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NEW ZEALAND GOVERNMENT GAZETTE.

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

Vol. II.] NEW PLYMOUTH, SATURDAY, MARCH 11, 1854. [No. 5.

IN THE SEVENTEENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION I. No. 4, 5

AN ORDINANCE TO FACILITATE THE ACQUISITION OF NATIVE LANDS WITHIN THE PROVINCE OF NEW PLYMOUTH.

Analysis.

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| Title. | of the Commissioner of Crown Lands. |
| Preamble. | |
| 1. Moneys paid on or before 1st May, 1854, in advance for purchase of Crown Lands to bear interest chargeable on the General Revenue of the Province. | 3. Limitation of the amount for which single receipts are to be given. |
| 2. Interest payable to the holders of the receipts | 4. Interest not to be payable after 31st December, 1855. |
| | 5. Saving of prior charges on the General Revenue. |

AN ORDINANCE to facilitate the acquisition of Native Lands within the Province of New Plymouth.

Whereas it is expedient that a sum of money should without delay be raised for the purpose of extinguishing the Native Title with-

in such districts of the Province of New Plymouth as the Native tribes may be willing to cede, *And whereas* divers persons may be willing to make immediate advances of money to the Commissioner of Crown Lands acting within the Province

(which advances will be applicable for the purpose aforesaid) on the understanding that the sums so advanced by them, shall be considered as advanced for the purchase of Crown Lands to be thereafter in due order and course applied for or selected by them out of any Crown Lands within the Province open for selection and purchase, and on having secured to them interest in the mean time at a fair rate on the moneys so by them paid in advance :

1. *Be it therefore enacted* by the Superintendent of the Province of New Plymouth, with the advice and consent of the Provincial council thereof, as follows :—

All moneys paid to the Commissioner of Crown Lands acting within the Province on or before the 1st day of May 1854, in advance for the purchase of Crown Lands within the Province, shall carry interest at the rate of 10 per centum per annum, as from the time when the same shall be so paid in advance, until such time as Crown Lands shall be actually selected in virtue of such payments : and the said interest shall be charged upon the General Revenue of the Province, and shall be payable half yearly, on the 30th day of June, and the 31st day of December ; a proportionate payment of interest being made in respect of any fractional period. *Provided always*, that the receipt of the said Commissioner of Crown Lands for every sum so paid shall within ten days from the time of payment be presented and registered at the office of the Treasurer of the Province. *Provided also* that the principal money on

which interest shall be chargeable under this ordinance shall not exceed £5,000. *Provided also* that it shall be lawful for the Superintendent at any time by notice published in the *Government Gazette* of the Province to declare that no sum paid to the said Commissioner of Crown Lands after the date and publication of such notice, or after any subsequent time to be therein appointed shall bear interest under this Ordinance.

2. The said interest shall be payable to any person who shall present at the office of the said Treasurer the receipt of the said Commissioner for the principal sum in respect of which such interest is payable.

3. Every receipt for money carrying interest under this Ordinance shall be, either for the sum of £50, or for the sum of £100, and every selection in virtue of part of any such payment as aforesaid to the said Commissioner, shall be deemed (for the purposes only of this Ordinance) to be a satisfaction of the whole of such payment ; and interest on the whole of such payment shall thereupon cease accordingly.

4. No interest shall accrue due under the authority of this Ordinance after the 31st day of December, 1855.

5. Nothing in this Ordinance contained shall prejudice or affect the rights of the holders of Debentures issued by the General Government of the Colony, nor any other permanent charge upon the Revenue of the Colony heretofore imposed or authorised by any law or ordinance of the Colony.

Passed the Provincial Council this seventh day of March, one thousand eight hundred and fifty four.

I. NEWTON WATT,
Speaker.

Assented to on behalf of the Governor this eighth day of March, one thousand eight hundred and fifty four.

CHARLES BROWN,
Superintendent

NEW ZEALAND, PROVINCE OF NEW PLYMOUTH.

A RETURN of the SALE of CROWN LANDS in New Plymouth, being Town Lands, from the 1st to the 28th of February, 1854, inclusive.

TOWN LAND.

Section. Lot.	Contents.	Upset Price	Sold at per Lot.		Purchaser.	Amount.
			Public	When offered by Auction.		
			Private	Nil.		
				Nil.		

(Signed) W. HALSE,
Commissioner of Crown Lands.

NEW ZEALAND, PROVINCE OF NEW PLYMOUTH.

A RETURN of the Sale of CROWN LANDS in New Plymouth, being Rural Lands, from the 1st to the 28th of February, 1854, inclusive.

RURAL LAND.

No. of Appl.	Locality. District	Contents A. R. P.	Fixed price per acre	Purchaser.	Amount in cash received.
47	Grey	50 0 0	10s	Joseph Henry Smith	25 0 0
48	Grey	50 0 0	10s	Joseph Lawrence	25 0 0
49	Grey	100 0 0	10s	William Knight Collins	50 0 0
50	Grey	100 0 0	10s	William Cowling	50 0 0
51	Gr. & Om.	100 0 0	10s	Peter Elliot	50 0 0
52	Omata	100 0 0	10s	Paul Inch	50 0 0
Total..					£275 0 0

I certify that the above is a true Return of the sale of Crown Lands in New Plymouth, being Rural Lands, during the month of February, 1854.

(Signed) W. HALSE,
Commissioner of Crown Lands.



**NEW ZEALAND
GOVERNMENT GAZETTE.**

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

Vol. II.] NEW PLYMOUTH, SATURDAY, MARCH 18, 1854. [No. 6.

*Superintendent's Office,
New Plymouth, March 18th, 1854.*

THE following Proclamation from the *New Zealand Government Gazette* is republished for general information.

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

WHEREAS, by an Act made and enacted in the Parliament holden in the fifteenth and sixteenth years of the reign of her Majesty Queen Victoria, intituled "An act to grant a Representative Constitution to the colony of New Zealand," it is amongst other things enacted that when any Bill shall have been assented to by the Superintendent, as in the same recited Act provided, the Superintendent shall forthwith transmit to the Governor an authentic copy thereof, and it shall be lawful for the Governor at any time within three months after any such Bill shall have been received by him, to declare by Proclamation his disallowance of such Bill and that any such disallowance shall make void and annul the same, from and after the day of the date of such Proclamation or any subsequent day to be named therein.

And whereas an Ordinance hath been enacted by the Superintendent of the Pro-

vince of New Plymouth, with the advice and consent of the Provincial Council thereof, intituled "An Ordinance to authorise the raising of a loan for the purchase of Native Lands within the Province of New Plymouth," Session 1. No 4, and the said Ordinance was received by me on the eighteenth day of February, 1854.

And whereas it is expedient that the said recited Ordinance should be disallowed,

Now, therefore, I, the Officer administering the Government of New Zealand in pursuance of the authority vested in me in that behalf by the said recited Act of Parliament, do hereby proclaim and declare my disallowance of the said recited Ordinance.

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

R. H. WYNARD.

The Officer administering the Government of the Islands of New Zealand.

By His Excellency's command,

ANDREW SINCLAIR,

Colonial Secretary.

GOD SAVE THE QUEEN!

IN THE SEVENTEENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION I. No. 6.

AN ORDINANCE
TO REGULATE THE MUNICIPAL POLICE OF THE TOWN AND PROVINCE
OF NEW PLYMOUTH.

Analysis.

Title:

Preamble.

1. Fine not exceeding £5 for divers offences against the Public safety and health.
2. Fine not exceeding £2 for divers offences against Public convenience and Public decency.
3. Fine for neglect after notice to remove common nuisances, and to make good dangerous chimneys.
4. Power to inspect alledged nuisances and to examine chimneys.
5. Local limit of the proceeding provisions.
6. Local limit may be altered at request of Provincial Council by notice to be given by Superintendent.

7. Fine not exceeding £20 for injuries done to Public Buildings, Roads, and other Public property within the Province.
8. Footpath Ordinance extended to foot-bridges.
9. Superintendent empowered to proclaim public footpaths under provisions of Footpath Ordinance.
10. Ordinance not to repeal any existing Penalties.
11. Proceedings under the Ordinance to be instituted exclusively by Constabulary.
12. Penalties to be recoverable in a summary way.
13. Interpretation clause.
14. Commencement of operation.

AN ORDINANCE to regulate the Municipal Police of the Town and Province of New Plymouth.

For regulating the Municipal Police of the Town and province of New Plymouth.

Be it enacted by the Superintendent of the Province of New Plymouth, with the Advice and Consent of the Provincial Council thereof as follows:—

I.—Every person who, within the limits hereinafter named in that behalf, shall commit any of the offences next hereinafter specified, shall for every such offence forfeit and pay a sum not less than 10s. nor exceeding £5 (that is to say)

1. Every person who shall discharge any fire-work or firearm within the distance of half a mile from the centre of the Huatoki Bridge, in Devon-street, in the Town of New Plymouth.
2. Every person who shall wilfully fire the bush, fern, scrub, flax, grass, or other vegetation on any land within the limits hereinafter named in that behalf.
3. Every person who shall wilfully fire any litter, shavings, or other combustible matter so as to endanger any house or other building.

4. Every person who shall neglect to keep clean the chimney of any house or other building occupied by him, if other houses or buildings are endangered by such neglect.
5. Every person who shall ride or drive in a public thoroughfare so as to endanger the lives or limbs of passengers and others.
6. Every person who shall suffer any ferocious dog to be at large and unmuzzled in a public thoroughfare, or shall wantonly set on any dog to attack, worry, or put in fear any person or animal.
7. Every person driving cattle in a public thoroughfare, who shall wilfully or negligently cause any injury or damage to be done by such cattle to any person or property, or shall in any wise misbehave in the driving of such cattle.
8. Every person who shall wantonly hurt or harass any cattle passing along or being in a public thoroughfare.
9. Every occupier, and where there is no occupier, every owner, of a house or other building, accommodated by an opening in the public footway or roadway giving access or light to any cellar or sunk basement, who shall neglect to keep such opening securely covered and constantly closed by a substantial trap door, or by substantial rails or bars, or in some other sufficient manner, save only at reasonable times in

the day time, when any articles and things stored in such cellar or basement are in actual course and process of being lowered or brought up.

10. Every person who shall convey night soil along a public thoroughfare after the hour of six o'clock in the morning, and before the hour of ten o'clock at night.
11. Every person who shall deposit, cast, leave, or suffer to flow and run down upon or near a public thoroughfare, or into any river, stream, or creek, or upon the banks of any river, stream or creek, or upon such part of the Sea-beach as lies within five hundred yards of the Huatoki mouth, any night soil, ordure, carcass, offal, or other animal matter, or any foul water, or any other noisome or offensive substance.
12. Every person who shall sell, or expose for sale, or have in his possession with intent to sell, any unwholesome meat; or who shall have in his possession for the purpose of slaughtering, any diseased animal unfit for human food.

II. Every person who within the limits hereinafter named in that behalf shall commit any of the offences next hereinafter specified, shall for every such offence forfeit and pay a sum not less than five shillings, nor exceeding two pounds (that is to say)

1. Every person who (without due authorisation) shall throw or leave earth, stone, or rubbish upon a public thoroughfare.
2. Every person who shall leave standing or lying upon any part of a public thoroughfare any wagon, cart, carriage, truck, wheelbarrow, or other vehicle, or any packing-case, crate, basket, cask, barrel, or package.
3. Every person who shall place upon any part of a public thoroughfare (without due authorisation) any timber, stones, bricks, lime, or other materials for building.
4. Every person who shall expose or place upon any part of a public thoroughfare any goods, wares, or merchandise, or shall make use of any show board, projecting over any part of such thoroughfare.
5. Every person who shall suspend or place any carcass, meat, or offal, so as to overhang any part of a public thoroughfare.
6. Every person being the owner, or having the custody, of any article unlawfully placed upon or over any part of a public thoroughfare, who shall refuse to remove the same within a reasonable time after being thereunto requested by a constable of the Armed Police Force—every such refusal to be deemed a separate offence.
7. Every person who shall train or break horses in a public thoroughfare.
8. Every person who shall drive flocks or herds of cattle across the Huatoki Bridge,

in Devon-street aforesaid, and back again within twenty four hours.

9. Every driver of a vehicle not driven by means of reins, who shall ride thereupon there being no person on foot to guide the same, or who shall wilfully remain at such a distance from his vehicle whilst in motion as not to have command of the horses or cattle drawing the same.
10. Every driver who in meeting another vehicle shall not keep his own vehicle on the left or near side of the road, or who in overtaking another vehicle shall not keep his own vehicle on the right or off side of the road, or who shall in any wise wilfully prevent, or endeavour to prevent another vehicle from overtaking him, or who shall by negligence or misbehaviour impede the free passage of any vehicle or passenger.—Persons riding on horseback shall observe the regulations by this present provision made for the drivers of vehicles, and shall be subject to the like penalty for non-observance thereof, and shall also have the benefit and protection of the same regulations in like manner as drivers of vehicles.
11. Every person who shall split firewood, or work at any trade or handicraft in a public thoroughfare, or who after the hour of eight o'clock in the morning, and before the hour of eight o'clock in the evening shall beat or shake carpets in a public thoroughfare.
12. Every person who shall wilfully encumber or obstruct a public thoroughfare in any way not before specifically described.
13. Every person who shall haul or draw any timber, stone, or other load along any part of a public thoroughfare otherwise than upon a wheeled carriage or rollers, or shall suffer any load conveyed upon a wheeled carriage or rollers to drag or trail.
14. Every person who shall publicly bathe after the hour of eight o'clock in the morning, and before the hour of eight o'clock in the evening, in the sea, or in any river, creek, or stream, so as to offend against decency.
15. Every person who shall turn out any stallion, bull, or other entire animal to cover into any paddock, close, or land, being within public view, and within half a mile of the centre of the Huatoki Bridge in Devon street aforesaid.
16. Every person who shall write or draw in or within sight of any public thoroughfare or place any obscene word, figure, or representation.
17. Every person who shall use in a public thoroughfare or place any profane or obscene language to the annoyance of the inhabitants and passengers.
18. Every person who shall indecently expose

his person in or within view of a public thoroughfare or place.

19. Every person who shall use in a public thoroughfare or place in the presence or hearing of any constable, any threatening, abusive or insulting words, or shall demean himself so as to prove a breach of the peace.
20. Every person who shall wantonly create disturbance by ringing any door bell, or by knocking at any door.
21. Every person who shall deface, injure, or remove any door plate, bell, knocker, lamp, or sign board.
22. Every person who shall tear down, deface, conceal, or interfere with any notice or placard exhibited by order of the Government of the Colony or of the Province, or by other public authority.

III. Upon complaint of any common nuisance within the limits hereinafter named in that behalf (whether by the exercise of any noisome or unwholesome trade, or by the keeping of hogs, or of any privy, sty, or receptacle for filth of any kind or otherwise: howsoever such nuisance shall arise;) and also upon complaint that any chimney within the said limits is dangerous to neighbouring buildings (whether by reason of its insufficient construction or elevation or by want of repair,) it shall be lawful for the Resident Magistrate acting within the district, or for two Justices of the Peace to issue a notice requiring the occupier, or if there shall be no occupier, then requiring the owner of the land or property on which such nuisance or defective chimney shall exist to abate such nuisance, or to alter, raise, or repair such chimney (as the case may require) within a reasonable time to be specified in such notice. And the said Resident Magistrate or Justices shall cause every such notice to be forthwith served on such occupier or owner or to be affixed in some conspicuous situation on such property, and in case and so often as any such occupier or owner shall disobey any such notice he shall for every such offence forfeit and pay a sum not less than Two pounds nor exceeding Ten pounds.

IV. For the purpose of ascertaining the existence of any such nuisance or the state of any such chimney, it shall be lawful for the said Resident Magistrate

or Justices, or for either of the said Justices, to inspect the property whereon the same shall be alleged to exist, or to cause such inspection to be made by any officer or private constable of the Armed Police Force.

V. The preceding provisions of this Ordinance shall be in force within the limits of the Town of New Plymouth except in cases in which such provisions are hereinbefore expressly confined to and made applicable within a different limit.

VI. It shall be lawful for the Superintendent on being thereunto requested by a Resolution of the Provincial Council, by notice published in the Government Gazette of the Province from time to time to extend, contract, or alter the limits within which the preceding provisions, or any of them shall be in force.

VII. Every person who shall commit any of the offences next hereinafter specified shall for every such offence forfeit and pay a sum not less than twenty shillings nor exceeding Twenty pounds (that is to say) —

1. Every person who shall wilfully destroy or damage any Public Building, Erection, Bridge, fence, post, gate, bench, sewer, culvert, water-course, road, footway, or other public work.
2. Every person who shall wilfully damage or destroy any boat, or the furniture, tackle and apparel thereof, spar, oar, sail, rope, gun, gun-carriage, flagstaff or other property in charge of the Harbor Master of the Port of New Plymouth.
3. Every person who shall wilfully damage or interfere with any buoy, beacon, or moorings in charge of the said Harbor Master.
4. Every person who shall remove without due authorization any soil, stone, or other material used in the formation of any road or footway.
5. Every person who shall dig or excavate without due authorization upon or beneath the surface of any road or footway.
6. Every person who shall encroach upon the limits of any road, street, or public thoroughfare.
7. Every person who shall wilfully and wantonly remove any survey mark set up by any Government Surveyor or other public authority.

VIII. All the provisions of an Ordinance enacted by the Lieutenant-Governor of

New Zealand and the Legislative Council thereof intituled "An Ordinance to provide for the protection of Footpaths in the Colony of New Zealand" shall extend to and include and be available for the protection of any bridge within the Province constructed for the public use and exclusive accommodation of foot passengers.

IX. Any notice for the purposes of the Ordinance last hereinbefore referred to which shall be given by the Superintendent and published in the Government Gazette of the Province shall have the same effect as such notice would have if given by the Governor of the Colony, and published in the Government Gazette of the Colony.

X. Nothing in this Ordinance shall be construed to take away or repeal any liability or penalty which at common law or by virtue of any statute or Ordinance in force within the Province shall attach or be incurred in respect of any such offence as aforesaid.

XI. All complaints and informations under this Ordinance shall be made and lodged by an Officer or private Constable of the Armed Police Force and not otherwise:

XII. All penalties imposed by this Ordinance shall be recoverable in a summary way pursuant to the Ordinances of the Colony for the regulation of summary proceedings before Justices of the Peace.

XIII. In this Ordinance words of or importing the masculine gender shall extend to and include females; and the singular number shall import the plural also, and the plural number the singular also; and penalties imposed upon the doing of any act or thing shall be deemed to be, and be incurred by the causing, or procuring, or permitting the same to be done or take place, and also by the aiding and abetting therein; and the word "cattle" shall include horned or neat cattle, sheep, and swine, unless in the said several cases the context shall be repugnant to such construction.

XIV. This Ordinance shall come into operation on the 1st day of March, 1854.

Passed the Provincial Council this twenty-third day of December, one thousand eight hundred and fifty four.

I. NEWTON WATT,
Speaker.

Assented to on behalf of the Governor this eighteenth day of March, one thousand eight hundred and fifty four.

CHARLES BROWN,
Superintendent.

GENERAL ANNUAL LICENSING MEETING.

NOTICE is hereby given that the Annual Licensing Meeting of the Justices of the Peace for the Town and Province of New Plymouth, will be holden at the Resident Magistrate's Court at New Plymouth, on Tuesday, the Eighteenth day of April next, at twelve o'clock, Noon, for the purpose of taking into consideration applications for Licenses to sell Spirituous Liquors, Wine, Ale, or Beer.

JAMES RITCHIE,
Clerk to Magistrates.
Resident Magistrate's Court,
New Plymouth, March 13, 1854.

Superintendent's Office,
New Plymouth, March 13th 1854.

FILES of the New Zealand Government Gazette, the Provincial Gazettes, and such Ordinances as have been received at this Office, will be open for the inspection of the members of the Legislative bodies, and the Officers of the General and Provincial Governments.

CHARLES BROWN,
SUPERINTENDENT.

REGULATION.

Harbour Department,
New Plymouth, March 18th, 1854.

VESSELS arriving with live Stock, will have the first claim on the boats to such extent as may be required for the speedy landing of the same.

J. WATSON,
Harbour Master.

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NEW ZEALAND GOVERNMENT GAZETTE.

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

Vol. II.]

NEW PLYMOUTH, SATURDAY, APRIL 8, 1854.

[No. 7.]

NOTICE.

I, THE SUPERINTENDENT of the Province of New Plymouth, in exercise of the power in this behalf invested by an Ordinance enacted by the Superintendent and Provincial Council of the Province of New Plymouth, in the first Session of the said Council, intituled "An Ordinance to regulate the Municipal Police of the Town and Province of New Plymouth," do hereby give notice and declare—That the Foot-bridge crossing the river Huatoki, at or near the junction of Vivian Street with the Carrington Road, in the Town of New Plymouth, shall henceforth be deemed and taken to be a Public Foot-bridge within the meaning of an Ordinance enacted by the Lieutenant-Governor of New Zealand and the Legislative Council thereof, entitled "An Ordinance to provide for the protection of Foot-paths in the Colony of New Zealand" as extended by the aforesaid Ordinance of the Superintendent and Provincial Council of the Province of New Plymouth, and shall be protected accordingly.

Given under my hand, at New Plymouth, in the Province of New Plymouth, this sixth day of April, one thousand eight hundred and fifty-four.

CHARLES BROWN,
SUPERINTENDENT.

THE following Regulations are re-published for general information.

QUALIFICATION OF VOTERS.

Every man of the age of twenty-one years and upwards, having a freehold estate in possession, situate within the District for which the vote is to be given, of the clear value of Fifty Pounds above all charges and incumbrances and of or to which he has been seized or entitled, either at Law or in Equity for at least six calendar months next before the last Registration of Electors—or having a Leasehold Estate in possession situate within such a district, of the clear annual value of Ten pounds, held upon a lease which at the time of such Registration shall have not less than three years to run—or having a Leasehold Estate so situate and of such value as aforesaid, of which he has been in possession for three years or upwards next before such Registration—or being a householder within such district occupying a Tenement within the limits of the Town of the clear annual value of Ten pounds, or without the limits of a Town, of the clear annual value of Five pounds, having resided therein six calendar months next before such Registration as aforesaid, shall, if duly registered, be entitled to vote at the Election of a Superintendent of a Province, or of a Member or Members of the Provincial Council thereof, or of a Member or Members of the House of Representatives, Provided that he is not an alien—and that he has not at any time here-

IN THE SEVENTEENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION I. No. 7.

AN ORDINANCE

TO DECLARE THAT PUBLICANS' LICENSES AND AUCTIONEERS' LI-
CENSES SHALL HENCEFORTH BE ISSUED BY THE TREASURER OF
THE PROVINCE.

Analysis.

Title:
Preamble.

1. Publicans' Licenses and Auctioneers' Licenses

to be henceforth issued by Treasurer of the
Province.

*An ORDINANCE to declare that Publi-
cans' Licenses and Auctioneers' Licenses
shall henceforth be issued by the Treasu-
rer of the Province.*

WHEREAS by an Ordinance enacted by
the Governor of New Zealand and the Le-
gislative Council thereof in the second Ses-
sion of the said Council intituled "An Or-
dinance for regulating the Sale of Fer-
mented and Spirituous liquors", it is pro-
vided that Licenses for the vending of such
liquors in less quantities than Two Gallons
shall be issued by the Colonial Treasurer,
or Treasurer of the County or District, upon
certain certificates being lodged with such
Treasurer, and upon certain sums of money
being paid to him. *And whereas* by an
Ordinance enacted by the said Governor
and Legislative Council in the second ses-
sion of the said Council intituled "an Or-
dinance for Licensing Auctioneers," and an
Ordinance enacted by the said Governor
and Legislative Council in the third session
of the said Council intituled "An Ordi-
nance to amend an Ordinance for Licen-
sing Auctioneers," it is provided that Li-
censes authorising persons to act as Auc-
tioneers shall be issued by the Colonial
Treasurer or Treasurer of the County or
District upon payment to such Treasurer of
a certain sum of money in respect of every
such License. *And whereas* it is expedient
to obviate any doubt which may arise un-
der the present Constitution of the Province, as
to the proper Officer to issue Licenses to
sell Fermented and Spirituous Liquors, or
to authorise persons to act as Auctioneers
within the Province of New Plymouth, or
as to the Officer to whom the payments in
respect of such Licenses ought to be made,

Be it therefore enacted and declared by
the Superintendent of the Province of New
Plymouth with the Advice and Consent of
the Provincial Council thereof—that all
Licenses for the sale of Fermented and
Spirituous Liquors within the Province,
and also all Licenses to authorise persons
to act as Auctioneers within the Province,
shall from and after the passing of this Or-
dinance be issued by the Treasurer of the
Province instead of the Colonial Treasurer
or the Treasurer of the County or District
upon the terms and conditions prescribed
by the recited Ordinances, or by any other
Ordinance relating to such Licenses which
shall for the time being be in force within
the Province. And all other powers, func-
tions, and duties, which under and by vir-
tue of the recited Ordinances respectively,
are to be exercised, discharged, or performed
by the Colonial Treasurer, or by the Treas-
urer of the County or District, shall from
and after the passing of this Ordinance and
within the limits of the Province vest in
and devolve upon the Treasurer of the Pro-
vince.

Passed the Provincial Council the twenty-
second day of March, one thousand
eight hundred and fifty four.

I. NEWTON WATT,
Speaker.

Assented to on behalf of the Governor the
twenty-ninth day of March, one thousand
eight hundred and fifty four.

CHARLES BROWN,
Superintendent.

NOTICE.

*Crown Lands' Office,
New Plymouth, 7th April, 1854.*

THE Undermentioned Allotments of
Land will be put up to Auction at the
Crown Lands' Office, New Plymouth, on
Saturday, the thirteenth day of May, 1854,
at 11 o'clock, a. m.

Ten per cent of the purchase money to be
deposited at the Sale, and the remainder
paid within one month, or deposit forfeited:

TOWN OF NEW PLYMOUTH.

Section. No.	Lot. No.	Contents, Rood.	Upset price. Per Lot.
34	1	1	£12 10
35		1	12 10
36		1	12 10
37		1	12 10
51	2	1	12 10
55	3	1	12 10
77	4	1	10 0
278	5	1	15 0
279	6	1	15 0
303	7	1	12 10
304	8	1	15 0
305	9	1	15 0
329	10	1	12 10
330	11	1	15 0
331	12	1	15 0
354	13	1	12 10
355	14	1	12 10
356	15	1	15 0
379	16	1	8 0
380	17	1	10 0
381	18	1	12 0
634	19	1	15 0
635	20	1	15 0
636	21	1	15 0
725	22	1	15 0
726	23	1	15 0
767	24	1	12 10
768	25	1	12 10
769	26	1	12 10
770	27	1	12 10
771	28	1	12 10
772	29	1	12 10
773	30	1	12 10
774	31	1	12 10
775	32	1	12 10
884	33	1	15 0
885	34	1	15 0
886	35	1	15 0
887	36	1	15 0
1393	37	1	15 0
1394	38	1	15 0
1399	39	1	15 0
1412	40	1	12 10
1491	41	1	15 0
1492	42	1	15 0
1493	43	1	15 0
1974	44	1	8 0
C	45	2	15 0
D	46	2	15 0

W. HALSE,
Commissioner of Crown Lands.

ERRATA.

GOVERNMENT GAZETTE, Vol. 2,
No. 6, page 25, 5th line from the top
of 2nd column, instead of *four* read *three*.

tofore been attainted or convicted of any
treason, felony, or any infamous offence
within any part of Her Majesty's Domi-
nions, unless he shall have received a free
pardon, or shall have undergone the sen-
tence or punishment to which he shall have
been adjudged for such offence.

Claim to be preferred.

No person shall be qualified to vote at
the Election of any Superintendent, or of
any Member of the House of Representa-
tives, or of the Provincial Council, unless
he shall prefer a claim to the right of vo-
ting, and unless such claim be duly enrolled
as hereinafter prescribe d.

Form, &c., of Claim.

Every such claim shall be in writing,
and shall state the name of the District or
Districts in respect of which it shall be
made, and shall be signed by the Claimant
or by some other person in his name and by
his authority, and shall state also the place
of abode and calling or business of the
Claimant, and the qualification in respect
of which such Claim may be made.

When to be preferred.

No such claim as aforesaid shall be received
unless it be made between the 15th day of
April next and the 15th day of May next,
or in the month of April in some succeed-
ing year.

Where to be preferred for certain districts.

Every person claiming a right to vote for
the Election of the Members of the House of
Representatives—of the Superintendent—
or of the Members of the Provincial Coun-
cil in the following districts:—

The Town of New Plymouth,
The Grey and Bell Districts.
The Omata District,

shall deliver his claim, or cause the same
to be delivered, at the Police Office at New
Plymouth.

*The Printer of the "Government Ga-
zette" is instructed to supply the Form of
Claim to any person applying for it.*

NOTICE.

*Harbour Department,
New Plymouth, March 31st, 1854.*

THE following altered rates will be in
force from and after the 1st April till
further notice:—

	£	s.	d.
Cargo, landing or shipping ..	0	10	0
Horses, per head	0	9	0
Neat Cattle	0	6	0
Sheep and Pigs	0	0	6

J. WATSON,
Harbour Master.

NEW ZEALAND, PROVINCE OF NEW PLYMOUTH.

A RETURN of the SALE of CROWN LANDS in New Plymouth, being Town Lands, from the 1st to the 31st of March, 1854, inclusive.

TOWN LAND.

Section.	Lot.	Contents.	Upset Price	Sold at per Lot.	When offered by Auction.	Purchaser.	Amount.
					Public Auction.		
					Private Sale.		

(Signed) W. HALSE,
Commissioner of Crown Lands.

NEW ZEALAND, PROVINCE OF NEW PLYMOUTH.

A RETURN of the Sale of CROWN LANDS in New Plymouth, being Rural Lands, from the 1st to the 31st of March, 1854, inclusive.

RURAL LAND.

No. of Appl.	Locality. District	Contents			Fixed price per acre	Purchaser.	Amount in cash received.
		A.	R.	P.			
53	Omata	50	0	0	10s	Abraham Kescel	25 0 0
54	Omata	50	0	0	10s	George Jordan Junior	25 0 0
55	Do. & Grey	200	0	0	10s	Henry Hanson Turton	100 0 0
56	Omata	100	0	0	10s	William Allen	50 0 0
57	Grey	50	0	0	10s	William Edgecombe	25 0 0
Total..							£225 0 0

I certify that the above is a true Return of the sale of Crown Lands in New Plymouth, being Rural Lands, during the month of March, 1854.

(Signed) W. HALSE,
Commissioner of Crown Lands.

Printed and Published by G. W. WOON for the Provincial Government.



NEW ZEALAND GOVERNMENT GAZETTE.

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

Vol. II.]

NEW PLYMOUTH, SATURDAY, APRIL 15, 1854.

[No. 8.]

*Superintendent's Office,
New Plymouth, April 15th, 1854.*
I HEREBY notify that the Provincial Council was prorogued on Saturday, the 8th instant, when I delivered the following address, which is published for general information.
CHARLES BROWN,
SUPERINTENDENT.

MR. SPEAKER AND GENTLEMEN,
When I addressed you at the opening of this Session, I did so with the hope that the General Assembly would soon be sitting—had that hope been realized our legislation would have been more extensive. Feeling the delicacy of our position with regard to that body—a feeling in which you have shewn your lively participation—our legislation has been addressed to meet the immediate necessities of the Province, with the guiding principle that we should not assume for ourselves anything which ought to be granted by the General Assembly.

A recent Ordinance of this Province, to authorise the raising of a loan for the purchase of native lands, has been disallowed by his Excellency on the ground that, “as the General Assembly have absolute power over the Revenues of the Colony, any charge made upon the Revenues of a Pro-

vince by the Provincial Council, can offer no security.” I regret that our legislation should have given cause for this remark, as my intention in recommending the Ordinance to you, and I think I may say yours in passing it, was, that the faith of the Province should be pledged, to make good by local means any deficiency in the General Revenue of the Province to meet the loan.

I have not submitted any permanent system of Audit to your consideration, as I consider it a subject best dealt with by the General Assembly, and that body will, I hope, pass a law which will place the Audit Department beyond the control of the Provincial Government, and secure it from the tendency to corruption and decay incident to Corporations and Governments, where public expenditure is unchecked.

The Despatch of the Secretary of State, which accompanied the Constitution Act, suggested that the Executive powers of the Superintendents should be delegated to him by the Governor, or defined by the General Assembly—concurring in that view, I have acted on the delegated authority conveyed by his Excellency in the transfer of Departments, and left the further definition of the Executive functions of my office to the General Assembly.

I have not recommended to your consi-

deration a course which has been adopted in all the other Provinces, the constitution of an Executive Council; in explanation I will offer a few remarks on my views of the form of Government given to us by the Constitution Act. We have, suited to the limited means for forming a Government, a single elective Legislative Chamber—and an elective Executive centred in one individual, on whom rests the sole responsibility, as you have defined it, of his own conduct, and of those acting under him, the working of this system will be, that, as the Representative of the whole body of electors, the Superintendent will feel it his duty to act as a check on the majority in the Council, when he considers the views of the minority and his own, coincide best with the interests and permanent prosperity of the Province. When this takes place, the exercise of the valuable privilege you possess, and of which I hope you will never be deprived, that of obtaining the removal of the Superintendent by petition, will be at your disposal, and will enable you to place the Superintendent at the bar of public opinion, that the acts of his administration may be approved or condemned.

While I see no reason to anticipate those wide differences of opinion which I have in illustration entertained the possibility of, I should regret to see those differences of opinion which lead to a wholesome discussion, compromised by my appointment of an Executive Council, and any further appointment of Provincial Officers from among your number. You will, I hope, agree with me that by preserving the independence of the Council, even from what may be termed insensible influence, and maintaining the responsibility of the Superintendent inviolate, the best results will be obtained. We should steadily keep in view the principle laid down by an eminent writer—"that whatever a man is expected to do, or does, it be known and seen whether he does it, and how."

Had the Superintendent been appointed by the Crown, my position would probably have been in the Provincial Council, where I would have added my efforts to those of my fellow settlers to obtain the responsibility by means of an Executive Council, which such an arrangement would have rendered necessary, and which at best would

have been far less than the undivided responsibility now accountable to you.

The New Zealand Company's debt is a heavy drag on the prosperity of the Province, independently of the share of the debt that may be imposed on us by the power of the British Parliament, as a punishment for having maintained a struggling existence through ten years of the quarrels of Government and Company in which the money was lost. The assets of all kinds that the Company left in this Province were not equal to the value of the claims of settlers and absentees on the Company, which the Province has now to purchase land to satisfy, at four times the price it could have been obtained for some years ago. This powerful Company has been unfortunately supported by the Home Government in this legalized plunder of the colony; but let us hope that the representations of the General Assembly and other Counsels prevailing in the Home Government, will obtain an equitable adjustment of the so called New Zealand Company's debt, now practically, the New Zealand Settler's debt.

With reference to the control of the Waste lands, I hope the wishes of the Provincial Legislatures will have due weight with the General Assembly. The Land Regulations I consider as a great advance on the system which locked up the forest land of this Province, the principle I should wish to see introduced would be that of sales by auction, at a low upset price of not a particular spot of land, but of the first choice of an amount of land definable by the purchaser within certain limits as to extent, which would not subject the experience of the bona fide settler to the competition of the speculator.

The good feeling subsisting between the two races, and which has never been seriously interrupted in New Plymouth, it will be my object to promote with every feeling of confidence in your support, and that of the Province generally. Whether viewed from motives of justice or policy, every one must be sensible that as a civilized race we owe a helping hand to the population which surrounds us and is fast emerging from its primitive state, and that any serious misunderstanding must materially retard the progress of both races. Those who with me have seen the early days of the

settlement, will confirm what I say, that, the progress of the native race has been great. In this respect more has been done by the natives for themselves, than by others for them, for however well intentioned the efforts have been to raise the native in the scale of civilization, he has been unaided in his efforts to obtain individual rights of property. In this respect the New Zealander shews a capacity for the relations of civilized life which places him far above the savage, who comprehends no rights but common rights, and can be taught no others. The step recently taken by Mr. Commissioner McLean is the first which has been decisively taken in the right direction. The purchase from the natives of their common rights in the block last acquired with the understanding that they are to re-purchase individually at 10s: an acre what they may require, is a transaction replete with interest in its many bearings, and I anticipate it will lead to the alienation by the natives of the whole of their common rights in this Province, while they will secure individual rights, of which the beneficial effects will be incalculable.

With reference to Education, I look forward to the legislation of the General Assembly to enable the Province to deal with it on comprehensive principles.

The task at present imposed upon me, the Province may consider me unequal to fulfil; and should this be affirmed at any time by the election of any other gentleman to the position I now hold, my best endeavours will then be given, as they are now, to promote the prosperity of this Province and the colony at large. In the feeling shewn by Members of Council, Officers of Government, and the Electors of the Province, it has been recognised that the Constitution Act has placed a fresh point of departure for all parties and all opinions, I have fully felt the influence of this, and beg to thank you for the attention I have received, and the consideration my measures have met with, however we may have differed on them.

I have now to release you Mr. Speaker and Gentlemen from your labours for this Session, and prorogue this Council to the

first day of July next, and should no unforeseen exigency require your earlier meeting, I propose to extend the prorogation till some day in September.

CHARLES BROWN,
Superintendent.

CONTRACTS FOR THE PROVINCIAL GOVERNMENT.

Superintendent's Office,
New Plymouth, April 12th, 1854.

TENDERS will be received at this Office until noon on Wednesday, the 26th instant, for the undermentioned works—further particulars can be obtained on application.

No. 1.—Omata Road, repair one chain in length where the same crosses the Herekawe.

No. 2.—To raise the Huatoki Bridge in Devon-street two feet, make approaches to the same, fix two wing-rails on the South side of Bridge, and one on the North.

No. 3.—To raise the Mangatuku Bridge in Brougham-street one foot.

No. 4.—To open surface drains for keeping the undermentioned portions of road free from wet, throwing the material moved in the centre of the road, removing inequalities, and giving the same a convex surface of one foot rise in every thirty feet width of road:—

Devon-street, from the top of the rise North of Currie-street to Robe-street.
Brougham-street, from Powderham-street to King-street.

No. 5.—To cart and lay on the undermentioned portions of road, between the surface drains, as they are imbedded by traffic, 120 loads of sand-stone in two layers, and 60 loads of gravel or shingle in two layers:—

Devon-street, from Currie-street to the foot of the first hill South of the Huatoki.

Brougham-street, from Devon-street to King-street.

Superintendent's Office,
New Plymouth, April 15, 1854.

TENDERS will be received at this Office until noon on Wednesday, the 26th instant, for supplying the undermentioned RATIONS as they may be required at the Gaol, New Plymouth, for five months from the 1st of May next.

Ration No. 1, at per Ration.

" 2, "

" 3, "

CHARLES BROWN,
Superintendent.