minutes of Council.

Rules 32 and 33 read and agreed to.

On Rule 34 respecting the printing of the minutes of Council being read, Mr. J. O'Neill moved, and Mr. Mitchell seconded, that the rule be expunged. Debate ensued. Mr. O'Neill subsequently withdrew his amendment.

Rule 34 read and agreed to.

Mr. Gilfillan, according to notice, moved that an address be presented to His Honor the Superintendent, respectfully suggesting that he will bring under the notice of His Excellency the Governor, the recent deten-

tion at New Plymouth of the Auckland Mail by the *Joseph Fletcher*, from London, in the hope that His Excellency will direct an enquiry to be instituted into the reason thereof, and, if it should appear needful, issue such instructions as shall prevent the recurrence of the inconvenience to which the community of this Province were subjected by the delay in the receipt of the mail referred to. Agreed to.

Mr. Dilworth, according to notice, moved for a Committee to enquire into and report to the Council, the best means to prevent the importation of diseased sheep, and the spread of existing disease amongst sheep.

Committee Messrs. Porter, Clarke, Donovan, Taylor, Newman, Powditch, Busby, and Dilworth.

Mr. Busby, according to notice, moved that an address be presented to His Honor the Superintendent, praying that certain papers be laid upon the Table of the Council. Debate ensued.

Mr. Williamson moved, as an amendment, that clauses 3 and 4 be struck out. Amendment put, and negatived. Original motion put, and carried.

Mr. Gilfillan, according to notice, moved the consideration in Committee of the Interpretation Act.

Seconded by Mr. Bain.

Mr. J. O'Neill moved, and Mr. Mitchell seconded, that the Speaker do take the Chair.

Mr. Williamson moved, as an amendment, and Mr. Connell seconded, that Mr. Porter do take the Chair. Agreed to.

Clauses 1 to 16 agreed to. On clause 17 being read, Mr. Gilfillan moved that, after the word "Treasurer" in the 21st line, the words "or duly appointed Receiver" be inserted. Agreed to. Remaining clauses, Title and Preamble, read, and agreed to.

The Speaker resumed the Chair, and the Chairman brought up the report of the Committee on the Bill.

Mr. Gilfillan gave notice that, on Tuesday next, he would move that the Bill be engrossed, and read a third time on that day.

Mr. Powditch, according to notice, moved that Council consider that portion of the Superintendent's address, relative to appointment of Clerk of Works. Seconded by Mr. Hill. Debate ensued.

Mr. Gilfillan moved, as an amendment, and Mr. Williamson seconded, that the subject be referred to the Committee appointed to enquire into the number, &c., of Public officers that might be required. Agreed to.

Mr. Boylan, according to notice, moved that a deputation do wait upon the Superintendent, requesting that His Honor would have a Bill prepared, and laid before Council, for the better regulation of the City, and for the improvement of its sanitary state. Agreed to.

Mr. Powditch, according to notice, moved that Council take into consideration that portion of His Honor's address relative to the opinion on the question of a general

central authority, and that paragraph mentioning the sum of £1,400 or £1,500 available for Roads and Public Works, and moved that the following resolution be agreed to:—

That this Council will proceed in the utmost integrity of purpose in appropriating the funds at their disposal to the immediate and best interests of the Province; and they do so in the hope that the General Assembly will repudiate all right to interfere with the internal government, the revenue, or the lands, of any of the Provinces. And also on a faithful reliance that Her Majesty's Government will free them from all liabilities to expense of any government beyond that of their own Province; and more especially from the unjust burthen of the New Zealand Company's Claim or debt.

Seconded by Mr. Hill. Debate ensued.

Mr. Gilfillan moved as an amendment, and Mr. Connell seconded, that Council do proceed to the orders of the day. Amendment put and negatived. The original motion with the Resolution was then put, and agreed to.

Mr. Williamson, according to notice, moved that Mr. Newman be added to the Onehunga Road Committee. Agreed to.

On the motion of Mr. A. O'Neill, D. Landon was appointed Messenger to the Council.

Mr. Connell, according to notice, moved that an address be presented to His Honor the Superintendent, requesting that the Council might be furnished with certain printed Books.

Council adjourned at twenty minutes past four o'clock.

TUESDAY, 1ST NOV., 1853.

The Council met pursuant to adjournment. The Speaker took the Chair.

The minutes of the last meeting were read and confirmed.

The Speaker read a communication from His Honor the Superintendent, transmitting Rules 32, 33, and 34, approved and confirmed.

The Speaker laid on the table the following five minutes transmitted to the Council by His Honor the Superintendent. 1. Twelve Circular Despatches received from the Civil Secretary to the General Government:

2. Transmitting Copies of Letters from Messrs. Money, Wigram, and Son, dated 1st Dec., 1852; and from Mr. W. J. Curtis, dated 23rd Feb., 1853.

3. Informing Council that Books and Gazettes required by the Council will be furnished.

4. Transmitting Estimates for the Province.

5. Transmitting application from Mr. Lisle for employment. A Petition from Mr. Wilson and others requesting repair of roads between Howick and Otahuhu, And letter respecting Resident Magistrates Courts.

Mr. J. O'Neill presented a Petition from certain inhabitants of Durham Street praying for the repair of that street. Petition read.

Mr. Newman presented a petition from certain inhabitants of Newmarket, praying that the Slaughter House might not be removed from its present locality. Petition read and referred to the Slaughter House Committee.

Mr. Hill gave notice that, at the next meeting of Council he would move that a select Committee be appointed to enquire into, and report upon the Income and Expenditure of the Pound at Newmarket, since its appointment, its present state and management, the fees receivable, the present site, with their suggestions as to any improvements it would be advisable to make. Committee—Messrs. Newman, Dilworth, Powditch, Derrom, and the mover.

Mr. J. O'Neill gave notice that, at the next meeting of Council, he would move that a request be made to the Superintendent, to procure a Return from the Colonial Treasurer, showing the amount of Notes of the Colonial Bank of Issue, in his chest at the date of each monthly return of the Manager of the Colonial Bank of Issue during the last twelve months. And that the Superintendent be requested to procure as a favour, the same information from the Commissariat Office.

Mr. J. O'Neill gave notice that, at the next meeting of Council, he would move that the Superintendent be requested to obtain, and lay before this Council, a statement shewing the appropriation of the sum of £4,700 for the Establishment of the General Government; and the sum of £7,000 for Native purposes mentioned in the Schedule of the Constitution Act.

Mr. Newman gave notice that, on Tuesday, the 8th inst., he would move that a Committee be appointed to prepare an address to His Excellency the Governor, calling his attention to the claims of the settlers and residents of Kawhia, Waipa, Rangiawhia, Waikato, &c., to have some better postal arrangements made for the conveyance of letters. Committee—Messrs. Macky, Mitchell, Gilfillan, Williamson, Boylan, and the mover.

Mr. Powditch gave notice that, at the next meeting of Council, he would move that His Honor the Superintendent be addressed on the subject of the best means of providing labour for the purpose of carrying on the public works.

Mr. Powditch further gave notice that, at the next sitting of Council, he would move that a statement of the proceedings relative to a New Government House, together with plans and specifications be laid on the table for the information of the Council; and that His Excellency be addressed through His Honor the Superintendent, and ascertain what funds are appropriated to the building of said Government House.

Mr. Boylan gave notice that, at the next meeting of Council, he would move for leave

to bring in a Bill for regulating the sale of Arsenic.

Mr. Gilfillan brought up the address to His Honor the Superintendent, respecting the detention of the *Joseph Fletcher's* mail, which was received, and agreed to.

Mr. Boylan brought up the report of the Drainage and Sewerage Committee. Report received, and read.

Mr. Williamson brought up the report of the Committee on the Onehunga Road, which was received, and read.

Mr. Boylan brought up the report of the Deputation appointed to wait on the Superintendent relative to the introduction of a Bill for the improvement of the sanitary state of the city. Report received and read.

Mr. Connell brought up the report from the Public Offices Committee, relative to the appointment of a Law Officer. Report received and read.

Mr. Newman brought up the reply of His Honor the Superintendent to the Deputation relative to the Panmure Ferry. Reply received and read.

Mr. Gilfillan, according to notice, moved for leave to bring in a Bill for abating the nuisance of dogs in the streets of certain Towns and By-ways of the Province. Leave granted.

Mr. Williamson requested permission to withdraw his motion of which he had given notice, relative to the amendment of the Constitution Act.

Mr. Bain, according to notice, moved the first reading of the Foreign Seaman's Bill. Bill read a first time. Ordered to be read a second time on Tuesday, the 8th November.

Mr. J. O'Neill, according to notice, moved for a return of monies in the hands of Government, belonging to unclaimed Intestate Estates.

Mr. Gilfillan moved, and Mr. Porter seconded, that Council do proceed with the orders of the day. Amendment put, and negatived. Original motion put, and carried.

Mr. Dignan, according to notice, moved that His Honor the Superintendent do request His Excellency the Governor to cause the following returns to be furnished for the information of the Council, viz.:—all Lands sold under the late Land Regulation; the names of all applicants for land; date of application; quantity applied for; quantity granted; in what district; and date when the Native Title was extinguished.

Mr. Hill, according to notice, moved that it be referred to the Committee on Standing Rules and Orders, to arrange for the better accommodation of the Members of Council during their attendance on its sittings.

Mr. Hill, according to notice, moved that His Honor the Superintendent be requested to move His Excellency the Governor to cause maps of all lines or intended lines of roads surveyed in the Province of Auckland, to be furnished to this Council, with as little delay as possible.

Mr. Hill, according to notice, moved that His Honor the Superintendent be requested to move His Excellency the Governor to cause a return to be made to this Council of the amount of Parliamentary grant to New Zealand for each of the last seven years, stating the amount appropriated to each of the six Provinces, each year out of the said grants.

Mr. Gilfillan requested permission to postpone his motion relative to the engrossing, and reading, the Interpretation Bill a third time as he was desirous of having it re-committed. Agreed to.

Council adjourned at twenty minutes past four o'clock.

WEDNESDAY, 2ND NOVEMBER, 1853.

The Council met pursuant to adjournment. The Speaker took the Chair.

The minutes of the last meeting were read and confirmed.

The Speaker, before proceeding with the orders of the day, suggested the necessity of further clerical assistance being afforded in the Council Office.

The Speaker presented a minute from His Honor the Superintendent, relative to certain repairs required to be made to the building attached to the Council Chamber. Minute read and referred to the Committee on Standing Rules and Orders.

Mr. Dignan presented a Petition from the inhabitants of the North Shore, praying for pecuniary assistance towards the support of a resident Schoolmaster for the District. Petition read and received.

Mr. Porter gave notice that he would, at the next sitting of Council, move that the Estimates be printed.

Mr. Busby gave notice that, at the next meeting of Council, he would move that the Speaker be requested to provide such clerical assistance as he may find necessary, to prevent the business of the Council from getting in arrear; and that the Council pledge itself to vote such funds as may be necessary to meet the expense of such assistance.

Mr. Busby gave notice that, at the next meeting of Council, he would move the adoption of the Petition to the Queen and Parliament, praying that the Northern Province of New Zealand be constituted a separate Colony; and, if adopted, that the Speaker be requested to have the petition engrossed, and transmitted to Her Majesty's Principal Secretary of State for the Colonies, to be laid before the Queen. And that the copies of the Petition, *mutatis mutandis*, be also engrossed, and forwarded by the Speaker to such Members of the Houses of Lords and Commons, as the Council shall decide upon.

Mr. J. O'Neill gave notice that, at the next meeting of Council, he will move that His Honor the Superintendent be requested to obtain from the Collector of Customs a return, showing the quantity imported, and the amount of duty levied upon

each item of the present Tariff in the course of the last twelve months.

Mr. J. O'Neill gave notice that he will move, at the next meeting of Council, that the Superintendent be requested to obtain the opinion of the Attorney-General, as to whether the New Zealand Company, in point of law, can claim for proceeds of lands sold—not having been waste Lands of the Crown at the date of the Act of Parliament charging the Company's debt upon the waste Lands of the Crown.

Mr. J. O'Neill gave notice that, at the next meeting of the Council, he would move that the Superintendent be requested to obtain from His Excellency information as to what sums, if any, have been paid to the New Zealand Company, and the date of payment; and for any correspondence with Her Majesty's Government bearing upon the debt in question, and its being made chargeable upon the Lands in this Province.

Mr. A. O'Neill gave notice that, at the next meeting of Council, he would move that His Honor the Superintendent be requested to procure for the Council (that a correct estimate of the probable expense of each road may be ascertained), the field books, plans, vertical sections; the gradients, as laid down by the late Clerk of Works himself, shewing the requisite inclinations of cuttings and embankments; the calculations, (if any) of the quantity of cubic yards, that have been, or are to be removed on each line; the nature of the strata ascertained, to determine at what inclination the slopes will stand; and the borings made to try the depths in morasses.

Mr. Williamson gave notice that, at the next meeting of Council, he would move that His Honor the Superintendent be requested to procure from the Surveyor-General, for the information of this Council, a set of plans and sections of all the streets in the town of Auckland, as furnished by Mr. S. Elliott some time ago to the Survey Department, with a plan accompanying it explanatory of the sections.

Mr. F. C. Lewis gave notice that, at the next meeting of Council, he would move for a return, shewing the number of acres of Land belonging to the Government, in the Hundreds of Auckland, Onehunga, Panmure, and Howick, respectively.

Mr. Dilworth gave notice that, at the next meeting of Council, he would move for a return of all roads and public works completed; and commenced but not completed, for a period of four years, ending the 31st October last past; the sums spent on each work respectively, and under whose Superintendence; also, what roads, and what extent in miles, the roads are metalled in the Province of Auckland.

Mr. Porter brought up the report of the Dock and Harbour accommodation Committee. Report received and read, and ordered to be printed.

REPORT OF DOCK AND HARBOUR ACCOMMODATION COMMITTEE.

Your Committee beg to report that they have examined competent persons, and from all the evidence produced, your Committee are of opinion that protection for small craft, and better accommodation for discharging vessels in the Port of Auckland is required, and can be procured by a Tidal Dock, and inner Harbour.

Your Committee would therefore respectfully recommend that an address be presented to His Honor the Superintendent requesting him to move His Excellency the Governor to grant as an endowment for Dock and other Harbour Accommodation purposes, that portion of the City water frontage from the Western point of Freeman's Bay, to the Eastern point of St. George's Bay, and extending from a certain inner line hereafter to be determined on, out to a sufficient depth to accomplish the object your Committee have in view.

Your Committee are of opinion that the endowment should be vested in Trustees, such Trustees being persons elected from those interested in such matters, together with Commissioners appointed by the Council. The power given to them should be to fix and levy all necessary rates from time to time, and also, to borrow money by and with the consent of the Council specially applied to for that purpose whenever required.

W. F. PORTER,
Chairman.

Committee-room,
2nd November, 1853.

Mr. Williamson brought up an amended report from the Onehunga Road Committee, which was read. Mr. Williamson moved, and Mr. Dilworth seconded, that the report be adopted. Debate ensued. Mr. Busby moved, and Mr. Lewis seconded, as an amendment that the report be printed. Amendment put, and carried.

Mr. Dilworth brought up the report of the Committee on diseased sheep. Report received, and read.

Mr. Connell brought up the report of the Provincial Officers Committee, recommending the immediate appointment of a Provincial Law Officer. Report read, and moved that it be adopted.

Mr. A. O'Brien, moved as an amendment, and Mr. A. O'Neill seconded, that the Council take into their consideration, on Thursday next, the appointment of a Law Officer for the Council.

Mr. Busby moved, as a further amendment, and Mr. A. O'Neill seconded, that His Honor the Superintendent be requested to refer such bills as may require the supervision of a Law Officer to the Attorney-General of the Colony, in order to their being put into a suitable form and arrangement. Mr. Busby's motion put, and negatived.

Mr. O'Brien's amendment put, and negatived.

The original motion put, that the report be adopted. Agreed to.

Mr. Porter moved that the minutes of the Superintendent, relative to the Estimates, be read. After a portion of the Superintendent's minute had been read, Mr. Porter withdrew his motion, and upon motion, the Superintendent's minute and estimates referred to the Provincial Officers Committee.

Mr. Hill, according to notice, moved the adoption of his motion relative to emigration, and requested permission to add the words "Exclusive of the Pensioners." Motion, as amended, put and agreed to.

Mr. Hill, according to notice, moved the appointment of the Committee relative to the Pound, at Newmarket. Agreed to.

Mr. J. O'Neill, according to notice, moved for a Return of the amount of the Notes of the Colonial Bank of Issue, that have passed through the Treasury and Commissariat. Agreed to.

Mr. J. O'Neill, according to notice, moved for a statement, shewing the appropriation of the £4,700 for the General Government, and the sum of £7,000 for Native purposes. Agreed to.

Mr. Powditch moved that the Superintendent be addressed on the subject of the best means of procuring labour for public works. Agreed to.

Mr. Powditch moved that a statement of the proceedings relative to the erection of a Government House, be laid on the Table. Agreed to.

Mr. Boylan, according to notice, moved for leave to bring in a Bill to regulate the sale of Arsenic. Agreed to.

Council adjourned at ten minutes past five o'clock

THURSDAY, 3RD NOVEMBER, 1853.

The Council met pursuant to adjournment. The Speaker took the Chair.

The minutes of the last meeting were read and confirmed.

Mr. Gilfillan gave notice that, on Tuesday next, he would move that the Interpretation Bill be re-committed.

Mr. Gilfillan gave notice that, on Wednesday next, he would move that the Interpretation Bill be engrossed, and read a third time.

Mr. Powditch gave notice that he would, on Tuesday next, lay on the table an address to His Honor the Superintendent, on the subject of the best means of providing labour for the Public Works. Also,—An address to His Excellency the Governor through the Superintendent, on the subject of the new Government House.

Mr. Porter, according to notice, moved that the Estimates be printed.

Mr. Williamson moved, and Mr. Bain seconded, as an amendment, that the Estimates be read. Amendment agreed to.

His Honor the Superintendent's minute accompanying the Estimates was then read.

Mr. Busby, according to notice, moved that the Speaker be requested to provide such Clerical Assistance as he found necessary, to prevent the business of the Council from getting into arrear. Agreed to.

Mr. Busby, according to notice, moved that the Petition to the Queen and Houses of Parliament for Provincial Separation be adopted.

Mr. Porter moved as an amendment, and Mr. Powditch seconded, that the consideration of the question be postponed until after the first session of the General Assembly.

Mr. Williamson moved as a further amendment, and Mr. Gilfillan seconded, that the consideration of the Petition be postponed till this day six months, and that the Council resolve on an early day to address His Excellency the Governor, and both Houses of the General Assembly, praying that an Act may be passed by that Assembly to amend the 19th, 53rd, 62nd, 66th, and 72nd clauses of the New Zealand Constitution Act—the nature of the amendments to be specified in the address. Mr. Porter, with the sanction of the Council, withdrew his amendment.

Mr. Williamson's amendment was then put. Debate ensued.

Council divided. Ayes 7. Noes 11.

Names and numbers ordered to be printed.

Ayes.	Noes.
Mr. Connell,	Mr. J. O'Neill,
" Gilfillan,	" Bain,
" Lewis,	" A. O'Neill,
" Dilworth,	" Dignan,
" Williamson,	" Derrom,
" Donovan,	" Hill,
" Porter—teller 7.	" Brennan,
	" Boylan,
	" Mitchell,
	" Macky,
	" Busby—teller 11.

Declined to vote, Messrs. Clarke, O'Brien, Powditch.

Absent, Messrs. Newman, and Taylor.

Original motion put, and agreed to.

Mr. J. O'Neill, according to notice, moved for certain Customs Returns. Motion negatived.

Mr. J. O'Neill, according to notice, moved that the Superintendent be requested to obtain the Attorney-General's opinion relative to the New Zealand Company's Debt. Agreed to.

Mr. J. O'Neill, according to notice, moved for information relative to the monies that have been paid to the New Zealand Company out of the Land Fund. Agreed to.

Mr. A. O'Neill moved, according to notice, for certain returns, to enable the Council to form an estimate of the probable expense of each road. Agreed to.

Mr. Lewis, according to notice, moved for a return shewing the number of acres of Land belonging to Government, in the Hundreds of Auckland, Onehunga, Panmure, and Howick. Agreed to.

Mr. Williamson, according to notice, moved that the Superintendent be requested

to procure for the use of the Council, the Plans and Sections of all the Streets in the Town of Auckland, as furnished by Mr. S. Elliott. Agreed to.

Mr. Dilworth, according to notice, moved for a return of all Roads and Public Works completed; also those commenced, and not completed, during the last 4 years. Agreed to.

Mr. Hill moved that the Standing Rules be suspended, to enable him to bring in a motion relative to the immediate repairs of the Onehunga Road. Debate ensued.

Motion put, and negatived.

Council adjourned at twenty minutes to six o'clock.

TUESDAY, 8TH NOV., 1853.

The Council met pursuant to adjournment.

The Speaker took the chair.

The minutes of the last meeting were read and confirmed.

The Speaker laid before the Council two communications from His Honor the Superintendent, 1. In relation to the returns respecting the Bay of Islands, moved for by Mr. Busby, which the Superintendent stated had been applied for, and would be forwarded to the Council as soon as they were obtained. 2. In relation to the copies of the Ordinances and Gazette, which had been forwarded in conformity with the request of Council.

Mr. Williamson presented a petition from 130 inhabitants of Onehunga, and others, praying that the line of road might be altered.

Petition read, and referred to the Onehunga Road Committee.

Mr. Busby gave notice that at the next meeting of Council, he would move that a Select Committee be appointed to prepare a petition to Her Majesty the Queen and both Houses of Parliament, praying that the Executive Government of New Zealand be directed to expunge from the Colonial Statute-book all such Ordinances or pretended Ordinances of the Local Legislature, as being repugnant to the laws of England, have no legal force or validity; or which contain provisions inconsistent with the faith of a treaty made in Her Majesty's name with the Aborigines of this Territory, and ratified by Her Majesty. Also, to vindicate the national faith, by causing full compensation to be made to all persons, who, under the authority of Governor FitzRoy, became purchasers of land from Aboriginal proprietors, but whose lands Governor Sir George Grey, taking advantage of the defect of law, caused to be sold in order that the proceeds thereof might be applied to public purposes, in violation of the express injunctions of Her Majesty, conveyed both by Lord Stanley and Lord Grey, when Ministers of State, as well as of the plainest dictates of justice and good faith. And further, That it be an instruction to such Committee to receive evidence of the individual cases in which the public faith has been violated towards the purchasers of land under

Governor FitzRoy's authority, as well as of all cases in which Sir George Grey, or any other public functionary in New Zealand has interfered with the rights of others of Her Majesty's subjects with respect to their landed property. The Committee to consist of Messrs. J. O'Neill, Derrom, Clarke, Newman, Hill, Boylan, and the Mover.

Mr. Porter gave notice that at the next meeting of Council, he would move for a Select Committee to enquire and ascertain, as far as it is possible, what are the best means of carrying on the public works. Also, to enquire if the system of Land Endowment can be carried to greater extent than is done at present, with advantage to the public. Committee—Messrs. J. O'Neill, Derrom, Williamson, Clarke, Macky, A. O'Neill, and the Mover.

Mr. O'Neill gave notice that he would at the next meeting of Council move that the Superintendent be requested to procure a copy of all correspondence between the Registrar of Deeds and the Government during the last eight months, concerning office accommodation, or other suggestions relating to the registration of Births, Deaths, and Marriages.

Mr. J. O'Neill gave notice that at the next meeting of Council he would move that the Superintendent be requested to procure a return, showing the expenses connected with the various out-stationed Resident Magistrates of this Province during the last twelve months, showing the amount of all moneys received by them, by way of fines, or otherwise, also, the number of cases brought before and decided by them, the nature of the case, and the result.

Mr. J. O'Neill gave notice that at the next meeting of Council he would move that the following be one of the Standing Rules of this Council:—"That every act of this Council shall be printed in small octavo, uniform with the reprint of the Ordinances of New Zealand, and with the Constitution Act printed at Wellington; and that two copies shall be printed on vellum or parchment, one for the signature of His Honor the Superintendent, and the other to be delivered to the Registrar of the Supreme Court, to be kept among the records of the Province, and that such authenticated copies shall be in the room and place of the copies engrossed by hand as hitherto in use.

Mr. Dignan gave notice that he would move, at the next meeting of Council, that the following gentlemen be a Committee to enquire into and report upon the state of the public offices and buildings that are likely to be handed over by the General Government to the Provincial Government, viz.:—Messrs. J. O'Neill, Boylan, Derrom, Mitchell, and the Mover.

Mr. Powditch gave notice that at the next meeting of Council, he would move that the report on the Onehunga and other roads be considered; and the words in the fifth paragraph, after "localities," be omitted.

Mr. Derrom gave notice that at the next

meeting of Council he would move for a Committee to be appointed to examine and analyse the reports of the various Committees appointed to obtain information in reference to public works, and for the said Committee to produce from the whole, a report of such works as it shall deem most urgent and requisite to be done first, together with the amount necessary to be appropriated to each district. The Committee to consist of Messrs. Powditch, Dignan, Newman, A. O'Neill, and the Mover.

Mr. Derrom gave notice that at the next meeting of Council he would move for a Committee to be appointed to enquire and report on the best means to be adopted for encouraging a regular communication by steam with this Province. Committee—Messrs. Busby, Bain, Dignan, Powditch, J. O'Neill, Macky, and the Mover.

Mr. Derrom gave notice that at the next meeting of Council he would move for a Committee to be appointed to enquire and report on the best system of forming and conducting a Board of Public Works. Committee—Messrs. Powditch, Hill, A. O'Neill, Mitchell, and the Mover.

Mr. Clarke gave notice that at the next meeting of Council he would move that the Minutes, No. 1, from His Honour the Superintendent be taken into consideration.

Mr. Clarke gave notice that at the next meeting of Council he would move that the Minutes, No. 5, from His Honour the Superintendent be taken into consideration.

Mr. Williamson gave notice that he would move to-morrow that the names of Messrs. Hill, Brennan, Donovan, and Powditch, be added to the Road Committee.

Mr. Bain, according to notice, moved the second reading of the Foreign Seamen's Bill. Bill read a second time.

Mr. Bain gave notice that he should, on Tuesday next, the 15th November, move that said Bill be considered in Committee.

Mr. Newman, according to notice, moved for the appointment of the Committee to enquire into the necessity of a weekly mail, between Auckland and Kawhai. Agreed to.

Mr. Gilfillan, according to notice, moved that the Interpretation Bill be re-committed. The Speaker left the chair. Mr. Porter took the chair. Bill re-considered in Committee, amended, and agreed to. The Speaker resumed the chair. Report of Committee brought up and adopted.

Mr. Powditch presented the address to His Honour the Superintendent, of which he had given notice, relative to the supply of labour. Address read. Mr. Powditch moved, and Mr. Brennan seconded, that the address be adopted.

Mr. J. O'Neill moved, and Mr. Porter seconded as an amendment that it be read this day six months. Debate ensued. Amendment put and negatived. Original motion agreed to.

Mr. Powditch, according to notice, presented the address relative to certain information required respecting the building of a

new Government House. Address read and adopted.

Council adjourned at ten minutes to five o'clock.

WEDNESDAY, 9TH NOV., 1853.

The Council met pursuant to adjournment. The Speaker took the chair.

The minutes of the last meeting were read and confirmed.

The Speaker laid on the table two communications from His Honour the Superintendent. The first respecting the appointment of a Provincial Law Officer; the second, respecting the several returns called for by the Council, which His Honour stated would be forwarded to the Council as soon as they were received.

Mr. Boylan gave notice that at the next meeting of the Council he would move that that the Legal Adviser be instructed to prepare a Bill for the regulation of the city, and the improvement of its sanitary state.

Mr. Dilworth gave notice that at the next meeting of the Council he would move the adoption of the Report on Diseased Sheep, and that the Council do order a Bill to be prepared without delay, embodying the principles of the Report.

Mr. Brennan gave notice that at the next meeting of the Council he would move that a deputation do wait on His Honour the Superintendent, requesting him to have those portions of scoria most convenient to the different lines of roads held in reserve for the purpose of road-making. The deputation to consist of Messrs. Powditch, Williamson, and Brennan.

Mr. Busby, according to notice, moved for the appointment of a Select Committee to prepare addresses to the Queen and Houses of Parliament. Mr. Newman seconded the motion. Debate ensued.

Mr. Powditch moved, and Mr. Bain seconded as an amendment, that this Council considers it advisable to abstain from the discussion of any question, the settlement of which, in the first instance, has been delegated by the Constitution to the General Assembly.

Mr. Boylan moved, and Mr. Porter seconded, that the debate be adjourned for two weeks (to the 23rd instant). Motion put and agreed to.

Mr. Porter, according to notice, moved for the appointment of the Committee to enquire and report on the best means for carrying on the Public Works. Agreed to.

Mr. J. O'Neill, according to notice, moved that the Superintendent be requested to procure certain correspondence between the Registrar of Deeds and the Government.

Mr. Gilfillan, moved, and Mr. Clarke seconded, as an amendment, that the Council pass to the order of the day. Amendment put and negatived. Original motion agreed to.

Mr. J. O'Neill, according to notice, moved that the Superintendent be requested to pro-

cedure a Return, showing the expenses connected with the various out-stationed Resident Magistrates of this Province. Agreed to.

Mr. J. O'Neill requested that the motion relative to the printing of the Ordinances, &c., might be referred to the Committee on Standing Rules and Orders. Agreed to.

Mr. Dignan, according to notice, moved for the appointment of the Committee to enquire and report upon the state of the Public Offices and Buildings likely to be handed over to the Provincial Government. Agreed to.

Mr. Powditch requested permission to postpone, until the next meeting of Council, his motion relative to the Onehunga and other roads. Agreed to.

Mr. Derrom moved, and Mr. A. O'Neill seconded, the appointment of a Committee to analyse and report upon the Reports of the various Committees.

Mr. Porter moved an amendment, which Mr. Lewis seconded, that the Council do proceed with the order of the day. Amendment put and carried.

Mr. Derrom, according to notice, moved for the appointment of the Committee to report Steam Communication, and requested that the words "from England and the adjacent colonies with this Province," be inserted in the motion. Agreed to.

Mr. Clarke and Mr. Williamson, respectively, requested permission to postpone their motions until the next meeting of Council.

Council adjourned at six o'clock.

THURSDAY, NOV. 10TH, 1853.

The Council met pursuant to adjournment. The Speaker took the chair.

The minutes of the last meeting were read and confirmed.

Mr. J. O'Neill gave notice that at the next meeting of Council he would move for a return showing the Financial State of the Province, with a detailed statement of debts and liabilities, showing to whom due, and for what owing, distinguishing the debentures granted since 1848; showing for what purpose granted, and whether the principal sums and interest, or one, or both, are chargeable, or have been paid, from general or provincial revenues.

Mr. Boylan brought up the Report from the Committee on the City Streets, &c. Report read and adopted.

Mr. A. O'Neill brought up the Report of the Committee on the Northern Roads Report read and ordered to be printed.

Mr. Williamson brought up the Report from the Committee of Roads, on the Onehunga petition. Report read.

Mr. Powditch, according to notice, moved his amendment relative to the Report of the Committee on the Onehunga and other roads. Debate ensued.

The following messages from His Honour the Superintendent having been announced, the same were received and read:—

The Colonial Secretary to His Honour the Superintendent.

Colonial Secretary's Office, Auckland,
9th November, 1853.

SIR,—In reference to your letter of the 7th instant, enclosing a copy of a Report from the "Dock and Harbour accommodation Committee," I have the honour to state, by direction of the Governor, that His Excellency would be happy to co-operate in so useful an object as that contemplated, but the details are not sufficiently explained at present.

I am further directed to say, that, perhaps, the best course to pursue, would be for the Provincial Council to prepare a Bill for the management of such lands as may be given over by the Government for the purposes contemplated, and when the Bill has been discussed and approved, the lands would be granted in conformity with the trusts set forth in the Bill.

I have, &c.,
ANDREW SINCLAIR,
Colonial Secretary.

To His Honour the Superintendent,
&c., &c., &c.

His Honour the Superintendent to the Honourable the Speaker.

It having been reported that a portion of the parapet wall of the causeway over the river Tamaki at Otahuhu has been knocked down, apparently by the backing of a cart against it, and that in various portions of the parapet wall stones have been removed and thrown into the river; also, that a small portion of the outer wall has settled about two inches, and thereby become insecure.

The Superintendent, to guard against any accident which might arise from delay, has authorised the necessary repairs being forthwith executed for the sum of £14, subject to the approval of the Provincial Council.

Debate continued on Mr. Powditch's motion.

Mr. Lewis moved as an amendment, and Mr. Williamson seconded, that the words

"for carts" be inserted in the second paragraph of the Report. Amendment put and agreed to.

Mr. Gilfillan moved that the Report be referred to a Committee of the whole House, Mr. Mitchell in the chair. Agreed to.

The Speaker left the chair.

The Council resolved itself into a Committee of the whole, for the further consideration of the above Report.

Paragraphs 1 to 4 read and agreed to.

On paragraph 5 being read, Mr. Williamson moved that the following words be inserted after the word "Committee" in the first line "cannot offer an estimate unassisted by the report of a Surveyor, but they." Agreed to.

Mr. Powditch moved that all words in the same paragraph, after the word "localities" be struck out. Agreed to. Remaining paragraph read and agreed to.

The Speaker resumed the chair.

The Chairman brought up the Report as amended.

On the motion of Mr. Powditch, Report as amended adopted. Agreed to.

Mr. Clarke, according to notice, moved the consideration of the Messages No 1 and 5 from His Honour the Superintendent.

Minutes and enclosures read and ordered to be printed, and referred to the Committees concerned in the several matters to which the letters related.

Mr. Williamson, according to notice, moved the addition of certain names to the Road Committee. Agreed to.

Mr. Boylan moved for leave to bring in a Bill for the better regulation of the City. Leave granted.

Mr. Dilworth moved for leave to bring in a Bill embodying the principles of the Report of the Committee on the subject of diseased sheep. Leave granted.

Mr. Brennan, according to notice, moved that a Deputation do wait on His Honour the Superintendent, requesting him to reserve certain scoria land. Agreed to.

Council adjourned at twenty minutes to six o'clock.