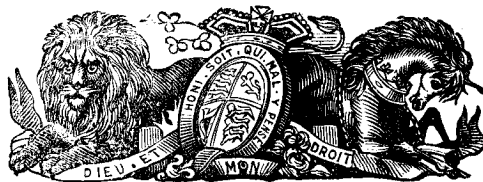


NEW ZEALAND.



OTAGO

PROVINCIAL GOVERNMENT

GAZETTE.

Published by Authority.

Vol. XI

DUNEDIN, WEDNESDAY, MAY 1, 1867.

No. 479.

[WITH SUPPLEMENT.]

ADDRESS OF HIS HONOR THE SUPERINTENDENT,

ON OPENING THE XXIII SESSION OF THE PROVINCIAL COUNCIL OF OTAGO, MAY 1, 1867.

MR. SPEAKER AND GENTLEMEN OF THE PROVINCIAL COUNCIL,—

I have called you together at the earliest possible moment, chiefly for the purpose of procuring the necessary supplies for the Public Service of the Province. With this view, the Estimates of Revenue and Expenditure will be submitted to you as early as possible; and I trust that provision will be made so as to enable the Public Service to be carried on without interruption, under the authority of law.

It cannot but be a matter of congratulation to us all that, in entering upon our respective duties, the financial position of the Province is satisfactory, notwithstanding the adverse circumstances against which it has had to contend, and the vast drain upon its resources which is constantly going on, to satisfy the requirements of the General Government.

The Estimates will be framed with a special regard to economising the Departmental Expenditure, by reducing, where practicable, the number of officers. Some proposed Departmental changes will be submitted to you, which I trust will receive your earnest attention.

With reference to Railways, you are no doubt aware that the Government, in accordance with what I believe to be the almost unanimous desire throughout the Province, has despatched Mr. W. C. Young as Special Commissioner to England, for the purpose of negotiating for the construction of the Southern Trunk Railway.

The disallowance, by the General Government, of the Guarantee Interest Ordinance of last session, has, to some extent, lessened the chance of Mr Young's immediate success. With a view of assisting Mr Young, you will be asked to re-enact the Ordinance of last session, altered to meet, if possible, the objections of the General Government; failing which, I trust we may succeed in getting an Act passed through the General Assembly, which may enable us to offer such terms as shall ensure the success of Mr Young's mission. It cannot be supposed that what has been conceded to almost every other Province in New Zealand will be denied to us when the question comes to be submitted to the General Assembly. The correspondence upon this subject which has passed between the General Government and myself will be laid before you.

It is proposed, in the next Session of the General Assembly, to get the Railway Act, 1866, amended, so as to provide for certain tunneling, deviations, and improvements, should the constructors of the Railway deem such to be advantageous. In

case of need, the provisions of the disallowed Provincial Ordinance, can be inserted in the Amended Colonial Act.

It is a question whether it may not be advisable to take power to extend the guarantee from £400,000 to £500,000. As to this, I shall have to be guided by your opinion.

As regards the question of Railways generally, I regret to find that a feeling of jealousy exists in some portions of the Province with respect to the Southern Trunk Line, which is looked upon as conferring an advantage upon the Central Portion of the Province at the expense of the extremities. You will disclaim any such idea. If Railways could be constructed simultaneously all over the Province, it would be highly desirable: as it is, the line in question must be regarded simply as a commencement; and so soon as it is begun, it will be our duty to take steps to extend it in other directions. Should Mr Young succeed in his present mission, we need not anticipate difficulty in the matter of extension.

There are various subjects of public importance, in which the initiative has been taken, and with respect to which I am confident of concurrent action on your part. I may allude specially, to the erection of a bridge across the Waitaki. I have been in communication with the Superintendent of Canterbury touching this matter, and the correspondence will be laid before you.

You will also be furnished with a copy of Correspondence with the General Government, respecting the application of the Land Registry Act, 1862, to the whole Province. I feel persuaded that, if the practical initiation of this Act were intrusted to the Provincial Government, as suggested in my letter to the Colonial Secretary, it would not remain longer as a dead letter in the Statute Book of the Colony; but that its provisions would be extensively taken advantage of.

I have also been in communication with the General Government respecting the erection of lights at Cape Saunders and the Nuggets; and have offered, subject to your approval, to construct both and hand them over to the General Government complete, the Province to find the lighting apparatus, and the General Government to provide the cost of the buildings. Should you concur in these proposals, it would be well to pass special resolutions expressive thereof, for transmission to the General Government.

I have also written to His Excellency the Governor of Tasmania, with a view to introducing the salmon into our rivers from that colony. Before the session is over, I hope to submit some practical proposition for your approval, in order to this end.

It will be recollected that, some years ago, the Government offered a bonus of £500 as an inducement to the Manufacture of Paper from the Native Flax. There is reason to believe that, had the amount been larger, a Paper Manufactory would

have, before now, been in operation. I trust you will enable me to offer a more adequate bonus. The attention of the Government has been directed to the vast importance of Russian Flax as a staple article of export; and I propose to place a small sum on the Estimates for the purpose of stimulating agriculturists to cultivate the plant, for the advantageous growth of which it appears that this Province is peculiarly adapted.

Among the Public Works which have been initiated since last Session, there is perhaps none more important than that of deepening the Upper Harbor. I am glad to say that vessels drawing 12 feet will be enabled very shortly to load and discharge at a Dunedin wharf, and that this desirable object will be effected at a cost quite within our means, and trifling compared to the benefit which will accrue.

It is much to be regretted that, from untoward circumstances, the Graving Dock has not yet been commenced. Should the arrangement for its construction not assume some practical aspect before the Session is over, it may become the duty of the Government to take the matter in hand, in which case it will be necessary that it shall be empowered by Ordinance so to do.

I need not impress upon you how much the prosperity of the Province depends upon the Port of Otago being rendered in every respect available for commerce: the direct loss which the Province has sustained by the want of a Dry Dock, and the neglect of Dredging is incalculable. It would be a wise and enlightened policy to spare no money in improving our Harbor, and to make the dues on shipping as light as possible.

You will be asked to make provision by which we may be enabled to resume Immigration on a large scale; and, in doing so, we must not lose sight of the fact that Capital as well as Labor is wanted.

Pastoral Leases under the new Land Act have been extensively taken up, and a large immediate revenue to the Province thereby secured. In granting these Leases, the Government by obtaining the consent of the Runholders to dispose of a large area of the most available land in the Runs over which the Leases have been granted, has made ample provision for settlement.

The system of supplementing District Road Rates at the rate of £2 to £1, as sanctioned by the late Council, has produced the very best results. A great many districts have already availed themselves of this provision, and I trust that we shall be able during the current year to meet all demands which may be made in this direction.

Among the important works for which you will be called upon to provide, and to which I deem it right especially to allude, is the formation of a track to the West Coast. I am glad to say that we have obtained the sanction of the Provincial Government of Canterbury to form the track through that Province to the Haast. The opening of such a means of communication cannot fail to be of immense advantage to the mining population in both Provinces.

The construction of the Jetty at Oamaru has, I regret to say, been greatly delayed in consequence of unforeseen difficulties. The work has, however, again been resumed, and will, it is hoped, be brought to a speedy termination, although it is somewhat doubtful as to how far it will answer the object in view. I think provision should have been made for the construction of a breakwater—a work which, from the abundance of material upon the spot, could be constructed at a much smaller cost than is generally supposed. From enquiries at present pending, I am led to believe that £20,000 would be ample for this purpose,—an amount of money trifling compared with the advantages to be derived from the work, enabling as it would vessels of large tonnage to load and discharge with safety in all weathers. The extent to which such a work would add to the value of the exports of the Province would, I believe, amply warrant a much larger immediate expenditure than that now indicated.

The Government has received many applications for assistance from the Dunedin Corporation. It is proposed to refer the consideration of these applications, and of the financial position of the city to a Select Committee.

There are various questions deeply affecting the moral welfare of the community—indeed, I may say its future safety—which it seems to me to be imperatively necessary that we should deal with at once. I would allude especially to the serious evil which is growing and festering in our midst, viz., the large number of children—the offspring of profligate parents—who may be said to be homeless, and who are being utterly neglected or trained up to vicious habits. It appears to me that the State must in self-defence take steps to repress this evil. It will cost us much less to do so now than it will by-and-bye. I believe an industrial school, which might be made to a large extent self-supporting, would be the most effective remedy. There is an excellent site for such a purpose at Look-out Point, upon the thirty acres reserved for a lunatic asylum some years ago.

Another matter somewhat akin to this is the providing of some means whereby the convicts in our penal establishment may be classified, and the more hardened offenders be kept separate from younger and less experienced criminals. At present, instead of a reformatory, our penal establishment is more calculated to become a school for crime. It seems to me that a strong stockade will be the simplest

and most economical way of meeting this difficulty. A Select Committee will be proposed to you, so that this most important question may be considered with a view to devising a remedy.

Another crying evil in our punitive system is the want of gaol accommodation which necessitates runaway seamen being herded with criminals of the deepest dye; it is an evil which is highly disgraceful to us as a community, and one which, I trust, will not be permitted to exist longer. With a view to obviate it, it is proposed to provide on the Estimates a sum for a small addition to the Lock-up at Port Chalmers, and to let runaway seamen undergo their sentences there.

With regard to the Gold Fields, it is unnecessary for me to refer to the action which the General Government it has seen fit to adopt, in depriving the Provincial Government of their administration—the whole correspondence between the General Government and myself will be laid before you. The Executive Government, you are aware, has resisted this encroachment upon the rights of the Provincial legislature, in which course, I feel assured, that it will be amply borne out both in the Council and throughout the Province. It is difficult to discover for what reason the Gold Fields should have been treated as distinct from every other interest in the Province. Gold mining has become a settled industry, and the mining population are quite as much entitled to manage their own affairs, through their elected Superintendent and representatives in the Council as any other class or interest in the Province. I feel assured the mining population will have the good sense to perceive that the attempts which are being made to alienate themselves and their interests from the rest of the Province, are neither intended nor calculated to benefit them, but, on the contrary, these attempts if successful will simply end in bringing the Province more completely under the yoke of the North, and in perpetuating the results which that connection has already produced. To test public opinion on this subject, an Ordinance will be submitted to you providing the means for taking the votes of the whole people of the Province, upon the question of whether the Province should still continue to control the Gold Fields.

In voting supplies for the Gold Fields Districts, I propose that we shall do so irrespective of the General Government action to which I have referred. It was the intention of the Executive, previous to that action, to have expended a large amount during the ensuing year upon roads and other public works on the Gold Fields, and although the non-sale of the Wakatipu Runs may to a certain extent interfere with this policy, yet, when the Estimates come before you it will be seen that liberal provision has been made in this direction.

You will be asked, in dealing with the revenue to apportion it fairly and equitably all over the Province; and not only to localise the expenditure, but wherever it can be accomplished to place the control of that expenditure under local management.

I have earnestly to recommend to you to be, guided by a decentralising, diffusive policy, believing as I do that centralization is not conducive to the interests of the Province.

It is impossible, I apprehend, that the present state of things can be permitted to continue much longer. Provincial Legislatures must either abrogate their functions, or assert their position by exercising the powers appertaining to them under the Constitution.

For my part, unless I am assured that the people of this Province deliberately desire it, I shall be no party to the abrogation of those functions. The Provincial system has a great work to perform, and it would be suicidal on the part of the people to relinquish it. It is said that the system has been extravagant and expensive. If so, it has been our own fault, and the remedy is in our own hands.

There are many important matters of a practical nature, with which it will be necessary to deal by Ordinance. It appears to me, however, that for the present it is expedient for us to confine our attention almost exclusively to administration. In the existing unsatisfactory state of the relations between the General and Provincial Governments, the probability is that our Ordinances would share the same fate as those of last Session; notwithstanding the fact that the Constitution Act confers upon us the power of making laws for the peace, order, and good government of the Province, provided such are not repugnant to the laws of England.

It is perfectly clear that if this Province is to progress, and make the most of its resources, it must be by means of the Provincial Legislature. We are far more competent to do for ourselves what the General Government is seeking to do for us, than it can possibly be. We can do so much more efficiently and much more economically.

The spirit and intention of the Constitution Act evidently is that the General Government should be federal in its action, and the circumstances of the Colony pointed to this as the advisable form of government, otherwise what necessity was there for creating distinct machinery for Provincial legislation? The General Government, however, has overstepped the line, and its action has been, for the past nine years, gradually to undermine the Provinces—to involve them in an enormous debt, and in a permanent colonial expenditure from which they derive no practical benefit. It needs no great power of reflection to perceive that had the General Government confined itself to purely federal functions, the large amount of Customs and Stamp Duties now

levied in this Province would either have been expended within and for the benefit of the Province: or, which is more likely, would not have been levied at all. As it is, it seems to me to be absolutely essential for the best interests of the Colony, as well as of this Province, that a system which has produced such results should be modified or curbed, and that the only practical mode of effecting this is for the two islands to separate. So long as the General Government is able to play the one off against the other, so surely will it maintain its supremacy with all its attendant evils. I have long hoped that the unity of the colony did not necessarily involve the evils to which I have adverted. It seems now, however, to be hoping against hope; and as practical men it behoves us to go in for Separation—separation which, divested of all sentimentality, means reduced taxation, and the expenditure of our own revenue on local purposes; it means a great and united Colony, years before it could otherwise be. But it must be borne in mind that Separation can only be obtained from the Imperial Legislature, and that, in the meanwhile, much may be secured from the Assembly which, though short of Separation, will materially redress the evils under which we labor.

With this object, resolutions will be submitted to you concerning the relations between the General and Provincial Governments, and by assenting to them I hope you will strengthen the hands of the Representatives of the Province in the Assembly, and place them in a position to coalesce with the members of other Provinces.

I have now to declare the Council open for the despatch of business.

JAMES MACANDREW,
Superintendent.

HIS Honor the Superintendent directs it to be notified that he has been pleased to appoint
ARTHUR JOHN BURNS, Esquire, M.P.C.,
to be a member of the Executive Council of the Province of Otago.

JOHN MOUAT,
Provincial Secretary.

May 1, 1867.

HIS Honor the Superintendent directs it to be notified that

WILLIAM HUNTER REYNOLDS, Esquire,
was this day elected by the Provincial Council of the Province of Otago to be the Speaker of the said Provincial Council, and that the said election has been duly confirmed by his Honor the Superintendent.

JOHN MOUAT,
Provincial Secretary.

1st May, 1867.

PROCLAMATION.

Boundaries of Waihola East and Waihola West Road Districts altered and diminished, and boundaries of Milburn Road District enlarged.

By His Honor JAMES MACANDREW, Esquire, Superintendent of the Province of Otago.

WHEREAS by an Ordinance passed by the Superintendent and the Provincial Council of the Province of Otago, intituled the "Otago Roads Ordinance, 1865," it is, amongst other things, enacted that until otherwise provided, pursuant to the provisions of the said Ordinance, there should be sixty-one Districts, which should be named as specified in the Schedule to the said Ordinance, annexed, marked B: And it is also by the said Ordinance provided that it should be lawful for the Superintendent, with the advice and consent of the Otago General Road Board, from time to time, by Proclamation in the *Gazette*, to alter, vary, diminish, or enlarge the boundaries of any or all of such Districts: And whereas it is expedient to alter and diminish the boundaries of the Waihola East and Waihola West, and enlarge the boundaries of the Milburn Road Districts in the manner and as described in Schedule hereto: Now therefore I, James Macandrew, Superintendent of the said Province, with the advice and consent of the Otago General Road Board, do hereby proclaim and declare that the boundaries of the said Waihola East and Waihola West Road Districts shall, from the day of the date hereof, be altered and diminished, and that the boundaries of the said Milburn Road Districts shall be enlarged as described in the Schedule hereto.

SCHEDULE

Milburn Road District shall comprise all that area bounded on the north by the northern boundary of Block I, Table Hill Survey District; on the west by the North Branch of the Tokomairiro River, as far as Section 2, Block II, Table Hill Survey District; on the south-west by Sections 10 and 13, Block I, Sections 39, 46, 51, 58, 63, 70, 76, and 80, Tokomairiro Survey District, Sections 9 and 4, and a direct line through Sections 1 and 2, to south-west angle of Section 3, Block II, Akatore Survey District; and on the north-east by Sections 11, 14, 17, 18, Block III, Clarendon, and by Section 16, Block II, by Sections 9 and 4, Block I, Waihola Survey District, and by Application 2130, Table Hill Survey District.

Waihola West Road District shall comprise all that area bounded towards the west, by the leading range to the interior from Trig. Station Q, Clarendon Survey District, on the north by a line due east to Trig. Station M, Clarendon Survey District; from thence by a road line to Section 1, Block XVII, Waihola Survey District; thence by that Section, and Section 2, Block XV. to Waihola Lake; thence by a line crossing Lake, to south corner of Section 5, Block XXII, Waihola Survey District; on the south-east by the Waihola East Road District, to southern angle of Section 9; on the south by Sections 10, 3 and 2, Waihola Survey District; on the north-west and west by application 2130, Section 22, Block I, Table Hill, in a direct line from north-east corner of said Section XXII, to Trig. Station Q, point of commencement.

Waihola East Road District commences at the north-east angle of Section 17, Block I, Clarendon, and shall comprise all that area bounded on the south-east by the water-shed of the ranges and a road line from Taieri Ferry to Section 17, Block II, Waihola Survey District; on the south-west by said Sections 17, 18, and 15, Waihola Survey District; and on the north-west by the Main South Road to Waihola Lake, along shore of said Lake to the northern boundary of Block XXII, Waihola Survey District, thence following the northern boundary of said Block and a branch of Taieri River to point of commencement.

Given under my hand, and issued under the Public Seal of the Province of Otago, at Dunedin, this (L.S.) first day of May, one thousand eight hundred and sixty-seven.

JAMES MACANDREW,
Superintendent.

By his Honor's command,
JOHN MOUAT,
Secretary Public Works.

POSTAL CONFERENCE.—[See *New Zealand Gazette* of 15th April, 1867, No. 24.]

LIST of Persons Applying for Relief under "The Debtors and Creditors Act, 1862, 1865, and 1866":—

Thomas Robbins Fryer, of the Shotover Gorge, Queenstown, Otago, Miner.
John Baker, of Tuapeka, Otago, Blacksmith.

ROBERT CHAPMAN,
Registrar.

Supreme Court Office,
Dunedin, April 30, 1857.

(From the *New Zealand Gazette*, April 12, 1867, No. 23.)

Colonial Secretary's Office,
Wellington, April 10, 1867.

HIS Excellency the Governor has in Her Majesty's name, summoned

The Hon. JOHN LARKINS CHEESE RICHARDSON,
of Willowmead, Molyneux, and

The Hon. JOHN McLEAN, of Morven Hills, Lindis,
to the Legislative Council of New Zealand, by Writs of Summons under the Seal of the Colony.

E. W. STAFFORD.

G. GREY, Governor.

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING :

WHEREAS by "The Regulation of Elections Act, 1858," it is enacted that it shall be lawful for the Governor, by warrant under his hand, from time to time to appoint polling places for each electoral district within or without the limits thereof, and to appoint any one of such places to be the principal polling place for the district, and all or any of such places at any time to abolish, and to appoint other polling places in lieu thereof :

Now know ye, that I, the Governor of New Zealand in pursuance of the power and authority in me vested by the said Act, do hereby appoint the following place to be a Polling Place for the Electoral District hereinafter specified, for the election of Members of the House of Representatives, namely :—

For the District of Manuherikia,—The Police Station, Black's No. 1.

Given under the hand of His Excellency Sir George Grey, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, this ninth day of March, one thousand eight hundred and sixty-seven.

J. L. C. RICHARDSON,
(for the Colonial Secretary.)

Office of the Commissioner of Customs,
Wellington, 30th March, 1867.

IN exercise of the power in me for this purpose vested by "The Customs Regulation Act, 1858," I, the Commissioner of Customs, do hereby approve and appoint the undermentioned Warehouses at Ports in the Province of Otago, viz. :—

A brick building, with roof part slate, part iron, situate between Bond and Crawford streets, Dunedin, known as

THE UNIVERSAL BONDED WAREHOUSE.

A stone building, with iron roof, situate in Bond street, Dunedin, known as

REYNOLDS' BONDED WAREHOUSE, No. 1.

A wooden building, with iron roof, situate in Bond street, Dunedin, known as

REYNOLDS' BONDED WAREHOUSE, No. 2.

A wooden building, with iron roof, situate in Bond street, Dunedin, known as

REYNOLDS' BONDED WAREHOUSE, No. 3.

A brick building, with slate roof, situate in Hope street, Dunedin, known as

THE PHENIX BONDED WAREHOUSE.

A stone and brick building, with iron roof, situate in High street, Dunedin, known as

TURNBULL'S BONDED WAREHOUSE.

A stone building, with slate roof, situate in High street, Dunedin, known as

MARTIN'S BONDED WAREHOUSE.

A brick building, with slate roof, situate in Moray place, Dunedin, known as

PATERSON AND McLEOD'S BONDED WAREHOUSE.

A brick and stone building, with iron roof, situate in Princes street, Dunedin, known as

CARGILL'S BONDED WAREHOUSE.

A brick building, with slate roof, situate in Stafford street, Port Chalmers, known as

DODSON'S BONDED WAREHOUSE.

A wooden building, with iron roof, situate in Pen-dennis-street, Molyneux, known as

BRIGGS' BONDED WAREHOUSE.

A stone building, with iron roof, situate between Tyne and Tees streets, Oamaru, known as

FRANCE'S BONDED WAREHOUSE.

WILLIAM FITZHERBERT,
(for Commissioner of Customs.)

Registrar General's Office,
Wellington, April 10, 1867.

PURSUANT to the provisions of an Act of the General Assembly of New Zealand, passed in the eighteenth year of the reign of Her Majesty Queen Victoria, and entitled "The Marriage Act, 1854," the following Names of OFFICIATING MINISTERS within the meaning of the said Act, are published for general information :—

United Church of England and Ireland.

The Reverend JAMES O'BRYEN HOARE.

Free Church of Scotland.

The Reverend ROBERT SCRIMGEOUR.

The Reverend JOHN RYLEY.

Wesleyan Methodist Society.

The Reverend JOSEPH BERRY,

The Reverend JOHN WHEWELL.

Congregational Independents.

The Reverend RICHARD CONNEBEE.

I, John B. Bennett, Registrar-General of Births, Deaths, and Marriages in New Zealand, do hereby certify that the foregoing Names of Officiating Ministers within the meaning of "The Marriage Act, 1854," have been sent in to me, in addition to the names in Lists published in the *New Zealand Gazette*, No. 7, of the 29th of January, No. 9, of the 11th of February, and No. 12, of the 28th of February, in the present year.

Given under my hand, at Wellington, this tenth day of April, one thousand eight hundred and sixty-seven.

JOHN B. BENNETT,
Registrar-General.

G. GREY, Governor.

IN exercise of the power vested in me by "The Otago Harbour Loan Ordinance, 1862," I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby nominate and appoint the persons hereinafter named to be Trustees under "The Otago Harbour Loan Ordinance, 1862" :—

EDWARD BOWES CARGILL, and

JOHN JONES, Esquires.

Given under the hand of His Excellency Sir George Grey, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-chief in and over Her Majesty's Colony of New Zealand and its Dependencies, at the Government House, at Wellington, this twelfth day of January, one thousand eight hundred and sixty-seven.

Approved in Council, January 12, 1867.

FORSTER GORING,
Clerk of the Executive Council.