



S O U T H L A N D P R O V I N C I A L G O V E R N M E N T G A Z E T T E .

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ADDRESS

OF THE SUPERINTENDENT ON OPENING
THE FIRST SESSION OF THE PRO-
VINCIAL COUNCIL OF SOUTHLAND.

Gentlemen of the Provincial Council—

ON this occasion of our first assembling together to undertake the performance of those duties which devolve on the representatives of the settlers in this Province, I have great satisfaction in congratulating you on our having at length obtained those privileges of self-government—so valued by all of British race—for which the settlers in this district have struggled for years; these we have attained, and now the task lies before us of showing that we deserve to enjoy them. The proceedings of this the first Provincial Council of Southland will stamp the character of the Province. If the measures of this Council, and the manner in which they are subsequently administered, are characterised by intelligence, integrity, and prudence, our Province will prosper, and we shall gain the confidence and respect of our fellow-Colonists elsewhere. These attributes are the main requisities; for, with wisdom

in its Councils, a Province combining such a variety of natural advantages as Southland does in an eminent degree, must have a brilliant future.

In the infancy of our provincial institutions, before the machinery of our Government is fairly organised, it is obvious that much legislation cannot be usefully attempted, and it is not my intention in this Session to bring forward any measures other than those which are of immediate importance.

In the course of the recess which will follow a short Session, I shall have an opportunity, in concert with my advisers, of examining the Provincial laws now in operation in this Province, of consolidating or amending such of them as may be more or less suitable, and drawing up Bills embodying those alterations, and such further laws as may appear to be required; so that in the next Session of this Council the Provincial Government shall be in a position to lay before you drafts of all the measures that appear to be necessary for the time being to meet the requirements of the Province.

The Bills which shall in this Session be laid before you for consideration, are,

a "Provincial Government Bill," an "Immigration and British Agent Bill," a "Debenture Bill," a "Diseased Cattle Bill" and an "Appropriation Bill."

The "Provincial Government Bill" embodies the substance of various Ordinances of the Provincial Council of Otago in a more convenient form, adopting the safeguards which that Council have recently considered it advisable to enact for the conservation of public property.

The "Immigration and British Agent Bill" provides for the appointment in the United Kingdom of agents who shall promote immigration to this Province, and protect in Britain the interest of the Province. To promote immigration is clearly one of the most important duties of a Provincial Government, and the Province of Southland especially would be open to reproach if it neglected its duty as a colonizing centre—a duty the more effective fulfilment of which was one of the objects for which the new Provinces were called into existence. Under the provisions of this Bill the agents will be authorised to conduct immigration under the instructions of the Superintendent and Executive Council. The nature of the instructions I propose to transmit will be submitted for your consideration. It is proposed that Mr. Morrison, of London, the Colonial Agent for New Zealand, a gentleman who is known to many here, and who has a personal knowledge of this Province, shall be the chief agent.

The recent discovery of a remunerative gold-field in the Province of Otago, while it leads to the belief that a similarly rich field will be discovered in the Province of Southland, yet for the present surrounds the question of immigration with difficulties, and renders it necessary to act with circumspection. And the same cause will disturb our land sales for a time, so much as to render our estimate of their probable amount within the next few months in a great measure conjectural. The suspension of land sales for the past four months has kept our treasury almost nearly empty, depending as it has done, mainly on the Provincial portion of the Ordinary revenues—a fund from whence the salaries of the public officials have been paid by the direction of the General Government. Under the circumstances it will be the policy of the Government to confine the expenditure chiefly to the prosecution of such works as are most necessary. Immigration, however, we should regard from the outset as a cardinal measure. On the department of public works, which has hitherto been comparatively neglected here, a large outlay will be unavoidable. It is, therefore, highly desirable to have the means at hand,

independent of the fluctuations of the revenue, and in anticipation of a steady income at no distant time, whereby those objects can be steadily carried out; and it is in order to provide for their prosecution that power is asked in the "Debenture Bill," which will shortly be laid before you, to raise the sum of £10,000 by the sale of Debentures—an amount which, being supplementary to the revenue from the ordinary sources, would be realised from time to time in different sums only as a necessity arose.

The prevalence of pluro-pneumonia in cattle attended with a serious mortality in Victoria, and its appearance in the Province of Otago, render it necessary that steps should at once be taken with the view of preventing its introduction into this Province, and of checking its extension if it should unhappily appear. A Bill calculated to effect these objects will be laid before you.

I have been of opinion that the laws now in operation in this Province are not such as are best calculated to promote the early development of its resources, and that in order to fulfil that end they require some material alterations. Some time ago I drafted a Bill embodying various changes in those laws. Certain propositions which contained some of the prominent points in which it differed from the Otago Regulations are familiar to you, and had I in this Session occupied a seat in this Council as an independent member, I would have brought them forward for your consideration, laying on the table at the same time a copy of the draft Bill, which would have explained many points in those propositions which appear to be obscure or injudicious, and thus obviated the possibility of the continuance of any misconstruction or misconception of their true bearing.

I find, however, that those gentlemen who act as my advisers, while agreeing with me on other subjects, are not prepared to support those propositions in this Council; and as it would obviously be incompatible with the relations which ought to subsist between the Superintendent of a New Zealand Province and his advisers that the former should bring forward in the Provincial Council any measure in which the latter do not concur, it becomes necessary to relinquish my previous intention of bringing the subject before you. I come to this conclusion with reluctance; for I believe that those contemplated changes, if introduced, would operate beneficially for the community.

You will have observed that the members of Assembly for Wallace, with the concurrence of the members for Otago, are bringing forward a Bill to determine

the financial differences between this Province and that of Otago. On this important subject I shall be glad to learn your views, and I trust it will receive your serious attention.

I must bring under your notice the fact that the eastern boundary of this Province, as proclaimed in the *New Zealand Gazette* of 27th March, cuts off from it a large portion of territory which is an integral part of this district, both geographically and commercially, and I have to suggest for your consideration, that it is the duty of this Council to draw the attention of the General Legislature to the circumstances by a clear statement of the case, and to seek for a remedy.

In the interval which has elapsed since the constitution of this Province, the construction of certain public works, which would otherwise have been suspended, has been proceeded with on the guarantee of private individuals. A statement of this unauthorised expenditure will be submitted to you, and you will consider in what manner those individuals may be relieved from the responsibility they have incurred on account of the public service.

The Estimates which shall be laid before you have been prepared with a due regard to efficiency and economy. They are drawn up for a period ending on 31st December next, and before that period shall have elapsed, it will be advisable that this Council shall be summoned to meet again.

I propose to carry on such public works as are most required first of all. Our main objects should be to obtain an increase of population of the right kind, and to facilitate the transit of our exports and imports, and give easy access to the country.

The great facilities which the country offers for the construction of railways, render it advisable to obtain the opinion of a competent engineer practically familiar with the subject, if the services of such can be obtained in the Colony, in order that the probable course of the leading lines may be ascertained at the earliest time, and so far as that is now practicable, prior to the sectional survey and settlement of the country. A sum is placed on the Estimates to meet the probable expenditure on this account, which I trust will meet with your concurrence.

Provision is also made for steam service, both Colonial and Coastal, upon the importance of which it is unnecessary to dilate.

The great inconvenience which must be experienced for some time in consequence of the absence of public offices for the Government, will render it necessary to provide proper accommodation as soon

as it is practically consistent with the progress of other essential works, and sums have been placed on the Estimates to enable the Government to effect those objects.

The attraction of the gold-field in the Province of Otago, has withdrawn a considerable number of the population from this Province, and so long as the field continues to be remunerative this attraction will continue, unless it is neutralised by the discovery of a similar gold-field in this Province. That such a gold-field does exist appears probable enough, and with a view to expedite its discovery, a sum of £1000 has been placed upon the Estimates to reward the discoverer of a remunerative gold-field in the Province of Southland.

And now, Gentlemen, I shall leave you to your deliberations. The happiness and prosperity of the people of this Province are objects of deep interest in my regard;—may the Allwise so direct your counsels as to promote their attainment!

REPLY OF COUNCIL.

This Council cordially re-echoes your Honour's congratulations on the attainment by the people of this Province of the privilege of administering their own local affairs.

The measures which shall be submitted by the Government with the view of advancing the prosperity of this Province, shall receive its careful consideration.

And this Council unites with your Honour in the hope that our mutual counsels may be so directed as to promote the welfare of the people of this Province.

MESSAGE No. 1.

To the Provincial Council of Southland.

Gentlemen—I inclose a letter from the Chief Commissioner of the Waste Land Board, inquiring what course will be taken by the Government of Southland with reference to applications for land made in the interval between the time that Resolutions of the Provincial Council of Otago to raise the price of land became known here, and the first November, 1860.

The extent of the land, in question, as will be seen from the marginal note on the Chief Commissioner's letter, is 18,657 acres 3 roods.

I am unwilling to take any steps, in a matter involving questions of policy, and a large amount of revenue, without having first submitted it for your consideration and ascertained your views.

J. A. R. MENZIES,
Superintendent of the Province of
Southland.

[Inclosure.]

Waste Land Board Office,
Invercargill, 13th August, 1861.

Sir—I have the honour to request, by instruction from the Waste Land Board of Southland, that you will have the goodness to inform me what course of action is intended to be taken by your Government in the case of applications for land, Nos. 911 to 937—[total acreage, 18,657 A. 3 R.]—made during the interval of the Resolution of the Provincial Council of Otago to raise the price of land, and the assent thereto by the Governor's proclamation; it being considered illegal by many of the applicants that payment should have been refused in their case at the rate of 10s. per acre.

I have the honour to be, Sir,
Your most obedient servant,
WALTER H. PEARSON,
Chief Commissioner.

His Honor the Superintendent of
Southland.

RESOLUTION

Of Provincial Council, August 14, in
reference to foregoing Message:—

“That this Council recommended his Honor the Superintendent not to entertain any of those applications mentioned in his Message No. 1, of this date, at the rate of 10s. per acre.”

THE EASTERN BOUNDARY.

The following is the Resolution in reference to this question passed by the Provincial Council on August 16:—

Whereas the Province of Southland has, much to the disappointment of the Provincial Council, been considerably curtailed as regards the limits petitioned for, having at the present moment the Mataura River for its Eastern boundary; and

Whereas the district on the eastern bank of the Mataura is hemmed in at the back by a chain of Mountains running from the coast for about forty miles inland, passable, even for horsemen at two or three points only; and

Whereas the communication with Dunedin is consequently uncertain, tedious, and inconvenient; and

Whereas the estuary of the Mataura being difficult to enter and leave, the trade with it can at the present time be only prosecuted advantageously from some port in the neighbourhood, as the Bluff or Invercargill; and

Whereas its physical characteristics give the district east of the Mataura a community of commercial interests with the other parts of Southland, while it has little or none with Otago; and

Whereas there has been placed on the Estimates a sum for procuring a Steam Tug for Invercargill and the other ports which will still more closely connect the east side of the Mataura with this Province; and

Whereas petitions to the Governor and the two Houses of Assembly are now in course of signature by the inhabitants of that district, having for their object the political union with this Province of the said district east of the Mataura; and

Whereas a memorial from certain settlers in that part of said district extending to the Pomahaka, has been sent in, praying that a sum should be placed on the Estimates to assist in forming a road to connect their district with Invercargill, on the plea that their commercial interests are identical with those of the New Province:

It is resolved—That the members of the Provincial Council do request the members of Assembly for this Province to bring the matter before both Houses, and to use every endeavour to have the boundary altered as undermentioned:—Beginning on the Coast at Brothers Point, thence by a right line to Black Horn, thence by a right line passing through Bleak Hill to its point of intersection of the south-east boundary of Run 251, thence by the south-east boundary of Run 251 to the ‘Cairn’ at the source of the Kawera, thence by Kawera to its junction with Waipaihi, thence by Waipaihi to its point of intersection by the northern boundary of Run 131, thence by the northern boundary of Run 131 to the junction of Pukerau with Waikaka, thence northward by Waikaka to its fork, thence by the East Branch to its source, thence by a right line to Wendon Hill, thence by a right line to Black Umbrella, thence by a right line to White Umbrella, thence by a right line to Rocky Mount, thence by a right line to south end of Wakatip Lake, thence by a right line to Eyre Peak, there joining the boundary of Southland as proclaimed in the *New Zealand Gazette*, 27th March 1861.

INSTRUCTIONS TO EMIGRATION AGENTS FOR THE PROVINCE OF SOUTHLAND IN THE UNITED KINGDOM.

I. PERSONS desirous of obtaining Assisted Passages to the Province of Southland in vessels under contract with the Provincial Government, may receive assistance on the following conditions:—

(1.) Persons who shall produce to Emigration Agents satisfactory testi-

monials of character, shall receive assistance to an amount equal to half the passage-money, upon granting a promissory note for that amount, payable to the Treasurer of the Province of Southland, and who, if able-bodied men, shall moreover sign an agreement to work, if required in the employment of the Government of Southland for a period of four months after landing in the Province, at the current rate of wages for the time being. Such promissory note shall be payable on demand, but unless such passenger dispute the debt, or attempt to leave the Province, or forsake the employment of the Government without its consent before the expiry of their term of agreement, payment will be required only by instalments, withheld in the case of able-bodied men from their current Monthly Wages, and extending over the term of their engagement; and if any such assisted passenger shall enter into private service, his employer shall be required to endorse the promissory note of such passenger.

(2.) Such assisted passages will be afforded only to Mechanics, Labouring Men, and Female Domestic Servants. No person above fifty years of age, unless a member of a large family, nor any single man above forty years of age, shall be so assisted; nor shall any person receive such assistance unless approved of by the Emigration Agent.

(3) The rate of passage-money is fixed until further notice at £17 per statute adult, and all bills will be prepared in accordance with that rate.

(4) Any persons residing in the Province of Southland desirous of assisting their friends in the United Kingdom to immigrate to the Province, may obtain for them assisted passages hither by drawing a bill for the full amount of the passage-money to the order of the Provincial Treasurer of Southland, accepted by a substantial householder, also resident in the Province, and approved of by the Superintendent as sufficient security for the same. The drawer of any such Bill will then receive an order to the Emigration Agent, authorising him to give a free passage to the Province of Southland to any person or persons named therein; and any residents in Southland will be able to assist their friends to immigrate to the Province by undertaking to repay the whole of the passage-money in the manner above provided.

H. The Surgeon of every ship bringing Immigrants to the Province shall be appointed by the Agent exclusively; and he

shall appoint none but such as are properly qualified.

III. No Agent shall have a beneficial interest in any contract that may be entered into for the conveyance of Immigrants to the Province of Southland.

Approved,

J. A. B. MANNING,
Superintendent.

15th August, 1861.

Adopted by the Provincial Council of Southland, the 16th day of August, 1861.

H. A. GILLER, ROBT. STUART,
Clerk to the Provincial Council. Speaker.

CLOSING ADDRESS

OF THE SUPERINTENDENT OF PRODUCE
THE COUNCIL, 19th August, 1861.

Mr. Speaker and Gentlemen of the Provincial Council,

I have to thank you for the assiduity which you have displayed in disposing of the different matters which have been brought under your consideration, and for the supplies which you have voted for the public service.

The Bills which you have passed, namely,

“The Provincial Government Ordinance;”

“Immigration and British Agent Ordinance;”

“Southland Loan Ordinance;”

“Diseased Cattle Ordinance;” and

“Appropriation Ordinance;”---

I shall forward without delay to His Excellency the Governor, when I trust they will receive his favourable consideration.

The Resolution which you have passed with reference to the Eastern Boundary of this Province shall receive my cordial support in the General Assembly, as I do not doubt it will that of the members of Assembly for the County of Wallace; and I trust we shall succeed in obtaining as a boundary the line described in your Resolution, which is alike a more natural and more convenient one.

The resolution which you have passed with regard to the reserve for a Public Park and Racecourse, I concur in with pleasure, and will take the requisite steps to carry it out.

I shall not fail to impress on the General Government the necessity for establishing Coastal Lights in or near Foveaux Straits, in conformity with your Resolution on the subject.

Whenever this Province shall obtain the services of a competent Chief

Surveyor, I shall at once direct his attention to the subject of the alterations you recommend in the route from this place to Riverton; and I will bring under the notice of the General Government the necessity for appointing a Resident Magistrate as you also recommend.

There are many subjects for legislation which will engage the attention of the Government before this Council shall re-assemble. Amongst those, none is of more importance in its issues for the future of the inhabitants of this Province than that of Education. At our next meeting we shall have to determine how far the Government is to undertake the responsibility of educating the young, or whether it will require that the parent shall educate his child, and assist him when he cannot do so otherwise. There may be a difference of opinion as regards the manner and extent of Government assistance, but there can be none as regards the duty of the Parent:—it is a duty of which no sophistry can divest him. I rely on your giving to this subject the attention which its importance demands, so that in the next session we may be enabled to adopt a measure that will not, on the one hand, press the action of the Government so far as to undermine that spirit of Independence and self-reliance which is the very life of a free State, nor, on the other, permit the young to grow up around us—as I fear too many do in these Colonies—little better than practical heathens.

The business of this Session having come to a close, it is my duty to release you from further attendance; and I now declare this Council to stand prorogued accordingly.

INVERCARGILL TOWN BOARD.

I, MATTHEW PRICE, Returning Officer appointed by his Honor the Superintendent of the Province of Southland to preside at a meeting of the Electors entitled to vote for members for the town of Invercargill in the Provincial Council of Southland, assembled on the 3rd day of September 1861, at 12 o'clock noon, at the Schoolhouse, Invercargill, for the purpose of electing 9 persons to be members of the Town Board of Invercargill, hereby certify that the following persons were duly elected by a majority of votes, viz:—

JOHN BLACKLOCK
WILLIAM GARTHWAITE
JOHN CHEYNE
LACHLAN KERR GRANT

DAVID MITCHELL
JOSEPH EDWARD CLARKE
WILLIAM HENDERSON CALDER
WILLIAM LEND
JAMES GRIEVE.

M. Price,
Returning Officer.

Given under my hand,
at Invercargill, this 3rd
day of September 1861.

PROCLAMATION

By JAMES A. R. MENZIES, Esquire,
Superintendent of the Province
of Southland.

WHEREAS by an Act of the General Assembly of New Zealand, entitled "Superintendent's Deputy Act, 1856," it is among other things enacted that it shall be lawful for the Superintendent of any Province to appoint such person as he may think fit, being a registered elector in such Province, to be his Deputy, and as such to perform and exercise all the acts and powers (except such powers as are conferred by the Constitution Act, 15 and 16 Vic., c. 72) which may be exercised and performed by such Superintendent; and the acts of such Deputy-Superintendent, so far as authorised by such proclamation, shall be as effectual in all respects as if performed by the Superintendent himself.

And whereas I am about to be absent from the Province for a short period, and it is therefore necessary that I should appoint a registered elector to be my Deputy, to act during my absence, as provided by the said Act;

Now, therefore, I, the said Superintendent, do hereby proclaim that I have appointed

HENRY M'ULLOCH, Esq.,

a registered elector of the Province of Southland, to be my Deputy, and as such to perform and exercise, during my absence from the Province, all the acts and powers (except such powers as are conferred by the Constitution Act, 15 and 16 Vic., c. 72) which may be exercised and performed by me.

Given under my hand, and issued under the Public Seal of the Province of Southland, this fourth day of September, one thousand eight hundred and sixty-one.

J. A. R. MENZIES,
Superintendent of the Province of
Southland.