



NEW ZEALAND
GOVERNMENT GAZETTE,
PROVINCE OF CANTERBURY.

Published by Authority.

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JAMES EDWARD FITZ GERALD,
Superintendent.

Vol. I.]

TUESDAY, MARCH 21, 1854.

[No. VI.]

PROCLAMATION.

By His Excellency Lieutenant-Colonel ROBERT HENRY WYNYARD, Companion of the most Honourable Order of the Bath, the Officer Administering the Government of the Islands of New Zealand, &c., &c., &c.

WHEREAS by an Act made and enacted in the Parliament holden in the fifteenth and sixteenth years of the Reign of Her Majesty Queen Victoria, intituled an "Act to Grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted that whenever any Bill shall have been assented to by the Superintendent as in the said recited Act provided; the Superintendent shall forthwith transmit to the Governor an authentic copy thereof; and it shall be lawful for the Governor at any time within three months after any such Bill shall have been received by him to declare by Proclamation his disallowance of such Bill, and that any such disallowance shall make void and annul the same, from and after the day of the date of such Proclamation or any subsequent day to be named therein. *And Whereas* an Ordinance hath been enacted by the Superintendent of the Province of Canterbury, with the advice and consent of the Provincial Council thereof, intituled "An Ordinance

to empower the Superintendent of Canterbury to perform certain Acts, heretofore performed by the Governor or Lieutenant Governors of New Zealand," Session I, No. 8, and the said Ordinance was received by me on the 24th day of January, 1854.

And Whereas it is expedient that the said recited Ordinance should be disallowed, *Now therefore, I, the Officer Administering the Government of New Zealand, in pursuance of the authority vested in me in that behalf by the said recited Act of Parliament, do hereby proclaim and declare my disallowance of the said recited Ordinance.*

Given under my hand, and issued under the Public Seal of the Islands of New Zealand at Auckland in the Islands aforesaid this twenty-seventh day of January, in the year of our Lord, one thousand eight hundred and fifty-four, and in the seventeenth year of the Reign of Her Majesty Queen Victoria.

R. H. WYNYARD,
The Officer Administering the Government of the Islands of New Zealand.

By His Excellency's command,

ANDREW SINCLAIR,
Colonial Secretary.

GOD SAVE THE QUEEN.

Superintendent's Office,
Christchurch, March 21, 1854.

HIS HONOR THE SUPERINTENDENT directs the publication of the following correspondence for general information.

EDWARD PUCKLE,
Private Secretary.

Colonial Secretary's Office,
Auckland, Jan. 30, 1854.

SIR,

I have had the honor to receive and submit to the officer administering the Government, your Honor's letters as noted in the margin, enclosing copies of the following Ordinances:—

- “Limitation of Patronage Ordinance;”
- “Provincial Revenue Ordinance;”
- “Scab and Catarrh Ordinance;”
- “Government Gazette Ordinance;” and
- “Executive Government Ordinance.”

In reference to these Ordinances I am directed by His Excellency to inform you that there is nothing in them to call for the exercise of the power of disallowance vested in the Governor by the New Zealand Constitution Act.

As regards the “Empowering Ordinance,” Session I., No. 8, I am directed to observe that although the powers conferred upon the Superintendent by this Ordinance are very extensive, His Excellency would not on that ground have disallowed it: it being obviously for the convenience of the public that many of these powers should be exercised by some local authority without the delay of a distant reference, but it is enacted by the second clause of the Ordinance that in case of the death or absence of the Superintendent, the powers given to him may be exercised by the “President of the Executive Council.”

Between these two officers there is this marked difference. The Superintendent is an officer known to the Constitution; on the one hand, elected by the people of the Province; and whose election, on the other hand, is liable to be disallowed by the Governor, and who is subject to be removed by the Crown. There may be, therefore, no valid objection against entrusting, to an officer, so appointed, the powers conferred upon the Representatives of the Crown by the Ordinances in the schedule.

The President of the Executive Council, however, is an officer unknown to the Constitution of New Zealand, and neither elected by the people, nor appointed by the Crown, but nominated by the Superintendent, and holding office at his pleasure. The name, character, and qualification of this officer may be wholly unknown to the Government of the colony.

Under these circumstances His Excellency could not sanction the delegation to the officer in question of the numerous powers given to the Governor by the several Ordinances comprised within the Schedule. And the 2nd clause of the Ordinance is deemed to be so objectionable as to call for the exercise of the power of disallowance vested in the Governor by the New Zealand Constitution Act.

Your Honor will observe, therefore, by the copy of the Government Gazette herewith enclosed, that the disallowance of the Ordinance in question has been proclaimed by the officer administering the Government.

I have the honour to be, Sir,

Your very obedient Servant,
ANDREW SINCLAIR,
Colonial Secretary.

His Honor the Superintendent,
Canterbury.

PROCLAMATION.

By Lieutenant-Colonel ROBERT HENRY WYNYARD, Companion of the Most Honourable Order of the Bath, and Chief Officer in Command of Her Majesty's Military Forces within the Colony of New Zealand, &c., &c., &c.

WHEREAS by an Act made and enacted in the Parliament holden in the fifteenth and sixteenth years of the Reign of Her Majesty Queen Victoria, intituled “An Act to grant a Representative Constitution to the Colony of New Zealand,” it is amongst other things enacted that the General Assembly of New Zealand shall be holden at any place and time within New Zealand which the Governor shall from time to time by Proclamation for that purpose appoint. *Now, therefore,* I, the Officer administering the Government of New Zealand, *Do hereby* proclaim and appoint that the said General Assembly shall be holden, and shall meet for the Dispatch of Business at Auckland, on the 24th day of May now next ensuing, at twelve o'clock at noon. And the members of the said Assembly are hereby warned to give their attendance at the said time and place accordingly.

Given under my hand, and issued under the Public Seal of the Islands of New Zealand, at Auckland, this eighteenth day of January, in the year of our Lord one thousand eight hundred and fifty-four.

R. H. WYNYARD,
Chief Officer in command of Her Majesty's Military Forces within the Colony of New Zealand.

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

GOD SAVE THE QUEEN.

RICCARTON ROAD.

TENDERS will be received at the Superintendent's Office, Christchurch, up to Wednesday, 22nd inst., at 4 o'clock, p.m., for metalling a portion of the Riccarton Road, extending from the corner of Mr. Deans's fence, opposite Murray's public house, to the first culvert, a distance of about 5 chains. The metal to be laid on the hard side of the road 16 feet wide, 10 inches thick in the centre, and 4 inches at the sides. The metal may be procured from the gravel bed under the high bank of the river Avon, near the creek in Hagley Park. For further particulars apply to Mr. Cridland, Christchurch.

By order of His Honor the Superintendent,

EDWARD PUCKLE,
Private Secretary.

BANK OF ISSUE.

Amount of the Notes in Circulation at the Office of the Colonial Bank of Issue, Wellington, on the 4th Day of February, 1854.

Amount of Notes in circulation on the 4th day of February, 1854, being the close of the preceding four weeks, viz. :—

£5 and upwards	£11,470
Under £5	10,998
	<u>£22,468</u>

Total Amount of Coin held by the same Office, on the same day, viz. :

Gold	£6,904
Silver	564
	<u>£7,468</u>

I, Henry St. Hill, being the Acting Manager of the said Bank, do hereby certify that the above is a true account, as required by the Ordinance No. 16, Session 8.

(Signed) HENRY ST. HILL,
Acting Manager.

Colonial Bank of Issue,
Wellington, Feb. 4, 1854.

The sum of Fifteen Thousand Pounds sterling has been invested, under the Warrant of His Excellency the Governor, in the Public Funds in England, through the Commissariat Department, by arrangements made through the Lords Commissioners of Her Majesty's Treasury.

(Signed) HENRY ST. HILL.

COLONIAL BANK OF ISSUE.

Total amount of Notes in circulation at the office of the Colonial Bank of Issue, at Auckland, on the 7th day of January 1854, being the close of the preceding four weeks :—

£5 and upwards	£4610
Under £5	2521
	<u>£7131</u>

Total amount of Coin held by the same office on the same day :—

Gold	£5362
Silver	139
	<u>£5501</u>

I, Alexander Shepherd, the Colonial Treasurer, do hereby certify that the above is a true account, as required by the Ordinance, No. 16, Sess. 8.

A. SHEPHERD,
Colonial Treasurer.

Dated at Auckland this 26th
day of January, 1854.

Amount of the Notes in circulation at the Office of the Colonial Bank of Issue, Wellington, on the 4th day of March, 1854.

Amount of Notes in circulation on the 4th day of March, 1854, being the close of the preceding four weeks, viz. :—

£5 and upwards	£13,655
Under £5	17,602
	<u>£34,257</u>

Total Amount of Coin held by the same Office, on the same day, viz. :—

Gold	£15,700
Silver	557
	<u>£16,257</u>

I, Henry St. Hill, being the Acting Manager of the said Bank, do hereby certify that the above is a true account, as required by the Ordinance No. 16, Session 8.

(Signed) HENRY ST. HILL,
Acting Manager.

Colonial Bank of Issue,
Wellington, Mar. 4, 1854.

The sum of Fifteen Thousand Pounds sterling has been invested under the Warrant of His Excellency the Governor, in the Public Funds in England, through the Commissariat Department, by arrangements made through the Lords Commissioners of Her Majesty's Treasury.

(Signed) HENRY ST. HILL.

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