



# OTAGO PROVINCIAL GOVERNMENT GAZETTE.

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JOHN L. C. RICHARDSON, Superintendent.

Vol. IV.]

TUESDAY, APRIL 29, 1862.

[No 181.]

## ADDRESS OF HIS HONOR THE SUPERINTENDENT ON OPENING THE FIFTEENTH SESSION OF THE PROVINCIAL COUNCIL OF OTAGO, 16TH APRIL, 1862.

MR. SPEAKER AND GENTLEMEN,

THE circumstances under which we meet on the present occasion are such as justify the hopes we entertained at the commencement of the last Session, and afford us the best encouragement in our expectations for the future.

Within the short period of twelve months the population of the Province has been doubled, the imports and custom dues have increased threefold, the exports tenfold, and the territorial revenue has been augmented by one-half. These are facts which speak for themselves, and tell of a prosperity which even the most sanguine never conjectured could have dawned upon the Province within so short a time.

Bright and encouraging as these prospects are, yet, when we remember the source whence this sudden prosperity has sprung, and the roaming habits of those who have flocked in thousands to our shores, it becomes us still to advance with caution, employing the revenue on works of a reproductive character, and such as, should any check arise, will be suitable to our requirements. To private enterprise, fostered by the judicious support of Government, may be safely left those more extensive works which characterize such periods of transition and development.

You will perceive from the Estimates, which will shortly be laid on your table, that the finances of the Province are in a sound condition,—and, that, notwithstanding the very heavy expenditure, the revenue has exhibited a buoyancy which not only enabled me to meet the liabilities previously incurred, but also to obtain a balance to ensure the payment of existing contracts. It is well that it is so, for the necessities of our position will cause a very considerable outlay

in the construction of an Hospital, Gaol, Lunatic Asylum, and of Provincial Buildings. These buildings would have been undertaken at an earlier period had I not been desirous of ascertaining your sentiments regarding the best sites for works involving so great an expenditure of public money.

Though there is a decrease in the amount of gold brought in by the Escort, owing chiefly to temporary causes, I have no doubt whatever of the character of our Gold Fields. Many of the miners have returned to Australia for the winter, having been deluded, by interested persons, into the belief that the coming months are times of peculiar trial, whereas it is often the case that our winter is the best season in the year. Many of these miners, however, design returning in the spring, and, together with the Immigrants from the home country, shortly expected, will more than fill up the partial void in the Mining District, and supply, in a small degree, the increasing demand for farm servants and shepherds.

You are already in possession of the Bills which will be submitted for your consideration. You are aware that objection was taken by the General Government to some of the provisions of certain Ordinances, which were passed at a former Session, and, though the force of such objections in some cases is not fully admitted, still it is deemed desirable not to embarrass our action by conflicts respecting jurisdiction, or the expediency of some of the provisions of the enactments, and, therefore, where principles of importance were not involved, the suggestions of His Excellency's advisers have been adopted. In one or two cases the urgent necessity for imposing an immediate check to the irruption of criminals from abroad had led to the introduction of measures which more properly rested with the remote authorities, but which might have been too tardily enacted.

The most important alteration which has been introduced into the amended *Education* Bill is that which provides for the representation of those owners

and occupiers of lands who are subject to taxation even though they are not resident male householders; the change may theoretically be regarded as one of considerable importance, but, practically, its influence will be unappreciable. The extent to which unreclaimed land is intended to be taxed is reduced to the amount which was proposed when the Bill was submitted to you last year, but the principle which enables you to impose an Educational tax on unreclaimed land is one that cannot be sacrificed; for, independently of its being based on the soundest foundation, its influence in preventing the absorption of the country by speculators is wholesome, and cannot reasonably be objected to when the holders of the land have a voice in the imposition of the rates, and are eligible for the District Boards. Should you concur in my views, by adopting the proposed alterations, I trust we may consider this question as finally settled; for, as the chief suggestions of the confirming authority will have been accepted, there cannot exist any grounds for keeping so important a subject any longer in suspense.

While we have reason to be satisfied with the state of Education in this Province in its more elementary form, inasmuch as it is complete of its kind, and within the reach of all, we have grounds for humiliation in the total absence of all collegiate establishments; and in this respect we stand alone among the earlier settled Provinces of New Zealand. Provision was made by you in a previous session for the erection of a High School or College, and I shall ask you for an additional sum this year, and also for the means of providing such an efficient Educational staff as will make the higher branches of Education accessible to those desirous of availing themselves of them. The existence of such an establishment at Dunedin has become a matter of importance, and, hereafter, facilities for an education of a higher character than that which is now afforded must be obtainable in the remote centres of population, for, with political institutions of the most liberal kind, we shall be in a position of extreme danger if the cultivated intelligence of the community falls far short of being equal to the grave responsibilities which such electoral privileges and power entail.

The number and expense of the Schools required to be built this season induce me to suggest a reconsideration of that portion of the Ordinance where the entire expense of such buildings falls upon the Treasury. The rapid increase of the amount of the educational grants in Great Britain from £20,000 in 1832, to £800,000 in 1862, has necessitated a change of system in the home country, and it would be well that we ascertained precisely the tendency of our proposed arrangement.

I regret that it is necessary to submit to you an amended *Road Bill*, divested of those advantages which the disallowed Ordinance was intended to confer. However appropriate and beneficial the application of the "English Highways Act" may be in old established countries, traversed in all directions, and at convenient distances by suitable roads, its inapplicability is manifest in a country where, as in some districts, not a single practicable road exists; in the former case it would be necessary to divest the proprietor of the land; in the latter, an express reservation and allowance for roads was made when the land was sold. The case not being analogous, the same treatment is inapplicable. It has, therefore, been considered expedient to adhere to our existing Ordinance on this point, and not, by repealing it, necessitate the adoption of the cumbrous machinery which would crowd the statute books with Road Acts; trusting that the General Government will introduce

a Bill which will effectually meet the evil in those few cases where any doubt exists.

For information respecting the operations of the last half-year, I have to refer you to the interim reports of the heads of departments, whose usual annual reports will appear at the close of the year.

I am happy to inform you that the progress made in the *Survey* of the country is satisfactory. During the current half-year, not only will the survey of land preparatory to sale, keep well in advance of the demand, but, the department will, in a measure, be able to overtake the survey of those sections which have not yet been recorded, and the owners of which have hitherto been put to much inconvenience, if not to positive loss, by the delay. Circumstances, arising principally from the necessity of laying off rural land and townships in the neighborhood of the goldfields, have interrupted the ordinary course of operations; but, a slightly increased staff, as a temporary measure, will enable the department to meet all its requirements.

The *Road Department* has worked steadily and satisfactorily considering the extraordinarily heavy demands on its attention. Independently of what has been finished there are several miles of road under contract. The greater portion of the main south line, between Dunedin and the Taieri Ferry, a distance of 20 miles, will shortly be metalled. I had lately the opportunity of passing beyond Blueskin Bay, a portion of the Northern Trunk Road, and I readily avail myself of the opportunity which is now afforded me, of thanking the chief surveyor, Mr. Thomson, lately in charge of this department, for the energy and skill with which he has carried out the operations entrusted to him in this, as in all other directions. The arrival of Mr. Swire, the Provincial Engineer, will, for the future, bring this department under a more undivided supervision.

It is a subject of congratulation that, while the influx of population has increased the amount of sickness to such an extent as to fill the wards of the *Hospital* as fast as they could be erected, the mortality has been comparatively very small. From frequent personal observations of the state of the patients arriving from the gold-fields, many of whom were far advanced in the last stage of typhoid fever and inflammatory disease, I can only ascribe the satisfactory result, as regards the small amount of fatal cases, to the professional ability and unwearied attention of the Provincial Surgeon, Dr. Hulme. During the whole period of my visits, I have only received two complaints, and those of a comparatively trivial character; and an extended experience of such institutions has induced the conviction that the Province is much indebted to the Provincial Surgeon and his subordinate staff for this absence of dissatisfaction.

The expenditure on account of *Pilotage* having been hitherto far beyond the amount received as dues, I found it necessary to apply for an increase of the pilotage rates. The necessary proclamation has been promptly made, in accordance with my wishes; but, even with the estimated revenue from this quarter, the expenditure will be slightly beyond the receipts.

The necessary authority for raising a Loan of £50,000, in order to carry out the provisions of an *Harbour Endowment Bill*, about to be submitted to you, having been readily accorded, the Government, or such body as by law may be appointed, will be in a position to advance the work of reclamation and improvement with rapidity—including that which has become absolutely necessary—a Light House at the Heads. I have included this, and also a few other Harbour improvements which it will be necessary to

effect, under the proper head in the Estimates—as the Bill will provide for the repayment of the Expenditure to the Provincial Treasury.

An advantageous offer having been made for the erection of an *Electric Telegraph* between Dunedin and Port Chalmers, with provision for extension to the Heads, if necessary, and, having considered the general wish expressed in your House that such a communication should be established when circumstances warranted, and further influenced by your resolution of last Session, and the desire of the commercial community, I have entered into an engagement for the immediate erection of a line of telegraph between the parts indicated.

I hoped, in anticipation of your wishes, to have made an arrangement by which the *Mail* for England would have reached Melbourne immediately before the departure of the mail steamer for Great Britain. The sum asked for the mail service necessary to carry out this arrangement was considerably beyond my expectation, and, in consequence, I reluctantly suspended all further negotiation. It will be for you to consider to what extent the revenues of the Province, on which there are such heavy demands, can be applied for obtaining the desired return mail service, remembering that in the absence of all competition, your appropriation, however desirable the object, may be out of all proportion to the value of the service performed.

You will be gratified to learn that the services of Dr. Hector for the *Geological Examination* of the country have been secured, and that he may daily be expected to arrive. I anticipate important results from his scientific investigations.

In the exercise of the general power with which you entrusted me, and to avoid the resort to arbitration for compensation for losses represented to have been sustained in connection with the gold fields, as also to possess myself of two *Runs* necessary for the settlement of the mining population, I have, by a money payment, extinguished the titles to runs, Nos. 53 and 54. My correspondence with the General Government on this subject will be laid on your table. Townships have been laid off in the centre of the gold fields, and I hope ere long to see the miners settled on lands of their own, in the neighbourhood of their operations.

The *Gaol Department* is now in a very satisfactory position, but the large number of prisoners, amounting to 83, including several cases of a very grave character, demand unceasing vigilance and determination.

The conduct of the *Police* department in all its branches continues to afford me the highest satisfaction. Crime has barely had time to develop itself before it was detected, and its career arrested. It was therefore, with considerable regret that I learned it to be the intention of the General Government to introduce a Bill for the purpose of removing this department from Provincial control. Had I not seen the Bill, I could not believe that the introduction of a measure so seriously affecting the wellbeing of the province would have been resolved on without, at least, the formal intimation to me of such intention. It appears to be an unfortunate decision that a change such as this Bill proposes, should be designed at a time when the chief Executive officer in the province should be entrusted with even larger powers than he possesses, and when from the want of a resident Judge the gaol is overcrowded, and demands especial attention.

By the bill, a copy of which I will endeavor to procure, and lay before you, it is proposed that the management of the Constabulary shall reside in cer-

tain officers appointed by his Excellency the Governor, the chief of whom may dismiss constables, reporting such dismissal to the Colonial Secretary, and by whom the sanction of Government must be obtained before the appointment of another constable; in the room of the one dismissed, takes place. The power of dismissal is conferred on the Governor; Superintendent, Inspector, and on any other officer in charge of a distant station, on the recommendation of a Bench of Magistrates. The officer above referred to, termed an Inspector, is also to send in a weekly distribution return to the Colonial Secretary, and the whole constabulary force are to be informed that it will be their duty to obey all the lawful orders of the Governor, and of all Judges of whatever Court, Resident Magistrates, and Justices of the Peace, in the execution of the duties of their respective offices. There is no reference to any Provincial power to whom obedience is due. On the whole, I cannot regard this bill as otherwise than intended to withdraw the control of the police force from the Chief Executive Provincial authority residing on the spot, and to confide it to an Inspector, dependent on a Colonial Secretary, residing several hundred miles distant; and, if I am right in my construction of the bill, which, notwithstanding clause 11, which is carefully guarded by clauses 13, and modified and restricted in many points, I believe I am, I must characterize the intention as dishonoring to the Provincial authorities, and eminently calculated to destroy the efficiency of the police force, which in a considerable measure depends on the existence of a local power prompt to decide, and equally prompt to act.

There are many other considerations which will readily suggest themselves to your minds, which, united to the objections above noted, would only add to the many reasons which make the Government of this Province from Auckland an utter impossibility. If these evils are to continue, it behoves us to look around for the means of obtaining that form of government which is essential to the development of our prosperity, avoiding on the one hand that leveling tendency which, while making due allowance for the representation of the majority of the people, would fatally ignore the claims of capital, and, on the other, that centralising influence which paralyses the exertions, and withers the prospects of those portions of the country which are remote from the Seat of Government.

I invite an expression of your opinion on this subject, which appears to me to be one of paramount importance.

From the correspondence on the subject of *Emigration*, which I will cause to be laid before you, you will perceive that the instructions have been given to the home agents to encourage female emigration, and that subsequently the agents were empowered to extend the assistance thus afforded, by paying the whole of the passage money of eligible females, while at the same time an intimation was given that it was probable the Government would immediately and more actively resume its emigration operations. Before deciding on so important a point it will not be inexpedient to review our past proceedings, ascertain our present position, and mark the inevitable tendency of the existing system. When it was decided to introduce immigration from the Home Country, a special loan was appropriated for the purpose, which was intended to be re-employed as often as it was realised from the re-payment of advances made to immigrants. It had been ascertained that the outgoings considerably exceeded the incomings, and later experience confirms the impression that this will continue. During the last few months money has been abundant, the Immigration Agent has been im-

portunate, and recourse in many cases has been had to the Courts of Law; and the result is, that the receipts within the period referred to, amounted to no more than 13½ per cent. of the sums due. Under the most favorable circumstances, then, and with the most earnest solicitation, our present advances would scarcely be repaid within four or five years. If, however, we continue our operations on the present system, the debt will increase to an alarming extent, and there will arise, from this state of indebtedness, a never ending conflict between the Government and the people of a most demoralising and destructive character, opening a pathway for the machinations of the political schemer, and sapping the very foundation of our political and moral existence. It is better that we should at once bear the whole expense of immigration than expose the Province to so fearful a calamity.

If, however, we are indisposed to adopt either of these plans, we have yet another, which has been tried, and has proved eminently successful elsewhere.

The disposal of the Waste Lands of the Province and the introduction of immigrants are best considered in connection with each other. Even the most lavish expenditure on account of immigration will be useless unless our *land regulations* are liberal and attractive, as we shall merely become the agency by which our neighbors will be supplied at our expense. It is expedient, therefore, that we should consider the system of encouraging immigration by free grants of land to immigrants paying their own passage from Britain, on conditions of residence, and with this view, I will submit to you at an early period of the session, a proposal for effecting this object.

As in all probability this is the last occasion, for a reason which I will immediately mention, on which I shall open your deliberations, I cannot resist the opportunity of most earnestly inviting your attention to the expediency, I might almost say necessity, of offering every possible facility for the acquisition of land by men of limited means, and the laboring classes, and of preventing, at all hazards, our best agricultural land, that on the sea-board and running up the valleys, from passing into the hands of speculators. I have given much and anxious thought to this subject, and the more I consider it, the stronger is my conviction that the future wellbeing of the Province depends, in a great measure, on our present decision as to the disposal of the lands in question. I should experience no difficulty whatever in finding purchasers for the whole of these lands at prices considerably above the upset; but the country instead of becoming the abode of men, would remain depasturing land for sheep. The proposed immigration scheme will give you people in exchange for land; and, should the state of the revenues demand supplies, it would not be difficult to extinguish by negotiation, the title to some of the interior runs, unfitted for agriculture, and to dispose of them by auction to the highest bidder, thus introducing a very valuable class of settlers on properties of a moderate extent. The inevitable tendency of our present system, arising principally, it is supposed, from a defect in the legal phraseology of the conditions of sale, is to press sorely on the class which it is our truest wisdom to welcome, and without which the country, as regards its rightful occupant, becomes a mere desert. Every colony is bidding high for immigrants—we have an ample supply of land of an attractive character for all classes desirous of residing on it; we are yet in a position to preserve it by judicious sales for its only legitimate use, and we may still avoid the condition of at least one of the neigh-

bouring Provinces, which has no agricultural land for sale, and, therefore, no attraction for emigrants to visit its shores.

It was with regret that I was compelled to withhold my recommendation from your request, which, at the close of last session I forwarded to his Excellency the Governor, that he would be pleased to dissolve this Council. I will not refer to the past; but simply assure you that should you still desire this dissolution, and will fix the period for its taking place after the Electoral Roll shall have been revised, I shall have much pleasure in forwarding it with the expression of my hearty concurrence.

I have, I fear, gentlemen, detained you too long—but I could not refrain from being explicit on subjects of such grave importance as those which will be brought before you, and which I am sure will receive at your hands that attention which the public interests committed to your care, so urgently need, especially at a period when passing events require peculiar circumspection, far-seeing liberality of sentiment, and unswerving adhesion to Constitutional rights and principles.

I now declare this Council open for the despatch of business.

J. RICHARDSON,  
Superintendent.

REPLY TO THE OPENING ADDRESS OF  
HIS HONOR THE SUPERINTENDENT, 22ND  
APRIL, 1862.

WE, the members of the Provincial Council, desire to express to your Honor our satisfaction at the rapid progress made by the Colony since our last session, in the development of its commerce, the increase of its population, and the augmentation of its revenue: and to concur with your Honor in the opinion that its prosperity may now be considered established on a permanent and satisfactory basis, notwithstanding the temporary decrease in the amount of gold brought up by Escort.

We congratulate your Honor on the peace and good order which, notwithstanding isolated instances of crime, have been maintained in the community—a result mainly to be attributed to the successful augmentation of a vigorous and efficient Police.

We are glad to perceive that the subject of Education has received your Honor's attention, and we will be prepared to give any suggestions which may be brought before us for the improvement of our Educational System, and the extension and increase of its advantages our most earnest consideration.

The provision for increased Hospital and Gaol accommodation, the Land Regulations, the introduction of immigrants, with the relations of the Provincial to the General Government, and the various other matters adverted to in your Honor's address, shall receive our most careful attention; and we trust to be able to co-operate with your Honor in the preparation of such measures as shall be adapted to our altered circumstances, and be calculated to promote and consolidate the prosperity and well-being of the community.

At the close of last Session we expressed a want of confidence in your Honor's present advisers, but from difficulties to which we will not now revert, there was no new Executive formed. We trust that your Honor will now be able to make such arrangements as shall give you an Executive possessing the confidence of the majority of this Council, so that the business of the Province may be conducted in a constitutional manner.

ALEX. RENNIE, SPEAKER.