



AUCKLAND PROVINCIAL GOVERNMENT GAZETTE.

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[No. 6.]

PROVINCIAL COUNCIL.

TUESDAY, 15TH 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 laid on the Table fifteen Minutes from His Honor the Superintendent, with their enclosures, on the following subjects, which were severally read.

Minute 13. Reply to an address on the reservation of Scoria Lands for purposes of road making, in which it was stated that steps had been taken to comply with the desire of the Council.

14. Applications from Messrs. Elliott, Sanderson, and Ormsby respectively, for the office of Provincial Surveyor, together with a letter from His Honor bringing Mr. Roy under the notice of the Council for the same office.

15. Stating that steps had been taken to institute inquiry into the causes of the detention of the *Joseph Fletcher's* mail at New Plymouth.

16. An application from Mr. Smithies for payment of a balance of £4 15s of the expense incurred by him and others in the repairs of a bridge at Onehunga.

17. Transmitting a letter from the Colonial Secretary in reply to an application from the Council for returns of Public Works in the Province completed, and commenced but not completed, within a period of four years, stating that the Returns will be furnished if

the Council undertake to pay the cost of their preparation.

18. A letter from the Colonial Secretary relative to the application for a statement of the appropriation of the sums mentioned in the Schedule of the New Constitution Act, in which it was stated, that when the General Assembly meet, that Assembly should be informed of the wish of the Provincial Council.

19. A letter from the Colonial Secretary relating to the sums advanced for the purchase of additional blocks of land from the Natives, stating that 25 per cent. of the Land Fund would be retained by the Surveyor-General to liquidate debts incurred in making such purchases, until the debt were paid off.

20. A letter from the Colonial Secretary respecting the mode of offering for sale blocks of land newly purchased from the Natives.

21. A letter from the Civil Secretary relating to the introduction of any new Ordinance for the regulation of the Registration of Deeds.

22. Minute relating to the employment of the Military on the Roads.

23. A letter from the Colonial Secretary relative to an application for the opinion of the Attorney-General on a point of law connected with the New Zealand Company's Claim, stating that the Governor has no power to require the Attorney-General to give his opinion to the Provincial Council on such a subject.

24. A letter from the Governor of the Auckland Gaol, applying for an increase of salary.

25. A letter from the Colonial Secretary relative to the application for an account of distribution of the Parliamentary Grant to the several Provinces, stating, that as soon as the Returns were received from the Provinces at the General Treasury, the information should be furnished.

26. Minute, forwarding 26 Plans and Sections of the Streets of Auckland.

27. A letter from His Honor, stating that Maps of the Lines of Roads, &c., as applied for by the Council, would be forwarded as soon as they were prepared by the Surveyor-General.

Mr. Boylan presented a petition from certain Carters residing in Auckland and Onehunga, against altering the Onehunga Road. Petition read.

Mr. A. O'Neill presented a petition from certain inhabitants of the North Shore, respecting the establishment of a Ferry Boat. Petition read.

Mr. Hill gave notice that, at the next address from this Council, requesting that Honor the Superintendent be presented with meeting of Council he would move that His he will take such immediate steps for Buoying off the Manakau Harbour, as are in his power, and circumstances will admit of.

Mr. Powditch gave notice that, at the next meeting of Council he would move that it be a standing rule, that all Committees make a report, or report progress once in every three sittings. And that Standing Committees also report, if there be any special matter before them; or if there be not any proposed day of reporting, that it be the last day of sitting in each week, unless in case of reports specially provided for at the time of appointment.

And that at the same time he would also ask the Harbour Committee if they have closed their labours.—if they have taken the Harbour Regulations into consideration;—if they have taken the Governor's reply to their request for certain endowments into consideration;—if the Board of Works Committee have taken any proceedings;—and if they intend to connect the Board for general internal works with the Trust Boards of the Tidal Dock and Harbour. Also, if the Committee of Executive Officers have anything before them, or if their labours are closed. Also if the Road Committee have anything under consideration.

Mr. Connell brought up the Report of the Provincial Officers Committee, which was read, ordered to be printed, and taken into consideration on Tuesday the 22nd November.

REPORT OF COMMITTEE ON OFFICERS OF
PROVINCIAL GOVERNMENT.

Council Chamber, Auckland,
15th Nov., 1853.

MR. Connell brought up the Report of the above Committee, which was read and ordered to be printed.

The terms of the vote by which this Committee has been constituted, open to them a

wide range of enquiry, including, in fact, every official duty and appointment in the Province; and it is obvious that, for the complete and satisfactory conduct of an inquiry of such extent, much time would be required.

But having arrived at conclusions upon those points which, in their judgment, demanded their more immediate attention, the Committee have deemed it proper to report thereon for the information of the Council.

These are the number, nature, and adequate remuneration of those offices, the holders of which will be more immediately in contact with the head of the Executive, and will form the staff of his Government; to these, and to such other branches of service as the Committee are enabled to include, without farther delay, the present report is confined.

During their inquiry, the Committee have received evidence from heads of departments, and other officers, in the department of the Colonial Secretary, the Colonial Treasurer, and the Auditor-General, as well as in those of the Resident Magistrate, and Commissioner of Police, the Registrar of Deeds, the Registrar of Deaths, Births, and Marriages, the Harbour Master, and from the Manager of the Union Bank of Australia.

In their enquiries and deliberations the Committee kept prominently before them the following important objects:—

First, the limitation of expense—so far as might be consistent with full efficiency in the different branches of the Public Service.

Second, the most prompt and immediate despatch of the public business.

After most careful consideration, it appears that both these objects may be attained—not by creating offices under the Provincial Government, precisely analogous to those of Colonial Secretary and Colonial Treasurer, of New Zealand, but by concentrating the duties of these heads of departments, in the office of His Honor the Superintendent, the detail to be conducted by a Chief Clerk or Secretary, by a Financial Clerk and by two or more Junior Clerks.

By such an arrangement, it will be consistent with a wise economy, to grant to these officers liberal salaries according to their respective grades, at the same time that the action of the head of the Executive will be more immediate and direct, being divested of those delays and hindrances of official routine, which seem inseparable from the establishment of other responsible heads of departments, within the more immediate circle of the Superintendent's duties.

The safe custody of the public monies of the Province would, in the opinion of the Committee, be sufficiently secured, and the business of the receipt and disbursement thereof be facilitated, by using the Auckland Branch of the Union Bank of Australia as a Bank of deposit. All collectors of revenue being required at stated periods to pay their collections into the Bank; and all disburse-

ments being effected by cheques of the Finance Clerk, under warrant of His Honor the Superintendent.

The Committee therefore beg respectfully to report that the following officers are required for carrying on the Provincial Government; and, having regard to the extent and nature of the duties, that the undermentioned sums would be appropriate salaries to attach to the respective offices, viz. :—

IN THE OFFICE OF HIS HONOR THE SUPERINTENDENT.

One Chief Clerk £300 per annum.
 One Finance Clerk 300 " "
 One Second Class Clerk 250 " "
 One Third " " .. 120 " "
 The Finance Clerk to find security in a sum of one thousand pounds.

PROVINCIAL COUNCIL.

Speaker £200 per annum.
 Clerk of Council 50 " "

The Committee recommended that the office of Clerk of Council be united to that of Chief Clerk in the office of the Superintendent.

AUDIT DEPARTMENT.

A Board of Audit to consist of three members to be elected by and from the Provincial Council. No salary to attach to this office—

One Audit Clerk £200 per annum.

PUBLIC WORKS.

Civil Engineer and Surveyor of Roads. Under this head the Committee recommended a probationary appointment, with only a moderate salary. But they think it should be clearly understood that in the event of the duties of the office being fulfilled with the efficiency which their importance demands, the appointment would be confirmed and a liberal salary awarded.

The Committee strongly recommend that all Works be done by tender and contract.

POLICE.

On this subject, the Committee having given every consideration to the minute of His Honor the Superintendent, as to the appointment of an Assistant Commissioner of Police, are not prepared to recommend any change in the present system except that the gentleman who has for five years gratuitously discharged the duties of Commissioner with so much efficiency, should now receive a salary of £100 per annum, in virtue of that office, and being thus placed on the Provincial Establishment come under the more immediate control of the Provincial Government.

The Committee recommend that the increase of pay lately granted to the police force should be continued.

The Committee further recommend that while the present number of privates should not be decreased, the police force should consist exclusively of Europeans, when such can be obtained, and suggest that the Commissioner should be empowered from time to

time to recommend an increase of pay to such men as shall from good conduct and length of service, in his opinion entitle them thereto.

HARBOUR DEPARTMENT.

The Committee recommend that the salary attached to the combined duties of Harbour Master and Pilot, be raised from £160 to £200 per annum, and that the signal man be placed under his superintendence.

MEDICAL DEPARTMENT.

The Committee recommend that the salary of the Colonial Surgeon be raised to £200 per annum, and that of the Dispenser at the Public Hospital be raised to £150, also that the recent increase of wages to subordinates be continued.

DEPARTMENT OF SHERIFF AND GAOLS.

The Committee recommend that the recent increase of pay to the turnkeys and other subordinates of the Gaol be confirmed, and that a moderate increase be made to the salary of the Gaoler.

DEPARTMENT OF RESIDENT MAGISTRATES.

The Committee are of opinion that the office of Resident Magistrate at the Pensioner Settlements of Howick and Onehunga may be dispensed with.

PANMURE FERRY.

The Committee recommended that the recent increase of wages to the men be confirmed for the present.

Amongst the documents laid before the Committee in the course of this inquiry are suggestions by the Registrar of Deeds as to desirable alterations in the practice of his office, but as this report does not embrace that department, the Committee defer entering upon the question. But, taking into consideration the value and importance of the records and documents kept in the office of the Registrar of Deeds, frequently including, besides the numerous books of Registry, from two to three hundred original title deeds, the Committee are strongly of opinion that no time should be lost in providing a safer and more commodious Registry Office, furnished with a suitable fire-proof safe for their protection.

(Signed) W. CONNELL, Chairman.

Mr. J. O'Neill brought up the Report of the Committee to prepare a petition to the Queen against the payment of the New Zealand Company's Debt.

Petition read, ordered to be printed, and taken into consideration on Thursday the 17th November.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled. The humble Petition of the Members of the Provincial Council of Auckland, in Council assembled,

SHEWETH,

That your petitioners are just now assembled for the first time under the Act

recently passed by the Imperial Parliament to "grant a Representative Constitution to New Zealand."

That your petitioners have much pleasure in expressing their gratitude for the liberal concessions made by that Act, and especially for conferring on the Colonists the control of the Waste Lands; but your petitioners deeply lament that these concessions have been accompanied by a charge of £268,370 15s. in favour of the New Zealand Company, which is regarded throughout this Province in the light only of an oppressive burthen, unjustly imposed.

That your petitioners deem it to be one of their most urgent and important duties to use every effort in their power to obtain relief from this burthen; and with a view to give expression to their own opinions, as well as in deference to the universal wishes of their constituents, your petitioners take the earliest opportunity of bringing before Parliament a subject upon which intense anxiety and feeling exist throughout this Province.

That your petitioners most respectfully, but unequivocally, state it to be their deliberate conviction that the abstraction of one-fourth of the proceeds of the Land Sales of this Province for the shareholders of the New Zealand Company can only be regarded as a most obnoxious grievance.

That, referring to a Petition presented to Parliament on the last Session, from some of the members of the late Provincial Council of New Ulster, for a fuller statement of reasons, your petitioners beg to call the attention of your Honourable House to the following, as some of the grounds upon which that conviction is founded:—

- 1.—Because all the Northern Settlements now comprised in the Province of Auckland, were founded by Her Majesty's Government, and not by the New Zealand Company, and between these settlements and those of the Company there exists no community of interest, and far less intercourse than between New Zealand and Australia.
- 2.—Because all the Land which the New Zealand Company possessed to surrender, and as payment for which the charge complained of is imposed, were situate in other Provinces at a great distance from Auckland, and no part of the proceeds of the sales of such lands will ever directly or indirectly be of any advantage or benefit whatever to this Province.
- 3.—Because no reduction of price, however great, in any land given up by the Company could, in the slightest degree, affect the value of Public Lands in the Province of Auckland.
- 4.—Because there does not exist in the Province of Auckland any Waste Land, properly so-called, all the Public lands, now made subject, by the "Constitution Act," to the New Zealand Company's claim, being from time to time purchased from

the Aborigines by funds raised entirely within the Province, without any contribution whatever, directly or indirectly, by the New Zealand Company.

- 5.—Because, therefore, the only reason given by Earl Grey "that the price due for the lands acquired from the Company by the Crown must be a charge on the whole of the Crown Lands of New Zealand," as the purchase was "essential for securing a proper value to the whole of the Crown Lands throughout the entire extent of New Zealand," is not only untenable, but absolutely without any foundation whatever.
- 6.—Because the New Zealand Company never had any beneficial connexion with any part of the Province of Auckland; they neither expended any money in it on any public object, nor introduced a single emigrant, nor ever rendered it the slightest service; but on the contrary they treated the Northern Settlements as rivals to their own; they unceasingly depreciated their advantages, and traduced the character of their Colonists, and even treated Auckland as so foreign from the settlements created by the Company as to insist on being reimbursed, from the Land Fund of Auckland, for the passages of a few Emigrants, who were brought here, from Wellington, by the first Governor of New Zealand, to erect a public building.

That your petitioners entreat your Honourable House not to look on the "New Zealand Constitution Act" as finally disposing of the New Zealand Company's claims, and your petitioners beg most respectfully to assure your Honourable House that, so far from this being likely to be the case, the sense of wrong and indignity inflicted on this Province is so universally and acutely felt, that any attempt to enforce those claims will but lay the foundation for an agitation which must be prejudicial, and, at the same time, cannot fail, however much it is to be deplored, to sow the seeds of discontent and disaffection towards the British Government.

That your petitioners do not plead in favour of relief from a debt founded on any moral obligation whatever, but for relief from a burthen which has certainly no more reason or justice to support it, than there would be in favour of the appropriation of the Land Revenue of the Province of Auckland, in New Zealand, to reimburse the shareholders of a bankrupt Land Jobbing Company of British North America; and, from the conduct of the New Zealand Company towards the districts comprised in the Province of Auckland, a burthen—than such an appropriation—more vexatious to be borne.

That, under such circumstances, your Honourable House will not feel surprised that there should exist throughout this Community a settled determination to resist, by every legitimate means, the payment of a single shilling from the Revenue of this Province to the New Zealand Company, and your

petitioners feel the greatest confidence that your Honourable House will approve of and encourage a determination, not seeking to evade a reasonable obligation, but firmly bent on opposing to the utmost what is felt and believed to be oppressive and unjust.

Your petitioners, therefore, appeal with confidence to the justice of your Honourable House on behalf of the Province of Auckland, and humbly pray that steps may be immediately taken to relieve it from the payment of any portion of the £268,370 15s, now charged against the proceeds of its Land Sales, in favour of the New Zealand Company. And your petitioners will ever pray, &c., &c.

Mr. A. O'Neill brought up the Report of the Committee on the Northern Roads, and moved that it be adopted. Agreed to.

Mr. Bain, according to notice, moved the consideration in Committee of the Foreign Seaman's Bill.

The Speaker left the chair.

Mr. Connell took the chair.

Bill considered in Committee; and Clauses 1 to 6 considered and amended.

The Speaker resumed the chair.

The Chairman reported progress, and obtained leave to sit again.

Mr. Gilfillan gave notice that at the next meeting of the Council he would move for the further consideration of the Bill.

Mr. J O'Neill, according to notice, moved for Returns showing, in detail, the financial state of the Province. Agreed to.

Council adjourned at twenty minutes to six o'clock.

WEDNESDAY, 16TH NOVEMBER, 1853.

The Council met pursuant to adjournment.

The Speaker took the chair.

The minutes of the last meeting were read and confirmed.

Mr. Newman presented a petition from certain inhabitants of Auckland and Onehunga against altering the line of road to the Onehunga Beach.

Petition read.

Mr. Dilworth presented a petition from certain inhabitants of East Tamaki, praying that the Great South Road may be at once repaired

Petition read.

Mr. Porter gave notice that on Tuesday next the 22nd inst., he would move for leave to bring in a Bill to make a Dock, and to afford better Harbour accommodation in the Port of Auckland.

Mr. Gilfillan gave notice that at the next sitting of Council he would move that the Interpretation Bill be read a third time.

Mr. Gilfillan also gave notice that at the next sitting of Council he would move that the Dog Nuisance Bill be read a first time.

Mr. Gilfillan further gave notice that at the next meeting of Council he would move that His Honor the Superintendent be re-

quested to obtain from the Colonial Secretary, by Tuesday next, a copy of the printed Returns relative to Original Land Claims, laid on the Table of the General Legislative Council, by His Excellency the Governor in August 1849; showing the names of Claimant in each case, extent claimed, number of acres awarded by Commissioners, how disposed of, &c.

Mr. Newman gave notice that at the next meeting of Council he would move that all petitions presented to Council having reference to roads, be referred to the Onehunga Road Committee

Mr. Hill, according to notice, moved that the Superintendent be requested to take immediate steps for buoying off the Manakau Harbour. Debate ensued.

Mr. Derrom moved, and Mr. Boylan seconded, as an amendment, that the subject of the buoying of the Manakau Harbour be referred to the Harbour Committee already appointed; and that they report on the probable expense of buoying the above Harbour; and that Mr. Hill's name be added to the Harbour Committee.

Amendment put and negatived.

Mr. Powditch moved as a further amendment, which was seconded by Mr. Williamson, that His Honour the Superintendent be requested to place on the Estimates the sum of (£500) five hundred pounds, for buoying off the Manakau Harbour; and that Tenders be called for, placing three (3) buoys to make the passage secure as far as Poponga Point. Agreed to.

Mr. Powditch withdrew his motion relative to an addition to the Standing Rules, on the understanding that the Committee on Standing Rules and Orders do take the same into consideration.

Mr. Powditch, according to notice, moved the subsequent part of the same motion.

Mr. Bain, according to notice, moved the re-consideration in Committee of the Foreign Seaman's Bill

The Speaker left the chair.

Mr. Powditch took the chair.

Mr. Bain moved that three new Clauses be inserted after the sixth Clause, and be numbered as 7, 8, and 9.

On Clause 7 being read, debate ensued.

Mr. Dignan moved, and Mr. J. O'Neill seconded, as an amendment, that the Clause be struck out.

Amendment agreed to.

Remaining Clauses read and agreed to.

Preamble read and agreed to.

The Speaker resumed the chair.

The Chairman brought up the Report of the Committee on the Bill.

Council adjourned at quarter-past five o'clock.

THURSDAY, 17TH 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 laid on the Table three minutes from His Honor the Superintendent, on the following subjects, which were severally read.

Minute—forwarding list of Scoria Reserves.

Minute 28. Transmitting copy of Colonial Secretary's letter, respecting the debt due to the New Zealand Company.

Minute 29. Reporting having called for Tenders for repairs of Roads, Streets, &c.

Mr. J. O'Neill presented a letter from the Reporter of the 'Southern Cross,' complaining of the conduct of the Acting Clerk of Council. Letter read.

Mr. Allan O'Neill gave notice that on Tuesday next he would move that the Superintendent be requested to solicit as a favour Col. Bolton, R.E., Col. Baddeley, R.E., and the Surveyor-General, to examine the Candidates for the office of Clerk of Works, that a competent person may be chosen to fill that situation.

Mr. Busby gave notice, that at the next meeting of Council he would move a resolution that His Honor the Superintendent be requested to ascertain and communicate to this Council, whether any, and if any, what Officers or Servants of the Government are at this time employed on the Roads or other Public Works,—and if so, what are the Salaries or remuneration of such Officers or Servants. Also, whether any, and if any, what amount of expenditure has been made on the Roads or other Public Works during the last twelve months, with particulars of such expenditure to the latest date at which the accounts have been made up.

Mr. Derrom gave notice, that on Thursday next he would move for leave to bring in a Bill to regulate the Lines and Levels of the Streets in the City of Auckland.

Mr. Derrom gave notice that on Thursday next he would move for leave to bring in a Building Act.

Mr. Newman gave notice that, on Wednesday next he would move that His Honor the Superintendent be requested to obtain from the Colonial Secretary, and lay before this Council, a return of all Free Grants of Land in the Province:—the name of Grantee,—the situation and extent of the land,—the purpose for which it was granted, with date of grant—excepting from these returns, land granted in exchange for the land surrendered by the old Land Claimants.

Mr. Lewis gave notice that, on Tuesday next he would move that the following Members be a Committee to enquire into and report upon Mr. Hughes' complaint against the Acting Clerk of Council, viz., Messrs. Williamson, Powditch, J. O'Neill, Busby, Newman, and Lewis.

Mr. J. O'Neill asked for leave to postpone the motion relative to the address against the payment of the Company's claim, because of an alleged informality in the notice papers, and gave notice that at the next meeting of Council, he would move that the Petition

against the New Zealand Company's claims be adopted, &c., but subsequently withdrew his notice: and upon motion of Mr. Williamson Council resolved itself into a Committee of the whole, to take into consideration the said Petition.

The Speaker left the chair.

The Council formed themselves into a Committee of the whole for consideration of petition. Mr. Powditch in the chair.

Clauses in petition read, amended, and agreed to.

The Speaker resumed the chair.

The Chairman brought up the report of the Committee, with the several amendments; which was adopted.

Petition ordered to be engrossed, and copies transmitted to the House of Lords, and House of Commons.

Mr. Gilfillan, according to notice, moved that the Interpretation Bill be read a third time. Bill read a third time accordingly.

The Speaker deputed Messrs. Gilfillan, Dignan, Mitchell, Boylan, and Clarke to lay the Bill before His Honor the Superintendent for approval.

Mr. Gilfillan, according to notice, moved that the Dog Nuisance Bill be read a first time. Bill read a first time.

Mr. Gilfillan, according to notice, moved that His Honor the Superintendent be requested to obtain from the Colonial Secretary, printed Returns relative to original Land Claims, laid on the Table of the General Legislative Council by His Excellency, Sir George Grey in August, 1849. Agreed to.

Mr. Newman requested permission to amend his notice of motion respecting the Roads, by substituting the following words, "All petitions having reference to Rural Roads presented to Council be referred to the Rural Road Committee." Agreed to.

Council adjourned at ten minutes past five o'clock.

TUESDAY, 22ND 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 laid on the Table ten Minutes from his Honor the Superintendent, with their enclosures, on the following subjects, which were severally read.

Minute 30. Forwarding letter from Colonial Secretary respecting the funds for building a new Government House in Auckland.

31. Forwarding communication respecting Lunatic Asylum.

32. Forwarding communication from the Collector of Customs, in reference to that portion of the Motion requiring the value of Goods borne coastwise to the Northern Ports.

33. Transmitting copies of correspondence relative to the location of Troops at the Bay of Islands.

34. Forwarding plan and specification for the construction of a Main Sewer in Queen Street.

35. Forwarding a return of proceedings commenced before the Judge of the Supreme Court of the Northern Province under the authority of the Crown Titles Ordinance.

36. Respecting return of the amount of Notes of the Colonial Bank of Issue for the last twelve months.

37. Respecting the Buoying off the Manakau Harbour.

38. Transmitting copy of a letter from the Colonial Secretary relative to the return of the Financial State of the Province.

39. Transmitting printed copies of Returns relative to Original Land Claims.

40. Transmitting Memorial from 84 inhabitants of Durham Street.

Mr. Gilfillan gave notice that, on Thursday, the 24th inst., he would move that the Council do go into Committee on the Dog Nuisance Bill.

Mr. Busby gave notice that, on Thursday next he would move a resolution that his Honor the Superintendent be requested to place upon the Estimates the sum of £100 for the purchase of books towards the formation of a library for the use of Members of this Council, and that a Standing Committee be appointed, to be named the Library Committee, to whom shall be entrusted the expenditure of that sum in the purchase of Books in the Colony, or in ordering them from England or elsewhere. The Committee to consist of the Speaker, Messrs. Gilfillan, Connell, A. O'Neill, Williamson, Boylan, and the mover.

Mr. J. C. Hill gave notice that, on Thursday next he would move that a Committee be appointed to prepare a petition to his Excellency the Governor, the Legislative Council, and House of Representatives, praying for the enactment of an ordinance to hand over to, and place in the hands of the Superintendent and Provincial Council of this Province, the free and unfettered control of the Waste Lands of this said Province, as far as in their power lies.

Mr. Hill also gave notice that, on Tuesday the 29th inst., he would move that a Committee be appointed to consider the 22nd, 23rd, and 24th Clauses of the Superintendent's opening address, as to what shall be the constitution of the Executive Government, the powers with which it is requisite he should be clothed for securing the peace, order, and good government of this Province, and for enforcing the several laws and ordinances now in existence, or to be hereafter passed by the Imperial Parliament, or by this Council, and assented to by the proper authority or authorities.

Mr. Bain gave notice that, on Thursday next he would move that the Foreign Seaman's Bill be read a third time.

Mr. Boylan presented a petition from certain inhabitants of the North Shore, against the present arrangements for the establishment of a Ferry.

Petition read, and ordered to be printed.

TO THE HONOURABLE THE PROVINCIAL COUNCIL OF AUCKLAND.

We, the undersigned inhabitants and residents of the North Shore of the Waitemata, who signed the Petition relative to the proposed Ferry from the North Shore to Auckland, did so under the impression that we were asking your honourable house to establish the point of embarkation at such a place as would enable us to embark or disembark at any time of tide, and that we should be taken over, at once to Auckland; whereas we now see in the papers that it has been proposed (and with reference to our Petition—*signed under an erroneous impression*, and presented by Mr. O'Neill to your honourable house) to establish the starting point of the Ferry at a place from which we could only embark at high water, or half tide, and that we are then to be carried half round Shoal Bay.

Your Petitioners now pray that your honourable house will attentively consider this our Petition to have the proposed site of the Ferry established at such a place as will enable us to *embark at any time of tide, and that we may be conveyed direct to Auckland*. To meet these our wishes, we beg to suggest that Stokes' Point, or Onewa, be the site of the Ferry, which place has the additional advantage of being Government land, which would give us a place to take our cattle to without extra charge. If it should seem to your honourable house that we have not named the best point for embarkation we pray that some disinterested, and properly informed persons may be consulted on the subject before the site of the Ferry be determined on. We beg particularly to remind your honourable house, that the road to any part of the North, or Flag Staff Hill side of Shoal Bay, is eight or nine miles further of very bad road, to any people travelling from the interior, either by the North Road or the creeks of the Waitemata.

(Here follow the Signatures.)

Mr. Connell, according to notice, moved the consideration of the Report of the Provincial Officers Committee, and moved that the Council resolve itself into a Committee of the whole, and that Mr. Porter do take the chair.

Mr. J. O'Neill moved, and Mr. A. O'Neill seconded, that in the opinion of this Council the Estimates ought to be laid on the Table before the report on Officers of the Provincial Government be further discussed.

Amendment put and negatived.

Original motion put and agreed to.

The Speaker left the chair.

Mr. Porter took the chair.

Debate ensued.

The Speaker resumed the chair.

The Chairman reported progress, and obtained leave to sit again.

On the order of the day relative to the introduction of a Bill for the formation of a Dock being called on, Mr. Porter moved

that the Council do now adjourn. Agreed to.

Council adjourned at 20 minutes past seven o'clock.

WEDNESDAY, 23RD 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 the Minutes from his Honor the Superintendent, with their enclosures, on the following subjects, which were severally read.

Minute 41. Transmitting letter from the Colonial Secretary respecting the expenses connected with the various outstationed Resident Magistrates of this Province during the last twelve months.

42. Transmitting letter from the Colonial Secretary on the subject of the Field Books, Plans, &c., of the late Clerk of Works.

43. Minute respecting preparation of Returns of the Revenue and Expenditure of the Colony since its foundation.

44. Transmitting return, showing the number of acres of Land in each Hundred belonging to Government.

Mr. A. O'Neill presented a petition from certain residents on the North Shore respecting the establishment of a Ferry.

Petition read, and ordered to be printed.

TO THE HONOURABLE THE MEMBERS OF THE PROVINCIAL COUNCIL OF AUCKLAND, IN COUNCIL ASSEMBLED.

The humble Petition of the undersigned land owners, residents, and others, residing on the North Shore of the River Waitemata,

BREWETH,—

That the means of communication with the City of Auckland has for a long time been difficult and uncertain, and as a Petition is now before the honourable Members in Council assembled, showing the necessity of a Ferry being established, we would wish to receive some share of the proposed benefit by having the Ferry to call at a convenient place, say the Government Shed, which is immediately opposite the City. There is a fine sandy beach where passengers and cattle could be landed at any time of tide: by this means the settlers at this part of the North Shore would have a difficulty removed which has been felt for a long time, and the Ferry could, after calling at the before mentioned place, proceed to its final destination.

Your Petitioners therefore humbly pray that your honourable Council may be pleased to sanction the benefit to us.

And your Memorialists as in duty bound will ever pray.

(Here follow the Signatures.)

Mr. Porter gave notice that, on Tuesday next he would move for leave to bring in a bill to build a Dock and give better Harbour accommodation in the Port of Auckland.

Mr. Gilfillan gave notice that, on Tuesday next he would move that the Dog Nuisance Bill be read a second time.

Mr. J. O'Neill gave notice that, at the next meeting of Council he would move that Rule 5 of the Standing Rules and Orders of this Council be expunged.

Mr. Lewis gave notice that, at the next meeting of Council he would move that the following Members be a Committee to enquire into, and report upon, Mr. Hughes' complaint against the Acting Clerk of Council—viz., Messrs. Williamson, Powditch, J. O'Neill, Busby, Newman, and Lewis.

Mr. Clarke gave notice that he would move that the Estimates forwarded by His Honor the Superintendent be laid on the Table as the Estimates of the Province, and that they be taken into consideration on Tuesday next.

Mr. Busby's petition to the Queen and Parliament, relative to expunging certain ordinances, &c, further considered.

Debate continued.

Mr. Powditch's amendment, which he had moved on the 9th instant, was then put from the chair.

Council divided.

Ayes 12.	Noes 8.
Mr. Connell,	Mr. Busby,
„ Gilfillan,	„ Dilworth,
„ Bain,	„ Mitchell,
„ Lewis,	„ Dignan,
„ Brennan,	„ A. O'Neill,
„ Powditch,	„ J. O'Neill,
„ Hill,	„ Newman,
„ Williamson,	„ Derrom,
„ Donovan,	
„ Porter,	
„ Clarke,	
„ O'Brien.	

Mr. Boylan declined to vote.

Messrs Macky and Taylor absent.

Amendment carried in the affirmative.

Mr. Newman, according to notice, moved for the Return of all Free Grants of Land in the Province.

Council adjourned at ten minutes to six.

THURSDAY, 24TH 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 the following three Minutes, transmitted to the Council by His Honor the Superintendent, which, with their enclosures, were severally read.

No. 45. Minute transmitting Plans and Reports on the Works connected with the several Roads in the vicinity of Auckland.

46. Transmitting three Tenders for the establishment of the North shore Ferry.

47. Respecting the alleged correspondence between the Registrar of Deeds and the Government, alluded to in the Resolution of Council of the 9th inst.

Mr. Porter gave notice that on Tuesday the 29th inst., he would move that the Re-

port of the Provincial Officers Committee be further considered in Committee of the whole Council.

Mr. A. O'Neill gave notice that, on Tuesday next he would move that his Honor the Superintendent be requested to procure, for the use of the Council, the original Field Books, Plans, Vertical Sections, Gradients &c., referred to in his Honor's Minute No. 42.

Mr. Connell gave notice that on Tuesday next he would move that his Honor the Superintendent be requested to place a sum of £20 on the Estimates, as a grant, in aid of the Auckland Museum.

Mr. Williamson brought up the Report from the Board of Works Committee, which was read and ordered to be printed.

REPORT OF PUBLIC WORKS COMMITTEE.

THE Committee appointed on the 9th instant "to ascertain the best means of carrying on the Public Works and whether it would be advantageous to the public interests that the system of land endowment for such purposes should be carried to a greater extent," have the honour to report:—

That they have made enquiry on these subjects, and are satisfied that the best and most satisfactory mode of conducting the public works will be by means of a Board of Works, to be chosen from the Provincial Council, assisted by an Engineer; and it appears to be the universal opinion that "land endowments to a large extent should be set apart by His Excellency the Governor for such purposes."

The Committee do therefore recommend that a Select Committee shall be chosen from the Council, to examine, with whatever assistance they may think necessary to invite, such candidates as may present themselves for the office of Civil Engineer or Surveyor, so as that the most competent person be recommended for immediate appointment.

That there shall be a Board of Works formed from the members of the Provincial Council, and that each Electoral Division be represented in that Board in whatever proportion the Council may think fit. And, that the Council do apply to His Excellency the Governor for land endowments, the revenues of which shall be applied to the construction and maintenance of roads and bridges, streets and thoroughfares, and, as far as practicable, such endowments shall be set apart in occupied districts for the works within those districts severally; and that, in future, as each new district shall be opened up, reserves shall be set apart therein for such purposes; these endowments to be vested in such Trustees as may be nominated by the Provincial Council, with the sanction of the Superintendent, and approved of by the Governor.

(Signed) W. F. PORTER,
Chairman.

Council Chamber,
November 25, 1853.

Mr. Williamson gave notice that on Tuesday, the 29th inst., he would move that the Council do go into Committee of the whole, to consider the above report.

Mr. Derrom, according to notice, moved for leave to bring in a Bill to regulate the Lines and Levels of the Streets in the City of Auckland. Leave granted.

Mr. Derrom, according to notice, moved for leave to bring in a Building Act. Leave granted.

Mr. Busby, according to notice, moved that his Honor the Superintendent be requested to place upon the Estimates the sum of £100 towards the formation of a Library. Agreed to.

Mr. Hill, according to notice, moved, and Mr. Powditch seconded, that a Committee be appointed to prepare an address to the Governor, &c., praying for the enactment of an Ordinance to hand over to the Provincial Government the full control of the Waste Lands of the Crown in this Province.

Debate ensued thereon.

Mr. Dilworth moved, as an amendment, that a Committee be appointed to prepare an address to be forwarded, through his Honor the Superintendent, to the Governor, requesting him to call a meeting of the General Assembly as early as practicable; and that a Committee be appointed to prepare an address to the General Assembly, praying for the enactment of an Ordinance to hand over and place in the hands of the Superintendent and Provincial Council, the full control of the Waste Lands of the said Province, as far as in their power lies.

Amendment carried in the affirmative.

Mr. Bain requested permission to postpone the third reading of the Foreign Seaman's Act, until Tuesday the 29th inst. Agreed to.

Mr. J. O'Neill requested that his motion relative to the expunging of the 5th Standing Rule, might be referred to the Committee on Standing Rules and Orders. Agreed to.

Mr. Lewis, according to notice, moved the appointment of the Committee to enquire into, and report upon, Mr. Hughes' complain against the Acting Clerk of Council.

Mr. Clarke, according to notice, moved that the Estimates forwarded by his Honor the Superintendent be taken into consideration on Tuesday next; but with the permission of the Council he subsequently withdrew his motion.

Council adjourned at half-past 5 o'clock.

TUESDAY, Nov. 29th, 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 a message from His Honour the Superintendent, forwarding a statement of the Revenue and Expenditure for the Province, for the year ending December 1853, and for the year 1854. Also the Appropriation Bill, which, with the enclosures were severally read and ordered to be printed.

The Speaker requested Mr. Gilfillan to take charge of the Appropriation Bill.

Mr. Lewis brought up the Report of the Committee appointed to inquire into and report upon the complaint of the Reporter of the *Southern Cross* against the Acting Clerk of Council. Report received and read.

Mr. Derrom brought up the Report of the Committee on Steam Communication. Report received and read, and ordered to be printed.

Mr. Gilfillan gave notice that on Thursday, the 1st December, he would move that the Appropriation Bill be read a first time.

Mr. Gilfillan gave notice that on Tuesday the 6th December, he would move that the Council do go into Committee of the whole on the Dog Nuisance Bill, and that Mr. Porter take the Chair.

Mr. Boylan presented a Bill to provide for the Municipal Government of the City and Suburbs of Auckland, and gave notice that on Tuesday the 6th Dec. he would move that the Bill be read a first time.

Mr. Busby gave notice that on the Estimates being taken into consideration, a resolution of Council, that any sum of money voted for the formation or improvement of Roads or Streets, or other Public Works of a local character, shall be contingent upon the contribution of a like sum by the inhabitants of the district or locality immediately interested in the object for which such sum shall be appropriated.

Mr. Bain, according to notice, moved that the Foreign Seamen's Bill be read a third time. Bill read accordingly.

The Speaker named Messrs. Bain, Busby, Dignan, Derrom, and Mitchell, as a Deputation to wait on His Honour the Superintendent with the above Bill for his approval.

Mr. Porter, according to notice, moved for leave to bring in a Bill to build a Dock, and to give better accommodation for Shipping in the Port of Auckland. Analysis of Bill read.

Mr. Gilfillan, according to notice, moved that the Dog Nuisance Bill be read a second time. Bill read a second time accordingly.

Mr. Porter moved the further consideration in Committee of the Report of the Provincial Officers Committee.

The Speaker left the Chair. Mr. Porter took the Chair.

Report further considered in Committee, and agreed to.

The Speaker resumed the Chair; Mr. Porter brought up the Report from the Committee, which on the motion of Mr. Connell was adopted.

Mr. A. O'Neill, according to notice, moved that the Superintendent be requested to procure for the use of the Council, the Original Field Books, &c, referred to in His Honour's Minute, No. 42. Agreed to.

Mr. Connell, according to notice, moved that the Superintendent be requested to place the sum of £20 on the Estimates in aid of the Auckland Museum. Agreed to.

Mr. Williamson, according to notice, moved the consideration in Committee of the whole Council, of the Board of Works Report.

The Speaker left the Chair. Mr. Taylor took the Chair. Debate ensued.

Third paragraph of the Report expunged, the remaining portion read and agreed to.

The Speaker resumed the Chair. Mr. Taylor brought up the Report from the Committee, which on the motion of Mr. Williamson was adopted.

Council adjourned at seven minutes past six o'clock to Thursday, the 1st December, 1853.

THURSDAY, Dec. 1, 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 a Minute from His Honour the Superintendent enclosing a Return of all Sums of Money in the hands of the Colonial Treasurer on the 31st Oct., 1853, on account of Intestate Estates. Minute read and ordered to be printed.

Mr. Gilfillan gave notice that on Tuesday the 6th inst., he would move that the Appropriation Bill be read a second time, and further, that the Council go into Committee of the whole on the said Bill, and consider item by item of the estimates of Expenditure.

Mr. Williamson gave notice that on Tuesday next he would move that the Onehunga or Rural Road Committee be dissolved, and that a Board of Public Works be established, as recommended by the Report of the Committee appointed to inquire on this subject; that the works in the several localities provided for in the Estimates for 1854, be performed under the direction and control of that Board, until such time as local Boards shall be established, and all new works or improvements to be first recommended by that Board to His Honour the Superintendent before being undertaken. Members of the Board, (subject to the approval of His Honour the Superintendent). City—Messrs. Derrom and Mitchell; Suburbs—Mr. Connell; Northern Division—Mr. A. O'Neill; Southern Division—Mr. Newman; Pensioner Settlements—Messrs. Brennan and Powditch. The Provincial Surveyor to have a seat at the Board.

Mr. Busby gave notice that on Tuesday next he would move that the Petitions to both Houses of Parliament for the Separation of the Province be transmitted to Lord Brougham, and Mr. John Macgregor, the Member for Glasgow.

Mr. Derrom gave notice that on Tuesday next he would move that the Superintendent be requested to place the sum of £2000 on the Estimates for the purpose of encouraging communication by Steam from England, and the adjacent Colonies with this Province.

Mr. Gilfillan, according to notice, moved the first reading of Appropriation Bill. Bill read a first time.

Council adjourned at half past three o'clock.

TUESDAY, DEC. 6, 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 the following three minutes from His Honour the Superintendent, which were severally read.

1. Additional memorandum to accompany the Estimates for the Quarter ending 31st Dec. 1853, and for the year 1854.

2. Message, transmitting draft of a Bill to provide for the execution of Deeds, and for other purposes relating to real property.

Minute transmitting sections and plans and Roads laid down by the late Clerk of Works.

The Speaker requested that Mr. Connell would take charge of the Deeds Bill.

Mr. Boylan presented a petition from certain inhabitants of the North Shore, relative to the establishment of a Ferry. Petition read.

Mr. Boylan, presented a petition from Maurice Kelly, praying that some provision might be made for the construction of bridges between the North Shore of the Waitemata and Mahurangi. Petition read.

Mr. Hill presented a petition from certain residents near Mount Albert, respecting the formation of a road in that locality. Petition read.

Mr. Williamson presented a petition from the inhabitants of Otahuhu respecting the connection of that village with the main line of road leading to Auckland. Petition read.

Mr. Newman presented a petition from the Rev. J. Morgan, and others respecting postal communication with Rangiawhia and Kawhia. Petition read.

Mr. Williamson brought up the Report of the Rural Road Committee. Report received and read.

Mr. Porter brought up the report of the Slaughter House Committee. Report received and read.

Mr. Dilworth laid on the table the Sheep Bill, which was ordered to be printed. Mr. Dilworth gave notice that on Thursday the 8th inst. he would move that the said Bill be read a first time.

Mr. Powditch gave notice that, on Tuesday the 13th Dec., he would move a resolution that His Excellency the Governor be requested to bring in a Bill before the General Assembly to authorize the charge of Pilotage for Manakau Harbour similar in amount to the charge of Pilotage for Auckland Harbour making it imperative on all vessels coming or going Foreign to pay the Pilotage, providing the Pilot offers at proper time and place—viz. the outside of the banks to any anchorage within the Harbour for the purpose of entry or loading. Full Pilotage. From within Paratutai or the outer banks, to any inside anchorage for the purpose of entry or loading or from any one inside anchorage to another not being for the first purpose of first entrance or final sailing, Half Pilotage.

Mr. Connell gave notice that he would move on Wednesday the 7th inst. that the Deeds Bill be read a first time.

Mr. Gilfillan according to notice moved the consideration in Committee of the Dog Nuisance Bill.

The Speaker left the Chair. Mr Taylor took the Chair.

Clauses 1 to 4 read and agreed to.

On the Motion of Mr. Gilfillan further consideration of Bill postponed.

The Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again on Wednesday the 7th inst.

Mr. Boylan according to notice moved that the City Council Bill be read a first time. Bill read accordingly.

Mr. Busby moved his resolution relative to the appropriation of monies for the Roads, but with the consent of Council subsequently withdrew it.

Mr. Gilfillan, according to notice, moved that the Appropriation Bill be read a

second time. Bill read a second time accordingly.

Mr. Gilfillan moved that the Council go into Committee of the whole on the said Bill, and consider item by item of the Estimates of Expenditure.

The Speaker left the Chair. Mr. Clarke, took the Chair.

Clause 1 of appropriation Bill read and agreed to.

Paragraphs 1 to 6 of the estimates, read, amended and agreed to. On motion of Mr. Gilfillan further consideration of Estimate postponed.

The Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again on Wednesday the 7th inst.

Messrs. Williamson, Busby, Derrrom, respectively requested permission to postpone the consideration of their notices of motions until the next meeting of Council.

Council adjourned at ten minutes past seven o'clock.

WEDNESDAY, DEC. 7, 1853.

The Council met pursuant to adjournment.

The Speaker took the Chair.

The minutes of the last meeting were read and confirmed.

Mr. Lewis gave notice that at the next meeting of Council he would move that His Honour the Superintendent be requested to place on the Supplementary Estimates a sum of money for the purpose of erecting a dwelling house for the Ferrymen at Panmure.

Mr. Powditch gave notice that on Wednesday next he would move for leave to bring in a bill to be called the 'Passengers' Clearance Bill,' for the purpose of preventing persons leaving this Province for Foreign Parts or Colonies without reasonable provision being made for their relatives and for the prevention of loss, and better security for the payment of small debts.

Mr. Boylan gave notice that at the next meeting of council he would move the second reading of the City Council Bill, and that it be considered by a Committee of the whole house on Tuesday next.

On the Orders of the day, being called Mr. Gilfillan requested that Members who had notices on the motion paper would postpone their consideration, in order that the Council might proceed with the Estimates. Agreed to.

On motion of Mr. Gilfillan the Speaker left the Chair. And Mr. Clarke took the Chair of the Committee.

Clauses 7, 8, 9, and 10, read, amended and agreed to. On clause 11, being read, Mr. Gilfillan moved that the sum of £400 be voted as salary for the Law Officer.

Mr. Busby moved and Mr. A. O'Neill seconded, as an amendment that the salary of the Law Officer be £250. Debate ensued.

On the question being put that £250 be granted as the salary of the Law Officer, Committee divided.

Ayes.—3.

Noes.—15.

Messrs. J. O'Neill, Messrs. O'Brien,

Ayes.
A. O. Neill,
Busby.

Noes.
Porter,
Donovan,
Mitchell,
Boylan,
Williamson,
Powditch,
Brennan,
Hill,
Dilworth,
Lewis,
Dignan,
Connell,
Bain,
Gilfillan,

Messrs. Taylor, and Derrom, declined voting. Messrs. Newman and Macky absent. Amendment negatived.

Original question put and agreed to.

Clauses 12, 13, 14, and 15, read and agreed to.

On the motion of Mr. Gilfillan further consideration of the Estimates postponed.

The Speaker resumed the Chair.

Mr. Clarke, the Chairman reported progress and asked leave to sit again on Thursday the 8th inst.

Messrs. Williamson, Busby, Derrom, Connell, and Gilfillan, respectively requested permission to postpone the consideration of their notices of motions until the next meeting of Council.

The Council adjourned at 20 minutes past 7 o'clock.

THURSDAY, DECEMBER 8, 1853.

The Council met pursuant to adjournment.

The Speaker took the Chair.

The minutes of the last meeting were read and confirmed.

Mr. Porter gave notice that on Tuesday next, he would move for leave to bring in a bill to amend the Slaughter House Ordinance in accordance with the Report of the Slaughter House Committee.

Mr. Porter gave notice that on Tuesday next, he would move that the Superintendent be requested to place on the Supplementary Estimates, £50 for each of the Members from the Bay of Islands, £50 extra for the Clerk of Council, and £1000 for the Tamaki road.

On motion of Mr. Gilfillan, that Mr. Williamson should postpone his notice on the motion paper. Debate ensued. Mr. Dilworth proposed that Mr. Williamson's notice be considered. Mr. Dilworth's motion put and negatived. The Council then resolved itself into a Committee of the whole for further consideration of the Estimates.

The Speaker left the Chair.

Mr. Clarke took the Chair. Clause 16, of the Estimates considered, on the second item being moved. Debate ensued.

Mr. Hill moved that £1000 be voted, but subsequently withdrew his amendment.

On the question being put that £2000 be voted, Committee divided.

Ayes.—12. **Noes.**—8.

Messrs. O'Brien, Messrs. Donovan,
Bartley, Taylor,

Ayes.

Busby,
Porter,
Mitchell,
Boylan,
Derrom,
Dignan,
A. O'Neill,
J. O'Neill,
Connell,
Gilfillan.

Noes.

Newman,
Williamson,
Powditch,
Hill,
Brennan,
Lewis.

Mr. Dilworth declined to vote. Amendment negatived.

Mr. Macky absent. Original question carried in the affirmative.

On the third item being moved, debate ensued.

Mr. Newman moved as an amendment that £1500 be granted.

Council divided. **Ayes**, 11. **Noes**, 7. Amendment carried.

On the 4th item being moved, debate ensued. Mr. Williamson moved as an amendment that the sum of £1400 be voted for the Howick road, from the great South Road through Panmure.

Amendment agreed to.

On the sum of £1200 being proposed for the road to Waikato, through Otahuhu, Mr. Dilworth moved that £3000 be granted. Negatived.

Mr. Dilworth then moved that £2200 be voted. Debate ensued. Committee divided.

Ayes—8. **Noes**—13.

Messrs. Donovan, Messrs. O'Brien,
Newman, Bartley,
Williamson, Busby,
Powditch, Porter,
Hill, Taylor,
Dilworth, Mitchell,
Brennan, Boylan,
Lewis, Dignan,

Derrom,
A. O'Neill,
J. O'Neill,
Connell,
Gilfillan.

Amendment negatived.

Mr. Newman moved that the sum of £1900 be granted. Agreed to.

On the 5th item being moved, debate ensued. Mr. Newman moved that the sum of £1900 be voted for the road to Waikato from the Epsom road, through Otahuhu. Agreed to.

On the sum of £1200 being voted for the Kyber Pass Road. Mr. Dilworth moved as an amendment that the item be expunged, debate ensued. Committee divided.

Ayes.—8. **Noes.**—10.

Messrs. Donovan, Messrs. O'Brien,
Newman, Porter,
Williamson, Mitchell,
Powditch, Boylan,
Hill, Derrom,
Dilworth, Dignan,
Brennan, A. O'Neill,
Lewis, J. O'Neill,

Connell,
Gilfillan,

Messrs. Bartley, Busby, and Taylor; declined to vote. Messrs. Macky and Bain absent.

Mr. Hill moved as a further amendment that the sum of £500 be granted for the Kyber Pass Road, debate ensued. Committee divided. Ayes, 10, Noes, 9. Carried in favour of the amendment. Remaining item read and agreed to.

Mr. Gilfillan moved that the further consideration of the Appropriation Bill and Estimates be postponed until Tuesday next. Agreed to.

The Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again on Tuesday next.

Messrs. Busby, Derrom, Connell, Gilfillan, Dilworth, Boylan, and Lewis, respectfully requested permission to postpone their motions until the next sitting of Council.

Mr. Connell moved the first reading of the Deeds Bill. Bill read a first time accordingly. Mr. Connell gave notice that, on Tuesday next, he would move the second reading of the said Bill.

Council adjourned at 25 minutes to 8 o'clock.

TUESDAY, 13TH DECEMBER.

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 Messages from His Honour the Superintendent which were received and read.

Minute 50, forwarding to Council copy of letter from Colonial Secretary, transmitting copies of grants to Grammar School Trustees, Hospital Trustees, Washing House Trustees, and Native Hostelry Trustees.

Minute 51, forwarding copy of letter received from Mr. George Vaile, relative to the Main Sewer in Queen-street. Enclosure read.

Mr. Porter presented a Petition from the inhabitants of the West Tamaki District for a grant of money for the Tamaki Road. Petition received and read.

Mr. Porter gave notice that he would move to-morrow that the Superintendent be requested to place on the Supplementary Estimates a sum of money for cleansing Slaughter Houses, and also to build one or more Slaughter Houses at Newmarket to be let for public use, if required so to do.

Mr. Porter further gave notice that on to-morrow he would move that the Superintendent be requested to place on the Supplementary Estimates the sum of £500 for the purpose of clearing the river Awaroa from obstruction, and improving the road from Manakau to it.

Mr. Dignan gave notice that at the next meeting of Council he would move that the sum of £1,200 be placed on the Supplementary Estimates for the Wahu Road, in accordance with the Northern Roads Committee.

Mr. Busby gave notice that at the next meeting of Council, he would move a resolution that His Honour the Superintendent be requested to expend the sum of £1000, voted for a Bridle Road to the Bay of Islands, not only in effecting that object, but in establishing at his discretion, a weekly post between Auckland and Russell, and the intermediate settlements; and also in the repair of certain roads which were made by the enterprise of private individuals in the Bay of Islands District.

Mr. Busby also gave notice that at the next meeting of Council, he would move that Mr. Speaker be requested to communicate in the name of this Council with the Speakers of the Legislative Councils or Assemblies of the several Australian Colonies, and to request for the use of this Council copies of the votes and proceedings, and of the acts or laws passed by such Councils respectively to this date, and to interchange the same with this Council for the future; and also that a similar communication be made to the Speakers of the several Provincial Councils of New Zealand.

Mr. Dilworth gave notice that at the next meeting of Council, he would move that £1000 be placed on the Supplementary Estimates, to be disposed of by His Honour the Superintendent on Local Works, when a like sum shall be subscribed by the inhabitants.

Mr. A. O'Neill gave notice that he would move at the next meeting of Council, that the Superintendent be requested to place on the Supplementary Estimates the sum of £50, as compensation to the Signal-man for his house built in 1844.

Mr. J. O'Neill gave notice that at the next meeting of Council, he would move that a select Committee be appointed to frame By-Laws for the prevention of fire, the health, good order, and convenience of the inhabitants of the City of Auckland. Committee—Messrs. Busby, Bain, Williamson, Derrom, Boylan, and the mover.

Mr. Gilfillan gave notice that at the next meeting of Council, he would move that His Honour the Superintendent be requested to place on the Supplementary Estimates, any sum not exceeding £500, to be expended in buoying off the entrance to Kaipara.

Mr. Hill gave notice that on Thursday next he would move that the Newmarket Committee's Report be taken into consideration and adopted.

Mr. Lewis gave notice that at the next meeting of Council, he would move that His Honour the Superintendent be requested to place on the Supplementary Estimates, the sum of £25 for the construction of a Bridge across a gully on the main road leading from Howich to Otahuhu, provided the inhabitants of that locality subscribe a like amount.

Mr. Derrom gave notice that at the next meeting of Council, he would move that His Honour be requested to place on the Supplementary Estimates the sum of £400 for the purpose of providing a Fire Engine, and other requisites for extinguishing fires.

Mr. Dilworth gave notice that at the next meeting of Council he would move that the sum of £250 be placed on the Supplementary Estimates for opening up the road from Slippery Creek to Waiuku.

Mr. Dilworth gave notice that at the next meeting of Council, he would move that the sum of £250 be placed on the Supplementary Estimates for opening up the road from the main South Road to the River Wairoa.

Mr. Dilworth also gave notice that at the next meeting of Council he would move that the sum of £100 be placed on the Estimates for making the road passable from Otahuhu to Howick.

Mr. Dilworth further gave notice that at the next meeting of Council he would move that the sum of £200 be placed on the Supplementary Estimates for making the road passable to Mangarie.

Mr. Hill gave notice that at the next meeting of Council, he would move that £100 be placed on the Supplementary Estimates to build a pound at Newmarket, and £13 to be placed on the same to repay the Pound-keeper his outlay on his dwelling house. Also that a salary of 78*l.* per annum be placed on same for an annual salary for an Assistant to the Pound-keeper, agreeable to the Newmarket Pound Committee's Report.

Mr. Boylan gave notice that at the next meeting of Council he would move that the sum of 250*l.* be placed upon the Supplementary Estimates to construct two Public Fountains in some convenient place in the City.

M. J. O'Neill gave notice that at the next meeting of Council he would move that His Honour be requested to place on the Estimates 200*l.* to pay the expenses of the old Corporation.

On the order of the day being moved Mr. Gilfillan requested that the further consideration of the Estimates be postponed until Thursday next. Agreed to.

Mr. Derrom moved for permission to withdraw his motion relative to the grant of 2000*l.* for steam communication. Agreed to.

Mr. Lewis moved, with the consent of the Council that the sum of 50*l.* be granted for the erection of a dwelling house for the Ferry-man at Panmure, and that the Superintendent be requested to place the same on the Estimates.

Mr. Porter moved his notice relative to the granting of 50*l.* to each Member of Council from the Bay of Islands, and also the granting of 50*l.* for the Clerk of Council, but subsequently withdrew his motion.

On moving that the sum of 1000*l.* be granted for the Tamaki Road, debate ensued. Mr. Powditch moved and Mr. Hill seconded as an amendment that 500*l.* be granted. Amendment carried.

Mr. Williamson, according to notice, moved that a Board of Public Works be appointed. Debate ensued. On the question being put, the motion was negatived.

Mr. Busby, according to notice, moved that the Petitions to both Houses of Parlia-

ment for the Separation of the Province be transmitted to Lord Brougham, and to Mr. John Macgregor, the Member for Glasgow.

Mr. Porter moved as an amendment and Mr. Lewis seconded that the forwarding of the Petition be postponed until the meeting of the General Assembly. Debate ensued. Council divided.

For the Amendment.	Against it.
Ayes 8.	Noes 10.
Messrs. Clarke,	Messrs. Busby,
Porter,	Taylor,
Williamson,	Mitchell,
Powditch,	Hill,
Dilworth,	Boylan,
Brennan,	Newman,
Lewis,	Derrom,
Gilfillan,	Dignan,
	A. O'Neill,
	J. O'Neill.

Mr. O'Brien declined voting. Amendment negatived. Original motion put and agreed to.

Mr. Gilfillan with permission of the Council postponed the consideration in Committee of the Dog Nuisance Bill until Tuesday the 20th inst.

Mr. Dilworth, according to notice, moved the first reading of the Sheep Bill. Bill read a first time accordingly.

Mr. Boylan with permission of the Council postponed the second reading of the City Council Bill until Tuesday the 20th inst.

Mr. Powditch, according to notice, moved a Resolution that His Excellency the Governor be requested to bring in a Bill before the General Assembly to authorize the charge of Pilotage for Manakau Harbour, similar in amount to the charge of pilotage for the Auckland Harbour, making it imperative on all vessels coming or going foreign to pay the pilotage, providing the pilot offers at proper time and place, viz.: For outside of the Banks to any anchorage within the Harbour for the purpose of entry or loading, Full Pilotage. From within Paratutai, or the outer banks, to any inside anchorage for the purpose of entry or loading, or from any one inside anchorage to another, not being for the purpose of first entrance or final sailing, Half Pilotage.

Mr. Porter, according to notice, moved for leave to bring in a Bill to amend the Slaughter House Ordinance. Leave granted.

In the absence of Mr. Connell, Mr. Gilfillan with permission of Council moved the second reading of the Deeds Bill. Bill read a second time.

On the motion of Mr. Gilfillan the Bill was ordered to be considered in Committee on Tuesday the 20th inst.

Council adjourned at a $\frac{1}{4}$ to 7 o'clock.

WEDNESDAY, 14TH DECEMBER.

The Council met pursuant to adjournment.

The Speaker took the Chair.

The Minutes of the last meeting after being amended were read and confirmed.

Mr. Porter gave notice that on Tuesday next he would move that an humble Address be transmitted to Her Majesty the Queen, through His Excellency the Governor, expressing the loyalty and attachment to Her Majesty's Person, entertained by this Council, with an expression of its gratitude to Her Majesty for the liberal Constitution granted to New Zealand, and praying that Her Majesty will be graciously pleased to give Her sanction to any measure which may be passed by the General Assembly conferring on the several Provinces the exclusive management of their waste lands, and the control of their local revenues.

Mr. Dilworth gave notice that on to-morrow he would move that the Sheep Bill be read a second time, and that the House do go into Committee thereon, with Mr. Dignan in the Chair.

Mr. Powditch gave notice that at the next meeting of Council, he would move that His Excellency the Governor be requested to authorize a Pilot to be established for the Manakau Harbour, of similar amount as for Auckland Harbour, and in accordance with the resolution passed on the 13th Dec., 1853, requesting a Bill to be brought in to the General Assembly for the same purpose.

Mr. Williamson gave notice that on to-morrow he would move that a select Committee be appointed to inquire and report to this Council on the best means to be adopted for promoting education in the Province. Committee — Messrs. Gilfillan, Boylan, Clarke, Dilworth, Brennan, A. O'Neill, and the mover.

Mr. Powditch, according to notice, moved for leave to bring in "the Passengers Clearance Bill." Leave granted.

Mr. Porter, according to notice, moved, with consent of Council, that £150 be granted for cleansing the Slaughter House.

Mr. Boylan proposed and Mr. Williamson seconded as an amendment that £20 be granted. Amendment carried.

Mr. Porter, according to notice, moved that £500 be placed on the Estimates for clearing the River Awaroa.

Mr. Powditch moved and Mr. Busby seconded as an amendment that 100*l.* be placed on the Estimates. Debate ensued. Council divided.

Ayes 8.
Messrs. Busby,
Hill,
Powditch,
Lewis,
Derrom,
Dignan,
A. O'Neill,
J. O'Neill,

Noes 9.
Messrs. O'Brien,
Clarke,
Porter,
Boylan,
Williamson,
Dilworth,
Brennan,
Bain,
Gilfillan.

Amendment negatived.

Mr. Williamson moved as a further amendment, that 250*l.* be substituted for 500*l.* Amendment negatived.

On the original question being put, Council divided.

Ayes 7.
Messrs. Clarke,
Porter,
Boylan,
Williamson,
Dilworth,
Bain,
Gilfillan,

Noes 10.
Messrs. O'Brien,
Busby,
Hill,
Powditch,
Brennan,
Lewis,
Derrom,
Dignan,
A. O'Neill,
J. O'Neill,

Original question negatived.

Mr. Dignan, according to notice, moved that 1200*l.* be placed on the Estimates for the Wahu Road.

Mr. Porter moved and Mr. Powditch seconded as an amendment that 500*l.* be granted. Amendment negatived.

On the original question being put, Council divided.

Ayes 12.
Messrs. O'Brien,
Clarke,
Hill,
Boylan,
Williamson,
Brennan,
Lewis,
Derrom,
Dignan,
A. O'Neill,
J. O'Neill,
Gilfillan.

Noes 3.
Messrs. Powditch,
Bain,
Dilworth.

Original question carried in the affirmative.

Mr. Busby, according to notice, moved that the Superintendent be requested to expend the 100*l.* voted for a Bridle Road, in effecting that object, and in establishing postal communication, &c. Agreed to.

Mr. Busby, according to notice, moved that the Speaker should communicate with the Speakers of the several Colonies, and also of the other Provinces of New Zealand respecting an interchange of all votes and proceedings, &c. Agreed to.

Mr. Dilworth, according to notice, moved that 1000*l.* be placed on the Estimates to be at the disposal of the Superintendent for local works, when a like sum shall be subscribed by the inhabitants. Agreed to.

Mr. A. O'Neill, according to notice, moved that 50*l.* be granted as compensation to the Signal-man for his house built in 1844. Agreed to.

Mr. Gilfillan, according to notice, moved that a sum not exceeding 500*l.* be placed on the Estimates for buoying off the entrance to the Kaipara. Agreed to.

Mr. Lewis, according to notice, moved that the Superintendent be requested to place on the Estimates 25*l.* for the construction of a Bridge between farms Nos. 84 and 79 in the parish of Pakurangi, across a gully on the main road from Howick to Otahuhu, &c. Agreed to.

Mr. Derrom, according to notice, moved that the sum of 400*l.* be placed on the Esti-

mates for providing a Fire Engine, &c. Agreed to.

Mr. Dilworth, according to notice, moved that the following sums be placed on the Estimates for the after mentioned purposes. viz. : —250*l.* for opening up the road from Slippery Creek to Waiuku; 250*l.* for opening up the road from the Main South Road to the River Wairoa.

100*l.* for making the road passable from Otahuhu to Howick, according to the recommendation of the Rural Roads Committees.

200*l.* for making the Road passable to Mangarie. Agreed to.

Mr. Hill, according to notice, moved that 100*l.* be placed on the Estimates for building a Pound at Newmarket. 13*l.* for Pound-keepers outlay on his house, and 78*l.* for an Assistant. Debate ensued. Several amendments put and negatived. Original question put and negatived.

Mr. Boylan, according to notice, moved that 250*l.* be placed on the Estimates, to construct two Fountains in the City. Agreed to.

Mr. J. O'Neill, according to notice, moved that the Superintendent be requested to place on the Estimates 200*l.* to pay the expenses of the old Corporation. Debate ensued. On the question being put, Council divided.

Ayes 6.

Messrs. O'Brien,
Busby,
Boylan,
Derrom,
A. O'Neill,
J. O'Neill,

Noes 8.

Messrs. Clarke,
Hill,
Williamson,
Dilworth,
Brennan,
Dignan,
Bain,
Gilfillan.

Mr. Lewis declined to vote. Question negatived.

Council adjourned at 20 minutes to 7 o'clock.

THURSDAY, 15TH DECEMBER.

The Council met pursuant to adjournment.

The Speaker took the Chair.

The minutes of the last meeting after being amended were read and confirmed.

Mr. Porter gave notice that on Tuesday the 20th inst., he would, in accordance with his notice of the 14th instant, present for consideration of the Council, the Address to Her Majesty the Queen, and if the same be agreed to, he would move that the Speaker do forthwith transmit the same to the Secretary of State for the Colonies for presentation to the Queen.

Mr. Derrom gave notice that on Tuesday next he would move the adoption of the Report of the Committee on Steam Communication, and also that His Honour the Superintendent be requested (in the event of the Revenue being sufficient for the purpose) to appropriate the sum of not less than 2000*l.* for the purpose of encouraging communication by Steam from England and the adjacent Colonies with this Province.

Mr. Boylan gave notice that on Tuesday next, he would move that this House do adjourn from Thursday the 22nd inst., until Tuesday the 10th January, 1854.

Mr. Boylan gave notice that on Tuesday next he would move that the following members be appointed a Deputation to wait upon His Excellency the Governor to solicit Endowments for the City, viz., the Speaker, Messrs. Derrom, Connell and the mover.

Mr. Powditch gave notice that he would move the first reading of the Passengers Clearance Bill on the first sitting after the adjournment of the Christmas Holidays.

On the Orders of the Day being moved, Mr. Gilfillan being absent, the Council proceeded with Mr. Hill's motion for the Newmarket Pound Committee. On motion of Mr. Hill, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, Mr. Dignan in the Chair. On the first paragraph being read a Debate ensued, on motion of Mr. Busby it was ordered that the Report be printed and the further consideration of the report postponed. Agreed to.

The Speaker resumed the Chair, the Chairman reported progress and asked leave to sit again.

Mr. Dilworth, according to notice, moved that the Sheep Bill be read a second time. Bill read a second time accordingly. Mr. Dilworth moved that the Council go into Committee of the whole on the Bill. The Speaker left the Chair. Mr. Dignan took the Chair. Clauses 1 to 6 read and agreed to. On clause 8 being read, Mr. Dilworth moved that clause be amended by the insertion of the following words, erase the word "put" and insert "lodge," and at end of clause as printed insert "and any additional penalty of 50*l.* for lodging such sheep in a Public Pound. Provided always that sheep so infected as aforesaid may be impounded in any convenient place, other than a Public Pound, and may in all respects be dealt with as though such convenient place were a Public Pound; and the person impounding the same a Pound-keeper." Clauses 9 to 15 read and agreed to, remaining Clauses, excepting clause 16, and Schedule read and agreed to.

The Speaker resumed the Chair, the Chairman reported progress, and asked leave to sit again on Tuesday, 20th inst.

Mr. Powditch moved the consideration of his notice respecting the Pilot at Manukau. Mr. Derrom moved as an amendment that the words "a Pilot" be struck out and the words "a rate of Pilotage" be inserted. Motion as amended. Agreed to.

Mr. Williamson, according to notice, moved the appointment of the following Members as a Select Committee to inquire and report on the best means to be adopted for promoting Education in the Province. Messrs. Gilfillan, Boylan, Clarke, Dilworth, Brennan, A. O'Neill, and the mover.

Council adjourned at 25 minutes to 6 o'clock.