NEW ZEALAND

GOVERNMENT GAZETTE.

(PROVINCE OF WELLINGTON.)

Published by Authority.

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WILLIAM FITZHERBERT, *Provincial Secretary.*

VOL. VII.] WEDNESDAY, 15TH JUNE, 1859. [No. 13.

CROWN GRANTS.

Crown Land Office, Wellington,
14th June, 1859.

THE undermentioned Deeds of Grant having been duly executed, are now ready for issue at the above Office on payment of the sum of Twenty Shillings on each Grant, under the Provisions of the "Fees on Crown Grants Ordinance," Session VII. No. 2.

In cases where it is impossible for the party entitled to receive the Grant to attend in person to receive his Deed, it will be delivered to the bearer of an authority according to the subjoined form, certified by a Magistrate, or by a Solicitor of the Supreme Court.

FORM OR AUTHORITY REFERRED TO.

I hereby authorise A. B. of
to receive the Deed of Grant in my favor for

Witness, *(Signature)*

(Signature of a Magistrate or of a Solicitor of the Supreme Court)

PROVINCE OF WELLINGTON.

No. of Grant.	Grantee.	Locality.	Contents. A.	R.	P.
1625	Frances Dillon Bell	Wanganui	210	0	0
1626	William Fox	Rangitikei	903	0	0
1627	Robert Roger Strang	Wanganui	94	2	0
1628	Rev. Richard Taylor	... ...	211	0	0
1629	James Blyth	... ...	2041	0	0
1630	Francis Dillon Bell	... ...	109	0	0
1631	Robert Roger Strang	... ...	231	0	0
1632	Thomas Tinley	... ...	113	0	0
1633	Rev. Richard Taylor	... ...	30	1	4
1634	" "	... ...	57	0	0
1635	Isaac Earl Featherston	Wellington	2	1	24
1636	Richard Stuart	... ...	1	0	0
1637	David Anderson	... ...	0	0	20½
1638	Thomas Wilmor McKenzie	... ...	0	0	16

Crown Land Office, Wellington,
14th June, 1859.

DAVID LEWIS, CHIEF CLERK,
Acting for Commissioner.

ABSTRACT OF RECEIPTS AND EXPENDITURE
OF THE PROVINCE OF WELLINGTON,

FOR THE QUARTER COMMENCING ON THE FIRST DAY OF OCTOBER, 1858, AND ENDING ON THE THIRTY-FIRST DAY OF, DECEMBER, 1858.

	£ s. d.	£ s. d.
Balance in hands of Provincial Sub-Treasurer, Napier, last quarter	788 17 11	
Balance in hands of Provincial Sub-Treasurer, Wanganui, last quarter	298 11 10	
Balance in hands of Sub-Land Commissioner, Napier, last quarter	104 17 6	
		1192 7 3

RECEIPTS.

	£ s. d.	£ s. d.
ORDINARY REVENUE—		
Customs, Wellington (including Wanganui), § of gross receipts	3049 3 11	
Customs, Napier	195 11 3	
Licenses, Publicans'	5 0 0	
Resident Magistrate's Fees and Fines	23 10 0	
Pilotage, Wellington	54 19 11	
Post Office, refund of moiety of cost of mail, Wellington to Waimate	56 18 0	
Registration of Deeds	70 5 1	
Assessment on Sheep	203 11 1	
Hospital Subsistence Money	24 11 0	
Registration of Brands	9 10 0	
Poundage Fees	7 2 9	
Registration of Dogs	1 16 0	
Refund of portion of expenses of Hospital, April 1 to Sep. 30	165 7 4	
Refund of moiety of salary of Assistant Surveyor, Napier, April 1 to September 30	62 10 0	
Rua Taniwha, refund from Contractor for Stores	7 11 3	
Education account, deposit of contributions for School at Mohaka	50 0 0	
Contributions to Roads, &c., on account of grants in aid	86 10 0	
		4073 17 7
TERRITORIAL REVENUE—		
Rates on Land	17 0 0	
Pasture Licenses and Rents	100 0 0	
Land Sales	7146 18 0	
		7263 18 0
Cash on account of Immigrants' Promissory Notes		217 9 0
Rent of Land, &c., at the Korokoro		7 10 0
Carried forward		12,755 1 10

	£ s. d.	£ s. d.
Amount overdrawn in Bank Accounts at close of last quarter		58 10 5

EXPENDITURE.

	£ s. d.	£ s. d.
1. EXECUTIVE—		
Superintendent's Department	200 15 0	
Provincial Secretary's "	150 0 0	
Provincial Treasurer's "	200 5 0	
Law Officer's "	93 11 0	
Chief Land Commissioner's "	100 0 0	
		744 11 0
2. LEGISLATIVE.		
Provincial Council		250 19 4
3. JUDICIAL—		
Supreme Court	82 16 0	
Sheriff's Department, Wellington	289 11 11	
Ditto, Wanganui	74 4 2	
Ditto, Napier	3 15 0	
Sessions of the Peace	158 12 4	
Resident Magistrate's Court	10 0 0	
Police	479 19 4	
Registration of Deeds	51 11 9	
		1150 10 6
4. CHARITABLE—		
Medical	245 5 6	
Lunatic Asylum	179 11 1	
		424 16 7
5. SPECIAL—		
Harbor Department, Wellington	283 8 11	
Do. Wanganui	65 19 0	
Do, Napier	72 3 10	
Lighthouse	89 0 0	
Signal Station	20 5 0	
Inspectors of Sheep, &c.	97 18 4	
Pounds	2 5 6	
Weights & Measures, Brands, &c.	44 16 3	
		675 16 10
6. AUDIT DEPARTMENT—		
Auditing		25 0 0
7. MISCELLANEOUS—		
Rent of Public Offices	40 0 0	
Messengers to do.	45 10 0	
Fuel for do.	6 18 0	
Printing Gazettes and Forms	162 13 0	
Charitable aid	154 3 2	
Miscellaneous Contingencies	177 13 6	
Special Constables	12 19 10	
Dog Nuisance Act	11 13 4	
Expenses of Elections	1 0 4	
		612 11 2
8. LAND DEPARTMENT—		
Salaries of Clerks, &c.		262 2 6
Public Works and Undertakings,		
Survey Department	1519 6 11	
Roads "	361 6 4	
Immigration "	413 10 4	
Education	89 1 2	
Mail from Rangitiki Ferry	33 7 0	
" Napier to Waipukerau	14 15 8	
Ferries	74 0 0	
		2505 7 5
Buildings, &c.		
Furniture for Provincial Government Offices, &c.	78 15 0	
Additions to Gaol	29 14 5	
Repairs and Insurance	24 12 5	
Lighthouse	663 5 0	
		796 6 10
Bridges,		
Waiwetu bridge	146 12 6	
Hutt bridge, repairs and embankment	1188 8 8	
Wai-o-hini bridge	150 0 0	
		1485 1 2
Carried forward		£8,991 13 9

RECEIPTS.

	£.	s.	d.
Brought forward	12,755	1	10
Instalment of Gladstone's Loan	2,500	0	0
Instalment of Union Bank Loan	10,608	8	4
	£25,863	10	2

ADVANCES TO OFFICERS ACCOUNTED FOR—						
By Provincial Treasurer, being amounts paid in England....	1,374	10	6			
Paid J. Roy.....	4,254	19	11			
" R. Park	260	13	4			
" H. S. Tiffen	1,346	17	2			
" E. G. Wright	380	0	0			
				7617	0	11
SURCHARGES—						
Sub-Treasurer, Wanganui; 15s. H. S. Tiffen, Survey, Napier, 8s. " Roads, " 3s. 7d. } Refunded and will appear in March quarter 1859.						
				£33,480	11	1

EXPENDITURE.

	£.	s.	d.	£	s.	d.
Brought forward				8991	13	9
Roads,						
Repairs Great North Western Road	142	19	5			
Do. Great North Eastern Road	596	19	5			
Widening Petoni Road	425	4	4			
Mungaroa to Featherston	502	3	4			
Featherston to Masterton	1115	4	10			
Rua Taniwha to Napier.....	1311	1	6			
Featherston to Tekopi	10	12	0			
Ngahauranga Road	119	15	4			
Ohariu Road	313	15	4			
Karori Road, improvement of..	138	12	9			
Beach Road, Wellington.....	207	5	11			
Coast Road	80	0	0			
Grants in Aid	361	11	11			
Rangitiki Ferry, thro' Daniell's bush.....	711	13	9			
Rangitiki to Waitotara	845	3	2			
Road up No. 3 line Wanganui	528	6	8			
Shakespeare Road	187	2	3			
Hutt Road, repairs of	85	15	8			
Molesworth Street	66	12	0			
Belmont bridle path	7	14	0			
Bridle path, Masterton to Castle Point	16	0	0			
Widening Porirua Road.....	339	14	5			
				8113	8	0
Reclaiming Land, Lambton-quay				821	11	0
Mail from Melbourne, balance of subsidy to *Marchioness* ..				1103	17	3
Mail from Melbourne per Steamers, two months instalment of subsidy				500	0	0
Steam Navigation, bonus to *Wonga Wonga*				416	13	4
Contingencies for public works				62	8	9
Loan Interest				1741	19	9
Loan expenses				940	17	6
Pasture licenses, deposits repaid				175	0	0
Land Sales, purchase moneys refunded				50	0	0
Wellington Saving's Bank paid to Trustees in exchange for debentures cancelled				150	0	0
Rent of Land &c. at the Koro Koro paid to Natives				7	10	0
				23,074	19	4
ADVANCES TO OFFICERS, TO BE ACCOUNTED FOR—						
To Provincial Treasurer, for payments to be made in England	1380	0	0			
" J. Roy	4254	19	11			
" R. Park	255	18	7			
" H. S. Tiffen	1357	11	3			
" E. G. Wright	380	0	0			
				7628	9	9
				£30,703	9	1
Balance in hands of Provincial Treasurer	453	10	1			
Balance in hands of Provincial Sub-Treasurer, Napier	50	0	0			
Balance in hands of Provincial Sub-Treasurer, Wanganui ..	613	11	11			
Balance in hands of Receiver of Land Revenue, Napier.....	1660	0	0			
				2777	2	0
				£33,480	11	1

We, the Undersigned, certify the above to be a true Abstract of the Receipts and Expenditure of the Public Revenue of the Province of Wellington, for the Quarter ending the Thirty-first day of December, One thousand eight hundred and fifty-eight.

H. S. HARRISON, C. J. PHARAZYN, } Auditors.

Wellington, May 20, 1859.

Colonial Secretary's Office,
Auckland, 30th May, 1859.

HIS EXCELLENCY THE GOVERNOR directs the publication of the following Despacth from Her Majesty's Secretary of State for the Colonies, respecting "The Waste Lands Act, 1858."

HENRY JOHN TANCRED,
(for the Colonial Secretary.)

Downing-street,
23rd Febiuary, 1859.

SIR,—Her Majesty's Government have had under their attentive consideration the Bill of the New Zealand Legislature, entitled No. 75, "Waste Lands Act, 1858," reserved for the assent of Her Majesty, and transmitted with your despatch No. 72 of the 26th August last. They have also considered the minutes of your responsible Advisers on the subject of this Bill, transmitted with your subsequent despatch, No. 99, of the 11th October.

They have had great difficulty in deciding on the best course to take with respect to the provisions of this Bill, especially as your despatches do not fully advert to some very important objections which, nevertheless, seem obviously to arise on the inspection of it.

So far as the effect of the Bill is simply to transfer the management of the Waste Lands to the several Provincial Governments, the measure appears one to which Her Majesty might be at once advised to assent. That is a subject on the expediency of which the New Zealand Legislatures are the best judges, and there are besides obvious advantages in the transfer.

But a more serious question arises, where not only the management of the revenue, but the use of the revenue itself, is transferred to the Provincial Governments.

The Act of Parliament to guarantee a loan for the service of New Zealand, 20 & 21 Vic., cap. 51, recites and adopts the provisions of the local Act for raising that loan, one of which is, that the general revenue of New Zealand which is pledged for payment of the interest of the loan includes the revenue arising from the disposal of the Waste Lands of the Crown.

Any Act by which a portion of that revenue is diverted from this purpose, and made over to a Provincial Government, would therefore seem illegal on the face of it.

Moreover, it was on the faith of this application of the Revenue that the loan in question was guaranteed by this Country. To infringe on the revenue fund so made applicable would therefore seem to involve a breach of faith.

But it is a misfortune arising from the peculiar mode of framing this Bill, which professes to confirm in one mass the voluminous Land Regulations of several Provinces, that part of it at least is open to this objection. As regards the Province of Wellington, the general Land Regulations of March, 1853, are kept in force, but those regulations expressly devote the Waste Lands fund (after payment of Parliamentary charges under a former Act of Parliament) to provincial purposes. By confirming those regulations, as to Wellington, the New Zealand Legislature, (no doubt quite unintentionally, as they have obviously inserted other provisions from a desire to maintain the guarantee) would as far as their power goes exempt the land fund of that Province from any liability to interest for the loan of 1857.

I do not notice that the other Provincial Laws and Regulations confirmed by this Waste Lands Act are open to this specific objection. But in none of them is there any recognition of the lien imposed on the Waste Lands Revenue by the Loan Act; and it is not easy to foresee the complications and difficulties to which this omission would give rise.

Her Majesty's Government regret that defects of so partial a character should nevertheless be so serious as to compel them to delay Her Majesty's assent to the entire Bill, there being no legal method of giving force to that much largest portion of it which is unobjectionable. It is by no means their wish so to enforce the provisions of the Guarantee Act as to make them burdensome to the Colony. They are fully aware that specific appropriations of the Land Fund whether by general or by delegated provincial authority, must take place, and that they may take place with ample security to the creditor; provided only the paramount nature of the lien be maintained. And they regret that by delaying Her Majesty's assent to the Act they may cause some inconvenience to parties who, both in the Colony and in this country have engaged in transactions on the faith of the Auckland Regulations, before these had been made duly operative by law. But they are of opinion that the exigency of the guarantee cannot be fairly satisfied, unless the Act be amended by the insertion of some provision recognising it. They would be satisfied with a general clause empowering the Governor, anything in this Bill contained notwithstanding, to take from the land revenue of the several Provinces *pro rata* whenever, and if ever the revenue from other branches shall be insufficient to pay the interest of the guaranteed loan. They do not however, wish to prescribe this particular form of clause, if any equally stringent can be devised. Until this proposal has been considered by the Legislature, Her Majesty's Assent to the Act is necessarily delayed.

I have, &c., &c,

E. B. LYTTON.

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