

Crown Lands' Office,

New Plymouth, 3rd February, 1855.

TENDERS will be received at this Office until 2 p.m. of Saturday the 17th instant for the survey of Land in the Grey and Omata districts, including portions of the Huatoki, Henui, and Mangorei streams, at per chain for forest, bush, and fern.

Further information may be obtained at the Survey office.

W. HALSE,

Commissioner of Crown Lands.

Superintendent's Office,

2nd February, 1855.

NOTICE—I have appointed JAMES RITCHIE, Esq., to be Clerk to the Bench of Magistrates for this Province: The appointment to date from the 30th September 1854.

CHARLES BROWN,

Superintendent.

NOTICE.

SUBJECT to the approval of the Provincial Council, I have appointed JAMES RITCHIE, Esq., to be Assistant Clerk of Council. The appointment to date from the 30th September 1854.

I. N. WATT,
Speaker.

NOTICE.

Superintendent's Office,
3rd February, 1855.

IN exercise of the powers in me vested for this purpose I hereby appoint the Enclosure newly made on Section No. 21 in the Omata block, which Enclosure adjoins the Omata Inn and abuts on the public Road, to be a Public Pound. And I hereby appoint

THOMAS BARNABAS LETHBRIDGE, Publican, to be Keeper of such Pound,

CHARLES BROWN,
Superintendent.



**NEW ZEALAND
GOVERNMENT GAZETTE**

FOR THE
PROVINCE OF NEW PLYMOUTH.

Published by Authority.

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CHARLES BROWN, Superintendent.

VOL. III. NEW PLYMOUTH, SATURDAY, FEBRUARY 10, 1855. [No. 3.]

NOTICE.

IN exercise of the power in me vested for this purpose by an Ordinance of the Superintendent and Provincial Council of New Plymouth passed in this present Session of the said Council, intituled, "An Ordinance to provide for the maintenance of Public Works within the Province of New Plymouth," I hereby constitute the following Districts for the purposes of the said Ordinance. viz —

1st District—All lands North East of the Waiwakaiho, as far as the Mangoraka.

2nd District—All Lands between the Waiwakaiho and Henui, and to seaward of the great Native Reserve on the Mangorei Road.

3rd District—All Lands lying between the Waiwakaiho and Henui, not included in the 2nd District, except such newly purchased Lands within the said limits (if any) as are hereinafter particularly specified.

4th District—All Lands lying between the Henui and Huatoki, below the junction of the Huatoki-iti, including the whole of Section No. 776, Grey Block, together with the following newly purchased lands,

No. on Plan	Quantity, exclusive of road allowance	Purchaser.
Grey	acres	
791	75	R. & J. Gilmour
779	75	A. Campbell
792	200	R. & J. Gilmour
802	200	H. H. Turton
Omata		
93	100	P. Inch
107	300	J. C. Sharland
Grey		
783	200	C. W. Richmond
784	200	H. A. Atkinson
795	200	H. R. Richmond
Omata		
100	240	C. Davy
5th District—All Lands lying between the Huatoki and the Paritutu Line to the point where the latter first crosses the Huatoki, together with Section No. 778, Grey Block, and the following newly purchased lands.		
No. on Plan	Quantity, exclusive of road allowance	Purchaser.
Omata	acres	
76	100	W. M. Burton
83	120	W. Watkin
84	100	J. Newland
85	50	ditto
87	100	H. W. Leatham
88	100	J. Dunn
90	200	T. W. Richardson
89	200	A. King
91	100	A. Kescel
94	50	ditto
95	50	G. Jordan, Junior
97	50	A. Kescel
99	60	C. Davy

6th District—All Lands in the Omata Block within the following boundary, viz.:—The Paritutu line from the sea to the inland angle of section No. 54, thence in a westerly direction along the south side of No. 54, thence in a southerly direction along the east sides of sections Nos 79 and 81, thence in a westerly direction along the south side of No. 81, thence in a southerly direction along the east side of No. 86, thence in a westerly direction along the south side of No. 86, thence down the Ngakaranui to its junction with the Tapuae, thence down the Tapuae to the boundary of the Omata block, thence down the said boundary to the sea.

7th District—The following newly purchased lands.

No. on Plan	Quantity, exclusive of road allowance	Purchaser.
Omata	acres	
80	50	A. McKellar
92	50	ditto
101	100	E. Moyle
102	50	R. Steer
109	50	C. H. Schnackenberg
110	50	T. Hewitt
111	50	A. Remington
112	50	W. Matakatea
115	100	W. M. Crompton
116	100	H. H. Turton
117	100	C. Davy
118	100	T. Ibbotson
119	100	C. Davy
120	100	D. Brown
98	75	F. Norris
82	100	ditto
78	100	T. White & J. Shaw
106	200	C. Davy
103	100	F. Burchell
104	100	F. U. Gledhill
105	50	A. Kescel
120	100	C. Davy

8th District—All Lands South West of the boundary of the Omata block.

This Notice is published with the approval of the Provincial Council.

CHARLES BROWN,
Superintendent.

Superintendent's Office,
7th February, 1855.

NOTICE.

WHEREAS by the seventh section of the Ordinance of the Province, Session 2, No. 9, intituled an Ordinance to provide for the maintenance of Public Works within the Province of New Plymouth" it is enacted that a General Meeting of the Electors for each district constituted for the purposes of the said Ordinance shall be convened in the month of February in the year 1855, and in the month of May in every succeeding year, on such day and at such place as for the respective districts shall be appointed by the Superintendent by Notice published in the *Government Gazette* of the Province,

Now therefore I do hereby appoint that General Meetings of the Electors for the se-

veral Districts under the said Ordinance shall be held as follows, viz.,

For the Town District, at the Court House, in the Town of New Plymouth, on Saturday the 17th day of February instant, at 4 o'clock, p.m.

For the Second District, at the Court House, in the Town of New Plymouth, on Saturday the 24th day of February instant, at 4 o'clock p.m.

For the Third District, at the Ship Hotel, in the Town of New Plymouth, on Saturday the 24th day of February instant, at 4 o'clock, p.m.

For the Fourth District, at the Taranaki Hotel, in the Town of New Plymouth, on Saturday the 24th day of February instant, at 4 o'clock p.m.

For the Fifth District, at the Seven Stars Hotel, in the Town of New Plymouth, on Saturday the 24th day of February instant, at 4 o'clock, p.m.

For the Sixth District, at the Omata Inn, in the District of Omata, on Friday the 23rd day of February instant, at 4 o'clock p.m.

For the Seventh District, at the Omata Inn, in the District of Omata, on Saturday the 24th instant, at 4 o'clock, p.m.

CHARLES BROWN,
Superintendent.

Superintendent's Office,
7th February, 1855.

A SPECIAL MEETING of the Justices of the Peace for the Province of New Plymouth, will be holden at the Resident Magistrate's Court at New Plymouth on Tuesday the sixth day of March next, at twelve o'clock noon, for the purpose of forming a Militia List for the ensuing year.

JOSIAH FLIGHT,
Resident Magistrate.

Resident Magistrate's Court,
New Plymouth, February 7, 1855.

GENERAL ANNUAL LICENSING MEETING.

NOTICE is hereby given that the Annual Licensing Meeting of the Justices of the Peace for the Province of New Plymouth will be holden at the Resident Magistrate's Court at New Plymouth on Tuesday the 17th day of April next at 12 o'clock noon, for the purpose of taking into consideration applications for Licenses to sell Spirituous Liquors, Wine, Ale or Beer. All applications must be lodged with the Clerk to the Bench on or before Tuesday the third day of April next.

JAMES RITCHIE,
Clerk to the Bench of Magistrates.
Resident Magistrate's Court,
New Plymouth, February 8th, 1855.

NOTICE is hereby given that a Special Meeting of the Justices of the Peace for the Province of New Plymouth will be holden at the Resident Magistrate's Court at New Plymouth on Tuesday the 6th day of March next at twelve o'clock noon, for the purpose of receiving applications for the transfer of Publican's Licenses.

JAMES RITCHIE,
Clerk to the Bench of Magistrates.
Resident Magistrate's Court,
New Plymouth, 8th February, 1855.



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CHARLES BROWN, Superintendent.

VOL. III. NEW PLYMOUTH, SATURDAY, FEBRUARY 17, 1855. [No. 4.]

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

SESSION II., No. 11.

**AN ORDINANCE
TO AMEND THE IMPOUNDING AND CATTLE TRESPASS ORDINANCE.**

Analysis.

Title.	4. 39th Section of Impounding Ordinance explained in relation to tethered Cattle.
Preamble.	5. Power to Justices to remit Penalties accidentally incurred.
1. 10th, 29th, and 30th Sections of Impounding Ordinance repealed.	6. Fees for driving Cattle to Pound.
2. Penalty for cattle wandering in Streets and Roads.	7. Ordinance incorporated with Impounding Ordinance.
3. Cattle wandering in Streets and Roads may be impounded.	

AN ORDINANCE to amend the Impounding and Cattle Trespass Ordinance.

Whereas by the tenth section of an Ordinance of the Superintendent and Provincial Council of the Province of New Plymouth intituled "An Ordinance to authorise and regulate the Impounding of Cattle and to

provide for the summary recovery of compensation for damage done by Cattle trespassing" it is enacted "that if any cattle shall be found wandering at large or depasturing without license in any road, street, or public place within any district of the Province in which the Native title shall have

been extinguished, the owners thereof shall forfeit and pay, by way of Penalty, for every head of Cattle so wandering or depasturing in any road, street, or public place within the limits for the time being of the Town of New Plymouth, any sum not exceeding five shillings, and not less than two shillings and sixpence, and for every head of cattle so wandering or depasturing in any road, street, or public place in any other part of the districts last aforesaid, any sum not exceeding two shillings and sixpence, and not less than sixpence. And the said cattle may by any person be impounded for the said Penalty, and the like notices shall be given by the person impounding the same, and by the Poundkeeper, as in the case of cattle impounded for trespass upon private lands. Or such penalties may be proceeded for in a summary way." And whereas by the 29th section of the said Ordinance it is enacted "that the keeper of every such Pound shall erect and maintain, in some conspicuous part of the said Pound, a board having painted thereon, in legible black characters, on a white ground, a Table of all such lawful fees and charges as he may be by the said Ordinance authorised to demand, have, and receive, together with all fixed rates of damage." And whereas by the 30th section of the said Ordinance it is enacted "that every such keeper, as aforesaid, who shall fail to erect the said Board, and to keep and maintain the same in proper repair after it has been erected, or to make any lawful alteration therein which may afterwards become necessary within a reasonable time after the said alteration ought to be made, or shall knowingly paint, or cause to be painted any false statement thereon, shall forfeit and pay for every day that such board shall not be erected, (except during such reasonable time as the same shall be taken down for alteration or repair,) and for every day that such board shall not be maintained in proper repair, or lawful alterations be not made after a reasonable time for making the same respectively shall have elapsed as aforesaid, the sum of two shillings and sixpence, and

for every day he shall knowingly suffer any false statement to remain on the board, the sum of five shillings." And whereas by the 39th section of the said Ordinance it is enacted that "Every person who after the first day of June, one thousand eight hundred and fifty-four, shall turn out or depasture any cattle upon any land within the present or future limits of the Town of New Plymouth, not enclosed by a substantial and sufficient fence, whether such land be or be not in his lawful occupation, shall day by day, and for every day on which such cattle shall be so turned out or depastured, forfeit and pay the sum of 1s. for every head of cattle so turned out or depastured. *Provided* that such Penalty shall not be incurred by any person lawfully depasturing cattle upon Crown Lands within the aforesaid limits,"

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

1. The 10th, 29th, and 30th sections of the said Ordinance shall be and the same are hereby repealed.

2. If any Cattle shall be found wandering at large, or depasturing without license, (whether loose or tethered,) in any Road, street, or Public place within any District of the Province in which the Native Title shall have been extinguished, the owners or persons having charge thereof shall forfeit and pay, by way of penalty, for every head of Great Cattle so found wandering or depasturing any sum not exceeding five shillings and not less than two shillings and sixpence, and for every head of Small Cattle so found wandering or depasturing, any sum not exceeding two shillings and sixpence and not less than sixpence—so that the total amount of the penalty for each offence do in no case exceed the sum of Fifty Shillings.

3. Cattle so found wandering or depasturing may by any person be impounded; and the like notices shall in such case be given by the person impounding the same, and by the Poundkeeper, as in the case of

cattle impounded for a trespass upon private lands; and the impounding of such cattle shall not take away nor affect the liability of the owner or person having charge thereof to the penalty imposed by this Ordinance.

4. For removing or obviating doubts which have arisen, or may arise, as to the meaning of the thirty-ninth section of the said Ordinance in relation to tethered cattle, *Be it declared and enacted* that no person does nor shall incur any Penalty under the same enactment by securely tethering cattle on unfenced lands in his own lawful occupation, but in all other cases the penalties imposed by the same enactment do and shall attach in respect of tethered cattle, equally as in respect of loose cattle.

5. Upon any information or complaint for any offence against the provisions of the said Ordinance or of this present Ordinance in respect of cattle unlawfully at large or unlawfully depasturing, it shall be lawful for the Justice or Justices before whom the same shall be heard to dismiss the same, upon such terms as to payment of costs as he or they shall think fit, if the Defendant shall be able to adduce evidence to the satisfaction of such Justice or Justices that the Cattle in respect of which Complaint is made, broke loose or escaped through accident or through the negligence or the wrongful or malicious act of any person (other than the Defendant himself, his agents, bailiffs, or servants) in leaving open any gate or bars, or breaking down any fence, or taking up any picket or tethering peg, and also that there was no default on the part of the Defendant, his agents, bailiffs, or servants in neglecting to prevent such es-

cape, or to pursue after and secure the cattle.

6. Every occupier of land who shall have impounded cattle on his own land pursuant to the 8th section of the recited Ordinance and shall have detained such cattle for the space of thirty-six hours or upwards, shall be entitled to recover from the owner or person having charge of such cattle, for driving such cattle or causing the same to be driven thence to the nearest or most accessible Public Pound, at and after the following rate, that is to say: For every mile of the distance to such public Pound at and after the rate of one penny for every head of sheep, and threepence for every head of other cattle. *Provided* that the sum payable shall never be less than one shilling nor exceed five shillings for every mile of the said distance; and where the distance shall be less than one mile, or shall exceed any whole number of miles by some fraction of a mile, such fraction of a mile shall reckon as a full mile. And the amount claimed for driving cattle to Pound shall in every case be specified in the written statement to be furnished to the Poundkeeper by the person impounding. *Provided also* that it shall be lawful for the Superintendent, by notification in the *Government Gazette* of the Province, from time to time to increase, reduce, or otherwise vary the said Fees and charges as occasion may require.

7. This Ordinance shall be deemed and taken to form part of the recited Ordinance, and the Penalties and Provisions hereby imposed and herein contained shall be considered to be imposed by and contained in the recited Ordinance.

Passed the Provincial Council the twenty-fifth day of January, one thousand eight hundred and fifty five.

I. NEWTON WATT,
Speaker.

Assented to on behalf of the Governor the thirteenth day of February one thousand eight hundred and fifty five.

CHARLES BROWN,
Superintendent.

NOTICE.

WHEREAS by the seventh section of the Ordinance of the Province, Session 2, No. 9, intituled "An Ordinance to provide for the maintenance of Public Works within the Province of New Plymouth" it is enacted that a General Meeting of the Electors for each district constituted for the purposes of the said Ordinance shall be convened in the month of February in the year 1855, and in the month of May in every succeeding year, on such day and at such place as for the respective districts shall be appointed by the Superintendent by Notice published in the *Government Gazette* of the Province,

Now therefore I do hereby appoint that General Meetings of the Electors for the Districts under the said Ordinance hereinafter mentioned shall be held as follows, viz.,

For the First District, at the Barn on Mr. N. Reed's farm, in the Hua block, on Saturday, the 24th day of February, instant, at 4 o'clock p. m.

For the Eighth District, at the Residence of R. Greenwood, Esq., on Section No. 20 in the Tataraimaka block, on Saturday, the 24th day of February, instant, at 4 o'clock, p. m.

CHARLES BROWN,
Superintendent.
Superintendent's Office,
17th February, 1855.

NOTICE.

WHEREAS by the seventh section of the Ordinance of the Province Session I, No. 8, intituled "An Ordinance to authorise and regulate the Impounding of Cattle and to provide for the summary recovery of compensation for damage done by cattle trespassing" it is enacted that the fees to be taken and charged by any Pound keeper as and for the Pound Fees should be

as is specified in Schedule A annexed to the said Ordinance, *Provided always* that it should be lawful for the Superintendent by notification in the *Government Gazette* of the Province from time to time to increase, reduce, or otherwise vary the said fees: *And whereas* by the said Schedule it is provided that the sum payable to the Pound-keeper for sending notice of the Impounding of Cattle to the owner or person having charge thereof should be at and after the rate of one shilling per mile for every mile of the distance of the residence of such owner from the pound. Now I do hereby appoint and notify that where such distance shall be less than one mile or shall exceed any whole number of miles by some fractional part of a mile, the fractional part of a mile shall be reckoned and charged for as a full mile under the last recited provision of the said Ordinance.

CHARLES BROWN,
Superintendent.
Superintendent's Office,
17th February, 1855.

NOTICE.

WHEREAS by the Ordinance of the Province, Session I, No. 8, intituled "An Ordinance to authorise and regulate the Impounding of Cattle and to provide for the summary recovery of compensation for damage done by cattle trespassing" it is enacted that certain Notices for the purposes of the said Ordinance should be posted in some conspicuous place to be appointed for that purpose by the Superintendent in the vicinity of each Pound—Now I do hereby appoint and notify that, as respects the Pound at Omata, the place for posting any Notice required by the said Ordinance to be posted in the vicinity thereof, shall be the side of the Omata Inn, next to the said Pound.

CHARLES BROWN,
Superintendent.
Superintendent's Office,
17th February, 1855.



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CHARLES BROWN, Superintendent.

Vol. III.

NEW PLYMOUTH, WEDNESDAY, MARCH 7, 1855.

[No. 5.]

New Plymouth, March 5th 1855.

Sir,—We the undersigned inhabitants of New Plymouth hereby request Your Honor to call a Public Meeting to take into consideration the present unprotected state of this settlement.

We have the honor to be, &c.
THOMAS KING M. H. R.
R. BROWN
H. L. REDHEAD
P. IMLAY
J. WATSON
EDWARD DORSET
F. U. GLEDHILL M. H. R.
WILLIAM GRAY
THOMAS STANDISH
JAMES YEMS
W. BAYLY
JESIAS HOSKIN.

To His Honor The Superintendent,
New Plymouth.

In compliance with the above requisition I hereby convene a Public Meeting of the Inhabitants of this Province to be holden at the Masonic Hall on Saturday next the 10th instant at 4 o'clock p.m. for the purpose of taking into consideration the present unprotected state of this Settlement.

CHARLES BROWN,
Superintendent.
Superintendent's Office,
6th March, 1855.

Superintendent's Office,
7th March, 1855.

THE following correspondence which has been laid before the Provincial Council, with the Resolutions adopted thereon by that body, are published for general information.

CHARLES BROWN,
Superintendent.

208 Colonial Secretary's Office,
Auckland, 29th July, 1854.

Sir,—I have the honor by direction of His Excellency the Officer administering the Government to inform you that the Government have received a letter from Hone Ropiha, a Native Assessor and one of the principal chiefs of the New Plymouth Province, requesting that a Garrison of Troops should be quartered there, and His Excellency would feel obliged to your Honor if you would favour him with your opinion on this subject.

I have the honor to be, &c.
ANDREW SINCLAIR,
Colonial Secretary.

His Honor
The Superintendent New Plymouth.

253 Colonial Secretary's Office,
Auckland, 13th Sept., 1854.

Sir—I am directed by His Excellency the Officer Administering the Government to inform your Honor that a letter dated 22nd ultimo has been received from the Resident Magistrate * at New Plymouth, relative to the recent affray among the Puketapu natives there.

This report appears to be satisfactory, and his Excellency feels assured that if the civil authorities continue the judicious exercise of their influence and authority, no serious result, arising out

of that affray, need be apprehended by the colonists of New Plymouth.

His Excellency feels that the European inhabitants of that Province should rather depend on their own prudence and good conduct for the preservation of peace than on the presence of any body of Troops, which appears to be desired by some. To enable the Government to spare a Garrison for Taranaki, the military force in New Zealand would have to be increased, whereas it will, in all probability, be speedily and considerably reduced.

Moreover the Province would have to incur a heavy expense in providing Block Houses and other accommodation for troops, and the very introduction of such troops into New Plymouth might increase the possibility of danger, and, in other places, by discouraging emigration to that settlement, seriously injure its prospects.

I have the honor to be, &c., &c.,

ANDREW SINCLAIR,
Colonial Secretary,

His Honor The Superintendent,
New Plymouth.

* The communication of the Provincial Government to the Colonial Secretary dated 6th August 1855, in which the circumstances of the first affray between the Natives were detailed, is not printed, as the facts are well known, and the communication simply elicited an acknowledgement of its receipt.

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

Sir,—I have the honor to acknowledge the receipt of your Despatch, 13 Sept. 1854, stating the resolution of His Excellency respecting a Garrison for Taranaki.

His Excellency having already arrived at a positive conclusion on this subject, on considerations satisfactory to the mind of His Excellency, I feel that it is unnecessary for me to express any opinion although by your prior communication of the 29th July His Excellency had done me the honor to request a statement of my views.

It being, I think incontestable that the peace of the colony is at the present moment more threatened here than elsewhere, the people of this Province cannot but be gratified at the special reliance His Excellency is pleased to place on their prudence and good conduct as equivalent to a military guard in other districts apparently less in danger of disturbance.

In connection with the subject of the despatches above referred to, I have the honor to enclose a copy of a Resolution adopted by the Bench of Magistrates of the Province which has been forwarded to me by the Resident Magistrate, from which it would appear that the Bench entertains views on that subject somewhat at variance with those of His Excellency. With reference to this resolution I feel it my duty to make my protest to his Excellency against the opinion that the military defence of this Province is under existing circumstances a local charge. I believe I shall have the concurrence of His Excellency in the contrary opinion, that so long as a military force is maintained in these islands at the expense of the mother country, the inhabitants of the several Provinces are equally entitled to the protection it affords, and that it would be a manifest injustice to saddle a small Province with the heavy cost of self defence, whilst other parts of the colony enjoy an immunity from such a charge, and engross, moreover, all the collateral benefits arising from a large Government expenditure. The charge of the Military defence of the place is, I respectfully submit, under existing circumstances, the concern of the General Government—the military power and the responsibility for its due and impartial employment resting solely with his Excellency. And I conceive that the Provincial Government will have entirely acquitted itself on the subject of the Resolution by

acquainting his Excellency with the sentiments of the Bench.

In making these observations I beg that for the reason above stated, I may not be considered by His Excellency as expressing or insinuating an opinion respecting the actual necessity for a military force in Taranaki or other warlike precaution.

I have the honor to be, &c.,

CHARLES BROWN,
Superintendent.

The Honorable

The Colonial Secretary, Auckland.

Resident Magistrate's Office,
New Plymouth, 3rd October, 1854.

Sir,—At the request of the Bench of Magistrates I have the honor to send herewith for the information of your Honor, copy of a resolution adopted by them at a meeting held this day.

I have the honor to be, &c.,

JOSIAH FLIGHT,
Resident Magistrate.

His Honor

The Superintendent, New Plymouth.

Copy of a Resolution adopted by the Bench of Magistrates of the Province of New Plymouth at a Meeting held the 3rd October, 1854.

That in reference to the recent unfortunate collision amongst the Puketapu natives, His Excellency the Officer Administering the Government having stated in a letter to the Resident Magistrate that a Military Force cannot be spared for the defence of this settlement, the Bench of Magistrates conceive it to be their duty to communicate the above information to the Superintendent, and to express to His Honor their opinion that under the circumstances stated, such steps as may be within the resources of the Province should be taken for the defence and security of the inhabitants against the consequences of present or future excitement amongst the natives.

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Colonial Secretary's Office,
Auckland, 14th November, 1854.

Sir,—I have the honor to acknowledge the receipt of your Honor's letter of the 13th ultimo on the subject of a Military Garrison being supplied for Taranaki.

His Excellency the Officer administering the Government has directed me to inform your Honor that that letter, together with the reports on the same subject from the Resident Magistrate at New Plymouth and from Mr Commissioner McLean, shall be on an early day submitted for the careful consideration of the Executive Council.

In the concluding paragraph of your Honor's letter you request that you "may not be considered by his Excellency as expressing or insinuating an opinion respecting the actual necessity for a Military force in Taranaki, or other warlike preparation."

His Excellency is glad to find that, as Superintendent of the Province of New Plymouth, your Honor has not thought it requisite to record your opinion of such a necessity—as his Excellency believes any manifestation of the kind referred to would probably injure the prosperity of New Plymouth, and check the tide of immigration so necessary to its advancement.

With reference to the other parts of your Honor's letter, his Excellency observes that the Troops have not been stationed in New Zealand solely for the protection of one Race against the other, or for the adjustment of domestic broils, but also for the protection of the colony from foreign aggression and in time of War, as at present, for the purpose of upholding the honor of the English Flag.

Moreover, the numerical strength of the Troops in New Zealand is not such as to allow the subdivision of the Force—with a due regard to its efficiency—in the different Provinces.

I have the honor to be, &c.

ANDREW SINCLAIR,

To His Honor
The Superintendent, New Plymouth.

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Colonial Secretary's Office,
Auckland, December 11, 1854.

Sir—I have been directed by His Excellency the Officer administering the Government to forward to you the enclosed copy of a letter from Mr Commissioner McLean, and to request your Honor will favor His Excellency with your opinion on the suggestions made by Mr McLean.

I have the honor to be, &c.,

ANDREW SINCLAIR,
Colonial Secretary

His Honor

The Superintendent.

[Enclosure.]

Land Commissioner's Office,
Auckland, 1st Nov. 1854.

Sir,—In the present unprotected state of the European inhabitants at Taranaki, and taking into consideration the unfortunate manner in which our faithful ally and Native Assessor Rawiri Waiaua and six of his followers were killed, without any just provocation, by relatives and members of his own tribe, I beg to submit that the time has arrived when some steps should be taken for the better security and defence of the inhabitants of that Province, as Natives who would be guilty of destroying their own friends in such a cruel manner, could not be relied on for much forbearance towards the Europeans under any excitement or conflict that might arise hereafter among themselves.

It seems very desirable, therefore, not only as an act of humanity and justice towards the natives themselves, but as a protection to innocent Europeans who may, notwithstanding the vigilance of the authorities become inadvertently involved in those quarrels, that some precautionary measures should be adopted to restrain the natives from again committing such acts of violence as recently took place in the immediately vicinity of the English settlement. The limited resources of the New Plymouth Province, its distant and isolated position, the numerous native tribes that surround it, the constant accessions they are receiving to their numbers from different parts of these islands, the consequent difficulty of acquiring land in sufficient quantities to introduce European settlers in greater numbers to equalise the races, the warlike character of the natives as compared with the peaceable industrious class of English agricultural settlers stationed there, the difficulty of placing troops there under any sudden emergency that might arise requiring their presence, the uselessness of having a smaller number of military than would overawe and control the more turbulent tribes, are all subjects that have been so fully brought under the notice of the Government at different times, that it appears unnecessary for me to dwell at any length upon them; but I feel it is my duty, as the officer deputed to enquire into and report on the late disturbance, to bring under His Excellency's notice what I have already indicated verbally to his Honor the Superintendent, the local authorities, and some of the settlers at that place, viz., that there are certain resources within the Province which if judiciously applied, with the aid of and under the sanction and co-operation of the General Government, might be adopted without creating much suspicion or alarm among the natives, and be the means of restraining them from any future dangerous collisions calculated not only to endanger the safety of the inhabitants, but to retard the peaceable and progressive improvement of a most interesting and otherwise very flourishing district.

The precautionary steps which I would take the

liberty of suggesting, are—

1stly, The construction of a good Blockhouse and Stockade.

2ndly, The Militia which must number nearly 500 men to be periodically called out and trained, as provided for by the "Militia Ordinance."

3rdly, The augmentation of the Police force to be composed chiefly of intelligent active natives selected from different tribes in the country, so that every reliance could be placed on their acting with impartiality, and I think it may be safely assumed from the courage and fidelity with which the Natives enrolled in such a force have acted during war times in the colony, that they might in any future emergency be safely relied upon, and they could be, when not required for their Police duties, advantageously employed in opening up and constructing roads through the Province, or attending to such other public improvements as are much wanted, to the efficiency of such a force the utmost importance might be attached.

4thly, Two pieces of artillery and a good supply of small arms and ammunition are much required, as there are none but old condemned ones at Taranaki, and it might be advisable to have, besides those for the use of the militia, some arms to spare for such of the friendly natives as are destitute of them, with an understanding that such arms would only be given out in the event of being actually required for service, and to be afterwards given into the custody of the officer who may have charge of them.

It may be apprehended that the natives might consider such preparations as indicating some hostile intention on the part of the Europeans, but the fact of their being informed that England is at war with a foreign power, and that their own conduct towards each other justifies the Europeans in being on their guard, would divest them of every suspicion of this nature; indeed, many of them would willingly aid and co-operate in carrying out measures which they could not fail to perceive would be the means of preserving peace amongst themselves by giving them increased security of life and property besides having the effect of enhancing their respect for British law and authority.

It is not without some diffidence that I have taken upon myself to submit the foregoing measures for His Excellency's consideration, feeling as I do the extreme delicacy and difficulty of adopting effectual means for the security of a district situated as New Plymouth is, but I believe when taken in connection with the steps now in progress for adjusting the land question at that place, and facilitating the acquisition of property by the chiefs in the English settlement that, the suggestions alluded to are the least expensive that could be adopted for ensuring in any permanent degree the general peace and tranquility of that Province.

I have the honor to be, &c.

DONALD McLEAN,

To the Honorable
The Colonial Secretary.

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Colonial Secretary's Office,
Auckland, 26th December, 1854.

Sir,—Adverting to your letter of the 21st inst., reporting fresh disturbances between the Natives at New Plymouth I am directed by the Officer administering the Government to inform you that his Excellency approves of the steps your Honor has taken in this matter.

The continued hostilities between Ihaia's party and the Puketapu tribe is nothing more than what was naturally to be expected, and it behoves the authorities of New Plymouth to use their utmost influence and exertion to prevent the possibility of any interference on the part of the Europeans so that no excuse whatever may exist for the natives connecting the settlers with the slightest participa-

tion in a feud which is at present entirely between themselves.

His Excellency is still of opinion that the introduction of any Military force would be more calculated to do harm than good, and a less force than that which would be equal to any emergency would be ill-advised in the highest degree.

In the absence of Mr McLean, the Government propose sending Major Nugent, Native Secretary, to Taranaki for the double purpose of seeing the natives and, if possible, of bringing this dispute to a termination, and of ascertaining in the event of the Military occupation of New Plymouth whether any and what accommodation could be provided for from 3 to 500 men with officers and proper equipments, and also to ascertain if the Provincial Government is prepared with the funds necessary for such occupation.

I have the honor to be, &c.

ANDREW SINCLAIR,
Colonial Secretary.

To his Honor
The Superintendent, New Plymouth.

2-84 Superintendent's Office,
New Plymouth, January 8th, 1855.

Sir,—I am requested in a despatch from the Colonial Secretary to give my opinion on a report from Mr Commissioner McLean transmitted therewith which proposes that certain means of defence should be adopted for the security of the European inhabitants and friendly Natives in the Province.

I agree with Mr McLean as to the necessity then existing for protection, a necessity strengthened by recent events, which shew a general lawlessness of the Native population throughout the Province. But I must beg to differ from Mr McLean's opinion that the measures recommended by himself are within the limited resources of this Province. Nor can I admit that these measures are adequate or even expedient in the imminently dangerous position in which the European population is now placed.

The manifest and immediate source of danger lies I consider in the avowed determination of the weaker party in the present feuds, to seek their safety by dragging their quarrel in whatever shape it may assume into the settled portions of the Province. The place is in fact at the mercy of either party in the Native quarrel now lowering. It is impossible too strongly to state its absolute defencelessness.

In such circumstances, I can see no safety, but rather danger, in calling out as a militia an unwarlike and unwilling population, which at the eleventh hour must receive its training under the eyes of jealous tribes, fully armed and accustomed to warfare.

The employment of a native protective force is an experiment which it is out of the question to try in an emergency like the present.

Concurring therefore in Mr McLean's opinion of the danger, but considering his suggestions as to defence impracticable, I have to express to your Excellency my conviction that the presence of a body of troops has become absolutely necessary.

In this opinion I am supported by the Provincial Council, as will appear by the enclosed resolutions of that body.

I have also the honor to enclose a Memorial in the same sense from the inhabitants of the place.

With reference to your Excellency's inquiry whether the Provincial Government is prepared with the funds necessary for the military occupation of the Province, I beg to refer your Excellency to the above mentioned resolutions, and to state that I am prepared, if necessary, to recommend to the Provincial Council the requisite enactment for giving effect to its resolutions. At the same time I shall feel it my duty to urge the claims of the Province in justice and equity to be relieved from any charge on its resources in the present emergency.

gency.

I have the honor to be, &c.

CHARLES BROWN,
Superintendent.

To His Excellency
Colonel Wynyard, C. B.,
The Officer administering the Government.

[Enclosure 1]

Resolutions of the Provincial Council adopted 6th January 1855.

1. That the location of a body of Troops in this Province during the continuance of the present feuds amongst the neighbouring Native Tribes, is in the opinion of this Council absolutely necessary for the protection of the settlers, and the maintenance of the neutrality of the Government.

2. That a copy of the foregoing Resolution be forwarded to his Honor the Superintendent with a request that he will transmit the same to His Excellency the Officer administering the Government.

Resolutions of the Provincial Council adopted 6th January 1855.

1. That this Council taking into consideration a despatch of the Colonial Secretary addressed to his Honor the Superintendent, under date 26th December 1854, is prepared to guarantee, to the extent presently stated, the repayment of any advances which may be made from the military chest for the erection of a Blockhouse or Stockade and Barracks for a detachment of Troops.

2. That for the purpose above stated, this Council will pass any Bill which shall be recommended to it by the Superintendent charging the Revenue of the Province with payment for the next ten years of an annual sum not exceeding £1000 for a detachment of 400 Troops.

3. That compelled by the exigency of the case to consent to the imposition of a heavy burthen on the slender resources of this Province the Council declares its opinion that the proposed guarantee is one from which the Province clearly ought to be relieved—the expense being in fact to be incurred for the preservation of the peace of the Colony at large, and for the prevention of a Maori War—and the imposition of such a charge upon a particular district being quite unprecedented.

4. That in the event of the acceptance by the General Government of the proposed guarantee this Council pledges itself to submit the case to the General Assembly and if necessary to the Home Government with a view to the relief of the Province.

[Enclosure 2]

To His Excellency Colonel Robert Henry Wynyard, C. B., the Officer administering the Government and Commander in Chief of the Islands of New Zealand, &c. &c. &c.

The humble Memorial of the undersigned inhabitants of the settlement of New Plymouth in the Province of New Plymouth, sheweth—

That your Memorialists view with the greatest alarm the lawless condition of the native inhabitants of this province, since the slaughter of Rawiri and his followers by Katatore.

That the natives are well armed and amply supplied with powder and ball, that they greatly outnumber the white population, and that in many recent instances they have shewn an utter disregard for British authority.

That although the local authorities have constantly represented to the natives that the white population cannot take part in native feuds; the natives who have been living amongst your Memorialists, who have sold and are willing to sell land to the Government, have as repeatedly declared that your Memorialists are interested in the questions at issue. That land is the basis of their wars and that they will drag the settlers into the strife whether they are willing or not.

That the European inhabitant of New Plymouth are unskilled in the use of arms. That they have never been organised for the purposes of defence; and that they have no blockhouse, stockade, or other place of refuge in case of attack.

That in the present warlike position of the natives your Memorialists feel that any attempts they might make to organise themselves or to secure a place of shelter for their families would only create alarm and distrust, and probably bring down on them at once and unprepared the calamity they seek to avert.

Your Memorialists therefore pray your Excellency to station a body of Troops at New Plymouth at the earliest possible moment and without any ostensible preparation, as they believe the utmost care is necessary to avoid alarming the native mind in its present unwonted state of excitement.

New Plymouth, Jan. 6, 1855.

[201 signatures.]

2-89 Superintendent's Office,
New Plymouth, January 15th, 1855.

Sir,—I have the honor to transmit a Memorial received by me this day and to recommend the same to the favorable consideration of your Excellency.

I have the honor to be, &c.

CHARLES BROWN,
Superintendent.

To His Excellency
Colonel Wynyard, C. B.,
The Officer administering the Government.

[Enclosure.]

New Plymouth, 6th January, 1855.

To His Excellency the Officer administering the Government of New Zealand.

The humble Memorial of the undersigned inhabitants of the Province of New Plymouth, respectfully sheweth—

That this hitherto peaceable district has lately become the scene of frequent Native murders and of one very serious affray.

That a large armed force is reported to have left Wellington for the purpose of avenging the murder of Rawiri Waiaua and those who perished with him, and that there is every probability of a sanguinary encounter taking place in the immediate vicinity of the Bell Block, whereby the lives and properties of the settlers in that district will be endangered. That so long as the native quarrels were confined to those tribes with whom the settlers have hitherto lived in uninterrupted friendly relation, your memorialists were under no apprehension of becoming involved therein, but since distant tribes have made this Province the seat of warfare your memorialists have no sufficient guarantee that life and property will be respected by them.

That very recently a considerable armed body of southern natives attacked some of our friendly natives residing at Waitara, and although repulsed with severe loss they will most probably return with large reinforcements and seek revenge. That in such case they will be joined by all the disaffected natives and those opposed to the sale of land, and will greatly outnumber the well disposed tribes.

That the friendly Natives will (in the event of an attack being made upon them) retreat on the Poun for protection, when if pursued the loss of life will be fearful to contemplate. That in the absence of any organised force, proper arms and ammunition, or any safe place of refuge to which the women and children might retire should any sudden attack be made by the natives, your memorialists are reluctantly induced to solicit Military protection, and earnestly desire to impress your Excellency that prompt and energetic measures will not only avert much bloodshed amongst the natives but likewise prove to them that Her Ma-

esty's subjects, however isolated, will be efficiently protected in the hour of danger.

And your Memorialists will, as in duty bound, ever pray, &c. &c.

[52 signatures.]

49 Colonial Secretary's Office,
Auckland, 10th February, 1855.

Sir,—I have the honor to acknowledge the receipt of Your Honor's letters of the 8th and 15th ultimo on the subject of the disturbances amongst the Natives at Taranaki, and, in reply, His Excellency the Officer Administering the Government, has directed me to state that those documents have been laid before the Executive Council, and that the Government has arrived at the following opinion upon the whole question.

As the 58th Regiment, the Troops now stationed in Auckland, has recently received notice to be in readiness to Embark for England, the Government does not consider itself justified, in the absence of imminent danger to the settlement of New Plymouth, in incurring the responsibility of detaching any portion of that Regiment to Taranaki,—and a considerable time must elapse before a portion of the 65th Regiment (at present at Wellington and at Wanganui) could be detached on that service.

Assuming Troops to be at once available, the Government doubts the expediency of at present making Taranaki a Military Post. The disturbances have been confined to the Natives themselves, and the Government believes that it is essential to the present safety, and to the future progress of the settlement, that neither the Settlers, nor the Government, should be drawn into the quarrel, and that the stationing of Troops in the District would, almost certainly, be followed by the commencement of hostilities, and that the amount of force likely to be available for service in that locality would be inadequate to protect the property of numerous Settlers scattered over a considerable extent of country, in the event of the District becoming the scene of a protracted Native War.

Looking also to the unfavourable nature of the country for Military operations, and to the difficulty of access by sea, the Government thinks that every effort should be used to avoid the risk of hostilities with the Natives in the Taranaki District.

The Government is of opinion that an officer of intelligence and conversant with the Native character should as soon as possible be despatched to Taranaki, charged with the duty of occupying himself constantly amongst the various parties by persuasion and argument in endeavouring to keep the peace and to remain in the district until relieved or recalled.

The Government will also authorise the Resident Magistrate to incur such reasonable expense as may be necessary for the construction of a Stockade or Block House as a place of refuge, if the Magistrates think the erection of such a building (under all circumstances) expedient,—and also the expense of such other precautionary measures as may be deemed necessary for the safety of the settlers; and he will be instructed to take such means as may be necessary for the safe keeping of the arms, &c., deposited in the settlement; at the same time care being taken that they be kept in repair and in readiness for immediate use in case of emergency.

With this object in view, it is important that the Magistrates, without making any demonstration of preparation, should be prepared to select from amongst the community those, who may be most able and willing to make use of arms in case of need.

As it appears that the Natives in various parts of the Country have been supplied with Arms and Ammunition, notwithstanding the provisions of the

Arms Ordinance, a circular will be addressed to every Resident Magistrate and Justice of the Peace in the Colony, calling upon him to use his diligence to prevent and punish infringements of that Ordinance, for so long as arms are put into the hands of the Natives, it will be impossible to answer for the peace of the country.

As the disturbances at Taranaki appear to have had their origin in a dispute about the title of Land, the Land Purchase Department will be instructed to use great caution in entering into any negotiation for the purchase of land, until the views of the various Claimants shall have been ascertained.

As regards the purchase of land from the Natives, the Government is of opinion that to make Taranaki a Military Post would tend to operate unfavourably with the Natives there, and farther to indispose them to part with their land.

The least objectionable mode of providing for the safety of the Settlement appears to be by the establishment of a strong and efficient body of Armed Police, to consist, say, for the present, of from thirty to forty picked men, active, resolute, and trustworthy, to be armed in the most efficient manner, with a double-barrelled carbine, bayonet, and revolver, and already, if possible, familiar with the use of arms, so as to render unnecessary the parade of training:—the arms not to be commonly worn, the men to be selected, and the force to be raised, by the Provincial Authorities, and to act as a body of Constabulary, under their direction, in aid of the Civil Power. As the resources of the Province are insufficient to meet the expense of maintaining so large a Constabulary Force, the Government will if the Provincial Authorities desire that the Force be organised, undertake to share the expense with the Provincial Government. Such a Body would not only be very efficient in themselves, but they would form a valuable Nucleus around which the armed Settlers might rally in case of need. It would be desirable that some of the men should understand the management of a Field Piece; they would be the proper party to entrust with the custody and preservation of the Arms and Ammunition belonging to the Government; and as the Official duties of such a body would ordinarily be little more than nominal, they might be employed to a considerable extent on useful public works, and assuming such a Force to comprise a sufficient number of Seamen and Marines, they might form the Harbour Boat's Crew, &c. In the absence of an organised body to defend it, a Block House or Stockade would be of little real utility, but, if such an armed Force were

organised, it would be of importance that they should have some building, however small, on which they could fall back, and there defend themselves,—such a building might for the most part, be erected by themselves.—It would be essential that the command of such a Force should be entrusted to a Person in whose prudence and determination the Settlers would have confidence.

In conclusion, I am directed to inform your Honor that Mr. J. J. Symonds, formerly Native Secretary, has been requested to proceed, as soon as possible, to New Plymouth, and to place himself in communication with yourself and the Resident Magistrate in order to preserve peace and tranquillity amongst the Natives in New Plymouth.

I have the honor to be, &c.

ANDREW SINCLAIR

Colonial Secretary.

His Honor,
The Superintendent,
New Plymouth.

Resolutions of the Provincial Council adopted 1st March, 1855.

- 1st.—That this Council having taken into consideration the despatch addressed to his Honor the Superintendent by the Colonial Secretary dated 10th day February 1855, relative to stationing troops at New Plymouth, records its entire dissatisfaction with the conclusion therein announced and its denial of every argument by which it is attempted to support that conclusion.
- 2nd.—That this Council is of opinion that the expedients suggested by the Despatch for the defence of the Settlement are totally inadequate.
- 3rd.—That in the opinion of this Council the settlement is even now in imminent danger; yet as it is possible from the Native character that the crisis may be deferred, an application for protection to the Home Government is expedient.
- 4th.—That further application to the local Government of New Zealand as at present constituted being hopeless, this Council do appoint a committee, to prepare an address of remonstrance for presentation to Her Majesty.
- 5th.—That similar addresses be prepared for presentation to His Excellency Colonel Gore Browne on his assuming the Government of the Colony, and to the other Estates of the General Assembly when next convened.

ABSTRACT of REVENUE received by the General Government from the Province of New Plymouth for the Year ending 31st December 1854, and the amounts of the same paid over by the General Government to the Provincial Government.

REVENUE.	Gen. Government.	Prov. Government.
Customs	4291 5 3	2162 8 11
Post Office	103 3 8	12 14 6
Crown Land Sales	3416 0 0	0 0 0
Fees, Fines, and Penalties	135 5 10	0 0 0
Surplus Revenue	0 0 0	330 0 0
	£7945 14 9	£2505 3 5
Paid to Provincial Government	2505 3 5	
Retained by General Government	£5440 11 4	

Superintendent's Office,
6th March, 1855.

CHARLES BROWN,
Superintendent.

Printed by G. W. Woon for the Provincial Government.



NEW ZEALAND GOVERNMENT GAZETTE

FOR THE

PROVINCE OF NEW PLYMOUTH.

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official Signature thereunto annexed, are to be considered as Official Communications made to those persons to whom they may relate, and are to be obeyed accordingly.

CHARLES BROWN, Superintendent.

Vol. III.

NEW PLYMOUTH, THURSDAY, MARCH 15, 1855.

[No. 6.]

PROVINCIAL COUNCIL.

THE following Memorial for presentation to Her Majesty the Queen was unanimously adopted at a sitting of the Provincial Council held 8th of March 1855, and is published for general information.

I. N. WATT,
Speaker.

TO HER MOST GRACIOUS MAJESTY VICTORIA, QUEEN OF GREAT BRITAIN AND IRELAND, DEFENDER OF THE FAITH, &c. &c. &c.

The Memorial of the Superintendent and Provincial Council of the Province of New Plymouth, in the colony of New Zealand.—

HUMBLY SHEWETH,

That since the beginning of the month of August, 1854, (a period of more than seven months) this Province has been the seat of serious and increasing disturbances amongst the Native Population. Upwards of twenty Natives, including a native Assessor of the Resident Magistrate, have already fallen, and many more have been wounded, in the various encounters which have recently taken place between large bodies of armed Natives within a few miles of the Town of New Plymouth. Tribe after Tribe is involved in these feuds, and our settlement seems about to become the battle-field for a large part of the Maori population.

That the Natives are fast losing the last remnant of respect for British Law. It would indeed be a great error to suppose that British law has ever been enforced against them in this part of the country. The Native has been allowed the benefit of our law against the European, but the corresponding obligations it has never in our Province

been attempted to impose upon him. Persuasion and the influence of Chiefs salaried by Government have now and then obtained an imperfect justice for the European. We have acquiesced in the inevitable evils of our position, and have been content to await the time when the Natives should be brought within the pale of our civilization. But a crisis has now occurred, and the weak pretences which covered the supremacy of the savage have been done away with. The slaughter of an Assessor, Rawiri Waihua, and his unarmed party, almost within our homesteads, has been followed by other acts of violence. Fortified Pahs are rapidly rising throughout the district. The Natives declare to us "your law is weak and we return to our old customs;" and though as yet their own people have been the only sufferers, we know not how soon it may be our turn, since the imprudence of an individual may at any moment involve our whole community.

That one of the two parties into which the Natives are divided, (commonly styled the friendly party,) claims a right to the support of the British Government. The general ground of this claim is the fact that this party has been favorable to Land Sales and the extension of the European settlements. Rawiri belonged to this side, and actually met his death whilst cutting the boundary line of a Block he was about to offer to Government with the sanction of the resident Land Purchase Commissioner. The other native party is inveterately opposed to the extension of our territory. The Officers of Government are continually solicited by the former party for supplies of arms and ammunition and threats are thrown out that if these be not given, they will be taken. They revile what they term our cowardice in leaving Rawiri unavenged. "He was one of your magistrates," they tell us "and he fell in your cause." It is certain this party if worsted, would fall back on the Town, from which the nearest of their Pahs is not distant