JOURNALS

OF THE

HOUSE OF REPRESENTATIVES

OF

NEW ZEALAND.

From the seventh day of July to the fifteenth day of September, 1862, *both days inclusive.*

IN THE

TWENTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA.

BEING THE SECOND SESSION OF THE THIRD PARLIAMENT OF NEW ZEALAND.

WELLINGTON:

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WILLIAMS, JOHN BAILEY:—Report of Private Grievance Committee on Petition of, 125.

WILLIAMSON FRANCIS:—Report of Private Grievance Committee on Petition of, 144.

II—Abstract of Petitions presented to the House of Representatives, Session 1862.

DATE.	FROM WHOM AND WHENCE PERSENTED.	ABSTRACT OF PRAYER.	NO. OF SIGNATURES.	BY WHOM PRESENTED.	REMARKS.
16th July	The Board of Works at Nelson.	Complaining of the powers granted by the Legislature to the Dun Mountain Company, and praying that there may be no further Legislation in their favor until the Inhabitants of the City of Nelson have an opportunity of expressing their opinion.	6	Mr. A. J. Richmond	
16th July	Frederick Sutton and other Inhabitants of Hawke's Bay.	Complaing of the decision of the Commissioner in the case of "Scully *v.* Colenso," tried by him.	129	Mr. Russell	Ordered to be printed 17th July (Appendix G—No. 1) referred to Select Committee 22nd August; Report 29th August; referred back 2nd September; Report 4th September.
17th July	Charles St. John Herbert of Auckland.	For a Grant of Land as a retired Officer.	1	Mr. John Williamson	Referred to Private Grievance Committee 18th July; Report 30th July; adopted 6th August; Bill brought in 21st August and referred to Joint Committee on Private Bills and found to be a Private Bill 22nd August.
17th July	Daniel Keefe and others, discharged soldiers.	For Grants of Land as discharged soldiers.	8	Mr. John Williamson	Referred to Private Grievance Committee 18th July; Report 30th July; adopted 6th August; Bill brought in 21st August and referred to Joint Committee on Private Bills and found to be a Private Bill 22nd August.
17th July	Thomas Shirley and Henry Shirley of Tutaekuri, Hawke's Bay.	For compensation in respect of Cattle taken from them by the Natives.	2	Mr. Colenso	Ordered to be printed 18th July, (Appendix G. No. 2,); referred to Private Grievance Committee 18th August; Report 13th September.
23rd July	W. M. Smith and other Inhabitants of the Eastern side of Wairarapa Valley.	For increased Postal accommodation.	52	Mr. Carter	
24th July	George Robertson of Wellington late Sergeant in the Hutt Militia.	For Grant of 150 acres of Land balance of claim under Compensation Claims of the New Zealand Company's Settlers.	1	Mr. Domett	Referred to Private Grievance Committee 25th July; Report 15th August.
24th July	The same.	For compensation in land for services in the Hutt Militia in the War against Rangihaeata.	1	Mr. Domett	
29th July	Na Tamihana Te Rauparaha and others.	For enquiry into the manner of payment for the Island of Mana.	3	Mr. Mantell	Ordered to be translated 29th July; Referred to Private Grievance Committee 6th August; Report 15th August.
5th August	Thomas Hughes of Akaroa, settler.	For compensation for losses sustained in the War of 1846.	1	Mr. Thomson	Referred to Private Grievance Committee 6th August; Report 15th August.
7th August	Edmund Storr Halswell of Kensington, in the County of Middlesex, Esquire.	For compensation as a settler under the New Zealand Company.	1	Hon. Mr. Dillon Bell	Referred to Private Grievance Committee 8th August; Report 13th September.

PETITIONS—*continued.*

DATE.	FROM WHOM AND WHENCE PRESENTED.	ABSTRACT OF PRAYER.	NO. OF SIGNATURES.	BY WHOM PRESENTED.	REMARKS.
7th August	John Henry Luscombe, of London, England, Esquire.	For compensation as a purchaser under New Zealand Company's Land Orders.	1	Hon. Mr. Dillon Bell	Referred to Private Grievance Committee 8th August; Report 13th September.
8th August	Francis Williamson, of Whanganui, Horticulturist.	For compensation for damages done to his Nursery garden at Putatawa caused by the construction of eel weirs by the Natives.	1	Mr. Fox	Referred to Private Grievance Committee 13th August; Report 4th September.
12th August	William Edinborough Chamberlain, of Masterton, Wairarapa, Carpenter.	For enquiry into his claim against a Native named "Walker" for balance of his account for work done.	1	Mr. Carter	Referred to Private Grievance Committee 14th August; Report 29th August.
13th August	David Burn, of Auckland, Gentleman.	For compensation for having been deprived of the office of Editor of the "Maori Messenger."	1	Mr. Cooke	Referred to Private Grievance Committee 14th August; Report 29th August.
15th August	George Peel and other settlers resident on the East Bank of the Mataura River.	That the boundary of the Province of Southland may be altered so as to include that District.	13	Hon. Mr. Dillon Bell	(Appendix G—No. 3.)
15th August	John Howell and other settlers on the East Bank of the Waiau River.	That the boundary of the Province of Southland may be altered so as to include that District.	6	Hon. Mr. Dillon Bell	(Appendix G—No. 4.)
18th August	John Bailey Williams, of Oahanga River, Province of Wellington, Sheep-farmer.	Relative to his occupation of land at Oahanga River and of the proceedings of the Commissioner of Crown Lands in connection therewith.	1	Mr. Stafford	Referred to Private Grievance Committee 19th August; Report 29th August.
19th August	Robert Park, of Wellington.	For compensation for being dismissed by the Superintendent from the office of Chief Surveyor of the Province of Wellington.	1	Mr. Weld	Referred to Private Grievance Committee 19th August; Report 29th August.
19th August	John Russell, late of the Province of Auckland.	For enquiry into the case of "Russell *v.* G. Graham."	1	Major Richardson	
27th August	W. Wilson and certain householders, freeholders, and others Electors of the City of Christchurch.	Praying for a change of the seat of Government.	360	Mr. Cracroft Wilson, C.B.	Ordered to be printed 28th August. (Appendix G—No. 6.)
26th August	W. McLeod Bannatyne, Chairman of the Wellington Chamber of Commerce.	Praying for an alteration of the Tariff.	1	Mr. Waring Taylor	Ordered to be printed 4th Sept. (Appendix G—No. 5.)
1st September	Oswald Curtis, Chairman of the Nelson Chamber of Commerce.	For introduction of a measure for the more speedy recovery of small debts.	1	Mr. Stafford	Ordered to be printed 2nd September. (Appendix G—No. 7.)
1st September	J. H. Wallace, owner and claimant of land in the Manawatu Block.	For protection of his rights as Land Claimant under the 6th Section of the "Land Orders and Scrip Act, 1858."	1	Mr. Fox	

III—Select Committees appointed during the Session 1862.

Subject.	Members.	Date of Appointment.	Remarks.
1. *Private Bills—Joint Committee.*	Mr. Russell, Mr. Gillies, Mr. Carleton, in conjunction with Committee of two Members of the Legislative Council.	16th July, on motion of Mr. Carleton.	Herbert Remission Bill referred 21st August. Report, 22nd August. Keefe and others Remission Bill referred 21st August. Report, 22nd August. Picton and Wairau Railway Bill referred, 4th September. Report, 5th September.
2. *Standing Orders—Joint Committee.*	Mr. Speaker, Mr. Brandon, and Mr. Carleton, in conjunction with Committee of three Members of the Legislative Council.	16th July, on motion of Mr. Carleton.	Report on Standing Orders on Private Bills, 29th July. Adopted, 31st July.
3. *Standing Orders.*	Mr. Speaker, Hon. Mr. Fox, Mr. Brandon, Mr. Domett, Mr. Gillies, Mr. Russell, Mr. Cracroft Wilson, C.B., and Mr. Carleton.	16th July, on motion of Mr. Carleton.	Interim Report as to time within which Petitions relating to Private Grievances may be presented, 14th August. Adopted 16th.
4. *House.* With power to confer with any similar Committee of the Legislative Council with a view to promote the comfort and convenience of Members of both Houses.	Mr. Domett, Mr. Fitzherbert, Mr. Carter, Mr. Dillon Bell, Hon. Mr. Henderson, and Mr. Cracroft Wilson, C.B.	16th July, on motion of Mr. C. Wilson, C.B.	No Report.
5. *Private Grievances.*	Mr. Brandon, Mr. Mantell, Mr. Fitzherbert, Mr. Cracroft Wilson, C.B., Mr. Weld, Hon. Mr. Crosbie Ward, Mr. Ormond, Mr. R. Graham, Mr. Gillies, and Mr. Jollie.	16th July, on motion of Mr. Jollie.	Petition of C. St. John Herbert referred 18th July; Report 30th July, adopted 6th August. Petition of Keefe and others referred 18th July; Report 30th July; adopted 6th August. Petition of George Robertson referred 25th July; Report 15th August. Petition of Tamihana Te Rauparaha and others ordered to be translated 29th July, ; referred 6th August; Report 15th August. Petition of Thomas Hughes referred 6th August; Report 15th August. Petition of David Burn referred 14th August; Report 29th August. Report of Robert Park referred 19th August; Report 29th August. Report of John Bailey Williams referred 19th August; Report 29th August. Petition of William E. Chamberlain referred 14th August; Report 29th August. Petition of Francis Williamson referred 13th August; Report 4th September. Petition of Thomas and Henry Shirley (G—No. 2) referred 18th August; Report 13th September. Petition of Edmund Storr Halswell referred 8th August; Report 13th September. Petition of John Henry Luscombe referred 8th August; Report 13th September.
6. *Committee of Selection on Private Bills.*	Mr. FitzGerald, Mr. Weld, Major Nixon, Mr. Carleton, and Mr. Jollie.	16th July, on motion of Mr. Jollie.	No Report.

7. *Library and Printing.*	Mr. Speaker, Hon. Mr. Fox, Hon. Mr. Wood, Mr. Fitzherbert, Mr Stafford, Mr. Domett, Mr. O'Rorke, Mr. Carleton, and Mr. Dillon Bell.	16th July, on motion of Mr. Dillon Bell.	Resolutions reported from 22nd July; referred to the Committee of Supply 24th July; Report as to Printing of Sessional Papers 22nd July; adopted 23rd July. Power given to determine what papers shall be printed, 2nd September. Report 15th September; adopted 15th September.
8. *Postal Communications.* To consider and report upon the subject of Communications to and from, and within the Colony.	Mr. John Williamson, Dr. Featherston, Mr. Moorhouse, Major Richardson, Mr. Domett, Mr. Gillies, Mr. Dillon Bell, Mr. Colenso, Mr. Russell, and Hon. Mr. Crosbie Ward. *Mr. Speaker*, and *Mr. Atkinson.*	17th July, on motion of the Hon. Mr. Crosbie Ward.	Committee increased to twelve Members 22nd July. Mr. Speaker and Mr. Atkinson added 22nd July. Interim Report, 1st August. Interim Report, 5th August. Referred to Committee of Supply, 5th August. Considered in Supply 8th August. Resolutions reported, 18th August. Adopted, 18th August.
9. *Secret Committee Minutes.* To decide upon what course should be taken in regard to the Minutes of proceedings of the Joint Committee of both Houses on Military Defence, appointed last Session.	Hon. Mr. Fox, Dr. Featherstone, Mr. Stafford, Mr. FitzGerald, and Mr. Dillon Bell, in conjunction with Committee of four Members of the Legislative Council.	17th July, on motion of Mr. Dillon Bell.	Report, 22nd July. Adopted, 24th July. Message to Legislative Council, 24th July.
10. *Administration of Justice.* To report as to what measures it is advisable to take with a view to facilitating the Administration of Justice throughout the Colony.	Hon. Mr. Fox, Mr. Dillon Bell, Mr. FitzGerald, Dr. Featherston, Mr. Domett, Major Richardson, Mr. Gillies, *Mr. Russell*, and *Mr. Stafford.*	18th July, on motion of Mr. Gillies.	Mr. Russell and Mr. Stafford added 22nd and 25th July. Committee discharged 22nd August.
11. *Gold Fields.* To enquire into the condition and prospects of the Gold Fields of the Colony, and to consider and report whether any, and what further legislation is necessary on the subject.	Major Richardson, Mr. John Williamson, Mr. Stafford, Mr. R. Graham, Mr. A. J. Richmond, Mr. FitzGerald, Mr. Russell, *Mr. Dick*, and *Mr. Domett.*	22nd July, on motion of the Hon. Mr. Crosbie Ward.	Mr. Dick and Mr. Domett added 23rd July. Ordered to be made a Joint Committee, and leave given to call for persons and papers, 31st July, 1862. Report, 20th August.
12. *Audit.*	Mr. J. C. Richmond, Mr. Fitzherbert, and Mr. O'Rorke.	By Ballot, 24th July.	Report, 9th September.
13. *Trial of Minor Civil Cases.* To consider and report as to the expediency of introducing a more simple and less costly precedure for the trial of civil cases of minor importance; with power to confer with any similar Committee appointed by the Legislative Council.	Mr. James Williamson, Mr. Brandon, Mr. Thomson, Hon. Mr. Russell, and Hon. Mr. Gillies.	6th August, on motion of the Hon. Mr. Gillies.	Committee discharged, 28th August.
14. *Debtors and Creditors.* To consider the expediency of amending the Law relating to Debtors and Creditors, with power to confer with any similar Committee appointed by the Legislative Council.	Mr. James Williamson, Mr. Brandon, Mr. Thomson, Hon. Mr. Russell, and Hon. Mr. Gillies.	6th August, on motion of the Hon. Mr. Gillies.	Committee discharged, 28th August.
15. *Land Claims Commissioner's Report.* To report whether, and if so, to what extent further Legislation should take place on the subject of Land Claims and whether effect should be given to the recommendations of the Commissioner.	Mr. Weld, Mr. Fox, Mr. Wells, Mr. Carleton, Major Nixon, Mr. Ormond, Mr. Cracroft Wilson, C.B., Major Richardson, Mr. Wood, and Hon. Mr. Dillon Bell.	8th August, on motion of the Hon. Mr. Dillon Bell.	Report, 8th September. (Appendix **F.** No. 1.)
16. *Crown Lands Bill.* With power to call for persons, papers and records.	Hon. Mr. Russell, Mr. Colenso, Mr. J. C. Richmond, Hon. Mr. Domett, Mr. Brandon, Mr. Eyes, Mr. Crosbie Ward, Hon. Mr. Gillies, Hon. Mr. Dillon Bell, and Mr. FitzGerald.	12th August, on motion of Mr. FitzGerald.	Report, 21st August. Lost Land Orders Act Amendment Bill referred, 13th August.

Select Committees *(continued.)*

Subject.	Members.	Date of Appointment.	Remarks.
17. *Marine Boards Bill.*	Dr. Featherston, Major Richardson, Mr. John Williamson, Mr. Moorehouse, Mr. Ormond, Mr. Crosbie Ward, Mr. James Williamson, and Hon. Mr. Mantell.	14th August, on motion of the Hon. Mr. Mantell.	Report 26th August.
18. *Wreck of Steamer "White Swan."* To consider the question of losses sustained by Members of Assembly, and other Passengers engaged in the Public Service by the wreck of the "White Swan."	Mr. Rhodes, Mr. Jollie, Mr. Atkinson, Mr. John Williamson, Mr. C. J. Taylor, Mr. Ormond, and Hon. Mr. Dillon Bell.	19th August, on motion of the Hon. Mr. Dillon Bell.	Interim Report 21st August. Report 26th August; referred to Committee of Supply 26th August; considered in Committee 2nd September; Report adopted 10th September.
19. *Government Printing Press.* To enquire as to the expediency of establishing a Government Printing Press.	Mr. Stafford, Mr. Curtis, Mr. A. J. Richmond, Mr. Ormond, Mr. Crosbie Ward, Mr. Fox, Mr. O'Rorke, Mr. Cargill, and the Hon. Mr. Domett.	19th August, on the motion of the Hon. Mr. Domett.	Report 1st September.
20. *Civil Commissioner's Court, Napier* To consider the petition of certain inhabitants of the Province of Hawke's Bay relating to proceedings in the Civil Commissioners' (Col. Russell's) Court there; with power to call for persons, papers, and records.	Mr. Fox, Hon. Mr. Russell, Mr. J. C. Richmond, Mr. Carleton, Hon. Mr. Mantell, and Mr. Ormond.	22nd August, on motion of Mr. Ormond.	Report 29th August. Referred back 2nd September. Report 4th September.
21. *Address to Her Majesty,* In reply to the Duke of Newcastle's Despatch of 26th May, 1862.	Mr. John Williamson, Mr. Stafford, Major Richardson, Hon. Mr. Crosbie Ward, Mr. Fox, Hon. Mr. Dillon Bell, Mr. Weld, Mr. J. C. Richmond, Mr. FitzGerald, and Hon. Mr. Domett.	27th August, on motion of the Hon. Mr. Domett.	Report 12th September. Adopted 13th September.
22. *Taranaki Petition.* To enquire into the amount of losses sustained by the Taranaki settlers during the War.	Hon. Mr. Domett, Mr. Stafford, Mr. John Williamson, Mr. Atkinson, Mr. Cargill, Mr. Fox, and Mr. Moorehouse.	1st September, on motion of Mr. Moorhouse.	Report September 9th. Referred to Committee of Supply 10th September. Report 11th September. Adopted 11th September.
23. *Debtors' and Creditors' Bill.*	Mr. Cargill, Mr. Thomson, Mr. Curtis, Mr. W. Taylor, Mr. Cookson, Mr. James Williamson, and Hon. Mr. Russell.	5th September, on motion of the Hon. Mr. Russell.	Report, 11th September.
24. *Militia Bill.* With power to confer with any Committee appointed by the Legislative Council.	Mr. G. Graham, Major Nixon, Mr. Watt, Mr. Atkinson, Hon. Mr. Crosbie Ward, and Hon. Mr. Domett.	8th September, on motion of the Hon. Mr. Domett.	No Report.

Note.—For Reports of Select Committees, see Journals.
Members of the Audit Committee (Mr. J. C. Richmond, Mr. Fitzherbert, and Mr. O'Rorke) exempted from attendance on other Committtees, pending the bringing up their Report.

IV.—Schedule of Bills introduced into the House of Representatives, in the Session 1862.

SHORT TITLE.	BY WHOM INITIATED.	FIRST READING.	SECOND READING.	COMMITTAL.	REPORT.	THIRD READING AND PASSING.	AMENDMENTS BY LEGISLATIVE COUNCIL.	CONFERENCE WITH LEGISLATIVE COUNCIL.	REMARKS.
1. Naturalization	Hon. Mr. Fox	14th July	12th August	12th August	12th August	12th August	10th September	..	Amendments of Legislative Council adopted 11th September.
2. Crown Grants (No. 1)	Hon. Mr. Crosbie Ward	16th "	18th July	18th July	7th "	7th "	9th "	..	Amendments of Legislative Council adopted, 10th September. Reserved for Her Majesty's Pleasure.
3. Crown Lands	Hon. Mr. Crosbie Ward	" "	" "	22nd "	29th "	29th "	" "	..	Referred to Select Committee, 12th August. Report 21st August.
4. Steam Navigation	Hon. Mr. Crosbie Ward	22nd "	23rd "	24th "	8th "	8th "	" "	..	
5. Native Lands (No. 1)	Hon. Mr. Fox	" "	..	..	..	..	..	..	Discharged by Order, 12th August.
6. Elections Petitions Act Amendment	Hon. Mr. Fox	23rd "	24th "	24th "	24th July	24th July	18th August	..	Amendments of Legislative Council adopted 19th August.
7. Summary Procedure on Bills	Mr. Gillies	25th "	7th August	17th August	13th August	13th August	21st "	..	" " " " 22nd "
8. Trustees Relief	Mr. Gillies	31st "	" "	7th "	8th "	8th "	19th "	..	" " " " " "
9. Nominated Superintendents	Mr. FitzGerald	6th August	25th "	27th "	..	..	..	..	Adoption of Report of Committee of the whole House negatived, 28th August.
10. Marine Boards	Hon. Mr. Mantell	7th "	13th "	29th "	29th "	29th "	9th September	..	Referred to Select Committte, 13th August. Report brought up 26th August. Amendments of Legislative Council adopted, 10th September.
11. Miners Representation	Hon. Mr. Gillies	12th "	15th "	15th "	19th "	19th "	27th August	..	Amendments of Legislative Council adopted, 28th August.
12. Representation	Hon. Mr. Gillies	" "	" "	" "	" "	" "	..	..	
13. Arms Act Continuance	Hon. Mr. Gillies	" "	13th "	13th "	13th "	13th "	..	..	
14. Bills of Sale Registration Amendment	Hon. Mr. Gillies	" "	" "	" "	" "	" "	..	..	
15. Lost Land Orders Act Amendment	Hon. Mr. Gillies	" "	" "	...	..	..	..	..	Referred to Committee on Crown Grants Bill, 13th August. *Lapsed.*
16. Military Supplies, Customs	Hon. Mr. Gillies	" "	" "	" "	" "	" "	..	..	
17. Joint Stock Companies Amendment	Hon. Mr. Russell	" "	" "	13th "	13th "	13th "	..	..	
18. Crown Grants (No. 2.)	Hon. Mr. Dillon Bell	" "	18th "	18th "	18th "	18th "	..	..	
19. Law Practitioners	From Leg. Council	13th "	14th "	14th "	18th "	18th "	19th August	20th August	Report of Conference brought up 21st August. Adopted 22nd August.
20. Court of Appeal	From Leg. Council	" "	" "	" "	" "	" "	" "	" "	Report of Conference brought up 21st August. Adopted 22nd August.
21. Birds Protection	Mr. Stafford	" "	15th "	15th "	22nd "	22nd "	..	..	
22. Land Revenue Appropriation Act Amendment	The Governor	18th "	9th Septemb.	9th Septemb.	9th September	9th September	..	..	
23. Native Lands (No. 2)	Hon. Mr. Dillon Bell	" "	27th August.	27th Aug.	5th "	5th "	10th September	..	Amendments proposed by His Excellency, 11th September. Adopted 11th September. Reserved for Her Majesty's Pleasure.
24. Resident Magistrates Jurisdiction Extension	From Leg. Council	19th "	22nd "	22nd "	10th "	10th "	..	12th September	Report of Conference brought up, 12th September. Adopted 12th September.
25. Otago and Southland Boundary	From Leg. Council	21st "	..	..	..	..	..	..	Thrown out on question of "this day six months." August 22nd.
26. Supreme Court Amendment	From Leg. Council	" "	22nd "	" "	28th August	28th August	..	..	
27. Juries	From Leg. Council	" "	26th "	9th Sept.	10th Septemb.	10th Septemb.	..	..	
28. Native Reserves Amendment	Hon. Mr. Dillon Bell	" "	22nd "	22nd Aug.	26th Aug.	26th August	1st September	..	Amendments of Legislative Council adopted, 2nd September.
29. Gold Fields	Hon. Mr. Crosbie Ward	" "	" "	" "	1st Septemb.	1st Septemb.	9th "	..	Amendments of Legislative Council adopted, 10th September.
30. Herbert Remission	Mr. John Williamson	" "	..	..	..	..	..	..	Referred to the Joint Committee on Private Bills, 21st August. Report 22nd August. Reported to be a Private Bill.
31. Military Settlers	Mr. John Williamson	" "	..	..	..	..	..	..	Referred to the Joint Committee on Private Bills, 21st August. Report 22nd August. Reported to be a Private Bill.

Schedule of Bills *(continued.)*

SHORT TITLE.	BY WHOM INITIATED.	FIRST READING.	SECOND READING.	COMMITTAL.	REPORT.	THIRD READING AND PASSING.	AMENDMENTS BY LEGISLATIVE COUNCIL.	CONFERENCE WITH LEGISLATIVE COUNCIL.	REMARKS.
32 Land Registry Act Amendment.....	From Leg. Council	22nd August	26th August	26th August	28th August	28th August	..	..	
33. Auckland Waste Lands Act Amendment (No. 1)...	Mr. John Williamson	26th "	28th "	28th "	..	..	..	..	*Lapsed.*
34. Waste Lands Act Amendment.....	Mr. Carleton	" "	1st September	..	..	..	..	..	Negatived on Second Reading, 28th August. Read a second time on the motion of Mr. Carleton, 1st September. *Lapsed.*
35 Panama Route Postal	The Governor	29th "	1st "	5th Sept.	5th September	5th September	..	..	
36 Debtors and Creditors	From Leg. Council	1st Sept.	11th "	11th "	12th "	12th "	..	..	Referred to Select Committee, 5th September. Report, 11th September.
37 Public Reserves Act Amendment.....	From Leg. Council	2nd "	5th "	5th "	9th "	9th "	..	..	
38 Picton and Wairau Railway	Mr. A. J. Richmond	4th "	..	..	..	..	..	..	Referred to Joint Committee on Private Bills, 4th September. Report 5th September. Reported to be a Private Bill.
39. Auckland Waste Lands Act Amendment (No. 2).....	Hon. Mr. Domett	" "	9th "	9th "	10th "	" "	..	..	Reserved for Her Majesty's Pleasure.
40. Sale for non-payment of Rates	From Leg. Council	" "	" "	" "	" "	10th "	..	12th Sept.	Report of Conference brought up 12th September. Adopted 12th September.
41. Native Land Purchase Ordinance Amendment	Mr. Fox	5th "	..	..	..	..	..	..	Second Reading negatived, 10th September.
42. Petty Sessions Courts	Mr. Carleton	" "	10th "	10th "	" "	" "	..	..	*Lapsed in Legislative Council.*
43. Nelson Waste Lands Regulations Amendment	Hon. Mr. Domett	8th "	11th "	11th "	11th "	11th "	..	..	*Lapsed in Legislative Council.*
44. Militia	Hon. Mr. Domett	" "	..	..	..	..	..	..	Referred to a Joint Committee 5th September. *Lapsed.*
54. Land Revenue Appropriation Amendment (No. 2)	The Governor	" "	10th "	10th "	10th "	10th "	..	..	
46. Appropriation	The Governor	" "	" "	" "	11th "	11th "	..	..	
47. Civil List.....	The Governor	" "	9th "	9th "	9th "	9th "	..	..	Reserved for Her Majesty's Pleasure.
48. Native Districts Regulation Act Amendment	The Governor	9th "	11th "	11th "	11th "	11th "	..	..	
49. Native Circuit Courts Act Amendment	The Governor	" "	" "	" "	" "	" "	12th Sept.	12th Sept.	Report of Conference, brought up 13th September. Adopted, 13th September.
50. Delegations Continuance	The Governor	" "	10th "	10th "	10th "	10th "	..	..	
51. Commencement of Acts	From Leg. Council.	" "	" "	" "	" "	" "	..	..	
52. Native Purposes Appropriation.....	The Governor	" "	" "	" "	" "	" "	..	..	
3. Militia	From Leg. Council	10th "	" "	" "	" "	" "	..	..	
54. Colonial Defence Force	Hon. Mr. Domett	11th "	11th "	11th "	12th "	12th "	13th Sept.	..	
55. Loan.....	The Governor	" "	12th "	12th "	" "	" "	..	..	
56. Waste Lands Act Amendment	Mr. Stafford	" "	11th "	11th "	11th "	" "	..	..	*Lapsed in Legislative Council.*
57. Land Claims	Hon. Mr. Dillon Bell	12th "	13th "	13th "	13th "	13th "	..	..	*Lapsed in Legislative Council.*

Recapitulation.

Bills initiated, 57; Assented to, 38. Reserved, 4. Withdrawn, 1. Lapsed, 9. Lost on second reading, 2. Reported to be Private Bills, 3.

V.—SCHEDULE of Accounts and Papers laid upon the Table—*relating to*

ABDUCTION.	
Papers relative to the abduction of the wife and child of James Holden, at the Keri Keri, Bay of Islands. [Appendix D—No. 16.]	Return to an Order (Mr. Carleton).
Correspondence relative to the abduction of the half-caste child of T. Page. [Appendix D—No. 16A.]	Return to an Order (Mr. Weld).
Accounts (See Finance.)	
Acts of Assembly.	
Papers relative to Acts of the General Assembly, Sess. 1861. [Appendix A—No. 2]	Presented by Command.
Tabular Schedule of the Laws of New Zealand. [Appendix A—No. 4.]	Presented by Command.
Acts and Ordinances of Provincial Councils.	
Tabular Schedule of Acts and Ordinances of Provincial Councils from 1853 to 1861. [Appendix A—No. 4A.]	Presented by Command.
Auckland.	
Petition from Auckland Provincial Council to Her Majesty, praying for a Separate Government for the Province. [Appendix A—No. 8.]	Presented by Command.
Despatch from the Duke of Newcastle respecting the same. [Appendix A—No. 8.]	Presented by Command.
Census.	
Abstract and Summary Tables of Results of the Census of 1861. [Appendix D—No. 9.]	Presented by Command.
"Claud Hamilton," S.S.	
Despatch from the Duke of Newcastle, respecting the departure of the S.S. "Claud Hamilton" being countermanded. [Appendix D—No. 3A.]	Presented by Command.
Colonial Agent.	
Papers respecting the New Zealand Government Agent in London.	Presented by Command.
Coromandel Gold Fields.	
Papers relative to the purchase of the Coromandel Gold Fields.	Presented by Command.
DISALLOWANCE OF PROVINCIAL BILLS.	
Papers relative to Disallowance of Provincial Bills (in continuation of Papers presented 4th June, 1861.) [Appendix A—3.]	Presented by Command.
Further Papers relative to Disallowance of Provincial Bills (in continuation of Papers presented 14th July, 1862). [Appendix A—No. 3A.]	Presented by Command.
ELECTORAL.	
Return of the Number of Electors on the Roll of 1861-2, for Districts returning Members to the House of Representatives. [Appendix D—No. 12.]	Return to an Order (Mr. O'Rorke).
FINANCE ACCOUNTS.	
From 1st October, 1860, to 30th September, 1861. [Appendix B—No. 1.]	Presented by Command.
Statement of the Sales effected under the Loan of £150,000. (Loan Act, 1860.) [Appendix B—No. 2.]	Presented by Command.
Amount expended out of the War Loan of £150,000. [Appendix B—No. 4]	Returns to Orders (Mr. Stafford).
Statement of claim by the Imperial Treasury against the Government of New Zealand to 30th June, 1862. [Appendix B—No. 6.]	Returns to Orders (Mr. Stafford).
GAME.	
Copy of all Correspondence between the Government and the Colonial Agent relative to sending Game to New Zealand.	Return to an Order (Mr. R. Graham).
Gold Fields.	
Rules and Regulations of the Otago Gold Fields.	Presented by Command.
" " Tuapeka "	Presented by Command.
Papers relative to the Purchase of the Coromandel Gold Fields.	Presented by Command.
Government Printing Press.	
Report of Officers on advisability of establishing a [Appendix D—No. 7.]	Presented by Command.
Governor Sir George Grey.	
Commission and Royal Instructions to. [Appendix A—No. 1.]	Presented by Command.
Additional Instructions to, relative to increasing the number of Members of the Legislative Council. [Appendix A—No. 1.]	Presented by Command.
Gresson, Mr. Justice.	
Copy of a Despatch of His Excellency the Governor, No. 27, of 26th November, 1861, respecting the appointment of Mr. Justice Gresson as a Judge of the Supreme Court. [Appendix A—No. 7.]	Return to an Address (Mr. Stafford).
Further Papers relative thereto. [Appendix A—No 7A.]	Return to an Address (Mr. Stafford).
HERBERT, MAJOR.	
Copy of all Correspondence respecting the Claim made by Major Herbert for Lodging Money.	Presented by Command.
Holden, James.	
Papers relative to the Abduction of the Wife and Child of James Holden, by Natives at the Kerikeri, Bay of Islands. [Appendix D—No. 16.]	Return to an Order (Mr. Carleton).
House of Representatives.	
Copy of Correspondence respecting the appointment of Clerk Assistant in the House of Representatives. [Appendix D—No. 19.]	Presented by Command.

Schedule of Accounts and Papers—*continued.*

House of Representatives—*continued.*	
Copy of Correspondence respecting the appointment of Officers of the Legislature in the neighbouring Colonies. [Appendix D—No. 19.]	Laid on the Table by Mr. Speaker.
Further Papers relative to the appointment of Clerk Assistant in the House of Representatives (in continuation of papers presented on the 25th July.) [Appendix D—No. 19.]	Presented by Command.
IMMIGRATION.	
Papers respecting the introduction of German Immigrants into the Colony of New Zealand. [Appendix D—No. 1.]	Presented by Command.
Further Papers respecting the same. [Appendix D—No. 1.]	Presented by Command.
International Exhibition.	
Papers respecting the representation of New Zealand at the International Exhibition.	Presented by Command.
Further Papers relative to the Representation of the British Colonies at the International Exhibition.	Presented by Command.
JOINT STOCK COMPANIES.	
Treaty between Her Majesty and the Emperor of the French respecting Joint Stock Companies. [Appendix A—No. 10.]	Presented by Command.
Jones, Mr. Deputy Commissary-General.	
Despatch relative to the position of the Deputy Commissary General in New Zealand. [Appendix D—No. 6.]	Presented by Command.
Justices of the Peace.	
Return of persons on the Commission of the Peace on 12th July, 1861, and added thereto since that date.	Return to an Order (Mr. A. J. Richmond).
Correspondence respecting Resignations of Office by Justices of the Peace since 1st January, 1860.	Return to an Order (Mr. A. J. Richmond).
KENT, H. R. H. THE DUCHESS OF	
Despatch from the Duke of Newcastle acknowledging the receipt of an Address of Condolence to Her Majesty on the Death of H. R. H. the Duchess of Kent.	Presented by Command.
LAND CLAIMS COMMISSION.	
Report of the Land Claims Commissioner. [Appendix D—No. 10.]	Presented by Command.
Land Purchase Department.	
Return of all persons employed in the Land Purchase Department during the year ended 30th June, 1862.	Return to an Order (Mr. Stafford).
Returns of all Lands purchased from Natives, amount paid and quantity surveyed to 30th June, 1862. [Appendix C—No. 3.]	Return to an Order (Mr. Stafford.)
"Land Registry Act, 1860."	
Papers relative to the Land Registry Act, 1860.	Presented by Command.
Legislative Council.	
Papers relative to increasing the number of the Members of the Legislative Council. [Appendix A—No. 5.]	Presented by Command.
Additional Instructions, under Sir George Grey's Commission, relative to increasing the number of Members of the Legislative Council. [Appendix A—No. 1.]	Presented by Command.
Lighthouses.	
Correspondence between the General Government and Provincial Governments of Otago and Southland respecting Lights in Foveaux Straits. [Appendix D—No. 15.]	Return to an Order (Mr. Dillon Bell).
Correspondence between the General Government and Provincial Government of Otago, respecting Lighthouses at Port Chalmers.	Presented by Command.
Further Papers respecting Lights at Port Chalmers (in continuation of papers presented on the 25th July, 1862.)	Presented by Command.
Loans.	
Statement of the Amount expended out of the Loan of £150,000, from 13th July, 1861, to 31st March, 1862. [Appendix B—No. 4.]	Presented by Command.
Lyttelton Municipal Reserves Ordinance.	
Papers respecting. [Appendix A—No. 3a.]	Presented by Command.
MAORI KING MOVEMENT.	
Further Papers relative to the Maori King Movement. Reports of Mr. Buller, R.M.	Presented by Command.
Military Defence of the Colony.	
Further Papers relative to the Military Defence of the Colony (in continuation of papers presented 4th June, 1861.) [Appendix A—No. 6.]	Presented by Command.
Papers relative to the organization of the Militia in New Zealand. [Appendix A—No. 6b.]	Presented by Command.
Papers relative to the re-organization of the Taranaki Militia. [Appendix A—No. 6c.]	Presented by Command.
Papers relative to the re-organization of the Auckland Militia.	Presented by Command.
Papers relative to the re-organization of the Whanganui Militia, in continuation of papers presented 16th July, 1862. [Appendix A—No. 6d.	Presented by Command.
Further Papers relative to the re-organization of the Whanganui Militia (in continuation of papers presented 16th July, 1862.) [Appendix A—No. 6d.]	Presented by Command.
Further Papers relative to the re-organization of the Whanganui Militia, (in continuation of papers presented 29th July, 1862.) [Appendix A—No. 6d.]	Presented by Command.
Papers relative to Road Parties at Taranaki (in continuation of papers presented on the 14th July, 1862) [Appendix A—No. 6e.]	Presented by Command.

Schedule of Accounts and Papers—*continued.*

Military Distinctions.	
Copy of Correspondence respecting Military Distinctions conferred by Her Majesty for Military services in New Zealand.	Presented by Command.
Military Expenditure.	
Copy of Despatch from the Duke of Newcastle relative to the payment of the Troops employed in road making to the Waikato.	Presented by Command.
Statement of Payments made from the Treasury Chest during the month of July, 1862, connected with Road Making.	Presented by Command.
Statement of the number of Troops on 30th July, 1862, in respect of whom Military Expenses are calculated. [Appendix D—No. 14.]	Return to an Order (Mr. Stafford).
Statement of Claims made by the Imperial Treasury against the Colonial Government to the 30th June, 1862, in respect of Troops in New Zealand. [Appendix B—No. 6.]	Presented by Command.
Further Papers relative to the Claim made by the Imperial Treasury against the Colonial Government in respect of Troops in New Zealand. [Appendix D—No. 14.]	Return to an Order. (Mr. Stafford).
Military and Naval Allowances.	
Further Papers relative to Military and Naval Allowances in the Colony (in continuation of papers presented 4th June, 1861). [Appendix A—No. 6A.]	Presented by Command.
Militia and Volunteers.	
Return of the number of Militia and Volunteers in the Colony of New Zealand on the 30th June, 1862. [Appendix D—No. 13.]	Presented by Command.
Return of all Persons who have held Commissions in the Militia and Volunteers, with their several grades, and dates of commissions and resignations, and the causes of such resignations.	Return to an Order (Major Nixon).
Return shewing the strength of the Volunteer Corps in the Colony on the 15th January and the 30th June, 1862. Also, of all resignations to the 30th June. [Appendix D—No. 13.]	Return to an Order (Major Nixon).
Return shewing the number of Discharged Soldiers and Pensioners; number of Civilians drilled; and number of Civilians enrolled but not drilled.	Return to an Order (Major Nixon).
Copies of all Correspondence between Capt. I. N. Watt, and others, respecting the Taranaki Militia and Volunteers.	Return to an Order (Mr. Atkinson).
NATIVE AFFAIRS.	
Despatches from the Secretary of State and the Government of New Zealand. [Appendix E—No. 1.]	Presented by Command.
Sec. I. Despatches from Gov. Gore Browne, C.B.	
Sec. II. Despatches from Gov. Sir George Grey, K.C.B.	
Sec. III. Despatches from His Grace the Duke of Newcastle.	
Sir George Grey's plan of Native Government, with Minutes by His Excellency's Responsible Advisers. [Appendix E—No. 2.]	
Native Addresses of Welcome to Sir George Grey. [Appendix E—3.]	Presented by Command.
Reports on the state of the Natives in various districts at the time of the arrival of Sir George Grey. [Appendix E—No. 7.]	Presented by Command.
Speeches by Sir George Grey and Native Chiefs at Meetings held in the Waikato in December, 1861. [Appendix E—No. 8.]	Presented by Command.
Miscellaneous Reports respecting Runanga, Cattle Trespass, &c., in Native Districts [Appendix E—5A.]	Presented by Command.
Papers relative to Sir George Grey's plan of Native Government. [Appendix E—No. 9.]	Presented by Command.
Commissioners' Report—Bay of Islands [Appendix E—9. 1.]	Presented by Command.
Ditto Lower Waikato [Appendix E—9. 2.]	Presented by Command.
Ditto Upper Waikato [Appendix E—9. 3.]	Presented by Command.
Ditto Bay of Plenty [Appendix E—9. 4.]	Presented by Command.
Ditto East Cape [Appendix E—9. 5.]	Presented by Command.
Ditto Hawke's Bay [Appendix E—9. 6.]	Presented by Command.
Ditto Taupo [Appendix E—9. 8.]	Presented by Command.
Ditto Mongonui [Appendix E—9. 7.]	Presented by Command.
Ditto Wellington, West Coast [Appendix E—9. 9.]	Presented by Command.
Despatch from the Duke of Newcastle to His Excellency the Governor, dated 26th May, 1862, No. 53, on the subject of Native Affairs.	Presented by Command.
Despatch from the Duke of Newcastle relative to the effort made by the Natives to compel Mr. Gorst to abandon the Upper Waikato.	Presented by Command.
Despatch from the Duke of Newcastle relative to differences at Hawke's Bay, and the arrangement thereof by the Hon. Mr. Crosbie Ward.	Presented by Command.
Despatch from the Duke of Newcastle respecting the progress of new Institutions among the Natives in the Waikato.	Presented by Command.
Return of all persons employed in the administration of Native Affairs.	Presented by Command.
Return of all European and Native Officers appointed by Orders in Council, with their names, salaries, &c.	Presented by Command.
Papers relative to an Inquest held at Whanganui. [Appendix D—No. 8.]	Presented by Command.
Copy of Correspondence between the Resident Magistrate at Mongonui and the Government relative to a meeting held there in May last.	Return to an Order (Mr. Weld).
Further Papers relative to the Maori King Movement—Reports by W. Buller, Resident Magistrate	Presented by Command.
Despatch from the Duke of Newcastle respecting Grants of Crown Titles to Natives under certain circumstances.	Presented by Command.
Native Circuit Courts Act.	
Orders in Council issued under Native Circuit Court Act. [Appendix E—No. 6.]	Presented by Command.
Native Districts Regulation Act.	
Orders in Council issued under the Native Districts Regulation Act. [Appendix E—No. 6.]	Presented by Command.

SCHEDULE of ACCOUNTS and PAPERS—*continued.*

NATIVE LAND PURCHASE DEPARTMENT.	
Return of all persons employed in the Native Land Purchase Department during the year ended 30th June, 1862.	Return to an Order (Mr. Stafford).
NATIVES, PRESENTS TO.	
Return of all sums paid and presents made to Natives during the year ended 30th June, 1862. [Appendix E—No. 12.]	Return to an Order (Mr. Stafford).
NATIVE RESERVES.	
Return of General Native Reserves made in the cession of territory to the Crown [Appendix E—No. 10.]	Return to an Order (Mr. Stafford).
Copies of all Correspondence relative to Native Reserves at Dunedin and Port Chalmers.	Return to an Order (Mr. Mantell).
NATIVE SCHOOLS.	
Reports of Inspectors [Appendix E—No. 4.]	Presented by Command.
NATIVE TITLE, EXTINGUISHMENT OF.	
Report of Officers of the Land Purchase Department relative to the extinguishment of Native Title in the Ahuriri District (in continuation of Papers presented 14th June, 1862.) [Appendix C—No. 1.]	Presented by Command.
Return of the number of Acres over which the Native Title has been extinguished up to the 30th June, 1862. [Appendix C—No. 3.]	Return to an Order (Mr. Stafford).
Reports of Officers of the Land Purchase Department relative to the extinguishment of Native Title. [Appendix C – No. 1.]	Return to an Order (Mr. Stafford).
Copies of correspondence relative to the establishment of a Court of Native Land Title. [Appendix E—No. 11.]	Return to an Order (Mr. Weld).
NATIVE TITLE, INDIVIDUALIZATION OF.	
Mr. Buller's Final Report on the partition of, and Individualization of Native Title in the Kaiapoi Reserve. [Appendix E—No. 5.]	Presented by Command.
NGATIAWA TRIBE.	
Statement respecting the Appointment of Mr. Justice Johnston as a Commissioner to settle differences arising amongst the Ngatiawa Tribe.	Return to an Address (Mr. Jollie).
NEW PROVINCES ACT.	
Despatches and Correspondence respecting the legality of the "New Provinces Act." [Appendix A—No. 2a.]	Presented by Command.
NEW ZEALAND FENCIBLES.	
Papers respecting the repayment to the Provincial Government of money spent by them in locating the New Zealand Fencibles.	Presented by Command.
"NEW ZEALAND BILL."	
Copy of Despatch from the Duke of Newcastle, enclosing copy of the New Zealand Bill. [Appendix A—No 9.]	Presented by Command.
OTAGO.	
Papers respecting the Apportionment of the Public Debt between the Provinces of Otago and Southland. [Appendix B—No. 5.]	Presented by Command.
Rules and Regulations of the Otago Gold Fields.	Presented by Command.
PAGE THOMAS.	
Correspondence relative to the Abduction of the half-caste Child of [Appendix D—No. 16A.]	Return to an Order (Mr. Butler).
PASSENGER ACT.	
Despatch from the Duke of Newcastle transmitting Copy of the "Imperial Passenger Act, 1855, Amendment Act." [Appendix D—No. 4A.]	Presented by Command.
POSTAL.	
Further Papers relative to the Steam Postal Service (in continuation of papers presented 30th July, 1860). [Appendix D—No. 3.]	Presented by Command.
Further Papers relative to the Steam Postal Service (in continuation of papers presented 14th August, 1860). [Appendix D—No. 4.]	Presented by Command.
Third Report on the Postal Service of New Zealand [Appendix D—No. 2.]	Presented by Command.
Despatch from the Duke of Newcastle, transmitting the Imperial Passengers Act. [Appendix D—No. 4A.]	Presented by Command.
Papers relative to Alteration in the Steam Postal Service, in consequence of the loss of the S.S. "White Swan."	Presented by Command.
Despatch from the Duke of Newcastle respecting the departure of the S.S. "Claud Hamilton" being countermanded. [Appendix D—No. 3A.]	Presented by Command.
Despatch from the Duke of Newcastle respecting the Postal Service between the United Kingdom, Australia, and New Zealand. [Appendix D—No. 3A.]	Presented by Command.
PRINTING.	
Report of a Board of Officers on the advisability of establishing a Government Press [Appendix D—No. 7.]	
PROVINCIAL DEBTS.	
Further Papers relative to the Apportionment of the Provincial Debts between the Provinces of Wellington and Hawke's Bay (in continuation of papers presented 18th June, 1861.) [Appendix B—No. 3.]	Presented by Command.
Further Papers relative to the Apportionment of the Public Debt between the Provinces of Otago and Southland. [Appendix B—No. 67.]	Presented by Command.

Schedule of Accounts and Papers—*continued.*

Public Documents.	
Return of Public Documents lost in the s.s. "White Swan." [Appendix D—No. 11.	Return to an Order (Mr. O'Neill).
Public Officers.	
Return of Public Officers in the service of the General Government on 31st December, 1861.	Return to an Order (Mr. O'Rorke.)
Return of Provincial Officers in the service of the Provincial Governments on the 31st December, 1861.	Return to an Order (Mr. O'Rorke).
Return of Officers appointed to any office under Government between 1st January and 12th July, 1862. [Appendix D—No. 17.]	Return to an Order (Mr. Curtis).
SHIPS OF WAR.	
Further Papers relative to desertions from Ships of War (in continuation of papers presented 14th June, 1861). [Appendix D—No. 5.	Presented by Command.
Despatches from the Duke of Newcastle respecting the withdrawal of Ships of War to Australia. [Appendix A—No. 6.]	Presented by Command.
Statute Law.	
Index and Tabular Schedule of Statute Law of New Zealand. [Appendix A—No. 4.]	Presented by Command.
Supreme Court.	
Papers relative to the Appointment of Judges of the Supreme Court of New Zealand. [Appendix A—No. 7 & 7a.]	Presented by Command.
Correspondence relative to the holding of Sittings of the Supreme Court at Nelson.	Presented by Command.
TARANAKI RELIEF COMMISSION.	
Papers relative to the Taranaki Relief Commission.	Presented by Command.
Papers respecting the present position of the Province of Taranaki. (Petition of the Provincial Council.) [Appendix A—No. 11.]	Presented by Command.
Tuapeka Gold Fields.	
Rules and Regulations for the.	Presented by Command.
WASTE Lands.	
Return of Waste Lands Sold, or otherwise disposed of, up to the 31st December, 1861. [Appendix C—No. 2.]	Presented by Command.
Wellington.	
Further Papers relative to the Apportionment of the Public Debt between the Provinces of Wellington and Hawke's Bay (in continuation of papers presented 18th June, 1861). [Appendix B—No. 3.]	Presented by Command.
Wellington, Town Belt of	
Copy of Grant of part of the Town Belt of Wellington to the Wesleyan Body. [Appendix D—No. 8.]	Return to an Order (Mr. Carter).
Wanganui.	
Papers relative to Inquest held at [Appendix D—No. 8.]	Presented by Command.

PROCLAMATIONS.

PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Administrator of the Government of the Colony of New Zealand and its Dependencies, &c., &c.

WHEREAS the General Assembly of New Zealand has been and now stands prorogued to Monday, the seventh day of October instant; And whereas it is expedient further to prorogue the same. Now, therefore, I, Sir George Grey, Administrator of the Government of New Zealand, do hereby further prorogue the said General Assembly until Saturday, the seventh day of December now next ensuing.

Given under my hand at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this third day of October, in the year of our Lord One thousand eight hundred and sixty-one.

G. GREY.

By His Excellency's command,
WILLIAM FOX.

God Save the Queen!

A PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Administrator of the Government of Her Majesty's Colony of New Zealand and its Dependencies, &c., &c., &c.

WHEREAS the General Assembly of New Zealand has been and now stands prorogued to Saturday, the Seventh day of December, now next ensuing; And whereas it is expedient further to prorogue the same. Now, therefore, I, Sir George Grey, the Administrator of the Government of New Zealand, do hereby further prorogue the said General Assembly until Wednesday, the fifth day of February next.

Given under my hand, at the Government House at Auckland, and issued under the Seal of the Colony of New Zealand, this twenty-ninth day of November, in the year of our Lord One thousand eight hundred and sixty-one.

G. GREY.

By His Excellency's command,
WILLIAM FOX.

God Save the Queen!

A PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS the General Assembly of New Zealand has been and now stands prorogued to Wednesday, the Fifth day of February now next ensuing; And whereas it is expedient further to prorogue the same. Now, therefore, I, Sir George Grey, the Governor of New Zealand

Zealand, do hereby further prorogue the said General Assembly until Monday, the Seventh day of April, One thousand eight hundred and sixty-two.

Given under my hand at the Government House at Auckland, and issued under the Seal of the Colony of New Zealand, this thirty-first day of January, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY.

By His Excellency's command,
WILLIAM FOX.

God Save the Queen!

PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS the General Assembly of New Zealand has been and now stands prorogued to Monday, the Seventh day of April, instant. And whereas it is expedient further to prorogue the same, and to fix the time and place for holding the next Session thereof. Now, therefore, I, Sir George Grey, the Governor of New Zealand, do hereby further prorogue the said General Assembly until Thursday, the Twenty-sixth day of June, now next ensuing. And I do also hereby appoint and proclaim that the next Session of the General Assembly of New Zealand shall commence and be holden for the dispatch of business on Thursday, the Twenty-sixth day of June aforesaid, at two of the Clock in the afternoon, in the City of Wellington, and the Honorable the Members of the Legislative Council and the Members of the House of Representatives respectively, are hereby required to give their attendance at the said time and place accordingly.

Given under my hand and issued under the Seal of the Colony of New Zealand, at the Government House, at Auckland, this First day of April, in the year of our Lord, One thousand eight hundred and sixty-two.

G GREY.

By His Excellency's command,
WILLIAM FOX.

God Save the Queen!

PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS the General Assembly of New Zealand now stands prorogued to the twenty-sixth day of June instant, and it is expedient further to prorogue the same. Now, therefore, I, the Governor, in pursuance of the authority in me vested in that behalf, do hereby further prorogue the said General Assembly to Monday, the thirtieth day of June current; and I do hereby further announce and proclaim that the said General Assembly shall assemble for the dispatch of business on the thirtieth day of June, at two o'clock, at Wellington, and the Honorable Members of the Legislative Council and the Members of the House of Representatives respectively, are hereby required to give their attendance at the said time and place accordingly.

Given under my hand and issued under the Public Seal of the Colony of New Zealand, at Government House at Auckland, this seventh day of June, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY.

By His Excellency's command,
WILLIAM FOX.

God Save the Queen!

A PROCLAMATION.

III.

A PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS the General Assembly of New Zealand now stands prorogued to the thirtieth day of June instant, and it is expedient further to prorogue the same; Now, therefore, I, Sir George Grey, the Governor of New Zealand, in pursuance of the authority in me vested in that behalf, do hereby further prorogue the said General Assembly to Monday, the seventh day of July next; and I do hereby further announce and proclaim that the said General Assembly shall assemble for the dispatch of business on the seventh day of July, at two o'clock, at Wellington, and the Honorable Members of the Legislative Council and the Members of the House of Representatives respectively are hereby required to give their attendance at the said time and place accordingly.

Given under my hand, at the Government House at Auckland, and issued under the Seal of the Colony of New Zealand, this twentieth day of June, in the year of our Lord One thousand eight hundred and sixty-two.

G. GREY.

By His Excellency's command,
WILLIAM FOX.

God Save the Queen!

JOURNALS

OF THE

HOUSE OF REPRESENTATIVES

OF

NEW ZEALAND.

SESSION, 1862.

Monday, the 7th day of July, 1862.

The House met at Two of the Clock in the Afternoon, pursuant to a Proclamation (hereunto annexed) by His Excellency the Governor bearing date the Twentieth day of June, One thousand eight hundred and sixty-two.

PRAYERS:

Then, on motion of the Honourable Mr Fox,
The House adjourned.

Tuesday, the 8th day of July, 1862.

PRAYERS.

The House met, and, being counted by Mr. Speaker, it appeared that Eighteen Members were not present; yet, it being Twelve of the Clock, Mr. Speaker took the Chair, and again counted the House; and, Eighteen Members not being present, the House was adjourned by Mr. Speaker, without a Question first put.

Members present:—Mr. Cracroft Wilson, C. B., Mr. O'Neill, Mr. Colenso, Mr. Butler, Mr. Russell, Mr. Wells, Major Nixon, Mr. Atkinson, the Honourable Mr. Fox, the Honourable Mr. Wood, and the Honourable Mr. Crosbie Ward.

Wednesday, the 9th day of July, 1862.

PRAYERS.

No Members being present, the House was adjourned by Mr. Speaker.

Thursday, the 10th day of July, 1862.

PRAYERS.

No Members being present, the House was adjourned by Mr. Speaker.

Friday,

Friday, the 11th day of July, 1862.

PRAYERS.

On motion of the Honourable Mr. Fox,
The House adjourned until Two of the Clock on Monday next.

Monday, the 14th day of July, 1862.

PRAYERS.

1. Mr. Speaker communicated to the House the following Letter he had received from the Honourable the Colonial Secretary:—

[No. 9.]

Colonial Secretary's Office,
Wellington, 14th July, 1862.

Sir,

I have the honour to inform you, that the Governor having arrived at Wellington, His Excellency will address the Houses of the General Assembly this day, at two o'clock, P.M.

I have, &c.,
WILLIAM FOX.

The Honourable the Speaker
of the House of Representatives.

2. *Summons to attend His Excellency.*—A Summons to attend His Excellency, by Edgar L. Layard, Esquire, His Excellency's Private Secretary:—

Mr. Speaker,—

The Governor desires this Honourable House to attend His Excellency forthwith in the Legislative Council Chamber.

Accordingly, Mr. Speaker, with the House, went up to attend His Excellency;
And being returned,

3. *Resignations.*—Mr. Speaker communicated to the House that, during the recess, the following Seats in this House had become vacant:—

(1.) For the District of Ellesmere, by the resignation of Thomas Rowley, Esquire.
(2.) For the District of Heathcote, by the resignation of George Williamson Hall, Esquire.
(3.) For the City of Dunedin, by the resignation of Edward McGlashan, Esquire.
(4.) For the District of Avon, by the resignation of Alfred Richard Creyke, Esquire.
(5.) For the Town of New Plymouth, by the resignation of Christopher William Richmond, Esquire.
(6). For Auckland City (West), by the resignation of Josiah Clifton Firth, Esquire.
(7.) For the District of Bruce, by the death of Charles Kettle, Esquire.

4. *New Members.*—The Clerk, by Order of Mr. Speaker, read a Commission from His Excellency the Governor, directed to the Speaker of this House, authorising him to administer to Members of this House, the Oath prescribed by the Constitution.

The following Members were then severally presented to Mr. Speaker:—

Thomas Bannatyne Gillies, Esquire, Member for Bruce District; James Williamson, Esquire, Member for Auckland, City (West); William Sefton Moorhouse, Esquire, Member for Heathcote District; James Edward FitzGerald, Esquire, Member for Ellesmere District; Isaac Newton Watt, Esquire, Member for the Town of New Plymouth; and John Larkins Cheese Richardson, Esquire, Member for the City of Dunedin: who, having taken and subscribed the Oath required by Law, took their seats in the House.

5. *Naturalization Bill.*—On motion of the Honourable Mr. Fox, a Bill for the Naturalization of certain persons in the Colony of New Zealand, was read for the first time *pro formâ*.

6. *His Excellency's Speech.*—Mr. Speaker reported, That, when the House did attend His Excellency the Governor this day in the Legislative Council Chamber, His Excellency was pleased to make a Speech to both Houses of the General Assembly, of which, Mr. Speaker said, he had for greater accuracy, obtained a copy; which he read to the House as followeth:—

HONOURABLE

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,—

1. Since the last Session of the General Assembly, a great calamity, in the death of Her illustrious Consort Prince Albert, has befallen Her Most Gracious Majesty. This sad event has touched the heart of Her people in every part of Her dominions. I take this the earliest public opportunity of expressing that deep and respectful sympathy for Her Majesty which I am well aware is shared by the inhabitants of New Zealand, and which has been fully shewn by the numerous addresses of condolence which have already been transmitted to Her Majesty.

2. I have great satisfaction in meeting for the first time since my return to this Colony, the General Assembly, which is so important a branch of those institutions of self government which have been bestowed upon it by the Imperial Parliament. During my absence from the Colony I have watched with deep interest the working of those institutions, and on my return have been much gratified by witnessing the result. The progress of the Colony as a whole appears to have been steady and rapid; settlements which, at the period of my leaving, were in their earliest infancy, have grown into populous, wealthy, and flourishing Provinces, exhibiting a healthy vitality which appears attributable in no small degree to the large amount of local self-government which forms so prominent an element in the Constitution of the Colony.

3. But while there is so much room for congratulation to be found in the general progress of the Colony, the unsatisfactory relations which have grown up between a portion of the Maori race and the Government are a source of deep regret. In the attempt which it is my duty to make to restore the friendly relations which formerly existed, my hope of success rests mainly (under Divine providence) on the co-operation and support which I may receive from the Colonists, and the resources you may place at my disposal. It is an arduous task, only to be effected by earnest and persevering exertion made in the spirit which becomes a great and civilized nation in its dealings with a people but partially reclaimed from barbarism, and very imperfectly enlightened. At the same time I am not unmindful of what is due to the European population which, relying on well known treaties and guarantees, has made this country its adopted home, and is entitled to expect that the progress of colonization shall not be unnecessarily or improperly obstructed.

4. Documents will be laid before you which will shew you the character of some of the Institutions by which I hope to confirm the attachment to the Government, of those Native tribes which have hitherto continued friendly, to restore the confidence of those which have unhappily been alienated, and gradually to elevate the race to a higher level of civilization. Some progress, necessarily limited by circumstances, and by the extent of the resources at my disposal, has already been made in the introduction of those institutions. How far this has been done, and what success has hitherto attended it, you will learn from the Reports of the Civil Commissioners and Resident Magistrates, who have been engaged in the work, and which will be laid before you.

5. In framing the Institutions referred to, you will observe that I have endeavoured to avail myself, as far as possible, of the machinery provided by certain Acts passed by you in your Session of 1858, and other existing laws of the Colony. It is desirable, however, that the powers conferred by those Acts should be in some respects enlarged, and Bills will be laid before you for that purpose. I have found also that great impediments exist in the way of enabling the Natives to deal with their Lands, and particularly in the administration of Native Reserves, the individualization of Native Title, and the issue of Crown Grants to Natives. Bills will be laid before you which have for their object the removal of the impediments referred to, and the amendment, in several particulars, of the existing law on those subjects.

6. I have hitherto had no occasion, and hope that I shall have none hereafter, to employ the Military Forces in any active field operations. Shortly after my arrival in this Colony, however, I became aware that the Southern frontier of the settled portion of the Province of Auckland was entirely unprovided with a line of defence against the quarter from which, in case of further insurrection, an attack was most likely to be made, and that the absence of roads would render it impossible to move Troops further inland than 15 or 20 miles from the Town of Auckland, so that insurgents might have approached within that distance of the Seat of Government, and the population of a large part of the Province been involved in destruction and ruin. I therefore lost no time in requesting the Officer commanding Her Majesty's Forces to employ a portion of the Troops under his command in completing, to the banks of the Waikato River, the great Southern Trunk Road. That Officer responded to my request with the greatest promptitude. The works were commenced in January, and a metalled road is now all but completed to the banks of the Waikato, where a Military Post is established commanding that River, and presenting a barrier to any

any hostile attempt against Auckland from that quarter. I gladly avail myself of this opportunity of expressing my thanks to the officers and men who have been so employed, and who have continued their operations to a far advanced period of an unusually severe and rainy season. At Taranaki works of a similar class have been commenced by the Militia, and I hope shortly to undertake operations of the same character in other districts. These works, while greatly contributing to the security of the settlements, will largely and permanently benefit them in other respects. Their construction will necessarily involve a considerable outlay, and a Bill will be laid before the House of Representatives, by which it will be proposed to authorise the Government to raise a Loan not exceeding £100,000 for the purpose of meeting the necessary outlay. It is proposed to charge this Loan on the Northern Island, and ultimately to allocate it proportionably to the several Provinces in which it may be expended.

7. Her Majesty's Government has repeatedly expressed its anxious desire to learn that the Colony has taken effective steps towards local self-defence by the creation of a Militia Force. It is extremely desirable that greater preparation should be made in that particular. To enable this to be done, a Bill will be laid before you for the better organisation of Militia and Volunteer Forces, and it is hoped that the encouragement which it is proposed to give to the latter may result in the increased strength and efficiency of such corps. I cannot conclude this subject without expressing my thanks to the Auckland Volunteer Corps which lately took the garrison duty of that Province, thus enabling a considerably larger number of Troops to be employed in the construction of the military road than could have otherwise been detached for that duty.

8. The rapid growth of the settlements in the Middle Island, and the sudden development of their resources, arising in a great degree from the discovery of gold and other mineral wealth, will probably have suggested to you the expediency of making some further provision for the administration of the General Government in that Island. I trust also that the arrangements which have lately been made for the increase of the Steam Postal Service between the Northern and Middle Islands will be found greatly to lessen the inconvenience which has hitherto, no doubt, existed.

The late unfortunate loss of the *White Swan*, will, I trust, not involve more than a very temporary and partial derangement of this service. I cannot, however, allude to that event without expressing the gratitude which is due to Almighty God for the preservation of so many valuable lives as were in peril on that occasion; and also the deep sense which is entertained by my Government of the very great kindness and hospitality which were exercised towards the shipwrecked persons by Mr. John Moore, the resident proprietor of the station near to which the wreck occurred.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,—

9. The Estimates for the financial year will be laid before you without delay. They have been framed in the same spirit of economy as I trust you will find has directed the expenditure of the funds placed at the disposal of the Government by your last Appropriation Act.

It is my duty to call your attention to the correspondence which has taken place between Her Majesty's Government and the Colonial Government relative to the cost of the Military operations which have taken place since the outbreak at Taranaki; and I have to request that you will enable me to state to Her Majesty's Government what proportion of the cost the Colony will be prepared to take upon itself.

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL AND GENTLEMEN OF HOUSE OF REPRESENTATIVES,—

10. The Census which was taken on the 16th day of December, in the year 1861, is in course of compilation, and will very shortly be published. In the meantime a full abstract of all the most important returns will be laid before you. A comparison of this Census with that of 1858, will be found to exhibit a most satisfactory result.

11. In conclusion, I earnestly hope that the Supreme Ruler of the world, who controls and directs all human events, may so inspire your counsels with wisdom, and so support me in the execution of my duty, that our joint efforts to secure the peace and advancement of this country may be crowned with success.

7. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—

(1.) Papers relative to the "Land Registry Act, 1860."

(2). Papers relative to disallowance of Provincial Bills (in continuation of Papers presented on the 4th June, 1861).

(3.) Additional Instructions under Sir George Grey's Commission, relative to the increase in the number of Members of the Legislative Council.

(4.) Further

(4.) Further papers relative to Military and Naval allowances in the Colony.
(5.) Papers relative to Acts of the General Assembly of Session 1861.
(6.) Index to the Statute Law of New Zealand, with tabular Schedule of the Ordinances of the Legislative Council, passed before the year 1853.
(7.) Tabular Schedule of the Acts and Ordinances of the Provincial Councils of New Zealand, from 1853 to 1861.
(8.) Papers relating to increasing the number of Members of the Legislative Council of New Zealand.
(9.) Papers relative to the organization of the Militia in New Zealand.
(10.) Papers relative to appointment of Judges of the Supreme Court.
(11.) Petition to Her Majesty from the Provincial Council of Auckland, praying for a separate Government for that Province.
(12.) Further papers relative to Desertions from Ships of War (in continuation of papers presented 14th June, 1861).
(13.) Report of the Board of Enquiry as to the expediency of establishing a Government Printing Press.
(14.) Abstract and Summary Tables of results of the Census of New Zealand, taken on the 16th December, 1861.
(15.) Despatches from the Secretary of State and the Governors of New Zealand.
§1. Despatches from Governor Gore Browne, C.B.
2. " " " Sir George Grey, K.C.B.
3. " " His Grace the Duke of Newcastle, K.G.
(16.) Sir George Grey's plan of Native Government, with Minutes by His Excellency and His Excellency's Responsible Advisers.
(17.) Addresses of welcome to Sir George Grey.
(18.) Mr. Buller's final Report on the partition and individualization of the Kaiapoi reserve.
(19.) Orders in Council issued under the "Native Districts Regulation Act," and "Native Circuit Courts Act."
(20) Reports on the state of the Natives in various Districts at the time of the arrival of Sir George Grey.
(21.) Speeches of Sir George Grey and Native Chiefs at Meetings in Waikato, December, 1861.
(22.) Native Schools, Reports of Inspectors.
(23.) Miscellaneous Reports respecting the Maori Runanga, Cattle Trespass, &c., in Native Districts.
(24.) Native Commissioners Reports—
Upper Waikato.
Bay of Plenty.
Hawke's Bay.
(25.) Further Papers relative to Military Defence (organization of the Auckland Militia).
The Honourable Mr. Wood laid upon the Table, by command of His Excellency—
(26.) Finance Accounts of the General Government of New Zealand, from the 1st October, 1860, to 30th September, 1861; including a statement of the Receipts and Expenditure of the Ordinary Revenue for the Financial Year 1860-1, commencing 1st July, 1860, and ending 30th June, 1861.
(27.) Statement of the sales effected of the Loan of £150,000 ("Loan Act, 1860.")
The Honourable Mr. Crosbie Ward laid upon the Table, by command of His Excellency—
(28.) Return of the number of Acres of Waste Lands sold, or otherwise disposed of, in the various Provinces, up to 31st December, 1861; (in contiuuation of Papers presented 13th June, 1861).
(29.) Third Report on the Postal Service of New Zealand, by the Postmaster-General.
(30.) Further Papers relative to the Steam Postal Service; (in continuation of Papers presented the 30th July, 1860).
(31.) Further Papers relative to the Steam Postal Service; (in continuation of Papers presented 14th August, 1860).
(32.) Despatch transmitting the Imperial Statute amending "The Passenger Act, 1855," as regards the Australian Colonies.

8. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Edgar L. Layard, Esquire, His Excellency's Private Secretary;
And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

G. GREY, Governor. *Message* No. 1.

The Governor transmits to the House of Representatives a copy of his Commission, together with the Royal Instructions accompanying the same.

Government House,
Wellington, 14th July, 1862.

9. *Standing*

9. *Standing Orders on Private Bills.*—Mr. Speaker laid upon the Table a copy of the New Zealand Gazette, containing the Standing Orders of both Houses of the General Assembly, respecting Bills subject to Fees, commonly called Private Bills, prepared in pursuance of the provisions of the "Standing Orders on Private Bills Act, 1861."

10. *Adjournment* (*Special*).—On motion of the Honourable Mr. Fox, *Resolved*, That this House will, at the rising of the House this day, adjourn until Wednesday next.

Then, on motion of the Honorable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 16th July, 1862.

1. Mr. GILLIES to ask Ministers, Whether it is the intention of the Government to propose to this House any amendment of the "Miners' Franchise Act, 1860."
2. Mr. GILLIES to ask Ministers, Whether it is the intention of the Government to introduce any measure for increasing the number of Representatives of the Province of Otago in this House, or otherwise for re-distributing the representation somewhat more in accordance with the present population and interests of the respective Provinces.

NOTICES OF MOTION.

1. Hon. Mr. Fox to move the adoption of the following Address to Her Most Gracious Majesty,—

MOST GRACIOUS SOVEREIGN,—

We, Your Majesty's dutiful and loyal subjects, the House of Representatives of New Zealand, in Parliament assembled, humbly take the first opportunity of offering to Your Majesty our sincere condolence on the afflicting dispensation of Providence with which Your Majesty and the British Empire have been visited, in the death of His Royal Highness the Prince Consort. We beg most respectfully to assure Your Majesty of our heartfelt participation in the general feeling of sympathy with Your Majesty under this calamitous bereavement. We would also express the deep sense entertained by us of the irreparable loss which the Empire has sustained in the death of a Prince, whose tender attachment to Your Majesty, eminent virtues and high attainments,—unceasingly devoted to the best interests of all classes of Your Majesty's subjects,—won for him general love and admiration, and will cause his name ever to be held in grateful and affectionate remembrance. We offer up our earnest prayers to Almighty God that He will comfort and sustain Your Majesty under this heavy affliction, and that we may long enjoy the blessings of a reign with which the welfare and happiness of all Your Majesty's dominions are so intimately associated.

2. Mr. FITZHERBERT to move the following Address to His Excellency in reply to His Excellency's Speech,—

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's most dutiful and loyal subjects, the House of Representatives, in Parliament assembled, beg leave to return our thanks to Your Excellency for the Speech which Your Excellency has made to both Houses of the General Assembly.

We unite with Your Excellency in an expression of sorrow for the death of His Royal Highness the Prince Consort,—in the full appreciation of his private and public worth,—and in sincere sympathy with Her Majesty under this great affliction.

We offer to Your Excellency our congratulations on your re-appointment as Governor of New Zealand, and we gratefully recognise the motives which have induced you, at considerable personal sacrifice, to undertake the arduous duties of that office in a time of great emergency.

We assure Your Excellency that it is our earnest wish to be able to co-operate with yourself in securing the prosperity and advancement of both Races in these islands, and that any measures laid by Your Excellency before us with that object, shall receive our most serious consideration.

We express, in common with Your Excellency, our great regret for the loss of the steamer "White Swan" on this coast, while bringing many Members of the General Assembly to attend the present session; and our unfeigned gratitude to Almighty God for the providential preservation of the lives of all on board. We also cordially unite with Your Excellency in thanking those who offered generous hospitality, and gave valuable aid to the persons who were shipwrecked.

We

We sincerely pray, together with Your Excellency, that the Divine Blessing may support Your Excellency in the execution of your duty, and guide our deliberations to the attainment of the welfare and happiness of all Her Majesty's subjects in New Zealand.

3. Mr. CARLETON to move, That Mr. Russell, Mr. Gillies, and the Chairman of Committees be appointed members of the Joint Committee of both Houses upon Private Bills.
4. Mr. CARLETON to move, That Mr. Speaker, Mr. Brandon, and the Chairman of Committees be appointed members of the Joint Committee of both Houses upon Standing Orders concerning Private Bills.
5. Mr. CARLETON to move, That a Select Committee on Standing Orders be appointed. Committee to consist of Mr. Speaker, Hon. Mr. Fox, Mr. Brandon, Mr. Domett, Mr. Gillies, Mr. Russell, and Mr. Cracroft Wilson, C.B.
6. Mr. CRACROFT WILSON, C.B., to move, That a House Committee be appointed for the Session, with power to confer with any similar Committee of the Legislative Council, with a view to promote the convenience and comfort of Members of both Houses, to consist of Mr. Domett, Mr. Fitzherbert, Mr. Carter, Mr. Dillon Bell, and Hon. Mr. Henderson.
7. Hon. Mr. CROSBIE WARD to move, That leave be given to introduce a Bill to facilitate the preparation and issue of Crown Grants.
8. Hon. Mr. CROSBIE WARD to move, That leave be given to introduce a Bill to confer certain additional powers upon Commissioners of Crown Lands.
9. Mr. JOLLIE to move, That a Committee of Selection on Private Bills be appointed for the Session; to consist of Mr. FitzGerald, Mr. Weld, Major Nixon, and Mr. Carleton.
10. Mr. JOLLIE to move, That a Select Committee be appointed for the Session to consider and report upon Petitions upon Private Grievances; to consist of Mr. Dillon Bell, Mr. Brandon, Mr. Mantell, Mr. Fitzherbert, Mr. Cracroft Wilson, C.B., Mr. Weld, Hon. Mr. Crosbie Ward, Mr. Ormond, and Mr. R. Graham.
11. Major NIXON to move, For a Return shewing the strength of the various Volunteer Corps in the Colony on 15th January, 1862, and on 30th June, 1862, respectively.

    Also, for a Return to 30th June, 1862, showing the number of resignations in those Corps under the provisions of the Volunteer Regulations, dated 16th January, 1862.
12. Mr. FITZGERALD to move, That leave of absence be given to Mr. Moorhouse for a fortnight.
13. Mr. DILLON BELL to move, That a Library and Printing Committee be appointed for the Session; to consist of Mr. Speaker, Hon. Mr. Fox, Hon. Mr. Wood, Mr. Fitzherbert, Mr. Stafford, Mr. Domett, Mr. O'Rorke, and Mr. Carleton.
14. Hon. Mr. CROSBIE WARD to move, That a Select Committee be appointed to consider and report upon the subject of Communications to and from, and within the Colony. Committee to consist of Mr. John Williamson, Mr. Speaker, Mr. Domett, Mr. Watt, Mr. Moorhouse, Major Richardson, Mr. Dillon Bell, Mr. Colenso, and Mr. Eyes.

Wednesday, the 16th day of July, 1862.

PRAYERS.

1. *Confirmation of Minutes.*—Mr. Carleton moved, and the Question was proposed, That Mr. Speaker do take the pleasure of the House as to whether the Minutes of Proceedings of this House between the 7th and 11th days of this instant July, as now read by the Clerk, be signed by Mr. Speaker.

   Whereupon Question put, That the Minutes of Proceedings of this House, as read by the Clerk, be now signed by Mr. Speaker.

   It was resolved in the affirmative.

2. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency—

   (1.) Return of all the European and Native Officers appointed to the various districts by Orders in Council, showing the names, offices, and salaries.

   (2.) Papers relative to the purchase of the Coromandel Gold Fields.

   (3.) Return of the number of Militia, Volunteers, &c., in the Colony on the 30th June, 1862.

   (4.) Further Papers relative to disallowance of Provincial Bills; (in continuation of Papers presented 14th July, 1862).

   (5.) Further Papers relative to Military Defence, Military Road Parties at Taranaki; (in continuation of Papers presented 14th July, 1862).

   (6.) Papers

(6.) Papers relative to the re-organization of the Taranaki Militia.
(7.) Papers relative to the re-organization of the Wanganui Militia.
(8.) Further Papers relative to the Apportionment of the Public Debt of the Provinces of Wellington and Hawke's Bay; (in continuation of Papers presented on the 18th June, 1861).
(9.) Further Papers relative to Sir George Grey's plan of Native Government. Commissioners' Reports—

Mongonui,
Taupo,
East Cape,
Bay of Islands;

in continuation of Papers presented 14th July, 1862.

The Honourable Mr. Wood laid upon the Table, by command of His Excellency—

(10.) Return of Officers in the service of the General Government of New Zealand; Return to an Order of the 6th September, 1861.
(11.) Return of Officers in the service of the Provincial Governments of New Zealand; Return to an Order of the 9th September, 1861.

3. *Petitions presented.*—By Mr. A. J. Richmond: The Petition of the Town Board of Nelson.
Petition received.
By Mr. Russell: The Petition of Frederick Sutton, and other Inhabitants of the Province of Hawke's Bay, complaining of the conduct of the Civil Commissioner.
Petition received.

4. *Address to Her Majesty.*—On motion of the Honourable Mr. Fox, the following Address to Her Majesty was unanimously adopted:—

MOST GRACIOUS SOVEREIGN,—

We, Your Majesty's dutiful and loyal subjects, the House of Representatives of New Zealand, in Parliament assembled, humbly take the first opportunity of offering to Your Majesty our sincere condolence on the afflicting dispensation of Providence with which Your Majesty and the British Empire have been visited, in the death of His Royal Highness the Prince Consort. We beg most respectfully to assure Your Majesty of our heartfelt participation in the general feeling of sympathy with Your Majesty under this calamitous bereavement. We would also express the deep sense entertained by us of the irreparable loss which the Empire has sustained in the death of a Prince, whose tender attachment to Your Majesty, eminent virtues and high attainments,—unceasingly devoted to the best interests of all classes of Your Majesty's subjects,—won for him general love and admiration, and will cause his name ever to be held in grateful and affectionate remembrance. We offer up our earnest prayers to Almighty God that He will comfort and sustain Your Majesty under this heavy affliction, and that we may long enjoy the blessings of a reign with which the welfare and happiness of all Your Majesty's dominions are so intimately associated.

Resolved, That an Address be presented to His Excellency the Governor, informing His Excellency that this House hath voted an humble Address to Her Majesty, on the occasion of the death of His Royal Highness the Prince Consort, and praying that His Excellency will be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That Mr. Speaker do present the said Address to His Excellency.

5. *Joint Committee on Private Bills.*—On motion of Mr. Carleton, *Ordered*, That Mr. Russell, Mr. Gillies, and the Chairman of Committees, be appointed Members of the Joint Committee of both Houses on Private Bills.

6. *Joint Committee on Standing Orders.*—On motion of Mr. Carleton, *Ordered*, That Mr. Speaker, Mr. Brandon, and the Chairman of Committees, be appointed Members of the Joint Committee of both Houses upon Standing Orders concerning Private Bills.

7. *Standing Orders Committee.*—On motion of Mr. Carleton, *Ordered*, That a Select Committee on Standing Orders be appointed. Committee to consist of Mr. Speaker, Honourable Mr. Fox, Mr. Brandon, Mr. Domett, Mr. Gillies, Mr. Russell, and Mr. Cracroft Wilson, C.B.,

8. *House Committee.*—On motion of Mr. Cracroft Wilson, C.B., *Ordered*, That a House Committee be appointed for the Session, with power to confer with any similar Committee of the Legislative Council, with a view to promote the convenience and comfort of Members of both Houses, to consist of Mr. Domett, Mr. Fitzherbert, Mr. Carter, Mr. Dillon Bell, and the Honourable Mr. Henderson.

9. *Crown Grants Bill.—Ordered,* That the Honourable Mr. Crosbie Ward have leave to introduce a Bill for facilitating the preparation and issue of Crown Grants.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Friday next, and to be printed.

10. *Crown Lands Bill.—Ordered,* That the Honourable Mr. Crosbie Ward have leave to introduce a Bill to confer certain additional powers upon Commissioners of Crown Lands.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Friday next, and to be printed.

11. *Committee of Selection on Private Bills.*—On motion of Mr. Jollie, *Ordered,* That a Committee of Selection on Private Bills be appointed for the Session, to consist of Mr. FitzGerald, Mr. Weld, Major Nixon, and Mr. Carleton.

12. *Private Grievance Committee.*—On motion of Mr. Jollie, *Ordered,* That a Select Committee be appointed for the Session to consider and report upon Petitions upon Private Grievances, to consist of Mr. Brandon, Mr. Mantell, Mr. Fitzherbert, Mr. Cracroft Wilson, C.B., Mr. Weld, Honourable Mr. Crosbie Ward, Mr. Ormond, Mr. R. Graham, and Mr. Gillies.

13. *Volunteer Force.*—On motion of Major Nixon, *Ordered,* That there be laid on the Table a Return shewing the strength of the various Volunteer Corps in the Colony on 15th January, 1862, and 30th June, 1862. Also,—

A Return to 30th June, 1862, shewing the number of resignations in those Corps under the provisions of the Volunteer Regulations dated 16th January, 1862.

14. *Leave of Absence.*—On motion of Mr. FitzGerald, *Ordered,* That leave of absence be given to Mr. Moorhouse for a fortnight.

15. *Library and Printing Committee.*—On motion of Mr. Dillon Bell, *Ordered,* That a Library and Printing Committee be appointed for the Session, to consist of Mr. Speaker, the Honourable Mr. Fox, Honourable Mr. Wood, Mr. Fitzherbert, Mr. Stafford, Mr. Domett, Mr. O'Rorke, and Mr. Carleton.

16. *Address in reply to His Excellency's Speech.*—Mr. Fitzherbert moved, seconded by Mr. John Williamson, and the Question was proposed,

That this House do *Resolve,* That a respectful Address be presented to His Excellency to convey to him the thanks of the House for the Speech which His Excellency has been pleased to make to both Houses of the General Assembly;

To unite with His Excellency in an expression of sorrow for the death of His Royal Highness, the Prince Consort, in the full appreciation of his private and public worth, and in sincere sympathy with Her Majesty under this great affliction;

To offer to His Excellency their congratulations on his re-appointment as Governor of New Zealand, and gratefully to recognise the motives which have induced him, at considerable personal sacrifice, to undertake the arduous duties of that office in a time of great emergency;

To assure His Excellency that it is their earnest wish to be able to co-operate with him in securing the prosperity and advancement of both Races in these Islands, and that any measures laid by His Excellency before them with that object shall receive their most serious consideration;

To express, in common with His Excellency, their great regret for the loss of the steamer "White Swan" on this coast, while bringing many Members of the General Assembly to attend the present Session, and their unfeigned gratitude to Almighty God for the providential preservation of the lives of all on board; also, to cordially unite with His Excellency in thanking those who offered generous hospitality, and gave valuable aid, to the persons who were shipwrecked;

To sincerely pray, together with His Excellency, that the Divine Blessing may support His Excellency in the execution of his duty, and guide their deliberations to the attainment of the welfare and happiness of all Her Majesty's subjects in New Zealand.

And the Question being put, it was resolved in the Affirmative.

On motion of Mr. Fitzherbert, *Ordered,* That the said Resolution be referred to a Select Committee, composed of the Honourable Mr. Fox, the Honourable Mr. Wood, the Honourable Mr. Crosbie Ward, Mr. John Williamson, and the Mover, to prepare and report the draft of an Address in answer to the speech of His Excellency the Governor to both Houses of the Legislature, in conformity with the said Resolution. The Committee to retire immediately.

Mr.

Mr. Fitzherbert reported from the Committee appointed to draw up an Address to His Excellency, that they had drawn up an Address accordingly, and the same was read as followeth:—

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's most dutiful and loyal subjects, the House of Representatives, in Parliament assembled, beg leave to return our thanks to Your Excellency for the Speech which Your Excellency has made to both Houses of the General Assembly.

We unite with Your Excellency in an expression of sorrow for the death of His Royal Highness the Prince Consort, in the full appreciation of his private and public worth, and in sincere sympathy with Her Majesty under this great affliction.

We offer to Your Excellency our congratulations on your re-appointment as Governor of New Zealand, and we gratefully recognise the motives which have induced you at considerable personal sacrifice, to undertake the arduous duties of that office in a time of great emergency.

We assure Your Excellency that it is our earnest wish to be able to co-operate with yourself in securing the prosperity and advancement of both Races in these Islands, and that any measures laid by Your Excellency before us with that object, shall receive our most serious consideration.

We express in common with Your Excellency our great regret for the loss of the steamer "White Swan" on this coast, while bringing many Members of the General Assembly to attend the present session; and our unfeigned gratitude to Almighty God for the providential preservation of the lives of all on board. We also cordially unite with Your Excellency in thanking those who offered generous hospitality, and gave valuable aid to the persons who were shipwrecked.

We sincerely pray, together with Your Excellency, that the Divine Blessing may support Your Excellency in the execution of your duty, and guide our deliberations to the attainment of the welfare and happiness of all Her Majesty's subjects in New Zealand.

And the Address being read a second time, was agreed to.

Ordered, That Mr. Speaker, accompanied by the Mover and Seconder of the Address, do present the said Address to His Excellency the Governor.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 17th July, 1862.

1. Mr. RUSSELL to ask the Hon. the Colonial Secretary, When he will lay on the table of this House, the Report of the Judges of the Supreme Court upon certain Bills prepared by the Hon. the Attorney-General and submitted by that Officer to the Judges for their consideration.

NOTICES OF MOTION.

1. Mr. COLENSO to move, That leave of absence for a month be granted to Mr. Ormond, the member for Clive.
2. Hon. Mr. CROSBIE WARD to move, That a Select Committee be appointed to consider and report upon the subject of Communications to and from, and within the Colony. Committee to consist of Mr. John Williamson, Dr. Featherston, Mr. Moorhouse, Major Richardson, Mr. Domett, Mr. Watt, Mr. Dillon Bell, Mr. Colenso, and Mr. Eyes. Committee to report on the 6th August.
3. Mr. RUSSELL to move, That the Petition from the Inhabitants of the Province of Hawke's Bay complaining of the conduct of the Civil Commissioner there, be printed.
4. Mr. RUSSELL to move, That a Return be laid on the table of this House shewing the number of cases of Government records and other documents lost in the steamer "White Swan," and specifying the nature of those records and documents.
5. Mr. DILLON BELL to move, That a Committee be appointed to confer with any similar Committee that may be appointed by the Legislative Council, to decide as to what course should be taken in regard to the Minutes of Proceedings of the Joint Committee of both Houses on Military Defence, appointed last Session. Committee to consist of the Hon. Mr. Fox, Dr. Featherston, Mr. Stafford, and Mr. FitzGerald.
6. Hon. Mr. WOOD to move, that this House do take into its consideration so much of His Excellency's Speech on opening the present Session as relates to the Grant of a Supply.

Thursday, the 17th day of July, 1862.

PRAYERS.

1. *Petitions presented.*—By Mr. John Williamson:

(1.) The Petition of Charles St. John Herbert, of Parnell, Auckland, late Major Commanding Militia and Volunteers at Taranaki.

Petition received.

(2.) The Petition of Daniel Keefe and other Discharged Soldiers.

Petition received.

(3). By Mr. Colenso: The Petition of Thomas Shirley, and Henry Shirley, of Tutaekuri, Hawke's Bay, Farmers.

Petition received.

2. *Papers.*—The Honourable Mr. Crosbie Ward laid upon the Table, by command of His Excellency—

Rules and Regulations of the Tuapeka Gold Fields.

3. *Address in reply to His Excellency's Speech.*—Mr. Speaker reported, that, in compliance with the Order of the House, he, accompanied by many Members of this House, had attended upon His Excellency with the Address adopted by the House in reply to His Excellency's Speech to both Houses of the Legislature, to which His Excellency was pleased to make the following reply:—

Mr. Speaker,

Gentlemen of the House of Representatives,

I return you my thanks for this Address, and I rely with confidence on your cordial co-operation in all measures which may be considered necessary under existing circumstances to promote the permanent interests and welfare of the people of this Colony.

4. *Leave of Absence.*—On motion of Mr. Colenso, *Ordered*, That leave of absence be given to Mr. Ormond for one month.

5. *Postal Communications.*—The Honourable Mr. Crosbie Ward moved, and the Question was proposed, That a Select Committee be appointed to consider and report upon the subject of Communications to and from and within the Colony. Committee to consist of Mr. John Williamson, Dr. Featherston, Mr. Moorhouse, Major Richardson, Mr. Domett, Mr. Watt, Mr. Dillon Bell, Mr. Colenso, and Mr. Eyes. Committee to report on the 6th August.

The Honourable Mr. Crosbie Ward, by leave of the House, divided his motion as follows:—

Ordered, That a Select Committee be appointed to consider and report upon the subject of Communications to and from and within the Colony.

The Honourable Mr. Crosbie Ward moved, and the Question was proposed, That the forenamed Committee consist of Mr. John Williamson, Dr. Featherston, Mr. Moorhouse, Major Richardson, Mr. Domett, Mr. Watt, Mr. Dillon Bell, Mr. Colenso, and Mr. Eyes, and to report on the 6th August.

Mr. J. C. Richmond moved, in Amendment, the omission of the names "Mr. Watt" and "Mr. Eyes," and the insertion of the names "Mr. Gillies" and "Mr. Russell" in lieu thereof.

And the Question being put, That the names proposed to be omitted do stand part of the Question, it passed in the Negative.

Then the Question was put, That the names proposed to be inserted be so inserted. The House divided, and the names were taken down as follows:—

Ayes, 25.	*Noes*, 13.
Mr. Atkinson,	Mr. Brandon,
Mr. Dillon Bell,	Mr. Eyes,
Mr. Butler,	Dr. Featherston,
Mr. Colenso,	Mr. FitzGerald,
Mr. Curtis,	Hon. Mr. Fox,
Mr. Domett,	Mr. Harrison,
Mr. Gillies,	Hon. Mr. Henderson,
Mr. G. Graham,	Mr. Renall,
Mr. R. Graham,	Mr. Rhodes,
Mr. Jollie,	Mr. Saunders,
Mr. Mantell,	Mr. Waring Taylor,
Mr. Mason,	Hon. Mr. Wood,

Mr.

Ayes (continued.)	*Noes* (continued.)
Mr. Munro,	Hon. Mr. Crosbie Ward (Teller).
Major Nixon,	
Mr. O'Neill,	
Major Richardson,	
Mr. A. J. Richmond,	
Mr. C. J. Taylor,	
Mr. Russell,	
Mr. Watt,	
Mr. Wells,	
Mr. James Williamson,	
Mr. John Williamson,	
Mr. Cracroft Wilson, C.B.	
Mr. J. C. Richmond (Teller).	

So it passed in the Affirmative.
Then the Question as amended being put, it was resolved in the Affirmative.

6. *Civil Commissioner's Court at Napier.*—On motion of Mr. Russell, *Ordered*, That the Petition from the Inhabitants of the Province of Hawke's Bay, complaining of the operation of the Civil Commissioner's Court there, be printed for the use of Members of this House.

7. *Government Records.*—On motion of Mr. Russell, *Ordered*, That a Return be laid on the Table of this House, shewing the number of cases of Government Records and other Documents lost in the Steamer "White Swan," and specifying the nature of those Records and Documents.

8. *Military Defence.*—On motion of Mr. Dillon Bell, *Ordered*, That a Committee be appointed to confer with any similar Committee that may be appointed by the Legislative Council, to decide as to what course should be taken in regard to the Minutes of Proceedings of the Joint Committee of both Houses on Military Defence, appointed last session. Committee to consist of the Honourable Mr. Fox, Dr. Featherston, Mr. Stafford, and Mr. FitzGerald.

9. *His Excellency's Speech.*—On motion of the Honourable Mr. Wood, the House proceeded to take into consideration His Excellency's Speech to both Houses of the General Assembly; and the same was again read by Mr. Speaker.
And a Motion being made, That a Supply be granted to Her Majesty;
Resolved, That this House will, To-morrow, resolve itself into a Committee to consider that Motion.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 18th July, 1862.

1. Mr. SAUNDERS to ask the Colonial Secretary, Why the sittings of the Supreme Court at Nelson have been postponed from the 15th of the present month to the 15th of August.
2. Mr. CURTIS to ask the Government Why the Beacon in the French Pass has not been erected in accordance with the vote of last Session, and when it will be.
3. Mr. WELLS, in consequence of recent changes in the General Mail Service of the Colony, to ask the Hon. the Postmaster General, What provisions have been made for conveying the Southern Mails to Nelson; by what means they are to be conveyed, and about what date they may be expected to arrive.

NOTICES OF MOTION.

1. Hon. Mr. WOOD to move in Committee of Supply, That this Committee will sanction the issue of monies from the Public Chest by the Colonial Treasurer in accordance with the provisions of the Appropriation Act of 1861-62, until the Appropriation Act for the current Financial year is passed.
2. Mr. J. C. RICHMOND to move, For a Return of all promises of Crown Grants made to persons of the Native race: showing the date of every such promise; the position of the land to be granted; the person by whom, and authority by which such promises were made; whether they

they have been fulfilled or not, and if not why not, with any other information bearing on the matter.

3. Mr. J. C. RICHMOND to move, For a nominal return of all persons who have held, since the year 1853, or who now hold Commissions in the New Zealand Militia or Volunteers, showing the dates and grades of all former Commissions, (in both, or either corps, as the case may be,) held by each, as well as the dates and grades of the Commissions now held; together with the dates of all resignations, and the causes of such resignations where any have been stated.
4. Mr. JOHN WILLIAMSON to move, That the Petition of Charles St. John Herbert be referred to the Select Committee of Private Grievances.
5. Mr. JOHN WILLIAMSON to move, That the Petition of Daniel Keefe and others be referred to the Select Committee of Private Grievances.
6. Mr. DILLON BELL to move, For Copies of any Correspondence between His Excellency's Government and the Provincial Governments of Southland or Otago, on the subject of Lights in Foveaux Straits.
7. Mr. CARLETON to move, That the proceedings in this House, between the time of Prayers on the first day of the present Session and the time of the Summons to attend the Governor in the Hall of the Legislative Council, ought not to be drawn into example.
8. Mr. GILLIES to move, That a Select Committee be appointed to consider what measures should be taken for facilitating the administration of justice in the Province of Otago, by the appointment of a permanent Judge of the Supreme Court for that Province, by providing an *interim* Judge until a permanent appointment can be made, or otherwise. Committee to consist of the Hon. Mr. Fox, Mr. Dillon Bell, Mr. FitzGerald, Dr. Featherston, Mr. Domett, and Major Richardson. Report to be brought up on 24th instant.
9. Mr. FITZGERALD to move, For a Return of all persons who, since the first day of January, 1860, have been convicted before the Supreme Court, and whose Sentences have been in whole or in part remitted by His Excellency the Governor, together with copies of all correspondence with the Judge of the Supreme Court in each case, and with any other persons, relating to the remission of every such sentence, and also all Memoranda setting forth the grounds of the remission of such sentence in each case.
10. Mr. COLENSO to move, That the Petition presented from the two Shirleys be printed.
11. Mr. JOLLIE to move, That an Address be presented to His Excellency the Governor respectfully requesting that he will cause to be laid before this House, copies of any correspondence relating to the Maori Reserve at Arowhenua, near Timaru, or to the management of Native Affairs in that district of the Province of Canterbury.
12. Dr. FEATHERSTON to move, For leave of the House to enlarge the Committee on Communications, and that the names of Mr. Eyes and Mr. Watt be added thereto.

ORDERS OF THE DAY.

1. Crown Grants Bill—second reading.
2. Crown Lands Bill—second reading.
3. The Committee of Supply.

Friday, the 18th day of July, 1862.

PRAYERS.

1. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—
   (1.) Further Papers relative to the re-organization of the Taranaki Militia; in continuation of Papers presented on the 16th July instant.
   (2.) Papers relative to the postponement of the sittings of the Supreme Court at Nelson.

2. *Crown Grants.*—Mr. J. C. Richmond moved, and the Question was proposed, That there be laid upon the Table a Return of all promises of Crown Grants made to persons of the Native race, showing the date of every such promise; the position of the land to be granted; the person by whom, and the authority by which, such promises were made; whether they have been fulfilled or not, and, if not, why not; with any other information bearing on the matter.

   The Motion was, by leave of the House, withdrawn.

3. *Paper.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—
   (3.) Return of Native Reserves made in cessions of Native Territory to the Crown:
   Distinguishing the date, the Block ceded, the Province and District, the acreage where surveyed, and the Tribe or Section for which the Reserve was made.
   Also, of Promises or engagements made to Natives by the Government for the issue of Crown Grants or otherwise:
   Distinguishing

Distinguishing the cases where reservations of Land have been made for individual Chiefs as part of the consideration in the cession of territory; cases where promises have been made unconnected with cession of territory; the date of each transaction; the Province and District; the area where surveyed, and other particulars.

Also, of Crown Grants already issued to Natives.

4. *Militia and Volunteers.*—On motion of Mr. J. C Richmond, *Ordered,* That there be laid on the Table, a nominal Return of all persons who have held, since the year 1853, or who now hold Commissions in the New Zealand Militia or Volunteers, showing the dates and grades of all former Commissions (in both or either Corps, as the case may be), held by each, as well as the dates and grades of the Commissions now held, together with the dates of all resignations, and the causes of such resignations where any have been stated.

5. *Petition of Major Herbert.*—On motion of Mr. John Williamson, *Ordered,* That the Petition of Charles St. John Herbert be referred to the Committee of Private Grievances.

6. *Petition of Daniel Keefe and others.*—On motion of Mr. John Williamson, *Ordered,* That the Petition of Daniel Keefe and others be referred to the Committee of Private Grievances.

7. *Lights in Foveaux Straits.*—On motion of Mr. Dillon Bell, *Ordered,* That there be laid upon the Table, copies of any correspondence between His Excellency's Government and the Provincial Governments of Southland or Otago on the subject of Lights in Foveaux Straits.

8. *Commencement of Session.*—Mr. Carleton moved, and the Question was proposed, That the proceedings in this House, between the time of Prayers on the first day of the present Session and the time of the Summons to attend the Governor in the Hall of the Legislative Council ought not to be drawn into example.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 24.	*Noes,* 9.
Mr. Atkinson,	Mr. Brandon,
Mr. Dillon Bell,	Mr. Colenso,
Mr. Butler,	Mr. Domett,
Mr. Curtis,	Mr. FitzGerald,
Mr. Eyes,	Mr. Russell,
Mr. Fitzherbert,	Mr. Waring Taylor,
Mr. Jollie,	Mr. James Williamson,
Mr. G. Graham,	Hon. Mr. Wood,
Mr. R. Graham,	Mr. Gillies (Teller).
Mr. Munro,	
Major Nixon,	
Mr. O'Neill,	
Mr. O'Rorke,	
Major Richardson,	
Mr. A. J. Richmond,	
Mr. J. C. Richmond,	
Mr. Saunders,	
Mr. Stafford,	
Mr. C. J. Taylor,	
Mr. Watt,	
Mr. Wells,	
Mr. John Williamson,	
Mr. Cracroft Wilson, C.B.,	
Mr. Carleton (Teller).	

So it passed in the Affirmative.

9. *Administration of Justice.*—On motion of Mr. Gillies, *Ordered,* That a Select Committee be appointed to consider what measures should be taken for facilitating the administration of justice in the Province of Otago, by the appointment of a permanent Judge of the Supreme Court for that Province, by providing an *interim* Judge until a permanent appointment can be made, or otherwise; and generally to consider the whole question of the improvement of the administration of justice throughout the Colony. Committee to consist of the Honourable Mr. Fox, Mr. Dillon Bell, Mr. FitzGerald, Dr. Featherston, Mr. Domett, and Major Richardson. Report to be brought up on the 24th of this instant July.

10. *Remission*

10. *Remission of Sentences.*—On motion of Mr. FitzGerald, *Ordered,* That there be laid upon the Table, a Return of all persons who, since the 1st day of January, 1860, have been convicted before the Supreme Court, and whose sentences have been in the whole or in part remitted by His Excellency the Governor, together with copies of all correspondence with the Judge of the Supreme Court in each case, and with any other persons, relating to the remission of every such sentence; and also, all Memoranda setting forth the grounds of the remission of such sentence in each case.

11. *Petition of the Shirleys.*—On motion of Mr. Colenso, *Ordered,* That the Petition of the two Shirleys be printed for the use of Members of this House.

12. *Native Reserve at Arowhenua.*—On motion of Mr. Jollie, *Resolved,* That a respectful Address be presented to His Excellency the Governor, requesting him to cause to be laid before this House, copies of any correspondence relating to the Maori Reserve at Arowhenua, near Timaru, or to the management of Native affairs in that district of the Province of Canterbury.

13. *Crown Grants Bill.*—The Order of the Day being read for the second reading of the Crown Grants Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed: That the words "persons hereinafter mentioned, and who are in this Act termed the Commissioners" be omitted, for the purpose of inserting the words "Superintendent of each Province respectively" in lieu thereof. (*Mr. Gillies.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, the Committee divided, and the names were taken down as follows:—

Ayes, 28.	*Noes*, 4.
Mr. Atkinson,	Mr. FitzGerald,
Mr. Butler,	Mr. Gillies,
Mr. Colenso,	Mr. O'Rorke,
Mr. Curtis,	Mr. Dillon Bell (Teller).
Mr. Domett,	
Mr. Eyes,	
Hon. Mr. Fox,	
Mr. G. Graham,	
Mr. R. Graham,	
Mr. Jollie,	
Mr. Mason,	
Mr. Munro,	
Major Nixon,	
Mr. O'Neill,	
Major Richardson,	
Mr. A. J. Richmond,	
Mr. J. C. Richmond,	
Mr. Rhodes,	
Mr. Stafford,	
Mr. C. J. Taylor,	
Mr. Waring Taylor,	
Mr. Watt,	
Mr. Wells,	
Mr. James Williamson,	
Mr. John Williamson,	
Mr. Cracroft Wilson, C.B.,	
Hon. Mr. Wood,	
Hon. Mr. Crosbie Ward (Teller).	

So it passed in the Affirmative.

Amendment proposed: That in line 6, the words "within such Provinces respectively" be omitted. (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Amendment proposed: That in line 7, after the words "shall be," there shall be inserted the words "or shall have been." (*Hon. Mr. Crosbie Ward.*)

Amendment

Amendment agreed to.

Amendment proposed: That in line 8 the words "within such Provinces respectively" be inserted after the words "disposed of." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 3 to 8 read and agreed to.

Clause 9 read. Amendment proposed: That the word "respectively" in the second line be omitted. (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 10 read and agreed to.

Clause 11 read. Amendment proposed: That the words "have power" in the first line, and the word "to," before the word "make," in the second line, be omitted. (*Mr. Gillies.*)

Amendments agreed to.

Clause as amended agreed to.

Clause 12 read and postponed.

Clause 13 read and agreed to.

Clauses 14 and 15 read and postponed.

Clauses 16 and 17 read and agreed to.

Clause 18 read. Motion made and Question put, That the Chairman do now report progress.

The Committee divided, and the names were taken down as follows:—

Ayes, 13.	*Noes*, 12.
Mr. Dillon Bell,	Mr. Eyes,
Mr. Colenso,	Mr. Fox,
Mr. Domett,	Mr. G. Graham,
Mr. Gillies,	Mr. Mason,
Dr. Monro,	Mr. Munro,
Major Nixon,	Mr. O'Neill,
Mr. Rhodes,	Mr. O'Rorke,
Major Richardson,	Mr. C. J. Taylor,
Mr. J. C. Richmond,	Mr. James Williamson,
Mr. Stafford,	Mr. John Williamson,
Mr. Waring Taylor,	Mr Wood,
Mr. Watt,	Mr. Ward (Teller).
Mr. Brandon (Teller).	

So it passed in the Affirmative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again to re consider Clause 2 thereof.

Resolved, That this House will forthwith resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee, and after some further time spent therein, Mr. Speaker resumed the Chair, and Mr. Carelton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

14. *Crown Lands Bill.*—The Order of the day being read, for the second reading of the Crown Lands Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House for Tuesday next.

15. *Supply.*—The Order of the day being read, for the House to resolve itself into a Committe to consider the Motion made yesterday, That a Supply be granted to Her Majesty;

Ordered, That His Excellency's Speech to both Houses of the General Assembly be referred to the Committee.

Then the House resolved itself into the said Committee.

(In the Committee.)

Motion made and Question proposed, That a Supply be granted to Her Majesty. (*Hon. Mr. Wood.*)

And the Question being put, it was resolved in the Affirmative.

To report progress.

On

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to a Resolution.

Ordered, That the Report be received on Tuesday next.

Mr. Carleton also reported, That the Committee had directed him to move, that the Committee have leave to sit again.

Resolved, That this House will, on Wednesday next, resolve itself into the said Committee.

16. *Audit Committee*.—In pursuance of the provisions of the "Audit Act, 1858," Mr. Speaker appointed Thursday next, the 24th day of this instant, July, for the election by ballot of the Audit Committee.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, July 22nd, 1862.

1. Mr. MANTELL to ask the Hon. the Secretary for Crown Lands, Whether any Grant has yet been issued for Land in the Hawkesbury District (Province of Otago) in favour of the half-caste family of Henry Wixon.

NOTICES OF MOTION.

1. Hon. Mr. Fox to move, For leave to introduce a Bill for Regulating the disposal of Native lands.
2. Hon. Mr. CROSBIE WARD to move, For leave to introduce a Bill to regulate Steam Vessels and the Boats and Lights to be carried by sea-going Vessels.
3. Hon. Mr. CROSBIE WARD to move, That a Select Committee be appointed to enquire into the condition and prospects of the Gold Fields of the Colony, and to consider and report whether any, and what further legislation is necessary on the subject. To consist of Major Richardson, Mr. John Williamson, Mr. Stafford, Mr. R. Graham, Mr. A. J. Richmond, Mr. Gillies, Mr. FitzGerald, and Mr. Russell.
4. Hon. Mr. Fox to move, That the returns relative to Crown Grants issued, and promised to Natives, laid on the table by the Colonial Secretary, be printed.
5. Mr. MANTELL to move, For copies of all correspondence relative to the Native Reserves in the Towns of Dunedin and Port Chalmers.
6. Mr. STAFFORD to move, That a respectful address be presented to His Excellency the Governor, requesting His Excellency to cause to be laid on the table of this House, a copy of His Excellency's Despatch to His Grace the Duke of Newcastle No. 27 of the 26th November, 1861, relative to the appointment of Mr. Gresson as a Judge of the Supreme Court of New Zealand, or of any Memorandum from His Excellency's Ministers on the subject, in addition to Mr. Sewell's Memorandum of the 19th August, 1861.
7. Mr. ATKINSON to move, For all correspondence between Capt. I. N. Watt, Taranaki Rifle Volunteers, and the Deputy Adjutant-General, relating to the position of the Taranaki Volunteer Force under the new Regulations, together with any letter, despatch, or minute of Lieut.-General Cameron, C.B., upon the subject of the rank and precedence of the officers of Militia and Volunteers.

   Also, for all correspondence between Capt. I. N. Watt, Taranaki Rifle Volunteers, Col. Warre, C.B., Capt. Stapp, Taranaki Militia, the Deputy Adjutant-General, and Lieut.-General Cameron, C.B., upon the occasion of Capt. Stapp having in May last been placed in arrest by Col. Warre, C.B.

   Also, for all correspondence between Col. Warre, C.B., Captain Burton, Taranaki Militia, the Deputy Adjutant-General, and Lieut.-General Cameron, C.B., upon the subject of the command of the Taranaki Militia.
8. Mr. CURTIS to move, For a Return of all persons appointed to any office by the General Government, between the 12th day of July, 1861, and the 12th day of July, 1862, with the amounts of salary attached to any such office.
9. Mr. EYES to move, For leave of the House to enlarge the Select Committee appointed to consider and report upon the subject of Communications to and from, and within the Colony, to twelve Members.
10. Mr. EYES to move, That the names of the Honourable the Speaker, and Mr. Atkinson, be added to the Committee on Communications.

11. Major

11. Major NIXON to move, For a Return showing the number of Discharged Soldiers and Pensioners; the number of Civilians who have been drilled and the number of Civilians who have been enrolled but not drilled, in each of the Battalions of the Auckland Regiment of Militia.
12. Mr. O'ROURKE to move, That there be laid on the table of the House a Return of the number of Electors on the several Electoral Rolls for 1861-62 of the districts returning Members to the House of Representatives.
13. Mr. STAFFORD to move, That the name of Mr. Russell be added to the Committee on the improvement of the administration of Justice.
14. Mr. WATT to move, That, in the opinion of this House, the Office of Superintendent should be nominative instead of elective.

ORDERS OF THE DAY.

1. Crown Lands Bill—to be committed.
2. Crown Grants Bill—to be further considered in Committee.
3. A Resolution to be Reported from the Committee of Supply.

Tuesday, the 22nd day of July, 1862.

PRAYERS.

1. *Member sworn.*—Thomas Dick, Esquire, Member for Dunedin City, being presented to Mr. Speaker by Mr. Gillies and Mr. Dillon Bell, and having taken and subscribed the Oath required by law, took his seat in the House.

2. *Papers.*—The Honourable Mr. Wood laid upon the Table, by command of His Excellency,—

(1.) Return of the amount expended out of the Loan of £150,000, from 13th June, 1861, to 31st March, 1862.

The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—

(2.) Papers relative to an inquest held at Wanganui.

(3.) Despatch relative to the position of the Deputy Commissary-General in New Zealand.

Ordered, That the said Papers be printed for the use of Members of this House.

The Honourable Mr. Crosbie Ward laid upon the Table by command of His Excellency,—

(4.) Rules and Regulations of the Otago Gold Fields.

3. *Steam Navigation Bill.—Ordered,* That the Honourable Mr. Crosbie Ward have leave to introduce a Bill to regulate Steam Vessels, and the Boats and Lights to be carried by sea-going Vessels.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

4. *Gold Fields.*—On motion of the Honourable Mr. Crosbie Ward, *Ordered,* That a Select Committee be appointed to enquire into the condition and prospects of the Gold Fields of the Colony, and to consider and report whether any and what further legislation is necessary on the subject: to consist of Major Richardson, Mr. John Williamson, Mr. Stafford, Mr. R. Graham, Mr. A. J. Richmond, Mr. FitzGerald, and Mr. Russell.

5. *Crown Grants.*—On motion of the Honourable Mr. Fox, *Ordered,* That the Returns relative to Crown Grants issued, and promised to Natives, laid on the Table by the Colonial Secretary, be printed for the use of Members of this House.

6. *Native Reserves.*—On motion of Mr. Mantell, *Ordered,* That there be laid on the Table of the House, copies of all correspondence relative to the Native Reserves in the Towns of Dunedin and Port Chalmers.

7. *Appointment of Mr. Justice Gresson.*—On motion of Mr. Stafford, *Resolved,* That a respectful Address be presented to His Excellency the Governor, requesting His Excellency to cause to be laid on the Table of this House, a copy of His Excellency's Despatch to His Grace the Duke of Newcastle, No. 27, of the 26th November, 1861, relative to the appointment of Mr. Gresson as a Judge of the Supreme Court of New Zealand, and of any

any communications between Mr. Gresson and the Governor, or of any Memorandum from His Excellency's Ministers on the subject, in addition to Mr. Sewell's Memorandum of the 19th August, 1861.

8. *Library Committee.*—Mr. Dillon Bell, from the Library and Printing Committee, brought up a Report, and the same was read as followeth :—

The Library and Printing Committee have the honour to report, that, at their last meeting, they agreed to the following Resolutions, and that the same should be recommended to the House for adoption :—

(1.) That, in the opinion of this Committee, the Books lost in the White Swan should be replaced.

(2.) That, in the opinion of this Committee, the ordinary vote for the Library should be largely increased this Session.

(3.) That, in the opinion of this Committee, the Fees received by the Clerk for Private Bills (including those already paid) should be made applicable to the increase of the Library.

(4.) That, in consequence of the great difficulty experienced in getting printed the Papers required by the House, the form of motion for printing ought to be varied according to the urgency of the requirements ; the usual form being retained for Papers merely needed as ordinary Records for the Appendix to the Votes and Proceedings, the printing of which may be postponed by the Clerk, at his discretion, until after the close of the Session; while for Papers required for immediate use the form of motion should be, that the Paper be "printed forthwith."

9. *Committee on Secret Committee Minutes.*—Mr. Dillon Bell, from the Joint Committee on the Minutes of the Secret Committee of last Session, brought up a Report, and the same was read as followeth :—

The Committee have met a Committee appointed by the Legislative Council with the same object, and have agreed in conference to the following Resolution :—

"That the future custody and disposal of the Minutes of the Secret Committee of last Session be entrusted to the Executive Government of the Colony."

10. *Taranaki Militia.*—On motion of Mr. Atkinson, *Ordered*, That there be laid on the Table, copies of all correspondence between Captain I. N. Watt, Taranaki Rifle Volunteers, and the Deputy Adjutant-General, relating to the position of the Taranaki Volunteer Force under the new Regulations, together with any Letter, Despatch, or Minute, of Lieutenant-General Cameron, C.B., upon the subject of the rank and precedence of the Officers of Militia and Volunteers. Also,

For all correspondence between Captain I. N. Watt, Taranaki Rifle Volunteers, Colonel Warre, C.B., Captain Stapp, Taranaki Militia, the Deputy Adjutant-General, and Lieutenant-General Cameron, C.B., upon the occasion of Captain Stapp having, in May last, been placed in arrest by Colonel Warre, C.B. Also,

For all correspondence between Colonel Warre, C.B., Captain Burton, Taranaki Militia, the Deputy Adjutant-General, and Lieutenant-General Cameron, C.B., upon the subject of the command of the Taranaki Militia.

11. *Official Appointments.*—On motion of Mr. Curtis, *Ordered*, That there be laid on the Table, a Return of all persons appointed to any office by the General Government, between the 1st day of January, 1862, and the 12th day of July, 1862, with the amounts of Salary attached to any such office.

12. *Committee on Communications.*—On motion of Mr. Eyes, *Ordered*, That the Select Committee appointed to consider and report upon the subject of communications to and from, and within the Colony, be enlarged to twelve members.

Ordered, That the names of the Honourable the Speaker, and Mr. Atkinson, be added to the above Committee.

13. *Auckland Militia.*—On motion of Major Nixon, *Ordered*, That there be laid on the Table, a Return, shewing the number of Discharged Soldiers and Pensioners, the number of Civilians who have been drilled, and the number of Civilians who have been enrolled, but not drilled, in each of the Battalions of the Auckland Regiment of Militia.

14. *Electoral Rolls.*—On motion of Mr. O'Rorke, *Ordered*, That there be laid upon the Table, a Return of the number of Electors on the several Electoral Rolls for 1861-62 of the Districts returning Members to the House of Representatives.

15. *Administration of Justice Committee.*—On motion of Mr. Stafford, *Ordered,* That the name of Mr. Russell be added to the Committee on the improvement of the Administration of Justice.

16. *Crown Lands Bill.*—The House, according to Order, resolved itself into a Committee to consider the Crown Lands Bill.

(In the Committee.)

Clauses 1, 2 and 3 read and agreed to.

Clause 4 read.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, on Thursday next, resolve itself into the said Committee.

17. *Crown Grants Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Crown Grants Bill.

(In the Committee.)

Clause 18, and remaining Clauses, with the Schedule, postponed.

Postponed Clause 12 read. Amendment proposed: To omit the last line of Clause 12, with the view of inserting the words, "such sum as the Superintendent and Provincial Council of each Province may direct." (*Major Richardson.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passed in the Affirmative.

Then the Question being put, That Clause 12, as read, do stand part of the Bill,

The Committee divided, and the names were taken down as follows:—

Ayes, 7.	*Noes,* 12.
Mr. G. Graham,	Mr. Dillon Bell,
Mr. O'Neill,	Mr. Colenso,
Hon. Mr. Crosbie Ward,	Mr. Eyes,
Mr. James Williamson,	Mr. FitzGerald,
Mr. Cracroft Wilson, C.B.,	Mr. Gillies,
Hon. Mr. Wood,	Mr. Moorhouse,
Mr. Domett (Teller).	Mr. O'Rorke,
	Major Richardson,
	Mr. Saunders,
	Mr. Watt,
	Mr. John Williamson,
	Mr. J. C. Richmond (Teller).

So it passed in the Negative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, on Thursday next, resolve itself into the said Committee.

18. *Supply.*—Mr. Carleton reported from the Committee to whom it was referred to consider the Motion made upon Friday last "That a Supply be granted to Her Majesty," a Resolution, and the same was read as followeth:—

Resolved, That a supply be granted to Her Majesty.

The said Resolution being read a second time,

Resolved, nemine contradicente, That this House doth agree with the Committee in the said Resolution, That a Supply be granted to Her Majesty.

19. *The Native Lands Bill.—Ordered,* That the Honourable Mr. Fox have leave to introduce a Bill for regulating the disposal of Native Lands.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Friday next, and to be printed.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 23rd July, 1862.

NOTICES OF MOTION.

1. Major RICHARDSON to move, That this House should be informed, so far as may be consistent with any present or prospective Military arrangements, what measures are proposed to be adopted towards the Taranaki and Ngatiruanui tribes, with reference to the murder of unarmed British European subjects, and also with reference to the destruction of the homesteads and plunder of the property of the inhabitants of the Province of Taranaki.
2. Major RICHARDSON to move, That this House should be informed, so far as may be consistent with any present or prospective Military arrangements, what measures are proposed to be adopted towards enabling the owners of property in the Tataraimaka Block in the Province of Taranaki, to return to their homes, from which they are still debarred by the unsatisfactory nature of the relations existing between the Government and Her Majesty's Native subjects residing to the Southward in that Province.
3. Mr. STAFFORD to move, For a Return of the amount claimed from the Colony by the Imperial Government on account of any Military or Militia expenditure in connection with the Native Insurrection, shewing the particulars of the claim.
4. Hon. Mr. Fox to move, For leave to introduce a Bill to amend the "Election Petitions Act, "1858."
5. Mr. DILLON BELL to move, That the following Resolution of the Library and Printing Committee be adopted,—

   "That in consequence of the great difficulty experienced in getting printed the papers required for the House, the form of Motion for printing ought to be varied according to the urgency of the requirements; the usual form being retained for papers merely needed as ordinary records for the Appendix to the Votes and Proceedings, the printing of which may be postponed by the Clerk at his discretion, until after the close of the Session; while for papers required for immediate use, the form of Motion should be, that the paper be "printed forthwith."
6. Hon. Mr. CROSBIE WARD to move, That the names of Mr. Dick and Mr. Domett be added to the Committee on the Gold Fields of the Colony.

ORDERS OF THE DAY.

1. The Committee of Supply.

   Hon. Mr. WOOD to move, in Committee of Supply, That this Committee will sanction the issue of monies from the Public Chest by the Colonial Treasurer, in accordance with the provisions of the Appropriation Act of 1861-62, until the Appropriation Act for the current Financial year is passed.
2. Steam Navigation Bill—second reading.

Wednesday, the 23rd day of July, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Carter: The Petition of the inhabitants of the Eastern side of the Valley of Wairarapa.

   Petition received.

2. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—

   (1.) Return of the number of cases of Government Records and other Documents lost in the Steamer "White Swan," specifying the nature of those Records and Documents; Return to an Order of the House of the 17th July instant.

   (2.) Further Papers respecting the "Maori King movement"—Reports from Mr. Buller, R.M.

   (3.) Further Papers relative to Military Defence of the Colony; in continuation of Papers presented on the 4th June, 1861.

   (4.) Return of the number of Electors on the several Electoral Rolls for 1861-62, of the Districts returning Members to the House of Representatives—Return to an Order of the House of the 22nd July instant.

3. *Taranaki.*—On motion of Major Richardson, *Resolved,* That this House should be informed, so far as may be consistent with any present or prospective Military arrangements, what measures are proposed to be adopted towards the Taranaki and Ngatiruanui Tribes, with reference

reference to the murder of unarmed British European subjects, and also with reference to the destruction of the homesteads and plunder of the property of the Inhabitants of the Province of Taranaki.

4. *Tataraimaka Block.*—Major Richardson moved, and the Question was proposed, That this House should be informed, so far as may be consistent with any present or prospective Military arrangements, what measures are proposed to be adopted towards enabling the owners of property in the Tataraimaka Block, in the Province of Taranaki, to return to their homes, from which they are still debarred by the unsatisfactory nature of the relations existing between the Government and Her Majesty's Native subjects residing to the Southward in that Province.

A Debate arose thereupon.

And the Question being put, it was resolved in the Affirmative.

5. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Motion made and Question proposed, That this Committee will sanction the issue of monies from the Public Chest by the Colonial Treasurer, in accordance with the provisions of the Appropriation Act of 1861-62, until the Appropriation Act for the current Financial Year is passed.

Amendment proposed: That the word "sanction," in the first line, be omitted, in order to insert the word "recommend." (*Hon. Mr. Wood.*)

Amendment agreed to.

Further Amendment proposed: To omit the words "until the Appropriation Act for the current Financial Year is passed," in order to insert the words "for a period of three months from the 1st day of July, 1862." (*Hon. Mr. Wood.*)

Amendment agreed to.

Resolution as amended agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to a Resolution.

Ordered, That the Report be received To-morrow.

6. *Steam Navigation Bill.*—The Order of the Day being read, for the second reading of the Steam Navigation Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House for To-morrow.

7. *Military Expenditure.*—On motion of Mr. Stafford, *Ordered,* That there be laid upon the Table a Return of the Amount claimed by the Imperial Government on account of any Military or Militia Expenditure in connection with the Native Insurrection, showing the particulars of the claim.

8. *Election Petitions Act,* 1858, *Amendment Bill.—Ordered,* That the Honourable Mr. Fox have leave to introduce a Bill to amend the "Election Petitions Act, 1858."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

9. *Library and Printing Committee.*—On motion of Mr. Dillon Bell, *Resolved,* That the following Resolution of the Library and Printing Committee be adopted:—

That, in consequence of the difficulty experienced in getting printed the papers required for the House, the form of Motion for printing ought to be varied according to the urgency of the requirements; the usual form being retained for papers merely needed as ordinary records for the Appendix to the Votes and Proceedings, the printing of which may be postponed by the Clerk at his discretion, until after the close of the Session; while for papers required for immediate use, the form of Motion should be, that the paper be "printed forthwith."

10. *Gold Fields Committee.*—On motion of the Honourable Mr. Crosbie Ward, *Ordered,* That the names of Mr. Dick and Mr. Domett be added to the Committee on the Gold Fields of the Colony.

Then, on motion of the Honourable Mr. Crosbie Ward,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 24th July, 1862.

NOTICES OF MOTION.

1. Mr. STAFFORD to move—

(1.) For a Return of all unauthorised Expenditure of the General Government during the year ended the 30th June, 1862, distinguishing the dates of such Expenditure.

(2.) For a Return of the amounts expended out of the War Loan of £150,000—in continuation of Papers presented to the House last Session. (Sess. Pap. B, No. 5.)

(3.) For copies of all Reports of Officers of the Land Purchase Department, relative to the extinguishment of Native Title,—in continuation of Papers presented to the House last Session. (Sess. Pap. C, No. 1.)

(4.) For a Return of the number of acres over which the Native Title has been extinguished during the year ended the 30th June, 1862—the amount paid, or agreed to be paid, for the same—and the quantity surveyed during the same period—in continuation of Papers presented to the House last Session. (Sess. Pap. C, No. 3.)

(5.) For a Return of the names of all persons employed in or by the Land Purchase Department during the year ended the 30th June, 1862,—in continuation of Papers presented to the House last Session. (Sess. Pap. C, No. 4.)

(6.) For a Return of all persons employed in the administration of Native Affairs, capacity in which employed, and the salary of each.

(7.) For a Return of all sums paid to Natives during the year ended the 30th June, 1862, stating the dates of payment and the names of the persons to whom the payments were made.

2. Mr. WATT to move, That, in the opinion of of this House, some alteration of the elective character of the Office of Superintendent, and the term of office, is necessary.

3. Mr. DILLON BELL to move, That the Report of the Joint Committee of both Houses on the Minutes of the Secret Committee of last Session be adopted.

4. Mr. FITZGERALD to move, On the question that the Report of the Committee on the Secret Committee records be adopted, to move as an amendment:—

"But that none of the Records of the said Secret Committee be at any time printed or made public except by the leave of this House and of the Legislative Council."

5. Mr. DILLON BELL to move, That the following Resolutions of the Library and Printing Committee be ordered to be considered in Committee of Supply,—

(1.) That in the opinion of this Committee the Books lost in the *White Swan* should be replaced.

(2.) That in the opinion of this Committee the ordinary Vote for the Library should be largely increased this Session.

(3.) That in the opinion of this Committee, the fees received by the Clerk for Private Bills (including those already paid) should be made applicable to the increase of the Library.

ORDERS OF THE DAY.

1. A Resolution to be reported from the Committee of Supply.
2. Appointment by Ballot, of the Audit Committee.
3. Report of the Select Committee on the improvement of the Administration of Justice.
4. Crown Lands Bill—to be further considered in Committee.
5. Crown Grants Bill—to be further considered in Committee.
6. The Committee of Supply.
7. Steam Navigation Bill—to be committed.
8. Election Petitions Act Amendment Bill—second reading.

Thursday, the 24th day of July, 1862.

PRAYERS.

1. *Petitions presented.*—By Mr. Domett: Two Petitions from George Robertson, of Wellington, late Sergeant of the Hutt Militia.

Petitions received.

2. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—

(1.) Copies of correspondence between the General Government and the Provincial Governments

Governments of Southland or Otago on the subject of Lights in Foveaux Straits—partial Return to an Order of the House of the 18th July instant.

(2.) Copy of His Excellency's Despatch to His Grace the Duke of Newcastle, No. 27, of the 26th November, 1861, relative to the appointment of Mr. Justice Gresson as a Judge of the Supreme Court of New Zealand—partial Return to an Address of the House of the 22nd July instant.

3. *Returns.*—On motion of Mr. Stafford, *Ordered,* That the following Returns be laid on the Table:—

(1.) A Return of all unauthorised expenditure of the General Government during the year ended 30th June, 1862, distinguishing the dates of such expenditure. Also,—

(2.) A Return of the amounts expended out of the War Loan of £150,000; in continuation of Papers presented to the House last Session.—(Sess. Pap. B—No. 5.) Also,—

(3.) Copies of all Reports of Officers of the Land Purchase Department, relative to the extinguishment of Native Title; in continuation of Papers presented to the House last Session.—(Sess. Pap. C—No. 1.) Also,—

(4.) A Return of the number of Acres over which the Native Title has been extinguished during the year ended 30th June, 1862, the amount paid, or agreed to be paid, for the same, and the quantity surveyed during the same period; in continuation of Papers presented to the House last Session.—(Sess. Pap. C—No. 3.) Also,—

(5.) A Return of the names of all persons employed in or by the Land Purchase Department during the year ended the 30th June, 1862; in continuation of Papers presented to the House last Session (Sess. Pap. C—No. 4.) Also,—

(6.) A Return of all persons employed in the administration of Native Affairs, capacity in which employed, and the salary of each. Also,—

(7.) A Return of all sums paid and presents made to Natives during the year ended the 30th June, 1862, stating the dates of payment, and the names of the persons to whom the payments and presents were made.

4. *Committee on Secret Committee Minutes.*—Mr. Dillon Bell moved, and the Question was proposed, That the Report of the Joint Committee of both Houses on the Minutes of the Secret Committee of last Session be adopted.

Mr. FitzGerald moved, That the Question be amended by the addition of the following words:—"but that none of the Records of the said Secret Committee be at any time printed or made public except by the leave of this House and of the Legislative Council."

And the Question being put, That the words proposed to be added be so added, it was resolved in the Affirmative.

Resolved, That the Report of the Joint Committee of both Houses on the Minutes of the Secret Committee be adopted, but that none of the Records of the said Secret Committee be at any time printed or made public except by the leave of this House and of the Legislative Council.

Ordered, That a Message be transmitted to the Legislative Council acquainting them that this House hath passed the above Resolution.

5. *Library and Printing Committee.*—On motion of Mr. Dillon Bell, *Ordered,* That the following Resolutions of the Library and Printing Committee be considered in Committee of Supply:—

(1.) That, in the opinion of this Committee, the Books lost in the "White Swan" should be replaced.

(2.) That, in the opinion of this Committee, the ordinary vote for the Library should be largely increased this Session.

(3.) That, in the opinion of this Committee, the Fees received by the Clerk, for Private Bills (including those already paid) should be made applicable to the increase of the Library.

6. *Committee on Administration of Justice.—Ordered,* That the Select Committee on the improvement of the Administration of Justice have leave to postpone their Report until the 8th day of August next.

7. *Supply.*—The Order of the Day being read, for receiving the Report of a Resolution from the Committee of Supply,

Mr. Carleton accordingly reported the following Resolution:—

That this Committee will recommend the issue of Monies from the Public Chest by the

the Colonial Treasurer, in accordance with the provisions of the Appropriation Act of 1861–62, for a period of three months, from the 1st day of July, 1862.

And the Resolution being read a second time,

Resolved, That this House doth concur with the Committee in the said Resolution.

8. *Audit Committee.*—The House, according to Order, proceeded to the election of the Audit Committee, under the provisions of the "Audit Act, 1858," and the Ballot having been taken, Mr. J. C. Richmond, Mr. Fitzherbert, and Mr. O'Rorke, were declared to be duly elected to serve on the said Committee.

Mr. Speaker nominated Mr. J. C. Richmond, Chairman of the Audit Committee.

9. *Crown Lands Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Crown Lands Bill.

(In the Committee.)

Motion made and Question put, That Clause 4 be now read. (*Hon. Mr. Crosbie Ward.*)

Amendment proposed: That the Chairman do now leave the Chair. (*Mr. FitzGerald.*)

The Committee divided on the Amendment, and the names were taken down as follows:—

Ayes, 21.	*Noes,* 15.
Mr. Atkinson,	Mr. Colenso,
Mr. Brandon,	Mr. Eyes,
Mr. Curtis,	Hon. Mr. Fox,
Mr. Dick,	Mr. Gillies,
Mr. Domett,	Mr. G. Graham,
Dr. Featherston,	Hon. Mr. Henderson,
Mr. Fitzherbert,	Mr. O'Neill,
Mr. Jollie,	Mr. O'Rorke,
Mr. Mantell,	Mr. Stafford,
Dr. Monro,	Mr. C. J. Taylor,
Mr. Moorhouse,	Mr. Weld,
Mr. Munro,	Mr. James Williamson,
Major Nixon,	Mr. John Williamson,
Major Richardson,	Hon. Mr. Wood,
Mr. A. J. Richmond,	Hon. Mr. Crosbie Ward (Teller).
Mr. J. C. Richmond,	
Mr. Saunders,	
Mr. Watt,	
Mr. Wells,	
* Mr. Cracroft Wilson, C.B.	
Mr. FitzGerald (Teller).	

Mr. Chairman's attention having been drawn to the fact, that Mr. Cracroft Wilson had not voted, although he had not left the body of the House, and he having given his voice with the Ayes, Mr. Chairman directed his Vote to be recorded accordingly.

So the Question passed in the Affirmative.

The Chairman accordingly left the Chair.

Mr. Speaker resumed the Chair.

10. *Crown Grants Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Crown Grants Bill.

(In the Committee.)

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"The 'Fees on Crown Grants Ordinance,' Ses. 7, No. 11, of the Legislative Council "of New Zealand shall be, and the same is hereby repealed." (*Hon. Mr. Crosbie Ward.*)

And the Question being put, it passed in the Affirmative.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"There shall be paid to the Receiver of Land Revenue by every purchaser of any allot-"ment, or group of contiguous allotments of Crown Land, together with the purchase "money thereof, a Fee of Twenty Shillings in respect of the Crown Grant for such Land: "Provided that such Fee shall, in all cases where the whole of such purchase money is not "by law made payable at one time, be paid, together with the last payment thereof, and in "the case of Rural Lands purchased in the Province of Otago, at the time of proof of the "fulfilment of the conditions of purchase; and, in cases where no purchase money is pay-"able, then at the time of applying for the Crown Grant." (*Hon. Mr. Crosbie Ward.*)

And

And the Question being put,
The Committee divided, and the names were taken down as follows:—

Ayes, 13.
Mr. Domett,
Hon. Mr. Fox,
Mr. G. Graham,
Mr. O'Neill,
Mr. A. J. Richmond,
Mr. Saunders,
Mr. C. J. Taylor,
Mr. Wells,
Mr. James Williamson,
Mr. John Williamson,
Mr. Cracroft Wilson, C.B.
Hon. Mr. Wood,
Hon. Mr. Crosbie Ward (Teller).

Noes, 18.
Mr. Atkinson,
Mr. Brandon,
Mr. Colenso,
Mr. Dick,
Mr. Eyes,
Dr. Featherston,
Mr. Fitzherbert,
Mr. Gillies,
Mr. Mantell,
Mr. Moorhouse,
Mr. Munro,
Major Nixon,
Mr. O'Rorke,
Major Richardson,
Mr. J. C. Richmond,
Mr. Stafford,
Mr. Watt,
Mr. FitzGerald (Teller).

So it passed in the Negative.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"That it shall be lawful for the Superintendent and Provincial Council of any Province, "any Law or Ordinance to the contrary notwithstanding, by any Act or Ordinance to be "passed in that behalf, to impose such sum as they may think fit by way of a Fee on the "issue of Crown Grants, and as the cost of preparing the same; and any such Fee shall "be paid to the Receiver of Land Revenue at the time of the issue of the Crown Grant: "Provided that no such Fee shall exceed Twenty Shillings on each Grant." (*Mr. Fitz-Gerald.*)

And the Question being put,
The Committee divided, and the names were taken down as follows:—

Ayes, 17.
Mr. Atkinson,
Mr. Brandon,
Mr. Dick,
Mr. Eyes,
Dr. Featherston,
Mr. Fitzherbert,
Hon. Mr. Fox,
Mr. Gillies,
Mr. Mantell,
Mr. Moorhouse,
Mr. O'Rorke,
Major Richardson,
Mr. Saunders,
Hon. Mr. Crosbie Ward,
Mr. Cracroft Wilson, C.B.,
Hon. Mr. Wood,
Mr. FitzGerald (Teller).

Noes, 14.
Mr. Colenso,
Mr. Domett,
Mr. G. Graham,
Mr. Munro,
Major Nixon,
Mr. O'Neill,
Mr. A. J. Richmond,
Mr. J. C. Richmond,
Mr. Stafford,
Mr. Watt,
Mr. Wells,
Mr. James Williamson,
Mr. John Williamson,
Mr. C. J. Taylor (Teller).

So it passed in the Affirmative.

Clause 14 read. Amendment proposed: That all the words after "every Crown Grant" in the first line, be omitted, with a view to insert in lieu thereof the words "made, issued, "and sealed, under the authority of this Act, shall be prepared by and under the authority "of the Commissioner of Crown Lands for each Province, who shall be answerable for the "accuracy thereof; and every such Grant shall be in the form, or as near as may be in the "form, in the Schedule annexed hereto." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"If

"If any Crown Grant issued prior to the coming into operation of this Act be not taken "up by the Grantee within six months from that date, such Grantee shall pay a Fee at and "after the rate of Five Shillings for every year after the termination of such period of six "months, during which the Crown Grant shall be allowed to remain in the Land Office." (*Mr. Domett.*)

Motion by leave withdrawn.

Clause 15 read. Amendment proposed, That the words "as hereinbefore provided" be omitted. (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 18 to 22 read and Negatived.

Clauses 23, 24, 25, and Schedule read and agreed to.

Preamble read and agreed to.

To report the Bill.

On Mr. Speaker resuming the Chair, Mr. Carleton reported that the Committee had gone through the Bill, and had made amendments thereto.

Ordered, That the Report be received To-morrow.

11. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council.

Mr. Speaker,—The Legislative Council have had under their consideration the Resolution of the House of Representatives, as transmitted to them this day, viz.,—

"That the Report of the Joint Committee of both House on the Minutes of the Secret Committee of last Session be adopted, but that none of the records of the said Secret Committee be at any time printed or made public except by the leave of this House and of the Legislative Council."

And have Resolved to concur therein.

12. *Supply.*—The Order of the day being read, for the Committee of Supply;

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

13. *Steam Navigation Bill.*—The House, according to Order, resolved itself into a Committee to consider the Steam Navigation Bill.

(In the Committee.)

Clause 1 read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

14. *Election Petitions Bill.*—The Order of the day being read for the second reading of the Election Petitions Bill.

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the Election Petitions Act, 1858."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

Then, on motion of the Honourable Mr. Crosbie Ward,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 25th July, 1862.

NOTICES OF MOTION.

1. Hon. Mr. Fox to move, The adoption of the following Resolution:—

That

That, while this House disclaims on the part of the Colony, the exclusive responsibility of the cost of educating, civilizing, and governing the Native Race; while it equally disclaims liability for the principal share of the cost of suppressing insurrections of a people over whom the Imperial Government has never practically established authority; it will at all times cheerfully recognize its duty to co-operate to the extent of its ability and means with Great Britain for the attainment of these objects, so essential to the welfare of the Colony; and in conformity with these views, it is of opinion that the interests of the Imperial Government and of the Natives themselves, as well as of the Colony, require that (reserving to the Governor both the initiation and the decision of questions where Imperial interests are concerned,) the ordinary conduct of Native Affairs should be placed under the administration of Responsible Ministers.

2. Mr. DOMETT to move, That the Petitions of George Robertson be referred to the Select Committee on Private Grievances.
3. Mr. GILLIES to move, For leave to bring in a Bill to facilitate the remedies on Bills of Exchange, Promissory Notes, and Cheques.
4. Mr. GILLIES to move, That Mr. Stafford and Mr. Russell be added to the Select Committee on the administration of Justice.
5. Mr. WELD to move, For copies of any correspondence that may not yet have been laid on the Table of this House, relating to the establishment of a Court to adjudicate on questions arising out of Native land titles, together with a Memorandum by Mr. Weld, when Minister for Native Affairs, on the most advisable mode of constituting a Court.

   Also, the copy of a Memorandum by Mr. Weld, when Minister for Native Affairs, recommending that the next General Native Conference should be elective, with the Minutes of the Acting Native Secretary and Chief Commissioner of the Land Purchase Department upon that recommendation, and the assent of Governor Gore Browne thereto.
6. Mr. O'ROURKE to move, That the Return which has been laid on the Table, of the number of electors on the several electoral rolls of the districts returning members to the House of Representatives, be printed.

ORDERS OF THE DAY.

1. Native Lands Bill—second reading.
2. Crown Grants Bill—to be reported.
3. Steam Navigation Bill—to be further considered in Committee.

Friday, the 25th day of July, 1862.

PRAYERS.

1. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—

   (1.) Papers respecting proposed Lighthouses at Port Chalmers in the Province of Otago.

   (2.) Papers relative to the appointment of Clerk Assistant of the House of Representatives.

   Mr. Speaker laid upon the Table,—

   (3.) Correspondence respecting the appointment of Officers of the Houses of Parliament in the Australian Colonies.

2. *Native Affairs.*—The Hon. Mr. Fox moved, and the Question being proposed, That, while this House disclaims on the part of the Colony, the exclusive responsibility of the cost of educating, civilizing, and governing the Native Race; while it equally disclaims liability for the principal share of the cost of suppressing insurrections of a people over whom the Imperial Government has never practically established the authority of Law; it will at all times cheerfully recognize its duty to co-operate to the extent of its ability and means with Great Britain for the attainment of these objects, so essential to the welfare of the Colony; and in conformity with these views, it is of opinion that the interests of the Imperial Government and of the Natives themselves, as well as of the Colony, require that, (reserving to the Governor both the initiation and the decision of questions where Imperial interests are concerned,) the ordinary conduct of Native Affairs should be placed under the administration of Responsible Ministers.

   And a Debate arising thereupon;

   Mr. J. C. Richmond moved, and the Question was proposed, That this Debate be now adjourned;

   And the Question being put, it passed in the Negative.

The

The Debate continued.

On motion of Mr. Jollie, *Ordered*, That this Debate be now adjourned till after the Orders of the day.

3. *Petitions of George Robertson.*—On motion of Mr. Domett, *Ordered*, That the Petitions of George Robertson be referred to the Committee of Private Grievances.

4. *Summary Procedure on Bills Bill.*—*Ordered*, That Mr. Gillies have leave to bring in a Bill to facilitate the remedies on Bills of Exchange, Promissory Notes, and Cheques.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Wednesday next, and to be printed.

5. *Committee on Administration of Justice.*—On motion of Mr. Gillies, *Ordered*, That Mr. Stafford be added to the Select Committee on the Administration of Justice.

6. *Court of Native Land Title.*—On motion of Mr. Weld, *Ordered*, That there be laid on the Table, copies of any correspondence that may not yet have been laid on the Table of this House, relating to the establishment of a Court to adjudicate on Questions arising out of Native Land Titles, together with a Memorandum by Mr. Weld, when Minister for Native Affairs, on the most advisable mode of constituting such Court. Also, the copy of a Memorandum by Mr. Weld, when Minister for Native Affairs, recommending that the next General Native Conference should be elective, with the Minutes of the Acting Native Secretary and Chief Commissioner of the Land Purchase Department upon that recommendation, and the assent of Governor Gore Browne thereto.

7. *Electoral Rolls.*—On motion of Mr. O'Rorke, *Ordered*, That the Return which has been laid on the Table, of the number of Electors on the several Electoral Rolls of the Districts returning Members to the House of Representatives, be printed for the use of Members of this House.

8. *Native Lands Bill.*—The Order of the day being read, for the second reading of the Native Lands Bill;

Ordered, That the Bill be read a second time on Tuesday next.

9. *Crown Grants Bill.*—The Order of the day being read for receiving the Report of the Committee on the Crown Grants Bill.

On motion of the Honourable Mr. Crosbie Ward, *Ordered*, That the Bill be re-committed to a Committee of the whole House for further consideration of Clauses 3, 5, 7, 8, 11, 13, 16, and 17.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 3, 5, 7, 8, 11, 13, 16, and 17, recommitted.

Clause 3 read.

Amendment proposed: In line 3, after the word "and" to insert the words "their business conducted according to." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Further Amendment proposed: To add to the Clause the words "and shall be published "in the Government Gazette of the Colony, and also of the Province to which the same "shall relate." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 5 read. Amendment proposed: In line 3, after the word "officers," to insert the words "or a vacancy in the office of Superintendent." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Further Amendment proposed: At the end of line 3 to insert the words "the Deputy "Superintendent while lawfully acting as such, or by." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 7 read. Amendment proposed: In line 2, after the word "Province," to insert the words "or the Deputy Superintendent, or person discharging the duties of the office "as aforesaid, as the case may be." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 8 read and negatived.

Clause

Clause 11 read. Amendment proposed: In line 4, after the words "shall be," to insert the words "shall have been." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Further Amendment proposed: To add to the Clause the words "Provided also, that no "Grant issued by any Commissioners under this Act shall be vitiated by reason of any irre- "gularity in the preparation, making, signing, sealing, or issuing thereof, or by reason of "non-compliance with any of the provisions of this Act, nor shall any Grantee or other "person be bound to enquire as to the compliance with such provisions. But every such "Grant issued by the Commissioners under their seal, shall be deemed and taken to have been "duly made and issued, any thing in this Act notwithstanding." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 13, 16, and 17 read and negatived.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported that the Committee had considered the Clauses referred to them, and had made amendments thereto.

Ordered, That the Report be received on Tuesday next.

10. *Steam Navigation Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Steam Navigation Bill.

(In the Committee.)

Clauses 2 and 3 read and agreed to.

Clause 4 read. Amendment proposed: In lines 3, 4, and 5, to omit the words "under "contract with, and under the superintendence of the Government of the said Colony," in order to insert the words "if carrying a Certificate of exemption under the hand of the "Postmaster-General of the Colony, or of some person deputed by him for the purpose, the "issue of which Certificate and its duration shall be at the option of such Officer." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 5 and 6 read and agreed to.

Clause 7 read and postponed.

Clauses 8 and 9 read and agreed to.

Clause 10 read. Amendment proposed: At the end of line 3 to add the words "or "under any Act of a like nature which may hereafter be passed by the Legislatures of those "Colonies, or either of them." (*Hon. Mr. Crosbie Ward.*)

Further Amendment proposed: That the further consideration of the whole Clause be postponed.

And the Question being put on the second Amendment, it passed in the Affirmative.

Clause postponed.

Clauses 11, 12, and 13, read and agreed to.

Clause 14 read. Amendment proposed: In lines 10 and 11 to omit the words "the "sum of Twenty Shillings," with a view to insert in lieu thereof the words "a sum not "exceeding Five Pounds if a sea-going Vessel, and a sum not exceeding Twenty Shillings "if a river-going Vessel." (*Mr. Dick.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 15, 16, and 17 read and agreed to.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"No horses, cattle, sheep, or pigs shall be carried on the upper deck of any steam- "vessel coming under the operation of this Act, unless properly secured in stalls or pens "to be erected for the purpose, with the approval of the Board, who shall grant a general "Certificate for every such vessel of the number of horses, cattle, sheep, or pigs, which "in their opinion may be safely and conveniently carried on the deck thereof, and no part "of the cargo, or of the provisions, water, or stores, shall be carried on the upper deck, "excepting fresh meat, poultry in coops or baskets, and fresh butter, eggs, fruit, and "vegetables in baskets or wooden packages, and carts, carriages, and other vehicles: and "all such articles shall be so placed as not to impede light or ventilation, or interfere with "the comfort of the passengers, and if any articles or greater number of horses or other "animals than shall be certified by the Board as aforesaid, shall be carried on deck "contrary to the true intent and meaning of this enactment, the master or owner of the "vessel carrying the same shall be liable to a penalty not exceeding fifty pounds." (*Mr. Weld.*)

Motion by leave withdrawn.

Clauses 18, 19, and 20 read and agreed to.

Clause

Clause 21 read and postponed.
Clauses 22 to 26 read and agreed to.
Clause 27 read. Amendment proposed. In line 2: After the word "what," to insert the words "provisions or." (*Hon. Mr. Crosbie Ward.*)
Amendment agreed to.
Clause as amended agreed to.
Clauses 28 to 42 read and agreed to.
Schedule read and agreed to.
Preamble read and agreed to.
Postponed Clause 7 read and again postponed.
Postponed Clause 10 read.
Amendment thereon, formerly proposed by Hon. Mr. Crosbie Ward, by leave withdrawn
Amendment proposed. At the end of line 3: To add the words "or any Act of a "similar character which may hereafter be passed by the Legislature of any of the "Australian Colonies, and which the Governor may by Proclamation declare to be in "force for that purpose." (*Mr. Watt.*)
Amendment agreed to.
Clause as amended agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported that the Committee had made progress, and had directed him to move that the Committee have leave to sit again.
Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

11. *Native Affairs.*—The Order of the day being read, for resuming the adjourned Debate on the Question, That, while this House disclaims, on the part of the Colony, the exclusive responsibility of the cost of educating, civilizing, and governing the Native Race; while it equally disclaims liability for the principal share of the cost of suppressing insurrections of a people over whom the Imperial Government have never practically established the authority of law, it will at all times cheerfully recognise its duty to co-operate to the extent of its ability and means with Great Britain for the attainment of these objects, so essential to the welfare of the Colony; and, in conformity with these views, it is of opinion that the interests of the Imperial Government and of the Natives themselves, as well as of the Colony, require that (reserving to the Governor both the initiation and the decision of questions where Imperial interests are concerned) the ordinary conduct of Native affairs should be placed under the administration of Responsible Ministers.
And the said Question being again proposed, the House resumed the said adjourned Debate.
On motion of the Honourable Mr. Crosbie Ward, *Ordered*, That the Debate be further adjourned until the next sitting day.

12. *Special Adjournment.*—On motion of the Honourable Mr. Crosbie Ward, *Resolved*, That this House will, at the rising of the House this day, adjourn until Monday next at noon.

Then, on motion of the Honourable Mr. Crosbie Ward,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Monday, 28th July, 1862.

NOTICE OF MOTION.

1. Mr. JOLLIE to move, For a Return of all Europeans known to be in occupation of Native land in each Province of the North Island, specifying as minutely as may be practicable, the year when such occupation began, the quantity of land held by each individual, the tribe it belongs to, the character of the tenure (whether by sufferance or by positive lease or agreement), the amount of rent or other consideration given, the value of the stock or other property possessed by each occupant, the number of his family and his trade or profession,—together with a statement of all prosecutions instituted by Government under the provisions of the Native Land Purchase Ordinance.

ORDER OF THE DAY.

1. Adjourned Debate on the Question,—"That, while this House disclaims on the part of the Colony, the exclusive responsibility of the cost of educating, civilizing, and governing the Native

Native Race; while it equally disclaims liability for the principal share of the cost of suppressing insurrections of a people over whom the Imperial Government has never practically established the authority of law; it will at all times cheerfully recognize its duty to co-operate to the extent of its ability and means with Great Britain for the attainment of these objects, so essential to the welfare of the Colony; and in conformity with these views, it is of opinion that the interests of the Imperial Government and of the Natives themselves, as well as of the Colony, require that (reserving to the Governor both the initiation and the decision of questions where Imperial interests are concerned,) the ordinary conduct of Native Affairs should be placed under the administration of Responsible Ministers"—to be resumed.

Monday, the 28th day of July, 1862.

PRAYERS.

1. *Journals of the House.*—Mr. Speaker communicated to the House that an error had been discovered in the Journals of the 18th July instant, in the division that occurred that day.

   Ordered, That Mr. Speaker have leave to amend the same.

2. *Returns.*—Mr. Jollie moved, and the Qestion being put, That there be laid before this House, a Return of all Europeans known to be in occupation of Native Land in each Province of the North Island, specifying as minutely as may be practicable, the year when such occupation began, the quantity of land held by each individual, the Tribe it belongs to, the character of the tenure (whether by sufferance or by positive lease or agreement), the amount of rent or other consideration given, the value of the stock or other property possessed by each occupant, the number of his family, and his trade or profession, together with a statement of all prosecutions instituted by Government under the provisions of the Native Land Purchase Ordinance.

   The House divided, and the names were taken down as follows:—

Ayes, 22.	*Noes,* 19.
Mr. Atkinson,	Mr. Brandon,
Mr. Dillon Bell,	Mr. Carter,
Mr. Butler,	Mr. Eyes,
Mr. Colenso,	Dr. Featherston,
Mr. Curtis,	Mr. FitzGerald,
Mr. Domett,	Mr. Fitzherbert,
Mr. R. Graham,	Hon. Mr. Fox,
Mr. Jollie,	Mr. G. Graham,
Mr. Mason,	Hon. Mr. Henderson,
Mr. Moorhouse,	Mr. Mantell,
Major Nixon,	Mr. Munro,
Major Richardson,	Mr. O'Neill,
Mr. A. J. Richmond,	Mr. O'Rorke,
Mr. J. C. Richmond,	Mr. Saunders,
Mr. Russell,	Mr. C. J. Taylor,
Mr. Stafford,	Mr. Waring Taylor,
Mr Watt,	Mr. John Williamson,
Mr. Weld,	Hon. Mr. Wood,
Mr. Wells,	Hon. Mr. Crosbie Ward (Teller).
Mr. James Williamson,	
Mr. Cracroft Wilson, C.B.,	
Mr. Gillies (Teller).	

   So it was resolved in the Affirmative.

3. *Native Affairs.*—The Order of the day being read, for resuming the adjourned Debate on the Question, "That, while this House disclaims on the part of the Colony the exclusive responsibility of the cost of educating, civilizing, and governing the Native Race; while it equally disclaims liability for the principal share of the cost of suppressing insurrections of a people over whom the Imperial Government has never practically established the authority of Law; it will at all times cheerfully recognize its duty to co-operate to the extent of its ability and means with Great Britain for the attainment of these objects, so essential to the welfare of the Colony; and, in conformity with these views, it is of opinion that

that the interests of the Imperial Government, and of the Natives themselves, as well as of Colony, require that (reserving to the Governor both the initiation and the decision of questions where Imperial interests are concerned) the ordinary conduct of Native affairs should be placed under the administration of Responsible Ministers."

And the said Question being again proposed, the House resumed the said Adjourned Debate.

Mr. Curtis moved, in Amendment, The previous Question.

And the Question being put,—That this Question be now put,—the House divided, and the names were taken down as follows:—

Ayes, 22.	*Noes*, 22.
Mr. Brandon,	Mr. Atkinson,
Mr. Dillon Bell,	Mr. Butler,
Mr. Carter,	Mr. Colenso,
Mr. Eyes,	Mr. Curtis,
Dr. Featherston,	Mr. Dick,
Mr. FitzGerald,	Mr. Gillies,
Mr. Fitzherbert,	Mr. Jollie,
Hon. Mr. Fox,	Mr. Mantell,
Mr. G. Graham,	Mr. Mason,
Mr. R. Graham,	Mr. Moorhouse,
Mr. Harrison,	Major Nixon,
Hon. Mr. Henderson,	Mr. O'Neill,
Mr. Munro,	Mr. A. J. Richmond,
Mr. O'Rorke,	Mr. J. C. Richmond,
Mr. Renall,	Mr. Russell,
Mr. Rhodes,	Mr. Stafford,
Mr. Saunders,	Mr. Watt,
Mr. C. J. Taylor,	Mr. Weld,
Mr. Waring Taylor,	Mr. Wells,
Mr. John Williamson,	Mr. James Williamson,
Hon. Mr. Wood,	Mr. Cracroft Wilson, C.B.,
Hon. Mr. Crosbie Ward (Teller).	Major Richardson (Teller).

The numbers being even, Mr. Speaker stated that he voted with the Noes.
So it passed in the Negative.

Then, on motion of the Honourable Mr. Wood,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 29th July, 1862.

NOTICES OF MOTION.

1. Mr. GILLIES to move, For leave to bring in a Bill for the Relief of Trustees.
2. Mr. DOMETT to move, That the Gold Fields Committee have leave to confer with any similar Committee appointed by the Legislative Council, and that power be given to such Committee to send for Persons, Papers and Records.
3. Mr. DOMETT to move, That it is desirable that a Bill should be introduced by Government, to remove all doubt as to the validity of certain reservations of rights of road in Crown Grants, and to define the conditions and limitations under which such rights should be exercised.
4. Mr. DILLON BELL to move, For copies of all Papers referring to the delegation of powers by His Excellency the Governor to the Superintendent of Southland under the "Waste Lands Act, 1858."
5. Mr. WELD to move, For a copy of any Report from the Resident Magistrate at Mongonui of recent occurrences connected with the European and Maori crews of the whaling brig "Prince Edward," or if no such Report has been yet received that application be made to the Resident Magistrate to furnish a Report on the subject.
6. Mr. R. GRAHAM to move, That all correspondence between the Colonial Government and Mr. Morrison, the New Zealand Government Agent, relative to sending Game to this Colony be laid on the Table of the House.
7. Mr. FITZGERALD to move, That the Crown Lands Bill be referred to a Select Committee consisting of Mr. Russell, Mr. Colenso, Mr. J. C. Richmond, Mr. Domett, Mr. Brandon, Mr. Eyes, Hon. Mr. Crosbie Ward, Mr. Gillies, and Mr. Dillon Bell.

8. Mr.

8. Mr. STAFFORD to move, For a Return showing the number of the Troops in New Zealand during the year ended the 30th June, 1862, in respect of which the contribution of the Colony towards Military Expenses is calculated.

ORDERS OF THE DAY.

1. The Committee of Supply.
2. The Native Lands Bill—second reading.
3. Crown Grants Bill—to be reported.
   Hon. Mr. CROSBIE WARD to move, That this House do resolve itself into Committee for the further consideration of the Crown Grants Bill.
4. Steam Navigation Bill—to be further considered in Committee.

Tuesday, the 29th day of July, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Mantell: The Petition of Tamehana Te Rauparaha, Matene Te Whiwhi, and Hohepa Tamihengia.
   Petition received and read.
   On motion of Mr. Carleton, *Ordered*, That this Petition be translated in manner and form as prescribed by Standing Order No. 48.

2. *Papers.*—The Honourable Mr. Fox laid upon the Table, by command of His Excellency,—
   (1.) Further Papers relative to the re-organization of the Wanganui Militia; in continuation of Papers presented on the 16th July, 1862.
   The Honourable Mr. Crosbie Ward laid upon the Table, by command of His Excellency,—
   (2.) Report of the Land Claims Commissioner.
   Ordered, That the said Paper be printed for the use of Members of this House.

3. *Standing Orders.*—Mr. Carleton, from the Joint Committee on Standing Orders, brought up a Report, and the same was read as followeth:—
   The Joint Committee on Standing Orders recommend for the adoption of the two Houses the Standing Orders on Private Bills, as published in the Government Gazette of January 17th, 1862, and at present in force under the authority of the Act of the General Assembly of last Session, entitled "An Act to authorize the preparation and the interim validity of Amended Standing Orders for Private Bills."

Then, on motion of the Honourable Mr Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 30th July, 1862.

1. Mr. DICK to ask the Colonial Secretary, Whether it is the intention of Government to propose during this Session, any alteration of existing arrangements, whereby the Southern Provinces of this Colony shall be brought into closer connection with the Seat of Government, and shall have more speedy and satisfactory attention paid to their requirements.

NOTICES OF MOTION.

1. Mr. FITZGERALD to move the following Resolutions:—
   (1.) That, in the adoption of any policy or the passing of any laws affecting the Native race, this House will keep before it as its highest object, the entire amalgamation of all Her Majesty's subjects in New Zealand into one united people.
   (2.) That this House will assent to no laws which do not recognise the right of all Her Majesty's subjects of whatever race within this Colony, to a full and equal enjoyment of civil and political privileges.
   (3.) That a recognition of the foregoing principle will necessitate the personal aid of one or more Native Chiefs in the administration of the Government of the Colony; the presence of members of the Maori nobility in the Legislative Council, and a fair representation in this House, of a race which constitutes one-third of the population of the Colony.

(4.) That

(4.) That the same principle ought to be respected in the constitution and jurisdiction of all the Legislative Bodies subordinate to the General Assembly, and of all Courts of law within this Colony.

(5.) That a respectful Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause such steps to be taken as he may be advised will bring the policy above indicated into operation with the least possible delay.

2. Mr. CARLETON to move, That the Report of the Joint Committee on Standing Orders, be adopted.
3. Mr. FITZGERALD to move, That the Crown Lands Bill be referred to a Select Committee, consisting of Mr. Russell, Mr. Colenso, Mr. J. C. Richmond, Mr. Domett, Mr. Brandon, Mr. Eyes, Hon Mr. Crosbie Ward, Mr. Gillies, and Mr. Dillon Bell.

ORDERS OF THE DAY.

1. The Committee of Supply.
2. The Native Lands Bill—second reading.
3. Crown Grants Bill—to be reported.

   Hon. Mr. CROSBIE WARD to move, That this House do resolve itself into Committee for the further consideration of the Crown Grants Bill.
4. Steam Navigation Bill—to be further considered in Committee.

Wednesday, the 30th day of July, 1862.

PRAYERS.

1. *Member Sworn.*—William Thomson, Esquire, Member for the District of Avon, being presented to Mr. Speaker by Mr. Moorhouse, and having taken and subscribed the Oath required by Law, took his seat in the House.

2. *Private Grievance Committee.*—Mr. Jollie, from the Select Committee on Private Grievances, brought up an *ad interim* Report, and the same was read as followeth:—

   The Select Committee on Private Grievances beg to submit to the House the following Report on the two Petitions of Major Herbert, and Keefe and others:—

   (1.) *Petition of Charles St. John Herbert.*

   In this Petition Major Herbert states that he served in the 58th Regiment, in the North and South of New Zealand, during the war of 1845-6, when he was severely wounded; that he subsequently retired from the Army and settled in New Zealand; that he has resided in the Colony for two years and a half since his retirement, during nearly the whole of which time he was actively employed in command of the Taranaki Militia; that he was not aware, at the time of his retirement, of the particular provisions of the Land Regulations of the Province of Auckland, but was under the impression that an Officer retiring from the Army and settling in the Colony would be entitled to land any time within five years after such retirement, instead of within one year from that date, as is required by the Auckland Waste Lands Act of 1858, at present in force; and the Petitioner prays for relief accordingly.

   The Committee, having considered this Petition, and taken such evidence as could be brought forward upon the case, are of opinion that the claim for special consideration may fairly be considered, and that the provisions of the "Auckland Waste Lands Act," requiring the application of a Military Officer to be made within twelve months from retirement, for a money certificate enabling him to acquire land free of cost, should be waived in this particular case.

   (2.) *Petition of Keefe and others.*

   The Petitioners are discharged soldiers, who obtained their discharge in 1855 for the purpose of settling in the Province of Auckland, and selected land there under what are called the Special Occupation Clauses of the "Auckland Waste Lands Regulations" for that year.

   Those clauses impose the condition that improvements to the amount of ten shillings an acre shall be made on the land before a Crown Grant of it can be acquired; and, as that condition has not been complied with by the Petitioners, they are unable to obtain a title, although, as they state, "if they had been discharged at the present time, they would, under the Land Regulations now in force within the Province, have been entitled to select land without any such condition being attached." The claim of the Petitioners is in point of principle the same as that of Colonel Balneavis, which the Private Grievance Committee

Committee of last Session reported on, and the Assembly recognized by special enactment. The Committee beg to recommend the passing of an Act authorising the issue of Grants to the Petitioners for the land which they have respectively selected.

It may be as well for the Committee to mention here that, besides the eight persons who have actually signed the Petition, there would appear, according to a Memorandum by the Waste Lands Commissioner at Auckland, which has been laid before them, to be nine others (or their representatives) similarly situated in every respect, and whose cases therefore will equally require to be disposed of in any measure which the House may think proper to entertain on the subject.

In connection with the Petitions just reported on, the Committee have agreed to the following Resolution, which they submit for the consideration of the House :—

That, in the opinion of this Committee, no Petition for compensation in land, nor any claims for special consideration arising out of the Land Regulations of any Province should be entertained by the House of Representatives, until an opportunity shall have been afforded to the Council of the Province concerned, to express its opinion thereupon.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 31st July, 1862.

NOTICES OF MOTION.

1. Mr. GILLIES to move, For leave to bring in a Bill for the relief of Trustees.
2. Mr. DILLON BELL to move, For copies of all papers referring to the delegation of powers by His Excellency the Governor to the Superintendent of Southland under the "Waste Lands Act, 1858."
3. Mr. DOMETT to move, That the Gold Fields Committee have leave to confer with any similar Committee appointed by the Legislative Council, and that power be given to such Committee to send for Persons, Papers and Records.
4. Mr. R. GRAHAM to move, that all correspondence between the Colonial Government and Mr. Morrison, the New Zealand Government Agent, relative to sending Game to this Colony, be laid on the Table of the House.
5. Mr. WELD to move, For the copy of any Report from the Resident Magistrate at Mongonui of recent occurrences connected with the European and Maori crews of the whaling brig "Prince Edward;" or, if no such Report has been yet received, that application be made to the Resident Magistrate to furnish a Report on the subject.
6. Mr. CARLETON to move, That the Report of the Joint Committee on Standing Orders be adopted.

ORDERS OF THE DAY.

1. Summary Proceedure on Bills Bill—second reading.
2. The Native Lands Bill—second reading.
3. Crown Grants Bill—to be reported.
4. Steam Navigation Bill—to be further considered in Committee.

Thursday, the 31st day of July, 1862.

PRAYERS.

1. *Trustees Relief Bill.—Ordered*, That Mr. Gillies have leave to introduce a Bill for the relief of Trustees.

   He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Teusday next, and to be printed.

2. *Gold Fields Committee.*—On motion of the Honourable Mr. Crosbie Ward, *Ordered*, That the Gold Fields Committee have leave to confer with any similar Committee appointed by the Legislative Council, and that power be given to such Committee to send for Persons, Papers, and Records.

3. *Joint Committee on Standing Orders.*—On motion of Mr. Carleton, *Resolved,* That the Report of the Joint Committee of both Houses on Standing Orders be adopted.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 1st August, 1862.

NOTICES OF MOTION.

1. Mr. MANTELL to move, That the Petition of Tamihana Te Rauparaha, Matene Te Whiwhi, and Hohepa Tamaihengia, be referred to the Committee of Private Grievances.
2. Mr. JOLLIE to move, That the *interim* Report of the Private Grievance Committee be adopted. (*For Report, vide pp.* 39, 40.)

ORDERS OF THE DAY.

1. Summary Procedure on Bills Bill—second reading.
2. The Native Lands Bill—second reading.
3. Crown Grants Bill—to be reported.
4. Steam Navigation Bill—to be further considered in Committee.

Friday, the 1st day of August, 1862.

PRAYERS.

1. *Postal Communications.*—The Honourable Mr. Crosbie Ward, from the Select Committee on Communications, brought up an *interim* Report, and the same was read as followeth :—

Your Committee having taken into consideration that part of the subject committed to them which refers to communication with the United Kingdom, and to the Ocean Postal Service, have agreed to the following Resolutions, which they recommend for adoption by the House :—

1. That, in the opinion of this Committee, the establishment of regular monthly Steam Communication between New Zealand and the United Kingdom, *viâ* Panama, is calculated to confer very great benefits upon this Colony.

2. That, considering the probable expense of such an undertaking, it is desirable that the service should be so constructed as to confer advantage upon, and obtain the support of the neighbouring Colonies.

3. That this Committee recommends the appropriation of a sum not exceeding £30,000 per annum, from 1st January, 1864, for five years, as a contribution towards the Colonial portion of a subsidy for such a service.

Ordered, That the said *interim* Report be taken into consideration on Tuesday next in Committee of Supply.

Then, on motion of the Honourable Mr. Fox,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 5th August, 1862.

1. Mr. DICK to ask the Colonial Secretary, Whether it is the intention of Government to propose during this Session, any alteration of existing arrangements, whereby the Southern Provinces of this Colony shall be brought into closer connexion with the Seat of Government, and shall have more speedy and satisfactory attention paid to their requirements.

NOTICES OF MOTION.

1. Mr. STAFFORD to move, For a Return showing the number of Troops in New Zealand during the year ended the 30th June, 1862, in respect of which the contribution of the Colony towards Military Expenses is calculated.
2. Mr. DILLON BELL to move, For copies of all Papers referring to the delegation of powers by His Excellency the Governor to the Superintendent of Southland under the "Waste Lands Act, 1858."

3. Mr.

3. Mr. JOLLIE to move, That the *Interim* Report of the Private Grievance Committee be adopted. (*For Report, vide pp.* 39, 40.)

ORDERS OF THE DAY.

1. Trustees Relief Bill—second reading.
2. Report of the Select Committee on Communications to be considered in Committee of Supply. (*For Report. vide p.* 41.)
3. Summary Procedure on Bills Bill—second reading.
4. The Native Lands Bill—second reading.
5. Crown Grants Bill—to be reported.
6. Steam Navigation Bill—to be further considered in Committee.

Tuesday, the 5th day of August, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Thomson: The Petition of Thomas Hughes of Akaroa, in the Province of Canterbury, settler.
   Petition read and received.

2. *Postal Communications.*—The Honourable Mr. Crosbie Ward, from the Select Committee on Communications, brought up a second *interim* Report, and the same was read as followeth:—
   Your Committee beg to report the following Resolutions:—
   Resolved, That the requirements of the Colony will not be fully satisfied with less than three lines of Inter-colonial Steam Service—between Melbourne and the South, between Auckland and Sydney, and between Cook's Straits and Sydney respectively.
   Resolved, That the Steam Service referred to in the foregoing Resolution of the Committee be undertaken by the General Government, and be borne on the General Estimates.
   Resolved, That communications should be maintained between the principal Provinces of the Colony four times a month, and between all the Provinces twice a month: Provided that the whole expense of such Inter-provincial Service do not exceed £20,000 per annum.
   Ordered, That the consideration of the above Report be referred to the Committee of Supply.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 6th August, 1862.

NOTICES OF MOTION.

1. Mr. R. GRAHAM to move, That all correspondence between the Colonial Government and Mr. Morrison, the New Zealand Government Agent, relative to sending Game to this Colony, be laid on the Table of the House.
2. Mr. WELD to move, For the copy of any Report from the Resident Magistrate at Mongonui of recent occurrences connected with the European and Maori crews of the whaling brig "Prince Edward," or if no such Report has been yet received, that application be made to the Resident Magistrate to furnish a Report on the subject.
3. Mr. MANTELL to move, That the Petition of Tamihana Te Rauparaha, Metene Te Whiwhi, and Hohepa Tamaihengia, be referred to the Committee of Private Grievances.
4. Mr. THOMSON to move, That the Petition of Thomas Hughes be referred to the Committee of Private Grievances.
5. Mr. GILLIES to move, That a Select Committee be appointed to consider and report as to the expediency of introducing some more simple and less costly procedure for the trial of Civil Cases of minor importance. The Committee to consist of Mr. James Williamson, Mr. Brandon, Mr. Thomson, and Mr. Russell, with liberty to confer with any Committee of the Legislative Council on the like subject. To report on the 13th inst.
6. Mr. GILLIES to move, That a Select Committe be appointed to consider the expediency of amending the law relating to Debtors and Creditors. The Committee to consist of Mr. James Williamson, Mr. Brandon, Mr. Thomson, and Mr. Russell, with liberty to confer with any Committee of the Legislative Council on the like subject. To report on the 13th inst.
7. Mr. FITZGERALD to move, For leave to bring in a Bill to provide for the nomination of Superintendents of Provinces by His Excellency the Governor, and for vesting the powers of Superintendents in certain cases in Lieutenant or Deputy-Governors.

8. Mr.

8. Mr. STAFFORD to move, For a Return of the number of persons in the Commission of the Peace for New Zealand on the 2nd July, 1861; and of the names of all persons since added to the Commission, to the present date, with their respective residences, and the dates of their appointment. Also, for copies of all correspondence with the Government between the 2nd July, 1861, and the 30th July, 1862, relative to the appointment of Justices of the Peace.
9. Mr. STAFFORD to move, For copies of all communications from, or instructions issued to Commissioners, Resident Magistrates, or other officers of Government, relative to the Natives, or to Native questions, since the 1st January, 1862,—in addition to Papers already presented to the House.
10. Mr. STAFFORD to move, For a Return showing the number of Troops in New Zealand during the year ended 30th June, 1862, in respect of which the contribution of the Colony towards Military expenses is calculated.
11. Mr. JOLLIE to move, That the *Interim* Report of the Private Grievance Committee be adopted.
    (*For Interim Report, vide pp.* 39, 40.)
12. Mr. FITZGERALD to move the following Resolutions:—
    (1.) That, in the adoption of any policy or the passing of any laws affecting the Native Race, this House will keep before it as its highest object, the entire amalgamation of all Her Majesty's subjects in New Zealand into one united people.
    (2.) That this House will assent to no laws which do not recognise the right of all Her Majesty's subjects of whatever race within this Colony, to a full and equal enjoyment of civil and political privileges.
    (3.) That a recognition of the foregoing principle will necessitate the personal aid of one or more Native Chiefs in the administration of the Government of the Colony; the presence of members of the Maori nobility in the Legislative Council, and a fair representation in this House, of a race which constitutes one-third of the population of the Colony.
    (4.) That the same principle ought to be respected in the constitution and jurisdiction of all Legislative bodies subordinate to the General Assembly, and of all Courts of Law within this Colony.
    (5.) That a respectful Address be presented to His Excellency the Governor, praying that his Excellency will be pleased to cause such steps to be taken, as he may be advised will bring the policy above indicated into operation with the least practicable delay.

ORDERS OF THE DAY.

1. Trustees Relief Bill—second reading.
2. Reports of the Select Committee on Communications to be considered in Committee of Supply.
    (*For Interim Report, No.* 1, *vide p.* 41.)
    (*For Interim Report, No.* 2, *vide p.* 42.)
3. Summary Procedure on Bills Bill—second reading.
4. Native Lands Bill—second reading.
5. Crown Grants Bill to be reported.
6. Steam Navigation Bill to be further considered in Committee.

Wednesday, the 6th day of August, 1862.

PRAYERS.

1. *Papers.*—The Honourable Mr. Dillon Bell laid upon the Table, by command of His Excellency—
    (1.) Despatch from His Grace the Duke of Newcastle to His Excellency the Governor, dated 26th May, 1862, No. 53, relative to the position of Native Affairs in the Colony.
    Ordered, That the said Despatch be printed for the use of Members of this House.
    The Honourable Mr. Domett laid upon the Table, by command of His Excellency—
    (2.) Further Papers relative to proposed Lighthouses at Port Chalmers, Province of Otago; in continuation of Papers presented on the 25th July last.
    (3.) Further Papers relative to the appointment of Clerk Assistant to the House of Representatives; in continuation of Papers presented on the 25th July last.
    (4.) Papers relative to the Taranaki Relief Commission.

2. *Importation of Game.*—On motion of Mr. R. Graham, *Ordered*, That there be laid on the Table, copies of all Correspondence between the Colonial Government and Mr. Morrison, the New Zealand Government Agent, relative to sending Game to this Colony.

3. *Whaling Brig "Prince Edward."*—On motion of Mr. Weld, *Ordered,* That there be laid on the Table, copy of any Report from the Resident Magistrate at Mongonui, of recent occurrences connected with the European and Maori crews of the Whaling Brig "Prince Edward,"; or, if no such Report has been yet received, that application be made to the Resident Magistrate to furnish a Report on the subject.

4. *Petition of Tamihana Te Rauparaha and other Natives.*—On motion of the Honourable Mr. Mantell, *Ordered,* That the Petition of Tamihana Te Rauparaha, Matene Te Whiwhi, and Hohepa Tamaihengia, be referred to the Committee of Private Grievances.

5. *Petition of Thomas Hughes.*—On motion of Mr. Thomson, *Ordered,* That the Petition of Thomas Hughes be referred to the Committee of Private Grievances.

6. *Trial of Minor Civil Cases.*—On motion of the Honourable Mr. Gillies, *Ordered,* That a Select Committee be appointed to consider and report as to the expediency of introducing some more simple and less costly procedure for the trial of civil cases of minor importance. The Committee to consist of Mr. James Williamson, Mr. Brandon, Mr. Thomson, and the Honourable Mr. Russell, with liberty to confer with any Committee of the Legislative Council on the like subject. To report on the 13th instant.

7. *Debtors and Creditors.*—On motion of the Honourable Mr. Gillies, *Ordered,* That a Select Committee be appointed to consider the expediency of amending the Law relating to Debtors and Creditors. The Committee to consist of Mr. James Williamson, Mr. Brandon, Mr. Thomson, and the Honourable Mr. Russell, with liberty to confer with any Committee of the Legislative Council on the like subject. To report on the 13th instant.

8. *Commission of the Peace.*—On motion of Mr. Stafford, *Ordered,* That there be laid on the Table, a Return of the number of persons in the Commission of the Peace for New Zealand, on the 2nd July, 1861, and of the names of all persons since added to the Commission, to the present date, with their respective residences, and the dates of their appointment. Also,—

For copies of all correspondence with the Government between the 2nd July, 1861, and the 30th July, 1862 relative to the appointment of Justices of the Peace.

9. *Nominated Superintendents Bill.—Ordered,* That Mr. FitzGerald have leave to bring in a Bill to provide for the nomination of Superintendents of Provinces in certain cases by His Excellency the Governor, and for vesting the powers of Superintendents in Lieutenant or Deputy-Governors.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Friday next, and to be printed.

10. *Native Affairs.*—On motion of Mr. Stafford, *Ordered,* That there be laid upon the Table, copies of all communications from, or instructions issued to, Commissioners, Resident Magistrates, or other Officers of Government, relative to the Natives, or to Native questions, since the 1st January, 1862; in addition to Papers already presented to the House.

11. *Troops in New Zealand.*—On motion of Mr. Stafford, *Ordered,* That there be laid on the Table, a Return showing the number of Troops in New Zealand during the year ended ended 30th June, 1862, in respect of which the contribution of the Colony towards Military expenses is calculated.

12. *Committee of Private Grievances.*—Mr. Jollie moved, and the Question being proposed, That the Report of the Committee of Private Grievances on the Petition of Major Herbert brought up on the 30th July last, be now adopted;

Major Richardson moved, in Amendment, That the Petitions of Major Herbert, and Keefe and others, be referred to the Provincial Legislature of Auckland for the expression of their sentiments and wishes on the subject.

The Amendment was, by leave of the House, withdrawn.

Then the Original Question being put, it was resolved in the Affirmative.

On motion of Mr. Jollie, *Resolved,* That the Report of the Committee of Private Grievances on the Petition of Keefe and others be now adopted.

13. *Native Affairs.*—Mr. FitzGerald moved, and the Question being proposed, That the following Resolution be adopted:—

That

That, in the adoption of any policy, or the passing of any laws affecting the Native race, this House will keep before it as its highest object the entire amalgamation of all Her Majesty's subjects in New Zealand into one united people.

And a Debate arising thereupon,

On motion of Mr. Fox, *Ordered*, that the Debate be now adjourned until To-morrow.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 7th August, 1862.

E. Mr. DICK to ask the Colonial Secretary, Whether it is the intention of Government to propose during this Session, any alteration of existing arrangements, whereby the Southern Provinces of this Colony shall be brought into closer connexion with the Seat of Government, and shall have more speedy and satisfactory attention paid to their requirements.

NOTICES OF MOTION.

1. Hon. Mr. DOMETT to move, That, in the opinion of this House, the relations between His Excellency the Governor and His Responsible Advisers should rest upon the following basis:—

   (1.) That Ministers should, in conformity with the Royal Instructions, advise the Governor in Native affairs (as well as in Colonial affairs) whenever His Excellency desires to obtain such advice, and should also tender advice on all occasions of importance when they deem it their duty in the interests of the Colony to do so.

   (2.) That Ministers should undertake the Administration of Native affairs, reserving to His Excellency the decision in all matters of Native Policy.

   (3.) That, as the decision in all matters of Native Policy is with His Excellency, the advice of Ministers shall not be held to bind the Colony to any liability past or future, in connection with Native affairs, beyond the amount authorised or to be authorised by the House of Representatives.
2. Hon. Mr. MANTELL to move, That leave be given to introduce a Bill to establish Marine Boards for the general control and management of Ports, Pilots, Lighthouses, and other matters relating to Navigation; and to regulate Port Charges and other rates.

ORDERS OF THE DAY.

1. Adjourned Debate on the Question—

   (1.) That, in the adoption of any policy, or the passing of any laws affecting the Native Race, this House will keep before it as its highest object the entire amalgamation of all Her Majesty's subjects in New Zealand into one united people.

   (2.) That this House will assent to no laws which do not recognise the right of all Her Majesty's subjects, of whatever race, within this Colony, to a full and equal enjoyment of civil and political privileges.

   3. That a recognition of the foregoing principle will necessitate the personal aid of one or more Native Chiefs in the administration of the Government of the Colony; the presence of members of the Maori nobility in the Legislative Council, and a fair representation in this House, of a race which constitutes one-third of the population of the Colony.

   (4.) That the same principle ought to be respected in the constitution and jurisdiction of all Legislative bodies subordinate to the General Assembly, and of all Courts of law within this Colony.

   (5.) That a respectful Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause such steps to be taken as he may be advised will bring the policy above indicated into operation with the least practicable delay.
2. Trustees Relief Bill—second reading.
3. Reports of the Select Committee on Communications to be considered in Committee of Supply.

   (*For Interim Reports, Nos.* 1 *and* 2, *vide pp.* 41, 42.)
4. Summary Procedure on Bills Bill—second reading.
5. Native Lands Bill—second reading.
6. Crown Grants Bill—to be reported.
7. Steam Navigation Bill—to be further considered in Committee.

Thursday, the 7th day of August, 1862.

PRAYERS.

1. *Petitions presented.*—By the Honourable Mr. Dillon Bell:

(1.) The Petition of Edmund Storr Halswell, of Kensington, in the County of Middlesex, England, Esquire.

Petition received.

(2.) The Petition of John Henry Luscombe, of London, in England, Esquire.

Petition received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

(1.) Despatch from His Grace the Duke of Newcastle respecting the withdrawal of Ships of War from New Zealand to Sydney.

The Honourable Mr. Dillon Bell laid upon the Table, by command of His Excellency,—

(2.) Despatch from His Grace the Duke of Newcastle respecting Grants of Crown Titles for Land to Natives, under certain circumstances.

(3.) Despatch from His Grace the Duke of Newcastle relative to efforts made by Natives to compel Mr. Gorst to abandon the Upper Waikato District.

(4.) Despatch from His Grace the Duke of Newcastle relative to differences between Europeans and Natives in the Hawke's Bay District, and arrangement of the same by Mr. Crosbie Ward.

(5.) Despatch from His Grace the Duke of Newcastle relative to payment of Troops employed in making the road to Waikato.

Ordered, That the said Papers be printed for the use of Members of this House.

3. *Marine Boards Bill.—Ordered*, That the Honourable Mr. Mantell have leave to introduce a Bill to establish Marine Boards for the general control and management of Ports, Pilots, Lighthouses, and other matters relating to Navigation, and to regulate Port charges and other rates.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next, and to be printed.

4. *Native Affairs.*—The Order of the Day being read, for resuming the Adjourned Debate on the Question, That, in the adoption of any policy, or the passing of any laws affecting the Native race, this House will keep before it, as its highest object, the entire amalgamation of all Her Majesty's subjects in New Zealand into one united people.

And the said Question being again proposed, the House resumed the said Adjourned Debate.

Major Richardson moved, That the Resolution be amended by the omission of the words "or the passing of any laws," in the first line thereof.

And the Question being put, That the words proposed to be omitted do stand part of the Question, it was resolved in the Affirmative.

Then the Original Question being put,

Resolved, That, in the adoption of any policy, or the passing of any laws, affecting the Native race, this House will keep before it, as its highest object, the entire amalgamation of all Her Majesty's subjects in New Zealand into one united people.

On motion of Mr. FitzGerald, *Resolved*, That this House recognizes the right of all Her Majesty's subjects of whatever race within this Colony, to a full and equal enjoyment of civil and political privileges.

Mr. FitzGerald moved, and the Question being proposed, That a recognition of the foregoing principle will necessitate the personal aid of one or more Native Chiefs in the administration of the Government of the Colony, the presence of members of the Maori Nobility in the Legislative Council, and a fair representation in this House, of a race which constitutes one-third of the population of the Colony.

A Debate arose thereupon,

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 17.	*Noes*, 20.
Mr. Atkinson,	Mr. Butler,
Hon. Mr. Dillon Bell,	Mr. Carleton,
Mr. Brandon,	Mr. Colenso,
Mr. Carter,	Mr. Cookson,
Mr. Fitzherbert,	Mr. Curtis,
Mr. Fox,	Mr. Dick,
Hon. Mr. Gillies,	Mr. Harrison,
Mr. G. Graham,	Mr. Mason,

Ayes

Ayes (continued).	*Noes* (continued).
Hon. Mr. Mantell,	Mr. Munro,
Mr. Moorhouse,	Major Nixon,
Mr. Renall,	Mr. O'Neill,
Mr. C. J. Taylor,	Mr. Ormond,
Mr. Waring Taylor,	Mr. O'Rorke,
Mr. Watt,	Mr. A. J. Richmond,
Mr. John Williamson,	Mr. J. C. Richmond,
Mr. Wood,	Mr. Weld,
Mr. FitzGerald (Teller).	Mr. Wells,
	Mr. James Williamson,
	Mr. Cracroft Wilson, C.B.,
	Major Richardson (Teller).

So it passed in the Negative.

5. *Trustees Relief Bill.*—The Order of the Day being read, for the second reading of the Trustees Relief Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed. In line 6: To omit the words "with the "privity of," with the view to insert in lieu thereof the words "after notice thereof to." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further amendment proposed. In line 18: To omit the words "with his privity," with the view to insert in lieu thereof the words "after notice." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 3 to 7 read and agreed to.

Clause 8 read. Amendment proposed. To omit the words "opinion, advice, or," wherever these words occur in the Clause. (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 9 read and agreed to.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported that the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

6. *Postal Communications*—The Order of the Day being read, for the consideration in Committee of Supply of the Reports of the Select Committee on Postal Communications.

Resolved, That this House will To-morrow, resolve itself into the said Committee.

7. *Summary Procedure on Bills Bill.*—The Order of the Day being read, for the second reading of the Summary Procedure on Bills Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

8. *Native Lands Bill.*—The Order of the Day being read, for the second reading of the Native Lands Bill,

Ordered, That the Bill be read a second time on Tuesday next.

9. *Crown Grants Bill.*—The Order of the Day being read, for receiving the Report of the Committee of the whole House on the Crown Grants Bill,

The

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for facilitating the issue of "Crown Grants."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

10. *Steam Navigation Bill*.—The House, according to Order, resolved itself into a Committee further to consider the Steam Navigation Bill.

(In the Committee.)

Postponed Clause 7 read. Amendment proposed. In line 6 from the bottom: To omit the words "river-going vessel," with the view to insert in lieu thereof the words "vessel "adapted for river service." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further amendment proposed. In the same line: To add after the word "carry" the words "for such river service only." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Postponed Clause 21 read and agreed to.

Bill recommitted.

Clause 5 read and agreed to.

Motion made and Question proposed, That the following do stand as a Clause of the Bill, after Clause 17:—

"No horses, cattle, sheep, or pigs shall be carried on the upper deck of any steam-vessel "coming under the operation of this Act, unless properly secured in stalls or pens to be "erected for the purpose, with the approval of the Board, who shall grant a general "Certificate for every such vessel of the number of horses, cattle, sheep, or pigs, which, "in their opinion, may be safely and conveniently carried on the deck thereof: and no "part of the cargo, or of the provisions, water, or stores shall, without permission in "writing of an Inspector, be carried on the upper deck, excepting fresh meat, poultry in "coops or baskets, and fresh butter, eggs, fruit, and vegetables in baskets or wooden "packages, and carts, carriages, and other vehicles; and all such articles shall be so "placed as not to impede light or ventilation, or interfere with the comfort of the passengers; "and if any articles or greater number of horses or other animals than shall be certified by "the Board as aforesaid, shall be carried on deck contrary to the true intent and meaning "of this enactment, the master or owner of the vessel carrying the same shall be liable "to a penalty not exceeding fifty pounds." (*Mr. Weld.*)

And the Question being put, it passed in the Affirmative.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"In the interpretation of this Act, the words 'river service' shall mean such service on "any river, creek, bay, or arm of the sea, as shall be declared by the Board to be a "river service." (*Hon. Mr. Gillies.*)

And the Question being put, it passed in the Affirmative.

To report the Bill.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

Then, on motion of the Honourable Mr. Gillies,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 8th August, 1862.

1. MAJOR RICHARDSON to ask the Colonial Secretary, Whether there is any Memorandum of the Ministers on the Letter of His Excellency the Governor to His Grace the Duke of Newcastle, of the 30th November last, on the subject of a Responsible Ministry in connection with the Native Race.
2. Mr. A. J. RICHMOND to ask the Hon. the Colonial Secretary, Whether any steps have been taken to procure from England or Australia the Standard Gold Weights, in order to bring into operation "The Weights and Measures Ordinance Amendment Act, 1861."

NOTICES OF MOTION.

1. The Hon. Mr. DILLON BELL to move, That the Report of the Land Claims Commissioner be referred to a Select Committee, with instructions to report whether—and, if so, to what extent—further legislation should take place on the subject of Land Claims, and whether effect should be given to the recommendations of the Commissioner. Committee to consist of Mr. Weld, Mr. Fox, Mr. Wells, Mr. Carleton, Major Nixon, Mr. Ormond, Mr. Cracroft Wilson, C.B., Major Richardson, and Mr. Wood. Report to be brought up on the 18th instant.
2. The Hon. Mr. DILLON BELL to move, That the Petitions of J. H. Luscombe and Edmund Halswell be referred to the Committee on Private Grievances.
3. The Hon. Mr. DOMETT to move, That, in the opinion of this House, the relations between His Excellency the Governor and His Responsible Advisers should rest upon the following basis:—

   (1.) That Ministers should, in conformity with the Royal Instructions, advise the Governor in Native affairs (as well as in Colonial affairs) whenever His Excellency desires to obtain such advice, and should also tender advice on all occasions of importance when they deem it their duty in the interests of the Colony to do so.

   (2.) That Ministers should undertake the administration of Native affairs, reserving to His Excellency the decision in all matters of Native policy.

   (3.) That, as the decision in all matters of Native policy is with His Excellency, the advice of Ministers shall not be held to bind the Colony to any liability, past or future, in connection with Native affairs, beyond the amount authorised, or to be authorised by the House of Representatives.
4. Mr. COLENSO to move, That, in the opinion of this House, it is highly desirable that the Government serial called the "Maori Messenger," printed for, and circulated among the Maoris, should be placed under proper supervision, and made as effective as possible. (*Vide* Articles III. and IV. of May, and Article III., p. 6, of July, 1862).
5. Mr. CARLETON to move, For Copies of all Papers and Correspondence concerning the abduction, by certain Natives, of the wife and child of James Holden, from his house at the Keri Keri, in the Bay of Islands District.

ORDERS OF THE DAY.

1. Report of the Select Committee on the Improvement of the Administration of Justice.
2. Trustees Relief Bill—to be reported.
3. Steam Navigation Bill—to be reported.
4. Reports of the Select Committee on Communications to be considered in Committee of Supply.

   (*For Interim Reports, Nos.* 1 *and* 2, *vide pp.*, 41 42.)
5. Nominated Superintendents Bill—second reading.

Friday, the 8th day of August, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Fox: The Petition of Francis Williamson, of Wanganui, Nurseryman.

   Petition received.

2. *Land Claims.*—On motion of the Honourable Mr. Dillon Bell, *Ordered,* That the Report of the Land Claims Commissioner be referred to a Select Committee, with instructions to report whether—and, if so, to what extent—further legislation should take place on the subject of Land Claims, and whether effect should be given to the recommendations of the Commissioner. Committee to consist of Mr. Weld, Mr. Fox, Mr. Wells, Mr. Carleton, Major Nixon, Mr. Ormond, Mr. Cracroft Wilson, C.B., Major Richardson, and Mr. Wood. Report to be brought up on the 18th instant.

3. *Petitions of J. H. Luscombe and E. Halswell.*—On motion of the Honourable Mr. Dillon Bell, *Ordered,* That the Petitions of J. H. Luscombe and E. Halswell be referred to the Committee on Private Grievances.

4. *Native Affairs.*—The Honourable Mr. Domett moved, and the Question being proposed, That, in the opinion of this House, the relations between His Excellency the Governor and His Responsible Advisers, should rest upon the following basis:—

   (1.) That

(1.) That Ministers should, in conformity with the Royal Instructions, advise the Governor in Native affairs (as well as in Colonial affairs) whenever His Excellency desires to obtain such advice, and should also tender advice on all occasions of importance when they deem it their duty in the interests of the Colony to do so.

(2.) That Ministers should, at His Excellency's request, undertake the administration of Native affairs, reserving to His Excellency the decision in all matters of Native policy.

(3.) That, as the decision in all matters of Native policy is with His Excellency, the advice of Ministers should not be held to bind the Colony to any liability, past or future, in connection with Native affairs, beyond the amount authorised or to be authorised by the House of Representatives.

And a Debate arising thereupon,

On motion of Mr. FitzGerald, *Ordered*, That this Debate be now adjourned until Tuesday, the 19th day of this instant August.

5. "*Maori Messenger*."—On motion of Mr. Colenso, *Resolved*, That, in the opinion of this House, it is highly desirable that the Government serial called the "Maori Messenger," printed for, and circulated among the Maoris, should be placed under proper supervision, and made as effective as possible (*vide* Articles III. and IV. of May, and Article III., p. 6, of July, 1862).

6. *Abduction by Natives.*—On motion of Mr. Carleton, *Ordered*, That there be laid on the Table, copies of all correspondence concerning the abduction by certain Natives, of the wife and child of James Holden from his house at the Keri Keri, in the Bay of Islands District.

7. *Naturalization Bill.*—On motion of the Honourable Mr. Gillies, *Ordered*, That the second reading of the Naturalization Bill be an Order of the day for Tuesday next.

8. *Committee on Administration of Justice.*—*Ordered*, That the Select Committee on the improvement of the Administration of Justice have leave to postpone their Report until Friday, the 22nd day of this instant August.

9. *Trustees Relief Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Trustees Relief Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for better securing Trust "Funds, and for the relief of Trustees."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

10. *Steam Navigation Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Steam Navigation Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to regulate Steam Vessels, "and the Boats and Lights to be carried by sea-going Vessels."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

11. *Steam Postal Service.*—The Order of the day being read, for the Committee of Supply;

Ordered, That it be referred to the Committee to consider and report upon the following Resolutions reported from the Select Committee on the improvement of the Steam Postal Service:—

(1.) *Resolved*, That, in the opinion of this Committee, the establishment of regular monthly Steam Communication between New Zealand and the United Kingdom, *viâ* Panama, is calculated to confer very great benefits upon this Colony.

(2.) *Resolved*, That, considering the probable expense of such an undertaking, it is desirable that the Service should be so constructed as to confer advantage upon, and obtain the support of the neighbouring Colonies.

(3.) *Resolved*, That this Committee recommends the appropriation of a sum not exceeding £30,000 per annum, from 1st January, 1864, for five years, as a contribution towards the Colonial proportion of the subsidy for such a Service.

(4.) *Resolved*

(4.) *Resolved,* That the requirements of the Colony will not be fully satisfied with less than three lines of Inter-colonial Steam Service, viz.,—between Melbourne and the South, between Auckland and Sydney, and between Cook's Straits and Sydney respectively.

(5.) *Resolved,* That the Steam Service referred to in the foregoing Resolution of the of the Committee be undertaken by the General Government, and be borne on the General Estimates.

(6.) *Resolved,* That Communications should be maintained between the principal Provinces of the Colony, four times a month, and between all the Provinces twice a month, provided that the whole expense of such Inter-provincial Service do not exceed £20,000 per annum.

Then the House resolved itself into the said Committee.

(In the Committee.)

The Report of the Select Committee on Communications read.

Resolved, That the establishment of regular monthly Steam Communication between New Zealand and the United Kingdom, *viâ* Panama, is calculated to confer very great benefits upon this Colony. (*Mr. Crosbie Ward.*)

Resolved, That, considering the probable expense of such an undertaking, it is desirable that the Service should be so constructed as to confer advantage upon, and obtain the support of the neighbouring Colonies. (*Mr. Crosbie Ward.*)

Motion made, and Question proposed, That this Committee recommends the appropriation of a sum not exceeding £30,000 per annum from 1st January, 1864, for five years, as a contribution towards the Colonial proportion of the Subsidy for such a Service. (*Mr. Crosbie Ward.*)

Amendment proposed: That all the words after "That" be omitted, with a view to insert the following in lieu thereof:—"it is desirable the Government should enter into communications with the other Colonies, with the view of assisting and encouraging the "commencement, at the earliest practicable period, of such an important Service." (*Major Richardson.*)

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Friday next, resolve itself into the said Committee.

12. *Nominated Superintendents Bill.*—The Order of the day being read, for the second reading of the Nominated Superintendents Bill,

Ordered, That the Bill be read a second time on Tuesday next.

Then, on motion of the Honourable Mr. Mantell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 12th August, 1862.

1. Mr. DICK to ask the Hon. the Colonial Secretary, Whether it is the intention of Government to propose during this Session, a removal of the Seat of Government to a more central position in the Colony.
2. Mr. O'NEILL to ask the Hon. the Colonial Secretary, Whether the Government intend during the present Session, to introduce any measure for conferring Municipal Institutions on such towns as may be desirous of obtaining the same.
3. Mr. O'NEILL to ask Ministers, Whether the Hand-book of Law, for the publishing of which money was voted last Session, is yet printed.
4. Mr. Fox to ask the Hon. the Colonial Secretary, Whether it is the intention of the Government to make any and what provision for the better administration of the General Government in the Middle Island.

NOTICES OF MOTION.

1. The Hon. Mr. GILLIES to move, For leave to bring in a Bill to Amend the "Miners' Fran-"chise Act, 1860."
2. The Hon. Mr. GILLIES to move, for leave to bring in a Bill to afford additional Representation to the Province of Otago.
3. The Hon. Mr. GILLIES to move, For leave to bring in a Bill to continue the "Arms Act, "1860," for one year.

4. The

4. The Hon. Mr. GILLIES to move, For leave to bring in a Bill to Amend the "Bills of Sale "Registration Act, 1856," and the "Wool and Oil Securities Act, 1858."
5. The Hon. Mr. GILLIES to move, For leave to bring in a Bill to Amend the "Lost Land "Orders Act, 1861."
6. The Hon. Mr. GILLIES to move, For leave to bring in a Bill to Amend the "Customs "Duties Act, 1858."
7. The Hon. Mr. RUSSELL to move, For leave to bring in a Bill to Amend the "Joint Stock "Companies Act, 1860."
8. The Hon. Mr. DILLON BELL to move, For leave to bring in a Bill to authorise the issue of Crown Grants to Natives in certain cases.
9. Mr. Fox to move, That the Petition of Francis Williamson, presented by the mover, be referred to the Private Grievance Committee.
10. Mr. FITZGERALD to move, that the Crown Lands Bill be referred to a Select Committee, consisting of the Hon. Mr. Russell, Mr. Colenso, Mr. J. C. Richmond, the Hon. Mr. Domett, Mr. Brandon, Mr. Eyes, Mr. Crosbie Ward, the Hon. Mr. Gillies, and the Hon. Mr. Dillon Bell.

ORDERS OF THE DAY.

1. Marine Boards Bill—second reading.
3. Summary Procedure on Bills Bill—to be further considered in Committee.
3. Naturalization Bill—second reading.
4. Native Lands Bill—second reading.
5. Nominated Superintendents Bill—second reading.

Tuesday, the 12th day of August, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Carter: The Petition of William Edinborough Chamberlain, of Masterton, Wairarapa, Carpenter,
Petition received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—
(1.) Return of all persons who have held Commissions in the New Zealand Militia and Volunteers, with their grades and dates of Commission, and resignations, and the causes of such resignations. Return to an Order of the House of the 18th July last.
(2.) Correspondence between the Government and Mr. Morrison respecting sending Game to New Zealand. Return to an Order of the House of the 6th August instant.
(3.) Return shewing the strength of the various Volunteer Corps in the Colony on the 13th January, and 30th June, 1862, respectively; also of all resignations therein to the 30th June, 1862, under the Regulations of January last. Return to an Order of the House of 16th July last.
(4.) Return of the number of Discharged Soldiers and Pensioners; the number of Civilians drilled; and the number of Civilians enrolled but not drilled, in each of the Battalions of the Auckland Militia.—Return to an Order of the House of the 22nd July last.
(5.) Papers relative to a claim made by Major Herbert for lodging-money.
(6.) Correspondence between Captain I. N. Watt and others respecting the Taranaki Militia and Volunteers, and the position of the Officers of the same.—Return to an Order of the House of the 22nd July last.
(7.) Return of persons appointed to any office under the General Government between the 1st January and the 12th July, 1862.—Return to an Order of the House of the 22nd July last.
(8.) Correspondence respecting representation of New Zealand at the International Exhibition.
The Honourable Mr. Dillon Bell laid upon the Table, by Command of His Excellency,—
(9.) Papers relative to the abduction of the wife and child of James Holden, by Natives at the Keri Keri, Bay of Islands District; Return to an Order of the House of the 8th instant.

3. *Miners' Franchise Act Amendment Bill.—Ordered,* That the Honourable Mr. Gillies have leave to bring in a Bill to amend the "Miners' Franchise Act, 1860."
He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

4. *Otago*

4. *Otago Representation Bill.—Ordered,* That the Honourable Mr. Gillies have leave to bring in a Bill to afford additional Representation to the Province of Otago.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

5. *Arms Act Continuance Bill.—Ordered,* That the Honourable Mr. Gillies have leave to bring in a Bill to continue the "Arms Act, 1860," for one year.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

6. *Bills of Sale Registration Act Amendment Bill.—Ordered,* That the Honourable Mr. Gillies have leave to bring in a Bill to amend the "Bills of Sale Registration Act, 1856."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

7. *Lost Land Orders Act Amendment Bill.—Ordered,* That the Honourable Mr. Gillies have leave to bring in a Bill to amend the "Lost Land Orders Act, 1861."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

8. *Customs Duties Act Amendment Bill.—Ordered,* That the Honourable Mr. Gillies have leave to bring in a Bill to amend the "Customs Duties Act, 1858."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

9. *Joint Stock Companies Act Amendment Bill.—Ordered,* That the Honourable Mr. Russell have leave to bring in a Bill to amend the "Joint Stock Companies Act, 1860."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

10. *Crown Grants to Natives Bill.—Ordered,* That the Honourable Mr. Dillon Bell have leave to bring in a Bill to authorise the issue of Crown Grants to Natives in certain cases.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Friday next, and to be printed.

11. *Petition of Francis Williamson.*—On motion of Mr. Fox, *Ordered,* That the Petition of Francis Williamson be referred to the Committee of Private Grievances.

12. *Crown Lands Bill.*—On motion of Mr. FitzGerald, *Ordered,* That the Crown Lands Bill be referred to a Select Committee, consisting of the Honourable Mr. Russell, Mr. Colenso, Mr. J. C. Richmond, the Honourable Mr. Domett, Mr. Brandon, Mr. Eyes, Mr. Crosbie Ward, the Honourable Mr. Gillies, the Honourable Mr. Dillon Bell, and Mr. FitzGerald; the Committee to have power to send for Persons, Papers, and Records, and to report on Friday next.

13. *Marine Boards Bill.*—The Order of the day being read, for the second reading of the Marine Boards Bill,

The Honourable Mr. Mantell moved, and the Question was proposed, That the second reading of the Marine Boards Bill be postponed, and be an Order of the day for Friday next.

And the Question being put, it passed in the Negative.

Then the Honourable Mr. Mantell moved, That the Marine Boards Bill be now read a second time.

Mr. Crosbie Ward moved, in amendment, That the Bill be read a second time To-morrow.

And the Question being put on the Amendment, it was resolved in the Affirmative.

Ordered, That the Marine Boards Bill be read a second time To-morrow.

14. *Summary Procedure on Bills Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Summary Procedure on Bills Bill.

(In the Committee.)

Clause 2 read. Amendment proposed. In line 1: To omit the word "all." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed. In line 3: To omit the words "commenced within six "months after the same," with a view to insert in lieu thereof the words "and on any "written

"written contract signed by the party sought to be charged, by virtue of which a sum "certain became due on a day certain, or within a certain time which has elapsed, if such "action be commenced within six months after such Bill, Note, or Cheque, or the sum "payable under such written contract respectively." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 3 read. Amendment proposed. In line 5: To insert, after the word "sum," the words "and costs of action." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed. In line 7: To omit the words "satisfactory to him "which disclose," with a view to insert in lieu thereof the words "which disclose to his "satisfaction." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed. In line 9: To omit the word "Holder," with a view to insert in lieu thereof the word "Plaintiff." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 4 read and agreed to.

Clause 5 read. Amendment proposed. In line 2: To omit the word "the," with a view to insert in lieu thereof the word "any." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 6, 7, and 8 read and agreed to.

Schedule A read. Amendment proposed. Before the words "Here copy the Bill or "Note," to insert "(or if the action be on a contract signed by the Defendant, the Plaintiff "claim £ due to him on a written contract signed by the Defendant, of which the "following is a copy or of which the following is a copy of the material part.)" (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed: After the word "indorsements" to insert the words "or the contract or material part thereof." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed: To omit the words "and if the amount thereof," with a view to insert in lieu thereof the words "if the amount claimed." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Schedule as amended agreed to.

Schedule B read and agreed to.

Preamble read. Amendment proposed. In line 2: After the word "Bankers," to add the words "and persons to whom liquidate sums of money have become due upon written "contracts." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed: To omit the word "and," preceding the final word "Cheques," and to insert after that word, the words "and Contracts." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Preamble as amended agreed to.

Title read. Amendment proposed: To omit the word "and," preceding the word "Cheques," and to insert after the word "Cheques" the words "and other contracts in writing." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Title as amended agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Mr. Carleton also reported, That the Committee had directed him specially to report an Amendment in the Title of the Bill.

Ordered, That the Report be received To-morrow.

15. *Naturalization Bill.*—The Order of the day being read, for the second reading of the Naturalization Bill.

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee, and after some time spent therein

therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be an "Act for the Naturalization of certain persons in the Colony of New Zealand."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

16. *Native Lands Bill.*—The Order of the day being read, for the second reading of the Native Lands Bill,

Mr. FitzGerald moved, and the Question was proposed, That the said Order of the day be discharged.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 18.	*Noes*, 10.
Mr. Atkinson,	Hon. Mr. Dillon Bell,
Mr. Carleton,	Mr. Brandon,
Mr. Colenso,	Mr. Dick,
Mr. Cookson,	Mr. Fox,
Hon. Mr. Domett,	Hon. Mr. Mantell,
Dr. Featherston,	Mr. C. J. Taylor,
Mr. Jollie,	Mr. Waring Taylor,
Mr. Moorhouse,	Mr. John Williamson,
Major Nixon,	Mr. Wood,
Mr. Ormond,	Mr. Crosbie Ward (Teller).
Major Richardson,	
Hon. Mr. Russell,	
Mr. Stafford,	
Mr. Thomson,	
Mr. Watt,	
Mr. Weld,	
Mr. Cracroft Wilson, C.B.	
Mr. FitzGerald (Teller).	

So it was resolved in the Affirmative.

Ordered, That the Bill be withdrawn.

17. *Nominated Superintendents Bill.*—The Order of the day being read, for the second reading of the Nominated Superintendents Bill,

Ordered, That the Bill be read a second time on Thursday next.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 13th August, 1862.

1. Mr. FitzGerald to ask the Hon. the Native Minister, Whether it is the intention of the Government to bring in any Bill for assimilating the proposed District Runanga system to the Provincial system of the rest of the Colony, by the formation of Native Provinces.
2. Mr. FitzGerald to ask the Hon. the Native Minister, Whether it is the intention of the Government to bring in any Bill for enabling the Supreme Court to try cases in Native Districts, pending the formation of Jury and Grand Jury Lists in such Districts.
3. Mr. FitzGerald to ask the Hon. the Native Minister, Whether it is the intention of the Government to constitute separate Electoral Districts wholly or principally inhabited by Natives, and to give a Franchise to the inhabitants of those Districts which shall enable them to elect Members to this House or to Provincial Councils, on the same principle as that in which it is proposed to give a Representative to the Miners in Gold Fields.

NOTICES OF MOTION.

1. Mr. Stafford to move, For leave to bring in a Bill to alter and extend certain Provisions of the "Protection of certain Animals Act, 1861."

2. Mr. CARTER to move, That leave of absence be granted for a fortnight to Mr. Saunders.
3. Mr. FOX to move, For leave of absence for a fortnight for Mr. Eyes.

ORDERS OF THE DAY.

1. Report of the Select Committee on the Court for the Trial of Minor Civil Cases and the Law of Debtor and Creditor.
2. Miners' Franchise Act Amendment Bill—second reading.
3. Otago Representation Bill—second reading.
4. Arms Act Continuance Bill—second reading.
5. Bills of Sale Registration Act Amendment Bill—second reading.
6. Lost Land Orders Act Amendment Bill—second reading.
7. Customs Duties Act Amendment Bill—second reading.
8. Joint Stock Companies Act Amendment Bill– second reading.
9. Marine Boards Bill—second reading.
10. Summary procedure on Bills Bill—to be reported.

Wednesday, the 13th day of August, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. O'Rorke: The Petition of David Burn, of Auckland, Gentleman.
   Petition received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—
   (1.) Copy of a Despatch from His Grace the Duke of Newcastle relative to Addresses of Condolence from both Houses of the General Assembly to Her Majesty, on the death of Her Royal Highness the Duchess of Kent.
   Ordered, That the said Despatch be recorded in the Journals of this House.

NEW ZEALAND.
Separate.

Downing-street,
30th September, 1861.

Sir,—I have received your predecessor's Despatch, No. 87, of the 26th of June last, enclosing Addresses of Condolence to Her Majesty which he had received on the occasion of the death of Her Royal Highness, the Duchess of Kent, from the Legislative Council and House of Representatives.

I have laid those Addresses before the Queen, who was pleased to receive them very graciously. It is always gratifying to Her Majesty to receive these expressions of loyalty and sympathy.

I have, &c.,
NEWCASTLE.

Governor Sir George Grey, K.C.B.,
&c., &c., &c.

(2.) Further Papers relative to the re-organization of the Wanganui Militia; in continuation of Papers presented on the 29th July last.
(3.) Papers respecting the New Zealand Government Agency in London.
The Honourable Mr. Dillon Bell laid upon the Table, by Command of His Excellency,—
(4.) Report of the Land Purchase Department relative to the extinguishment of Native Title in the Ahuriri District; in completion of Papers presented on the 14th June, 1861.
(5.) Copies of all correspondence relative to the Native Reserves in the Towns of Dunedin and Port Chalmers.—Return to an Order of the House of the 22nd July last.

3. *Ways and Means.*—On motion of the Honourable Mr. Dillon Bell, *Resolved,* That this House will, To-morrow, resolve itself into a Committee to consider of Ways and Means for raising the Supply granted to Her Majesty.

4. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—
   The Legislative Council have passed the following Bills, to which they request the concurrence of the House of Representatives:—
   A Bill intituled "An Act to Amend the Law Practitioners Act, 1861." And
   A Bill intituled "An Act for establishing a Court of Appeal."

5. *Law*

5. *Law Practitioners Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act to Amend the Law Practitioners Act, 1861," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

6. *Court of Appeal Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act for establishing a Court of Appeal," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

7. *Protection of Certain Animals Bill.—Ordered,* That Mr. Stafford have leave to bring in a Bill to alter and extend certain Provisions of the "Protection of certain Animals Act, 1861."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Friday next, and to be printed.

8. *Leave of Absence.*—On motion of Mr. Carter, *Ordered,* That leave of absence be granted for a fortnight to Mr. Saunders.

On motion of Mr. Fox, *Ordered,* That leave of absence be granted for a fortnight to Mr. Eyes.

9. *Trial of Minor Civil Cases.—Ordered,* That the Select Committee on Trial of Minor Civil Cases and the Law of Debtor and Creditor, have leave to postpone their Report until Wednesday, the 20th day of this instant August.

10. *Miners' Franchise Act Amendment Bill.*—The Order of the day being read, for the second reading of the Miners' Franchise Act Amendment Bill,

Ordered, That the Bill be read a second time To-morrow.

11. *Otago Representation Bill.*—The Order of the day being read, for the second reading of the Otago Representation Bill,

Ordered, That the Bill be read a second time To-morrow.

12. *Arms Act Continuance Bill.*—The Order of the day being read, for the second reading of the Arms Act Continuance Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to continue the 'Arms Act, "1860.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

13. *Bills of Sale Registration Act Amendment Bill.*—The Order of the day being read, for the second reading of the Bills of Sale Registration Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carelton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the 'Bills of Sale 'Registration Act, 1856.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

14. *Lost Land Orders Act Amendment Bill.*—The Order of the day being read, for the second reading of the Lost Land Orders Act Amendment Bill,

The

The Bill was accordingly read a second time, and referred to the Select Committee on the Crown Lands Bill to report thereon.

15. *Customs Duties Act Amendment Bill.*—The Order of the Day being read, for the second reading of the Customs Duties Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 and 2 read and agreed to.

Clause 3 read. Amendment proposed. In line 2: After the word "Customs," to insert the words "upon a requisition from the senior Commissariat Officer on the Station." (*Mr. Watt.*)

Amendment by leave withdrawn.

Clause as read agreed to.

Clause 4 read and agreed to.

Preamble read and agreed to.

To report the Bill.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to Amend the 'Customs Duties Act, 1858,' in relation to Military Supplies."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

16. *Joint Stock Companies Act Amendment Bill.*—The Order of the day being read, for the second reading of the Joint Stock Companies Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee, and after some time spent therein Mr. Speaker resumed the Chair, and Mr. Carleton reported that the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the 'Joint Stock "Companies Act, 1860.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

17. *Marine Boards Bill.*—The Order of the day being read, for the second reading of the Marine Boards Bill,

The Honourable Mr. Mantell moved, and the Question was proposed, That the Bill be now read a second time.

Mr. Moorhouse moved, in Amendment, That the Bill be read a second time this day six months.

The Amendment was, by leave of the House, withdrawn.

The Bill was accordingly read a second time, and referred to the following Select Committee to report thereon:—Dr. Featherston, Major Richardson, Mr. John Williamson, Mr. Moorhouse, Mr. Ormond, Mr. Crosbie Ward, Mr. James Williamson, and the Honourable Mr. Mantell; Report to be brought up on the 20th of this instant August.

18. *Summary Procedure on Bills Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Summary Procedure on Bills Bill,

The same was accordingly received and and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to facilitate the remedies on "Bills of Exchange, Promissory Notes, and Cheques, by the prevention of frivolous or "fictitious defences to actions thereon."

Ordered

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

Then, on motion of the Honourable Mr. Gillies,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 14th August, 1862.

NOTICES OF MOTION.

1. Mr STAFFORD to move, For copies of any correspondence between the Government and Officers of the Colonial Forces, relative to Distinctions conferred by Her Majesty on account of Military Services in New Zealand, in which the Colonial Forces were engaged along with Her Majesty's Regular Troops.
2. Mr. CARTER to move, That the Petition of William Edinborough Chamberlain, presented by the Mover, be referred to the Private Grievance Committee.
3. Mr. JOLLIE to move, For a copy of all communications addressed to the late or the present Governor by Mr. Justice Johnston, relating to the execution of his functions as Commissmissioner, appointed by Letters Patent of May 28, 1861, for the purpose of determining any differences arising "among members of the Ngatiawa tribe who may claim proprietary "rights in the land taken possession of by Her Majesty's Forces at Taranaki," pursuant to the terms on which His Excellency Governor Gore Browne accepted their submission.
4. Mr. FITZGERALD to move for a Return of all cases in which the sentences of criminals have been remitted, in whole or in part, by His Excellency the Governor, since the 1st January, 1860, so far as the same can be given: together with the correspondence relating to each case.
5. Mr. O'ROURKE to move, That the Petition of David Burn be referred to the Private Grievance Committee.

ORDERS OF THE DAY.

1. The Committee of Ways and Means.
2. Nominated Superintendents Bill—second reading.
3. Law Practitioners Bill—second reading.
4. Court of Appeal Bill—second reading.
5. Miners' Franchise Act Amendment Bill—second reading.
6. Otago Representation Bill—second reading.

Thursday, the 14th day of August, 1862.

PRAYERS.

1. *Standing Orders* (*Private Grievances*).—Mr. Carleton, from the Select Committee on Standing Orders, brought up an *interim* Report, and the same was read as followeth:—

   The Committee on Standing Orders recommend for the adoption of the House the following Standing Order relative to Private Grievance Petitions:—

   At the commencement of every Session a Standing Committee shall be appointed, to which shall be referred all Petitions relating to Private Grievances; and no such Petition shall be received by the House after thirty days from the meeting thereof, unless such Grievance shall have arisen during the Session.

   For the above purpose the Committee recommend that the present Session should be assumed to have commenced on the 14th of July, when the Governor addressed the Legislature, and while the rule which they recommend would have no retrospective operation it would not be competent for any Member to present a Private Grievance Petition after its adoption.

2. *Honorary distinctions.*—On motion of Mr. Stafford, *Ordered*, That here be laid upon the Table, copies of any correspondence between the Government and Officers of the Colonial Forces, relative to distinctions conferred by Her Majesty on account of Military services in New Zealand in which the Colonial Forces were engaged along with Her Majesty's Regular Troops.

3. *Petition of W. E. Chamberlain.*—On motion of Mr. Carter, *Ordered*, That the Petition of William Edinborough Chamberlain, be referred to the Committee of Private Grievances.

4. *Ngatiawa Tribe.*—On motion of Mr. Jollie, *Resolved,* That a respectful Address be presented to His Excellency, that he will be pleased to give directions that there be laid before this House, a copy of all communications addressed to the late or the present Governor by Mr. Justice Johnston, relating to the execution of his functions as Commissioner, appointed by Letters Patent of May 28th, 1861, for the purpose of determining any differences arising "among members of theNgatiawa Tribe who may claim proprietary rights in the land taken possession of by Her Majesty's Forces at Taranaki," pursuant to the terms on which His Excellency Governor Gore Browne accepted their submission.

5. *Remission of Sentences.*—On motion of Mr. FitzGerald, *Ordered,* That there be laid upon the Table a Return of all cases in which the sentences of Criminals have been remitted, in whole or in part, by His Excellency the Governor, since the 1st January, 1860, so far as the same can be given; together with all the correspondence other than that of a merely formal character relating to such remission in each case, and that such Return be ordered to be printed as soon as prepared.

6. *Petition of David Burn.*—On motion of Mr. O'Rorke, *Ordered,* That the Petition of David Burn be referred to the Committee of Private Grievances.

7. *Ways and Means.*—The House, according to Order, resolved itself into the Committee of Ways and Means.

(In the Committee.)

Motion made, and Question proposed, That, in the opinion of this Committee, the charge upon the gross Revenue and Receipts arising from the sale, letting, disposal, and occupation of Waste Lands of the Crown, within the several Provinces of Auckland, Wellington, Hawke's Bay, and Taranaki, created by Section V. of the "Land Revenue Appropriation Act, 1858," be repealed from and after the 1st day of July, 1862. (*Hon. Mr. Dillon Bell.*)

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

8. *Nominated Superintendents Bill.*—The Order of the day being read, for the second reading of the Nominated Superintendents Bill,

Mr. FitzGerald moved, and the Question being proposed, That the Bill be now read a second time;

Major Richardson moved the following Amendment, viz.: To leave out the word "now," and at the end of the Question to add the words "upon this day six months."

A Debate arose thereupon,

On motion of Mr. Carleton, *Ordered,* That this Debate be now adjourned until Tuesday next.

9. *Law Practitioners Bill.*—The Order of the day being read, for the second reading of the Law Practitioners Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

10. *Court of Appeal Bill.*—The Order of the day being read, for the second reading of the Court of Appeal Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

To report progress.

On

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

11. *Miners' Franchise Act Amendment Bill.*—The Order of the day being read, for the second reading of the Miners' Franchise Act Amendment Bill.

Ordered, That the Bill be read a second time To-morrow.

12. *Otago Representation Bill.*—The Order of the day being read, for the second reading of the Otago Representation Bill.

Ordered, That the Bill be read a second time Tomorrow.

Then, on motion of the Honourable Mr. Gillies,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 15th August, 1862.

NOTICE OF MOTION.

1. Mr. Carleton to move, The adoption of the following as a Standing Order of this House:—

"At the commencement of every Session a Standing Committee shall be appointed, to "which shall be referred all Petitions relating to Private Grievances; and no such Petition "shall be received by the House after thirty days from the meeting thereof, unless such "Grievance shall have arisen during the Session."

ORDERS OF THE DAY.

1. Report of the Select Committee on the Crown Lands Bill.
2. Crown Grants to Natives Bill—second reading.
3. *Interim* Reports of the Select Committee on the Steam Postal Service—to be further considered in Committee of Supply.
4. Protection of certain Animals Act Amendment Bill—second reading.
5. Law Practitioners Bill—to be further considered in Committee.
6. Court of Appeal Bill—to be further considered in Committee.
7. Miners' Franchise Act Amendment Bill—second reading.
8. Otago Representation Bill—second reading.

Friday, the 15th day of August, 1862.

Prayers.

1. *Petition presented.*—By the Honourable Mr. Dillon Bell: The Petition of certain Settlers and others, resident on the East bank of the River Mataura.

Petition received.

2. *Adjournment.*—On motion of the Honourable Mr. Dillon Bell, *Resolved*, That this House will, at the rising of the House this day, adjourn until Monday next at noon.

3. *Standing Orders.*—On motion of Mr. Fox, *Resolved*, That the following be adopted as a Standing Order of this House:—

"At the commencement of every Session, a Standing Committee shall be appointed, to "which shall be referred all Petitions relating to Private Grievances; and no such Petition "shall be received by the House after thirty days from the meeting thereof, unless such "Grievance shall have arisen during the Session."

4. *Crown Lands Bill.*—The Order of the day being read, for receiving the Report of the Select Committee on the Crown Lands Bill,

Ordered, That the Committee have leave to postpone their Report until Tuesday next.

5. *Crown*

5. *Crown Grants to Natives Bill.*—The Order of the day being read, for the second reading of the Crown Grants to Natives Bill,

Ordered, That the Bill be read a second time on Monday next.

6. *Law Practitioners Bill.*—The House according to Order, resolved itself into a Committee further to consider the Law Practitioners Bill.

(In the Committee.)

Clauses 2, 3, and 4 read and agreed to.

Motion made, and Question proposed, That the following do stand as Clause 5 of the Bill:—

"Sub-section 3 of Clause 16 of the "Law Practitioners Act, 1861," is hereby repealed, "and the following substituted in lieu thereof, viz.:—Unless he shall have been admitted, "or be entitled to be admitted, as a Solicitor, Attorney, or Writer in one of the Superior "Courts of England, Ireland, or Scotland, or as a Writer in any Sheriff Court in Scotland, "or as a Proctor in any Court in England or Ireland, or as a Solicitor, Attorney, or "Proctor in any Supreme Court of any of Her Majesty's Colonies, and shall have passed "an examination as to his knowledge of the Law of England and of New Zealand." (*Hon. Mr. Gillies.*)

And the Question being put, it passed in the Affirmative.

Clauses 5, 6, and 7, as printed, read and agreed to.

Preamble read. Amendment proposed. In line 7: After the word "persons" to insert the words "and otherwise to amend the said Act." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Preamble as amended agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received on Monday next.

7. *Court of Appeal Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Court of Appeal Bill.

(In the Committee.)

Clauses 1 to 15 read and agreed to.

Motion made, and Question proposed, That the following do stand as Clause 16 of the Bill:—

"The Court of Appeal shall have power from time to time, with approval of the "Governor in Council, to settle a scale of Fees, and with such approval as aforesaid to alter "such scale, and all Fees payable under this Act shall be taken and deemed to be the Fees "of the Supreme Court." (*Hon. Mr. Gillies.*)

And the Question being put, it passed in the Affirmative.

Clauses 17 to 23 read and agreed to.

Clause 24 read. Amendment proposed. In lines 10 and 11: To omit the words "the "party decided against," with the view of inserting in lieu thereof the words "either "party." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 25 to 32 read and agreed to.

Clauses 33 and 34 postponed.

Clauses 35 to 59 read and agreed to.

Clause 60 read. Amendment proposed. In line 21: To omit the words "before it." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 61 to 85 read and agreed to.

Schedule read and agreed to.

Postponed Clause 33 read and agreed to.

Postponed Clause 34 read. Amendment proposed: To add to the Clause the words "and if such parties or either of them shall object to the case as finally adopted, each "party or parties shall be entitled within three days after such adoption, to lodge with the "Judge such objections in writing, which shall be transmitted together with the case to "the Court of Appeal." (*Hon. Mr. Gillies.*)

Amendment

Amendment agreed to.
Clause as amended agreed to.
To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had gone through the Bill, and had made Amendments thereto.
Ordered, That the Report be received on Monday next.

8. *Miners' Franchise Act Amendment Bill.*—The Order of the day being read, for the second reading of the Miners' Franchise Act Amendment Bill,
The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.
The House accordingly resolved itself into the said Committee.

(In the Committee.)
Clauses 1 to 9 read and agreed to.
To report progress.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.
Resolved, That this House will, on Monday next, resolve itself into the said Committee.

9. *Otago Representation Bill.*—The Order of the day being read, for the second reading of the Otago Representation Bill,
The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.
The House accordingly resolved itself into the said Committee.

(In the Committee.)
Clauses 1, 2, and 3 read and agreed to.
Clause 4 read. Amendment proposed. In each of lines 3 and 4: To omit the words "City of," and in lieu thereof to insert after the word "Dunedin," in each case, the words "and Suburbs." (*Hon. Mr. Gillies.*)
Amendment agreed to.
Clause as amended agreed to.
Clauses 5, 6, 7, and 8 read and agreed to.
Clause 9 read. Amendment proposed. In line 3: To omit the words "City of "Dunedin North," with the view to insert in lieu thereof the words "Dunedin and "Suburbs North." (*Hon. Mr. Gillies.*)
Amendment agreed to.
Clause as amended agreed to.
Clause 10 read. Amendment proposed. In lines 3 and 4: To omit the words "City "of Dunedin," with the view to insert the words "Dunedin and Suburbs." (*Hon. Mr. Gillies.*)
Amendment agreed to.
Clause as amended agreed to.
Motion made, and Question proposed, That the following do stand as Clause 11 of the Bill:—
"Nothing in this Act contained shall prevent the number of Members of the House "of Representatives being increased by any Act passed during the present Session of "Parliament." (*Hon. Mr. Gillies.*)
And the Question being put, it passed in the Affirmative.
Schedule read. Amendment proposed: To omit the words after "the Districts of," with the view to insert the following in lieu thereof:—"Dunedin and Suburbs North, "and Dunedin and Suburbs South, shall comprise all lands in the Province of Otago, "bounded on the North-west and West by a right line from the North-western head of "Purakanui Harbour to the Trigonometrical Station on Flag-staff Hill; thence by a "right line to the mouth of the Kaikorai river, and on all other sides by the ocean.
"Dunedin and Suburbs North (two Members) shall comprise all that portion of the "aforesaid Districts, Northward of a right line prolonged from the Harbour of Dunedin "through the centre of Stuart-street and centre of the Octagon, Dunedin, until the said "line intersects the Western boundary of the aforesaid Districts.
"Dunedin and Suburbs South (two Members) shall comprise all that portion of the "aforesaid Districts Southward of the aforesaid right line." (*Hon. Mr. Gillies.*)
Amendment agreed to.

Schedule

Schedule as amended agreed to.

Preamble read. Amendment proposed: That the Preamble be omitted, with the view to insert in lieu thereof the words "Whereas, owing to the increase in the population of "the Province of Otago, it is expedient to afford additional representation to the people of "certain constituencies within that Province in the General Assembly." (*Mr. Stafford.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passed in the Negative.

Then the Question being put,—That the words proposed to be inserted, be so inserted—the Committee divided; and the doors being locked and the Question having again been put, and it appearing that there was no Teller on the side of the Ayes, Mr. Chairman declared the Question to have passed in the Negative.

To report the Bill.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported that the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received on Monday next.

10. *Steam Postal Service.*—The House, according to Order, resolved itself into the Committee of Supply further to consider certain Resolutions in reference to the Improvement of the Steam Postal Service referred to the said Committee on the 8th day of this instant August.

(In the Committee.)

Consideration of first *interim* Report continued.

Resolved, That this Committee recommends the appropriation of a sum not exceeding thirty thousand pounds per annum, from 1st January, 1864, for five years, as a contribution towards the Colonial portion of a subsidy for such a Service. (*Mr. Crosbie Ward.*)

Second *interim* Report read.

Motion made, and Question proposed, That the following Resolution be recommended to the House for adoption:—

"That the requirements of the Colony will not be fully satisfied with less than three "lines of Inter-colonial Steam Service, viz., between Melbourne and the South, between "Auckland and Sydney, and between Cook's Straits and Sydney, respectively." (*Mr. Crosbie Ward.*)

And the Question being put, the Committee divided, and the names were taken down as follows:—

Ayes, 30.	*Noes,* 5.
Hon. Mr. Dillon Bell,	Mr. Dick,
Mr. Butler,	Dr. Featherston,
Mr. Colenso,	Mr. Fitzherbert,
Mr. Cookson,	Hon. Mr. Gillies,
Mr. Curtis,	Major Richardson (Teller).
Hon. Mr. Domett,	
Mr. G. Graham,	
Mr. R. Graham,	
Mr. Harrison,	
Mr. Jollie,	
Hon. Mr. Mantell,	
Mr. Mason,	
Dr. Monro,	
Mr. Moorhouse,	
Mr. O'Neill,	
Mr. Ormond,	
Mr. Rhodes,	
Mr. A. J. Richmond,	
Mr. J. C. Richmond,	
Hon. Mr. Russell,	
Mr. Stafford,	
Mr. C. J. Taylor,	
Mr. Waring Taylor,	
Mr. Thomson,	
Mr. Watt,	
Mr. James Williamson,	
Mr. John Williamson,	
Mr. Weld,	
Mr. Wood,	
Mr. Crosbie Ward (Teller).	

So

So it passed in the Affirmative.

Motion made, and Question proposed, That the following Resolution be recommended to the House for adoption:—

"That the Steam Service referred to in the foregoing Resolution of the Committee be "undertaken by the General Government and be borne on the General Estimates" (*Mr. Crosbie Ward.*)

Amendment proposed: That the following Resolution be recommended in lieu of the foregoing:—

"That the Contract for the Northern and Southern lines, be made on behalf of the "General Government, and with concurrence in the provisions of the Contracts by the "Provincial authorities of the Provinces of Auckland and Otago, respectively; That such "Contracts once entered into be not altered or interfered with, except by the joint consent "of both the General and Provincial Governments, and that no Steam Contract be made "for a longer period than twelve months certain, with six months notice on either side "of termination of Contract." (*Hon. Mr. Gillies.*)

Amendment by leave withdrawn.

Another Amendment proposed: "That in making any Contract to carry out the "Steam Postal Service, the General Government shall avail itself of the assistance "of the Provincial Governments, and obtain, if possible, their concurrence in the same." (*Hon. Mr. Domett.*)

And the Question being put on the Amendment, it passed in the Affirmative.

Resolved, That communications should be maintained between the principal Provinces of the Colony four times a month, and between all the Provinces twice a month, provided that the whole expense of such Inter-provincial service do not exceed £20,000 per annum. (*Mr. Crosbie Ward.*)

Resolved, That all future Contracts with the owners of steamships for the conveyance of Her Majesty's mails shall be Contracts extending only from year to year, determinable by six months' notice from either contracting party to the other. (*Mr. Moorhouse.*)

To report progress.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had come to certain Resolutions.

Ordered, That the Report be received on Monday next.

Mr. O'Rorke also reported that the Committee had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Monday next, resolve itself into the said Committee.

11. *Private Grievance Committee.*—Mr. Jollie, from the Select Committee of Private Grievances, brought up a second *interim* Report, and the same was read as followeth:—

The Select Committee on Private Grievances have considered, and beg to report to the House on the following Petitions:—

(1.) *Petition of George Robertson.*

This petitioner, who was the purchaser, in the year 1841, of two Land Orders for sections of land in the Settlement of Wellington, and who appears to have finally parted with those Land Orders in 1846, before any land had been selected under them, complains that he was not fairly dealt with by the Wellington Land Owners Compensation Committee of 1848 in respect of his compensation claims.

The Compensation Committee just mentioned, appears to have awarded the full compensation of 300 acres, in respect of the two Land Orders purchased by Petitioner, but to have apportioned the same equally between him and his Transferee, Mr. Blythe, who then held the Land Orders, and was entitled to select the land; and this apportionment constitutes the grievance complained of, the Petitioner considering himself entitled to the whole 300 acres awarded.

The case does not appear to be one demanding the interference of the House of Representatives, more especially as it has been, and may be said still to be under the consideration of the Provincial Council of Wellington—a Committee of which will again sit next Session for the purpose of finally disposing of all compensation claims.

(2.) *Petition of George Robertson.*

This Petition alleges that a formal promise was made by Major Last, of the 99th Regiment, on behalf of His Excellency Governor Grey, to the Hutt Militia, that they should receive grants of land for their services in the Native War of 1845-46, and more especially in the pursuit of Rangihacata.

So

So far as the Committee have been able to enquire, this allegation is not proved, and it appears to be unsupported by such of the persons they have examined, as having themselves either belonged to, or accompanied the Hutt Militia on the occasion referred to by the Petitioner, might be expected to furnish the most trustworthy evidence on the subject. The claim is, however, one rather for the consideration of the Provincial authorities, in the first instance at least, than of the House of Representatives.

(3.) *Petition of Thomas Hughes.*

The Petitioner in this case was driven out of his house, at the Taiti, on the River Hutt, and otherwise suffered very considerable loss during the Native disturbances in that quarter, in the year 1846, for which he states he has as yet received no compensation whatever.

The Committee have the satisfaction of reporting that they were spared going into the merits of this particular claim by finding that a Committee of the Provincial Council of Wellington have already favourably entertained it, and, by a Report dated the 13th June last, awarded the Petitioner 100 Acres as compensation for such of his losses as the Province might fairly be considered liable for. A part of Petitioner's claim it seems was held to lie against the Military or Commissariat Authorities of the Colony, rather than against the Government of the Province.

(4.) *Petition of Tamihana Te Rauparaha and Matene Te Whiwhi.*

In reference to this Petition, the Committee, after certain preliminary enquires on the subject of it, agreed on the 19th instant to the following Resolution :—

That the Committee report to the House in the case of the Petitioners Rauparaha and Matene, recommending that a Survey be forthwith made of the Island of Mana, shewing the extent of the Reserves made in the Crown Grant to Moreing—that is to say, the Pahs, Burial Grounds, Cultivations, &c., and that a clause be inserted in any Land Claimants' Bill to come before the Assembly this Session enabling the Government to effect a summary settlement of this, and any similar case, in the event of this Committee, from want of the necessary documents to guide their enquiries on the subject, or from any other cause, not reporting further in the matter during the present Session.

12. *Protection of certain Animals Act Amendment Bill.*—The Order of the day being read, for the second reading of the Protection of certain Animals Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1, 2, 3, and 4 read and agreed to.

Motion made and Question proposed, That the following do stand as Clause 5 of the Bill :—

"And whereas by Section 8 of the 'Protection of certain Animals Act, 1861,' persons "might in certain cases be authorised by the Governor to catch or take certain Animals or "Birds, or the eggs of such Birds, for the purpose of turning out the same in some other "part of the Colony, it is hereby provided that no person or persons shall be deemed to be "so authorised to catch or take, or shall catch or take any Animals or Birds or the eggs of "such Birds, unless he or they can show a License so to do, under the hand of the Gover-"nor of the Colony for the time being, and no such License shall in any case have any "force or effect for a longer period than twelve calendar months from the date of such "License." (*Mr. Stafford.*)

And the Question being put, it passed in the Affirmative.

Clause 5 read. Amendment proposed: To omit the words "without having previously "paid for and obtained a License so to do in terms of this Act for the year then current." (*Major Richardson.*)

A Debate ensued.

To report progress.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Wednesday next, resolve itself into the said Committee.

Then, on motion of the Honourable Mr. Dillon Bell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Monday, 18*th August*, 1862.

NOTICES OF MOTION.

1. Hon. Mr. DILLON BELL to move, That Mr. C. J. Taylor be added to the Land Claims Committee.
2. Mr. COLENSO to move, That the Petition presented to this House from Henry and Thomas Shirley, of Tutaekuri in Hawke's Bay, be referred to the Committee of Private Grievances.
3. Hon. Mr. DILLON BELL to move, For leave to bring in a Bill to remove the restrictions which now exist upon the sale and occupation of Native Lands in New Zealand.

ORDERS OF THE DAY.

1. Law Practitioners Bill—to be reported.
2. Court of Appeal Bill --to be reported.
3. Resolutions to be reported from the Committee of Supply.
4. Miners' Franchise Act Amendment Bill—to be further considered in Committee.
5. Otago Representation Bill—to be reported.
6. Crown Grants to Natives Bill—second reading.
7. The Committee of Supply.

Monday, the 18th day of August, 1862.

PRAYERS.

1. *Member sworn.*—Edward Bowes Cargill, Esquire, Member for Bruce, being presented to Mr. Speaker by the Honourable Mr. Gillies and Major Richardson, and having taken and subscribed the Oath required by law, took his seat in the House.

2. *Petitions presented.*—By Mr. Stafford: The Petition of John Bailey Williams, of Oahanga River, Province of Wellington, Sheep-farmer.
   Petition received.
   By Mr. Weld: The Petition of Robert Park, late Chief Surveyor of the Province of Wellington.
   Petition read and received.

3. *Papers.*—The Honourable Mr. Dillon Bell laid upon the Table, by command of His Excellency—
   (1.) Papers respecting repayment to the Imperial Government, of money spent in locating New Zealand Fencibles.
   (2.) Papers respecting the present position of the Province of Taranaki.

4. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;
   And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

   G. GREY, Governor. *Message* No. 2.
   The Governor transmits for the consideration of the House of Representatives, a Bill "intituled "The Land Revenue Appropriation Act, 1858, Amendment Bill."
   Government House,
   Wellington, 18th August, 1862.

5. *Land Revenue Appropriation Act*, 1858, *Amendment Bill.—Ordered*, That the Bill transmitted by His Excellency the Governor, intituled "The Land Revenue Appropriation Act, 1858, "Amendment Bill," be now read a first time.
   The Bill was accordingly read a first time, and ordered to be read a second time To-morrow, and to be printed.

6. *Land Claims Committee.*—On motion of the Honourable Mr. Dillon Bell, *Ordered*, That Mr. C. J. Taylor be added to the Land Claims Committee.

7. *Petition of Messrs. Shirley.*—On motion of Mr. Colenso, *Ordered,* That the Petition presented to this House from Henry and Thomas Shirley, of Tutaekuri, in Hawke's Bay, be referred to the Committee of Private Grievances.

8. *Native Lands Bill.—Ordered,* That the Honourable Mr. Dillon Bell have leave to bring in a Bill to remove the restrictions which now exist upon the sale and occupation of Native Lands in New Zealand.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

9. *Law Practitioners Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Law Practitioners' Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the 'Law Practitioners Act, 1861.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

10. *Court of Appeal Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Court of Appeal Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for establishing a Court of Appeal."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

11. *Supply.*—The Order of the day being read, for receiving the Report of certain Resolutions from the Committee of Supply.

Mr. O'Rorke accordingly reported the following Resolutions:—

(1.) That the establishment of Regular Monthly Steam Communication between New Zealand and the United Kingdom, *vid* Panama, is calculated to confer very great benefits upon this Colony.

(2.) That, considering the probable expense of such an undertaking, it is desirable that the Service should be so constructed as to confer advantage upon, and obtain the support of the neighbouring Colonies.

(3.) That this Committee recommends the appropriation of a sum not exceeding Thirty thousand pounds per annum from 1st January, 1864, for five years, as a contribution towards the Colonial portion of a subsidy for such a Service.

(4.) That the requirements of the Colony will not be fully satisfied with less than three lines of Inter-colonial Steam Service—viz., between Melbourne and the South, between Auckland and Sydney, and between Cook's Straits and Sydney, respectively.

(5.) That, in making any contract to carry out the Steam Postal Service, the General Government shall avail itself of the assistance of the Provincial Governments, and obtain, if possible, their concurrence in the same.

(6.) That Communications should be maintained between the principal Provinces of the Colony four times a month, and between all the Provinces twice a month: provided that the whole expense of such Inter-provincial Service do not exceed Twenty thousand pounds per annum.

(7.) That all future contracts with the owners of Steam Ships for the conveyance of Her Majesty's Mails, shall be contracts ending only from year to year, determinable by six month's notice from either contracting party to the other.

And the Resolutions being read a second time,

Resolved, That this House doth concur with the Committee in the said Resolutions.

12. *Miners' Franchise Act Amendment Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Miners' Franchise Act Amendment Bill.

(In the Committee.)

Schedule read. Amendment proposed. In line 2: To omit all the words after the words "Miners' Right," with a view to insert the words "(specify number and place of "issue

"issue): That I am a natural born or naturalized subject of Queen Victoria; and that I "have not already voted, nor has such Miners' Right already been used either at this "Polling Place or elsewhere at this present Election: So help me God." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Schedule as amended agreed to.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

13. *Otago Representation Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Otago Representation Bill,

On motion of the Honourable Mr. Gillies, *Ordered*, That the Bill be re-committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 9 read. Amendment proposed. In line 2: To omit all the words after the word "be," with a view to insert in lieu thereof the words following, viz.,—"respectively Mem-"bers for the new District of Dunedin and Suburbs North and Dunedin and Suburbs "South in manner following (that is to say) the earliest elected Member shall be a Member "for the District of Dunedin and Suburbs North, and the last elected Member shall be a "Member for the District of Dunedin and Suburbs South." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 10 read. Amendment proposed. In line 3: To omit all the words after "Election of," with the view to insert in lieu thereof the words "one Member for the "District of Dunedin and Suburbs North, of one Member for the District of Dunedin "and Suburbs South, and of the before-mentioned two Gold-fields Representatives." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had gone through the Bill, and had made further Amendments thereto.

Ordered, That the Report be received To-morrow.

14. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

G. GREY, Governor. *Message No.* 3.

The Governor transmits to the House of Representatives, Estimates of the General Government Expenditure for the year ending the 30th June, 1863, Provincially charged, and, on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 18th August, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

G. GREY, Governor. *Message No.* 4.

The Governor transmits to the House of Representatives "A Statement of Expenditure "on account of the year ended the 30th June, 1862, for which a Supplementary Grant is "required," and on Her Majesty's behalf recommends the House to make provision accordingly.

Government House,
Wellington, 18th August, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Suply.

15. *Crown Grants to Natives Bill.*—The Order of the day being read, for the second reading of the Crown Grants to Natives Bill,

The

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read. Motion made, and Question proposed, That the blank be filled up with the words "Crown Grants Act, 1862 (No. 2)." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Clause as completed agreed to.

Clauses 2 and 3 read and agreed to.

Preamble read and agreed to.

To report the Bill.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported that the Committee had gone through the Bill without making any Amendment thereto.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass.

On motion of the Honourable Mr. Gillies, *Resolved*, That the Title be amended by the omission of the words "to Natives."

Resolved, That the Title be, "An Act to authorize the issue of Crown Grants in certain "cases."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

16. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

His Excellency's Message No. 4 read.

Resolved, That a sum not exceeding one thousand eight hundred and thirty pounds three shillings and ninepence be granted to Her Majesty to defray the expenditure on account of the financial year 1860-61, for which a Supplementary Grant is required. (*Hon. Mr. Dillon Bell.*)

His Excellency's Message No. 3 read.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Auckland for the year 1862-3, the sums following (that is to say)—

For the Resident Magistrates' Courts at the places following, namely—

At Auckland, a sum not exceeding one thousand six hundred and five pounds.
At Onehunga, a sum not exceeding one hundred and seventy pounds.
At Howick, a sum not exceeding one hundred and seventy pounds.
At Papakura, a sum not exceeding one hundred and seventy pounds.
At Waiuku, a sum not exceeding one hundred and eighty pounds.
At Wangarei, a sum not exceeding two hundred and forty pounds.
At Russell, a sum not exceeding two hundred and eighty pounds.
At Mongonui, a sum not exceeding four hundred and fifty pounds.
At Raglan, a sum not exceeding two hundred and thirty-two pounds.

For the expenses connected with Coroners' Inquests a sum not exceeding two hundred and twenty pounds.

For the Expenses connected with the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding one thousand six hundred and fifty-five pounds.

For Electoral Expenses, a sum not exceeding six hundred and fifty pounds.

For Customs Expenses—

At Auckland, a sum not exceeding four thousand four hundred and forty-five pounds and fifteen shillings.
At Onehunga, a sum not exceeding two hundred and eighty-five pounds.
At Russell, a sum not exceeding five hundred and eighty-seven pounds and ten shillings.
At Mongonui, a sum not exceeding three hundred and fifty-five pounds.
At Hokianga, a sum not exceeding seventy pounds.
At Wangarei and Kaipara, a sum not exceeding three hundred and eighty-two pounds and ten shillings.
At Raglan, a sum not exceeding one hundred and fifty pounds.
At Coromandel, a sum not exceeding one hundred and seventy pounds.

For the cost and charge of a Licensing Officer under the "Arms Act, 1860," a sum not exceeding fifty pounds.

For Postal Expenditure, a sum not exceeding four thousand eight hundred and sixteen pounds.

On

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty to defray the following costs and charges in the Province of Taranaki for the year 1862-3 the sums following (that is to say)—

For the Resident Magistrate's Court, a sum not exceeding four hundred and thirty-five pounds.

For Coroners' Inquests, a sum not exceeding ten pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding four hundred and thirty pounds.

For Electoral Expenses, a sum not exceeding one hundred and seventy-five pounds.

For Customs Expenses, a sum not exceeding seven hundred and thirty-four pounds.

For Postal Expenses, a sum not exceeding three hundred and ninety-six pounds.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Wellington for the year 1862-3, the sums following (that is to say)—

For Resident Magistrates Courts—

At Wellington, a sum not exceeding one thousand one hundred and sixty-nine pounds and fifteen shillings.

At Wanganui, a sum not exceeding five hundred and fifty-nine pounds and fifteen shillings.

At Wairarapa, a sum not exceeding two hundred pounds.

For Coroners' Inquests, a sum not exceeding one hundred and twenty pounds.

For Registration of Deeds, and of Births, Deaths, and Marriages, a sum not exceeding eight hundred and seventy pounds.

For Electoral Expenses, a sum not exceeding three hundred and fifty pounds.

For Customs Expenses—

At Wellington, a sum not exceeding two thousand nine hundred and eighty-one pounds.

At Wanganui, a sum not exceeding four hundred and ninety-six pounds and five shillings.

For Licensing Officers, under the "Arms Act, 1860," a sum not exceeding seventy-five pounds.

For Postal Expenses, a sum not exceeding two thousand three hundred and fifty-three pounds and ten shillings.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Hawke's Bay for the year 1862-3, the sums following (that is to say)—

For the Resident Magistrate's Court at Napier, a sum not exceeding four hundred and fifty-five pounds.

For Coroners' Inquests, a sum not exceeding eighty pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding six hundred and fifty pounds.

For Electoral Purposes, a sum not exceeding one hundred and seventy-five pounds.

For Customs Expenses, a sum not exceeding nine hundred and seventy pounds.

For a Licensing Officer, under the "Arms Act, 1860," a sum not exceeding twenty-five pounds.

For Postal Expenses, a sum not exceeding one thousand three hundred and fifty-one pounds.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Nelson for the year 1862-3, the sums following (that is to say)—

For Resident Magistrates' Courts—

At Nelson, a sum not exceeding nine hundred pounds.

At Collingwood, a sum not exceeding two hundred and eighty pounds.

For Coroners' Inquests, a sum not exceeding one hundred and seventy pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding eight hundred and seventy pounds.

For Electoral Purposes, a sum not exceeding six hundred pounds.

For Customs Expenses—

At Nelson, a sum not exceeding one thousand seven hundred and fifty pounds.

At Collingwood, a sum not exceeding two hundred and eighty pounds.

For Licensing Officers, under the "Arms Act, 1860," a sum not exceeding seventy-five pounds.

For

For Postal Expenses, a sum not exceeding one thousand eight hundred and twenty-seven pounds.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Marlborough for the year 1862-3, the sums following (that is to say)—

For Resident Magistrate's Court, a sum not exceeding four hundred and ninety-five pounds.

For Coroners' Inquests, a sum not exceeding thirty pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding four hundred and twenty-five pounds.

For Electoral Expenses, a sum not exceeding two hundred pounds.

For Customs expenses at Picton, and for a Clerk and Contingencies at Blenheim, a sum not exceeding five hundred and seventy-five pounds.

For two Licensing Officers, under the "Arms Act, 1860," a sum not exceeding fifty pounds.

For Postal Expenses, a sum not exceeding seven hundred and eighty pounds.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Canterbury for the year 1862-3, the sums following (that is to say)—

For Resident Magistrates' Courts—

At Christchurch and Kaiapoi, a sum not exceeding one thousand two hundred and sixty-one pounds and fifteen shillings.

At Lyttelton, a sum not exceeding six hundred and twenty pounds.

At Akaroa, a sum not exceeding three hundred pounds.

At Timaru, a sum not exceeding one hundred and seventy pounds.

For Coroners' Inquests, a sum not exceeding two hundred pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding one thousand two hundred and ten pounds.

For Electoral purposes, a sum not exceeding six hundred and twenty-five pounds.

For Customs Expenditure—

At Lyttelton, a sum not exceeding four thousand and forty-two pounds and eighteen shillings.

At Akaroa, a sum not exceeding three hundred and fifty pounds.

At Timaru, a sum not exceeding three hundred and thirty pounds.

For Licensing Officers under the "Arms Act, 1860," a sum not exceeding one hundred pounds.

For Postal Expenses, a sum not exceeding four thousand four hundred and sixty-four pounds.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty to defray the following costs and charges in the Province of Otago, for the year 1862-3, the sums following (that is to say)—

For Resident Magistrates' Courts—

At Dunedin, a sum not exceeding one thousand four hundred pounds.

At Port Chalmers, a sum not exceeding nine hundred and twenty-five pounds.

At Oamaru, a sum not exceeding one hundred and seventy pounds.

At Taieri and Tokomairiro, a sum not exceeding eight hundred and twenty-five pounds.

At Molyneux, a sum not exceeding one hundred and seventy-five pounds.

For Coroners' Inquests, a sum not exceeding two hundred pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding one thousand seven hundred and fifty pounds.

For Electoral Purposes, a sum not exceeding six hundred pounds.

For Customs Expenses—

At Dunedin, a sum not exceeding five thousand two hundred and forty-five pounds.

At Port Chalmers, a sum not exceeding one thousand seven hundred and thirty pounds.

At Oamaru, a sum not exceeding four hundred and fifty pounds.

At Taieri, a sum not exceeding four hundred and fifty pounds.

At Molyneux, a sum not exceeding four hundred and fifty pounds.

For a Licensing Officer under the "Arms Act, 1860," a sum not exceeding fifty pounds.

For Postal Expenditure, a sum not exceeding ten thousand five hundred and seventy-three pounds and ten shillings.

For

For contingencies to meet unforeseen expenses arising out of the Gold Discoveries in the Province, a sum not exceeding two thousand pounds.

For new Buildings for Custom Houses at Oamaru, Taieri, Molyneux, and Port Chalmers, a sum not exceeding one thousand six hundred pounds.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That there be granted to Her Majesty, to defray the following costs and charges in the Province of Southland, for the year 1862-3, the sums following (that is to say)—

For Resident Magistrates' Courts at Invercargill and Riverton, a sum not exceeding three hundred and fifty pounds.

For Coroners' Inquests, a sum not exceeding twenty pounds.

For the Registration of Deeds, and of Births, Deaths and Marriages, a sum not exceeding seven hundred pounds.

For Electoral Purposes, a sum not exceeding seventy-five pounds.

For Customs Expenditure, a sum not exceeding one thousand three hundred and sixty pounds.

For a Licensing Officer under the Arms Act, a sum not exceeding twenty-five pounds.

For Postal Services, a sum not exceeding eight hundred pounds.

For a new Custom House at Bluff Harbour, a sum not exceeding three hundred and fifty pounds.

To report progress.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported that the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

17. *Message.*—A Message from the Legislative Council by John Cumin, Esquire, Clerk of the Legislative Council.

The Legislative Council have passed a Bill, intituled "An Act to amend the 'Election "Petitions' Act, 1858," with certain Amendments, to which they request the concurrence of the House of Representatives. Also,—

The Legislative Council have passed the following Bills, without any Amendment:—

Bill intituled "An Act to continue the 'Arms Act, 1860.'"

Bill intituled "An Act to amend the 'Joint Stock Companies' Act, 1860.'"

Bill intituled "An Act to amend the 'Customs Duties Act, 1858,' in relation to Military Supplies."

18. *Election Petitions Act Amendment Bill.—Ordered*, That the consideration of the Amendments by the Legislative Council in the Election Petitions Act Amendment Bill be an Order of the day for To-morrow.

19. *Paper.*—The Honourable Mr. Gillies laid upon the Table, by command of His Excellency,—

A Return of the number of persons on the Commission of the Peace for New Zealand, on the 12th July, 1861, and of the names of all persons since added, with the dates of their respective appointments—being Return to an Order of the House of the 6th August instant.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 19th August, 1862.

1. Mr. Fox to ask the Hon. the Colonial Secretary, Whether it is the intention of the Government to take and and what steps to continue the investigation into the Title to the disputed block of land at Waitara.
2. Mr. Fox to ask the Hon. the Colonial Secretary, Whether it is the intention of the Government to introduce any Act this Session to amend the law relating to Militia and Volunteer Forces.
3. Mr. Fox to ask the Hon. the Colonial Secretary, Whether it is the intention of the Government to introduce any measure to repeal or amend "The New Provinces Act, 1858."
4. Mr. Fox to ask the Hon. the Attorney-General, Whether it is the intention of the Government to put in operation the provisions of the Act of 1860, establishing a new system of Registration and transfer of Title thereby.

NOTICES OF MOTION.

1. Hon. Mr. DILLON BELL to move, That a Select Committee be appointed to consider the question of losses sustained by Members of Assembly and other passengers, engaged in the public service, by the wreck of the steamer "White Swan;" Report to be brought up on Friday, 22nd August. The Committee to consist of the following Members: Mr. Rhodes, Mr. Jollie, Mr. Atkinson, Mr. John Williamson, Mr. C. J. Taylor, and Mr. Ormond.
2. Hon. Mr. DOMETT to move, That the following Address be presented to Her Majesty, on the subject of the Despatch of the Secretary of State, dated 26th May, 1862:—

MOST GRACIOUS SOVEREIGN,—

We, Your Majesty's loyal subjects, the Legislative Council and House of Representatives of New Zealand, in Parliament assembled,—in all faithfulness and zeal to Your Majesty's service, humbly pray Your Majesty's interference to avert from this Colony the evils with which it is threatened.

From a Despatch just received from Your Majesty's Secretary of State for the Colonies dated 26th May, 1862, we have learnt with deep concern and anxious foreboding that it is the intention of Your Majesty's Government to relinquish the duty of governing the Native inhabitants of these islands, to cast the whole burden and responsibility thereof upon ourselves, and prematurely to withdraw the troops necessary for the protection of the English settlements and the maintenance of Your Majesty's authority.

We humbly represent to Your Majesty that this course would be fraught with injustice to ourselves, would probably bring the settlements to the brink of ruin, and issue in the destruction of the Native race.

Had the evils which distract this country been produced by our own mis-government of the Natives, it might have been considered just to throw upon us the obligation to remedy and remove them. But from the first settlement of the Colony, the Government of the Natives has been in the hands of Your Majesty's Representatives, and of Officers responsible to them alone. An absolute control over any legislation affecting the Natives, over the administration of laws relating to them, and especially over all transactions for the sale and disposal of their lands, has been strictly retained by Your Majesty's Representatives, under the orders of successive Secretaries of State; and the settlers as a body seem to have been viewed by Goverment as objects of suspicion and distrust, to preserve the Natives from whom, it was necessary to pass peculiar enactments, and to establish especial protectorates.

It was under a Government conducted on these principles that war with the Natives broke out in 1845—a war which commenced with an act on the part of the insurgent Chief Heke, the cutting down of the Government flagstaff, intended as a distinct rejection of Your Majesty's sovereignty. This was undeniably a Government war, and not a settlers' war. And all the present disturbances have arisen either from a desire felt by the Natives for law and order among themselves—the establisnment of which, while the Government maintained its exclusive right to govern them, devolved as a duty solely upon the Government; or from a determination to found a separate nationality—a sentiment which is antagonistic, not to the settlers, but to the Government—and has naturally manifested itself in an insurrection against the latter, not in a war against the former.

There is abundant proof of the correctness of this view in Despatches and declarations of your Majesty's representatives themselves. And Your Majesty's Secretary of State, in the Despatch which has given occasion for this our humble appeal to your Majesty, acknowledges that the system of keeping the management of the Natives under the control of the Home Government to the exclusion of the English Settlers has proved a failure. The proof of this failure is assumed to be the present disturbed state of the country, and the repudiation of your Majesty's sovereignty by so many of the Natives. It is therefore clear that the Government and not the settlers are accountable for the evils of the present state of things.

If, then, it is unjust to hold us responsible for disorders which we had not the power of preventing, it seems still more unjust as well as impolitic, to transfer to us alone the obligation to extricate the Colony from its difficulties at the present moment. Had the Natives been in a state of peace and prosperity, and of acknowledged allegiance to your Majesty, the transfer of authority to govern them, or of the responsibility attending it, might have been accepted by us with gratitude for the confidence displayed in us, and a reasonable anticipation of favourable results. But Your Majesty's Secretary of State proposes to make this transfer at a time when the exercise of the duties it involves is full of difficulty, and must entail upon the Colony expenses it is not in a condition to bear, and dangers it cannot without the aid at least, of the presence of Your Majesty's troops, successfully contend with. It is to be made at a time when a large body of the Natives are endeavouring to establish a separate nationality, and have set up a "King," and raised bands of armed

men

men to maintain it; when many other tribes are alienated or disaffected; and at the close of a war which has failed to convince the Natives of the superiority of Your Majesty's arms, and has reduced to a mere military garrison, one British settlement, where the insurgent Natives at this moment hold possession, avowedly by right of conquest, of one of its principal agricultural districts, which had been occupied and cultivated for years by peaceful and industrious settlers.

To extricate the Colony from these difficulties, and restore tranquility and prosperity will be a work of time, involving much expense, and require a firm, and cautious, and wise administration of Government. We are very sensible of the prompt and generous assistance afforded to us by Your Majesty at the outbreak of the late insurrection; and our best endeavours will always be loyally and cordially given to co-operate with and assist, to the best of our power, Your Majesty's Representative in this arduous task. But we cannot think it just that this task should be imposed exclusively upon ourselves, and that the powerful aid of the Imperial Government should be withheld from us. And we are grieved to perceive that Your Majesty's Secretary of State appears to be under the impression that there is a disinclination on our part to take upon ourselves a fair share of the burden of the defence of the country, either in the raising of money or men. The losses and the share of expenses connected with the late war, which the Colony has borne or is called upon to pay, amount to half a million sterling. The taxation requisite to meet these losses and demands, would, with that already paid by the colonists, amount to four times as much for every individual in the Colony as is paid per head by the people of England; while with regard to raising men for Your Majesty's service, the number of Taranaki settlers actually engaged in military service for the last two years and a-half, amount to more than three-fifths of the male population of the whole Province, from 16 years of age upwards.

The Secretary of State seems also to think that the Colony can be defended by Militia alone. The opinion of all Your Majesty's Representatives—of the Generals and Military Commanders acquainted with the country—has often been given against this view. The fact that the settlements are isolated one from another, situated at great distances on an extended line of sea coast, with tracts of impervious wooded and mountainous country behind and between them, but inhabited by hordes of warlike Natives, who, occupying a central position with regard to them all, could concentrate their forces to attack any one of them separately, is sufficient to show the impossibility of any Militia force in this stage of the Colony's existence being adequate for its defence.

There is another consideration which we humbly venture to present to Your Majesty. If the Colony be left for its defence to its own resources, and the settlers be unaided by Your Majesty's Government, it will be obviously impossible for them to assert or maintain Your Majesty's sovereignty over the large portions of the Northern Island not occupied by them but inhabited by the aboriginal population. They might, in self-defence, be obliged to confine themselves to the Government of their own districts, laying down lines of demarcation, outside of which the Native population of a country, comprising a large extent of sea coast, would be left in a state of virtual independence,—a position which might lead to grave complications.

Moreover, if the settlers were thus left to their own defence, any war that might arise would degenerate into a guerilla warfare of continual surprises and massacres,—the ultimate consequences of which would be, after incalculable loss to the settlers of life and property, the certain extermination of the Native Race.

To avoid all these evils, to give a chance for the restoration of prosperity to the Colony, to secure the safety of the settlers, and the preservation of the Native Race, we implore Your Majesty to cause this proposal of Your Majesty's Government, to withdraw its support from the Colony, to be reconsidered. We pray Your Majesty to direct that measures may be resolved on consistent with the welfare of both races inhabiting these islands, with the preservation in its integrity of this portion of the empire, with the maintenance of the honor and dignity of Your Majesty's Crown, and with the magnanimity of the people of England.

3. Mr. FITZGERALD to move the following Resolutions, as an Amendment to an Address to Her Majesty to be moved by Mr. Domett—

(1.) That this House has taken into its most serious consideration the Despatches recently laid on its Table, from His Grace the Duke of Newcastle to His Excellency Sir George Grey, especially the Despatch dated the 26th May, 1862.

(2.) That this House learns, from the contents of those Despatches—

1. That Her Majesty's Government, recognising that the Government of the Native race by the Colonial Office has failed, has resolved that in future the powers and [responsibilities of the Crown in that behalf, shall be exercised and undertaken by the Queen's Ordinary Government in the Colony.

2. That

2. That the Imperial Government will in future decline to contribute towards the burden of educating, civilizing, and governing the Native Race, in any other manner, or to any greater extent than by remitting the contribution towards the cost of maintaining the Imperial Troops in the Colony, which the Colony has undertaken to pay to the extent of five pounds a head for every man so employed.
3. That, for the Troops at present stationed in the Colony, that contribution amounts to about twenty-five thousand pounds a year; but that it is the intention of the Imperial Government shortly to recall a considerable portion of the Troops so employed, and to that extent to diminish the amount of the Imperial aid to the Colony.
4. That no ship of war can be placed at the service of His Excellency Sir George Grey, notwithstanding that His Excellency's presence is equally needed at various points of the coast in order to treat with the Native Tribes; but that if such a ship of war is required, it must be provided by the Colony out of its own resources.
5. That a sum amounting to nearly two hundred thousand pounds, advanced by the Commissariat Chest for the expenses of the Militia during the last war, must be forthwith repaid by the Colony to the Imperial Government; that all such expenses must in future be paid by the Colony; and that the whole cost of constructing the Military road to the Waikato by the Troops, must be refunded in like manner.
6. That the Duke of Newcastle is under the impression that the wars which have hitherto taken place in New Zealand were wars between the Settlers and the Natives, and were undertaken in accordance with the wishes and for the benefit of the Colonists.
7. That His Grace is of opinion that the Colonists of New Zealand have exhibited a disinclination to make such sacrifices as they might fairly be expected to make in defence of their own lives and properties, and in the maintenance of the Queen's authority throughout the Colony.

(3.) That this House being of opinion that, in the divided authority heretofore maintained in the Government of the Colony, has lain one main cause of the evils under which the Colony has laboured, learns with great pleasure that that source of disunion and disorder has been put an end to, and that the administration of Native affairs will in future be conducted in the ordinary manner by the Queen's Government within the Colony.

(4.) That, in the opinion of this House, His Grace the Duke of Newcastle has been greatly misinformed as to the nature, origin, and objects of the wars in New Zealand, and that this House deems it right, on behalf of the Colonists, to repudiate the charge of having at any time occasioned, desired, or counselled such wars; and to assert that such wars were undertaken wholly at the responsibility of the Queen's Representative in the Colony, at a time when he was accountable solely to the Imperial Government, and when the Legislature of the Colony had no control over his actions.

(5.) That, whilst this House will not shrink from the grave responsibilities now imposed upon it, it deems it right to record its opinion that an act of great injustice will be committed, if the inhabitants of a young and struggling Colony are charged with the whole cost of educating, civilizing, and governing a race over whom the Government of the Queen and the authority of the Law have as yet been only partially extended; an act of still greater injustice if that burden be thrown on the Colony at a time when the cost, the difficulty, and the danger of the task have been vastly increased by past government, in in which the Colony has had no share, and for which it has been in no degree responsible.

(6.) That, whilst this House recognizes to the full, on behalf of the colonists, the duty of defending their own lives and properties, it desires to express its conviction of the impossibility of eliciting the military ardour of a Colony under a system which places the local forces in a position of marked inferiority to the Queen's ordinary army, not only in the performance of military duties, but also in the distribution of honors and rewards due to meritorious service.

(7.) That this House deems it necessary to record its strong conviction that, in a country where the adoption of any particular policy may require the aid of the Military power, it is essential that the Government charged with the responsibility of directing that policy should be armed with the control of the military power by which it is to be enforced. That great calamities have already fallen upon this Colony; wars have been needlessly prolonged; lives lost, and treasure squandered solely for the want of some local authority having power to remove inefficient and incapable Commanders, and to entrust the execution of military operations to men capable of conducting them to a successful issue. This House is therefore of opinion, that the safety of this Colony imperatively demands that the disposal and control of the whole of the Military forces within its limits should be absolutely vested in Her Majesty's Representative.

(8.) That

(8.) That, in the opinion of this House, the time has arrived when the whole of the relations between the Mother Country and the Colony as to the extent of their mutual obligations in respect of the Native race, demand a careful revision and adjustment. That such adjustment should be based upon a calculation of the whole cost of reclaiming the Native race from barbarism, and completely establishing the Queen's Authority throughout these Islands. That the share of this cost to be contributed by the Mother Country and the Colony respectively should be ascertained by a fair estimate of the interest of each in the result, and by a consideration of the extent to which the cost and difficulty of the work has been increased by the Government of the Natives during past years. That, in consideration of a money contribution so ascertained, the Imperial Government should be held to be discharged from all future obligation in respect to the Native race. And that in consideration of the Colony now undertaking the sole management of Native affairs, it should be held to undertake the entire cost and responsibility of their conduct for the future. That, if it were thought desirable that any Imperial troops should be left in the Colony, the whole cost of such troops should be charged as a part of the Imperial contribution; but that this arrangement should be deemed to refer solely to the Native policy, and should be distinct from, and in no wise prejudice any arrangement which may be made between the Mother Country and the Colonies generally, for settling their joint contributions towards the Military defence of the latter.

(9.) That respectful Addresses be presented to Her Majesty, and to both Houses of the Imperial Parliament, setting forth the views embodied in the foregoing Resolutions.

(10.) That a respectful Address be presented to His Excellency the Governor, praying His Excellency to support the prayer of such Petitions by all the means in his power.

(11.) That it is desirable that a Special Commissioner or Commissioners be despatched to England to lay the said Addresses at the foot of the Throne, and before the two Houses of Parliament; and that an Act of the General Assembly be passed, empowering the said Commissioners to act for and on behalf of the Colony, and to make all such arrangements as may be necessary in order to carry the objects of the foregoing Resolutions into full effect, and to appear, if necessary, by Counsel before the Houses of Lords and Commons.

4. Hon. Mr. DOMETT to move, That the Report of a Board of Officers, appointed to enquire and report to the Government as to the expediency of establishing a Government Printing Press, be referred to the following Select Committee to report thereon. The Committee to have power to call for Persons, Papers, and Records; to report on August 26th. Committee:—Mr. Jollie, Mr. Stafford, Mr. Curtis, Mr. A. J. Richmond, Mr. Ormond, Mr. Crosbie Ward, Mr. Fox, Mr. O'Rorke, and Mr. Cargill.
5. Mr. STAFFORD to move, That the Petition of Mr. J. B. Williams be referred to the Committee on Private Grievances.
6. Mr. O'NEILL to move, That the Return made to an Order of the House, and laid on the Table on 23rd July last, relative to the documents lost in the "White Swan," be printed.
7. Mr. A. J. RICHMOND to move, That there be laid on the Table of the House, copies of all Correspondence with reference to the resignation of Justices of the Peace for the Colony, since the 1st of January, 1862.
8. Mr. WELD to move, That the Petition of Robert Park be referred to the Private Grievance Committee.
9. Mr. CROSBIE WARD to move, That leave of absence for a fortnight be granted to Mr. A. E. White.

ORDERS OF THE DAY.

1. Report of the Select Committee on Land Claims.
2. Report of the Select Committee on the Crown Lands Bill.
3. Miners' Franchise Act Amendment Bill—to be reported.
4. Otago Representation Bill—to be reported.
5. Election Petitions Act Amendment Bill—consideration of Amendments by the Legislative Council.
6. Land Revenue Appropriation Act, 1858, Amendment Bill—second reading.
7. Native Lands Bill—second reading.
8. Adjourned Debate on the Question, That, in the opinion of this House, the relations between His Excellency the Governor and his Responsible Advisers should rest upon the following basis:—

(1.) That Ministers should, in conformity with the Royal Instructions, advise the Governor in Native affairs (as well as in Colonial affairs) whenever His Excellency desires to obtain such advice, and should also tender advice on all occasions of importance when they deem it their duty in the interests of the Colony to do so.

(2.) That Ministers should, at His Excellency's request, undertake the administration of Native affairs, reserving to His Excellency the decision in all matters of Native policy.

(3.) That

(3.) That, as the decision in all matters of Native policy is with His Excellency, the advice of Ministers shall not be held to bind the Colony to any liability, past or future, in connection with Native affairs, beyond the amount authorised, or to be authorised by the House of Representatives.

9. Nominated Superintendents Bill—second reading—Adjourned Debate on the Question, That the Bill be read a second time this day six months.
10. The Committee of Supply.
11. The Committee of Ways and Means.

Tuesday, the 19th day of August, 1862.

PRAYERS.

1. *Petition presented.*—By Major Richardson: The Petition of John Russell, late of the Province of Auckland.
   Petition received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—Copies of Correspondence between the Government and Officers of the Colonial Forces, relative to Distinctions conferred by Her Majesty on account of Military Services in New Zealand.—Return to an Order of the House of the 14th August instant.

3. *Wreck of the "White Swan."*—On motion of the Honourable Mr. Dillon Bell, *Ordered*, That a Select Committee be appointed to consider the question of losses sustained by Members of Assembly and other passengers, engaged in the Public Service, by the wreck of the "White Swan;" Report to be brought up on Friday, 22nd August instant. The Committee to consist of the following Members:—Mr. Rhodes, Mr. Jollie, Mr. Atkinson, Mr. John Williamson, Mr. C. J. Taylor, and Mr. Ormond.

4. *Government Printing Press.*—On motion of the Honourable Mr. Domett, *Ordered*, That the Report of a Board of Officers appointed to enquire and report to the Government as to the expediency of establishing a Government Printing Press, be referred to the following Select Committee to report thereon. The Committee to have power to call for Persons, Papers, and Records; to report on August 26th. Committee:—Mr. Stafford, Mr. Curtis, Mr. A. J. Richmond, Mr. Ormond, Mr. Crosbie Ward, Mr. Fox, Mr. O'Rorke, and Mr. Cargill.

5. *Petition of Mr. J. B. Williams.*—On motion of Mr. Stafford, *Ordered*, That the Petition of Mr. J. B. Williams be referred to the Committee of Private Grievances.

6. *Public Records.*—On motion of Mr. O'Neill, *Ordered*, That the Return made to an Order of the House relative to the Documents lost in the "White Swan," and laid on the Table 23rd July last, be printed for the use of Members of this House.

7. *Justices of the Peace.*—On motion of Mr. A. J. Richmond, *Ordered*, That there be laid upon the Table, copies of all correspondence with reference to the resignation of Justices of the Peace for the Colony, since the 1st of January, 1862.

8. *Petition of Mr. Park.*—On motion of Mr. Weld, *Ordered*, That the Petition of Robert Park be referred to the Committee of Private Grievances.

9. *Leave of Absence.*—On motion of Mr. Crosbie Ward, *Ordered*, That Leave of Absence for a fortnight be granted to Mr. White.

10. *Native Affairs.*—The Honourable Mr. Domett moved, and the Question being proposed, That an humble Address be presented to Her Majesty on the subject of the Despatch of the Secretary of State, dated 26th May, 1862,
    And a Debate arising thereupon,
    Mr. J. C. Richmond moved, and the Question being proposed, That this Debate be now adjourned until To-morrow,
    Mr FitzGerald moved, in Amendment, the omission of the word "To-morrow," and the substitution of the words "Friday next."
    And the Question being put, That the word proposed to be omitted stand part of the Question, it was resolved in the Affirmative.
    Resolved, That the Debate be now adjourned until To-morrow.

11. *Land Claims.—Ordered,* That the Committee on Land Claims have leave to postpone their Report until Wednesday, the 26th day of this instant August.

12. *Crown Lands Bill.– Ordered,* That the Committee on the Crown Lands Bill have leave to postpone their report until Wednesday, the 26th day of this instant August.

13. *Miners' Franchise Act Amendment Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the the Miners' Franchise Act Amendment Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the Law relating to the Miners' Franchise."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

14. *Otago Representation Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Otago Representation Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass.

On motion of the Honourable Mr. Gillies, *Ordered,* That the Title of the Bill be amended by the omission of the words "make further provision for the representation of the "Province of Otago in the General Assembly," and the substitution of the words "amend "the Representation Act, 1860."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

15. *Election Petitions Act Amendment Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Election Petitions Act Amendment Bill,

The same were accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council acquainting them that this House hath agreed to their Amendments.

16. *Land Revenue Appropriation Act,* 1858, *Amendment Bill.*—The Order of the day being read, for the second reading of the Land Revenue Appropriation Act, 1858, Amendment Bill,

Ordered, That the Bill be read a second time To-morrow.

17. *Native Lands Bill.*—The Order of the day being read, for the second reading of the Native Lands Bill,

Ordered, That the Bill be read a second time on Thursday next.

18. *Native Affairs.*—The Order of the day being read, for resuming the adjourned Debate on the Question, That, in the opinion of this House, the relations between His Excellency the Governor and His Responsible Advisers should rest upon the following basis:—

"That Ministers should, in conformity with the Royal Instructions, advise the "Governor in Native affairs (as well as in Colonial affairs) whenever His Excellency desires "to obtain such advice, and should also tender advice on all occasions of importance when "they deem it their duty in the interests of the Colony to do so."

And the said Question being again proposed, the House resumed the said adjourned Debate.

Mr. Moorhouse moved, in Amendment, The previous Question.

And the Question being put,—That this Question be now put,—the House divided, and the names were taken down as follows:—

Ayes, 27.	*Noes,* 20.
Mr. Atkinson,	Mr. Brandon,
Hon. Mr. Dillon Bell,	Mr. Cargill,
Mr. Butler,	Mr. Carter,
Mr. Carleton,	Dr. Featherston,
Mr. Colenso,	Mr. FitzGerald,
Mr. Cookson,	Mr. Fitzherbert,
Mr. Curtis,	Mr. Fox,

Ayes

Ayes (continued).	*Noes* (continued).
Mr. Dick,	Mr. G. Graham,
Hon. Mr. Domett,	Mr. R. Graham,
Mr. Jollie,	Mr. Harrison,
Hon. Mr. Mantell,	Mr. Henderson,
Mr. Mason,	Mr. Munro,
Major Nixon,	Mr. O'Rorke,
Mr. O'Neill,	Mr. Renall,
Mr. Ormond,	Mr. Rhodes,
Major Richardson,	Mr. Waring Taylor,
Mr. A. J. Richmond,	Mr. Thomson,
Mr. J. C. Richmond,	Mr. Crosbie Ward,
Hon. Mr. Russell,	Mr. John Williamson,
Mr. Stafford,	Mr. Wood (Teller).
Mr. C. J. Taylor,	
Mr. Watt,	
Mr. Weld,	
Mr. Wells,	
Mr. James Williamson,	
Mr. Cracroft Wilson, C.B.	
Hon. Mr. Gillies (Teller).	

So it was resolved in the Affirmative.

Then the Original Question being put, the House divided, and the names were taken down as follows:—

Ayes, 27.	*Noes*, 18.
Mr. Atkinson,	Mr. Brandon,
Hon. Mr. Dillon Bell,	Mr. Cargill,
Mr. Butler,	Mr. Carter,
Mr. Carleton,	Dr. Featherston,
Mr. Colenso,	Mr. FitzGerald,
Mr. Cookson,	Mr. Fitzherbert,
Mr. Curtis,	Mr. Fox,
Mr. Dick,	Mr. G. Graham,
Hon. Mr. Domett,	Mr. R. Graham,
Mr. Jollie,	Mr. Henderson,
Hon. Mr. Mantell,	Mr. O'Rorke,
Mr. Mason,	Mr. Renall,
Major Nixon,	Mr. Rhodes,
Mr. O'Neill,	Mr. Waring Taylor,
Mr. Ormond,	Mr. Thomson,
Major Richardson,	Mr. John Williamson,
Mr. A. J. Richmond,	Mr. Wood,
Mr. J. C. Richmond,	Mr. Crosbie Ward (Teller).
Hon. Mr. Russell,	
Mr. Stafford,	
Mr. C. J. Taylor,	
Mr. Watt,	
Mr. Weld,	
Mr. Wells,	
Mr. James Williamson,	
Mr. Cracroft Wilson, C.B.,	
Hon. Mr. Gillies (Teller).	

So it was resolved in the Affirmative.

Resolved, That in the opinion of this House, the relations between His Excellency the Governor and his Responsible Advisers should rest upon the following basis:—

That Ministers should, in conformity with the Royal Instructions, advise the Governor in Native affairs (as well as in Colonial affairs) whenever His Excellency desires to obtain such advice, and should also tender advice on all occasions of importance when they deem it their duty in the interests of the Colony to do so.

On motion of the Honourable Mr. Domett, *Resolved*, That Ministers should, at His Excellency's request, undertake the administration of Native Affairs, reserving to His Excellency the decision in all matters of Native Policy.

On motion of the Honourable Mr. Domett, *Resolved*, That, as the decision in all matters of Native Policy is with His Excellency, the advice of Ministers shall not be held

to

to bind the Colony to any liability, past or future, in connection with Native Affairs, beyond the amount authorised, or to be authorised, by the House of Representatives.

19. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed a Bill, intituled "An Act for the extension of the "jurisdiction of Resident Magistrates in Civil cases, in certain places," to which they request the concurrence of the House of Representatives. And also,—

The Legislative Council have passed the Bill, intituled "An Act for better securing Trust "Funds, and for the relief of Trustees," with certain Amendments, to which they request the concurrence of the House of Representatives. And also,—

The Legislative Council desire a Free Conference with the House of Representatives on the Amendments made by the House in the following Bills, and have appointed a Committee of three Managers on their behalf. They request the House of Representatives to appoint a similar Committee, and to name the hour of the Conference.

Bill intituled "An Act to amend the 'Law Practitioners' Act, 1861.'"

Bill intituled "An Act for establishing a Court of Appeal."

20. *Resident Magistrates' Jurisdiction Extension Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act for the extension of the jurisdiction of Resident Magis-"trates in Civil cases, in certain places," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

21. *Trustees' Relief Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Trustees' Relief Bill be an Order of the day for To-morrow.

22. *Law Practitioners Bill.—Resolved,* That this House agrees to a Free Conference with the Legislative Council on the Amendments made by this House in the Law Practitioners Bill, and that Mr. Fox, the Honourable Mr. Russell, and the Honourable Mr. Gillies be the Managers of such Conference on the part of this House.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House agrees to a Free Conference on the Amendments made in the Law Practitioners Bill, and appoints eleven of the Clock in the forenoon of To-morrow, for the hour of meeting.

23. *Court of Appeal Bill.—Resolved,* That this House agrees to a Free Conference with the Legislative Council on the Amendments made by this House in the Court of Appeal Bill, and that Mr. Fox, the Honourable Mr. Russell, and the Honourable Mr. Gillies, be the Managers of such Conference on the part of this House.

Ordered, That a Message be transmitted to the Legislative Council acquainting them that this House agrees to a Free Conference on the Amendments made in the Court of Appeal Bill, and appoints eleven of the Clock in the forenoon of To-morrow for the hour of meeting.

24. *Nominated Superintendents Bill.*—The Order of the day being read, for resuming the adjourned Debate on the Question, That the Nominated Superintendents Bill be now read a second time,—and the Amendment thereon,—That the Bill be read a second time this day six months,

Mr. Fitzherbert moved, in Amendment, That the Debate be further adjourned until Thursday next.

And the Question being put on the Amendment, the House divided, and the names were taken down as follows:—

Ayes, 10.	*Noes,* 30.
Mr. Carter,	Mr. Atkinson,
Dr. Featherston,	Mr. Butler,
Mr. FitzGerald,	Mr. Cargill,
Mr. Fitzherbert,	Mr. Carleton,
Mr. Fox,	Mr. Colenso,
Mr. Moorhouse,	Mr. Cookson,
Mr. O'Rorke,	Mr. Dick,
Mr. Waring Taylor,	Hon. Mr. Domett,
Mr. John Williamson,	Mr. G. Graham,
Mr. Brandon (Teller).	Mr. R. Graham,
	Mr. Jollie,

Ayes

Noes—continued.
Mr. Mason,
Mr. Munro,
Major Nixon,
Mr. O'Neill,
Mr. Ormond,
Major Richardson,
Mr. A. J. Richmond,
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. Stafford,
Mr. C. J. Taylor,
Mr. Thomson,
Mr. Watt,
Mr. Weld,
Mr. Wells,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.,
Mr. Wood,
Mr. Crosbie Ward (Teller).

So it passed in the Negative.

Then the said Question and Amendment being again proposed, the House resumed the said Adjourned Debate.

Major Richardson moved, and the Question being put, That this House do now divide on the Question,

It passed in the Negative.

Debate continued.

Mr. Carter moved, and the Question being put, That this Debate be now adjourned until To-morrow, the House divided, and the names were taken down as follows:—

Ayes, 17.
Mr. Brandon,
Mr. Carter,
Mr. Cookson,
Hon. Mr. Domett,
Dr. Featherston,
Mr. Fitzherbert,
Hon. Mr. Gillies,
Mr. Jollie,
Mr. Moorhouse,
Mr. O'Rorke,
Mr. J. C. Richmond,
Mr. C. J. Taylor,
Mr. Waring Taylor,
Mr. Thomson,
Mr. John Williamson,
Mr. Wells,
Mr. Fox (Teller.)

Noes, 14.
Mr. Butler,
Mr. Carleton,
Mr. Colenso,
Mr. Dick,
Mr. Harrison,
Mr. Mason,
Mr. Munro,
Major Nixon,
Mr. O'Neill,
Mr. Watt,
Mr. James Williamson,
Mr. Weld,
Mr. Cracroft Wilson, C.B.,
Mr. Atkinson (Teller).

So it was resolved in the Affirmative.

Ordered, That this Debate be now adjourned until To-morrow.

25. *Supply.*—The Order of the day being read, for the Committee of Supply,—
Resolved, That this House will, To-morrow, resolve itself into the said Committee.

26. *Ways and Means.*—The Order of the day being read, for the Committee of Ways and Means,
Resolved, That this House will, To-morrow, resolve itself into the said Committee.

Then, on motion of the Honourable Mr. Gillies,
The House adjourned.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 20th August, 1862.

1. Mr. STAFFORD to ask the Hon. the Colonial Secretary, Whether the Government intends to move in this Session for any Select Committee to take evidence and report upon the question of erecting and maintaining Light-houses for facilitating the navigation of the Coasts of New Zealand; and what provision the Government proposes to make, generally, for that purpose.
2. Mr. COLENSO to ask the Hon. the Colonial Treasurer, Whether—now that the Revenues of the Colony have so largely and unexpectedly increased—the Government will be pleased to act upon the Resolution of this House, of August 13, 1861, viz.:—
   "That it is highly desirable, as soon as the finances of the Colony will permit, that a sum of money be devoted for the purpose of commencing a Standard Library Dictionary or Lexicon of the Maori language,"
   which Lexicon is now the more required in support of His Excellency Sir G. Grey's scheme of Native Policy.

NOTICES OF MOTION.

1. Mr. DICK to move, That it is the opinion of this House that the interests of the Colony require the removal of the seat of Government to Wellington.
2. Mr. ATKINSON to move, That the Petition of the Provincial Council and Superintendent of Taranaki, to His Excellency the Governor, be considered in Committee of Supply.
3. Mr. Fox to move, That before proceeding further with the business of the Session, it is expedient that this House should have more information as to the composition of the Ministry, particularly in reference to the offices of Colonial Treasurer, Attorney-General, and Postmaster-General. And also, That full information should be given to it by the Government as to the particular plan or scheme on which it is proposed to establish frontier settlements, for which purpose the Government has intimated its intention of asking this House to authorize the raising of a loan of One Million Pounds sterling.
4. Mr. WELD to move, For copies of all correspondence regarding the abduction by certain Natives of the half-caste child of Thomas Page.

ORDERS OF THE DAY.

1. Report of the Select Committee on trial of Minor Civil Cases, and the Law of Debtor and Creditor.
2. Report of the Select Committee on the Marine Boards Bill.
3. Protection of certain Animals Act Amendment Bill—to be further considered in Committee.
4. Adjourned Debate on the Question, That an humble Address be presented to Her Majesty, on the subject of the Despatch of the Secretary of State, dated 26th May, 1862.
5. Land Revenue Appropriation Act Amendment Bill—second reading.
6. Resident Magistrates' Jurisdiction Extension Bill—second reading.
7. Trustees Relief Bill—consideration of Amendments by the Legislative Council.
8. Nominated Superintendents Bill—second reading—Adjourned Debate on the Question, That the Bill be read a second time this day six months.
9. The Committee of Supply.
10. The Committee of Ways and Means.

Wednesday, the 20th day of August, 1862.

PRAYERS.

1. *Gold Fields Committee.*—Mr. Crosbie Ward, from the Select Committee appointed to enquire into the condition and prospects of the Gold Fields of the Colony, and to consider and report whether any, and what, further legislation is necessary on the subject, brought up a Report, and the same was read as followeth:—
   The Committee having carefully considered the New Zealand Gold Fields Acts 1858 and 1860, and compared the Acts and proposed measures of the neighbouring Colonies on the same subject, and having also taken evidence upon the subject, has now to report that it has compiled a new Bill, which contains a great portion of the New Zealand Acts of 1858 and 1860, together with some additional provisions which have been suggested in the course of the enquiry; and in now bringing up a Report of its proceedings, it has to recommend for the consideration of the Legislature, the Bill which is brought up herewith.

2. *Taranaki*

2. *Taranaki.*—Mr. Atkinson moved, and the Question was proposed, That it be an instruction to the Committee of Supply, to consider the Petition of the Provincial Council and Superintendent of Taranaki to His Excellency the Governor, To-morrow.

A Debate arose thereupon,

Mr. Watt moved, and the Question was proposed, That this Debate be now adjourned until the day after To-morrow.

The Question was, by leave of the House, withdrawn.

Then the Original Question being put, it was resolved it the Affirmative.

Ordered, That it be an instruction to the Committee of Supply to consider the Petition of the Provincial Council and Superintendent of Taranaki to His Excellency the Governor To-morrow.

3. *Constitution of the Ministry.*—Mr. Fox moved, and the Question being proposed, That before proceeding further with the business of the Session, it is expedient that this House should have more information as to the Composition of the Ministry, particularly in reference to the Offices of Colonial Treasurer, Attorney-General, and Postmaster-General; and also, that full information shall be given to it by the Government as to the particular plan or scheme on which it is proposed to establish frontier settlements, for which purpose the Government has intimated its intention of asking this House to authorise the raising of a Loan of one million pounds sterling.

And a Debate arising thereupon,

And it being eight of the clock, on motion of Mr. J. C. Richmond, *Ordered*, That the Standing Order number 12 be suspended, in order to enable the Debate to be continued.

Debate continued.

The Motion was, by leave of the House, withdrawn.

4. *Abduction by Natives.*—On motion of Mr. Weld, *Ordered*, That there be laid on the Table, copies of all Correspondence regarding the Abduction by certain Natives of the half-caste child of Thomas Page.

5. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed the following Bills without any Amendment:—

A Bill intituled "An Act to amend the 'Bills of Sale Registration Act, 1856,'" and

A Bill intituled "An Act to authorise the issue of Crown Grants in certain cases,"

6. *Trial of Minor Civil Cases.*—*Ordered*, That the Select Committee on the Trial of Minor Civil Cases, and the Law of Debtor and Creditor, have leave to postpone their Report until the 27th of this instant August.

7. *Marine Boards Bill.*—*Ordered*, That the Select Committee on the Marine Boards Bill have leave to postpone their Report until the 27th of this instant August.

8. *Protection of certain Animals Act Amendment Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Protection of certain Animals Act Amendment Bill.

(In the Committee.)

Amendment proposed by Major Richardson on 15th August instant, put and negatived.

Clause 5 as printed read and negatived.

Motion made, and Question proposed, That the following do stand as Clause 6 of the Bill:—

"If any person shall hunt, shoot, take, or kill any Pheasant or other Animal or Bird "specified by the Governor as coming under the provisions of this Section, on any Sunday, "he shall, on conviction before a Resident Magistrate, or two or more Justices of the "Peace, be punished by a fine not exceeding five pounds nor less than ten shillings, in "respect of any male Animal or Bird, and not exceeding ten pounds nor less than one "pound in respect of any female Animal or Bird, such fine to be recovered in a summary "way." (*Mr. Stafford.*)

And the Question being put, it passed in the Affirmative.

Clauses 6, 7, and 8, as printed, read and negatived.

Clause 9 as printed read and agreed to, as Clause 7 of the Bill.

Schedule read and negatived.

To report the Bill with Amendments.

On

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

9. *Adjournment* (*Special*).—On motion of the Honourable Mr. Domett, *Resolved*, That this House will, at the rising of the House this day, adjourn until To-morrow at five of the clock.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 21*st August*, 1862.

1. Mr. HARRISON to ask the Hon. the Colonial Secretary—1. Whether it is the intention of Government to make any provision for carrying out the "District Courts Act, 1858," by the establishment of Courts;—And, 2. Whether it is the intention of Government to include Wanganui in the Circuit of the Supreme Court for the Middle District, and when it may be expected that a sittings will be held there.

NOTICES OF MOTION.

1. Mr. STAFFORD to move, That, in the opinion of this House, the tenure of office of Judge of the Supreme Court ought to be assimilated, as nearly as may be, to that of Judges in England.

   That the Judges of the Supreme Court ought not to be removable except by Her Majesty on an Address from both Houses of the General Assembly; and should only be liable to suspension by the Governor on a like Address.

   That for the next ten years, the appointment of Judges should be with Her Majesty; but to be exercised with the advice of the Ministers of the Crown in Great Britain, on the recommendation of some one of the Judges of the Superior Courts in England, who may be from time to time designated in that behalf by the Colonial Government on behalf of the Colony.

   That a respectful Address be presented to His Excellency the Governor, praying him to take the necessary steps towards effecting the above-named objects.
2. Mr. STAFFORD to move, That, in the opinion of this House, the duties of the Office of a Minister of Justice should not be exercised by the Attorney-General, and that the latter officer should not necessarily be a member of the Executive Council of New Zealand, nor his tenure of office necessarily determinable on the retirement from office of any particular Ministry.
3. Hon. Mr. DILLON BELL to move, For leave to bring in a Bill to amend the Native Reserves Act, 1856.
4. Mr. COLENSO to move, That, as faithful Representatives of the people of the Colony of New Zealand—as promoters and defenders of the high integrity and consequent utility of our Constitutional Institutions—as supporters of free popular Government—and as jealous guardians of sacred public trusts and liberties—this House resolves—That a Select Committee be appointed, in order to draw up a respectful Address to His Excellency the Governor, requesting him, in exercising the powers recently committed to him by Her Majesty the Queen, of increasing largely the number of the Members of the Legislative Council, by nominating "prudent and discreet men" thereto, to do so wholly irrespective of party, so as to ensure the necessary *status* of the said Council, and the cordial co-operation of the whole General Assembly, and, also, the respect and confidence of the people. The said Select Committee to consist of Major Richardson, Mr. FitzGerald, Mr. Cracroft Wilson, C.B., Mr. Stafford, Mr. Fitzherbert, Mr. Carleton, and Major Nixon.
5. Mr. JOHN WILLIAMSON to move, For leave to bring in a Bill to authorise Charles St. John Herbert to select Land in the Province of Auckland under the Waste Land Regulations thereof, as a retired Military Officer.
6. Mr. JOHN WILLIAMSON to move, For leave to bring in a Bill to authorise the issue of Grants for certain Lands to Daniel Keefe and others.
7. Mr. CROSBIE WARD to move, For leave to bring in a Bill to amend the laws relating to the management of Gold Fields within the Colony.
8. Mr. DICK to move, That it is the opinion of this House that the interests of the Colony require the removal of the seat of Government to some place in Cook's Straits.

ORDERS OF THE DAY.

1. Native Lands Bill—second reading.

2. Protection

2. Protection of certain Animals Bill—to be reported.
3. Petition of Provincial Council and Superintendent of Taranaki to His Excellency the Governor be considered in Committee of Supply.
4. Adjourned Debate on the Question—That an humble Address be presented to Her Majesty, on the subject of the Despatch of the Secretary of State, dated 26th May, 1862.
5. Land Revenue Appropriation Act Amendment Bill—second reading.
6. Resident Magistrates' Jurisdiction Extension Bill—second reading.
7. Trustees Relief Bill—consideration of Amendments by the Legislative Council.
8. Nominated Superintendents Bill—second reading—Adjourned Debate on the Ques tion That the Bill be read a second time this day six months.
9. The Committee of Supply.
10. The Committee of Ways and Means.

Thursday, the 21st day of August, 1862.

PRAYERS.

1. *Paper.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

Further Papers relative to the appointment of Mr. Justice Gresson; in continuation of Papers presented on the 14th July last.—Being Return to an Address of this House of the 22nd July last.

2. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed a Bill intituled "An Act to amend the Boundaries "of the Province of Southland," to which they request the concurrence of the House of Representatives.

3. *Otago and Southland Boundary Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act to amend the Boundaries of the Province of Sonthland," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

4. *Crown Lands Bill.*—The Honourable Mr. Crosbie Ward, from the Select Committee to whom was referred the Crown Lands Bill, brought up a Report, and the same read as followeth:—

The Select Committee to whom the Bill for amending the Law relative to the unlawful occupation of Demense Lands of the Crown, and for appointing Commissioners of Crown Lands, has been referred, having considered the same, have made certain Amendments which they recommend the House to adopt.

Ordered, That the Crown Lands Bill be committed to a Committee of the whole House for To-morrow.

Ordered, That the consideration of the Report of the Select Committee on the Crown Lands Bill be referred to the said Committee.

5. *Law Practitioners Act Amendment Bill.*—The Honourable Mr. Gillies, from the Select Committee appointed to confer with the Committee of the Legislative Council on the Bill, intituled the "Law Practitioners Act Amendment Act, 1862," brought up a Report, and the same was read as followeth:—

The Managers appointed on behalf of the House of Representatives to meet the Managers on behalf of the Legislative Council upon the Amendments made by the House of Representatives in the Law Practitioners Act Amendment Bill, beg to report to the House, that the Conference has agreed to certain Amendments in the said Bill, which Amendments are noted in the copy of the Bill hereunto annexed, and which they recommend to the House for its adoption.

Ordered, That the consideration of the Amendments made by the Free Conference in the Law Practitioners Act Amendment Bill be an Order of the day for To-morrow.

6. *Court of Appeal Bill.*—The Honourable Mr. Gillies, from the Committee appointed to confer with the Committee of the Legislative Council on the Bill, intituled "An Act for establish- "ing a Court of Appeal," brought up a Report, and the same was read as followeth:—

The

The Managers appointed on behalf of the House of Representatives to meet the Managers on behalf of the Legislative Council in Conference upon the Amendments made by the House of Representatives in the Court of Appeal Bill, beg to report to the House that the Conference has agreed to certain Amendments in the said Bill, which Amendments are noted in the copy of the Bill hereunto annexed, and which they recommend to the House for its adoption.

Ordered, That the consideration of the Amendments made by the Free Conference in the Court of Appeal be an Order of the day for To-morrow.

7. *Wreck of the "White Swan."*—Mr. John Williamson, from the Select Committee appointed to consider the Question of losses sustained by Members of the General Assembly, and other passengers engaged in the Public Service, by the wreck of the Steamer "White Swan," brought up an *interim* Report, and the same was read as followeth :—

(1). *Resolved*, That persons, being Members of the General Assembly, or engaged in the Public Service, who sustained loss by the wreck of the Steamer "White Swan," should be required to send in to the Committee a statement of their losses by eleven o'Clock on Saturday morning, the 23rd instant.

(2). *Resolved*, That, with the view of giving sufficient notice to all parties interested, the foregoing Resolution of the Committee be reported to the House this day.

Ordered, That the Report do lie upon the Table.

8. *Judges of the Supreme Court.*—On motion of Mr. Stafford, *Resolved*, That, in the opinion of this House, the tenure of office of Judge of the Supreme Court ought to be assimilated, as nearly as may be, to that of Judges in England.

That the Judges of the Supreme Court ought not to be removable, except by Her Majesty, on an Address from both Houses of the General Assembly; and should only be liable to suspension by the Governor on a like Address.

Mr. Stafford moved, and the Question being proposed, That for the next ten years, the appointment of Judges should be with Her Majesty; but to be exercised with the advice of the Ministers of the Crown in Great Britain on the recommendation of some one of the Judges of the Superior Courts in England, who may be from time to time designated in that behalf by the Colonial Government on behalf of the Colony.

A Debate arose thereupon;

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 9.

Mr. Butler,
Mr. Carleton,
Mr. Curtis,
Major Nixon,
Mr. Weld,
Mr. Wells,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.,
Mr. Stafford (Teller).

Noes, 34.

Mr. Atkinson,
Hon. Mr. Dillon Bell,
Mr. Brandon,
Mr. Cargill,
Mr. Carter,
Mr. Colenso,
Mr. Cookson,
Mr. Dick,
Hon. Mr. Domett,
Dr. Featherston,
Mr. Fitzherbert,
Mr. Fox,
Mr. G. Graham,
Mr. R. Graham,
Mr. Harrison,
Mr. Henderson,
Hon. Mr. Mantell,
Mr. Mason,
Mr. Moorhouse,
Mr. Munro,
Mr. O'Neill,
Mr. O'Rorke,
Mr. Renall,
Mr. Rhodes,
Major Richardson,

Noes

Noes—continued.
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. C. J. Taylor,
Mr. Waring Taylor,
Mr. Thomson,
Mr. John Williamson,
Mr Watt,
Mr. Wood,
Hon. Mr. Gillies (Teller).

So it passed in the Negative.

Resolved, That in the opinion of this House, the tenure of office of Judge of the Supreme Court ought to be assimilated, as nearly as may be, to that of the Judges in England.

That the Judges of the Supreme Court ought not to be removable except by Her Majesty, on an Address from both Houses of the General Assembly; and should only be liable to suspension by the Governor on a like Address.

Resolved, That a respectful Address be presented to His Excellency the Governor, praying him to take the necessary steps towards effecting the above-named objects.

9. *Message.*—A Message from the Legislative Council was delivered to Mr. Speaker by John Curnin, Esquire, Clerk of the Legislative Council.

The Legislative Council have passed the following Bills, to which they request the concurrence of the House of Representatives,—

A Bill intituled "An Act to define and extend the powers of the Judges of the Supreme "Court; to provide for the more speedy administration of Justice in certain cases; and to "amend the Law relating to the Administration of the Estate of deceased persons."

A Bill intituled "An Act for amending the Law relating to Juries." And also,

The Legislative Council have passed the Bill intituled "An Act to facilitate the remedies "on Bills of Exchange, Promissory Notes, Cheques, and other Contracts in writing, by "the prevention of frivolous and fictitious defences to actions thereon," with an Amendment, to which they request the concurrence of the House of Representatives.

10. *Supreme Court Amendment Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act to define and extend the powers of Judges of the Supreme Court, to "provide for the more speedy administration of Justice in certain cases, and to amend the "Law relating to the administration of the Estates of deceased persons," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

11. *Juries Act Amendment Bill—Ordered,* That the Bill from the Legislative Council intituled "An Act for amending the Law relating to Juries," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

12. *Summary Procedure on Bills Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Bill intituled "An Act to facilitate the remedies on "Bills of Exchange, Promissory Notes, Cheques, and other Contracts in writing, by the "prevention of frivolous or fictitious defences to actions thereon," be an Order of the day for To-morrow.

13. *Minister of Justice.*—On motion of Mr. Stafford, *Resolved,* That, in the opinion of this House, the duties of the office of a Minister of Justice should not be exercised by the Attorney-General, and that the latter Officer should not necessarily be a Member of the Executive Council of New Zealand.

14. *Native Reserves Act Amendment Bill.—Ordered,* That the Honourable Mr. Dillon Bell have leave to bring in a Bill to amend the "Native Reserves Act, 1856."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

15. *Herbert Remission Bill.—Ordered,* That Mr. John Williamson have leave to bring in a Bill to authorise Charles St. John Herbert to select land in the Province of Auckland under the Waste Land Regulations thereof, as a retired Military Officer.

He accordingly presented the said Bill, and the same was received.

Ordered

Ordered, That the Bill be referred to the Joint Committee of both Houses on Private Bills to report thereon.

16. *Military Settlers Bill.—Ordered*, That Mr. John Williamson have leave to bring in a Bill to authorise the issue of Grants for certain Lands to Daniel Keefe and others.

He accordingly presented the said Bill, and the same was received.

Ordered, That the Bill be referred to the Joint Committee of both Houses on Private Bills to report thereon.

17. *Gold Fields Bill.—Ordered*, That the Honourable Mr. Crosbie Ward have leave to bring in a Bill to amend the Laws relating to the management of Gold Fields within the Colony.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

18. *Seat of Government.*—Mr. Dick moved, and the Question being proposed, That it is the opinion of this House that the interests of the Colony require the removal of the Seat of Government to some place in Cook's Straits,

A Debate arose thereupon.

And the House having continued to sit till after Twelve of the Clock on Friday morning,

Friday, the 22nd day of August, 1862.

The Debate continued.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 22.	*Noes*, 23.
Mr. Brandon,	Mr. Atkinson,
Mr. Cargill,	Hon. Mr. Dillon Bell,
Mr. Carter,	Mr. Butler,
Mr. Cookson,	Mr. Carleton,
Dr. Featherston,	Mr. Colenso,
Mr. FitzGerald,	Mr. Curtis,
Mr. Fitzherbert,	Hon. Mr. Domett,
Mr. Fox,	Mr. G. Graham,
Hon. Mr. Gillies,	Mr. R. Graham,
Mr. Harrison,	Mr. Henderson,
Mr. Jollie,	Mr. Mason,
Mr. Moorhouse,	Mr. Munro,
Mr. Ormond,	Major Nixon,
Mr. Renall,	Mr. O'Neill,
Mr. Rhodes,	Mr. O'Rorke,
Major Richardson,	Mr. A. J. Richmond,
Mr. Waring Taylor,	Mr. Stafford,
Mr. Thomson,	Mr. C. J. Taylor,
Mr. Crosbie Ward,	Mr. James Williamson,
Mr. Weld,	Mr. John Williamson,
Mr. Wells,	Mr. Cracroft Wilson, C.B.,
Mr. Dick (Teller).	Mr. Wood,
	Hon. Mr. Russell (Teller).

So it passed in the Negative.

Then, on motion of the Honourable Mr. Gillies,

The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 22nd August, 1862.

NOTICES OF MOTION.

1. Mr. WELD to move, For all correspondence between the Resident Magistrate at Mongonui, and the Government, relating to a public meeting held there in the early part of May last.

2. Mr.

2. Mr. WELD to move, For a Return of all cases between Europeans and Natives, tried in the Mongonui Resident Magistrate's Court and District Court, from the first day of January, 1860, to the latest possible period, showing the decision or verdict in each case, and the number of cases; specifying such cases, if any, in which execution followed judgment, together with any correspondence in the possession of the General Government relating thereto. Return to be made at the earliest convenient date in the next Session of the Assembly.
3. Mr. CARLETON to move, For a return of all cases between Europeans and Natives tried in the Bay of Islands District Resident Magistrate's Court and District Court, from the first day of January, 1860, to the latest possible period, shewing the decision or verdict in each case, and the number of cases; specifying such cases, if any, in which execution followed judgment, together with any correspondence in the possession of the General Government relating thereto. Return to be made at the earliest convenient date in the next Session of the Assembly.
4. Mr. ORMOND to move, That the Petition of certain inhabitants of the Province of Hawke's Bay, relating to proceedings in the Resident Magistrate's (Colonel Russell's) Court there, be referred to a Select Committee, to consist of Mr. Fox, Hon. Mr. Russell, Mr. J. C. Richmond, Mr. Carleton, and Mr. Mantell, with power to call for evidence of persons and papers.
5. Mr. COLENSO to move, That, as faithful Representatives of the people of the Colony of New Zealand—as promoters and defenders of the high integrity and consequent utility of our Constitutional Institutions—as supporters of free popular Government—and as jealous guardians of sacred public trusts and liberties—this House resolves, That a Select Committee be appointed, in order to draw up a respectful Address to His Excellency the Governor, requesting him, in exercising the powers recently committed to him by Her Majesty the Queen, of increasing largely the number of the Members of the Legislative Council, by nominating "prudent and discreet men" thereto, to do so wholly irrespective of party, so as to ensure the necessary *status* of the said Council, and the cordial co-operation of the whole General Assembly, and, also, the respect and confidence of the people. The said Select Committee to consist of Major Richardson, Mr. FitzGerald, Mr. Cracroft Wilson, C.B., Mr. Stafford, Mr. Fitzherbert, Mr. Carleton, and Major Nixon.

ORDERS OF THE DAY.

1. Report of the Select Committee on the Improvement of the Administration of Justice.
2. Report of the Select Committee on losses sustained by the wreck of the steamer "White Swan."
3. Law Practitioners Bill—consideration of the Report of the Conference.
4. Court of Appeal Bill—consideration of the Report of the Conference.
5. Summary Procedure on Bills Bill—consideration of Amendments by the Legislative Council.
6. Trustees Relief Bill—consideration of Amendments by the Legislative Council.
7. Resident Magistrates' Jurisdiction Extension Bill—second reading.
8. Otago and Southland Boundary Bill—second reading.
9. Supreme Court Bill– second reading.
10. Crown Lands Bill—to be committed.
11. Juries Bill—second reading.
12. Native Reserves Act Amendment Bill—second reading.
13. Gold Fields Management Bill—second reading.
14. Native Lands Bill—second reading.
15. Birds Protection Bill—to be reported.
16. Petition of Provincial Council and Superintendent of Taranaki to His Excellency the Governor to be considered in Committee of Supply.
17. Adjourned Debate on the Question, That an humble Address be presented to Her Majesty, on the subject of the Despatch of the Secretary of State, dated 26th May, 1862.
18. Land Revenue Appropriation Act Amendment Bill—second reading.
19. Nominated Superintendents Bill—second reading—Adjourned Debate on the Question, That the Bill be read a second time this day six months.
20. The Committee of Supply.
21. The Committee of Ways and Means.

Friday, the 22nd day of August, 1862.

PRAYERS.

1. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth :—

G. GREY, Governor. *Message No.* 5.

The Governor transmits to the House of Representatives the enclosed Estimates for Judicial Services, Provincially charged, for the year ending the 30th June, 1863, and on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 22nd August, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Suply.

G. GREY, Governor. *Message No.* 6.

The Governor transmits to the House of Representatives the enclosed Estimates of the probable Supplementary Expenditure chargeable on the Revenue of the year ended the 30th of June, 1862, and recommends the House to make provision for the same.

Government House,
Wellington, 22nd August, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

2. *Military Settlers Bill.*—Mr. Carleton, from the Joint Committee of both Houses on Private Bills, brought up an *interim* Report, and the same was read as followeth :—

Resolved, That the Bills to enable Charles St. John Herbert and Daniel Keefe and others, to select land in the Province of Auckland, referred to this Committee on the 21st instant, are Private Bills.

3. *Public Meeting at Mongonui.*—On motion of Mr. Weld, *Ordered,* That there be laid upon the Table, copies of all Correspondence between the Resident Magistrate at Mongonui, and the Government, relating to a Public Meeting held there in the early part of May last.

4. *Resident Magistrate's Court, Mongonui.*—On motion of Mr. Weld, *Ordered,* That there be laid upon the Table, a Return of all Cases between Europeans and Natives, tried in the Mongonui Resident Magistrate's Court, and District Court, from the 1st day of January, 1860, to the latest possible period, shewing the decision or verdict in each case, and the number of cases; specifying such cases, if any, in which execution followed judgment, together with any Correspondence in the possession of the General Government relating thereto. Return to be made at the earliest convenient date in the next Session of the Assembly.

5. *Resident Magistrate's Court, Bay of Islands.*—On motion of Mr. Carleton, *Ordered,* That there be laid upon the Table, a Return of all Cases between Europeans and Natives, tried in the Bay of Islands District Resident Magistrate's Court, and District Court, from the 1st day of January, 1860, to the latest possible period, shewing the decision or verdict in each case, and the number of cases; specifying such cases, if any, in which execution followed judgment, together with any correspondence in the possession of the General Government relating thereto. Return to be made at the earliest convenient date in the next Session of the Assembly.

6. *Civil Commissioner's Court, Hawke's Bay.*—On motion of Mr. Ormond, *Ordered,* That the Petition of certain inhabitants of the Province of Hawke's Bay, relating to proceedings in the Resident Magistrate's (Colonel Russell's) Court there, be referred to a Select Committee, to consist of Mr. Fox, the Honourable Mr. Russell, Mr. J. C. Richmond, Mr. Carleton, and the Honourable Mr. Mantell; with power to call for evidence of persons and papers.

7. *Leg. Council.*—Mr. Colenso moved, and the Question being proposed, That, as faithful Representatives of the people of the Colony of New Zealand—as promoters and defenders of the high integrity, and consequent utility of our Constitutional Institutions—as supporters of free popular Government—and as jealous guardians of sacred public trusts and liberties, this House resolves, That a Select Committee be appointed in order to draw up a respectful Address to His Excellency the Governor, requesting him, in exercising the powers recently committed to him by Her Majesty the Queen, of increasing largely the number of the Members of the Legislative Council, by nominating "prudent and discreet men" thereto, to do so wholly irrespective of party, so as to ensure the necessary *status* of the said Council, and

and the cordial co-operation of the whole General Assembly, and also the respect and confidence of the people. The said Select Committee to consist of Major Richardson, Mr. FitzGerald, Mr. Cracroft Wilson, C. B., Mr. Stafford, Mr. Fitzherbert, Mr. Carleton, and Major Nixon.

Mr. Carleton moved, in Amendment, That all the words following the word "That," in the first line, down to the word "select" (inclusive), in the eleventh line, be omitted, for the purpose of inserting in lieu thereof, "a Select Committee be appointed to draw up an "humble Address to Her Majesty, praying that a limit may be named to the number of "Members to be appointed to the Legislative Council. The said Select."

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passed in the Negative.

Then the Question being put, That the words proposed to be inserted be so inserted, the House divided, and the names were taken down as follows:—

Ayes, 11.	*Noes*, 21.
Mr. Atkinson,	Mr. Brandon,
Mr. Butler,	Mr. Cookson,
Mr. Colenso,	Mr. Dick,
Hon. Mr. Domett,	Dr. Featherston,
Mr. Jollie,	Mr. FitzGerald,
Mr. Mason,	Mr. Fitzherbert,
Major Nixon,	Mr. Fox,
Mr. O'Neill,	Hon. Mr. Gillies,
Mr. Ormond,	Mr. G. Graham,
Mr. Weld,	Mr. R. Graham,
Mr. Carleton (Teller.)	Mr. Munro,
	Mr. O'Rorke,
	Mr. Renall,
	Mr. Russell,
	Mr. C. J. Taylor,
	Mr. Waring Taylor,
	Mr. Thomson,
	Mr. Watt,
	Mr. James Williamson,
	Mr. John Williamson,
	Hon. Mr. Crosbie Ward (Teller).

So it passed in the Negative.

Then the Question as amended being put, it passed in the Negative.

8. *Adjournment.*—On motion of the Honourable Mr. Gillies, *Resolved,* That this House will, at the rising of the House this day, adjourn until Monday next at noon.

9. *Improvement of the Administration of Justice.*—On motion of the Honourable Mr. Gillies, *Ordered,* That the Select Committee appointed to report as to what measures it was advisable to take with a view to facilitating the administration of Justice throughout the Colony, be discharged.

10. *Losses sustained by wreck of the "White Swan."—Ordered,* That the Select Committee appointed to report on losses sustained by the wreck of the Steamer "White Swan," have leave to postpone their Report until Tuesday next.

11. *Law Practitioners Bill.*—The Order of the day being read, for the consideration of the Report of the Free Conference between this House and the Legislative Council on the Law Practitioners Bill,

The same was accordingly received and adopted.

Ordered, That a Message be transmitted to the Legislative Council acquainting them that this House hath adopted the Report of the Free Conference on the Law Practitioners Bill.

12. *Court of Appeal Bill.*—The Order of the day being read, for the consideration of the Report of the Free Conference between this House and the Legislative Council on the Court of Appeal Bill,

The same was accordingly received and adopted.

Ordered,

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath adopted the Report of the Free Conference on the Court of Appeal Bill.

13. *Summary Procedure on Bills Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Summary Procedure on Bills Bill.

The same were accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

14. *Trustees Relief Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Trustees Relief Bill,

The same were accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

15. *Protection of certain Animals Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Protection of certain Animals Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to alter and extend certain "provisions of the 'Protection of certain Animals Act, 1861.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

16. *Resident Magistrates' Jurisdiction Extension Bill.*—The Order of the day being read, for the second reading of the Resident Magistrates' Jurisdiction Extension Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed. In line 6: To omit all the words after "pounds." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 3 read. Amendment proposed. In line 5: After the word "Magistrate" to add the words "within seven days from the date of such decision." (*Mr. Brandon.*)

Amendment agreed to.

And the Question being put, That the Clause as amended do stand Clause 3 of the Bill, the Committee divided, and the names were taken down as follows, viz.;—

Ayes, 15.	*Noes*, 12.
Mr. Butler,	Hon. Mr. Dillon Bell,
Mr. Colenso,	Mr. Curtis,
Dr. Featherston,	Mr. Dick,
Mr. G. Graham,	Mr. Fitzherbert,
Mr. Harrison,	Mr. Fox,
Dr. Monro,	Mr. Henderson,
Major Nixon,	Mr. O'Neill,
Mr. Renall,	Mr. C. J. Taylor,
Mr. J. C. Richmond,	Mr. Waring Taylor,
Hon. Mr. Russell,	Hon. Mr. Crosbie Ward,
Mr. Watt,	Mr. Cracroft Wilson, C.B.,
Mr. Wells,	Hon. Mr. Gillies (Teller).
Mr. James Williamson,	
Mr. John Williamson,	
Mr. Brandon (Teller).	

So it passed in the Affirmative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved,

Resolved, That this House will, on Monday next, resolve itself into the said Committee.

17. *Otago and Southland Boundary Bill.*—The Order of the day being read, for the second reading of the Otago and Southland Boundary Bill,

Mr. FitzGerald moved, and the Question was proposed, That the Bill be now read a second time.

The Honourable Mr. Gillies moved, in Amendment, To leave out the word "now," and at the end of the Question to add the words "upon this day six months,"

And a Debate arising thereupon,

Mr. Fox moved, and the Question was proposed, That the Otago and Southland Boundary Bill be referred to the Joint Committee of both Houses on Private Bills, to report thereon.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 12.

Mr. Cargill,
Mr. Carter,
Mr. Dick,
Dr. Featherston,
Mr. Fitzherbert,
Mr. Harrison,
Mr. Moorhouse,
Major Richardson,
Mr. Waring Taylor,
Hon. Mr. Crosbie Ward,
Mr. Wells,
Mr. Fox (Teller).

Noes, 23.

Mr. Atkinson,
Hon. Mr. Dillon Bell,
Mr. Butler,
Mr. Carleton,
Mr. Colenso,
Mr. Curtis,
Hon. Mr. Domett,
Hon. Mr. Gillies,
Mr. G. Graham,
Mr. R. Graham,
Mr. Mantell,
Mr. Munro,
Mr. Ormond,
Mr. O'Neill,
Mr. O'Rorke,
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. Stafford,
Mr. Watt,
Mr. John Williamson,
Mr. Cracroft Wilson, C.B.
Hon. Mr. Wood,
Mr. FitzGerald (Teller).

So it passed in the Negative.

Debate continued.

And the Question being put, That the word proposed to be omitted do stand part of the Question, the House divided, and the names were taken down as follows:—

Ayes, 13.

Mr. Atkinson,
Hon. Mr. Dillon Bell,
Mr. Butler,
Mr. Carleton,
Mr. Curtis,
Mr. Mantell,
Mr. Munro,
Mr. Ormond,
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. Stafford,
Mr. Watt,
Mr. FitzGerald (Teller).

Noes 23.

Mr. Cargill,
Mr. Carter,
Mr. Colenso,
Mr. Dick,
Dr. Featherston,
Mr. Fitzherbert,
Mr. Fox,
Hon. Mr. Gillies,
Mr. G. Graham,
Mr. R. Graham,
Mr. Harrison,
Mr. Moorhouse,
Mr. O'Rorke,
Mr. Rhodes,
Mr. C. J. Taylor,
Mr. Waring Taylor,
Hon. Mr. Crosbie Ward,
Mr. Wells,
Mr. James Williamson,
Mr. John Williamson,
Mr. Cracroft Wilson, C.B.,
Hon. Mr. Wood,
Major Richardson (Teller).

So

So it passed in the Negative.

Then the Question being put, That the words "upon this day six months" be added to the end of the Question,

It was resolved in the Affirmative.

Ordered, That the Otago and Southland Boundary Bill be read a second time upon this day six months.

18. *Message.*—A Message from the Legislative Council was delivered by John Curnin, Esquire, Clerk of the Legislative Council.

The Legislative Council have passed a Bill, intituled "An Act to further amend the "'Land Registry Act, 1860,'" to which they request the concurrence of the House of Representatives. And also,—

The Legislative Council have adopted the Reports from the Free Conference between the two Houses on the following Bills, viz. :—

A Bill intituled "An Act to amend the 'Law Practitioners Act, 1861,'" and

A Bill intituled "An Act for establishing a Court of Appeal."

19. *Land Registry Amendment Bill.—Ordered*, That the Bill from the Legislative Council intituled "An Act to further amend the 'Land Registry Act, 1860,'" be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time on Monday next.

20. *Supreme Court Bill.*—The Order of the day being read, for the second reading of the Supreme Court Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 15 read and agreed to.

Clause 16 as printed (in italics) read and agreed to.

Clauses 17, 18, and 19 read and agreed to.

Motion made and Question proposed, That the following do stand as Clauses of the Bill:—

"20. The Judge of the Supreme Court in any District may, by an instrument under "his hand to be registered in the Registry of the Supreme Court of such District, delegate "to any person qualified as hereinafter mentioned, the powers hereby created, of exercising "the jurisdiction and functions of the Supreme Court in the Minor Jury Sittings con- "stituted by this Act, and the person to whom such delegation shall be made may exercise "such jurisdiction accordingly as effectually as a Judge of the Supreme Court."

"21. The person to whom such delegation shall be made shall be a Barrister or "Solicitor of the Supreme Court, who shall have practised in the Superior Courts of "Westminster, or in the Supreme Court of New Zealand for the period of three years "before such delegation."

"22. No such delegation of powers shall continue in force for any longer period "than months."

"23. No such delegation shall be of any force or effect until the same shall have been "approved of by the Governor in Council, and shall have been registered as aforesaid."

And the Question being put, it passed in the Affirmative.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received on Monday next.

21. *Crown Lands Bill.*—The Order of the day being read, for the second reading of the Crown Lands Bill,

Ordered, That the Bill be read a second time on Monday next.

22. *Juries Bill.*—The Order of the day being read, for the second reading of the Juries Bill,

Ordered, That the Bill be read a second time on Monday next.

23. *Native Reserves Act Amendment Bill.*—The Order of the day being read, for the second reading of the Native Reserves Act Amendment Bill,

The

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 4 read and agreed to.

Clause 5 read. Amendment proposed. In line 1: After the word "Governor" to insert the words "in Council." (*Mr. Stafford.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 6, 7, and 8 read and agreed to.

Enacting Clause read and agreed to.

To report the Bill with an Amendment.

On Mr. Speaker resuming the Chair, Mr. Carleton reported that the Committee had gone through the Bill, and had made an Amendment thereto.

Ordered, That the Report be received on Monday next.

24. *Gold Fields Management Bill.*—The Order of the day being read, for the second reading of the Gold Fields Management Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 12 read and agreed to.

Clause 13 read and postponed.

Clauses 14 to 18 read and agreed to.

Clauses 19 to 31 postponed.

Clauses 32 to 35 read and agreed to.

Clause 36 read. Amendment proposed. In line 3: To omit the word "deemed," with the view to insert in lieu thereof the word "proved." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 37 read and agreed to.

Clause 38 read. Amendment proposed. In line 9: To omit the words "with the "approval of the Governor," with the view to insert in lieu thereof the words "in "accordance with conditions to be expressed in the lease." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 39 to 47 read and agreed to.

Clause 48 postponed.

Clauses 49 to 61 read and agreed to.

Clause 62 postponed.

Clauses 63 to 66 read and agreed to.

Schedules read and agreed to.

Enacting Clause read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Monday next, resolve itself into the said Committee.

Then, on motion of the Honourable Mr. Domett,

The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Monday, 25th August, 1862.

NOTICES OF MOTION.

1. Mr. FITZGERALD to move, That, in the opinion of this House, it is essential in order to secure proper responsibility of Members of this House to the Constituency of the Colony, that full and accurate Reports of the Debates in this House be published by the authority of this House, and that it is expedient that the Government should take steps for securing this end before the next Session of the General Assembly.

2. Mr.

2. Mr. FitzGerald to move, That the Nominated Superintendents Bill be taken as the first Order of the day.

ORDERS OF THE DAY.

1. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
2. Land Registry Amendment Bill—second reading.
3. Supreme Court Bill—to be reported.
4. Native Reserves Act Amendment Bill—to be reported.
5. Gold Fields Management Bill—to be further considered in Committee.
6. Crown Lands Bill—to be committed.
7. Juries Bill—second reading.
8. Native Lands Bill—second reading.
9. Petition of Provincial Council and Superintendent of Taranaki to His Excellency the Governor to be considered in committee of Supply.
10. Adjourned Debate on the Question, That an humble Address be presented to Her Majesty on the subject of the Despatch of the Secretary of State, dated 26th May, 1862.
11. Land Revenue Appropriation Act Amendment Bill—second reading.
12. Nominated Superintendents Bill—second reading.——Adjourned Debate on the Question, That the Bill be read a second time this day six months.
13. The Committee of Supply.
14. The Committee of Ways and Means.

Monday, the 25th day of August, 1862.

PRAYERS.

1. *Paper.*—The Honourable Mr. Crosbie Ward laid upon the Table, by command of His Excellency,—

Papers relative to alteration of the Steam Postal Service, consequent on the loss of the Steamer "White Swan."

2. *Reporting Debates.*—On motion of Mr. FitzGerald, *Resolved*, That, in the opinion of this House, it is essential, in order to secure proper responsibility of Members of this House to the Constituency of the Colony, that full and accurate Reports of the Debates in this House be published by the authority of this House, and that it is expedient that the Government should take steps for securing this end before the next Session of the General Assembly.

3. *Orders of the day.*—On motion of the Honourable Mr. Dillon Bell, *Ordered*, That Order of the day No. 8 be first considered.

4. *Native Lands Bill.*—The Order of the day being read, for the second reading of the Native Lands Bill,

The Honourable Mr. Dillon Bell moved, and the Question being proposed, That the Bill be now read a second time,

The Honourable Mr. Domett moved, in Amendment, That the Native Lands Bill be the first Order of the day at the evening sitting of the House this day.

And the Question being put on the Amendment, it passed in the Affirmative.

5. *Nominated Superintendents Bill.*—On motion of Mr. FitzGerald, *Ordered*, That the consideration of the Nominated Superintendents Bill be the first Order of the day.

The Order of the day being read, for resuming the Adjourned Debate on the Amendments which, upon the 14th day of this instant August, were proposed to the Question "That the "Nominated Superintendents Bill be now read a second time," and which Amendments were to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

And the Question being again proposed, That the word "now" stand part of the Question, the House resumed the said Adjourned Debate.

And the Question being put, That the word "now" stand part of the Question, the House divided, and the names were taken down as follows:—

Ayes 22.	*Noes*, 20.
Mr. Atkinson,	Hon Mr. Dillon Bell,
Mr. Butler,	Mr. Cargill,
Mr. Carleton,	Mr. Carter,
Mr. Colenso,	Mr. Dick,

Ayes

Ayes—continued.
Mr. Cookson,
Hon. Mr. Domett,
Hon. Mr. Gillies,
Mr. R. Graham,
Mr. Jollie,
Mr. Mason,
Major Nixon,
Mr. O'Neill,
Mr. A. J. Richmond,
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. Stafford,
Mr. Watt,
Mr. Weld,
Mr. Wells,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.
Mr. FitzGerald (Teller).

Noes—continued.
Dr. Featherston,
Mr. Fitzherbert,
Mr. Fox,
Mr. Harrison,
Mr. Henderson,
Mr. Munro,
Mr. Moorhouse,
Mr. Ormond,
Mr. O'Rorke,
Mr. Renall,
Mr. C. J. Taylor,
Mr. Waring Taylor,
Mr. Thomson,
Mr. John Williamson,
Hon. Mr. Wood,
Major Richardson (Teller).

So it was resolved in the Affirmative.

Then the main Question being put,

It was resolved in the Affirmative.

The Bill was accordingly read a second time and committed to a Committee of the whole House for Wednesday next.

6. *Native Lands Bill.*—The Order of the day being read, for the second reading of the Native Lands Bill,

The Honourable Mr. Dillon Bell moved, and the Question being proposed, That the Bill be now read a second time.

And a Debate arising thereupon,

Mr. Waring Taylor moved, and the Question being put, That this Debate be now adjourned, the House divided, and the names were taken down as follows:—

Ayes 9.
Mr. Brandon,
Dr. Featherston,
Mr. FitzGerald,
Mr. Fitzherbert,
Mr. Fox,
Mr. Moorhouse,
Mr. O'Rorke,
Mr. John Williamson,
Mr. Waring Taylor (Teller).

Noes, 33.
Hon. Mr. Dillon Bell,
Mr. Butler,
Mr. Cargill,
Mr. Carleton,
Mr. Colenso,
Mr. Cookson,
Mr. Curtis,
Hon. Mr. Domett,
Hon. Mr. Gillies,
Mr. G. Graham,
Mr. R. Graham,
Mr. Jollie,
Mr. Mantell,
Mr. Mason,
Mr. Munro,
Major Nixon,
Mr. O'Neill,
Mr. Ormond,
Mr. Renall,
Mr. Rhodes,
Mr. A. J. Richmond,
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. Stafford,
Mr. C. J. Taylor,
Hon. Mr. Crosbie Ward,
Mr. Watt,
Mr. Weld,
Mr. Wells,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.,
Hon. Mr. Wood,
Major Richardson (Teller).

So

So it passed in the Negative.

Debate continued.

And the House having continued to sit till after Twelve of the Clock on Tuesday morning,

Tuesday, the 26th day of August, 1862.

Debate continued.

Mr. Brandon moved, and the Question being put, That this Debate be now adjourned, the House divided, and the names were taken down as follows:—

Ayes, 16.	*Noes*, 24.
Mr. Cargill,	Mr. Butler,
Mr. Carter,	Mr. Carleton,
Mr. Cookson,	Mr. Colenso,
Dr. Featherston,	Mr. Curtis,
Mr. FitzGerald,	Hon. Mr. Domett,
Mr. Fitzherbert,	Mr. G. Graham,
Mr. Fox,	Mr. R. Graham,
Mr. Moorhouse,	Mr. Jollie,
Mr. Munro,	Mr. Mason,
Mr. O'Rorke,	Major Nixon,
Mr. Renall,	Mr. O'Neill,
Mr. Waring Taylor,	Mr. Ormond,
Mr. Thomson,	Mr. Rhodes,
Mr. Wells,	Major Richardson,
Mr. John Williamson,	Mr. A. J. Richmond,
Mr. Brandon (Teller).	Mr. J. C. Richmond,
	Hon. Mr. Russell,
	Mr. C. J. Taylor,
	Mr. Watt,
	Mr. Weld,
	Mr. James Williamson,
	Mr. Cracroft Wilson, C.B.,
	Hon. Mr. Wood,
	Hon. Mr. Dillon Bell (Teller).

So it passed in the Negative.

Debate continued.

On motion of Mr. FitzGerald, *Ordered*, That this Debate be now adjourned until To-morrow.

Then, on motion of the Honourable Mr. Dillon Bell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 26th August, 1862.

NOTICES OF MOTION.

1. Mr. THOMSON to move, That the Thanks of this House be given to His Honor the Superintendent of Wellington and the Government of that Province, for the liberal and satisfactory manner in which they have provided for the accommodation of the Assembly; and that in the opinion of this House, the next Session of the Assembly ought to be held in Wellington.
2. Mr. JOHN WILLIAMSON to move, For leave to bring in a Bill to enable alterations to be made in the Regulations for the disposal of Waste Lands in the Province of Auckland in certain cases.
3. Mr. CARLETON to move, For leave to bring in a Bill reducing to three years the term of five years' residence in the Auckland Province now required to entitle the holder of an Immigration Land Order under the Auckland Waste Lands Act, to a Crown Grant.
4. Mr. FITZGERALD to move, the Resolutions printed on the Notice Paper on Tuesday, the 19th August, in his name, with some unimportant verbal alterations.

ORDERS

ORDERS OF THE DAY.

1. Native Lands Bill—Adjourned debate on the Question, That the Bill be now read a second time.
2. Report of the Select Committee on losses sustained by the wreck of the steamer "White Swan."
3. Report of the Select Committee on the establishment of a Government Printing Press.
4. Report of the Select Committee on Land Claims.
5. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
6. Land Registry Amendment Bill—second reading.
7. Supreme Court Bill—to be reported.
8. Native Reserves Act Amendment Bill—to be reported.
9. Gold Fields Management Bill—to be further considered in Committee.
10. Crown Lands Bill—to be committed.
11. Juries Bill—second reading.
12. Petition of Provincial Council and Superintendent of Taranaki to His Excellency the Governor be considered in Committee of Supply.
13. Adjourned Debate on the Question, That an humble Address be presented to Her Majesty on the subject of the Despatch of the Secretary of State, dated 26th May, 1862.
14. Land Revenue Appropriation Act Amendment Bill—second reading.
15. The Committee of Supply,

    Dr. MONRO to move, That a respectful Address be presented to His Excellency requesting him to recommend to this House to make provision for paying to the Province of Marlborough the expenses incurred by that Province in passing through the Legislature the Private Act of last Session, entitled the "Picton Railway Act, 1861," to which Act the Crown has refused its assent.
16. The Committee of Ways and Means.

Tuesday, the 26th day of August, 1862.

PRAYERS.

1. *Reserved Acts*, 1861.—Mr. Speaker announced to the House, That—

   "The Intestate Native Succession Act, 1861,"
   "The Nelson Waste Lands Act, 1861,"
   "The Auckland Immigration Certificate Act, 1861,"
   "The Naval and Military Settlers (Marlborough) Act, 1861,"

   passed in the last Session of the General Assembly, and reserved by His Excellency the Governor for the signification of Her Majesty's pleasure thereon, had been assented to by Her Majesty in Council; that Proclamations of such Assent having been given have been made by His Excellency in the *New Zealand Gazette*, and that, in conformity with the requirements of the 59th Section of the Constitution Act, those Proclamations would be entered on the Journals of the House.

A PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight, Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of Zealand, and its Dependencies, and Vice-Admiral of the same, &c., &c.

WHEREAS by an Act passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of Her Majesty's Reign, intituled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon, shall have any force or authority within the Colony of New Zealand until the Governor of the said Colony shall signify by Speech or Message to the Legislative Council and House of Representatives of the said Colony, or by Proclamation, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same;

And whereas a certain Bill passed by the Legislative Council and House of Representatives of the said Colony, intituled "An Act to regulate the descent of lands held by persons "of the Native Race under Title derived from the Crown," was presented to the Governor of the said Colony for Her Majesty's Assent, and the said Bill was reserved for Her Majesty's pleasure thereon:

Now

Now, therefore, I, the Governor of New Zealand, in pursuance of the provisions of the said in part recited Act, do, by this Proclamation, signify and proclaim to all whom it may concern that the said Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same.

Given under my hand at Wellington, and issued under the Seal of the Colony of New Zealand, this Sixteenth day of May, in the Year of our Lord, One thousand eight hundred and sixty-two.

G. GREY.

By His Excellency's Command,
WILLIAM FOX.

God Save the Queen!

A PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight, Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand, and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of Her Majesty's Reign, intituled "An Act to grant a Representative "Constitution to the Colony of New Zealand," it is, amongst other things, enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New Zealand until the Governor of the said Colony shall signify, by Speech or Message to the Legislative Council and House of Representatives of the said Colony, or by Proclamation, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same;

And whereas certain Bills passed by the Legislative Council and House of Representatives of the said Colony, intituled—

"An Act to extend to the Province of Marlborough certain provisions of the Naval and "Military Settlers Act, 1860,"

"An Act to amend the Regulations for the Sale or Disposal of Crown Lands in the "Province of Nelson,"

"An Act to enable the Superintendent of the Province of Auckland to issue Certificates "by way of Land Orders to certain Persons,"

"An Act to provide for the settlement of certain outstanding claims by Pensioners lately "serving in the New Zealand Fencible Force,"

were presented to the Governor of the said Colony for Her Majesty's Assent, and the said Bills were reserved for the signification of Her Majesty's pleasure thereon:

Now, therefore, I, the Governor of New Zealand, in pursuance of the provisions of the said in part recited Act, do by this Proclamation signify and proclaim to all whom it may concern that the said Bills have been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same.

Given under my hand, at Wellington, and issued under the Seal of the Colony of New Zealand, this Twenty-ninth day of May, in the Year of our Lord, One thousand eight hundred and sixty-two.

G. GREY.

By His Excellency's Command,
WILLIAM FOX.

God Save the Queen!

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2. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

G. GREY, Governor. *Message* No. 7.

The Governor communicates to the House of Representatives that he has approved the Standing Orders relative to Private Bills passed by the House of Representatives during the present Session, and enclosed in a letter dated 14th August, 1862, from the Honourable the Speaker to the Governor.

Government House,
Wellington, 26th August, 1862.

G. GREY, Governor. *Message* No. 8.

The Governor communicates to the House of Representatives that he has approved the Standing Order relative to Private Grievances passed by the House of Representatives during

during the present Session, and enclosed in a letter dated the 15th August, 1862, from the Honourable the Speaker to the Governor.

Government House,
Wellington, 26th August, 1862.

3. *Petition presented.*—By Mr. Waring Taylor: The Petition of William McLeod Bannatyne, Chairman of the Wellington Chamber of Commerce.

Petition received.

4. *Papers.*—Mr. Waring Taylor laid upon the Table,—

Papers referred to in the Petition of William McLeod Bannatyne, presented to the House this day.

5. *Accommodation for General Assembly.*—On motion of Mr. Thomson, *Resolved,* That the Thanks of this House be given to His Honour the Superintendent of Wellington, and the Government of that Province, for the liberal and satisfactory manner in which they have provided for the accomodation of the Assembly.

6. *Next Session of the General Assembly.*—Mr. Thomson moved, and the Question was proposed, That, in the opinion of this House, the next Session of the Assembly ought to be held in Wellington.

Mr. Cracroft Wilson moved, That the Question be amended by the omission of the word "Wellington," and the insertion of the word "Christchurch" in lieu thereof.

A Debate arose thereupon.

And the Question being put, That the word proposed to be omitted do stand part of the Question, the House divided, and the names were taken down as follows:—

Ayes, 19.	*Noes,* 22.
Mr. Atkinson,	Hon. Mr. Dillon Bell,
Mr. Brandon,	Mr. Butler,
Mr. Cargill,	Mr. Carleton,
Mr. Carter,	Mr. Colenso,
Dr. Featherston,	Mr. Cookson,
Mr. FitzGerald,	Mr. Curtis,
Mr. Fitzherbert,	Hon. Mr. Domett,
Mr. Fox,	Mr. G. Graham,
Mr. Harrison,	Mr. R. Graham,
Mr. Mantell,	Mr. Mason,
Mr. Moorhouse,	Mr. Munro,
Mr. Ormond,	Major Nixon,
Mr. Renall,	Mr. O'Rorke,
Mr. Rhodes,	Mr. A. J. Richmond,
Major Richardson,	Hon. Mr. Russell,
Mr. J. C. Richmond,	Mr. Stafford,
Mr. Waring Taylor,	Mr. C. J. Taylor,
Hon. Mr. Crosbie Ward,	Mr. Wells,
Mr. Thomson (Teller).	Mr. James Williamson,
	Mr. John Williamson,
	Hon. Mr. Wood,
	Mr. Cracroft Wilson, C.B. (Teller).

So it passed in the Negative.

Then the Question being proposed, That the word to be inserted be "Chrischurch,"

Mr. Wells moved, as an Amendment, That the word "Nelson" be inserted in lieu thereof.

And the Question being put, That the word to be inserted be "Christchurch,"

The House divided, and the names were taken down as follows:—

Ayes, 15.	*Noes,* 25.
Mr. Brandon,	Mr. Atkinson,
Mr. Carter,	Hon. Mr. Dillon Bell,
Mr. Cookson,	Mr. Butler,
Dr. Featherston,	Mr. Cargill,
Mr. FitzGerald,	Mr. Carleton,
Mr. Fitzherbert,	Mr. Colenso,
Mr. Fox,	Mr. Curtis,

Ayes

Ayes—continued.	*Noes*—continued.
Mr. Harrison,	Hon. Mr. Domett,
Mr. Mantell,	Mr. G. Graham,
Mr. Moorhouse,	Mr. R. Graham,
Mr. Rhodes,	Mr. Mason,
Mr. Waring Taylor,	Mr. Munro,
Mr. Thomson,	Major Nixon,
Hon. Mr. Crosbie Ward,	Mr. O'Rorke,
Mr. Cracroft Wilson, C.B. (Teller).	Mr. Renall,
	Mr. A. J. Richmond,
	Mr. J. C. Richmond,
	Hon. Mr. Russell,
	Mr. Stafford,
	Mr. C. J. Taylor,
	Mr. Wells,
	Mr. James Williamson,
	Mr. John Williamson,
	Hon. Mr. Wood,
	Major Richardson (Teller).

So it passed in the Negative.

Then the Question being proposed, That the word to be inserted be "Nelson,"

Major Richardson moved, as an Amendment, That the words to be inserted be the following:—"at such place as His Excellency the Governor may decide."

And the Question being put, That the word to be inserted be "Nelson,"

The House divided, and the doors being locked, and the Question having been again put, and there being no Teller on the side of the Ayes, Mr. Speaker declared the Question to have passed in the Negative.

Then the Question being proposed, That the words to be inserted be the following:—"at such place as His Excellency the Governor may decide,"

Mr. Stafford moved, as an Amendment, That the Question be amended by the addition of the following words thereto:—"not being any place negatived by the House this day."

And the Question being put, That the words proposed to be added, be so added,

It passed in the Negative.

Then the Question being put, That the words to be inserted be the following:—"at such "place as His Excellency the Governor may decide,"

It passed in the Affirmative.

And the Original Question, as amended, having been put,

It passed in the Affirmative.

So it was *Resolved*, That, in the opinion of this House, the next Session of the Assembly ought to be held at such place as His Excellency the Governor may decide.

7. *Auckland Waste Lands Act Amendment Bill.—Ordered*, That Mr. John Williamson have leave to bring in a Bill to enable alterations to be made in the Regulations for the disposal of Waste Lands in the Province of Auckland in certain cases.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

8. *Waste Lands Act Amendment Bill.—Ordered*, That Mr. Carleton have leave to bring in a Bill reducing to three years, the term of five years residence in the Auckland Province now required to entitle the holder of an Immigration Land Order, under the Auckland Waste Lands Act, to a Crown Grant.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Thursday next, and to be printed.

9. *Losses by wreck of the "White Swan."*—Mr. John Williamson, from the Select Committee appointed to consider the amount of compensation to be awarded for losses sustained by the wreck of the steamer "White Swan," brought up a Report and the same was read as followeth:—

Claims for losses to the amount of £648 3s. 6d. were received. Before proceeding to consider these claims, it was resolved, That, in considering the compensation to be recommended for supplying losses sustained by Members of the General Assembly, or persons engaged on the Public Service, who were passengers in the "White Swan," the Committee are of opinion that such compensation should be given as will be sufficient to replace articles necessary for the personal convenience and decent appearance of Members and others attending their public duties.

Guided

Guided by the foregoing Resolution, Your Committee beg to recommend that provision be made for compensating the several claimants to the amounts detailed below.

	£	s.	d.
William Butler	70	0	0
James H. Crawford	50	0	0
Hugh Carleton	36	0	0
George Graham	8	16	0
W. Gisborne	35	0	0
W. Hunter	60	0	0
Charles Knight	14	10	0
William Mason	53	10	0
G. M. O'Rorke	40	0	0
Reader Wood	85	10	0
	£453	6	0

Ordered, That the Report be referred to the Committee of Supply.

10. *Marine Boards Bill.*—The Honourable Mr. Crosbie Ward, from the Select Committee to whom was referred the Marine Boards Bill, brought up a Report, and the same was read as followeth:—

The Committee, to whom was referred the Marine Boards Bill, having carefully considered the said Bill, have agreed to certain Amendments therein, which they submit for consideration by the House.

Ordered, That the Marine Boards Bill be committed to a Committee of the whole House for To-morrow.

11. *Paper.*—The Honourable Mr. Dillon Bell laid upon the Table, by command of His Excellency,—

Papers relative to the Bill before the Imperial Parliament, intituled "The New Zealand "Bill."

Ordered, That the said Paper be printed for the use of Members of this House.

12. *Native Lands Bill.*—The Order of the day being read, for resuming the Adjourned Debate on the Question, That the Native Lands Bill be now read a second time,

And the Question being again proposed, the House resumed the said Adjourned Debate.

On motion of Dr. Featherston, *Ordered,* That the Debate be now adjourned until To-morrow.

13. *Adjournment.*—On motion of the Honourable Mr. Wood, *Resolved,* That this House will, at the rising of the House this day, adjourn until To-morrow at noon.

14. *Committee on establishment of a Government Printing Press.—Ordered,* That the Committee on the establishment of a Government Printing Press have leave to postpone their Report until Friday next.

15. *Land Claims Committee.—Ordered,* That the Select Committee on Land Claims have leave to postpone their Report until Tuesday next.

16. *Resident Magistrates Jurisdiction Extension Bill.*—The Order of the day being read, for the House in Committee on the Resident Magistrates Jurisdiction Extension Bill,

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

17. *Land Registry Amendment Bill.*—The Order of the day being read, for the second reading of the Land Registry Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Motion made, and Question proposed, That the following do stand as Clause 2 of the Bill:—

"'The Land Registry Act, 1860,' as amended by 'the Land Registry Act Amendment "'Act, 1861,' and by this Act, and 'The Land Registry Act Amendment Act, 1861,' "as amended by this Act, are hereby re-enacted." (*Hon. Mr. Gillies.*)

And

And the Question being put, it passed in the Affirmative.
Clauses 2 and 3 as printed read and agreed to.
Enacting Clause read and agreed to.
To report the Bill with an Amendment.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made an Amendment thereto.
Ordered, That the Report be received To-morrow.

18. *Supreme Court Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Supreme Court Bill,
On motion of the Honourable Mr. Gillies, *Ordered*, That the Bill be recommitted to a Committee of the whole House forthwith.
The House accordingly resolved itself into the said Committee.

(In the Committee.)
Motion made, and Question proposed, That the following do stand as Clause 3 of the Bill:—
"Clause 4 of 'The Supreme Court Judges Act, 1858,' is hereby repealed." (*Hon. Mr. Gillies.*)
And the Question being put, it passed in the Affirmative.
Motion made, and Question proposed, That the following do stand as Clause 4 of the Bill:—
"It shall be lawful for Her Majesty, upon the Address of both Houses of the General "Assembly, to remove any Judge of the Supreme Court from his office, and to revoke "his Patent or Commission, and for the Governor to suspend any such Judge on a like "Address." (*Hon. Mr. Gillies.*)
And the Question being put, it passed in the Affirmative.
Motion made, and Question proposed, That the blank in Clause 22, as now printed, be filled up by inserting the word "Twelve." (*Hon. Mr. Gillies.*)
And the Question being put, it passed in the Affirmative.
To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made further Amendments thereto.
Ordered, That the Report be received To-morrow.

19. *Native Reserves Act Amendment Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Native Reserves Act Amendment Bill,
The same was accordingly received and adopted.
Ordered, That the Bill be now read a third time.
The Bill was read a third time accordingly.
Resolved That the Bill do pass, and the Title be "An Act to amend the Native Reserves Act, 1858."
Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

20. *Gold Fields Management Bill.*—The Order of the day being read, for the House in Committee on the Gold Fields Management Bill,
Resolved, That this House will, To-morrow, resolve itself into the said Committee.

21. *Crown Lands Bill.*—The Order of the day being read, for the House in Committee on the Crown Lands Bill,
Resolved, That this House will, To-morrow, resolve itself into the said Committee.

22. *Juries Bill.*—The Order of the day being read, for the second reading of the Juries Bill,
The Bill was accordingly read a second time, and committed to a Committee of the whole House for To-morrow.

Then, on motion of the Honourable Mr. Crosbie Ward,
The House adjourned.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 27th August, 1862.

1. Mr. WARING TAYLOR to ask the Colonial Secretary, If it is the intention of Government to propose any change in the "Customs Duties Act, 1858," during the present Session.

NOTICES OF MOTION.

1. Mr. J. C. RICHMOND to move, on going into Committee of Supply to consider the Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor, That this House will consider, with a strong desire to concur in them, any propositions that His Excellency, with or through his Advisers, may submit to it, for relieving the settlers of Taranaki from their losses of property suffered during the late Insurrection; for replacing that settlement on a secure and permanent basis, and for assisting such of the Inhabitants as may not choose further to await the issue of His Excellency's policy with regard to that Province, to remove to and settle in other parts of the Colony.
2. Mr. FITZGERALD to move the Resolutions printed on the Notice Paper of Tuesday, the 19th August, in his name, with some unimportant verbal alterations.

ORDERS OF THE DAY.

1. Report of the Select Committee on the Trial of Minor Civil Cases and the Law of Debtor and Creditor.
2. Nominated Superintendents Bill—to be committed.
3. Land Registry Act Amendment Bill—to be reported.
4. Supreme Court Bill—to be reported.
5. Auckland Waste Lands Act Amendment Bill—second reading.
6. Marine Boards Bill—to be committed.
7. Native Lands Bill—Adjourned Debate on the Question, That the Bill be now read a second time.
8. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
9. Gold Fields Management Bill—to be further considered in Committee.
10. Crown Lands Bill—to be committed.
11. Juries Bill—to be committed.
12. Adjourned Debate on the Question, That an humble Address be presented to Her Majesty, on the subjects of the Despatch of the Secretary of State, dated 26th May, 1862.
13. Land Revenue Appropriation Act Amendment Bill—second reading.
14. Taranaki Petition—to be considered in Committee of Supply.
15. The Committee of Supply.

    Dr. MONRO to move, That a respectful Address be presented to His Excellency requesting him to recommend to this House to make provision for paying to the Province of Marlborough the expenses incurred by that Province in passing through the Legislature the Private Act of last Session, entitled the "Picton Railway Act, 1861," to which Act the Crown has refused its assent.
16. The Committee of Ways and Means.

Wednesday, the 27th day of August, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Cracroft Wilson, C.B.: The Petition of certain Householders, Freeholders, and other Electors of the City of Christchurch.

   Petition read and received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

   (1.) A statement shewing the number of Troops in New Zealand during the year ended the 30th June, 1862, in respect of which the contribution of the Colony towards Military expenses is calculated. Return to an Order of the House of the 6th August instant.

   (2.) Despatch from the Secretary of State relative to the progress of the new Institutions among the Natives at Waikato.

   (3.) Despatch from the Secretary of State respecting a Petition from the Provincial Council of Auckland for a separate Government for that Province.

   (4.) Despatch from the Secretary of State respecting the Postal Service between the United Kingdom, Australia, and New Zealand.

   (5.) Despatch from the Secretary of State respecting the Inter-colonial Royal Mail Steam Packet Company's Ship "Claude Hamilton," about to be despatched to New Zealand.

The

The Honourable Mr. Dillon Bell laid upon the Table, by command of His Excellency,—

(6.) A Return of the number of acres over which the Native Title has been extinguished during the year ended the 30th June, 1862, the amount paid or agreed to be paid for the same, and the quantity surveyed during the same period; in continuation of Papers presented last Session.—Return to an Order of the House of the 24th July last.

(7.) Return of all persons employed in the administration of Native Affairs, the capacity in which employed, and the salary of each.—Return to an Order of the House of the 24th July last.

(8.) Return of the names of all persons employed in or by the Land Purchase Department during the year ended the 30th June, 1862; in continuation of Papers presented last Session.—Return to an Order of the House of the 24th July last.

(9.) Copies of any Correspondence not yet laid upon the Table, relating to the establishment of a Court to adjudicate on questions arising out of Native Land Titles together with a Memorandum by Mr. Weld, when Minister for Native Affairs, on the most advisable mode of constituting such Court.—Return to an Order of the House of the 25th July last.

(10.) Copies of all Reports of Officers of the Land Purchase Department, relative to the extinguishment of Native Title; in continuation of Papers presented last Session.—Return to an Order of the House of the 24th July last.

(11.) Statement of all sums paid, and presents made to Natives during the year ended the 30th June, 1862.—Return to an Order of the House of the 24th July last.

3. *Native Affairs.*—Mr. FitzGerald moved, and the Question being proposed—

(1.) That this House has taken into its most serious consideration the Despatches recently laid on its Table, from His Grace the Duke of Newcastle to His Excellency Sir George Grey, especially the Despatch dated the 26th May, 1862.

(2.) That this House learns from the contents of those Despatches—

1. That Her Majesty's Government, recognising that the Government of the Native race by the Colonial Office has failed, has resolved that in future the powers and responsibilities of the Crown in that behalf, shall be exercised and undertaken by the Queen's ordinary Government in the Colony.
2. That the Imperial Government will in future decline to contribute towards the burden of educating, civilizing, and governing the Native Race, in any other manner, or to any greater extent than by remitting the contribution towards the cost of maintaining the Imperial Troops in the Colony, which the Colony has undertaken to pay to the extent of five pounds a head for every man so employed.
3. That, for the Troops at present stationed in the Colony, that contribution amounts to about twenty-five thousand pounds a year; but that it is the intention of the Imperial Government shortly to recall a considerable portion of the Troops so employed, and to that extent to diminish the amount of the Imperial aid to the Colony.
4. That no ship of war can be placed at the service of His Excellency Sir George Grey, notwithstanding that His Excellency's presence is equally needed at various points of the coast in order to treat with the Native Tribes; but that if such a ship of war is required, it must be provided by the Colony out of its own resources.
5. That a sum amounting to nearly two hundred thousand pounds, advanced by the Commissariat Chest for the expenses of the Militia during the last war, must be forthwith repaid by the Colony to the Imperial Government; that all such expenses must in future be paid by the Colony; and that the whole cost of constructing the Military road to the Waikato by the Troops, must be refunded in like manner.
6. That the Duke of Newcastle is under the impression that the wars which have hitherto taken place in New Zealand were wars between the Settlers and the Natives, and were undertaken in accordance with the wishes and for the benefit of the Colonists.
7. That His Grace is of opinion that the Colonists of New Zealand have exhibited a disinclination to make such sacrifices as they might fairly be expected to make in defence of their own lives and properties, and in the maintenance of the Queen's authority throughout the Colony.

(3.) That this House being of opinion that, in the divided authority heretofore maintained in the Government of the Colony, has lain one main cause of the evils under which the Colony has laboured, learns with great pleasure that that source of disunion and disorder has been put an end to, and that the administration of Native affairs will in future be conducted in the ordinary manner by the Queen's Government within the Colony.

(4.) That, in the opinion of this House, His Grace the Duke of Newcastle has been greatly misinformed as to the nature, origin, and objects of the wars in New Zealand, and

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that this House deems it right, on behalf of the Colonists, to repudiate the charge of having at any time occasioned, desired, or counselled such wars; and to assert that such wars were undertaken wholly at the responsibility of the Queen's Representative in the Colony, at a time when he was accountable solely to the Imperial Government, and when the Legislature of the Colony had no control over his actions.

(5.) That, whilst this House will not shrink from the grave responsibilities now imposed upon it, it deems it right to record its opinion that an act of great injustice will be committed, if the inhabitants of a young and struggling Colony are charged with the whole cost of educating, civilizing, and governing a race over whom the Government of the Queen and the authority of the Law have as yet been only very partially extended; an act of still greater injustice if that burden be thrown on the Colony at a time when the cost, the difficulty, and the danger of the task have been vastly increased by past government, in in which the Colony has had no share, and for which it has been in no degree responsible.

(6.) That, whilst this House recognizes to the full, on behalf of the colonists, the duty of defending their own lives and properties, it desires to express its conviction of the impossibility of eliciting the military ardour of a Colony under a system which places the local forces in a position of marked inferiority to the Queen's ordinary army, not only in the performance of military duties, but also in the distribution of honors and rewards due to meritorious service.

(7.) That this House deems it necessary to record its strong conviction that, in a country where the adoption of any particular policy may require the aid of the Military power, it is essential that the Government charged with the responsibility of directing that policy should be armed with the control of the military power by which it is to be enforced. That great calamities have already fallen upon this Colony; wars have been needlessly prolonged, lives lost and treasure squandered solely for the want of some local authority having power to remove inefficient and incapable Commanders, and to entrust the execution of military operations to men capable of conducting them to a successful issue. This House is therefore of opinion, that the safety of this Colony imperatively demands that the disposal and control of the whole of the Military forces within its limits should be absolutely vested in Her Majesty's Representative.

(8.) That, in the opinion of this House, the time has arrived when the whole of the relations between the Mother Country and the Colony as to the extent of their mutual obligations in respect of the Native race, demand a careful revision and adjustment. That such adjustment should be based upon a calculation of the whole cost of reclaiming the Native race from barbarism, and completely establishing the Queen's Authority throughout these Islands. That the share of this cost to be contributed by the Mother Country and the Colony respectively should be ascertained by a fair estimate of the interest of each in the result, and by a consideration of the extent to which the cost and difficulty of the work has been increased by the Government of the Natives during past years. That, in consideration of a money contribution so ascertained, the Imperial Government should be held to be discharged from all future obligation in respect to the Native race. And that in consideration of the Colony now undertaking the sole management of Native affairs, it should be held to undertake the entire cost and responsibility of their conduct for the future. That, if it were thought desirable that any Imperial troops should be left in the Colony, the whole cost of such troops should be charged as a part of the Imperial contribution; but that this arrangement should be deemed to refer solely to the Native policy, and should be distinct from, and in nowise prejudice any arrangement which may be made between the Mother Country and the Colonies generally, for settling their joint contributions towards the Military defence of the latter.

(9.) That respectful Addresses be presented to Her Majesty, and to both Houses of the Imperial Parliament, setting forth the views embodied in the foregoing Resolutions.

(10.) That a respectful Address be presented to His Excellency the Governor, praying His Excellency to support the prayer of such Petitions by all the means in his power.

(11.) That it is desirable that a Special Commissioner or Commissioners be despatched to England to lay the said Addresses at the foot of the Throne, and before the two Houses of Parliament; and that an Act of the General Assembly be passed, empowering the said Commissioners to act for and on behalf of the Colony, and to make all such arrangements as may be necessary in order to carry the objects of the foregoing Resolutions into full effect, and to appear, if necessary, by Counsel before the Houses of Lords and Commons.

The Honourable Mr. Domett moved, in Amendment, That a Select Committee be appointed to prepare an Address to Her Majesty in reply to the Duke of Newcastle's Despatch of 26th May, 1862. Committee to consist of Mr. John Williamson, Mr. Stafford, Major Richardson, the Honourable Mr. Crosbie Ward, Mr. Fox, the Honourable Mr. Dillon Bell, Mr. Weld, Mr. J. C. Richmond, and Mr. FitzGerald.

And

And the Question being put on the Amendment, it was resolved in the Affirmative.

Ordered, That the above Resolutions, and the following Address to Her Majesty, proposed to be moved by the Honourable Mr. Domett be referred to the said Committee:

MOST GRACIOUS SOVEREIGN,—

We, Your Majesty's loyal subjects, the Legislative Council and House of Representatives of New Zealand, in Parliament assembled,—in all faithfulness and zeal to Your Majesty's service, humbly pray Your Majesty's interference to avert from this Colony the evils with which it is threatened.

From a Despatch just received from Your Majesty's Secretary of State for the Colonies dated 26th May, 1862, we have learnt with deep concern and anxious foreboding that it is the intention of Your Majesty's Government to relinquish the duty of governing the Native inhabitants of these islands, to cast the whole burden and responsibility thereof upon ourselves, and prematurely to withdraw the troops necessary for the protection of the English settlements and the maintenance of Your Majesty's authority.

We humbly represent to Your Majesty that this course would be fraught with injustice to ourselves, would probably bring the settlements to the brink of ruin, and issue in the destruction of the Native race.

Had the evils which distract this country been produced by our own mis-government of the Natives, it might have been considered just, to throw upon us the obligation to remedy and remove them. But from the first settlement of the Colony, the Government of the Natives has been in the hands of Your Majesty's Representatives, and of Officers responsible to them alone. An absolute control over any legislation affecting the Natives, over the administration of laws relating to them, and especially over all transactions for the sale and disposal of their lands, has been strictly retained by Your Majesty's Representatives, under the orders of successive Secretaries of State; and the settlers as a body seem to have been viewed by Government as objects of suspicion and distrust, to preserve the Natives from whom, it was necessary to pass peculiar enactments, and to establish especial protectorates.

It was under a Government conducted on these principles that war with the Natives broke out in 1845—a war which commenced with an act on the part of the insurgent Chief Heke, the cutting down of the Government flagstaff, intended as a distinct rejection of Your Majesty's sovereignty. This was undeniably a Government war, and not a settlers' war. And all the present disturbances have arisen either from a desire felt by the Natives for law and order among themselves—the establisnment of which, while the Government maintained its exclusive right to govern them, devolved as a duty solely upon the Government; or from a determination to found a separate nationality—a sentiment which is antagonistic, not to the settlers, but to the Government—and has naturally manifested itself in an insurrection against the latter, not in a war against the former.

There is abundant proof of the correctness of this view in Despatches and declarations of yoar Majesty's representatives themselves. And Your Majesty's Secretary of State, in the Despatch which has given occasion for this our humble appeal to your Majesty, acknowledges that the system of keeping the management of the Natives under the control of the Home Government to the exclusion of the English Settlers has proved a failure. The proof of this failure is assumed to be the present disturbed state of the country, and the repudiation of your Majesty's sovereignty by so many of the Natives. It is therefore clear that the Government and not the settlers are accountable for the evils of the present state of things.

If, then, it is unjust to hold us responsible for disorders which we had not the power of preventing, it seems still more unjust as well as impolitic, to transfer to us alone the obligation to extricate the Colony from its difficulties at the present moment. Had the Natives been in a state of peace and prosperity, and of acknowledged allegiance to your Majesty, the transfer of authority to govern them, or of the responsibility attending it, might have been accepted by us with gratitude for the confidence displayed in us, and a reasonable anticipation of favourable results. But Your Majesty's Secretary of State proposes to make this transfer at a time when the exercise of the duties it involves is full of difficulty, and must entail upon the Colony expenses it is not in a condition to bear, and dangers it cannot without the aid at least, of the presence of Your Majesty's troops, successfully contend with. It is to be made at a time when a large body of the Natives are endeavouring to establish a separate nationality, and have set up a "King," and raised bands of armed men to maintain it; when many other tribes are alienated or disaffected; and at the close of a war which has failed to convince the Natives of the superiority of Your Majesty's arms, and has reduced to a mere military garrison, one British settlement, where the insurgent Natives at this moment hold possession, avowedly by right of conquest, of one of its

principal

principal agricultural districts, which had been occupied and cultivated for years by peaceful and industrious settlers.

To extricate the Colony from these difficulties, and restore tranquility and prosperity will be a work of time, involving much expense, and require a firm, and cautious, and wise administration of Government. We are very sensible of the prompt and generous assistance afforded to us by Your Majesty at the outbreak of the late insurrection; and our best endeavours will always be loyally and cordially given to co-operate with and assist, to the best of our power, Your Majesty's Representative in this arduous task. But we cannot think it just that this task should be imposed exclusively upon ourselves, and that the powerful aid of the Imperial Government should be withheld from us. And we are grieved to perceive that Your Majesty's Secretary of State appears to be under the impression that there is a disinclination on our part to take upon ourselves a fair share of the burden of the defence of the country, either in the raising of money or men. The losses and the share of expenses connected with the late war, which the Colony has borne or is called upon to pay, amount to half a million sterling. The taxation requisite to meet these losses and demands, would, with that already paid by the colonists, amount to four times as much for every individual in the Colony as is paid per head by the people of England; while with regard to raising men for Your Majesty's service, the number of Taranaki settlers actually engaged in military service for the last two years and a-half, amount to more than three-fifths of the male population of the whole Province, from 16 years of age upwards.

The Secretary of State seems also to think that the Colony can be defended by Militia alone. The opinion of all Your Majesty's Representatives—of the Generals and Military Commanders acquainted with the country—has often been given against this view. The fact that the settlements are isolated one from another, situated at great distances on an extended line of sea coast, with tracts of impervious wooded and mountainous country behind and between them, but inhabited by hordes of warlike Natives, who, occupying a central position with regard to them all, could concentrate their forces to attack any one of them separately, is sufficient to show the impossibility of any Militia force in this stage of the Colony's existence being adequate for its defence.

There is another consideration which we humbly venture to present to Your Majesty. If the Colony be left for its defence to its own resources, and the settlers be unaided by Your Majesty's Government, it will be obviously impossible for them to assert or maintain Your Majesty's sovereignty over the large portions of the Northern Island not occupied by them but inhabited by the aboriginal population. They might, in self-defence, be obliged to confine themselves to the Government of their own districts, laying down lines of demarcation, outside of which the Native population of a country, comprising a large extent of sea coast, would be left in a state of virtual independence,—a position which might lead to grave complications.

Moreover, if the settlers were thus left to their own defence, any war that might arise would degenerate into a guerilla warfare of continual surprises and massacres,—the ultimate consequences of which would be, after incalculable loss to the settlers of life and property, the certain extermination of the Native Race.

To avoid all these evils, to give a chance for the restoration of prosperity to the Colony, to secure the safety of the settlers, and the preservation of the Native Race, we implore Your Majesty to cause this proposal of Your Majesty's Government, to withdraw its support from the Colony, to be reconsidered. We pray Your Majesty to direct that measures may be resolved on consistent with the welfare of both races inhabiting these islands, with the preservation in its integrity of this portion of the empire, with the maintenance of the honor and dignity of Your Majesty's Crown, and with the magnanimity of the people of England.

4. *Trial of Minor Civil Cases.—Ordered,* That the Select Committee on the Trial of Minor Civil Cases, and the Law of Debtor and Creditor, have leave to postpone their Report until To-morrow.

5. *Nominated Superintendents Bill.*—The Order of the day being read, for the House in Committee on the Nominated Superintendents Bill,

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed: That the words "in Council" be added to the Clause. (*Mr. FitzGerald.*)

Further Amendment proposed: That the following words be added as a rider to the previous Amendment:—"Provided that such Superintendent shall be so appointed by the "Governor

"Governor from among those persons who have been elected to be Members of the "Provincial Council of the Province for which such Superintendent is to be appointed." (*Mr. Colenso.*)

And the Question being put on the rider, it passed in the Negative.

Further Amendment proposed: That the following words be added as a rider to Mr. FitzGerald's Amendment:—"Provided that the person so appointed shall be an Elector of "the Province in which such an appointment is made, and shall have resided therein for "a period of three years." (*Major Richardson.*)

And the Question being put on the rider, it passed in the Negative.

Further Amendment proposed: That the following words be added as a rider to Mr. FitzGerald's Amendment:—"And provided that no person be eligible for nomination to "the office of Superintendent, except a *bonâ fide* settler in the Province who has a clear "income free from incumbrance of not less than five hundred pounds sterling per annum." (*Mr. Cracroft Wilson.*)

And the Question being put on the rider, it passed in the Negative.

And the Question being then put, on Mr. FitzGerald's Amendment, it was resolved in the Affirmative.

Clause as amended agreed to.

Clauses 3, 4, and 5 read and agreed to.

Clause 6 read and Negatived.

Motion made, and Question proposed, That the following do stand as Clause 6 of the Bill:—

"It shall be lawful for the Governor in Council to delegate to the Superintendent of "any Province so appointed, any or all of the powers which may be lawfully exercised and "may be delegated by the Governor within such Province, and such delegation to revoke "or limit as he shall think fit, and the Superintendent shall exercise all the powers so "delegated to him in accordance with such instructions as he shall receive from the "Governor in Council in that behalf: Provided that where there shall be an Executive "Council within any Province, the Superintendent shall exercise all such powers within "the limits of such instructions, with the advice and consent of the Executive Council of "the Province." (*Mr. FitzGerald.*)

And the Question being put, it passed in the Affirmative.

Clause 7 read and agreed to.

Clause 8 read. Amendment proposed. In line 3: To omit the words "shall cease "from the day on which such Lieutenant or Deputy-Governor shall enter upon the duties "of his office and," with the view to insert in lieu thereof the words "together with." (*Mr. FitzGerald.*)

Amendment agreed to.

Further Amendment proposed. In line 5: To omit the words "of the Superintendent," with the view to insert in lieu thereof the word "thereof." (*Mr. FitzGerald.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 9 read. Amendment proposed. At the end of line 4: After the word "Resolution," to omit the words "shall have been passed by the Provincial Council of "such Province praying for the issue thereof, nor unless such Resolution," with the view to insert in lieu thereof the words "praying for the issue thereof." (*Mr. FitzGerald.*)

Amendment agreed to.

Further Amendment proposed. In line 7: To omit the word "same," with the view to insert in lieu thereof the word "Province." (*Mr. FitzGerald.*)

Amendment agreed to.

Further Amendment proposed. In line 9: To omit the words "next preceding the "passing of such Resolution," with the view to insert in lieu thereof the words "and shall "have been passed by the Provincial Council after such dissolution." (*Mr. FitzGerald.*)

Motion made, and Question proposed, That the following words be inserted as a rider after the word "by" in the foregoing proposed Amendment, "a majority of not less than "two-thirds." (*Major Richardson.*)

And the Question being put on the rider to the proposed Amendment, the Committee divided, and the names were taken down as follow:—

Ayes, 12.	*Noes*, 19.
Hon. Mr. Dillon Bell,	Mr. Atkinson,
Mr. Cargill,	Mr. Cookson,
Mr. Colenso,	Mr. Curtis,
Mr. Dick,	Hon. Mr. Domett,
Hon. Mr. Gillies,	Mr. G. Graham,

Ayes

Ayes—continued.	*Noes*—continued.
Mr. Moorhouse,	Mr. R. Graham,
Mr. Ormond,	Mr. Mason,
Mr. Renall,	Dr. Monro,
Mr. Thomson,	Major Nixon,
Mr. John Williamson,	Mr. A. J. Richmond,
Hon. Mr. Wood,	Mr. J. C. Richmond,
Major Richardson (Teller).	Hon. Mr. Russell,
	Mr. Stafford,
	Mr. Waring Taylor,
	Mr. Watt,
	Mr. Weld,
	Mr. Wells,
	Mr. Cracroft Wilson, C.B.,
	Mr. FitzGerald (Teller).

So it passed in the Negative.

And the Question being then put on the Amendment as originally proposed, it was resolved in the Affirmative.

Clause as amended agreed to.

Motion made, and Question proposed, That the following do stand as Clause 10 of the Bill:—

"The provisions of this Act shall be of force anything in the said hereinbefore recited "Acts to the contrary notwithstanding." (*Mr. FitzGerald.*)

And the Question being put, it passed in the Affirmative.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

6. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed the following Bills, without any Amendment, viz.:—

Bill intituled "An Act to amend the Representation Act, 1860."

Bill intituled "An Act to extend certain provisions of the Protection of certain Animals "Act, 1861." And also,—

The Legislative Council have passed the Bill intituled "An Act to amend the Law "relating to the Miners' Franchise," with an Amendment, to which they request the concurrence of the House of Representatives.

7. *Miners' Representation Bill.—Ordered*, That the consideration of the Amendment made by the Legislative Council in the Miners Representation Bill be an Order of the day for To-morrow.

8. *Native Lands Bill.*—On motion of the Honourable Mr. Dillon Bell, *Ordered*, That Order of the day No. 7 on this day's paper, be next considered.

The Order of the day being read, for resuming the Adjourned Debate on the Question, That the Native Lands Bill be now read a second time,

And the Question being again proposed, the House resumed the said Adjourned Debate.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes 27.	*Noes* 10.
Mr. Atkinson,	Mr. Carter,
Mr. Butler,	Dr. Featherston,
Mr. Carleton,	Mr. Fitzherbert,
Mr. Colenso,	Mr. Harrison,
Mr. Cookson,	Mr. Munro,
Mr. Curtis,	Mr. O'Rorke,
Hon. Mr. Domett,	Mr. Renall,
Mr. FitzGerald,	Mr. Waring Taylor,
Hon. Mr. Gillies,	Mr. John Williamson,
Mr. G. Graham,	Mr. Brandon (Teller.)

Ayes

Ayes—continued.
Mr. R. Graham,
Mr. Mason,
Major Nixon,
Mr. Ormond,
Mr. Rhodes,
Mr. A. J. Richmond,
Mr. C. J. Richmond,
Hon. Mr. Russell,
Mr. Stafford,
Mr. C. J. Taylor,
Mr Watt,
Mr. Weld,
Mr. Wells,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.,
Hon. Mr. Wood,
Hon. Mr. Dillon Bell (Teller).

So it passed in the Affirmative.

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed. In line 2: To omit the words "shall be "deemed," with the view to insert in lieu thereof the words "are hereby declared." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Further Amendment proposed. In lines 5 and 6: To omit the words "absolutely "disposed of as they shall think fit," with the view to insert in lieu thereof the words "dealt with by such owners in like manner as Her Majesty's subjects of European race "may deal with lands held by them under Grant from the Crown." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 3 read. Amendment proposed. In lines 2 and 3: To omit the words "Courts "composed wholly or partly of persons of the Native race," with the view to insert in lieu thereof the words "a Court or Courts." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Futher Amendment proposed: To omit all the words after line 5. (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 4 read. Amendment proposed. In lines 2 and 3: To omit the words "who "shall have a vote in the deliberations of such Court." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 5 read. Amendment proposed. In line 3: After the word "proceedings," to insert the words "the impannelling of any Jury." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 6 read. Amendment proposed. In line 3: After the words "Native race," to insert the words "It shall be lawful for such Court to ascertain by such evidence as it "shall think fit, the right, title, estate, or interest of the applicants, or of any other "claimants to, or in any Native land within the jurisdiction of such Court." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Further Amendment proposed. In line 5: To omit all the words after the word "Court," with the view to insert in lieu thereof the words "to define such estate and "register the same in such manner as may be appointed in that behalf, and to certify such "definition and registration to the Governor." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 7 to 13 postponed.
Clause 14 read and agreed to.
Clauses 15, 16, and 17 postponed.
Clause 18 read and agreed to.
Clause 19 read and negatived.

To report progress.

And the House having continued to sit until after Twelve of the Clock on Thursday Morning,

Thursday, the 28th day of August, 1862.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.
Resolved, That this House will, this day, again resolve itself into the said Committee.

Then, on motion of the Honourable Mr. Dillon Bell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 28th August, 1862.

1. Major RICHARDSON to ask Ministers what steps they design taking with regard to the appointment of a Judge for the Province of Otago.
2. Mr. THOMSON to ask, Whether it is the intention of Government to introduce a Bill during the present Session, to alter or amend the Public Reserves Act, 1854.
3. Mr. CARGILL to ask Government what steps they design to take with respect to the erection of a Lighthouse on Dog Island, Foveaux Straits.

NOTICES OF MOTION.

1. Mr. CARLETON to move, For all correspondence not yet laid on the Table, concerning the appointment of the Officers of the Legislature.
2. Mr. WELD to move, That the Clerks and other Officers of the House of Representatives should be appointed by the Executive, on the recommendation of the Speaker.
3. Mr. FOX to move, That the correspondence between the Honourable the Speaker, the Chairman of Committees, and the Colonial Secretary, on the subject of the appointment of the Clerk Assistant to the House of Representatives, be printed.
4. Mr. RHODES to move, That the Petition from certain Inhabitants of the City of Christchurch, relative to the removal of the seat of Government, be printed.
5. Mr. WARING TAYLOR to move, That, in the opinion of this House, the interests of Commerce and the Colony, call for a revision of the Customs Duties Act of 1858. That, without strictly defining the specific changes which are requisite to be made, this House is of opinion that the direction of such change should be towards a simplification of the Tariff by a repeal of the measurement rates at present levied, and the imposition of duties on a few enumerated articles of general consumption.

ORDERS OF THE DAY.

1. Report of the Select Committee on the trial of Minor Civil Cases and the Law of Debtor and Creditor.
2. Nominated Superintendents Bill—to be reported.
3. Miners Representation Bill—consideration of Amendments by the Legislative Council.
4. Land Registry Act Amendment Bill—to be reported.
5. Supreme Court Bill—to be reported.
6. Waste Lands Act, 1858, Amendment Bill—second reading.
7. Auckland Waste Lands Act Amendment Bill—second reading.
8. Marine Boards Bill– to be committed.
9. Native Lands Bill—to be further considered in Committee.
10. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
11. Gold Fields Management Bill—to be further considered in Committee.
12. Crown Lands Bill—to be committed.
13. Juries Bill—to be committed.
14. Adjourned Debate on the Question, That an humble Address be presented to Her Majesty, on the subjects of the Despatch of the Secretary of State, dated 26th May, 1862.

15. Petition

15. Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor, to be considered in Committee of Supply.

Mr. J. C. RICHMOND to move, on going into Committee of Supply to consider the Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor, That this House will consider, with a strong desire to concur in them, any propositions that His Excellency, with or through his Advisers may submit to it, for relieving the Settlers of Taranaki from their losses of property suffered during the late Insurrection; for replacing that settlement on a secure and permanent basis, and for assisting such of the Inhabitants as may not choose further to await the issue of His Excellency's policy with regard to that Province, to remove to and settle in other parts of the Colony.

16. Land Revenue Appropriation Act Amendment Bill—second reading.

17. The Committee of Supply.

Dr. MONRO to move, That a respectful Address be presented to His Excellency requesting him to recommend to this House to make provision for paying to the Province of Marlborough the expenses incurred by that Province in passing through the Legislature the Private Act of last Session, entitled the "Picton Railway Act, 1861," to which Act the Crown has refused its assent.

Mr. STAFFORD to move in Committee of Supply, That the provision in the Civil List, for the Establishment of the General Government, and for Judicial Salaries, be increased. That the following sums be granted to Her Majesty for the Salaries and expenses of the undermentioned Offices per annum:—

Governor - - - - - -	£4,500
Governor's Establishment - - - -	1,000
Chief Justice - - - - -	1,700
Three Puisne Judges (at £1,500 each) - -	4,500
Colonial or Chief Secretary - - - -	1,000
Colonial Treasurer - - - - -	1,000
Minister for Native Affairs - - - -	1,000
Postmaster-General - - - - -	1,000
Attorney-General - - - - -	1,000
Under Secretary (permanent) - - - -	600
Assistant Treasurer do. - - - -	600
Assistant Law Officer do. - - - -	600
General Expenses - - - - -	500

That a respectful Address be presented to His Excellency the Governor, requesting His Excellency to cause to be brought into the House of Representatives, a Bill to amend the Civil List Act, 1858, in order that the above alterations may be carried into effect.

18. The Committee of Ways and Means.

Thursday, the 28th day of August, 1862.

PRAYERS.

1. *Papers.*—The Honourable Mr. Wood laid upon the Table, by command of His Excellency,—

(1.) Statement of payments made from the Treasury Chest during the month of July, 1862, connected with the making of Roads, and chargeable to the Colonial Government of New Zealand, according to the Assistant Military Secretary's letter, No. 1059, of the 23rd December, 1861.

(2.) Statement of claims by the Imperial Treasury against the Colonial Government of New Zealand to 30th June, 1862.

2. *Officers of the Legislature.*—On motion of Mr. Carleton, *Ordered*, That there be laid on the Table, copies of all Correspondence not yet laid on the Table concerning the appointment of the Officers of the Legislature.

Mr. Weld moved, and the Question was proposed, That the Clerks and other Officers of the House of Representatives should be appointed by the Executive on the recommendation of the Speaker.

The Honourable Mr. Dillon Bell moved, in Amendment, the addition of the following words, at the end of the Question:—"with the exception of the first Clerk Assistant, who, "acting as the Clerk of Committees, should be similarly appointed on the recommendation of the Chairman of Committees."

And the Question being put, That the words proposed to be added be so added, it was resolved in the Affirmative.

Resolved

Resolved, That the Clerks and other Officers of the House of Representatives should be appointed by the Executive on the recommendation of the Speaker, with the exception of the first Clerk Assistant, who, acting as the Clerk of Committees, should be similarly appointed on the recommendation of the Chairman of Committees.

On motion of Mr. Fox, *Ordered*, That the Correspondence between the Honourable the Speaker, the Chairman of Committees, and the Colonial Secretary, and the Correspondence between the Speaker and the Colonial Secretary with the Governments of the Australian Colonies, on the subject of the appointment of the Clerk Assistant to the House of Representatives, be printed for the use of Members of this House.

3. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

G. GREY, Governor. *Message No.* 9.

The Governor transmits to the House of Representatives the enclosed Estimates for General Expenditure for the year ending the 30th of June, 1863, and, on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 28th August, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

4. *Seat of Government.*—On motion of Mr. Cracroft Wilson, C.B., *Ordered*, That the Petition from certain inhabitants of the City of Christchurch, relative to the removal of the Seat of Government, be printed for the use of Members of this House.

5. *Customs Tariff.*—Mr. Waring Taylor moved, and the Question was proposed, That, in the opinion of this House, the interests of commerce and the Colony, call for a revision of the Customs Duties Act of 1858; that, without strictly defining the specific changes which are requisite to be made, this House is of opinion that the direction of such change should be towards a simplification of the Tariff by a repeal of the measurement and tonnage rates at present levied, and the imposition of duties on a few enumerated articles of general consumption.

And the Question being put, it passed in the Negative.

6. *Trial of Minor Civil Cases.*—On motion of the Honourable Mr. Russell, *Ordered*, That the Select Committee on the Trial of Minor Civil Cases, and the Law of Debtor and Creditor, be discharged.

7. *Miners Representation Bill.*—The Order of the day being read, for the consideration of the Amendment made by the Legislative Council in the Miners Representation Bill,

The same was accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendment.

8. *Waste Lands Act*, 1858, *Amendment Bill.*—The Order of the day being read, for the second reading of the Waste Lands Act, 1858, Amendment Bill,

Mr. Carleton moved, and the Question was proposed, That the Bill be now read a second time.

And the Question being put, the House divided, and the names were taken down as follows :—

Ayes, 8.	*Noes*, 14.
Mr. Atkinson,	Mr. Brandon,
Mr. FitzGerald,	Mr. Butler,
Mr. G. Graham,	Mr. Carter,
Mr. Jollie,	Mr. Cookson,
Mr. J. C. Richmond,	Dr. Featherston,
Hon. Mr. Russell,	Mr. Fitzherbert,
Mr. Cracroft Wilson, C.B.,	Mr. Fox,
Mr. Carleton (Teller.)	Mr. Munro,
	Major Nixon,
	Mr. Renall,
	Mr. Waring Taylor,
	Mr. Thomson,
	Mr. John Williamson,
	Mr. O'Rorke (Teller).

So it passed in the Negative.

9. *Land*

9. *Land Registry Act Amendment Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Land Registry Act Amendment Bill,
The same was accordingly received and adopted.
Ordered, That the Bill be now read a third time.
The Bill was read a third time accordingly.
Resolved, That the Bill do pass, and the Title be "An Act to further amend the 'Land "'Registry Act, 1860.'"
Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

10. *Supreme Court Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Supreme Court Bill,
The same was accordingly received and and adopted.
Ordered, That the Bill be now read a third time.
The Bill was read a third time accordingly.
Resolved, That the Bill do pass, and the Title be "An Act to define and extend the "powers of the Judges of the Supreme Court; to provide for the more speedy administra-"tion of Justice in certain cases; and to amend the Law relating to the administration of "the Estates of deceased persons."
Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

11. *Nominated Superintendents Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Nominated Superintendents Bill,
Major Richardson moved, That the said Order be discharged.
And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 20.	*Noes*, 19.
Mr. Brandon,	Mr. Atkinson,
Mr. Cargill,	Hon. Mr. Dillon Bell,
Mr. Carter,	Mr. Butler,
Mr. Dick,	Mr. Carleton,
Dr. Featherston,	Mr. Cookson,
Mr. Fitzherbert,	Mr. Curtis,
Mr. Fox,	Hon. Mr. Domett,
Hon. Mr. Gillies,	Mr. Jollie,
Mr. G. Graham,	Mr. Mason,
Mr. Harrison,	Major Nixon,
Mr. Munro,	Mr. J. C. Richmond,
Mr. Ormond,	Hon. Mr. Russell,
Mr. O'Rorke,	Mr. Stafford,
Mr. Renall,	Mr. Watt,
Mr. Waring Taylor,	Mr. Weld,
Mr. Thomson,	Mr. Wells,
Hon. Mr. Crosbie Ward,	Mr. James Williamson,
Mr. John Williamson,	Mr. Cracroft Wilson, C.B.,
Hon. Mr. Wood,	Mr. FitzGerald (Teller).
Major Richardson (Teller).	

So it was resolved in the Affirmative.
Ordered, That the said Order be discharged.

12. *Auckland Waste Lands Act Amendment Bill.*—The Order of the day being read, for the second reading of the Auckland Waste Lands Act Amendment Bill,
The Bill was accordingly read a second time, and committed to a Committee of the whole House for To-morrow.

13. *Gold Fields Management Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Gold Fields Management Bill.

(In the Committee.)

Postponed Clause 13 read and agreed to.
Postponed Clauses 19 to 28 read and agreed to.
Postponed Clause 29 read. Amendment proposed. In line 5: After the word "judgment,"

"judgment," to insert the words "or by any other order, decree, or judgment of any such "Court in the nature of an order for specific relief." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Further Amendment proposed. In lines 18 and 24: To omit the words "ten days," with the view to insert in lieu thereof the words "one month." (*Hon. Mr. Gillies.*)

Amendment agreed to.

Clause as amended agreed to.

Postponed Clauses 30 and 31 read and agreed to.

Postponed Clause 48 read. Amendment proposed. In the first proviso in line 2: To omit the words "either before or." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 4 of said first proviso: To omit the words "or without." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 5 of said first proviso: To omit the words "or under Pastoral License." (*Mr. Dick.*)

Amendment agreed to.

Further Amendment proposed. In line 8: To omit the words "and in the case of "Otago and Southland according to the Waste Land Regulations of 1856." (*Mr. Stafford.*)

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

14. *Crown Lands Bill.*—The House, according to Order, resolved itself into a Committee to consider the Crown Lands Bill.

(In the Committee.)

Clauses 1 to 14 read and agreed to.

Motion made, and Question proposed, That the following do stand as Clause 15 of the Bill:—

"Notwithstanding anything in this Act contained, all Regulations for the occupation "of lands for pastoral purposes under the Ordinances hereby repealed, and all provisions "relating thereto, and all contracts and agreements made thereunder, shall remain in force "in like manner as if this Act had not been passed." (*Hon. Mr. Crosbie Ward.*)

And the Question being put, it passed in the Affirmative.

Schedule A read and agreed to.

Schedule B read. Amendment proposed. In the first Clause: To omit the figures "£20," with the view to insert in lieu thereof the words "one hundred pounds." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Schedule as amended agreed to.

Preamble read and agreed to.

Bill recommitted.

Clause 7 read. Amendment proposed. At the end of Sub-section *d*: To add the words "And such cattle, stock, goods, chattels, and effects, to impound in some public "pound, and sell by public auction if the same be not replevied or redeemed within "twenty-one days after being so impounded, by payment of all expenses incurred by the "removal and impounding thereof and incidental thereto, and also of all penalties which "may have been incurred in consequence of the trespass or intrusion by such cattle, stock, "goods, chattels, and effects; and the proceeds of any sale, after payment of the costs "thereof of the removal and impounding of such cattle and incidental thereto, and of all "penalties aforesaid, shall be paid to the party entitled thereto on application to the "Commissioner." (*Mr. Brandon.*)

And the Question being put, the Committee divided, and the names were taken down as follow:—

Ayes, 22.	*Noes*, 10.
Hon. Mr. Dillon Bell,	Mr. Atkinson,
Mr. Brandon,	Mr. Butler,
Mr. Cargill,	Mr. Colenso,
Mr. Carter,	Mr. Jollie,
Mr. Cookson,	Major Nixon,
Mr. Dick,	Mr. Ormond,

Ayes

Ayes—continued.	*Noes*—continued.
Hon. Mr. Domett,	Mr. J. C. Richmond,
Mr. FitzGerald,	Mr. Watt,
Mr. Fox,	Mr. Weld,
Mr. R. Graham,	Mr. Stafford (Teller).
Mr. Harrison,	
Mr. Mason,	
Mr. Moorhouse,	
Mr. Renall,	
Mr. A. J. Richmond,	
Hon. Mr. Russell,	
Mr. Waring Taylor,	
Mr. James Williamson,	
Mr. John Williamson,	
Mr. Cracroft Wilson, C.B.,	
Hon. Mr. Wood,	
Hon. Mr. Crosbie Ward (Teller).	

So it passed in the Affirmative.

Clause as amended agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill to follow Clause 8:—

"In any suit, action, or proceeding against any person for or in respect of any alleged "unlawful occupation, trespass, or use of or upon any Crown lands, the proof that the "occupation or use in question was authorised by the provisions of this Act, or of any "order or regulation made in pursuance thereof, shall lie on the defendant, and the "averment that any lands in question are Crown lands shall be sufficient without proof "of such fact unless the defendant prove the contrary; And all maps, plans, licenses, "certificates, and office copies certified as true under the hand of the Chief or Principal "Surveyor, or of any Commissioner of Crown Lands, shall, in all matters relating to the "said respective offices, be sufficient evidence of their contents without production of "original records, and without the personal attendance of such officers or proof of their "signatures." (*Mr. Brandon.*)

And the Question being put, it passed in the Affirmative.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

15. *Address to Her Majesty.*—On motion of the Honourable Mr. Domett, *Ordered*, That the Order of the day for resuming the adjourned Debate on the Question, That an humble Address be presented to Her Majesty on the subjects of the Despatch of the Secretary of State, dated 26th May, 1862, be discharged.

16. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Governor's Message No. 5 read.

General Government Expenditure, Provincially charged:—

On motion of the Honourable Mr. Wood, *Resolved*, That there be granted to Her Majesty to defray the costs and charges of the Supreme Court for the year 1862–3, the sums following (that is to say)—

At Auckland, a sum not exceeding one thousand one hundred pounds.
At Taranaki, a sum not exceeding one hundred and twenty pounds.
At Wellington, a sum not exceeding nine hundred and twenty-five pounds.
At Hawke's Bay, a sum not exceeding one hundred and forty-five pounds.
At Nelson, a sum not exceeding one hundred and fifty pounds.
At Marlborough, a sum not exceeding one hundred and fifty pounds.
At Canterbury, a sum not exceeding seven hundred and thirty pounds.
At Otago, a sum not exceeding six hundred and fifty pounds.
At Southland, a sum not exceeding one hundred pounds.

On motion of the Honourable Mr. Wood, *Resolved*, That there be granted to Her Majesty, to defray the costs and charges of the Colonial Secetary's Department and Crown Grants Office for the current year, a sum not exceeding one thousand four hundred and five pounds.

To defray the costs and charges of the Attorney-General's Department for the same period a sum not exceeding six hundred pounds.

To defray the costs and charges of the Colonial Treasurer's Department for the same period a sum not exceeding six hundred and seventy pounds.

To defray the costs and charges of the Auditor's Department a sum not exceeding one thousand one hundred and fifty pounds.

Motion made and Question proposed, That there be granted to Her Majesty, to defray the costs and charges of the travelling expenses of the Judges of the Supreme Court on Circuit, a sum not exceeding six hundred pounds. (*Hon. Mr. Wood.*)

Amendment proposed: That the item be reduced to the sum of three hundred pounds. (*Mr. Renall.*)

And the Question being put on the Amendment, the Committee divided, and the names were taken down as follows:—

Ayes, 7.	*Noes*, 25.
Mr. Colenso,	Hon Mr. Dillon Bell,
Dr. Featherston,	Mr. Butler,
Mr. G. Graham,	Mr. Cookson,
Mr. R. Graham,	Mr. Dick,
Mr. Rhodes,	Hon. Mr. Domett,
Mr. Waring Taylor,	Mr. FitzGerald,
Mr. Renall (Teller).	Mr. Fox,
	Hon. Mr. Gillies,
	Mr. Jollie,
	Mr. Mason,
	Dr. Monro,
	Mr. Moorhouse,
	Major Nixon,
	Mr. Ormond,
	Mr. J. C. Richmond,
	Hon. Mr. Russell,
	Mr. Stafford,
	Mr. Thomson,
	Hon. Mr. Crosbie Ward,
	Mr. Watt,
	Mr. Weld,
	Mr. James Williamson,
	Mr. John Williamson,
	Mr. Cracroft Wilson, C.B.
	Hon. Mr. Wood (Teller).

So it passed in the Negative.

Resolved, That there be granted to Her Majesty to defray the travelling expenses of Judges of the Supreme Court on Circuit, a sum not exceeding six hundred pounds.

On the motion of Mr. Stafford, *Resolved*, That the provision in the Civil List for the Establishment of the General Government and for Judicial Salaries be increased.

That the following sums be granted to Her Majesty for the salaries and expenses of the undermentioned Offices per annum:—

Item 1 read.—Governor - - - - - - - - - £4,500

Item agreed to.

Item 2 read.—Governor's Establishment - - - - - - £1,000

Item withdrawn.

Item 3 read.—Chief Justice - - - - - - - - £1,700

Amendment proposed: To reduce the item to £1500. (*Mr. Carter.*)

And the Question being put on the Amendment, the Committee divided, and the names were taken down as follows:—

Ayes, 10.	*Noes*, 21.
Mr. Colenso,	Mr. Atkinson,
Dr. Featherston,	Hon. Mr. Dillon Bell,
Mr. Fox,	Mr. Cargill,
Mr. G. Graham,	Mr. Cookson,
Mr. Ormond,	Hon. Mr. Domett,
Mr. Renall,	Mr. FitzGerald,
Mr. Rhodes,	Hon. Mr. Gillies,

Ayes

Ayes—continued.	*Noes*—continued.
Mr. Waring Taylor,	Mr. Jollie,
Mr. John Williamson,	Mr. Mason,
Mr. Carter (Teller).	Dr. Monro,
	Mr. Moorhouse,
	Major Nixon,
	Major Richardson,
	Mr. J. C. Richmond,
	Hon. Mr. Russell,
	Hon. Mr. Crosbie Ward,
	Mr. Watt,
	Mr. Weld,
	Mr. James Williamson,
	Mr. Cracroft Wilson, C.B.,
	Mr. Stafford (Teller).

So it passed in the Negative.

And the Question being then put on the Original item as read, it was resolved in the Affirmative.

Resolved, That there be granted to Her Majesty to defray the salary of the Chief Justice, a sum not exceeding one thousand seven hundred pounds.

Motion made and Question proposed, That there be granted to Her Majesty to defray the salaries of three Puisne Judges, at one thousand five hundred pounds each, a a sum not exceeding four thousand five hundred pounds. (*Mr. Stafford.*)

Amendment proposed: To reduce the item for each Judge to £1,250. (*Mr. Colenso.*)

And the Question being put on the Amendment, the Committee divided, and the names were taken down as follows:—

Ayes, 12.	*Noes*, 17.
Mr. Carter,	Mr. Atkinson,
Dr. Featherston,	Hon. Mr. Dillon Bell,
Mr. Fox,	Mr. Cargill,
Mr. G. Graham,	Mr. Cookson,
Mr. Renall,	Hon. Mr. Domett,
Mr. Rhodes,	Mr. FitzGerald,
Major Richardson,	Hon. Mr. Gillies,
Mr. Waring Taylor,	Mr. Jollie,
Hon. Mr. Crosbie Ward,	Mr. Mason,
Mr. James Williamson,	Mr. Moorhouse,
Mr. John Williamson,	Dr. Monro,
Mr. Colenso (Teller).	Major Nixon,
	Mr. J. C. Richmond,
	Mr. Watt,
	Mr. Weld,
	Mr. Cracroft Wilson, C.B.,
	Mr. Stafford (Teller).

So it passed in the Negative.

Further Amendment proposed: That the item for each Judge be reduced to £1,400. (*Mr. Colenso.*)

And the Question being put on the Amendment, the Committee divided, and the names were taken down as follows:—

Ayes, 12.	*Noes*, 17.
Mr. Carter,	Mr. Atkinson,
Dr. Featherston,	Hon. Mr. Dillon Bell,
Mr. Fox,	Mr. Cargill,
Mr. G. Graham,	Mr. Cookson,
Mr. Renall,	Hon. Mr. Domett,
Mr. Rhodes,	Mr. FitzGerald,
Major Richardson,	Hon. Mr. Gillies,
Mr. Waring Taylor,	Mr. Jollie,
Hon. Mr. Crosbie Ward,	Mr. Mason,
Mr. James Williamson,	Dr. Monro,
Mr. John Williamson,	Mr. Moorhouse,
Mr. Colenso (Teller).	Major Nixon,
	Mr. J. C. Richmond,
	Mr. Watt,
	Mr. Weld,
	Mr. Cracroft Wilson, C.B.,
	Mr. Stafford (Teller).

So

So it passed in the Negative.

And the Question being then put on the Original item as read, it passed in the Affirmative.

The following items were then read and agreed to:—

Colonial Secretary	£1,000
Colonial Treasurer	£1,000
Minister for Native Affairs	£1,000
Postmaster-General	£1,000
Attorney General	£1,000
Under Secretary (permanent)	£600
Assistant Treasurer (ditto)	£600
Assistant Law Officer	£600
General Expenses	£500

Motion made and Question proposed, That a respectful Address be presented to His Excellency the Governor requesting His Excellency to cause to be brought into the House of Representatives a Bill to amend the Civil List Act, 1858, in order that the above alterations may be carried into effect. (*Mr. Stafford.*)

And the Question being put, it passed in the Affirmative.

To report progress.

And the House having continued to sit till after Twelve of the Clock on Friday morning,

Friday, the 29th day of August, 1862.

On Mr. Speaker resuming the Chair, Mr. O'Rorke reported, That the Committee had come to a Resolution.

Ordered, That the Report be received To-morrow.

Mr. O'Rorke also reported that the Committee had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, this day, again resolve itself into the said Committee.

Then, on motion of the Honourable Mr. Wood,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 29th August, 1862.

1. Mr. CARGILL to ask, Whether it is the intention of Government to take any steps towards the establishment of Telegraphic Communication between the Provinces.

NOTICE OF MOTION.

1. Mr. FITZHERBERT to move, That, inasmuch as by a recent decision, this House has affirmed that, in future, Judges of the Supreme Court may be appointed from among the Members of the Bar in the Colony, with advantage to the public service: and whereas it is desirable to remove some impediments that may otherwise tend to prevent this wish of the House from being carried out in practice; and further, in order to guard from suspicion, under the new arrangements contemplated, that high character for impartiality so essential to be maintained by the Bench;—this House desires to record its opinion, that in future no Judge of the Supreme Court ought to be appointed to a seat in the Legislature.

ORDERS OF THE DAY.

1. Report of the Select Committee on the Establishment of a Government Printing Press.
2. Gold Fields Management Bill—to be further considered in Committee.
3. A Resolution to be Reported from the Committee of Supply.
4. Marine Boards Bill—to be committed.
5. The Committee of Supply.

   Dr. MONRO to move, That a respectful Address be presented to His Excellency requesting him to recommend to this House to make provision for paying to the Province of Marlborough the expenses incurred by that Province in passing through the Legislature the Private Act of last Session, entitled the "Picton Railway Act, 1861," to which Act the Crown has refused its assent.
6. Crown Lands Bill—to be reported.
7. Auckland Waste Lands Act Amendment Bill—to be committed.
8. Native Lands Bill—to be further considered in Committee.

9. Resident

9. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
10. Juries Bill—to be Committed.
11. Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor, to be considered in Committee of Supply.

    Mr. J. C. RICHMOND to move, on going into Committee of Supply to consider the Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor, That this House will consider, with a strong desire to concur in them, any propositions that His Excellency, with or through his Advisers may submit to it, for relieving the Settlers of Taranaki from their losses of property suffered during the late Insurrection, for replacing that settlement on a secure and permanent basis, and for assisting such of the Inhabitants as may not choose further to await the issue of His Excellency's policy with regard to that Province, to remove to and settle in other parts of the Colony.
12. Land Revenue Appropriation Act Amendment Bill—second reading.
13. The Committee of Ways and Means.

Friday, the 29th day of August, 1862.

PRAYERS.

1. *Paper.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

   Copies of all Correspondence with reference to the resignation of Justices of the Peace for the Colony since the 1st January, 1862; being Return to an Order of the House of the 19th August instant.

2. *Judges of the Supreme Court.*—Mr. Fitzherbert moved, and the Question was proposed, That, inasmuch as by a recent decision, this House has affirmed that, in future, Judges of the Supreme Court may be appointed from among the Members of the Bar in the Colony with advantage to the public service; and whereas it is desirable to remove some impediments that may otherwise tend to prevent this wish of the House from being carried out in practice; and further, in order to guard from suspicion, under the new arrangements contemplated, that high character for impartiality so essential to be maintained by the Bench, this House desires to record its opinion that, in future, no Judge of the Supreme Court ought to be appointed to a Seat in the Legislature.

   A Debate arose thereupon,

   And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 19.	*Noes*, 14.
Mr. Cargill,	Mr. Atkinson,
Mr. Cookson,	Hon. Mr. Dillon Bell,
Mr. Dick,	Mr. Colenso,
Dr. Featherston,	Mr. Curtis,
Mr. Fox,	Hon. Mr. Domett,
Hon. Mr. Gillies,	Major Nixon,
Mr. G. Graham,	Hon. Mr. Russell,
Mr. Jollie,	Mr. Stafford,
Mr. Moorhouse,	Hon. Mr. Crosbie Ward,
Mr. Munro,	Mr. Watt,
Mr. Ormond,	Mr. James Williamson,
Mr. O'Rorke,	Mr. Cracroft Wilson, C.B.
Major Richardson,	Hon. Mr. Wood,
Mr. A. J. Richmond,	Mr. Carleton (Teller).
Mr. Waring Taylor,	
Mr. Thomson,	
Mr. Wells,	
Mr. John Williamson,	
Mr. Fitzherbert (Teller).	

   So it was resolved in the Affirmative.

3. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

   And

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

G. GREY, Governor. *Message* No. 10.

The Governor transmits to the House of Representatives the draft of a Bill, intituled "An Act for establishing Postal communication with Great Britain by way of Panama," and on Her Majesty's behalf recommends provision to be made accordingly.

Government House,
Wellington, 29th August, 1862.

4. *Panama Route Postal Bill.—Ordered,* That the Bill transmitted by His Excellency, for establishing Postal Communications with Great Britain by way of Panama, be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time on the next sitting day, and to be printed.

5. *Civil Commissioners Court, Hawke's Bay.*—Mr. Ormond, from the Select Committee to whom was referred the Petition of certain inhabitants of the Province of Hawke's Bay, relating to proceedings in the Resident Magistrate's (Colonel Russell's) Court there, brought up a Report, and the same was read as followeth :—

The Committee having considered the subject referred to them, and taken evidence thereon, beg to report as follows :

That the information was taken before John Curling, Esquire, one of Her Majesty's Justices of the Peace and Resident Magistrate.

That Defendant was summoned by the said John Curling to appear at the Resident Magistrate's Court at Napier.

That the case was heard and adjudicated by Colonel Russell, who signed the judgment as Civil Commissioner and Resident Magistrate.

That your Committee consider the use of the term Civil Commissioner in reference to the Court as erroneous; there being no Civil Commissioner's Court in New Zealand known to the law, but that no such Court was held.

That any Justice of the Peace for the Colony might have taken his seat on the Bench beside the Resident Magistrate, but that no one thought fit to do so.

That your Committee, though seeing nothing in the evidence to support the allegation contained in the second Clause of the Petition, does not consider itself empowered to act as a Court of Appeal from the decision of the Resident Magistrate.

That your Committee feel it their duty, without impugning the motives of the Government, to invite attention to the fact, that under the Native Land Purchase Ordinance, any person may be singled out for prosecution by the Government as the Defendant in the case referred to them has been, but that, excepting in the Province of Auckland, the Ordinance may be violated with impunity by others.

That your Committee are also of opinion that the designation of a particular Magistrate to try a particular case, is calculated to impair public confidence, and is liable to very great abuse.

Ordered, That the Report do lie upon the Table.

6. *Private Grievances.*—Mr. Jollie, from the Select Committee on Private Grievances, brought up an *interim* Report, and the same was read as followeth :—

The Select Committee on Private Grievances begs to present to the House a further Report on the Petitions referred to their consideration.

(1.) *Petition of David Burn.*

A question of contract, and its interpretation, is involved in this Petition. Unfortunately, the letter of appointment, upon which that question arises, has not been forwarded by the Petitioner along with the other documents which bear upon the case. Judging, however, by the documents sent, and such other evidence as could be obtained as to the actual terms under which the Petitioner undertook the duties of Editor of the Newspaper called the "Maori Messenger," in the year 1848, the Committee do not see any sufficient reason for recommending the Government to deviate from the arrangement proposed to the Petitioner in April, 1861, through the Assistant Native Secretary, for meeting any equitable claim he might have for special consideration, in consequence of the sudden determination of his office by the Government—namely, that he should be paid three months additional salary.

In one of the letters of the Petitioner which have been laid before the Committee, it is stated that a month's salary is still due to him for the period anterior to his dismissal. Of course

course the Committee assume that any such arrears will be paid forthwith, and that payment of the same has not been made before, simply because the Petitioner has not formally applied for it.

(2.) *Petition of Robert Park.*

In reference to this Petition the Committee have come to the following Resolution:—

That this Committee, finding that Mr. Park was virtually in the service of the Provincial Government of Wellington, regrets that it does not feel justified in recommending any action to be taken by the House on the question of his claim to six months salary for his abrupt dismissal by the Superintendent, although such claim appears to be founded on considerations both of equity and custom.

(3.) *Petition of J. B. Williams.*

The Committee, after examining into the character and bearing of this Petition, agreed to the following Resolution, deferring the further consideration of its prayer until His Honor Judge Johnston shall have decided certain preliminary questions of law which are to be submitted for his opinion:—

That a case for the immediate opinion of Judge Johnston on certain legal points involved in this Petition having been agreed upon by the parties concerned, the Committee does not consider it expedient to enter into any further examination of the merits of this very complicated affair, pending the decision of the Judge upon the facts referred to him.

(4.) *Petition of W. E. Chamberlain.*

The Committee having taken into consideration this Petition has arrived at the following conclusion:—

(1.) That the Petition contains two mis-statements. Upon Petitioner's applying to the Resident Magistrate for the execution of his decree against Walker, it is asserted that Mr. Wardell answered, that he could not comply, as he should be thereby rendered liable to be tried for a breach of the Peace if any disturbance followed. This is not only denied by that gentleman himself, but is directly contradicted and admitted to be untrue by Chamberlain himself in a letter addressed to the Resident Magistrate (dated Feb. 22nd, 1862).

Again, it appears that the sum decreed by the Resident Magistrate in the case of "Walker *v.* Selby," to be paid by the latter, was never recovered from him though execution was attempted.

(2.) That, regard being had to the present relations between the Government and the Native Race, the course taken by the Resident Magistrate appears to be justified on the ground of political expediency; although, at the same time, it cannot, in the opinion of the Committee, be too often or too strongly represented to the Government and Legislature of this Colony that such distinctions on the part of Judicial Officers in their execution of the law as between the two Races, violate the first principles of justice, and defeat the very objects of all Government.

(3.) That, whilst the Petitioner, in common with others of Her Majesty's subjects of the European Race, has undoubtedly suffered from the acknowledged impossibility of enforcing the decrees of legal courts, where such decisions affect, and are distasteful to influential Chiefs, this Committee is unable to recommend any specific action to the House in his case, as such action would, in its opinion, involve large considerations of policy, embracing the whole subject of the relations between Government and the Natives, and creating a precedent for compensation which might, in its opinion, be then claimed by a very large proportion of the inhabitants of the Northern Island—questions, it will probably be considered, beyond the province of this Committee.

Ordered, That the said Report do lie on the Table.

7. *Government Printing Press.—Ordered*, That the Select Committee, to whom was referred the Report of a Board of Officers appointed to enquire and report to the Government as to the expediency of establishing a Government Printing Press, have leave to postpone their Report until Tuesday next.

8. *Gold Fields Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Gold Fields Management Bill.

(In the Committee.)

Clause 48 as amended again read. Further Amendment proposed: That the final proviso be omitted. (*Mr. A. J. Richmond.*)

Amendment by leave withdrawn.

Clause as amended agreed to.

Postponed Clause 62 read. Amendment proposed. In line 6: After the word "Sections" to insert the numerals "XIX." (*Mr. Stafford.*)

Amendment

Amendment agreed to.
Clause as amended agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

On motion of the Hon. Mr. Crosbie Ward, *Ordered*, That the Bill be recommitted to a Committee of the whole House forthwith, for reconsideration of Clauses 10, 11, 12, 13, and 48.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Bill recommitted for consideration of Clauses 10, 11, 12, 13, and 48.

Clause 10 read. Amendment proposed: That the Clause as printed be omitted, with the view to insert in lieu thereof the following Clause:—

"Whenever any Gold-field shall be proclaimed upon or over any Crown lands held "under a Depasturing License, the Licensee may give notice in writing to the Governor "that he desires to surrender his License so far as regards any portion of such lands, "whereupon such License shall be cancelled in respect of such portion as aforesaid, and "it shall be lawful for the Governor at his discretion, and without any such notice of "surrender at any time, to cancel such License, either wholly or so far as regards any "such portion as aforesaid, or with the concurrence of such Licensee to suspend such "License as regards the whole or any portion of the lands comprised therein." (*Mr. Stafford.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, the Committee divided, and the names were taken down as follows:—

Ayes, 9.	*Noes*, 7.
Mr. Dick,	Hon. Mr. Dillon Bell,
Hon. Mr. Domett,	Mr. Colenso,
Mr. Fitzherbert,	Mr. Cookson,
Dr. Monro,	Mr. Curtis,
Mr. O'Rorke,	Mr. Jollie,
Hon. Mr. Crosbie Ward,	Mr. A. J. Richmond,
Mr. John Williamson,	Mr. Cargill (Teller).
Hon. Mr. Wood,	
Major Richardson (Teller).	

So it passed in the Affirmative.
Clause as printed agreed to.
Clauses 11 and 12 read and agreed to.

Clause 13 read. Amendment proposed: To omit the whole of the proviso. (*Mr. Cargill.*)

And the Question being put on the Amendment, it passed in the Affirmative.
Clause as amended agreed to.

Clause 48 read. Amendment proposed. In line 4 of the first proviso: To omit the words "a Gold Field," with a view to insert in lieu thereof the words "any portion of a "Gold Field over which a pastoral license does not exist, or has been cancelled or sus- "pended, and." (*Hon. Mr. Crosbie Ward.*)

And the Question being put on the Amendment, it was resolved in the Affirmative.

Further Amendment proposed: That the final proviso of the Clause be omitted. (*Mr. A. J. Richmond.*)

Amendment agreed to.
Clause as amended agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through Clauses 10, 11, 12, 13, and 48, and had made Amendments thereto.

Ordered, That the Report be received the next sitting day.

9. *Message.*—A Message from the Legislative Council was delivered by John Curnin, Esquire, Clerk of the Legislative Council.

The Legislative Council have concurred in the Amendments made by the House of Representatives in the following Bills, viz.:—

A Bill intituled "An Act to define and extend the powers of the Judges of the Supreme "Court; to provide for the more speedy administration of justice in certain cases; and "to amend the law relating to the administration of the estates of deceased persons." And,

A Bill intituled "An Act to further amend the Land Registry Act, 1860."

10. *Supply.*—The Order of the day being read, for receiving the Report of a Resolution from the Committee of Supply, Mr. O'Rorke accordingly reported the following Resolution :—

That, in the opinion of this Committee, the provision in the Civil List for the establishment of the General Government, and for Judicial Salaries, should be increased. That the following sums be granted to Her Majesty for the salaries and expenses of the undermentioned Offices per annum—

Governor	£4,500
Chief Justice	1,700
Three Puisne Judges, at £1,500 each	4,500
Colonial or Chief Secretary	1,000
Colonial Treasurer	1,000
Minister for Native Affairs	1,000
Postmaster-General	1,000
Attorney-General	1,000
Under Secretary (permanent)	600
Assistant Treasurer ,,	600
Assistant Law Officer ,,	600
General Expenses	500

That this Committee recommend to the House, that a respectful Address be presented to His Excellency the Governor, requesting His Excellency to cause to be brought into the House of Representatives a Bill to amend the "Civil List Act, 1858," in order that the above alterations may be carried into effect.

And the Resolution being read a second time,

Resolved, That this House doth concur with the Committee in the said Resolution.

11. *Marine Boards Bill.*—The Order of the day being read, for the House in Committee on the Marine Boards Bill,

The House accordingly resolved itself into the said Committee, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to establish Marine Boards "for the general control and management of Ports, Pilots, Lighthouses, and other matters "relating to Navigation, and to regulate Port charges and other rates."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

12. *Crown Lands Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Crown Lands Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for amending the law "relative to the unlawful occupation of Demesne lands of the Crown, and for appointing "Commissioners of Crown Lands."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

13. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

On motion of the Honourable Mr. Wood, *Resolved*, That there be granted to Her Majesty to defray the costs and charges of the Departments following, the sums following, viz. :—

Department of Registrar of Land and Deeds, a sum not exceeding one thousand nine hundred and fifty pounds,

Registrar-General's Department, a sum not exceeding nine hundred and forty pounds.

Department of Commissioner of Customs, a sum not exceeding two hundred and twenty-five pounds.

For Preventive Service at the Chatham Islands, a sum not exceeding four hundred and fifty pounds.

Motion made and Question proposed, That the following Resolution be recommended to the House for adoption :—

"That this House will consider, with a strong desire to concur in them, any proposition "that

"that his Excellency, with or through his Advisers, may submit to it for relieving the settlers "of Taranaki from their losses of property suffered during the late Insurrection, for replacing "that settlement on a secure and permanent basis, and for assisting such of the inhabitants "as may not choose further to await the issue of His Excellency's policy with regard to that "Province, to remove to and settle in other parts of the Colony." (*Mr. J. C. Richmond.*)

A Debate arose thereupon.

Amendment proposed: To omit all the words after the first word "That" with a view of inserting the following in lieu thereof:—"while this Committee protests in the strongest "terms against the liability of the Colony for the losses suffered by the Taranaki settlers "in the late war, on the ground that the Colonists were in no way responsible for that war, "and that these loses were sustained in consequence of the want of success of the Military "operations over which the settlers had no control; this Committee recommends that the "House should entertain with favour, a proposal to advance the sum required for the liquida- "tion of these losses out of the Colonial Treasury pending a consideration of the proposed "claim by the Imperial Government, and this Committee recommends that it be referred "to a Select Committee to enquire into the amount of compensation claimed, and the "mode in which it may be desirable to charge the same temporarily on the Public Resources "of the Colony." (*Mr. FitzGerald.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passsd in the Negative.

Then the Question being put, That the words proposed to be inserted, be so inserted, it passed in the Affirmative.

Resolution as amended agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to a Resolution.

Ordered, That the Report be received on the next sitting day.

Mr. Carleton also reported, That the Committee had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on the next sitting day, resolve itself into the said Committee.

14. *Adjournment.*—On motion of the Honourable Mr. Dillon Bell, *Resolved*, That this House will, at the rising of the House this day, adjourn until Monday next, at noon.

Then, on motion of the Honourable Mr. Dillon Bell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Monday, 1st September, 1862.

1. Mr. CARGILL to ask Ministers, Whether, in the event of the several Provinces of the Middle Island undertaking the construction of Electric Telegraphs, Government will be prepared to leave the control of such Telegraphs with the Provincial Governments, and allow them to retain the revenues to be derived therefrom.

NOTICES OF MOTION.

1. Mr. A. J. RICHMOND to move, That if Returns of the produce of the New Zealand Gold Fields are not now periodically sent to the Principal Secretary of State for the Colonies, it is desirable that such Returns should be transmitted quarterly.
2. Mr. MOORHOUSE to move, That, in the opinion of this House, it is expedient that Superintendents of Provinces shall be called upon by Government to advise upon the fitness of of intended nominations to the Commission of the Peace in their several Provinces.
3. Mr. JOLLIE to move, That the several Reports of the Select Committee on Private Grievances be printed.
4. Mr. MOORHOUSE to move, That the Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor, together with the Resolution of the Committee of Supply on the same subject, be referred to a Select Committee, with an instruction to enquire into and report upon the amount of losses sustained by the Taranaki Settlers during the War. Committee—the Honourable Mr. Domett, Mr. Stafford, Mr. John Williamson, Mr. Atkinson, Mr. Cargill, and Mr. Fox, with power to call for persons, papers, and records.

5. Mr.

5. Mr. CARLETON to move, That the Waste Lands Act Amendment Bill, be read a second time.

ORDERS OF THE DAY.

1. Gold Fields Management Bill—to be reported.
2. A Resolution to be reported from the Committee of Supply.
3. Panama Route Postal Bill—second reading.
4. The Committee of Supply.
   Dr. MONRO to move, That a respectful Address be presented to His Excellency, requesting him to recommend to this House to make provision for paying to the Province of Marlborough the expenses incurred by that Province in passing through the Legislature the Private Act of last Session, entitled the "Picton Railway Act, 1861," to which Act the Crown has refused its Assent.
5. Auckland Waste Lands Act Amendment Bill—to be Committed.
6. Native Lands Bill—to be further considered in Comittee.
7. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
8. Juries Bill—to be committed.
9. Land Revenue Appropriation Act Amendment Bill—second reading.

Monday, the 1st day of September, 1862.

PRAYERS.

1. *Petitions presented.*—
   (1.) By Mr. Stafford: The Petition of the Nelson Chamber of Commerce.
   Petition received.
   (2.) By Mr. Fox: The Petition of J. H. Wallace, owner and claimant of land in the Manawatu Block.
   Petition received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—
   Further Papers relative to representation of British Colonies at the Inter-National Exhibition.

3. *Government Printing Press.*—The Hon. Mr. Crosbie Ward, from the Select Committee to whom was referred the Report of a Board of Officers appointed to enquire and Report to the Government as to the expediency of establishing a Government Printing Press, brought up a Report, and the same was read as followeth:—
   Your Committee, to whom was referred the consideration of the Report of a Board of Officers appointed to enquire and report to the Government as to the expediency of establishing a Government Printing Press, having considered the matter referred to them, and taken further evidence on the subject, report as follows:—
   By the establishment of a Government Printing Press, two objects have been stated as likely to be gained; First, a reduction of expense in the general printing of the Government during the year; Secondly, an increase of expedition and accuracy in the execution of the Sessional printing.
   Your Committee are of opinion that an Establishment fit in every respect to perform all the work required for the various departments of the Government in a satisfactory and creditable way, must be large, well stocked with type, supplied with a variety of fittings, and provided with valuable and bulky machinery. Though your Committee recognize to its full extent the probable value to the Colony of such an establishment, they cannot overlook the fact, that its removal from place to place, on a change of the seat of Government, would be attended with serious inconvenience and great loss. For the purpose of facilitating the printing which the General Assembly requires to be performed with both speed and accuracy during its Session, your Committee believe that a moderate establishment, such as that proposed in the Report of the Board of Officers referred to your Committee, would be found of considerable service, and might be transferred from one building to another, or from one town to another, without very great expense or risk; while out of Session it would be well occupied without superseding all contract printing.
   Ordered, That the said Report do lie on the Table.

4. *Message*

4. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

G. GREY, Governor. *Message* No. 11.

The Governor transmits to the House of Representatives the undermentioned Estimates, and, on Her Majesty's behalf, recommends the House to make provision accordingly.

1862-63.

Establishment of His Excellency the Governor - - £1,200

Government House,
Wellington, 1st September, 1862.

Ordered, That the Message of his Excellency be referred to the Committee of Supply.

5. *Commission of the Peace.*—Mr. Moorhouse moved, and the Question being proposed, That, in the opinion of this House, it is expedient that the Superintendents of Provinces shall be invited to confer with the General Government upon the fitness of intended nominations to the Commission of the Peace in their several Provinces,

Mr. Cracroft Wilson, C.B., moved, in Amendment, the omission of the words "to confer "with the General Government upon the fitness of the intended," with a view to insert the following—"by Government to state whether, within their knowledge, any objections exist "to the proposed"—in lieu thereof.

The Amendment was, with the leave of the House, withdrawn.

Then the Original Question being put, it was resolved in the Affirmative.

Resolved, That, in the opinion of this House, it is expedient that Superintendents of Provinces shall be invited to confer with the General Government upon the fitness of intended nominations to the Commission of the Peace in their several Provinces.

6. *Taranaki Petition.*—On motion of Mr. Moorhouse, *Ordered,* That the Petition of the Superintendent and Provincial Council of Taranaki to His Excellency the Governor be referred to a Select Committee, with an instruction to enquire into and report upon the amount of losses sustained by the Taranaki settlers during the war. Committee to consist of the Honourable Mr. Domett, Mr. Stafford, Mr. John Williamson, Mr. Atkinson, Mr. Cargill, and Mr. Fox, with power to call for Persons, Papers, and Records, and to Report on Thursday next.

7. *Waste Lands Act Amendment Bill.*—On motion of Mr. Carleton, *Ordered,* That the Waste Lands Act Amendment Bill be now read a second time.

The Bill was accordingly read a second time.

8. *Gold Fields Management Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Gold Fields Management Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend and consolidate "the Law relating to Gold Fields."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

9. *Supply.*—The Order of the day being read, for receiving the Report of a Resolution from the Committee of Supply, Mr. Carleton accordingly reported the following Resolution:—

Resolved, That, whilst this Committee protests in the strongest terms against the liability of the Colony for the losses suffered by the Taranaki settlers in the late war, on the ground that the Colonists were in no way responsible for that war, and that the greater part of the losses were incurred in consequence of the want of success of the Military operations, over which the settlers had no control, this Committee recommends that the House should entertain with favour, a proposal to advance the sum required for the liquidation of these losses out of the Colonial Treasury, pending a consideration of the proposed claim by the Imperial Government; and this Committee recommends that it be referred to a Select

a Select Committee to enquire into the amount of compensation claimed, and the mode in which it may be desirable to charge the same temporarily on the resources of the Colony.

And the Resolution being read a second time,

Resolved, That this House doth concur with the Committee in the said Resolution.

10. *Panama Route Postal Bill.*—The Order of the day being read, for the second reading of the Panama Route Postal Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House for To-morrow.

11. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Motion made and Question proposed, That a respectful Address be presented to His Excellency, requesting him to recommend to this House to make provision for paying to the Province of Marlborough the expenses incurred by that Province in passing through the Legislature the Private Act of last Session, intituled "The Picton Railway Act, 1861," to which Act the Crown has refused its Assent. (*Dr. Monro.*)

And the Question being put thereon, it passed in the Negative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

12. *Auckland Waste Lands Act Amendment Bill.*—The Order of the day being read, for the House in Committee on the Auckland Waste Lands Act Amendment Bill,

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

13. *Native Lands Bill.*—The House, according to Order, resolved itself into a Committee further to consider the Native Lands Bill.

(In the Committee.)

Clause 7 read and postponed.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"If the Governor shall confirm the proceedings of the Court such confirmation shall be signified in such form as the Governor shall appoint to the President of the Court. (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"Provided (1) That those districts in the Province of Wellington within which the "Native Title has been partially extinguised, (2) or in which European Settlements have "been established, (3) or in respect of which instalments have been paid or negotiations "already commenced, shall be exempted from the operations of this Act; which "districts are severally more particularly described in the Schedule to this Act." (*Mr. Fitzherbert.*)

Further consideration of the proposed Clause postponed.

Clause 8 as printed read and agreed to.

Clause 9 read and postponed.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Whenever any Grant shall be so issued on the reservation of any such lands as herein-"before provided, a copy of such Grant shall be transmitted to the President of the Court." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Subject to any such reservation as hereinbefore provided, and upon the confirmation of "the proceedings of the Court as aforesaid, the President and Members of the Court shall "sign and issue a Certificate of title (hereinafter called the Certificate) in favour of the "tribe, community, or individuals whose title shall have been ascertained, defined, and "registered as aforesaid." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

On

On motion of Mr. Carter, the Committee was counted by the Chairman, and it was ascertained that there was a Quorum present.

Clause 10 as printed read. Amendment proposed: That the words "Provided always "that" be prefixed to the Clause. (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 11 as printed read and agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"In the case of any Certificate issued in favour of any individual person or number of "persons, not being more in number that twenty, the Governor may endorse his signature "upon the Certificate, and may cause the Public Seal of the Colony to be affixed thereto, "and every Certificate so endorsed and sealed, shall, notwithstanding anything in this Act "contained, have the same force and effect as if the same were a Grant from the Crown "in fee simple under the Public Seal of the Colony of the land described in such Certificate, "to the person or persons in whose favour the Certificate shall be issued." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"It shall be the duty of the President of the Court to transmit to the Governor copies of "all Certificates issued by the Court, and the Governor may make such Regulations as he "shall think fit for the registration by the Court of the Certificates and of transfers thereof, "and such Regulations being published in the *New Zealand Gazette* shall have the force "of Law." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Clause 12 as printed read. Amendment proposed: That the Clause be omitted, with the view to insert the following as a Clause of the Bill:—

"The individual person or persons named in any Certificate as the owner or owners "thereof, or as having any particular estate or interest therein, may dispose of the estate "or interest which he or they may have in the lands described in such Certificate, by way "of absolute sale or lease, or in exchange for other lands or otherwise to any person or "persons whomsoever." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 13 as printed read and Negatived.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"The Governor, upon the application of the person or persons named in any Certificate "or of the person in whose favour any such instrument of sale shall have been made under "such Certificate, may issue (in exchange for such Certificate or instrument) Grants under "the Public Seal of the Colony in like manner as he is by law empowered to do as regards "waste or demesne lands of the Crown as effectually as if such land had been ceded by the "Native Proprietors to Her Majesty; Provided that in every such case the Certificate shall "be delivered up and cancelled before the issue of the Grant." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made and Question proposed, that the following do stand as a Clause of the Bill:—

"If any tribe or community in whose favour a Certificate shall have been issued shall be "desirous that Regulations shall be made or that a plan should be adopted for the purpose "of the sale, letting, occupation or other disposal, of the lands included in such Certificate "or any part thereof, or for a partition, grant, lease, appropriation, or disposal thereof or "any part thereof to, between, or amongst themselves, or any other person or persons, or for "granting licenses to dig or work mines or minerals, or cutting timber or depasturing "stock, or for any purpose or common use or benefit, such tribe or community may apply "to the Court to recommend to the Governor the adoption of any such regulation or plan, "and the Governor may either approve and confirm the same, or return the same to the "Court with amendments or alterations, and so on from time to time until such regulations "or plan shall have been finally approved as well by the Governor as by the Court, and "upon such final approval such regulations or plan shall be published in the *New Zealand* "*Gazette.*" (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"All

"All such regulations and plans so approved of and published as aforesaid, shall be "good, valid, and binding on Her Majesty and all other persons, and every sale, lease, "partition, grant, license, and instrument of disposition of or relating to such land, made "under or in accordance with such regulations or plan, shall be deemed to be good and "valid in law." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"In any such regulations or plan, lands may be reserved or set apart for public roads "and highways, or for schools, hospitals, churches, chapels, or other eleemosynary "institutions, and for the endowment of such institutions, and for any other purposes "of public or common utility to the Native proprietors or any of them, and such reserved "lands may be vested in any persons or bodies corporate to be nominated by the Governor "on the recommendation of the Court, as Trustees for the proposed objects, with such "powers of management and disposition as the Governor on such recommendation shall "deem right, and as may be contained or specified in such regulations or plan." (*Hon. Mr. Dillon Bell.*)

Amendment proposed: To omit the words "churches, chapels." (*Mr. Saunders.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, the Committee divided, and the names were taken down as follows:—

Ayes, 16.	*Noes*, 6.
Mr. Atkinson,	Mr. Brandon,
Mr. Cargill,	Mr. Carter,
Hon. Mr. Domett,	Mr. Mantell,
Mr. Fox,	Mr. Watt,
Mr. G. Graham,	Mr. Wells,
Mr. Mason,	Mr. Saunders (Teller).
Dr. Monro,	
Major Nixon,	
Mr. J. C. Richmond,	
Hon. Mr. Russell,	
Hon. Mr. Crosbie Ward,	
Mr. James Williamson,	
Mr. John Williamson,	
Mr. Cracroft Wilson, C.B.,	
Hon. Mr. Wood,	
Hon. Mr. Dillon Bell (Teller).	

So it passed in the Affirmative.

Clause as read agreed to.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"The Governor may make and issue grants, leases, licenses, or other instruments for "giving effect to such sales, leases, partitions, grants, dispositions, and licenses, in like "manner as he is by law empowered to do as regards waste or demesne lands of the Crown, "as effectually as if such land had been ceded by the Native proprietors to Her Majesty, "and may cause the Public Seal of the Colony to be affixed to all grants, leases, licenses, "and other instruments of disposition, for giving effect to such regulations or plan." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"In any such regulations or plan, provision may be made for raising upon the sale, "lease, or disposal of any land, either by way of rent or annual payment, and whether in "perpetuity or for any limited period, or by way of purchase money in gross, any sum "or sums of money to be applied to the purposes hereinafter specified, that is to say— "For paying or reimbursing the cost of maps and surveys, for making, maintaining, and "repairing roads, bridges, ferries, and other public works within the limits of such lands, "or by way of contributions to roads, bridges, or ferries, or trunk, or main lines outside "such limits, for building and repairing schools, churches, chapels, or places of worship, "and for endowing the same, for maintaining scholars in such schools, for payment of "stipends to Schoolmasters and Ministers of religion, for erecting and repairing mills and "other buildings of common use or benefit to the inhabitants, for improving the lands of "the district, and for supplying the Native inhabitants of such lands with grass and other

"seed

"seed, and with stock and agricultural implements, and generally for such purposes of "social advancement of the Native inhabitants as may be thought fit." (*Hon. Mr. Dillon Bell.*)

Amendment proposed: To omit the words "churches, chapels, or places of worship," and the words "Ministers of religion." (*Mr. Saunders.*)

And the Question being put, That the words proposed to be omitted do stand part of the Question, the Committee divided, and the names were taken down as follows:—

Ayes, 19.	*Noes*, 4.
Mr. Atkinson,	Mr. Brandon,
Mr. Cargill,	Mr. Saunders,
Mr. Carter,	Mr. Watt,
Mr. Colenso,	Mr. Mantell (Teller).
Hon. Mr. Domett,	
Mr. Fox,	
Mr. G. Graham,	
Mr. Mason,	
Dr. Monro,	
Major Nixon,	
Mr. Rhodes,	
Mr. J. C. Richmond,	
Hon. Mr. Russell,	
Hon. Mr. Crosbie Ward,	
Mr. Cracroft Wilson, C.B.,	
Mr. James Williamson,	
Mr. John Williamson,	
Hon. Mr. Wood,	
Hon. Mr. Dillon Bell (Teller.)	

So it passed in the Affirmative.

Clause as read agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"The custody, management, and expenditure of all monies raised under such regulations "or plan, shall be from time to time regulated in such manner as the Governor, with the "concurrence of the Court from which the Certificate issued, shall order or direct." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Clause 15 as printed read. Amendment proposed: At the end of the Clause, to add the words "such cost to be repaid by the Native proprietors in such manner as the Governor may direct." (*Hon. Mr. Russell.*)

Further Amendment proposed: To postpone the Clause. (*Mr. Fox.*)

And the Question being put on the last Amendment, it passed in the Affirmative.

Clauses 16 and 17 as printed read and agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Nothing in this Act contained shall be construed to hinder or interfere with the "acquisition of land by Her Majesty, by purchase or cession from Native proprietors, subject "to the laws and regulations in force relating to the sale and disposal of such lands as "waste or demesne lands of the Crown." (*Hon. Mr. Dillon Bell*).

And the Question being put, it passed in the Affirmative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

14. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council.

The Legislative Council have passed a Bill, intituled "An Act for relief of persons "imprisoned for debt, and for the better security of Creditors," to which they request the concurrence of the House of Representatives. And also,—

The Legislative Council have passed a Bill, intituled "An Act to amend the 'Native "'Reserves Act, 1856,'" with certain Amendments, to which they request the concurrence of the House of Representatives.

15. *Debtors*

15. *Debtors and Creditors Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act for relief of persons imprisoned for debt, and for the better security of Creditors," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

16. *Native Reserves Act Amendment Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Native Reserves Act Amendment Bill be an Order of the day for To-morrow.

Then, on motion of the Honourable Mr. Dillon Bell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 2nd September, 1862.

1. Mr. CARTER to ask the Honourable the Colonial Secretary, On what conditions a Grant of a portion of the Town Belt belonging to the City of Wellington was made to the Wesleyan Body existing in Wellington, and whether the conditions of such Grant have been complied with.

NOTICES OF MOTION.

1. Mr. CARLETON to move, That the duties and powers of the Library and Printing Committee be the same as those imposed and given in former Sessions.
2. Mr. J. C. RICHMOND to move, That the report of the Select Committee on the Petition of the Inhabitants of Hawke's Bay, be printed forthwith.
3. Mr. STAFFORD to move, That the Petition to this House, of the Nelson Chamber of Commerce, asking for the establishment in Nelson, of Courts for enabling debts under £100 to be recovered, be printed.

ORDERS OF THE DAY.

1. Report of the Select Committee on Land Claims.
2. Native Reserves Act Amendment Bill—consideration of Amendments by the Legislative Council.
3. The Committee of Supply.

   Mr. CARGILL to move, That the Government be authorised, whenever the position of the Revenues may appear to them to permit of their doing so, to adopt the necessary means for the establishment of Electric Telegraphic Communication between the several Provinces, by constructing lines of Telegraph at the public expense, or by granting a guarantee of minimum dividend to a Public Company or Association undertaking the work, as may be most expedient.
4. Native Lands Bill—to be further considered in Committee.
5. Panama Route Postal Bill—to be Committed.
6. Debtors and Creditors Bill—second reading.
7. Auckland Waste Lands Act Amendment Bill—to be Committee.
8. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
9. Juries Bill—to be committed.
10. Land Revenue Appropriation Act Amendment Bill—second reading.

Tuesday, the 2nd day of September, 1862.

PRAYERS.

1. *Papers.*—The Honourable Mr. Wood laid upon the Table, by command of His Excellency,—

   (1.) Papers respecting the apportionment of the Public Debt of the Provinces of Otago and Southland.

   The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

   (2.) Papers respecting the introduction of German Emigrants into the Colony of New Zealand.

2. *Library*

2. *Library and Printing Committee.*—On motion of Mr. Carleton, *Ordered*, That the duties and powers of the Library and Printing Committee be the same as those imposed and given in former Sessions.

3. *Civil Commissioner's Court, Napier.*—Mr. J. C. Richmond moved, and the Question being proposed, That the Report of the Select Committee on the Petition of the Inhabitants of Hawke's Bay be printed forthwith,

Mr. Fox moved, That the Question be amended by the omission of the words "printed "forthwith," with a view to insert the words "referred back to the Committee for re-con- "sideration," in lieu thereof.

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passed in the Negative.

Then the Question being put, That the words proposed to be inserted be so inserted, it was resolved in the Affirmative.

And the Question as amended being put, the House divided, and the names were taken down as follows:—

Ayes 21.	*Noes*, 7.
Mr. Atkinson,	Hon. Mr. Dillon Bell,
Mr. Cargill,	Mr. Curtis,
Mr. Carleton,	Mr. Jollie,
Mr. Carter,	Mr. Mason,
Mr. Cookson,	Mr. James Williamson,
Dr. Featherston,	Mr. Cracroft Wilson, C.B.,
Mr. G. Graham,	Hon. Mr. Russell (Teller).
Mr. Moorhouse,	
Major Nixon,	
Mr. O'Rorke,	
Mr. Rhodes,	
Mr. A. J. Richmond,	
Mr. J. C. Richmond,	
Mr. Saunders,	
Mr. Stafford,	
Mr. Waring Taylor,	
Hon. Mr. Crosbie Ward,	
Mr. Wells,	
Mr. John Williamson,	
Hon. Mr. Wood,	
Mr. Fox (Teller.)	

So it was resolved in the Affirmative.

Ordered, That the Report of the Select Committee on the Petition of the inhabitants of Hawke's Bay be referred back to the Committee for re-consideration.

4. *Petition of Nelson Chamber of Commerce.*—On motion of Mr. Stafford, *Ordered*, That the Petition to this House, of the Nelson Chamber of Commerce, asking for the establishment in Nelson, of Courts for enabling debts under £100 to be recovered, be printed for the use of Members of this House.

5. *Land Claims Committee.—Ordered*, That the Select Committee on Land Claims have leave to postpone their Report until Friday next.

6. *Native Reserves Act Amendment Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Native Reserves Act Amendment Bill;

The same were accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

7. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

G. GREY, Governor. *Message No.* 12.

The Governor transmits to the House of Representatives the undermentioned Estimates, and on Her Majesty's behalf, recommends the House to make provision accordingly:—

Expenses

Expenses of Members of both Houses of the General Assembly during the present Session, at £1 per diem, calculated to 14th September - £3,200

Government House,
Wellington, 2nd September, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

8. *Native Lands Bill.*—The Order of the day being read, for the House in Committee, further to consider the Native Lands Bill.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause proposed yesterday by Mr. Fitzherbert, withdrawn.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"Nothing herein contained shall interfere with the settlement of any claim arising out "of dealings with the Natives prior to the 14th day of January, 1840, which may still be "heard, determined, and settled in pursuance of any Act for the settlement of Land Claims "in force at the time of the coming into operation of this Act." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"Upon the signing and sealing of every Certificate by the Governor, or the issue of every "Crown Grant in exchange for a Certificate under the provisions of this Act, there shall be "paid to Her Majesty the sum of two shillings and sixpence for every acre of Land des-"cribed in such Certificate or Grant, and such sum shall be deemed to be part of the "Land Revenue of the Province in which such lands are situate, and shall be paid over to "the Treasury of such Province, subject to the appropriation of the Provincial Council of "such Province." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"And whereas by an Act of the General Assembly of New Zealand, intituled 'The Land "'Orders and Scrip Act, 1858,' it was provided that in certain cases within the Province "of Wellington, holders of Land Orders issued by the New Zealand Company, and purport-"ing to grant certain rights of selection, should be entitled to select land in respect of such "Land Orders within any blocks of land laid out by the New Zealand Company for selec-"tion at Manawatu or elsewhere within the said Province, whenever the Native Title to "such Blocks should be extinguished; And by the same Act it was further provided that "if the Superintendent of the said Province should set apart or reserve out of any of the "said Blocks, lands for a Township or otherwise as in the said Act mentioned, then, and in "that case the holders of such Land Orders should be entitled to select land in respect "thereof out of any land laid out as rural land within any District, the Native Title "whereto should at the time or within two years afterwards be extinguished; and whereas "by reason of the indefinite extent over which the rights of selection so conferred as afore-"said may be held to run, disputes may hereafter arise as to how far such rights would "interfere with the operation of this Act, and for the purpose of preventing such disputes "it is expedient to define and limit the exercise of such rights in manner hereinafter men-"tioned.

"Be it enacted, that all rights of selection by the said Act conferred upon the holders of "Land Orders of the New Zealand Company within the Province of Wellington, shall be "exercised and exercisable within the block of land called the 'Manawatu Block,' described "in the Schedule to this Act, whenever the Native Title to the said Block shall have been "ceded to Her Majesty, and not otherwise or elsewhere, and the said Block shall "accordingly be and be deemed to have been excepted from the operation of this Act, and "the Native Title therein shall only be capable of being extinguished by Her Majesty." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"And whereas certain arrangements having been made by the Superintendent of the "Province of Auckland, under the authority of the Waste Land Regulations thereof, for "the introduction of large bodies of immigrants into that Province, based on the belief "that sufficient land for the location of such immigrants would be from time to time "obtained under the present system of acquiring land from the Native owners thereof, "and as negotiations have been entered upon for the acquisition of various Blocks of land "in the said Province, and as it would injuriously interfere with the measures adopted "for

"for the introduction of immigrants into the said Province, if such Blocks as aforesaid "were not excluded from the operation of this Act.

"Be it therefore enacted, that all blocks of land in the Province of Auckland, for the "acquisition of which negotiations have been commenced, and are still pending, shall be, "and are hereby excepted from the operation of this Act." (*Mr. John Williamson*).

And the Question being put, it passed in the Negative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"And whereas, at various times, agreements have been made between the Native owners "of land in various districts on the one part, and officers duly authorised to make or enter "into the same on the other part, for the cession of Native territory to Her Majesty, but "such agreements are not yet completed, and it is expedient to provide for the completion "thereof according to the intention of the parties thereto at the time of making or entering "into the same.

"Be it enacted, that all Native territory affected by any agreements so made or entered "into, whereof there is evidence in writing, shall be, and be deemed to have been, excepted "from the operation of this Act; and such agreements may be carried to completion "according to the intention of the parties thereto, as aforesaid, in like manner as if this "Act had not passed." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"This Act shall come into operation and be in force only within such districts as shall "from time to time be proclaimed by the Governor in that behalf, and such proclamation "may be revoked by the Governor as to the whole or any part of such district, and upon "such revocation this Act shall cease to be in force within such district or part thereof "accordingly, and the Governor may again proclaim this Act to be in force therein." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"This Act shall not come into operation until Her Majesty's pleasure shall have been "taken thereon, and the same shall have been confirmed by Her Majesty with the advice "of Her Privy Council, and a Proclamation of such confirmation having been given shall "have been issued by the Governor and published in the *New Zealand Gazette*." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Clause 7 as printed read and agreed to.

Clause 9 as printed read and Negatived.

Clause 15 as printed read. Amendment proposed: To add to the Clause the words "such cost to be repaid by the Native proprietors in such manner as the Governor may "direct." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Preamble read and Negatived.

Motion made, and Question proposed, That the Chairman do now report progress, and ask to have the Bill recommitted, with the view to insert a new Preamble and to reconsider Clauses 2, 3, 4, 5, and 6, and to insert new Clauses. (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again, for the re-consideration of Clauses 2, 3, 4, 5, and 6, and the insertion of new Clauses.

Resolved, That this House will, forthwith, resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 2, as formerly amended, read. Amendment proposed: To omit all the words after "dealt with," with the view to insert in lieu thereof the words "and disposed of "under the provisions of this Act." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Provided

"Provided always, that nothing herein contained shall be construed as rendering the "rights of the Natives in respect of such lands, or the usages or customs on which such "rights depend, cognisable or determinable by any Court of Law or Equity, or other "Judicature, until the same shall have been defined, and a Certificate issued according to "the provisions of this Act." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Clause 3, as formerly amended, read and Negatived.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"It shall be lawful for the Governor, from time to time, by Commission, or Order in "Council, to constitute a Court or Courts, hereinafter termed "the Court," for the purpose "of ascertaining and declaring who, according to Native custom, are the proprietors of any "Native lands, and the estate or interest held by them therein, and for the purpose of "granting to such proprietors Certificates of their title to such lands." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Clause 4, in print, as amended, read. Amendment proposed: To omit the word "such," with the view to insert in lieu thereof the word "the." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 5, in print, as amended, read and agreed to.

Clause 6 as amended read and Negatived.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Upon the application of any tribe, community, or individuals of the Native race, it "shall be lawful for the Court to ascertain by such evidence as they shall think fit, the "right, title, estate, or interest of the applicants, or of any other claimants, to or in any "land within the jurisdiction of the Court, and upon the Court being satisfied that such "tribe, community, or individuals are, according to Native custom, possessed of or entitled "to any estate in any Native lands, it shall be lawful for the Court to define such right, "title, estate, or interest, and register the same in such manner as may be appointed in "that behalf, and the Court shall thereupon certify their proceedings for the Governor's "confirmation." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

To report progress and ask leave to sit again.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, this day, resolve itself into the said again Committee.

9. *Adjournment.*—On motion of Mr. Watt, *Resolved*, That this House will, at the rising of the House this day, adjourn until Thursday next, at three of the clock.

10. *Supply.*—The House, according to Order, resolved itself into the Committtee of Supply.

(In the Committee.)

General Expenditure.

Resolved, That there be granted to Her Majesty to defray the costs and charges of the salary of a Deputy-Governor at £600 per annum, a sum not exceeding two hundred pounds.

Message No. 11 read.

Resolved, That there be granted to Her Majesty to defray the costs and charges of the Governor's Establishment, a sum not exceeding twelve hundred pounds.

Message No. 9 read.

Postal.

Secretary to Post Office - - - - - -	£400	Agreed to.
Clerk " " - - - - - -	200	Agreed to.
Clerk " " - - - - - -	200	Withdrawn.
The following items were read and agreed to:—		
Clerk and Printer to Post Office - - - - -	175	
Contingencies of General Post Office - - - -	175	
Conveyance of Mails by Sea—		
Inter-colonial - - - - - - -	15,000	
Inter-provincial - - - - - -	20,000	
Contribution to Main Line - - - - -	10,000	

Inspector

Inspector of Mail Contract Steamers	350
Engineer Surveyor	200
Contingencies	100
Establishment of Marine Boards	500

Resolved, That a sum not exceeding forty seven thousand one hundred pounds be granted to Her Majesty to defray the costs and charges of the Postal Department for the current financial year.

Miscellaneous.

The following items were read and agreed to:—

Government House, Insurance	£120
Government House, Repairs and Contingencies at Auckland	628
Ditto at Wellington	500
Pensions	54 15s.
Office Rent	650
Printing and Stationery	2,000
General Contingencies	1,000
Gratuity to Manager of Patent Office and Director of Meteorological Stations	100
Wharfage on Military Stores	200
(Item 11 withdrawn.)	
Colonial Allowance to Military stationed at Otago	3,000
Allowance to Widow of late Mr. Ely	300
Buoying the Southern Channel of the Manukau	600
Gratuity to Mr. Hamley	100
Furniture for the Government House	750
Contribution to Taranaki Boat Service	300
Importation of Birds	300
Losses of Passengers in the wreck of the "White Swan"	453

Resolved, That a sum not exceeding ten thousand and fifty-six pounds and one shilling be granted to Her Majesty to defray the Miscellaneous costs and charges during the current financial year. (*Hon. Mr. Wood.*)

Legislative Council.

Speaker	£400 Agreed to.
Chairman of Committees	150—read.

Amendment proposed: To omit the item. (*Mr. Saunders.*)

And the Question being put on the item as read, the Committee divided, and the names were taken down as follows:—

Ayes, 17.	*Noes,* 7.
Mr. Atkinson,	Mr. Carter,
Hon. Mr. Dillon Bell,	Mr. G. Graham,
Mr. Cargill,	Mr. Munro,
Mr. Curtis,	Mr. Renall,
Hon. Mr. Domett,	Mr. Rhodes,
Mr. Jollie,	Mr. Saunders,
Mr. Mason,	Mr. Colenso (Teller).
Dr. Monro,	
Major Nixon,	
Mr. J. C. Richmond,	
Hon. Mr. Russell,	
Mr. Stafford,	
Mr. Wells,	
Mr. John Williamson,	
Mr. Cracroft Wilson, C.B.,	
Hon. Mr. Wood,	
Mr. Watt (Teller).	

So it passed in the Affirmative.

Item as read agreed to.

The following items were read and agreed to:—

Clerk	£350
Assistant Clerk during Session	100
Messenger	40

House

House of Representatives.

Speaker, including Travelling Allowance	500
Chairman of Committees	250
Clerk	400
First Clerk Assistant	250
Second Clerk Assistant	225
Sergeant-at-Arms	250
Messengers	150

General Expenses.

Passages of Members	1,000
Clerk and Librarian	50
(Item 3 withdrawn.)	
Expenses of Members of both Houses of the General Assembly during the present Session at £1 per diem, calculated to 14th September	3,200
Expenses of removing Executive Government to Wellington	1,800
Library	500
Messenger and Assistant in Library	90
Extra Clerical Assistance	350
Printing, Stationery, and Contingencies	3,845

Resolved, That there be granted to Her Majesty a sum not exceeding thirteen thousand nine hundred pounds to defray the costs and charges of the Legislative Departments during the current financial year. (*Hon. Mr. Wood.*)

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on Thursday next, resolve itself into the said Committee.

11. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed a Bill intituled "An Act to Amend the Public "Reserves Act, 1854," to which they request the concurrence of the House of Representatives.

12. *Public Reserves Act Amendment Bill.—Ordered*, That the Bill from the Legislative Council, intituled "An Act to amend the Public Reserves Act, 1854," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time on Thursday next.

13. *Native Lands Bill.*—The House, according to Order, again resolved itself into Committee further to consider the Native Lands Bill.

(In the Committee.)

Motion made, and Question proposed, That the following shall be the Preamble of the Bill:—

"Whereas by the Treaty of Waitangi entered into by and between Her Majesty and "the Chiefs of New Zealand, it was among other things declared that Her Majesty "confirmed and guaranteed to the Chiefs and Tribes of New Zealand, and the respective "families and individuals thereof, the full, exclusive, and undisturbed possession of their "lands and estates which they collectively or individually held, so long as it should be "their desire to retain the same, but that the Chiefs yielded to Her Majesty the exclusive "right of pre-emption over such land as the proprietors thereof might be disposed to "alienate.

"And whereas it would greatly promote the peaceful settlement of the Colony, and the "advancement and civilization of the Natives, if their rights to land were ascertained, "defined, and declared, and if the ownership of such lands when so ascertained, defined, "and declared, were assimilated as nearly as posible to the ownership of land according to "British Law.

"And whereas, with a view to the foregoing objects, Her Majesty may be pleased to "waive in favour of the Natives, so much of the said Treaty of Waitangi as reserves to Her "Majesty the right of pre-emption of their lands, and to establish Courts, and to make "other provision for ascertaining and defining the rights of the Natives to their lands, and "for otherwise giving effect to the provisions of this Act; and it is expedient that the

"General

"General Assembly of New Zealand should facilitate the said objects by enacting such "provisions as are hereinafter contained:

"Be it therefore enacted by the General Assembly of New Zealand, in Parliament "assembled, and by the authority of the same, as follows. (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Clauses referred to them, and had made Amendments thereto.

Ordered, That the Report be received on Thursday next.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 4th September, 1862.

1. Mr. Fox to ask the Government, Whether it is prepared to take steps to enforce the fulfilment of the conditions on which a Grant of Land was made to certain persons for the maintenance of an Industrial School at Wanganui.

NOTICES OF MOTION.

1. Mr. Fox to move, For the production of all Correspondence between the Chief Land Purchase Commissioner, District Commissioners, and the Government, relative to any negotiation for blocks of land which have been commenced but not completed, or which are now pending in the Northern Island.
2. Mr. CARLETON to move, That the Waste Lands Act Amendment Bill, brought in by the Honourable Member for the Bay of Islands, amending by direct action of the Assembly, and the Auckland Waste Lands Act Amendment Bill, brought in by the Honourable Member for the City of Auckland West, giving power of amendment to the Superintendent and Provincial Council of Auckland, be referred to a Select Committee, with an instruction to report, having regard to previous legislation by the Assembly, concerning the Waste Lands of the Crown, which form is more fitting for attainment of the object common to both Bills. Committee to consist of the Honourable Mr. Crosbie Ward, Mr. J. C. Richmond, Mr. Fox, Mr. Atkinson, Mr. Wells, Major Nixon, Mr. A. J. Richmond, and Mr. O'Rorke. The Mover to be excused from serving on the Committee. Report to be brought up on Friday next.
3. Mr. J. C. RICHMOND to move for leave to bring in a Bill to enable the Superintendent of the Province of Marlborough to construct a Railway from Picton Harbour to the Wairau, both in the said Province of Marlborough.
4. Mr. Fox to move, That the system of Registration of Titles prescribed by the Act of 1860, ought to be brought into operation without further delay than may be necessary to obtain the assent of the Home Government to the Act of this Session.
5. Mr. CARLETON to move, That there be laid on the Table, a Return of the amount of Expenditure, not previously authorised by Appropriation Act, incurred by the several Provincial Governments (excepting the Government of the Province of Marlborough) during the period commencing on the 1st July, 1856, and ended the 30th September, 1860; and that if it be not found possible to make such complete Return before the next prorogation of this House, so much of that Return as cannot be conveniently supplied during the present Session, be laid on the Table in the course of the next Session.
6. Mr. CARTER to move, That a copy of the Grant, conveying certain portions of the Town Belt of the City of Wellington, to the Wesleyan Body, be (if possible) laid on the Table.
7. Mr. WARING TAYLOR to move, That the Memorial of the Wellington Chamber of Commerce on the subject of the Customs Tariff, be printed.
8. Hon. Mr. DOMETT to move, For leave to bring in a Bill to amend the "Auckland Waste "Lands Act, 1858."

ORDERS OF THE DAY.

1. Report of the Select Committee on the Taranaki Petition.
2. Public Reserves Act Amendment Bill—second reading.
3. Native Lands Bill—to be reported.
4. The Committee of Supply.
5. Panama Route Postal Bill—to be committed.
6. Debtors and Creditors Bill—second reading.

7. Auckland Waste Lands Act Amendment Bill—to be committed.
8. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
9. Juries Bill—to be committed.
10. Land Revenue Appropriation Act Amendment Bill—second reading.

Thursday, the 4th day of September, 1862.

PRAYERS.

1. *Land Purchases.*—On motion of Mr. Fox, *Ordered,* That there be laid upon the Table, copies of all correspondence not already laid on the Table of this House, between the Chief Land Purchase Commissioner, District Commissioners, and the Government, relative to any negotiation for blocks of land which have been commenced but not completed, or which are now pending in the Northern Island.

2. *Picton and Wairau Railway Bill.—Ordered,* That Mr. J. C. Richmond have leave to bring in a Bill to enable the Superintendent of the Province of Marlborough to construct a a Railway from Picton Harbour to the Wairau, both in the said Province of Marlborough;
He accordingly presented the said Bill, and the same was received and read for the first time.
On motion of Mr. Carleton, *Ordered,* That the Bill be referred to the Joint Committee of both Houses on Private Bills to report thereon.

3. *Registration of Title.*—On motion of Mr. Fox, *Resolved,* That the system of Registration of Titles prescribed by the Act of 1860, ought to be brought into operation without further delay than may be necessary to obtain the Assent of the Home Government to the Act of this Session.

4. *Unauthorised Expenditure.*—On motion of Mr. Carleton, *Ordered,* That there be laid upon the Table, a Return of the amount of Expenditure not previously authorised by Appropriation Act, incurred by the several Provincial Governments (excepting the Government of the Province of Marlborough) during the period commencing on the first July, 1856, and and ended the 30th September, 1860; and that if it be not found possible to make such complete Return, before the next prorogation of the Assembly, so much of that Return as cannot be conveniently supplied during the present Session, be laid on the Table in the course of next Session.

5. *Town Belt of Wellington.*—On motion of Mr. Carter, *Ordered,* That, if possible, there be laid upon the Table, a copy of the Grant conveying certain portions of the Town Belt of the City of Wellington to the Wesleyan Body.

6. *Customs Tariff.*—On motion of Mr. Waring Taylor, *Ordered,* That the Memorial of the Wellington Chamber of Commerce on the subject of the Customs Tariff, be printed for the use of Members of this House.

7. *Auckland Waste Land Act Amendment Bill.—Ordered,* That the Honourable Mr. Domett have leave to bring in a Bill to amend the "Auckland Waste Lands Act, 1858."
He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

8. *Hawke's Bay Petition.*—Mr. Carleton, from the Select Committee on the Hawke's Bay Petition, brought up an amended Report, and the same was read as followeth:
The Select Committee on the Civil Commissioner's Court (Napier) having had read to them the Order of Reference, of date September 2nd, 1862, referring back to the Committee the Report brought up August 29th, 1862, have agreed to the following amended Report:—
The Committee having considered the subject referred to them, and taken evidence thereon, beg to Report as follows:
That the information was taken before John Curling, Esquire, one of Her Majesty's Justices of the Peace, and Resident Magistrate.
That Defendant was summoned by the said John Curling, to appear at the Resident Magistrate's Court at Napier.

That

That the case was heard and adjudicated by Colonel Russell, who signed the judgment, as Civil Commissioner and Resident Magistrate.

That Your Committee consider the use of the term Civil Commissioner, in reference to the Court, as erroneous, there being no Civil Commissioner's Court in New Zealand known to the Law, but that no such Court was held.

That any Justice of the Peace for the Colony might have taken his seat on the Bench, beside the Resident Magistrate, but that no one thought fit to do so.

That Your Committee, though seeing nothing in the evidence to support the allegation contained in the second clause of the Petition, do not consider themselves empowered to act as a Court of Appeal from the decision of the Resident Magistrate.

That Your Committee feel it their duty, without impugning the motives of the Government, to invite attention to the fact that, under the Native Land Purchase Ordinance, any person may be singled out for prosecution by the Government, as the Defendant in the case referred to them has been, but that, excepting in the Province of Auckland, the Ordinance may be violated with impunity by others.

Your Committee invite attention to the annexed letter from the Hon. Mr. Crosbie Ward, dated 1st May, 1862, and extracts from Colonel Russell's evidence, and thereupon record their opinion, that the designation by Government of a particular Magistrate, either to take an information or to try a particular case, is calculated to impair public confidence and liable to very great abuse.

Annexed letter and extract from evidence.

Crown Lands' Office,
Auckland, 1st May, 1862.

Sir,—I have the honor to request that you will proceed without delay to cause an information to be laid under "The Native Land Purchase Ordinance" against the person named in the margin [William Colenso], for illegal occupation of the old Church Missionary Reserve, situate on the road between Napier and Clive, and known by the name of Awapuni, by warrant under the hand of His Excellency the late Governor.

Every member of the Police Force within the Province of Napier is authorized to lay such information, and His Honor the Superintendent has been requested to give directions to the Police, to afford you all assistance necessary in dealing with the case. It may be found most convenient that the information should be laid before the Hon. Colonel Russell.

I forward to you an original letter from the Right Rev. Bishop Williams and others, Trustees of the Church Missionary Society, from which you will perceive that the title to the land in question still rests in the Native owners. You will be good enough to return the paper when done with.

I have, &c.
CROSBIE WARD.

Extract.—Evidence of Colonel Russell before the Committee on the 26th ultimo.

A letter from the Government to the Crown Lands Commissioner, instructing him to cause an information to be laid in the case, contained these words:—"It is desirable that "this information should be laid before the Hon. Colonel Russell." I consulted with the Resident Magistrate of Napier, and it was arranged that the preliminary steps should be taken in his name in the usual way, and that on the trial I should take his place in the Court. I considered that I was indicated as the person who was to try the case, because I was Civil Commissioner, but I was aware that I had no authority to hold a Court except as Resident Magistrate.

Ordered, That the said Report do lie on the Table.

9. *Private Grievance Committee.*—Mr. Jollie, from the Committee of Private Grievances, brought up an *interim* Report, and the same was read as followeth:—

The Select Committee on Private Grievances beg to report as follows on the Petition of Francis Williamson:—

The Petitioner is the owner of one hundred and fifty acres of land in the neighbourhood of Wanganui, which he purchased from the New Zealand Company, in the year 1849, and on a portion of which he has established a valuable nursery garden.

Through this land, and the nursery itself, runs a small stream, in which certain Natives (the original proprietors of the district) claim, and are in the habit of exercising, the right of erecting eel weirs, which cause great annual injury and loss to Petitioner's property, by damming up the water, and causing an overflow upon the surrounding nursery garden.

The

The Petitioner, who is stated to be an energetic and skilful horticulturist, appears to have with him the sympathies of the Natives concerned, under the losses which he suffers from their proceedings, and in his Petition, proposes that he should be allowed, and assisted to effect an exchange of the land he now occupies, for land elsewhere belonging to the same family or tribe, which he states they are willing to part with, and where he would not be exposed to the interference which now causes him continual and most serious loss.

The Committee have satisfied themselves that the Natives, when they sold the land to the Government, reserved to themselves the right of fishing, and constructing the eel weirs, upon this and other streams within the block sold.

That the Petitioner was not informed of this fact, as he ought undoubtedly to have been, when he purchased his land; and, moreover, that there is little or no prospect of his obtaining, within any reasonably short period, the land at Turakina which he had proposed to take, and expected the Natives interested would agree to give, in exchange for his present section. This is now admitted by the Petitioner himself (who has been examined before the Committee), who consequently desires to have his case treated simply as one for compensation.

The Committee have no hesitation in recommending that the Government should take immediate steps for investigating the Petitioners claim to compensation for losses sustained by him through the neglect of its officers, or those of the New Zealand Company, in not communicating to him at the time of his purchase, the fact, that reservations of fishing rights had been made by the Natives, which were certain to depreciate the value of his property and interfere with his rights of ownership; and for settling the same by means of arbitration or otherwise.

Ordered, That the said Report do lie on the Table.

10. *Taranaki Petition Committee.—Ordered*, That the Select Committee on the Taranaki Petition, have leave to postpone their Report until Tuesday next.

11. *Native Lands Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Native Lands Bill,

On motion of the Honourable Mr. Dillon Bell, *Ordered*, That the Native Lands Bill be recommitted to a Committee of the whole House forthwith, for the purpose of reconsidering Clauses 2, 3, 9, 11, 12, 15, 16, reading in a Clause, to be numbered 20, correcting the numeration of the Clauses accordingly, reconsidering Clause 36, and inserting the Schedule.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 2 read and postponed.

Clause 3 read. Amendment proposed. In the last line but one: to insert, after the word "Certificate," the words "of Title (hereinafter called the Certificate.)" (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 9 read. Amendment proposed. In line 1: To omit the word "such." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Further Amendment proposed. In the last line but two: To omit the words "in "Council" after the word "Governor." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 11 read. Amendment proposed. In line 1: To omit the words "shall be so "issued" with the view to insert in lieu thereof the words "or Deed of Settlement shall be "so issued or made." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Further Amendment proposed. In the last line: To insert the words "or Deed" before the word "shall." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 12 read. Amendment proposed. In line 4: To omit the words "hereinafter "called the Certificate." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 15 read. Amendment proposed. In lines 5 and 6: To omit the words "notwithstanding anything in this Act contained." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause

Clause as amended agreed to.

Clause 16 read. Amendment proposed. In line 4: After the word "Court," to insert the words "or in any Land Registry Office." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made and Question proposed, That the following do stand as a Clause of the Bill, to follow Clause 19:—

"If any tribe, community, or individuals in whose favour a Certificate shall have been "issued, shall be desirous that any subdivision should be made of any land included in the "Certificate for the purpose of effecting a partition of such land among the owners thereof, "and of individualizing the title thereto, such tribe, community, or individuals may apply "to the Court from which the Certificate issued, to approve of and effectuate such sub-"division, and the same may, in the discretion of the Court, be effectuated accordingly, "or the Court in its discretion, may refuse to give effect thereto; And for the purpose of "effectuating any such subdivision, the original Certificate shall be given up to, and new "Certificates issued by the Court according to the plan of subdivision approved of by the "Court, and so on from time to time, as such subdivisions may take place." *Hon. Mr. Dillon Bell.*

And the Question being put, it passed in the Affirmative.

Clause 36 read. Amendment proposed. In line 1: To omit the word "only" and to insert that word after the word "Districts," in the second line. (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made, and Question proposed, That the following do stand as the Schedule of the Bill:—

"Schedule.—Manawatu Block.—The Boundary of this Block commences at the mouth "of the Ohau River, and proceeds thence by a line bearing 99° to the Taurarua Range, "thence along the summit of the Taurarua and Ruahine Ranges to the Source of the "Oroua River, thence by a line bearing 282° to the Rangitikei River, thence by the "Rangitikei River to the Sea Coast, and thence by the Sea Coast to the commencing "point." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Postponed Clause 2 read. Amendment proposed: To omit the words "are hereby "declared to be the absolute property of the persons entitled thereto by Native Custom "and." *Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 4: After the word "owners," to insert the words "by Native Custom." (*Hon. Mr. Domett.*)

Amendment agreed to.

Clause as amended agreed to.

Bill recommitted.

Clause 34 as printed read. Amendment proposed. In line 3: After the word "proprietors" to omit the words "subject to the laws and regulations in force relating to "the sale and disposal of such lands as waste or demesne lands of the Crown." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through Clauses referred to them, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

12. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed a Bill, intituled "An Act for regulating the sale "of land for nonpayment of rates," to which they request the concurrence of the House of Representatives.

13. *Sale for non-payment of Rates Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act for regulating the sale of land for non-payment of rates," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

Then, on motion of the Honourable Mr. Domett,

The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 5th September, 1862.

Mr. CARLETON to ask the Colonial Secretary, What course the Government intend to pursue in the matter of the Bay of Islands Settlement, to be formed under the provisions of the Bay of Islands Settlement Act, 1858.

Also, in the event of such Settlement not being formed, whether compensation will be allowed for losses by owners of land taken, or proposed to be taken by the Government under the provisions of the aforesaid Act, suffered through the operation of that Act.

NOTICES OF MOTION.

1. Mr. Fox to move, For leave to introduce a Bill to amend the Native Land Purchase Ordinance.
2. Mr. Carleton, To ask for leave to bring in a Petty Sessions Court Bill.
3. Mr. JOLLIE to move, For a Return of all Grants of land or other endowments heretofore made by His Excellency the present Governor or his predecessors in the Government of New Zealand, for the benefit of the Native race, and of all trusts created for carrying out the purposes for which such Grants of land or other endowments shall have been designed.
4. Mr. JOLLIE to move, That the Report of the Private Grievance Committee on the Petition of Francis Williamson be printed.
5. Mr. J. C. RICHMOND to move, That the Report of the Select Committee on the Petition of the Inhabitants of Hawke's Bay be printed forthwith.
6. Mr. Fox to move, That it be an instruction to the Committee on the Taranaki Petition to take into consideration the Resolution adopted by the House in relation to the Taranaki case on the motion of Mr. FitzGerald; and also to take into consideration the general bearings of the Taranaki case.

ORDERS OF THE DAY.

1. Report of the Select Committee on Land Claims.
2. Native Lands Bill—to be reported.
3. Auckland Waste Lands Act Amendment Bill (No. 2)—second reading.
4. Public Reserves Act Amendment Bill—second reading.
5. The Committee of Supply.
6. Panama Route Postal Bill—to be committed.
7. Debtors and Creditors Bill—second reading.
8. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
9. Juries Bill—to be committed.
10. Sale for Nonpayment of Rates Bill—second reading.
11. Land Revenue Appropriation Act Amendment Bill—second reading.

Friday, the 5th day of September, 1862.

PRAYERS.

1. *Petition presented.*—By Mr. Colenso: The Petition of P. Dolbel, of Hawke's Bay; but being a Petition in reference to a Private Grievance the said Petition could not be received.

2. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

(1.) Further Papers relative to the introduction of German immigrants into the Colony of New Zealand.

The Honourable Mr. Dillon Bell laid upon the Table, by command of His Excellency,—

(2.) Return to an Order of the 14th August, 1862, for copies of all communications addressed to the late or present Governor by Mr. Justice Johnston, relating to the execution of his functions as Commissioner appointed by the Letters Patent of 28th May, 1861, for the purpose of determining any differences arising among members of the Ngatiawa Tribe who may claim proprietary rights in the land taken possession of by Her Majesty's Forces at Taranaki, pursuant to the terms on which His Excellency Governor Browne accepted their submission.

3. *Native Land Purchase Ordinance Amendment Bill.—Ordered,* That Mr. Fox have leave to introduce a Bill to amend the Native Land Purchase Ordinance.

He

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time the next sitting day, and to be printed.

4. *Petty Sessions Court Bill.—Ordered,* That Mr. Carleton have leave to bring in a Bill, intituled "An Act to establish Courts of Petty Sessions of the Peace, of Civil and Criminal "Jurisdiction, in the Colony of New Zealand."

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next, and to be printed.

5. *Picton and Wairau Railway Bill.*—Mr. Carleton, from the Joint Committee on Private Bills, brought up a Report, and the same was read as followeth :—

The Joint Committee of both Houses on Private Bills, to whom was referred the Picton and Wairau Railway Bill, have the honor to report, that they have examined the said Bill, and find that the same is a Private Bill.

Ordered, That the said Report do lie on the Table.

6. *Grants of Land to Natives.*—On motion of Mr. Jollie, *Ordered,* That there be laid on the Table, a Return of all Grants of Land or other Endowments heretofore made or sanctioned by His Excellency the present Governor, or his predecessors in the Government of New Zealand, for the benefit of the Native Race, and of all trusts created for carrying out the purposes for which such Grants of Land or other Endowments shall have been designed; also of the objects on which the proceeds of the same have been heretofore expended, so far as the local Government are concerned.

7. *Petition of Francis Williamson.*—On motion of Mr. Jollie, *Ordered,* That the Report of the Private Grievance Committee on the Petition of Francis Williamson be printed for the use of Members of this House.

8. *Civil Commissioner's Court, Hawke's Bay.*—On motion of Mr. J. C. Richmond, *Ordered,* That the Report of the Select Committee on the Petition of the Inhabitants of Hawke's Bay be printed forthwith for the use of Members of this House.

9. *Land Claims.—Ordered,* That the Select Committee to whom was referred the Report of the Land Claims Commissioner to report whether, and if so, to what extent, further legislation should take place on the subject of Land Claims, and whether effect should be given to the recommendations of the Commissioner, have leave to postpone their Report until Tuesday next.

10. *Auckland Waste Lands Act Amendment Bill (No. 2).*—The Order of the day being read, for the second reading of the Auckland Waste Lands Act Amendment Bill (No. 2),

Ordered, That the Bill be read a second time next sitting day.

11. *Public Reserves Act Amendment Bill.*—The Order of the day being read, for the second reading of the Public Reserves Act Amendment Bill.

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed. In line 5 : To omit the words "said Act," with the view to insert in lieu thereof the words "Public Reserves Act, 1854." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 7 : After the word "persons," to insert the words "having corporate succession to be." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 10 : To omit the word "sale." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed : To add to the Clause the words, "Provided always that "no power of leasing the said Reserves for any term beyond twenty-one years shall be "given in any such Act or Ordinance as aforesaid." (*Hon. Mr. Domett.*)

Amendment agreed to.

Further Amendment proposed : To add further the words, "and provided also that all "lands

"lands within or adjoining any Town, which have been, or shall be reserved as recreation "grounds, for the inhabitants, shall be excepted from the operation of this Act." (*Mr. Cargill.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Every Act or Ordinance passed by any Superintendent and Provincial Council under "the authority of this Act shall be reserved for the signification of the Governor's pleasure "thereon, and shall have no force or effect until the confirmation by the Governor of the "same shall have been signified by Proclamation in the *Government Gazette* of the "Province to which the same may relate." (*Mr. Stafford.*)

And the Question being put, it passed in the Affirmative.

Enacting Clause read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, on the next sitting day, resolve itself into the said Committee.

12. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Consideration of His Excellency's Message, No. 6.

Resolved, That a sum not exceeding Ten thousand six hundred and fifty-two pounds fifteen shillings and ninepence be granted to Her Majesty to defray the costs and charges incurred under the head of Supplementary Expenditure for the year 1861-2. (*Hon. Mr. Wood.*)

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move that the Committee have leave to sit again.

Resolved, That this House will, on the next sitting day, resolve itself into the said Committee.

13. *Debtors and Creditors Bill.*—The Order of the day being read, for the second reading of the Debtors and Creditors Bill,

On motion of the Hon. Mr. Russell, *Ordered*, That the Debtors and Creditors Bill be referred to the following Select Committee to report thereon:—Mr. Cargill, Mr. Thomson, Mr. Curtis, Mr. Waring Taylor, Mr. Cookson, and Mr. James Williamson.

14. *Panama Route Postal Bill.*—The Order of the day being read, for the House in Committee on the Panama Route Postal Bill,

The House accordingly resolved itself into the said Committee, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carelton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for establishing Postal "Communication with Great Britain, by way of Panama."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

15. *Resident Magistrates' Jurisdiction Extension Bill.*—The Order of the day being read, for the House in Committee, further to consider the Resident Magistrates' Jurisdiction Extension Bill,

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 4 read. Amendment proposed: In line 1, after the words "Supreme Court," to add the words "which might have been brought in the Resident Magistrate's Court." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Motion

Motion made and Question proposed, That the following do stand as a Clause of the Bill:—

"The due and proper service of any summons issued by any Resident Magistrate or "Justice of the Peace, whether in Civil or Criminal cases, may be proved by affidavit "made by the party who shall have served such summons, duly sworn before a Justice of "the Peace." (*Hon. Mr. Russell.*)

And the Question being put, it passed in the Affirmative.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"If any person shall wilfully insult any Resident Magistrate or Justice of the Peace, or "any Bailiff or Clerk of any Resident Magistrate's Court, during his sitting or attendance "in Court, or in going to or returning from the Court, or shall wilfully interrupt the "proceedings of the Court, it shall be lawful for any Bailiff, or other officer of the Court, "with or without the assistance of any other person, by order of the Resident Magistrate "or Justice of the Peace, to take such offender into custody, and detain him until the "rising of the Court; and the Resident Magistrate or Justice shall be empowered, if he "shall think fit, by a warrant under his hand and seal, to commit every such offender to "prison for any time not exceeding seven days, or to impose upon any such offender a fine "not exceeding ten pounds for such offence, and in default of payment thereof to commit "the offender to prison for any time not exceeding seven days, unless the fine shall be "sooner paid." (*Hon. Mr. Russell.*)

Amendment proposed: To insert, after the words "returning from the Court," the words following:—"Provided always, that every such Magistrate or Bailiff, when outside "the precincts of the Court, shall be arrayed in some becoming uniform, or decorated with "some honorable and conspicuous badge, to be ordered in that behalf by His Excellency "the Governor by Proclamation in the *Government Gazette*." (*Mr. Moorhouse.*)

And the Question being put on the Amendment, it passed in the Negative.

Further Amendment proposed: To omit from the Motion the words "or in going to or "returning from the Court." (*Mr. Brandon.*)

Amendment agreed to.

Further Amendment proposed: To insert in the Motion, in lieu of the words just agreed to be omitted, the words "or within one hour after his leaving such Court." (*Hon. Mr. Russell.*)

And the Question being put, That the words proposed to be inserted be so inserted, the Committee divided, and the names were taken down as follows:—

Ayes, 10.	*Noes*, 18.
Mr. Cargill,	Mr. Atkinson,
Mr. Curtis,	Mr. Colenso,
Hon. Mr. Domett,	Mr. Cookson,
Mr. G. Graham,	Dr. Featherston,
Dr. Monro,	Mr. Fitzherbert,
Major Nixon,	Mr. Fox,
Hon. Mr. Russell,	Mr. Moorhouse,
Mr. Stafford,	Mr. Munro,
Mr. Cracroft Wilson, C.B.	Mr. O'Rorke,
Mr. James Williamson (Teller).	Mr. Renall,
	Mr. Rhodes,
	Mr. Saunders,
	Mr. Waring Taylor,
	Mr. Thomson,
	Mr. Watt,
	Mr. John Williamson,
	Hon. Mr. Wood,
	Mr. Brandon (Teller).

So it passed in the Negative.

Further Amendment proposed: To insert in lieu of the words now negatived, the words, "while within the immediate neighbourhood of the Court, in going to or in leaving the "Court." (*Mr. Watt.*)

And the Question being put, it passed in the Negative.

Further Amendment proposed: To omit the words "seven days," with the view to insert in lieu thereof the words, "forty-eight hours." (*Mr. Fitzherbert.*)

And the Question being put on the Amendment, it passed in the Negative.

Then the Motion as amended being put, it passed in the Affirmative.

To report progress. On

On Mr. Speaker resuming the Chair, Mr. Carleton reported that the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on the next sitting day, resolve itself into the said Committee.

16. *Juries Bill.*—The Order of the day being read, for the House in Committee on the Juries Bill,

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, on the next sitting day, resolve itself into the said Committee.

17. *Native Lands Bill.*—The Order of the day being read, for the consideration of the Report of the Committee of the whole House on the Native Lands Bill,

The Honourable Mr. Dillon Bell moved, That the Bill be further amended in the 37th Clause thereof by the omission of the words "by the advice of Her Privy Council."

And the Question being put, it passed in the Negative.

Then the Report from the Committee of the whole House was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass.

Question proposed, That the following be the Title of the Bill:—"An Act to render "the title of Natives to their lands as valid and effectual as the title of Europeans under "Grant from the Crown."

The Hon. Mr. Dillon Bell moved, That the Question be amended by the omission of all the words after the word "Act," with a view to insert the following in lieu thereof:—"to provide for the ascertainment of the ownership of Native lands, and for granting "Certificates of title thereto, and for other purposes."

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passsd in the Negative.

Then the Question being proposed, That the words proposed to be inserted, be so inserted,

Mr. Fox moved, in Amendment, the omission of all the words, with a view to insert the following in lieu thereof:—"to alter the provisions of the Treaty of Waitangi, and to "legalize and facilitate direct purchase from the Natives by individuals."

A Debate arose thereupon.

The Question and Amendment were, with the leave of the House, withdrawn.

The Honourable Mr. Dillon Bell then moved, and the Question was proposed, That the following words be inserted in the Title of the Bill:—"to provide for the ascertainment "of the ownership of Native Lands, and for granting Certificates of Title thereto, and for "regulating the disposal of Native Lands, and for other purposes."

Mr. Fox moved, That the Question be amended by the addition of the following words at the end thereof,—"and for the removal of the restrictions on the sale of the lands of "the Natives imposed by the Treaty of Waitangi."

And the Question being put, That the words proposed to be added be so added, the House divided, and the names were taken down as follows:—

Ayes, 10.	*Noes*, 20.
Mr. Brandon,	Mr. Atkinson,
Dr. Featherston,	Mr. Cargill,
Mr. Fitzherbert,	Mr. Carleton,
Mr. Jollie,	Mr. Colenso,
Mr. Munro,	Mr. Cookson,
Mr. O'Rorke,	Mr. Curtis,
Mr. Rhodes,	Hon. Mr. Domett,
Mr. Waring Taylor,	Mr. G. Graham,
Mr. John Williamson,	Mr. Moorhouse,
Mr. Fox (Teller).	Major Nixon,
	Mr. J. C. Richmond,

Noes

Noes—continued.
Hon. Mr. Russell,
Mr. Saunders,
Mr. Stafford,
Mr. Thomson,
Mr. Watt,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.
Hon. Mr. Wood,
Hon. Mr. Dillon Bell (Teller).

So it passed in the Negative.

Then the Question being put, That the words proposed to be inserted be so inserted, it passed in the Affirmative.

So it was *Resolved*, That the Title be "An Act to provide for the ascertainment of the "ownership of Native Lands, and for granting Certificates of Title thereto, and for regu- "lating the disposal of Native Lands, and for other purposes."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

18. *Adjournment.*—On motion of the Honourable Mr. Wood, *Resolved*, That this House will, at the rising of the House this day, adjourn until Monday next, at noon.

19. *Sale for Non-payment of Rates Bill.*—The Order of the day being read, for the second reading of the Sale for Non-payment of Rates Bill,
Ordered, That the Bill be read a second time on Monday next.

20. *Land Revenue Appropriation Act Amendment Bill.*—The Order of the day being read, for the second reading of the Land Revenue Appropriation Act Amendment Bill,
Ordered, That the Bill be read a second time on Tuesday next.

Then, on motion of the Honourable Mr. Wood,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Monday, 8th September, 1862.

NOTICES OF MOTION.

1. Mr. Fox to move, That further power be given to the Taranaki Petition Committee to enquire into and report upon all matters calculated to meet the prayer of the Petitioners whose petition was referred to that Committee, and that the Resolution adopted by this House on the motion of Mr. FitzGerald, be referred to the Committee.
2. Mr. JOHN WILLIAMSON to move, That there be laid on the Table of this House, as soon as practicable, copies of the statements of Receipt and Expenditure of the Province of Auckland, presented to the Provincial Council thereof from its first Session to that of 1862, together with the Reports of the Audit Committees appointed to examine such statements, and the Reports of all Financial Committees appointed by the said Council within the said period; also, copies of the Audit Act, and of the several Appropriation Acts passed by the Legislature of that Province.
3. Hon. Mr. DOMETT to move, For leave to bring in a Bill to amend the Nelson Waste Lands Regulations.
4. Hon. Mr. DOMETT to move, For leave to bring in a Bill for the Regulation of the Militia.

ORDERS OF THE DAY.

1. Native Land Purchase Ordinance Amendment Bill—second reading.
2. Petty Sessions Courts Bill—second reading.
3. Auckland Waste Lands Act Amendment Bill (No. 2)—second reading.
4. The Committee of Supply.
5. Public Reserves Act Amendment Bill—to be further considered in Committee.
6. Resident Magistrates' Jurisdiction Extension Bill—to be further considered in Committee.
7. Juries Bill—to be further considered in Committee.
8. Sale for Non-payment of Rates Bill—second reading.

Monday, the 8th day of September, 1862.

PRAYERS.

1. *Taranaki Petition Committee.*—On motion of Mr. Fox, *Ordered,* That further power be given to the Taranaki Petition Committee to enquire into and report upon all matters calculated to meet the prayer of the Petitioners whose Petition was referred to that Committee, and that the Resolution adopted by this House on the motion of Mr. FitzGerald, be referred to the Committee; and further, that the Committee have an extension of time to bring up their Report until Wednesday next.

2. *Financial Returns, Auckland.*—On motion of Mr. John Williamson, *Ordered,* That there be laid on the Table, as soon as practicable, copies of the statements of Receipt and Expenditure of the Province of Auckland, presented to the Provincial Council thereof from its first Session to that of 1862, together with the Reports of the Audit Committees appointed to examine such statements, and the Reports of all Financial Committees appointed by the said Council within the said period; also, copies of the Audit Act, and of the several Appropriation Acts passed by the Legislature of that Province.

3. *Nelson Waste Lands Regulations Amendment Bill.—Ordered,* That the Honourable Mr. Domett have leave to bring in a Bill to amend the Nelson Waste Lands Regulations.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time To-morrow, and to be printed.

4. *Militia Bill.—Ordered,* That the Honourable Mr. Domett have leave to bring in a Bill for the Regulation of the Militia.

He accordingly presented the said Bill, and the same was received and read for the first time.

On motion of the Honourable Mr. Domett, *Ordered,* That the Bill for the Regulation of the Militia be referred to a Select Committee, to consist of Mr. G. Graham, Major Nixon, Mr. Watt, Mr. Atkinson, and the Honourable Mr. Crosbie Ward; with power to confer with any Committee that may be appointed by the Legislative Council on the same subject.

5. *Land Claims Committee.*—The Honourable Mr. Wood, from the Select Committee appointed to report whether, and if so, to what extent further legislation should take place on the subject of Land Claims, and whether effect should be given to the recommendations of the Commissioner, brought up a Report, and the same was read as followeth:—

"The Committee to which the Report of the Land Claims Commissioner has been referred have very carefully considered the various cases which have been brought under the consideration of the Commissioner, and the Committee are of opinion that there are still individual cases of hardship arising from the terms of the Legislation on this subject.

The Committee beg therefore to recommend that an Act be passed during the present Session, having for its object the final settlement of the Land Claims, and to suggest that the Act in question be based upon the following principles:

To exclude from its operation all those who,

(1.) In the first place have received Grants for the Land which they actually bought.

(2.) Those who suffered their claims to lapse by their own default.

(3.) Those who voluntarily entered into an agreement with the Government (not being under duress) for the surrender of their claims in exchange for scrip, money or Debentures.

That any Claimant not excluded by the preceding provisions should be allowed to present a Memorial to a Judge of the Supreme Court, setting forth the grounds upon which he claims any award or further grant of land, and that the Judge should determine (after such evidence as he might think fit to require as to the allegations in the Memorial) whether there was in equity and good conscience, any ground for such further award, and if the Judge should certify his opinion to that effect, he should direct certain issues to be tried by a jury of six, impannelled from the Special Jury Lists, to assess the amount of land to be granted: and that then the Governor should issue a right of selection for the number of acres awarded by the Jury, to be selected generally out of the Waste Country Lands of the Province in which the Claim was situate.

In the meanwhile the surplus lands and the blocks named in the Land Claims Commissioners Report should be handed over to the Province of Auckland.

The

The Committee further recommend that the time for sending in the Memorial to a Judge of the Supreme Court be limited to a period not extending beyond the 31st day of March, 1863.

Memorandum appended by Mr. Carleton.

I have agreed to this Report, notwithstanding its imperfection, being desirous of securing such benefit at least, as is proposed to be conferred upon the claimants or grantees.

Ordered, That the said Report be printed forthwith for the use of Members of this House.

6. *Native Land Purchase Ordinance Amendment Bill.*—The Order of the day being read, for the second reading of the Native Land Purchase Ordinance Amendment Bill,

Ordered, That the Bill be read a second time on Wednesday next.

7. *Petty Sessions Courts Bill.*—The Order of the day being read, for the second reading of the Petty Sessions Courts Bill,

Ordered, That the Bill be read a second time on Wednesday next.

8. *Auckland Waste Lands Act Amendment Bill* (*No.* 2).—The Order of the day being read, for the second reading of the Auckland Waste Lands Act Amendment Bill (No. 2),

Ordered, That the Bill be read a second time To-morrow.

9. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

G. GREY, Governor. *Message* No. 13.

The Governor transmits to the House of Representatives the enclosed additional Estimates—General Expenditure Provincially charged 1862-3—and, on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 8th September, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

G. GREY, Governor. *Message No.* 14.

The Governor transmits to the House of Representatives the undermentioned Estimates, and, on Her Majesty's behalf, recommends the House to make provision accordingly.

1862-3.

Clerk in Secretary for Crown Lands Office - - -	£200	0	0
Colonial Agent - - - - - - - -	600	0	0
Sub-Treasurer, Christchurch - - - - - - -	100	0	0
Sub-Treasurer, Wanganui - - - - - - -	25	0	0

Government House,
Wellington, 8th September, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

G. GREY, Governor. *Message No.* 15.

The Governor transmits to the House of Representatives the draft of a Bill, intituled "An Act to provide for payment by the Colonial Treasurer to the Provincial Treasuries "of certain Provinces, of sums paid to him under the 'Land Revenue Appropriation Act, "'1858,' for the extinguishment of Native Title to Lands in such Provinces," and, on Her Majesty's behalf, recommends provision to be made accordingly.

Government House,
Wellington, 8th September, 1862.

G. GREY, Governor. *Message No.* 16.

The Governor transmits to the House of Representatives the draft of a Bill, intituled "An Act to apply certain sums out of the ordinary Revenue, and other monies, "to the service of the year ending the thirtieth day of June, one thousand eight hundred "and sixty-three," and, on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 8th September, 1862.

G. GREY

G. GREY, Governor. *Message No.* 17.

The Governor transmits to the House of Representatives the draft of a Bill, intituled "An Act to alter the Civil List," and, on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 8th September, 1862.

10. *Land Revenue Appropriation Act Amendment Bill* (*No.* 1).—*Ordered*, That the Bill transmitted by His Excellency, intituled "An Act to provide for the payment by the "Colonial Treasurer to the Provincial Treasuries of certain Provinces of sums paid to him "under the 'Land Revenue Appropriation Act, 1858,' for the extinguisment of Native "Title to Lands in such Provinces," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow, and to be printed.

11. *Appropriation Bill.—Ordered*, That the Bill transmitted by His Excellency, intituled "An "Act to apply certain sums out of the ordinary Revenue, and other monies, to the service "of the year ending the thirtieth day of June, one thousand eight hundred and sixty-"three," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time on Wednesday next, and to be printed.

12. *Civil List Bill.—Ordered*, That the Bill transmitted by His Excellency, intituled "An Act "to alter the Civil List," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow, and to be printed.

13. *Resident Magistrates' Jurisdiction Extension Bill.*—The Order of the day being read, for the House in Committee, further to consider the Resident Magistrates' Jurisdiction Extension Bill,

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Every summons in cases of a civil nature issued by any Resident Magistrate may be "served by delivering the same personally to the person to whom it is directed, and where "such person cannot conveniently be found, then by leaving the same at his last or usual "place of abode: Provided that before such personal service is dispensed with, proof shall "first be given to the satisfaction of the Resident Magistrate who may have issued such "summons, that reasonable efforts have been made to effect such personal service, and in "every such case where personal service is dispensed with, service at the last or usual place "of abode shall be effected at least twenty-one days before the day fixed for the trial "of the cause." (*Hon. Mr. Russell.*)

And the Question being put, it passed in the Affirmative.

Clause 5 as printed read. Amendment proposed: To prefix to the Clause the words "The second and third sections of." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Preamble read and agreed to.

Recommitted for consideration of Clause 2.

Clause 2 read. Amendment proposed: That the words "Provided that the Governor "may, by Proclamation in the Government Gazette of the Colony, declare that the limit "of Jurisdiction of any such Court shall be extended to one hundred pounds, and such limit "of Jurisdiction shall be in such case extended accordingly," formerly omitted from the Clause, shall be again inserted. (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

14. *Juries Bill.*—The Order of the day being read, for the House in Committee further to consider the Juries Bill,

The

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 2, 3, and 4 read and agreed to.

Clause 5 read. Amendment proposed: To add to the Clause the words "to be taken "by the Sheriff." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 6 and 7 read and agreed to.

Clause 8 postponed.

Clause 9 read. Amendment proposed. In line 2: To omit the words "Aboriginal "Natives," with the view to insert in lieu thereof the words "of the Maori Race." (*Mr. Fox.*)

Amendment agreed to.

Further Amendment proposed. In line 5: In two instances, to omit the word "Native" with the view to insert in lieu thereof the word "Maori." (*Mr. Fox*)

Amendment agreed to.

Clause as amended agreed to.

Motion made and Question proposed, That the Chairman do substitute the word "Maori" for the word "Native" throughout the Bill. (*Hon. Mr. Russell.*)

And the Question being put, it passed in the Affirmative.

Clauses 10 to 13 read and agreed to.

Clause 14 read. Amendment proposed: To omit the final word "four" with the view to insert in lieu thereof the word "six." (*Mr. Colenso.*)

And the Question being put, it passed in the Negative.

Clause as read agreed to.

Clauses 15 and 16 read and agreed to.

Clauses 17, and 18 postponed.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

15. *Sale for non-payment of Rates Bill.*—The Order of the day being read, for the second reading of the Sale for non-payment of Rates Bill,

Ordered, That the Bill be read a second time To-morrow.

16. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Consideration of His Excellency's Message No. 13.

Additional Estimates.—General Expenditure, Provincially charged.

The following items were read and agreed to:—

Province of Auckland - - - - - -	£250
Province of Wellington - - - - - -	150
Province of Hawke's Bay - - - - - -	25
Province of Nelson - - - - - -	150
Province of Marlborough - - - - - -	250
Province of Canterbury - - - - - -	550—read.

Amendment proposed: To reduce the item by the sum of £50, estimated for the Resident Magistrate at Akaroa. (*Hon. Mr. Wood.*)

Amendment agreed to.

Item as reduced agreed to.

The following items were then read and agreed to:—

Province of Otago - - - - - - -	100
Province of Southland - - - - - -	50

Resolved, That there be granted to Her Majesty, to defray the foregoing costs and charges any sum not exceeding one thousand four hundred and seventy-five pounds.

Consideration of His Excellency's Message No. 14.

The following items were read and agreed to:—

Clerk in Secretary for Crown Lands Office - -	200
Colonial Agent - - - - - - -	600
Sub-Treasurer, Christchurch - - - - -	100
Sub-Treasurer, Wanganui - - - - -	25

Resolved,

Resolved, That there be granted to Her Majesty to defray the foregoing costs and charges any sum not exceeding nine hundred and twenty-five pounds.

Consideration of His Excellency's Message No. 9.

Militia and Volunteers - - - - - £10,765 19s. 3d.—read.

Amendment proposed: To reduce the total by the sum of £7,465 19s. 3d. (*Mr. Renall.*)

And the Question being put, it passed in the Negative.

Further Amendment proposed: To reduce the total by the sum of £1,184 19s. 3d. (*Hon. Mr. Wood.*)

And the Question being put, it passed in the Affirmative.

Resolved, That there be granted to Her Majesty to defray the costs and charges of Militia and Volunteers, any sum not exceeding nine thousand five hundred and eighty-one pounds.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to certain Resolutions.

Ordered, That the Report be received To-morrow.

17. *Public Reserves Act Amendment Bill.*—The Order of the day being read, for the House in Committee, further to consider the Public Reserves Act Amendment Bill,

Ordered, That the Bill be re-committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read. Amendment proposed. In line 13: To omit the provisos after the words "or declared." (*Mr. Cargill.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"It shall not be lawful for the Superintendent and Provincial Council of any Province to "pass any Act or Ordinance for the sale of any lands within or adjoining to any town "which have been or may hereafter be reserved for public gardens or recreation grounds "for the inhabitants of such town, or for any lease of such lands, except in furtherance of "the purposes for which they shall have been so reserved: Provided, that it shall be lawful "for any Superintendent and Provincial Council, anything herein contained to the con-"trary notwithstanding, to pass any Act authorising the Superintendent to vest the man-"agement of any such reserved lands as aforesaid in any Corporation, Commission, or "other person or persons having corporate succession, under such restrictions and limit-"ations as shall secure the full maintenance of the purposes for which such lands shall have "been reserved." (*Mr. Cargill.*)

Amendment proposed: After the words "lease of such lands" to insert the words "ex-"cluding the public therefrom." (*Hon. Mr. Domett.*)

Amendment agreed to.

And the Question being put on the Clause as amended, it passed in the Affirmative.

Clause 4 read and agreed to.

Enacting Clause read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Tuesday, 9th September, 1862.

Mr. CARLETON to ask the Colonial Secretary, What course the Government intend to pursue in the matter of the Bay of Islands Settlement, to be formed under the provisions of the "Bay of Islands Settlement Act, 1858."

Also

Also, in the event of such Settlement not being formed, whether compensation will be allowed for losses by owners of land taken, or proposed to be taken by the Government under the provisions of the aforesaid Act, suffered through the operation of that Act.

NOTICES OF MOTION.

1. Hon. Mr. DOMETT to move, That the Standing Orders relative to the various stages in the passing of Bills now before the Legislature be suspended for the remainder of the Session.
2. Hon. Mr. DOMETT to move, That Government business have precedence on the Order Paper for the remainder of the Session.
3. Hon Mr. WOOD to move, That the Report of the Land Claims Committee be adopted.
4. Mr. Fox to move, That a Select Committee be appointed to inquire into the circumstances under which, and by whose authority the Clock was put back on Friday last, after the arrival of the usual hour for Mr. Speaker to leave the Chair. Such Committee to consist of Mr. Carleton, Mr. Jollie, Mr. O'Rorke, and Mr. Saunders.
5. Mr. STAFFORD to move, That, with a view of enabling a comparison to be made of the respective expense of simimilar departments of Government in different parts of the Colony, the Estimates passed by the House this Session be printed in the Appendix to the Journals of the House in the same shape as heretofore.
6. Dr. MONRO to move in Committee of Supply, That a respectful Address be presented to His Excellency requesting him to recommend to this House to make provision to the extent of £500 for the expenses attending the publication of a Manual of New Zealand Botany.

ORDERS OF THE DAY.

1. Report of the Select Committee on the Taranaki Petition.
2. Resolutions to be reported from the Committee of Supply.
3. Public Reserves Act Amendment Bill—to be reported.
4. Nelson Waste Lands Regulations Amendment Bill—second reading.
5. Civil List Bill—second reading.
6. Juries Bill—to be reported.
7. Resident Magistrates' Jurisdiction Extension Bill—to be reported.
8. Auckland Waste Lands Act Amendment Bill (No. 2)—second reading.
9. Land Revenue Appropriation Act Amendment Bill (No. 2)—second reading.
10. Land Revenue Appropriation Act Amendment Bill—second reading.
11. Sale for Non-payment of Rates Bill—second reading.

Tuesday, the 9th day of September, 1862.

PRAYERS.

1. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

G. GREY, Governor. *Message. No.* 18.

The Governor transmits to the House of Representatives the draft of a Bill, intituled "An Act to grant certain sums of money to Her Majesty for Native purposes," and recommends provision to be made accordingly.

Government House,
Wellington, 9th September, 1862.

G. GREY, Governor. *Message No.* 19.

The Bills, intituled—

"The Arms Act Continuance Act, 1862,"
"The Joint Stock Company's Amendment Act, 1862,"
"The Military Supplies Customs Act, 1862,"
"The Bills of Sale Registration Amendment Act, 1862,"

as finally passed by the Legislative Council and House of Representatives, having been presented to the Governor for the Royal Assent, he has, in the Name of Her Majesty, assented to the said Bills.

Government House,
Wellington, 9th September, 1862.

2. *Native Purposes Appropriation Bill.—Ordered,* That the Bill transmitted by His Excellency, intituled "An Act to grant certain sums of money to Her Majesty for Native purposes," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow, and to be printed.

3. *Business of the Session.*—On motion of the Honourable Mr. Domett, *Ordered,* That Government business have precedence on the Order paper for the remainder of the Session.

4. *Afternoon Adjournment.*—Mr. Fox moved, and the Question being proposed, That a Select Committee be appointed to enquire into the circumstances under which, and by whose authority, the clock was put back on Friday last, after the arrival of the usual hour for Mr. Speaker to leave the Chair. Such Committee to consist of Mr. Carleton, Mr. Jollie, Mr. O'Rorke, and Mr. Saunders.

The Motion was, with the leave of the House, withdrawn.

5. *Messages.*—Messages from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council.

The Legislative Council have passed the following Bills with certain Amendments, to which they request the concurrence of the House of Representatives:—

A Bill, intituled "An Act for facilitating the issue of Crown Grants."

A Bill, intituled "An Act to regulate Steam Vessels, and the Boats and Lights to be "carried by sea-going Vessels."

A Bill, intituled "An Act to establish Marine Boards for the general control and "management of Ports, Pilots, Light-houses, and other matters relating to Navigation, "and to regulate Port charges and other Rates."

A Bill, intituled "An Act for amending the law relative to the unlawful occupation of "demesne lands of the Crown, and for appointing Commissioners of Crown Lands."

A Bill, intituled "An Act to amend and consolidate the law relating to Gold Fields."

And also,—

The Legislative Council have passed the following Bills, to which they request the concurrence of the House of Representatives:—

A Bill, intituled "An Act to amend an Act called the 'Native Districts Regulation "'Act, 1858." And,—

A Bill, intituled "An Act to amend an Act called the 'Native Circuit Courts Act, "'1858."

6. *Crown Grants Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Crown Grants Bill be an Order of the day for To-morrow.

7. *Steam Navigation Bill.—Ordered,* That the Consideration of the Amendments made by the Legislative Council in the Steam Navigation Bill be an Order of the day for To-morrow.

8. *Marine Boards Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Marine Boards Bill be an Order of the day for To-morrow.

9. *Crown Lands Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Crown Lands Bill be an Order of the day for To-morrow.

10. *Gold Fields Bill.—Ordered,* That the consideration of the Amendments made by the Legislative Council in the Gold Fields Bill be an Order of the day for To-morrow.

11. *Native Districts Regulation Act Amendment Bill—Ordered,* That the Bill from the Legislative Council, intituled "An Act to amend an Act called the Native Districts "Regulation Act, 1858," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

12. *Native Circuit Courts Act Amendment Bill.—Ordered,* That the Bill from the Legislative Council, intituled "An Act to amend an Act called the 'Native Circuit Courts Act, "'1858,'" be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

13. *Estimates*

13. *Estimates.*—On motion of Mr. Stafford, *Ordered,* That, with a view of enabling a comparison to be made of the respective expense of similar departments of Government in different parts of the Colony, the Estimates passed by the House this Session, be printed in the Appendix to the Journals of the House in the same shape as heretofore.

14. *Taranaki Petition.*—The Order of the day being read, for receiving the Report of the Select Committee appointed to inquire into and report upon the amount of losses sustained by the Taranaki settlers during the war,

Mr. Fox accordingly brought up a Report, and the same was read as followeth:—

The Committee appointed to consider the Petition of the Settlers of Taranaki, have the honor to report that they have adopted the following Resolution:

"That, whereas it is expedient to restore the Province of Taranaki, and to reinstate the inhabitants: and whereas the loss suffered by the settlers of Taranaki amounts to the sum of £191,000, estimated on the basis of the award made by the Commissioner, Mr. Sewell, it is Resolved by this Committee, That the sum of £200,000 ought to be raised by Loan, repayable with interest, and by a sinking fund, to enable the Governor, acting with the advice of His Responsible Ministers, to reinstate the said Province of Taranaki and the inhabitants thereof, in such manner as may ensure a final and complete reinstatement of the same.

"The above Loan to be raised on the security of the General Government of the Colony, but to be a special charge as between the Colony and Taranaki, on the Revenues (Land and Ordinary) of the said Province of Taranaki as at present bounded."

15. *Supply.*—The Order of the day being read, for receiving the Report of certain Resolutions from the Committee of Supply,

Ordered, That the Report be received To-morrow.

16. *Public Reserves Act Amendment Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Public Reserves Act Amendment Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the 'Public "'Reserves Act, 1854.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

17. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed the following Bills, to which they request the concurrence of the House of Representatives:—

A Bill, intituled "An Act to continue Delegation of Powers from the Governor, not-"withstanding a change of Governor." And,—

A Bill, intituled "An Act for amending the 'Interpretation Act, 1858,' and for defining "the time when Acts of the General Assembly shall come into operation."

18. *Delegations Continuance Bill.*—*Ordered,* That the Bill from the Legislative Council, intituled "An Act to continue Delegation of Powers from the Governor, notwithstanding a "change of Governor," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

19. *Commencement of Acts Bill.*—*Ordered,* That the Bill from the Legislative Council, intituled "An Act for amending the 'Interpretation Act, 1858,' and for defining the time when "Acts of the General Assembly shall come into operation," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time To-morrow.

20. *Civil List Bill.*—The Order of the day being read, for the second reading of the Civil List Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The

The House accordingly resolved itself into the said Committee, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to alter the Civil List."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

21. *Juries Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Juries Bill,

On motion of the Honourable Mr. Russell, *Ordered*, That the Bill be recommitted to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Postponed Clause 8 read. Amendment proposed. In lines 2, 3, and 4: To omit the words "an Aboriginal Native, such Aboriginal Native may at the time of his commitment," in order to insert in lieu thereof the words "a Maori for an offence committed against a "Maori, such Maori may at the time of his commitment, or within two days thereafter." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Postponed Clause 17 read. Amendment proposed. In line 4: After the words "Jury "Lists," to insert the words "for Maori cases." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 18 read. Amendment proposed. In line 1: To omit the words "Aboriginal "Native," with the view to insert in lieu thereof the word "Maori." (*Hon. Mr. Russell.*)

Amendment agreed to.

Further Amendment proposed. In line 2: To omit the words "Native or Maori," with the view to insert in lieu thereof the words "Aboriginal New Zealand." (*Hon. Mr. Russell.*)

Amendment agreed to.

Further Amendment proposed. In line 2: Before the word "Polynesian" to insert the word "Aboriginal." (*Hon. Mr. Russell.*)

Amendment agreed to.

Further Amendment proposed. In line 5: To omit the word "hereafter," with the view to insert in lieu thereof the word "herein." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Motion made and Question proposed, That the Clause as amended be transposed so as to contain and form part of Clause 2. (*Hon. Mr. Russell.*)

And the Question being put, it passed in the Affirmative.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

22. *Resident Magistrates' Jurisdiction Extension Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Resident Magistrates' Jurisdiction Extension Bill,

On motion of the Hon. Mr. Russell, *Ordered*, That the Bill be recommitted to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 5 read and agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Where any sum of money shall be recovered in any Resident Magistrate's Court from "any person who absconds from or leaves his usual place of abode, it shall be lawful for the "Resident Magistrate or Justices who shall try such case, to award to the Plaintiff the whole "or part of such costs as the plaintiff may have incurred in the prosecution of his suit." (*Hon. Mr. Russell.*)

And

And the Question being put, it passed in the Affirmative.
Final Clause read and agreed to.
Preamble read and agreed to.
To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.
Ordered, That the Report be received To-morrow.

23. *Auckland Waste Lands Act Amendment Bill* (*No.* 2).—The Order of the day being read, for the second reading of the Auckland Waste Lands Act Amendment Bill (No. 2),
The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.
The House accordingly resolved itself into the said Committee.
(In the Committee.)
Clauses 1 to 6 read and agreed to.
Clause 7 read. Amendment proposed. In Sub-Section 6: To fill up the blank with the figures "£2." (*Hon. Mr. Russell.*)
Amendment agreed to.
Clause as amended agreed to.
Clauses 8 and 9 read and agreed to.
Clause 10 read. Amendment proposed. To omit the words "concurrence of the Provincial Council," with the view to insert in lieu thereof the words "advice of the Executive Council of the Province." (*Hon. Mr. Russell.*)
Amendment agreed to.
Clause as amended agreed to.
Clauses 11, 12, and 13 read and agreed to.
Motion made and Question proposed, That the following do stand as a Clause of the Bill:—
"The Superintendent may cause any allotment of country land of less than forty acres "in extent to be sold under the Regulations now in force for the sale of country lands, "anything in the said Regulations to the contrary notwithstanding." (*Hon. Mr. Russell.*)
And the Question being put, it passed in the Affirmative.
Motion made and Question proposed, that the following do stand as a Clause of the Bill:—
"The 7th, 8th, 9th, 10th, and 11th Sections of this Act shall come into operation in "the Province of Auckland only when proclaimed by the Governor, at the request of the Superintendent and the Provincial Council thereof. (*Hon. Mr. Russell.*)
And the Question being put, it passed in the Affirmative.
Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—
"This Act shall be reserved for Her Majesty's Assent, and shall come into operation on "and from a day (after such Assent given) to be fixed by the Governor by Proclamation "in the Government Gazette of the Colony." (*Hon. Mr. Russell.*)
And the Question being put, it passed in the Affirmative.
Preamble read and agreed to.
To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.
Ordered, That the Report be received To-morrow.

24. *Land Revenue Appropriation Act Amendment Bill* (*No.* 2).—The Order of the day being read, for the second reading of the Land Revenue Appropriation Act Amendment Bill (No. 2),
Ordered, That the Bill be read a second time To-morrow.

25. *Land Revenue Appropriation Act Amendment Bill.*—The Order of the day being read, for the second reading of the Land Revenue Appropriation Act Amendment Bill,
The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.
The House accordingly resolved itself into the said Committee; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered,

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be, "An Act to provide for payment by "the Colonial Treasurer to the Provincial Treasuries of certain Provinces, of sums paid to "him under the 'Land Revenue Appropriation Act, 1858,' for the extinguishment of "Native Title to lands in such Provinces."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

26. *Sale for non-payment of Rates Bill.*—The Order of the day being read, for the second reading of the Sale for non-payment of Rates Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 and 2 read and agreed to.

Clause 3 read. Amendment proposed: To add to the Clause the words "Provided that "no such Memorial shall be registered until judgment for the amount of such rate shall "have been recovered in some Court of competent jurisdiction, unless the defendant or "person sought to be charged with such rate shall be absent from the Colony of New "Zealand, in which case the Memorial may be registered before judgment is obtained "thereon."

Amendment agreed to.

Clause as amended agreed to.

Clause 4 read. Amendment proposed. In line 1: To omit the words "one year," with the view to insert in lieu thereof the words "six months." (*Mr. Carter.*)

Amendment agreed to.

Further Amendment proposed. In line 14: After the word "arrears" to insert the words "together with interest thereon at the rate of twenty-five per cent. per annum, computed "from the time at which the rate was due." (*Mr. Carter.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 5 read. Amendment proposed. In line 3: To omit the words "of the Colony "and also." (*Mr. Waring Taylor.*)

Amendment agreed to.

Further Amendment proposed: After the word "Province," to insert the words "and "also in one of the newspapers in circulation within the Province." (*Hon. Mr. Wood.*)

And the Question being put thereon, a division was called for by Mr. Waring Taylor, and the bell having been rung and the doors locked, the Question was again put, and no Teller appearing for the Noes (Mr. Waring Taylor having left the Chamber), Mr. Chairman ruled that the Question had passed in the Affirmative.

Clause as amended agreed to.

Clause 6 read and agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"Upon payment or satisfaction of any rate or assessment for the recovery of which any "Memorial may have been registered under the provisions of this Act, it shall be the duty "of the Collector or other Officer who may have received payment of such rate (being the "person duly authorised to receive the same) to sign a Memorial of satisfaction "of such rate in the form contained in Schedule B. to this Act, which Memorial of "satisfaction may be registered against the land charged by such first-mentioned Memorial, "and upon such Memorial of satisfaction being duly registered, the land charged by the "original Memorial shall be exonerated, discharged, and released from the charge thereby "created." *Hon. Mr. Russell.*)

And the Question being put, it passed in the Affirmative.

Schedule A. read and agreed to.

Motion made, and Question proposed, That the following do stand as Schedule B. of the Bill:—

"Form of Memorial of Satisfaction.—Be it remembered that by a certain rate, assess-"ment, or liability duly made under authority of an Act or Ordinance of the Provincial "Legislature of ————, to wit, an Act or Ordinance intituled [set forth the Title or "Short Title of the Act or Ordinance] the land [or the owner of the land] described in "the Schedule to this Memorial became liable to pay a certain rate, assessment, or liability,

"whereof

"whereof the sum of £——, being the full amount due for such rate, and all costs and "expenses, hath been paid; Whereupon this Memorial is made and subscribed by me [or "us] the Collector [or Collectors] of such rate or assessment [or other person or persons "duly appointed on that behalf] according to the provisions of the 'Sale for non-payment of "Rates Act, 1862,' for the purpose of discharging the land from such amount. Dated, "&c. Signed, &c.

"Schedule.—[Describe the land, specifying all the particulars requisite for identifying "the same.]" (*Hon. Mr. Russell.*)

And the Question being put, it passed in the Affirmative.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

Ordered, That the Report be received To-morrow.

27. *Nelson Waste Land Regulations Amendment Bill.*—The Order of the day being read, for the second reading of the Nelson Waste Land Regulations Amendment Bill,

Ordered, That the Bill be read a second time To-morrow.

28. *Audit Committee.*—Mr. J. C. Richmond, from the Audit Committee, brought up the following Report:—

In entering upon the duties imposed on them, your Committee were met at the threshold by the fact, established on the evidence of Dr. Knight, Auditor-General, that not only the original books of the Colonial Treasurer, containing the accounts of the financial period 1860-61, but the whole of the vouchers and documents on which the accounts in question were founded, were lost in the wreck of the steamer "White Swan," and your Committee had therefore no means of fulfilling their task, outside the printed accounts themselves, except the general explanations supplied from memory by the Auditor-General, and the accounts of the Treasurer and Sub-Treasurers at the various Banks.

They at once considered the question of the re-construction of the accounts, and found that though such a re-construction might be possible it was not to be recommended. There exist originals or duplicates of the greater part, if not all of the lost documents and vouchers, but they are scattered over the various settlements, they would have to be transcribed and sent to head quarters before the work could begin, and to complete it would require an amount of time which would seriously interfere with the other duties of the Assistant Treasurer and Auditor-General, and which would be quite disproportioned to the purely historical value of the record when perfected.

Under this belief, your Committee thought right to proceed at once with such examination into the printed statement of accounts as lay in their power, and in so doing they experienced the obscurity referred to by the two former Audit Committees of 1860 and 1861. But after the best review they have been able to make, they have arrived at the conclusion that, when such practical improvements have been made in the details of the present scheme of accounts as your Committee suggest, and as may arise from time to the minds of the Officers of the Treasury and Audit Departments, no more obscurity will remain than is inherent in the subject, which is not alluring in itself, and must always require an effort of mind for its mastery.

The great stumbling block to the uninitiated has always been the overlapping of periods, which arises thus: portions of the Revenue due, and of the Expenditure incurred within each financial period are necessarily brought to account after the period has expired; in short, many important transactions are in arrear, while at the same time, as soon as one period has expired, the transactions of the next period begin, so that for a time two sets of transactions are going on, both of which the Treasurer must include in his Balance Sheet.

Two ways occur of dealing with this fact. That adopted by the Treasurer, in conformity with the "Audit Act, 1858," limits the detailed accounts presented annually, to the transactions of a single period. The accounts are balanced three months after the period has expired. This gives time for the bulk of the transactions of the period to be completed; and what yet remain open are dealt with as if complete by means of a Reserve Fund, to be hereafter referred to. The transactions of the new period arising within these three months before the accounts of the last period are wound up, though thrown out of the Revenue and Expenditure Account then finally discharged, necessarily appear in gross on the Balance Sheet, but they are distinguished (as in the Balance Sheet of the year 1860-1, under the head VII., Financial year 1861-2) to be brought forward in detail next year, along with the rest of the transactions of the new period, to which they properly belong. Thus each Audit Committee, in fact, examines the accounts of transactions taking place

place over fifteen months, but referring to an appropriation and financial period of twelve months, and nearly exhausting the transactions of that twelve months.

Another way of treating these necessary arrears, and the consequent fact that transactions belonging to two periods of appropriation are going on together, is to ignore them entirely. On this plan the Balance Sheet would be made up annually on the last day of the period, and a considerable number of inchoate transactions would be left over, to be dealt with when complete, as transactions of the period in which they should be completed. A Suspense Account would thus become unnecessary, but the Reserve Fund must be proportionately increased; for before the balance could be struck, and the surplus Revenues handed over to the Provinces, provision must be made for the outstanding liabilities of the period just expired. It appears on the whole, best, that one set of transactions, broadly distinguished by the appropriation of one period, should be included in one account. By this means it seems to your Committee that the dealings with the Revenue can be best understood by intelligent persons who are not professional accountants. With a view, however, to rendering the Statements of Account more lucid, without altering the time or mode of striking the balances, your Committee make the following suggestions, which are practically exhibited in the statement set forth in the Appendix to this Report.

The Account to which the general public look with interest, is that of the Ordinary Revenue and its Expenditure. It is given now in sufficient detail, but it is broken up into several statements, and your Committee are of opinion that a more obvious form would be that of a continuous Dr. and Cr. Account, in which the Revenue set forth in detail should occupy one side, and the Expenditure, classified as at present, the other. It would be an exhaustive Account, showing always a balance of *Nil*. In adopting it, we should only revert to the form used in 1860 (See Appendix 1860, B—1, page 8). Your Committee would place such an account as the first of the series, followed immediately by the excellent tabular summary as given on pages 16 and 17 of this year's published accounts. The balance of this general account, though always *Nil*, should appear on the General Balance Sheet, for the sake of consistent statement, and that unprofessional persons may be able to trace the system.

And your Committee would propose that all the particular accounts, as Surplus Revenues, Provinces Separate, Suspense, &c., should be stated on the same plan as the main account, so that when one is understood all may be intelligible. The tabular lists of balances on pages 24, 25, and elsewhere, in the accounts under review, are each a separate study, and having mastered them one day, the unprofessional reader has often to make a fresh effort when he returns a few days after. Tabular statements are very compact, and useful as summaries for comparing Province with Province in their financial relations with the Colony; but simplicity in the published accounts is even more important than conciseness: and tabular statements should not be used as a substitute for the more ordinary form of statement, but supplied when necessary as an appendix.

The account current of transactions from October 1st to September 30th, seems to your Committee rather an obstacle than a help to the right understanding of the Accounts, and they would suggest its entire omission—care being taken to supply, in the form of Suspense Accounts, the gross amounts of transactions in the overlapping period upon the Ordinary Revenue and Expenditure—advances to Provinces of prospective Surplus Revenues—and in other Accounts where the result appears in the Balance Sheet of any transactions excluded from the detailed statement of the past period, and suspended for the following year's Accounts.

They would further recommend that to some of the Accounts a short explanation should be prefixed or appended, describing the nature of the transactions to which such Accounts refer. Thus to the Reserve Fund Account such a note as follows might be appended.:—

"This Account shews the dealings with sums retained at the close of the last and former "financial periods to meet liabilities incurred during those periods respectively. "The debit side is in the nature of an estimate, and is passed by the Auditor as "such; the items are, however, charged in the Ordinary Revenue and Expenditure "Account, as Expenditure. The credit side contains the particulars of the actual "expenditure of the sums reserved in former Accounts. The balance brought "down from former accounts expresses the difference between the liabilities "discharged and the amount estimated and reserved for them in the former period."

—And thus with other accounts.

The General Balance Sheet should contain marginal references to the pages where the special Accounts are to be found, so as to form an index to the whole.

The improved Postal facilities of the Colony will enable the Treasurer to shorten the interval between the end of a period and the making up his Balance Sheet, but no method of stating the Accounts, and no date of striking the Balances that can be adopted, will quite

quite escape the complexity that arises from transactions being in arrear. Bargains must sometimes be made in one financial period and brought into the accounts in another, and the transactions belonging to two appropriations must be kept in some way distinct for the purposes of audit, whether they are included in one statement or divided among several. With a view, however, of diminishing the amount of inconvenience, and of bringing the published accounts to a later date when presented to the Assembly, your Committee make the following remarks:—

Unless the Assembly makes its Appropriations on a distant anticipation of the needs and means of the Colony, which is out of the question as a general rule, it must be contented either to have old Accounts furnished to it or to have the Accounts of half an unfinished period. The Assembly meeting to make Appropriation for an approaching period, has now the Accounts of a period long past presented complete. It cannot have the complete Accounts of the period in which it is sitting, which, with all expedition, can never be wound up and ready for publication till one or two months after the period is complete, and when the Assembly has risen. But the Accounts to the middle of the current period might be brought up at every Session, leaving those of the other half period to a future Session. Thus each Audit Committee would examine the Accounts of two separate half periods. This would entail extra trouble on the Treasury—the Accounts must be balanced twice a-year. But your Committee submit for consideration—whether the growing bulk of the Revenue, and the importance of maintaining in the Legislature a lively interest in the details of the Colonial Finance, may not justify the trouble and expense necessary to furnish recent accounts, and thus maintain the vigor of the public audit. In order to carry this suggestion out, it would be necessary that Sec. VIII. of the Audit Act should be amended, but this need not be done in the present Session. The requirements of the Act would be complied with, and something more, if, next Session, the whole accounts of 1861-2 were brought up, and in addition, those of the first half of the period 1862-3.

Your Committee now submit for consideration their remarks on various items in the Accounts of the period 1860-1. In the detailed statement of expenditure on account of permanent charges (page 9), under the deduction of reimbursements on account of Interest and Sinking Fund, the Provinces of Auckland and Wellington are charged respectively with £2,580, and £,1,320, interest, &c., on £43,000 and £22,000, raised on their respective shares of the third division of the half-million Loan on account of Land Purchases: whereas, by a statement furnished to the Committee by the Auditor-General (and appended hereto), it appears that, on the 30th September, 1861, the amount actually expended on this Account was—for Auckland, £40,745 11s. 1d., and for Wellington, £18,378 5s. 3d. By the information of the Auditor-General, your Committee learn that this difference between the amount on which interest is computed and that actually expended, represents a portion of the Treasurer's working balance, retained in anticipation of land purchases. But no statement of the mode of estimating this portion has been laid before the Committee, and it is their duty to call the attention of the House to the item. They submit that a refund of the excess of interest is due to these Provinces, unless cause can be shown for retaining such a surplus in hand; and, at any rate, they are entitled to bank interest thereon until the balance is expended.

In the Supplementary Expenditure Account (page 15) a sum of £25,583 18s. 5d., the balance of supplementary expenditure of former periods, provided for specially under the "Debenture Act, 1860," is improperly brought to account along with the sum of £1,805 16s. 5d., expenditure in excess of votes in the period 1860-1. The latter expenditure has, however, since been provided for by a Vote of the present session, and it has been announced in the Treasurer's financial statement, that the surplus Revenue of 1861-2, after payment of three-eighths Customs to the Provinces, as provided in the "Debenture "Act, 1860," will discharge the balance, £25,583 18s. 5d., and wind up the account. This error is only formal.

The sum of £11,108 15s. 8d., available from the Revenue of 1860-1 for the discharge of the Supplementary Expenditure to the 30th June, 1860, in terms of the "Debenture "Act, 1860," has been transferred to the account last referred to from the Statement of Receipts and Expenditure (page 17), where it appears entirely under the column headed "General."

The Debentures were raised to defray expenditure, part of which, as pointed out in the Report of the Audit Committee, 1861, was chargeable locally. On comparing the Supplementary Expenditure Account 1860 with the Statement of Expenditure for the same period (Appendix 1861, pages 16, and 11, 12, 13, 14), it will be seen that of the amounts composing the balance of this account in June 1860, a sum of £1,832 6s. 9d., the whole extra expenditure in "Customs," £2,310 8s. 6d., the larger part of that under "Judicial,"

£1,114

£1,114 11s. 5d., a part of that under "Postal," and a part of the "Miscellaneous," are evidently chargeable locally under the "Surplus Revenues Act, 1858." Your Committee submit that the principle of that Act should be applied to the sums set apart for discharging the Supplementary Expenditure of 1860, and that all Supplementary Expenditure in future should be analysed and charged in the same manner. The adjustment in the case of the item now under consideration can be made without disturbing that item, when the transactions under the Debenture Act are wound up at the close of the accounts for 1861-2.

On the Civil List Fund Account (page 19) your Committee observe that the Treasurer holds a balance of £3,010 0s. 2d., savings on the establishment of the General Government, and they recommend that this sum should, if possible, be brought to revenue, and subjected to appropriation of the Assembly. It appears to be a practice to hold the unexpended balance of the Reserve Fund from period to period; thus, in the Account now before the Committee (page 22), the sum of £1,077 12s. 10d., balance from the period 1859-60, is still retained, in addition to the amount estimated as necessary for liabilities of the period 1860-1. Your Committee are not in a position to say how far it is right in this particular case to retain this balance, but whenever it is necessary the particulars of the liabilities against which it is held should be reiterated in the Account; and if no such liabilites exist, the amount should be carried to Revenue.

In the Loan Account of £500,000 (page 27), occurs an item of £311 13s. 4d., refund of purchase money of land at Pukekohe, and interest. This is a similar item to one of £992 charged in the Accounts of 1858-9 against the third division of the Loan. The Audit Committee of 1860 reported the item to be improperly so charged, because that division was a fund provided for the extinguishment of Native title. A Resolution of the House in the Session 1860 (Journals, page 236) in conformity with that Report, directed that the item £992 should be charged "against the sum of 18,855 allowed to the "Province of Auckland by Resolution of the House on the 16th August, 1858," and raised on the second division of the Loan. It appears to have escaped notice at the time that the sum so allowed was already exhausted in 1860 (see Appendix 1860, B—1, page 23.) Nor does it appear to have been observed that the Resolution of the 16th August, 1858, provides that all payments for such purposes in excess of the sum £18,855, be charged against the third division of the Loan. (Journals, 1858, page 174.) The Resolutions of 1858, and 1860, and also the Report of the Select Committee on the Featherston Block adopted by the House on the 30th October, 1860 (Journals p. 208), and the Resolution of the Committee of Supply, on the same subject, (Journals, 1861, page 185,) are in conflict, and your Committee think right again to raise the question whether the charge for compensation to the Pukekohe and other similar land claimants is to be deemed a local or a general charge.

Among the Special Accounts under Acts of the General Assembly, your Committee notice that the Bank of Issue Account still remains open (page 34). It is highly advisable to disencumber the books of the Treasury and the published statements as far as possible; and the number of years this account has been open, with the trifling amount of transactions in it, suggest the propriety of taking steps to close it after due notice. Under the general head, Loan and Advance Accounts, the first account, Miscellaneous (page 41), contains a number of columns shewing the balances of advances to various persons at the beginning and end of the period, and the transactions during its currency. In some of the cases cited below, it appears that the balance unaccounted for on the 30th September, 1860, remains in the same condition on the 30th September, 1861, while no transactions have taken place in the interval. In other cases, though transactions have taken place, the advances accounted for, bear a very small proportion to the balances, and there have been fresh advances during the period greatly in excess of the amounts accounted for.

	Balance 1860.				Balance 1861.		
	£	s.	d.		£	s.	d.
D. McLean, Native Secretary - -	550	0	0	-	550	0	0
Do. Land Commissioner -	997	6	5	-	997	6	5
Do. Native Secretary - -	4,334	15	3	-	4,826	5	3
H. T. Kemp - - - - -	211	5	5	-	211	5	5
William Harsant - - - -	55	0	0	-	165	0	0
Rev. J. Whiteley - - - -	25	0	0	-	25	0	0.
R. Parris - - - - -	50	0	0	-	150	0	0
J. Nixon - - - - -	25	0	0	-	25	0	0

The most important item is that against the name of D. McLean, Native Secretary, and refers to loans made to Natives. Generally, your Committee recommend that the Colonial Treasurer should lay down as absolute rules to guide all advances to officers,—

(1.) That

(1.) That estimates should be required of every officer before any advances are granted.
(2.) That no fresh advances should be made to an officer till he shall have rendered an account and paid up the balance of the previous advance.

A memorandum, in the shape of a foot-note, disfigures the Account, to the effect that a sum of £42,264 17s. 11d. advanced to Land Purchase Commissioners out of the Loan of £500,000, remained, on the 30th September, 1861, unaccounted for, though it has been charged as expenditure, and allocated to the various Provinces. Your Committee enquired into the state of the Accounts of the Land Purchase Department, and the probability of their being soon submitted for examination, and they learned that they are at length complete, although they have not as yet passed through the Auditor-General's Department. In the next Session, therefore, the account of this enormous advance will be submitted to the Legislature, and the record of this anomaly will then disappear from future accounts of the Colony.

Among the Miscellaneous Deposit Accounts (page 54) appears one called Auckland Guarantee 10 per cent., referring to an agreement with certain Natives in that Province connected with a purchase of land near the City of Auckland. Your Committee have applied for a copy of this agreement, which will be included in the Appendix to this Report.

Your Committee have made enquiries into the actual state of the Balances in the Banker's hands on the 30th September, 1861. They have only received Returns at this date from Wellington, Napier, Auckland, Canterbury, and Otago, and these Returns verify the Particulars of Balances, as stated by the Treasurer (pages 66 and 67) as far as relates to the Accounts of the Sub-Treasurers, and Receivers of Land Revenue, in the above-named Provinces.

Subject to the above remarks, and so far as the limited means of your Committee have enabled them to examine them, they have found that the Accounts of the Treasurer for the period 1860–61 are correct.

Ordered, That the said Report do lie on the Table.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Wednesday, 10th September, 1862.

NOTICES OF MOTION.

1. Mr. Fox to move in Committee of Supply, That, whereas it is expedient to restore the Province of Taranaki, and to reinstate the inhabitants; and whereas the loss suffered by the settlers of Taranaki amounts to the sum of £191,000, estimated on the basis of the award made by the Commissioner, Mr. Sewell: it is resolved by this Committee, That the sum of £200,000 ought to be raised by Loan repayable with interest, and by a sinking fund, to enable the Governor, acting with advice of his Responsible Ministers, to reinstate the said Province of Taranaki and the inhabitants thereof, in such manner as may ensure a final and complete reinstatement of the same.

   The above Loan to be raised on the security of the General Government of the Colony, but to be a special charge, as between the Colony and Taranaki, on the Revenues (Land and Ordinary) of the said Province of Taranaki, as at present bounded.
2. Mr. CARGILL to move in Committee of Supply, That, in order to meet the requirements of the public service, and of the various private interests within the Colony, it is essential that Electric Telegraphic communication be established at the earliest possible date between the several Provinces and the seat of Government.

   That the Government be recommend, whenever the state of the public Revenues will permit, to take the necessary steps for obtaining the construction of such lines of Telegraph as will accomplish the above purpose, either by constructing the same at the public expense, or by granting a guarantee of reasonable minimum dividend to private parties willing to undertake the work.

   That this House will sanction the expenditure of such sum or sums of money as the the Government in its discretion may incur in giving effect to the foregoing Resolutions.
3. Dr. MONRO to move in Committee of Supply, That a respectful Address be presented to His Excellency, requesting him to recommend to this House to make provision to the extent of £500, for the expenses attending the publication of a Manual of New Zealand Botany.

ORDERS OF THE DAY.

1. Native Land Purchase Ordinance Amendment Bill—second reading.
2. Resolutions to be reported from the Committee of Supply.
3. Appropriation

3. Appropriation Bill—second reading.
4. Crown Grants Bill—consideration of Amendments by the Legislative Council.
5. Steam Navigation Bill—consideration of Amendments by the Legislative Council.
6. Marine Boards Bill—consideration of Amendments by the Legislative Council.
7. Crown Lands Bill—consideration of Amendments by the Legislative Council.
8. Gold Fields Bill—consideration of Amendments by the Legislative Council.
9. Juries Bill—to be reported.
10. Resident Magistrates' Jurisdiction Extension Bill—to be reported.
11. Auckland Waste Lands Act Amendment Bill (No. 2)—to be reported.
12. Sale for Non-payment of Rates Bill—to be be reported.
13. Native Purposes Appropriation Bill—second reading.
14. Native Districts Regulation Act Amendment Bill—second reading.
15. Native Circuit Courts Act Amendment Bill—second reading.
16. Delegations Continuance Bill—second reading.
17. Commencement of Acts Bill—second reading.
18. Nelson Waste Lands Regulations Amendment Bill—second reading.
19. Land Revenue Appropriation Act Amendment Bill (No. 2)—second reading.
20. Petty Sessions Courts Bill—second reading.

Wednesday, the 10th day of September, 1862.

PRAYERS.

1. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

G. GREY, Governor. *Message No.* 20.

The Bills, intituled,—

"The Election Petitions Act Amendment Act, 1862."
"The Summary Procedure on Bills Act, 1862."
"The Trustees Relief Act, 1862."
"The Law Practitioners Act Amendment Act, 1862."
"The Birds Protection Act, 1862."
"The Miners Representation Act, 1862."
"The Representation Act, 1862,"
"The Supreme Court Amendment Act, 1862,"
"The Land Registry Amendment Act, 1862,"
"The Native Reserves Amendment Act, 1862,"

as finally passed by the Legislative Council and House of Representatives, having been presented to the Governor for the Royal Assent, he has, in the Name of Her Majesty, assented to the said Bills.

Government House,
Wellington, 9th September, 1862.

2. *Supply.—Ordered,* That it be referred to the Committee of Supply to consider the following Resolutions :—

(1.) That, whereas it is expedient to restore the Province of Taranaki, and to reinstate the inhabitants, and whereas the loss suffered by the settlers of Taranaki amounts to the sum of £191,000, estimated on the basis of the award made by the Commissioner, Mr. Sewell: it is resolved by this Committee, that the sum of £200,000 ought to be raised by Loan, repayable with interest and by a sinking fund, to enable the Governor acting with the advice of his Responsible Ministers, to reinstate the said Province of Taranaki and the inhabitants thereof, in such manner as may ensure a final and complete reinstatement of the same.

The above Loan to be raised on the security of the General Government of the Colony, but to be a special charge, as between the Colony and Taranaki, on the Revenues (Land and Ordinary) of the said Province of Taranaki as at present bounded.

(2.) That in order to meet the requirements of the public service and of the various private interests within the Colony, it is essential that Electric Telegraphic communication be established at the earliest possible date, between the several Provinces and the seat of Government.

That

That the Government be recommended, whenever the state of the Public Revenues will permit, to take the necessary steps for obtaining the construction of such lines of Telegraph as will accomplish the above purpose, either by constructing the same at the public expense, or by granting a guarantee of reasonable minimum dividend to private parties willing to undertake the work.

That this House will sanction the expenditure of such sum or sums of money as the Government in its discretion may incur in giving effect to the foregoing Resolutions.

(3.) That a respectful Address be presented to His Excellency, requesting him to recommend to this House to make provision to the extent of £500, for the expenses attending the publication of a Manual of New Zealand Botany.

Then the House resolved itself into the said Committee.

(In the Committee.)

On the motion of Mr. Fox, it was *Resolved*, That, whereas it is expedient to restore the Province of Taranaki, and to reinstate the inhabitants, and whereas the loss suffered by the settlers of Taranaki amounts to the sum of £191,060, estimated on the basis of the award made by the Commissioner, Mr. Sewell, it is resolved by this Committee that a sum not exceeding £200,000 ought to be raised by Loan, repayable with interest and by a sinking fund, to enable the Governor, acting with the advice of his Responsible Ministers, to reinstate the said Province of Taranaki and the inhabitants thereof, in such manner as may ensure a final and complete reinstatement of the same.

The above Loan to be raised on the security of the General Government of the Colony, but to be a special charge, as between the Colony and Taranaki, on the Revenues (Land and Ordinary) of the said Province of Taranaki as at present bounded.

On the motion of Mr. Cargill, it was *Resolved*, That in order to meet the requirements of the Public Service, and of the various private interests within the Colony, it is essential that Electric Telegraphic communication should be established at the earliest possible date between the several Provinces and the seat of Government.

That the Government be recommended, whenever the state of the Public Revenues will permit, to take the necessary steps for obtaining the construction of such lines of Telegraph as will accomplish the above purpose, either by constructing the same at the Public expense, or by granting a guarantee of reasonable minimum dividend to private parties willing to undertake the work.

That this House will sanction the expenditure of such sum or sums of money as the Government in its discretion may incur in giving effect to the foregoing Resolutions.

On the motion of Dr. Monro, it was *Resolved*, That a respectful Address be presented to His Excellency, requesting him to recommend to this House to make provision to the extent of £500, for the expenses attending the publication of a Manual of New Zealand Botany.

To be reported.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to certain Resolutions.

Ordered, That the Report be received To-morrow.

3. *Suspension of Standing Orders.*—The Honourable Mr. Domett moved, and the Question was proposed, That the Standing Orders relative to the various stages in the passing of Bills be suspended for the remainder of the Session, and the Orders relating to the number of the Quorum, until Saturday next inclusive.

The Honourable Mr. Crosbie Ward moved, in Amendment, That all the words after the word "Session" be left out.

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passed in the Negative.

Then the Question as amended being put,

Mr. Carleton moved, in Amendment, to omit the words "for the remainder of the "Session," with a view to insert the words following—"until Tuesday next," in lieu thereof.

And the Question being put, That the words proposed to be omitted do stand part of the Question, it passed in the Negative.

Then the Question being put, That the words proposed to be inserted be so inserted,

Mr. Fox moved, That the words to be inserted be "until Saturday next, inclusive."

And the Question being put, That the words "until Tuesday next" stand part of the proposed Question, it passed in the Negative.

Then the Question being put, That the words to be inserted be "until Saturday next, "inclusive," it was resolved in the Affirmative."

Then the Question as amended being put, it was resolved in the Affirmative.

Resolved,

Resolved, That the Standing Orders relative to the various stages in the passing of Bills be suspended until Saturday next inclusive.

4. *Paper.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

A copy of the Grant conveying certain portions of the Town Belt of the City of Wellington to the Wesleyan Body. Being Return to an Order of the House of the 4th September, instant.

5. *Messages.*—Messages from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed the Bill, intituled "An Act to provide for the "ascertainment of the ownership of Native lands, and for granting Certificates of Title "thereto, and for regulating the disposal of Native lands, and for other purposes," with certain Amendments, to which they request the concurrence of the House of Representatives. And also,—

The Legislative Council have passed the Bill, intituled "An Act for the Naturalization of "certain persons in the Colony of New Zealand," with certain Amendments, to which they request the concurrence of the House of Representatives. And also,—

The Legislative Council have passed the Bill, intituled "An Act for establishing Postal "Communication with Great Britain by way of Panama," without any Amendment. And also,—

The Legislative Council have adopted the Amendments made by the House of Representatives in the Bill, intituled "An Act to amend the 'Public Reserves Act, 1854.'" And also,—

The Legislative Council have passed a Bill, intituled "An Act to amend the Militia "Acts," to which they request the concurrence of the House of Representatives.

6. *Native Lands Bill.—Ordered*, That the consideration of the Amendments made by the Legislative Council in the Native Lands Bill be an Order of the day for To-morrow.

7. *Naturalization Bill.—Ordered*, That the Amendments made by the Legislative Council in the Naturalization Bill be considered presently.

8. *Militia Bill.—Ordered*, That the Bill from the Legislative Council, intituled "An Act to "Amend the Militia Acts" be now read a first time."

The Bill was accordingly read for the first time, and ordered to be read a second time presently.

9. *Native Land Purchase Ordinance Amendment Bill.*—The Order of the day being read, for the second reading of the Native Land Purchase Ordinance Amendment Bill,

Mr. Fox moved, and the Question was proposed, That the Native Land Purchase Ordinance Amendment Bill be now read a second time.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 10.

Mr. Brandon,
Mr. Carter,
Dr. Featherston,
Mr. Fitzherbert,
Mr. Jollie,
Mr. Munro,
Mr. O'Rorke,
Mr. Waring Taylor,
Mr. John Williamson,
Mr. Fox (Teller.)

Noes, 21.

Mr. Atkinson,
Mr. Cargill,
Mr. Carleton,
Mr. Colenso,
Mr. Cookson,
Mr. Curtis,
Hon. Mr. Domett,
Mr. G. Graham,
Mr. Mason,
Mr. Moorhouse,
Major Nixon,
Mr. A. J. Richmond,
Mr. J. C. Richmond,
Hon. Mr. Russell,
Mr. Saunders,
Hon. Mr. Crosbie Ward,
Mr. Watt,
Mr. James Williamson,
Mr. Cracroft Wilson, C.B.,
Hon. Mr. Wood,
Hon. Mr. Dillon Bell (Teller.)

So it passed in the Negative.

10. *Supply.*—The Order of the day being read, for receiving the Report of certain Resolutions from the Committee of Supply,

Mr. Carleton accordingly reported the following Resolutions:—

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses incurred under the head of Supplementary Expenditure for the financial year 1860-1, any sum not exceeding £1,830 3s. 9d.

Resolved, That there be granted to Her Majesty, out of the Ordinary Revenue for the financial year ended 30th June, 1862, to defray the costs, charges, and expenses incurred under the head of Supplementary Expenditure for that year, any sum not exceeding £10,652 15s. 9d.

Resolved, That there be granted to Her Majesty to defray the costs, charges, and expenses of the Executive Government, any sum not exceeding £4,275.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the Legislative and Auditors' Departments, any sum not exceeding £15,050.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the Judges of the Supreme Court, when travelling on circuit, any sum not exceeding £600.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the Registration Departments, any sum not exceeding £2,890.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Customs Department, any sum not exceeding £675.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the Postal Department, any sum not exceeding £47,100.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of Militia and Volunteers, any sum not exceeding £9,581.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of a miscellaneous character, any sum not exceeding £10,656 1s.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Auckland, any sum not exceeding £18,683 15s.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Taranaki, any sum not exceeding £2,300.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Wellington, any sum not exceeding £10,275 5s.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Hawke's Bay, any sum not exceeding £3,875.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Nelson, any sum not exceeding £7,002.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Marlborough, any sum not exceeding £2,915.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Canterbury, any sum not exceeding £15,003 13s.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Otago, any sum not exceeding £29,343 10s.

Resolved, That there be granted to Her Majesty, to defray the costs, charges, and expenses of the General Government within the Province of Southland, any sum not exceeding £3,830.

And the Resolutions being read a second time, *Resolved,* That this House doth concur with the Committee in the said Resolutions.

11. *Appropriation Bill.*—The Order of the day being read, for the second reading of the Appropriation Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 22 read and agreed to.

Clause

Clause 23 postponed.

Clause 24 read.

Amendment proposed. In line 1, To omit the words "His Excellency the Governor," with the view to insert in lieu thereof the words "the Government." (*Mr. Stafford.*)

Then the Question being put that the words proposed to be omitted do stand part of the Question, it passed in the Negative.

And the Question being put that the words proposed to be inserted be so inserted, it passed in the Negative.

Amendment proposed. To insert in lieu of the words omitted the words "Governor in Council. (*Hon. Mr. Wood.*)

And the Question being put thereon, it passed in the Affirmative.

Further Amendment proposed. In line 2, To omit the words "do not require," with the view to insert in lieu thereof the words "would be promoted if." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 3, To omit the words "to be," with the view to insert in lieu thereof the words "were not." (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. In line 5 of page 6, To omit the date "30th day of "June, 1864," with the view to insert in lieu thereof the words "31st day of March, "1864. (*Mr. Stafford.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 25 and 26 read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

12. *Crown Grants Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Crown Grants Bill,

The same were accordingly read and agreed to.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

13. *Steam Navigation Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Steam Navigation Bill,

The same were accordingly read and agreed to.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

14. *Marine Boards Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Marine Boards Bill,

The same were accordingly read and agreed to.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

15. *Crown Lands Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Crown Lands Bill,

The same were accordingly read and agreed to.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

16. *Gold Fields Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Gold Fields Bill,

The same were accordingly read and agreed to.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendments.

17. *Juries Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Juries Bill,

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved

Resolved, That the Bill do pass, and the Title be "An Act for amending the Law "relating to Juries."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

18. *Resident Magistrates' Jurisdiction Extension Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Resident Magistrates' Jurisdiction Extension Bill,

On motion of Mr. Waring Taylor, *Ordered,* That the Bill be further amended by the insertion of the following as a Clause of the Bill:—

"And whereas certain judgments have been obtained and may be obtained in District "Courts under the 'District Courts Act, 1858,' which cannot be enforced by reason of "such Courts or the operation thereof having been suspended or abolished, it shall be "lawful for any Resident Magistrate having Jurisdiction within any part of the District "comprised within the boundaries of the District Court which or the operation of which "may have been so abolished or suspended, a copy of such judgment certified under the "hand of the late Judge or Clerk of the District Court in which such judgment shall "have been given, and an affidavit that the same has not been satisfied, to issue a distress "or execution, and order such proceedings therein to enforce satisfaction of such judgment "as if such judgment had been originally obtained in his own Court."

Then the Report from the Committee of the whole House was received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for the extension of the "jurisdiction of Resident Magistrates' in Civil cases, in certain places."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

19. *Auckland Waste Lands Act Amendment Bill* (*No.* 2).—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Auckland Waste Lands Act Amendment Bill (No. 2),

The same was accordingly received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the 'Auckland "'Waste Lands Act, 1858.'"

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

20. *Sale for Non-payment of Rates Bill.*—The Order of the day being read, for receiving the Report of the Committee of the whole House on the Sale for Non-payment of Rates Bill,

On motion of Mr. Brandon, *Ordered,* That the Bill be further amended by the insertion of the following as a Clause of the Bill:—

"In case there shall be at the time of the passing of this Act, any rate, assessment, or "liability heretofore unpaid upon any land or the owner of any land, for which judgment "shall have been recovered in any court of competent jurisdiction, or if the owner of such "land shall not at the time of the passing of this Act be within the Colony, then either "with or without such judgment, a memorial in respect of any such arrears may imme-"diately be registered under this Act, and the provisions of this Act as regards the sale "of land shall be applicable to every such case, excepting that such sale may take place "after the lapse of a period of three months instead of a period of six months."

Then the Report of the Committee of the whole House was received and adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass and the Title be "An Act for regulating the Sale of "Land for Non-payment of Rates."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

21. *Native Purposes Appropriation Bill.*—The Order of the day being read, for the second reading of the Native Purposes Appropriation Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee,

(In

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read.

Amendment proposed. In lines 1 and 2, To omit the words "until the 31st day of "December, 1864," with the view to insert in lieu thereof the words "from the 30th day "of June, 1862, until the 30th day of June, 1865." (*Mr. Stafford.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 3 to 6 read and agreed to.

Clause 7 read and negatived.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read, was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to grant certain Sums of "Money to Her Majesty for Native Purposes."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

22. *Native Districts Regulation Act Amendment Bill.*—The Order of the day being read, for the second reading of the Native Districts Regulation Act Amendment Bill,

Ordered, That the Bill be read a second time To-morrow.

23. *Native Circuit Courts Act Amendment Bill.*—The Order of the day being read, for the second reading of the Native Circuit Courts Act Amendment Bill,

Ordered, That the Bill be read a second time To-morrow.

24. *Militia Bill.*—*Ordered*, That the Bill from the Legislative Council, intituled "An Act to "amend the Militia Acts," be now read a second time.

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 6 read and agreed to.

Motion made and Question proposed, That the following do stand as Clause 7 of the Bill:—

"Every Officer of Militia and Militiaman who shall be so seriously wounded or otherwise "injured when on actual service as to afterwards impede his obtaining a livelihood, shall "be entitled to a Pension, so long as he shall be so disabled, according to such Regulations "as the Governor in Council shall from time to time make in that behalf, as nearly as the "circumstances will admit, in accordance with the Regulations in force in respect of the "Queen's Regular Forces, and of a similar amount." (*Hon. Mr. Crosbie Ward.*)

And the Question being put thereon, it passed in the Affirmative.

Motion made and Question proposed, That the following do stand as Clause 8 of the Bill:—

"In the event of any Militia Officer being killed on Service, his family shall be entitled "to such Pension as they would have been entitled to had he been an Officer of the same "rank in Her Majesty's Regular Service; and in the event of a Non-commissioned Officer "or Private being killed in Service, his family shall be entitled to such Pension as they "would have been entitled to had he been an Ensign in Her Majesty's Service." (*Hon. Mr. Crosbie Ward.*)

And the Question being put thereon, it passed in the Affirmative.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to Amend the Militia Acts."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

25. *Delegations*

25. *Delegations Continuance Bill.*—The Order of the day being read, for the second reading of the Delegations Continuance Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to continue Delegations of "Powers from the Governor, notwithstanding a change of Governor."

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath passed the Bill without any Amendment.

26. *Commencement of Acts Bill.*—The Order of the day being read, for the second reading of the Commencement of Acts Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 and 2 read and agreed to.

Clause 3 read.

Amendment proposed. In line 1, after the words "General Assembly," to insert the words "passed after the passing of this Act, except Acts for continuing the operation of "former Acts and for appropriating monies for the Public Service." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Further Amendment proposed. To add to the Clause the words "and not before." (*Hon. Mr. Crosbie Ward.*)

Amendment agreed to.

Clause as amended agreed to.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read, was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for amending the 'Interpreta-"'tion Act, 1858,' and for defining the time when Acts of the General Assembly shall "come into operation."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence in the Amendments made therein.

27. *Nelson Waste Land's Regulations Amendment Bill.*—The Order of the day being read, for the second reading of the Nelson Waste Lands Regulations Amendment Bill,

Ordered, That the Bill be read a second time To-morrow.

28. *Land Revenue Appropriation Act Amendment Bill (No. 2).*—The Order of the day being read, for the second reading of the Land Revenue Appropriation Act Amendment Bill (No. 2).

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clause 1 read and agreed to.

Clause 2 read.

Amendment proposed. To omit the first word "Immediately," and to add to the Clause the words "excepting any such sum or sums as may have been paid or advanced out of the reserved sixths fund, and such sum or sums as may be required for the fulfilment of "engagements for the purchase of land already entered into." (*Hon. Mr. Wood.*)

Amendment agreed to.

Clause as amended agreed to.

Preamble

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to provide for payment by "the Colonial Treasurer to the Provincial Treasuries of certain Provinces, of sums paid to "him under the 'Land Revenue Appropriation Act, 1858,' for the extinguishment of "Native Title to Lands in such Provinces."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

29. *Petty Sessions Courts Bill.*—The Order of the day being read, for the second reading of the Petty Sessions Courts Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 3 read and agreed to.

Clause 4 read. Amendment proposed. In line 2, To omit the words "New Zealand," with the view to insert in lieu thereof the word "Government."

Amendment agreed to.

Clause as amended agreed to.

Clauses 8 to 39 read and agreed to.

Motion made and Question proposed that the following do stand as Clause 40 of the Bill:—

"The Fees to be taken in respect of any proceedings in any Petty Sessions Court shall "be the same in amount as those which may be demanded and taken for the time being in "like cases in any Resident Magistrates Court."

And the Question being put thereon, it passed in the Affirmative.

Clauses 40 to 43, as printed, read and agreed to.

Motion made and Question proposed, That the following do stand as Clause 44 of the Bill:—

"The 'Petty Sessions Act, 1858,' is hereby repealed."

And the Question being put thereon, it passed in the Affirmative.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to establish Courts of Petty "Sessions of the Peace, of Civil and Criminal Jurisdiction, in the Colony of New Zealand."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

30. *Naturalization Bill.*—*Ordered*, That the consideration of the Amendments made by the Legislative Council in the Naturalization Bill, be an Order of the day for To-morrow.

Then, on motion of the Honourable Mr. Dillon Bell,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Thursday, 11*th September*, 1862.

NOTICES OF MOTION.

1. Hon. Mr. WOOD to move, in Committee of Supply, That, in the opinion of this Committee, the reserved 5 and 10 per cents. from Land Sales for Native purposes in the Provinces of Auckland and Wellington should be charged on the Third Division of the half Million Loan.

2. Hon.

2. Hon. Mr. DOMETT to move, For leave to bring in a Bill for raising a Force for the internal Defence of the Colony.
3. Mr. STAFFORD to move, For leave to bring in a Bill to amend the "Waste Lands Act, 1858," with a view to promoting Immigration.
4. Mr. CARTER to move, That the copy of the Grant conveying certain portions of the Town Belt of the City of Wellington to the Wesleyan body, be printed.

ORDERS OF THE DAY.

1. Native Lands Bill—consideration of Amendments by the Legislative Council.
2. Resolutions to be reported from the Committee of Supply.
3. Appropriation Bill—to be further considered in Committee.
4. Naturalization Bill—consideration of Amendments by the Legislative Council.
5. Nelson Waste Lands Regulations Amendment Bill—second reading.
6. Native Districts Regulation Act Amendment Bill—second reading.
7. Native Circuit Courts Act Amendment Bill—second reading.

Thursday, the 11th day of September, 1862.

PRAYERS.

1. *Supply.—Ordered,* That it be referred to the Committee of Supply to consider the following Resolution:—

That, in the opinion of this Committee, the reserved five and ten per cents. from Land Sales, for Native purposes in the Provinces of Auckland and Wellington should be charged on the Third Division of the Half Million Loan.

Then the House resolved itself into the said Committee.

(In the Committee.)

On motion of the Honourable Mr. Wood, *Resolved,* That, in the opinion of this Committee, the reserved five and ten per cents. from Land Sales, for Native purposes in the Provinces of Auckland and Wellington should be charged on the Third Division of the Half-Million Loan.

Resolution to be reported.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to a Resolution.

Ordered, That the Report be received To-morrow.

2. *Debtors and Creditors Bill.*—The Honourable Mr. Russell, from the Select Committee, to whom was referred the Debtors and Creditors Bill, brought up a Report, and the same was read as followeth:—

The Committee having carefully considered the Bill referred to them, have the honor to recommend the Bill with Amendments as enclosed herewith.

Ordered, That the said Report do lie on the Table.

3. *Native Force Bill.—Ordered,* That the Honourable Mr. Domett have leave to bring in a Bill for raising a Force for the internal defence of the Colony.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time presently, and to be printed.

4. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

G. GREY, Governor. *Message. No.* 21.

The Governor transmits to the House of Representatives the draft of a Bill, intituled "An Act for raising a Loan of £500,000 for the public service of the Colony of New "Zealand," and, on Her Majesty's behalf, recommends the House to make provision accordingly.

Government House,
Wellington, 11th September, 1862.

G. GREY

G. GREY, Governor. *Message No. 22.*

The Governor transmits to the House of Representatives the undermentioned Estimates, and on Her Majesty's behalf, recommends the House to make provision accordingly.

Expenses attending the publication of a Manual of New Zealand Botany - - - - - - - - £500

Government House,
Wellington, 11th September, 1862.

Ordered, That the Message of His Excellency be referred to the Committee of Supply.

5. *Loan Bill.—Ordered,* That the Bill from His Excellency, intituled "An Act for raising a "Loan of £500,000 for the public service of the Colony of New Zealand," be now read a first time.

The Bill was accordingly read for the first time, and ordered to be read a second time presently, and to be printed.

6. *Supply.*—The House, according to Order, resolved itself into the Committee of Supply.

(In the Committee.)

Consideration of His Excellency's Message No. 22.

On motion of the Honourable Mr. Wood, *Resolved,* That there be granted to Her Majesty a sum not exceeding Five hundred pounds, to defray the cost attending the publication of a Manual of New Zealand Botany.

Resolution to be reported.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had come to a Resolution.

Ordered, That the Report be received To-morrow.

7. *Waste Lands Act Amendment Bill.—Ordered,* That Mr. Stafford have leave to bring in a Bill to amend the "Waste Lands Act, 1858," with a view to promote Immigration.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time presently, and to be printed.

8. *Town Belt of Wellington.*—On motion of Mr. Carter, *Ordered,* That the copy of the Grant conveying certain portions of the Town Belt of the City of Wellington to the Wesleyan Body, be printed for the use of Members of this House.

9. *Native Lands Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Native Lands Bill,

The same were accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath adopted their Amendments.

10. *Privilege.*—Mr. Carleton moved, and the Question being proposed, That the Amendment of the 17th Clause of the Native Lands Bill made by the Legislative Council, is an infringement of the Privileges of this House, inasmuch as it assumes to "regulate" the imposition of a Fee and the limits within which it is proposed to be levied, contrary to the provisions of the 128th Standing Order, and the practise of the Imperial Parliament in such matters.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 10.	*Noes,* 7.
Mr. Atkinson,	Mr. Fitzherbert,
Hon Mr. Dillon Bell,	Mr. Fox,
Mr. Colenso,	Mr. Jollie,
Mr. Curtis,	Mr. O'Rorke,
Mr. G. Graham,	Mr. Waring Taylor,
Mr. Moorhouse,	Mr. John Williamson,
Mr. J. C. Richmond,	Mr. Brandon (Teller).
Hon. Mr. Russell,	
Mr. Watt,	
Mr. Carleton (Teller).	

So it was resolved in the Affirmative.

11. *Supply*

11. *Supply.*—The Order of the day being read, for receiving the Report of certain Resolutions from the Committee of Supply,

Mr. Carleton accordingly reported the following Resolutions :—

(1.) That, whereas it is expedient to restore the Province of Taranaki, and to reinstate the inhabitants, and whereas the loss suffered by the settlers of Taranaki amounts to the sum of £191,000, estimated on the basis of the award made by the Commissioner, Mr. Sewell, it is resolved by this Committee that a sum not exceeding £200,000 ought to be raised by Loan, repayable with interest and by a sinking fund, to enable the Governor, acting with the advice of his Responsible Ministers, to reinstate the said Province of Taranaki and the inhabitants thereof in such manner as may ensure a final and complete reinstatement of the same.

The above Loan to be raised on the security of the General Government of the Colony, but to be a special charge, as between the Colony and Taranaki, on the Revenues (Land and Ordinary) of the said Province of Taranaki as at present bounded.

(2). That, in order to meet the requirements of the public service, and of the various private interests within the Colony, it is essential that Electric Telegraphic communication be established at the earliest possible date between the several Provinces and the Seat of Government.

That the Government be recommended, whenever the state of the Public Revenues will permit, to take the necessary steps for obtaining the construction of such lines of Telegraph as will accomplish the above purpose, either by constructing the same at the public expense, or by granting a guarantee of reasonable minimum dividend to private parties willing to undertake the work.

That this House will sanction the expenditure of such sum or sums of money as the Government in its discretion may incur in giving effect to the foregoing Resolutions.

(3.) *Resolved,* That there be granted to Her Majesty any sum not exceeding £500 to defray the expenses attending the publication of a Manual of New Zealand Botany.

And the Resolutions being read a second time,

Resolved, That this House doth concur with the Committee in the said Resolutions.

12. *Appropriation Bill.*—The Order of the day being read, for the House in Committee further to consider the Appropriation Bill,

Ordered, That the Bill be re-committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

On recommittal to consider Clauses 3, 11, 23, and 24.

Clause 3 read. Amendment proposed, In lines 1 and 2, page 2, To omit the words "and Fifty-five pounds, nineteen shillings," with the view to insert in lieu thereof, the words "Five hundred and fifty-six pounds and four shillings." (*Hon. Mr. Wood.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 11 read. Amendment proposed. In each of lines 1 and 4, To omit the amount "Ten thousand six hundred and fifty-six pounds, and one shilling," with the view to insert in each case in lieu thereof, the amount "Eleven thousand one hundred and fifty-"six pounds, and one shilling." (*Hon. Mr. Wood.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 23 read and negatived.

Clause 24 read. Amendment proposed. To restore the words "thirtieth day of June, "1864," formerly omitted. (*Mr. Stafford.*)

Amendment agreed to.

Further Amendment proposed. To add to the Clause the words "Provided, however, "that, if the next Session be not held before the thirty-first day of March, 1864, this "Section shall be absolutely void, and have no force or effect whatsoever." (*Mr. Stafford.*)

Amendment agreed to.

Clause as amended agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved

Resolved, That the Bill do pass, and the Title be "An Act to apply certain sums out "of the Ordinary Revenue and other Monies to the service of the year ending the thirtieth "day of June, one thousand eight hundred and sixty-three."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

13. *Message*.—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

G. GREY, Governor. *Message* No. 23.

Pursuant to Section 56 of the Constitution Act, the Governor returns the "Native Lands Bill, 1862," to the House of Representatives, with the Amendments hereinafter mentioned, for their consideration.

It appears to the Governor that the Amendment made by the Legislative Council in Section XVII of the Bill, by which the Natives are restricted from making any disposition (save a seven years' lease) of the land for which they have received a Certificate of title, unless a payment of 2s. 6d. an acre be first paid to the Provincial Government, imposes a tax upon the Natives which would, in some cases, be very disproportionate to the value of their land.

The Governor is also of opinion that the condition imposed by Section XIX of paying 2s. 6d. per acre on the signing and sealing of a Certificate, or on the issue, in exchange for the Certificate, of a Crown Grant, whereby the Native holding is clothed with an English title, would have the effect of discouraging the exchange of the inferior title for the superior (wherever the land is inferior in value) and of thus maintaining a distinction between the title to good and bad land, which it should, on the contrary, be the aim of the Government to remove.

In some districts of the North Island it would, under present circumstances, be hardly worth while for any one to buy land with a condition of paying 2s. 6d. an acre to the Government besides the price paid to the Native owners. The tax would therefore operate in such districts as a bar to any dealings by the Natives with land of an inferior quality of soil. In the Governor's opinion, on the contrary, whatever tax the Legislature imposed on the exercise by the Natives of their rights of ownership, should be a tax proportioned to the value of the estate, and not a tax pressing unequally on those who possessed rich and fertile lands, and on those who only owned hilly and barren tracts of country.

With these views, the Governor considers that the better plan would be to enact that a transfer duty should be paid on each sale, dependent on the value of the land dealt with. This plan has been very successful in several countries and has proved a productive and not unpopular source of revenue. The Governor thinks that a transfer duty of ten per cent. on the purchase money (to be treated as Provincial Land Revenue) might be paid on the first sale of any land by the Native owners, and that after the first transaction a transfer duty of four per cent. might also be paid on every subsequent sale. By such a system a permanent source of Revenue would be secured to the Provinces, far more advantageous to them than one immediate payment on the endorsement and sealing of the Certificate.

Undoubtedly the payment of ten per cent. would operate in the first instance in deduction of the purchase money that might be paid to Natives selling any part of their land, but they would not be called upon to pay any tax for the recognition of their own title so long as they continued to hold the land; and the Governor thinks that while the Natives would consider it a hardship to demand from them a uniform deduction of 2s. 6d. per acre (whatever might be the character of their land) as a condition of granting them a transferable title, they would cheerfully accept a deduction that should be proportionate to the real value of the land affected by each transaction as they deal with it.

The Governor, therefore, recommends to the House of Representatives:—

(1.) That the words added to Section XVII. by the Legislative Council be omitted.

(2.) That in lieu of Section XIX. the following words stand as Section XIX. of the Bill:—

"Upon each first sale of Land after the issue of the Certificate or Crown Grant in "exchange for the Certificate, the purchaser of the lands then sold shall pay a duty or sum "after the rate of £10 in every £100 upon the amount of the consideration or purchase "money of such lands; and upon each subsequent sale of the same lands the purchaser "thereof shall pay a duty or sum after the rate of £4 in every £100 upon the amount of "the consideration or purchase money of such lands: which said duty shall be payable to "the Registrar of Deeds or Registrar of Titles or other Officer authorized to register "Transfers or Conveyances of Land under this Act: and no transfer or conveyance of "Land under this Act shall be valid until such duty shall have been paid: and such duty

"shall

"shall be deemed to be part of the Land Revenue of the Province in which such lands "shall be situate."

Government House,
Wellington, 11th September, 1862.

Ordered, That the Message of His Excellency, No. 23, be considered presently.

14. *Naturalization Bill.*—The Order of the day being read, for the consideration of the Amendments made by the Legislative Council in the Naturalization Bill.

The same were accordingly read and adopted.

Ordered, That a Message be transmitted to the Legislative Council acquainting them that this House hath agreed to their Amendments.

15. *Nelson Waste Lands Regulations Bill.*—The Order of the day being read, for the second reading of the Nelson Waste Lands Regulations Bill;

The Honourable Mr. Domett moved, and the Question was proposed, That the Bill be now read a second time.

And the Question being put, the House divided, and the names were taken down as follows:—

Ayes, 12.	*Noes* 5.
Mr. Atkinson,	Mr. Cargill,
Mr. Colenso,	Mr. Cookson,
Mr. Jollie,	Mr. Curtis,
Mr. Mason,	Mr. Cracroft Wilson, C.B.,
Major Nixon,	Mr. Moorhouse (Teller).
Mr. J. C. Richmond,	
Hon. Mr. Russell,	
Mr. Saunders,	
Mr. Stafford,	
Mr. Watt,	
Hon. Mr. Wood,	
Hon. Mr. Domett (Teller).	

So it was resolved in the Affirmative.

The Bill was accordingly read a second time and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 3 read and agreed to.

Clause 4 read. Amendment proposed. In line 6: To omit the words "of the said "Province," with the view to insert in lieu thereof the words "with the concurrence of the "Board." (*Hon. Mr. Domett.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 5 to 7 read and agreed to.

Clause 8 read. Amendment proposed. In line 7: After the word "issued," to insert the word "then." (*Hon. Mr. Domett.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 9 read. Amendment proposed. In line 8: After the word "Superintendent," to insert the words "with the concurrence of the Board. (*Hon. Mr. Domett.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 10 read and agreed to.

Clause 11 read and negatived.

Clauses 12 to 19 read and agreed to.

Clause 20 read and negatived.

Clauses 21 to 23 read and agreed to.

Clause 24 read. Amendment proposed. In line 1: After the words "terms and condi-"tions," to insert the words "of lease." (*Hon. Mr. Domett.*)

Amendment agreed to.

Further Amendment proposed. To omit the final word "Boundary," with the view to insert in lieu thereof the word "Board." (*Hon. Mr. Domett.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 25 to 32 read and agreed to.

Clause

Clause 33 read. Amendment proposed. To add to the Clause the words "and the "cost of Survey paid, as hereinbefore provided." (*Hon. Mr. Domett.*)
Amendment agreed to.
Clause as amended agreed to.
Clause 34 read. Amendment proposed. In each of lines 7 and 8, to insert the words "per annum" after the words "per cent." (*Hon. Mr. Domett.*)
Amendment agreed to.
Clause as amended agreed to.
Clauses 35 to 37 read and agreed to.
Motion made and Question proposed, That the following Sub-title be introduced:—"III. Regulations relating to Mineral Lands." (*Hon. Mr. Domett.*)
And the Question being put, it passed in the Affirmative.
Clauses 38 to 40 read and agreed to.
Schedule read and agreed to.
Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.
And the Report being read, was adopted.
Ordered, That the Bill be now read a third time.
The Bill was read a third time accordingly.
Resolved, That the Bill do pass, and the Title be "An Act to amend the Regulations for "the Sale or Disposal of the Waste Lands of the Province of Nelson."
Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

16. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—
The Legislative Council have passed the Bill intituled "An Act to alter the Civil List," without any Amendment, and they return the same to the House of Representatives as a Bill of Supply. And also,—
The Legislative Council have passed the Bill intituled "An Act to grant certain sums "of money to Her Majesty for Native Purposes," without any Amendment, and they return the same to the House of Representatives as a Bill of Supply. And also,—
The Legislative Council have adopted the Amendments made by the House of Representatives in the following Bills:—
A Bill intituled "An Act to Amend the Militia Acts."
A Bill intituled "An Act to Amend the Law relating to Juries."
A Bill intituled "An Act for Amending the 'Interpretation Act, 1858," and for defining "the time when Acts of the General Assembly shall come into operation." And also,—
The Legislative Council request a Free Conference with the House of Representatives on the subject of the Amendments made by the House of Representatives in the Bill, intituled "An Act for the extension of the Jurisdiction of Resident Magistrates in Civil "cases in certain places," and have appointed a Committee of three Managers on their behalf. They request that the House of Representatives will appoint a similar Committee and name the hour of the Conference. And also,—
The Legislative Council request a Free Conference with the House of Representatives on the subject of the Amendments made by the House of Representatives in the Bill intituled "An Act for regulating the Sale of Land for Non-payment of Rates," and have appointed a Committee of three Managers on their behalf. They request the House of Representatives to appoint a similar Committee, and to name the hour of the Conference.

17. *Resident Magistrates' Jurisdiction Extension Bill.*—On motion of the Honourable Mr. Dillon Bell, *Resolved*, That this House concurs in the desire of the Legislative Council, that a Free Conference be held on the Amendments made by this House in the Resident Magistrates' Jurisdiction Extension Bill, and that Mr. Carleton, the Honourable Mr. Russell, and Mr. Brandon, be the Managers of such Conference on the part of this House.
Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House agrees to a Conference on the Amendments made by this House in the Resident Magistrates' Jurisdiction Extension Bill, and hath appointed eleven of the clock To-morrow for the hour of meeting.

18. *Sale for Non-payment of Rates Bill.*—On motion of the Honourable Mr. Dillon Bell, *Resolved*, That this House concurs in the desire of the Legislative Council that a Free Conference be held on the Amendments made by this House in the Sale for Non-payment of

of Rates Bill, and that Mr. Carleton, the Honourable Mr. Russell, and Mr. Brandon, be the Managers of such Conference on the part of this House.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House agrees to a Conference on the Amendments made by this House in the Sale for Non-payment of Rates Bill, and hath appointed half after eleven of the clock To-morrow for the hour of meeting.

19. *Native Districts Regulation Act Amendment Bill.*—The Order of the day being read, for the second reading of the Native Districts Regulation Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass and the Title be "An Act to Amend an Act calledthe "Native Districts Regulation Act, 1858"

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath passed the Bill without any Amendment.

20. *Native Circuits Courts Act Amendment Bill.*—The Order of the day being read, for the second reading of the Native Circuit Courts Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 8 read and agreed to.

Clauses 9 and 10 read and negatived.

Clause 11 read and agreed to.

Motion made, and Question proposed, That the following do stand as a Clause of the Bill:—

"And whereas in Districts where a number of Europeans and Natives are residing, and "their lands are much intermixed, disputes have arisen respecting the trespass of Cattle "and Sheep, or respecting the depasturing of Cattle and Sheep without License from the "Government, upon land over which the Native Title is not (or during such trespass or "depasturage was not) extinguished. But no information has been laid under an "Ordinance of the Legislative Council of New Zealand, Session VII, No. 19, intituled "'An Ordinance to provide for the prevention by summary proceeding of unauthorised "'Purchases and Leases of Land against the Owners of such Cattle and Sheep for the use "'and occupation of such Land,' and it is necessary that means should be provided for "the settlement of such disputes.

"Be it enacted that, in any case of such disputes, it shall be lawful for a Resident "Magistrate, appointed under the said Act, upon any complaint or information laid before "him, to summon the Owner of such Cattle or Sheep, and to assess, after due enquiry, "the amount (if any) which ought in equity and good conscience to be paid to the Natives "for such trespass or depasturage, and thereupon make an Order for the payment of the "amount so assessed to such persons as shall, in the judgment of the Court, appear entitled "thereto; and in the case of any Order so made, no information shall lie under the "provisions of the said Ordinance against the Owner of such Cattle or Sheep in respect of "the use, despasturage, or other occupation of such land up to the time of the making of "any such Order." (*Hon. Mr. Dillon Bell.*)

And the Question being put, it passed in the Affirmative.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to Amend an Act called the "Native Circuit Courts Act, 1858."

Ordered,

Ordered, That the Bill be transmitted to the Legislative Council together with a Message requesting their concurrence in the Amendments made therein.

21. *Colonial Defence Force Bill.*—The Order of the day being read, for the second reading of the Colonial Defence Force Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 9 read and agreed to.

Clause 10 read.

Amendment proposed. To add to the Clause the words "Provided that such time shall "not exceed three years." (*Hon. Mr. Domett.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 11 read and agreed to.

To report progress.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had made progress, and had directed him to move, That the Committee have leave to sit again.

Resolved, That this House will, To-morrow, resolve itself into the said Committee.

22. *Native Lands Bill.*—The House proceeded to consider the Amendments proposed by His Excellency the Governor in the Native Lands Bill,

And the same being read, and the Question being put, That the said Amendments be now adopted, the House divided, and the names were taken down as follows:—

Ayes 18.	*Noes,* 9.
Mr. Atkinson,	Mr. Cargill,
Mr. Colenso,	Mr. Carter,
Mr. Cookson,	Dr. Featherston,
Mr. Curtis,	Mr. Fox,
Hon. Mr. Domett,	Mr. Munro,
Mr. G. Graham,	Mr. O'Rorke,
Mr. Mantell,	Mr. Waring Taylor,
Mr. Moorhouse,	Mr. John Williamson,
Major Nixon,	Mr. Fitzherbert (Teller).
Mr. Rhodes,	
Mr. A. J. Richmond,	
Mr. J. C. Richmond,	
Hon. Mr. Russell,	
Mr. Stafford	
Mr Watt,	
Mr. James Williamson,	
Hon. Mr. Wood,	
Hon. Mr. Dillon Bell (Teller).	

So it was resolved in the Affirmative.

Ordered, That the Native Lands Bill and the Amendments proposed therein by His Excellency the Governor, be transmitted to the Legislative Council, together with a Message acquaining the Council that this hath adopted the said Amendments, and requesting their concurrence.

23. *Waste Lands Act Amendment Bill.*—The Order of the day being read, for the second reading of the Waste Lands Act Amendment Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Carleton reported, That the Committee had gone through the Bill, and had directed him to report the same without any Amendment.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act to amend the 'Waste Lands "'Act, 1858,' with a view to promote Immigration."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

24. *Debtors*

24. *Debtors and Creditors Bill.*—On motion of the Honourable Mr. Crosbie Ward, *Ordered*, That the Debtors and Creditors Bill be now read a second time,

The Bill was accordingly read a second time, and committed to a Committee of the whole House for To-morrow.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Friday, 12th September, 1862.

NOTICES OF MOTION.

1. Hon. Mr. CROSBIE WARD to move, That leave of absence for the present Session be given to Mr. White, the Member for Akaroa.
2. Hon. Mr. DILLON BELL to move, For leave to bring in a Bill to make final provision for the settlement of Land Claims.
3. Mr. THOMSON to move, For leave of absence for Mr. FitzGerald, Member for Ellesmere, for the remainder of the Session.

ORDERS OF THE DAY.

1. Resolutions to be reported from the Committee of Supply.
2. Debtors and Creditors Bill—to be committed.
3. Loan Bill—second reading.
4. Colonial Defence Force Bill—to be further considered in Committee.

Friday, the 12th day of September, 1862.

PRAYERS.

1. *Papers.*—The Honourable Mr. Domett laid upon the Table, by command of His Excellency,—

(1.) Convention between Her Majesty and the Emperor of the French relative to Joint Stock Companies.

(2.) Further Papers relative to Military Expenditure.

(3.) Copies of all correspondence regarding the abduction of the half-caste child of Thomas Page. Return to an Order of the House of the 20th August last.

(4.) Copies of all correspondence between the Resident Magistrate, Mongonui, and the Government, relating to a public meeting held there in May last. Return to an Order of the House of the 22nd August last.

2. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

G. GREY, Governor. *Message No.* 24.

The Governor transmits to the House of Representatives the enclosed money clauses in the "Colonial Defence Force Bill," and on Her Majesty's behalf recommends provision to be made accordingly.

Government House,
Wellington, 12th September, 1862.

Ordered, That the Message of His Excellency be considered in Committee of the whole House on the Colonial Defence Force Bill.

3. *Leave of Absence.*—On motion of the Honourable Mr. Crosbie Ward, *Ordered*, That leave of absence for the present Session be given to Mr. White, Member for Akaroa.

4. *Land Claims Settlement Bill.—Ordered*, That the Honourable Mr. Dillon Bell have leave to bring in a Bill to make final provision for the settlement of Land Claims.

He accordingly presented the said Bill, and the same was received and read for the first time, and ordered to be read a second time after the Orders of the day, and to be printed.

5. *Leave of Absence.*—On motion of Mr. Thomson, *Ordered*, That leave of absence be given to Mr. FitzGerald, Member for Ellesmere, for the remainder of the Session.

6. *Address to Her Majesty.*—The Honourable Mr. Domett, from the Select Committee appointed to prepare an Address to Her Majesty on the subject of the Despatch of His Grace the Duke of Newcastle, dated 26th May, 1862, in reference to the state of Native Affairs in the Colony, brought up a Report, and the same was read as followeth:—

MOST GRACIOUS SOVEREIGN,—

We, Your Majesty's loyal subjects, the House of Representatives of New Zealand, in Parliament assembled, in all faithfulness and zeal to Your Majesty's service, desire humbly to lay before Your Majesty the difficulties under which this Colony is labouring, and the dangers with which it is threatened.

From Despatches recently received from Your Majesty's Secretary of State, especially from a Despatch dated the 26th May, 1862, and laid before us by His Excellency Governor Sir George Grey, we have learnt that Your Majesty's Government, recognising "that the "endeavour to keep the management of the Natives under the control of the Home Govern- "ment has failed," has resolved to sanction the important step taken by His Excellency "in placing the management of the Natives under the control of the General Assembly" of the Colony, subject to several conditions which are fully stated in the Despatch referred to.

We desire humbly to represent to Your Majesty that the proposal of His Excellency was made without obtaining the assent of the General Assembly to accept the responsibility thereby imposed upon it; and although the Legislature might, under other circumstances, be willing to accept that responsibility, the present condition of the Colony forbids such a course. Our duty to the inhabitants of both races within these Islands, a due regard for the honour of Your Majesty's Throne, and for the interests of humanity, alike compel us with the deepest respect to decline to undertake the task imposed upon us, under conditions which were never contemplated by Your Majesty's Representative, and which render it impossible for us honourably or successfully to fulfil that task.

We recognise the difficulty of the attempt to govern two races within the same territory by means of separate Governments responsible to different authorities, between whose respective jurisdictions no definite line can be drawn, and whose administration must often conflict. But we deem it necessary humbly to represent to Your Majesty that the duty of educating, civilising, and governing the Aboriginal Inhabitants of these Islands is one which does not and has never hitherto been supposed solely to belong to, and therefore ought not to be wholly charged upon, the European Inhabitants of the Colony. And we would further humbly submit that the task is one which it is impossible the Colony can, by its unaided efforts, rightly perform. At the same time, no efforts will be spared on our part, by cordial co-operation with Your Majesty's Government, to put an end to the prejudicial effects which have hitherto attended a divided administration.

We are compelled humbly to represent to Your Majesty that the liability which attaches to the Home Government in respect of the Native Race is greatly increased by the fact that, from the first settlement of the Colony the government of the Natives has been in the hands of Your Majesty's Representatives under the orders of successive Secretaries of State. An absolute control over all legislation affecting the Natives, and over the administration of laws relating to them, has been strictly reserved by Your Majesty's Government, and the settlers, as a body, seem to have been viewed as objects of suspicion and distrust, to preserve the Natives from whom, it was necessary to pass peculiar enactments, and to establish especial protectorates.

In respectfully declining, therefore, to accept the proposal of Your Majesty's Government, we do so, not as shrinking from labours or burdens which we ought rightly to undertake, but because, along with a desire on the part of Your Majesty's Government to confer an apparent political boon on the Colony, we seem to discover in the despatches to which we have referred, the intention to withdraw from engagements to which the British nation is honourably bound, and to transfer to the Colony liabilities and burdens which belong properly to the Empire.

Had the Natives been in real allegiance to Your Majesty, or in a state of peace and prosperity, the transfer of authority to govern them, together with all the liabilities attending such a transfer, might have been accepted by us with thankfulness for the confidence displayed in us, and with a reasonable anticipation of good results. But the allegiance of the Natives as a body has never been more than nominal; and it is proposed to make the transfer at a time when a large section of the race have endeavoured to establish a separate nationality, and to set up a King, and have raised bands of armed men to maintain his authority. It is to be made when many other Tribes are alienated and disaffected, and at the close of a war which has failed to convince the Natives of the superiority of Your Majesty's arms, but which has reduced to a mere garrison one British settlement, where the insurgent Natives at this moment hold possession, avowedly by right of conquest, of one of its principal agricultural districts, which had been occupied under grants from Your Majesty

Majesty, and cultivated for years, by peaceful and industrious settlers. It is to be made, in short, at a time when its duties must entail upon the Colony expenses which it is not in a condition to bear, and dangers it cannot successfully contend against without the aid of a considerable military force. For we humbly submit for Your Majesty's consideration that it is hardly to be expected that the colonists, if left at an early date to their own resources, without powerful military aid, would, in the event of future collisions with the Natives, be able to exercise that self-restraint which is the privilege of the strong; and that any war which might arise would degenerate into a guerilla warfare, and become a life and death struggle of races. And if peace should happily be preserved, it might not be prudent or humane for the Colony to attempt by its own limited means to establish and maintain Your Majesty's authority in the whole of those districts where the Native Race predominates. It might be driven in its weakness to abandon the show where it could not possess the reality of control, and to leave the bulk of the Maori Race to virtual and even avowed independence.

We have read with great concern the opinion expressed by Your Majesty's Secretary of State, that His Grace can see "no adequate apprehension on the part of the New Zealand "Government of the obligation under which the Colonists themselves lie, to exert "themselves in their own defence, and to submit to those sacrifices which are necessary "from persons whose lives and properties are in danger." Had the dangers, losses, and sacrifices of the Colonists arisen from their own misconduct or imprudence, the imputation thus cast upon them would have been less intolerable; but when the fact is admitted, that the settlers have not been the authors of the wars in New Zealand, although immeasurably the severest sufferers by them, we humbly submit that such a charge ought not to have come from the authority under which those sufferings have arisen.

But we are further bound to state, with deep respect to Your Majesty, that the imputation thus cast on the Colony by His Grace the Duke of Newcastle is undeserved. The taxation imposed upon the colonists by the recent war, alone amounts to more than half a million sterling, a charge exceeding five pounds per head upon the whole European population of both Islands. And very nearly the whole male inhabitants of Taranaki, from sixteen years of age upwards, have been engaged for two years and a half in full military service. We humbly submit to Your Majesty that it would have been ruinous and impracticable to exact any large amount of compulsory service, and raise a considerable moveable army from among the settlers scattered over the whole Colony. The neighbourhood of the plains of Australia, and of the rich gold-fields of Victoria and New Zealand, would have effectually prevented such a scheme, which would have resulted simply in depopulating the Northern Island of this Colony. It would, moreover, have been impossible that any large part of this, as of any civilised community, should have remained long under arms without public bankruptcy, unless stayed by pecuniary assistance from without. But the population of the Colony were at all times ready, if called upon by the military commanders, for active support in their own districts. And the conduct of the Volunteers and Militia of Taranaki will, on enquiry, prove to Your Majesty that the settlers, though untrained, were as able to serve as they were willing to risk themselves in support of your Majesty's sovereignty. Those two corps, whose services have not been fortunate enough to meet with recognition, took an active part in the most successful operations of the late war, and never shrunk from the post of honour and danger.

We deem it our duty to Your Majesty, humbly to record the conviction which has been forced upon us by experience, that it will ever be found impossible to sustain or even to elicit the full military ardour of a community, under a system which places Your Majesty's local forces in a position of marked inferiority to the regular army, not only in the performance of military duties but also in the distribution of honours and rewards due to meritorious service.

And we would humbly express this further conviction, that in a country in which the maintenance of your Majesty's Government, and the enforcement of its policy, requires the presence, and may require the active help of the Military power, it is essential that the Government directing the policy should be armed with the entire control of that Military power. Great calamities have already fallen upon this Colony; wars have been needlesly prolonged, lives lost, and treasure squandered, solely from the want of some local authority having power to remove inefficient and incompetent commanders, and to entrust the execution of Military operations to men capable of conducting them to a successful issue. We cannot but feel, therefore, that any proposal to get rid of the divided responsibility hitherto existing in the Colony, and to unite the Government under a single administration, is a proposal in name rather than in fact, unless the control of the Military force be entrusted to Your Majesty's representative in the Colony.

We humbly trust that upon a consideration of the above views and statements it may appear to Your Majesty, that a complete examination ought to be made into the respective

obligations

obligations of the Mother Country and the Colony, with reference to the Native race, in order to an equitable apportionment of those obligations; and that Your Majesty will be pleased to direct a full enquiry into the condition and prospects of the Colony, and a reconsideration of the announced intentions of Your Majesty's Government.

A sense of the gravity of the duty which it is proposed to transfer wholly to us, and it, without material aid, has induced us thus earnestly, but with deep respect, to appeal to Your Majesty. We have always been, and shall ever remain, ready to take as large a share as our means will allow of the burden of that duty; and we will gladly aid Your Majesty's Government by relieving them from the anxious task of guiding the affairs of this Your Majesty's remotest dependency, if the power is given, and the help continued to us that will make our efforts hopeful. And we humbly pray, that the youngest of Your Majesty's colonies may not be left to struggle unaided amid political and financial difficulties too great for its strength, but that Your Majesty may be pleased to deal with it as an integral part of the Empire to which we are proud to belong, and one where peculiar troubles and dangers demand peculiarly liberal considerations.

7. *Adjournment.*—On motion of the Honourable Mr. Domett, *Resolved*, That this House will, at the rising of the House this day, adjourn until To-morrow at noon.

8. *Supply.*—The Order of the day being read, for receiving the Report of certain Resolutions from the Committee of Supply,

Mr. Carleton accordingly reported the following Resolutions:—

Resolved, That, in the opinion of this Committee, the reserved five and ten per cents. from land sales for Native purposes, in the Provinces of Auckland and Wellington, should be charged on the third division of the half-million Loan.

And the Resolution being read a second time,

Resolved, That this House doth concur with the Committee in the said Resolution.

9. *Sale for Non-payment of Rates Bill.*—The Honourable Mr. Russell, from the Committee appointed to confer with a Committee of the Legislative Council on the Amendments made in the Sale for Non-payment of Rates Bill, brought up a Report, and the same was read as followeth:—

The Managers appointed on behalf of this House on the Conference upon the Sale for Non-payment of Rates Bill, have met the Managers appointed by the Legislative Council, and have agreed to the Amendments noted in the Bill herewith.

And the said Amendments being read were adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath adopted the Report of the Free Conference on the Amendments in the Sale for Non-payment of Rates Bill.

10. *Resident Magistrates' Extension of Jurisdiction Bill.*—The Honourable Mr. Russell, from the Committee appointed to confer with a Committee of the Legislative Council on the Amendments made in the Resident Magistrates' Extension of Jurisdiction Bill, brought up a Report, and the same was read as followeth:—

The Managers appointed on behalf of this House on the Conference upon the Resident Magistrates Extension of Jurisdiction Bill, have met the Managers appointed by the Legislative Council, and have agreed to the Amendments noted in the Bill herewith.

And the said Amendments being read were adopted.

Ordered, That a Message be transmitted to the Legislative Council acquainting them that this House hath adopted the Report of the Free Conference on the Amendments in the Resident Magistrates' Extension of Jurisdiction Bill.

11. *Debtors and Creditors Bill.*—The Order of the day being read for the House in Committee on the Debtors and Creditors Bill,

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 and 2 read and agreed to.

Clause 3 read.

Amendment proposed. In line 1, To omit the word "person," with the view to insert in lieu thereof the word "debtor." (*Hon. Mr. Russell.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 4 to 41 read and negatived.

Motion

Motion made, and Question proposed, That the following do stand as Clauses of the Bill (*Hon. Mr. Russell*):—

IV. It shall be lawful for any Debtor not being a prisoner in custody, with the concurrence of one or more Creditor or Creditors, to the extent of not less than fifty pounds in the whole, to apply by Petition to a Judge of the Supreme Court for sequestration of his Estate for the benefit of his Creditors and for relief according to the provisions of this Act.

V. The Petition by any Debtor who shall be in custody as aforesaid, shall state the time of the prisoner's committal to prison, and the name or names of the person or persons at whose suit he shall be detained in custody, and the debts or sums of money for which he shall be so detained, and that he hath caused notice in writing of his intention to present such Petition to be personally served on such detaining Creditors as aforesaid or their Attorneys or Agents which notice shall be served accordingly. The Petition, whether by any Debtor in custody or by any Debtor not in custody, shall also set forth, either in its body or by way of Schedule, a full, true, and particular account of all the Petitioner's debts, liabilities, and engagements and the respective amounts thereof as nearly as may be, and to whom owing, with the names, places of abode, and descriptions of the persons to whom owing, and the respective considerations for the same: And also of all monies due to or payable to him from any person or persons, or on any account whatsoever, and of all income whereof he shall be in receipt from any office, place, or employment whatever, and of all real and personal estate and effects whatsoever, of or to which he shall be possessed or entitled in possession, reversion, remainder, or expectancy, or of which he shall have power to dispose, and all such other particulars as shall from time to time by any rule or order in that behalf be directed for the purpose of enabling the Court to judge as to the state, circumstances, and condition of the Petitioner. The Petition shall be subscribed by the Petitioner, and shall be forthwith filed in the Court for the District within which such Debtor shall be confined, or shall have resided, or carried on business.

VI. If any Debtor being taken in execution for any debt shall remain in custody for three days, and shall fail within that period to satisfy such debt, or to lodge in Court such security for the same as to the Court in its discretion shall seem sufficient; or if any Debtor, not being in custody, shall fail to satisfy any debt and costs for which judgment shall have been recovered in the Supreme Court, or any Inferior Court of Judicature in the Colony, and which judgment shall not be under appeal, and shall fail to lodge in Court such security for the same as to the Court in its discretion shall appear sufficient, within fourteen days after the recovery of such judgment; or if any Debtor shall, within fourteen days before the filing of the Petition hereinafter mentioned, have absented himself from his usual place of business or abode, in such manner as shall reasonably imply the intention to defeat or delay the just demand of any Creditor, or to avoid the service of any summons to appear in answer to any action or suit before the Supreme or any inferior Court of Judicature, or if any Debtor shall, with intent to defeat or defraud his Creditors, suffer any of his real or personal estate to be taken in execution or other legal process or shall at any time, knowing that he is at the time unable to meet his engagements, fraudulently and with intent to prevent the same being divided among the general body of his Creditors, have made away with, mortgaged, encumbered, or charged any part of his property of what kind soever, or if being a trader he shall at any time pawn, pledge, or dispose of otherwise than by *bonâ fide* transactions in the ordinary way of his trade, any of his goods or chattels which have been obtained on credit and remain unpaid for, it shall be lawful for any Creditor or Creditors of such person to the extent of not less than Fifty pounds to apply by Petition to any Judge of the Supreme Court, setting forth in such Petition any of the above recited causes, and the particulars of the debt or debts due and owing to him or them, and praying for the sequestration and cession of the estate of such Debtor for the benefit of the Creditors generally in the manner provided by this Act. The Petition shall be subscribed by the Petitioner or Petitioners, and shall be forthwith filed in the Court for the District in which such person shall have resided or carried on business.

VII. Any Petition by Debtor or by Creditor as hereinbefore provided may be presented at any sitting of the Supreme Court, or before a Judge in Chambers, and every Petitioning Debtor or Creditor shall shall specify by affidavit the allegations contained in such Petition, and every Petitioning Creditor shall produce such vouchers, statements of accounts or other evidence as to the Court shall appear necessary in support of his claim.

VIII. The Court shall sit for the dispatch of all business accruing under the provisions of this Act at such places and on such days as the Judge presiding in such Court shall from time to time, by notice in the *Government Gazette* of the Province in which the Court shall be held, appoint: Provided that applications and hearings, except for a final hearing, may be made to or before a Judge in Chambers.

IX. When any application shall be made by Petition by Debtor or Creditor in the manner

manner herein provided, it shall be lawful for the Court, on being satisfied of the truth of the matters contained in such Petition, to appoint a day for the hearing of such Petition, of which notice shall be given by advertisement not less than fourteen days before the day so appointed in the *Government Gazette* of the Province within which proceedings are taken, and in at least one local newspaper. In the case of a Petition by a Debtor, such Debtor shall, immediately after filing his Petition, cause notice thereof to be given by letter to every Creditor whose name shall appear in the Petition or in the Schedule attached thereto, and such notice shall be delivered or addressed by post to the address of every such Creditor not less than fourteen days before the day appointed for hearing. In the case of a Petition by a Creditor or Creditors, it shall be lawful for the Court to grant a rule, either *nisi* or absolute, as the Court shall think fit, calling upon the Debtor to appear in person before the Court in the place appointed for hearing the Petition, and afterwards at such time, and from time to time as the Court shall think fit, in order that such other proceedings shall be taken as are herein provided.

X. Every Debtor who shall have filed a Petition in the manner herein provided, or who shall be ordered by rule of Court in the manner hereinbefore provided to appear at the hearing of a Petition by a Creditor or Creditors shall attend or be brought up on the day appointed for the hearing of such Petition, and the Court shall on such day, or on any subsequent day which shall be appointed in that behalf, examine such Debtor on oath as to the truth of the matters contained in the Petition, and as to all other matters requisite for enabling the Court to ascertain the true state and condition of the Debtor's affairs, and his conduct and circumstances, so far as may be material for the purpose of this Act, and the Debtor shall attend from time to time on such days and times for the purpose of such examination until the final hearing, as the Court shall appoint. And upon consideration of the matters aforesaid, it shall be lawful for the Court to make such order or several orders, and either at one time or from time to time, as to the Court shall seem fit for the relief of such Debtor, and for releasing and discharging such Debtor and his Estate from all or any of the debts, liabilities, or engagements, specified in such Petition, or any part or parts thereof, and the Court may by any such Order, order and direct the Debtor to cede and deliver, convey and assign, all his estate and effects, or any part thereof, to such person or persons as to the Court shall seem fit, which person or persons may be recommended by the Creditors, but which recommendation it shall not be obligatory on the Court to adopt such conveyance and assignment to contain all requisite powers for enabling some person or persons named therein to recover and receive debts, monies, goods, chattels, estate and effects, in any way belonging to or due and payable to the Debtor, or any of such debts or monies, goods, chattels, estate, or effects in particular upon such trusts with such powers, subject to such conditions and in such manner as to the Court shall seem fit, for the purpose of selling, disposing of, getting in, and receiving or otherwise realizing such estate, monies, goods, chattels, and effects, and thereout of satisfying all costs, charges, and expenses incurred by order of the Court, or incidental to the execution of such trusts, and all fees of Court, and such other sums of money as shall be ordered by the Court, and subject thereto for the purpose of such a just distribution and administration of such estate and effects between and amongst and for the benefit of all or any of the Creditors of the Debtor, by way of *pro ratâ* distribution, subject to existing legal priorities or otherwise, and inclusive or exclusive of any Creditors of the Debtor, either in whole or in part, and generally in such manner in all respects as the Court, in the fullest and most absolute discretion may think fit, and shall in and by any such Order direct. And if the Debtor, after any such Order made, shall not within such time as shall be limited in that behalf by such Order make such cession and delivery, conveyance and assignment, and give such power as aforesaid, or, in the first instance, if the Court shall think fit, the Court may order the Registrar of the Court, or such other person as the Court shall in that behalf appoint, in the name and on behalf of the Debtor, to make and execute such cession and delivery, conveyance and assignment, and to execute such power, and to make and execute all necessary acts, deeds, and instruments whatsoever, for vesting the estate and effects of such Debtor in the person or persons appointed by the Court, upon the Trusts, and in the manner aforesaid. And all such acts, deeds, and instruments done and executed under such last-mentioned Order shall be as effectual as if done or executed by such Debtor. And, upon compliance by the Debtor with the terms of such Order, the effect thereof shall be to release and discharge the Debtor from any debts, liabilities, and engagements specified therein, and from liability in respect thereof, but so far only, and to such extent, and at such time, and in such manner, and upon such terms and conditions as shall be specified in such Order, and every such Order shall be published in the *Government Gazette* of the Colony, and also of the Province in which the Petition is heard.

XI. The Court may, from time to time adjourn the hearing of any Application or Petition under

under this Act to any time or place which it shall think fit, and may examine the Applicant or Petitioner upon Oath as to the matters stated in the Application or Petition, and any Creditor, or person claiming to be a Creditor, of the Applicant or Petitioner may attend any hearing of such Application or Petition, and may either by himself or Counsel be heard in opposition thereto, and by leave of the Court may examine the Applicant or Petitioner, and any Witnesses which the Court shall think fit, and may by such leave as aforesaid produce and read to the Court any letters or documents whatever in any way relating to the affairs of the Applicant or Petitioner, and the Court shall have power to summon and compel the attendance of Witnesses, and the production of such books, papers, or writings as to it shall seem fit.

XII. If upon the day appointed for the hearing of any Petition by a Debtor the Petitioning Debtor shall not appear, or if such Petitioning Debtor shall fail to issue the required notices to, Creditors or otherwise fail to comply with the requirements of this Act, it shall be lawful for any Creditor of such Debtor to take up and prosecute such proceedings, and thereafter such proceedings shall be conducted in the same manner as if the Petition had in the first instance been made by a Creditor.

XIII. Any Rule or Order of Court under this Act may be served either personally or by being left at the last or most usual place of abode of the person to be served, or, if he shall have no such place of abode, then by being published once at least in some local newspaper circulated in the Province in which the Court shall be held.

XIV. In case any Debtor shall, pending any proceedings under this Act, die, or in case any Debtor, after notice of proceedings, shall leave the Province in which he shall have resided at the commencement of such proceedings, or in case he shall fail to attend at any time or place when and at which he was bound to attend, pursuant to the provisions of this Act, or shall refuse to submit to examination, or to obey any Order of Court, the Court may, notwithstanding such death, absence, failure, refusal, or neglect, forthwith exercise all powers hereby vested in the Court of conveying, assigning, disposing of, and otherwise dealing with the estate and effects of such Debtor.

XV. The Court upon full compliance by a Debtor with the terms of any Ordert of Court made in that behalf, or in accordance therewith, may order the Debtor to be discharged from custody, and he shall be discharged accordingly, and it shall be the duty of all Sheriffs and Gaolers to obey such Order.

XVI. Any Order of the Court under this Act discharging a Debtor from any debts, claims, or demands, shall have the effect of discharging him from the same; and if thereafter he shall be arrested, or if any action shall be brought against him for any such debt, claim, or demand, he shall be discharged upon entering an appearance, and may plead that the cause of action arose in respect of a debt, claim, or demand, from which he had been discharged under this Act, and may give this Act and the special matter in evidence, and the order of discharge shall be sufficient evidence of all proceedings precedent thereto.

XVII. In the case of a Petition of either Debtor or Creditor under this Act, at any time after the making or filing of such Petition, it shall be lawful for the Debtor, or for any Creditor of such Debtor, to apply to the Court for an *ad interim* order of sequestration of the estate and effects of the Debtor, and the Court may in its discretion either make or refuse to make such order accordingly, and may by any such order direct that the estate and effects of the Debtor or any part thereof shall be taken and held by such person or persons, in such manner, for such time and otherwise in all respects as the Court shall from time to time direct, subject to such further order of the Court as may be made, under or in pursuance of the provisions of this Act. And every such *ad interim* order of sequestration may be published in the *Government Gazette* of the Province, or in some local newspaper circulated in the Province where such sequestration shall take place, and from and after such publication all dealings with and dispositions of the estate and effects of the Debtor so ordered to be sequestered shall be deemed to be fraudulent and void as against any Trustee afterwards appointed under the provisions of this Act. And the person or persons authorised in any such order may enter into, take possession of, and retain, the estate and effects so ordered to be sequestered as aforesaid, subject to the direction of the Court. And And every such order of sequestration may be registered by any person appointed in that behalf by the Court in any Register of Deeds or Register of Land as against any land affected thereby: Provided that nothing in this Act contained shall prejudice any *bonâ fide* purchaser of any goods, chattels, or effects of the Debtor, for valuable consideration, and without express notice of such sequestration; and no such sequestration of goods, chattels, or effects, shall have any force or effect until possession shall have been taken under the same, nor as regards real estate, until such sequestration shall be registered as aforesaid.

XVIII. In the case of a Petition, either of any Debtor or of any Creditor under this Act, at any time after the making or filing of the Petition, the Debtor may apply to the Court or

to

to a Judge at Chambers for an *ad interim* order of protection, which order the Court or such Judge may in his discretion grant accordingly. And the effect of every such order shall be to protect the person and estate of the Debtor from arrest, execution, or other legal process, for such time, and in such manner, and upon such terms and conditions as the Court shall direct, and as shall in and by such order be expressed, and all Sheriffs, Bailiffs, and other persons, shall obey such order accordingly. And all proceedings in contravention of such order may be stayed or set aside by the Court or a Judge in Chambers, or, in case of proceedings in a Court of inferior jurisdiction, by the presiding Judge or Magistrate of such Court upon summary application.

XIX. If, in any proceedings under this Act, it shall appear to the Court expedient, and for the benefit of the estate of a Debtor, that the same shall be wound up under inspection, or that the trade or business of a Debtor shall be carried on wholly or in part, or that the final closing of such trade or business shall be suspended for any defined period of time, the Court may, upon the recommendation of the Creditors at any meeting to be convened in pursuance of this Act, make an order accordingly, and such estate, trade, or business, shall thereupon be managed, wound up, carried on, suspended, or finally closed, in accordance with such order.

XX. If upon any hearing or examination of a Debtor under this Act it shall be made to appear to the satisfaction of the Court, in such manner as the Court shall think fit, that three-fourths in number and one-third in value, or three-fourths in value and one-third in number, of the Creditors within the Colony of any Debtor are desirous that the Estate of such Debtor shall be wound up under a Deed of Arrangement, Composition, or otherwise, the Court shall order all further proceedings under this Act to be stayed for such a period as the Court shall think fit, and in such case the Debtor or any Creditor of the Estate may, at any time within the period during which the proceedings are so stayed, produce to the Court a Deed of Arrangement or Composition, signed by or on behalf of three-fourths in number and one-third in value, or three-fourths in value and one-third in number, of Creditors in the Colony, of such Debtor, and the Court may consider the same, and may examine on Oath the Debtor and any of the Creditors who may desire to be heard in support of or in opposition to the Deed, and may make such other enquiry as it may think necessary, and if the Court shall be satisfied that the Deed has been duly entered into and executed, and that its terms are reasonable and calculated to benefit the general body of the Creditors within the Colony under the Estate, it shall by Order, make a declaration of the complete execution of the Deed, and direct the same to be registered in the Supreme Court, and shall also cancel any former orders as to it shall seem fit, touching the Debtor or the Debtor's Estate, and such Deed shall thereafter be as binding on any Creditor who has not executed the Deed as if he had executed it, provided such Deed is registered as aforesaid.

XXI. In every such last-mentioned case, the Court may if it shall think fit make such Order and direction for the winding up of the Debtor's Estate, under and in accordance with such Deed of Arrangement or Composition, but subject to such Order and directions as the Court shall from to time make in that behalf.

XXII. In every such last-mentioned case, the Trustees and all other persons concerned in the management and winding up of such Estate shall be subject to the same provisions of this Act as are applicable to Trustees and persons concerned in the management and winding up of Estates under the provisions of this Act.

XXIII. Every Deed or Instrument made or entered into between a Debtor and his Creditors, or any of them, or a Trustee on their behalf, relating to the Debts or Liabilities of the Debtor, and his release therefrom, or the Distribution, Inspection, Management, and winding up of his Estate, or any such matters, shall be as valid and effectual and binding on all the Creditors of such Debtor as if they were parties to and had duly executed the same, provided the following conditions be observed, that is to say:—

1. A Majority in number, representing Three-fourths in value of the Creditors of such Debtor whose Debts shall respectively amount to Ten Pounds and upwards, shall, before or after the Execution thereof by the Debtor, in writing assent to, or approve of such Deed or Instrument.

2. If a Trustee or Trustees be appointed by such Deed or Instrument, such Trustee or Trustees shall execute the same.

3. The Execution of such Deed or Instrument by the Debtor shall be attested by an Attorney or Solicitor.

4. Within Twenty-eight days from the day of the Execution of such Deed or Instrument by the Debtor, the same shall be produced and left with the Registrar or Deputy-Registrar of the Supreme Court for the District for the purpose of being registered.

5. Together with such Deed or Instrument, there shall be delivered to such Registrar an Affidavit by the Debtor or some person able to depose thereto, or a Certificate

Certificate by the Trustee or Trustees, that a Majority in Number, representing Three-fourths in value of the Creditors of the Debtor whose Debts amount to Ten Pounds or upwards, have in writing assented to or approved of such Deed or Instrument, and also stating the Amount in Value of the Property and Credits of the Debtor comprised in such Deed.

6. Immediately on the Execution thereof by the Debtor, possession of all the Property comprised therein, of which the Debtor can give, or order possession shall be given to the Trustees.

XXIV. The Court may in its discretion allow to any opposing Creditor the costs of opposition, to be added to such Creditor's debt or liability against the Applicant's or Petitioner's Estate.

XXV. Lists of persons applying for relief under this Act shall be published in the *Government Gazette* of the Province in which the application is made.

XXVI. The Governor may, by warrant under his hand, appoint persons of mercantile experience, resident in the Colony to be Mercantile Assessors under this Act, and may from time to time remove such persons or any of them.

XXVII. If upon the hearing of any Petition, or upon any enquiry or proceeding arising out of or in relation thereto, the Court shall desire to be assisted or advised by a Mercantile Assessor or Assessors upon any question, matter, or thing whatsoever in any way relating to the conduct of the Petitioner, the state of his accounts or affairs, or of any particular account or affair, the nature of the arrangement proper to be made with or for the benefit of the Petitioner's Creditors, the terms and conditions of any order to be made by the Court, or upon any other matter or thing whatsoever in any way relating to or arising out of the Petition, or any proceeding thereupon, it shall be lawful for the Court to summon and require the attendance of any one or more Mercantile Assessor or Assessors named in such summons, at any time or place to be named in such summons, and every Mercantile Assessor so summoned shall obey such summons, and shall be bound to attend the Court from time to time as may be ordered by the Court until discharged, and to advise and assist the Court in reference to the matters aforesaid in such manner as the Court shall require. And for that purpose the Court may refer to such Mercantile Assessor or Assessors any accounts, books, or papers whatsoever, and may call on and require such Mercantile Assessor or Assessors to make a report to the Court upon any specific question, matter, or thing which may be referred to them. And such Mercantile Assessor or Assessors shall, in executing the duties so imposed on them, have power to examine the Petitioner and Witnesses on Oath, and to call for the production of books, papers, and accounts, and to conduct their enquiries at such times and in such manner as to them shall seem fit.

XXVIII. Before the Court shall summon any Mercantile Assessor or Assessors under the last Section, the Registrar of the Court shall cause notice of the intended appointment to be given to the Debtor and to any opposing Creditor, and such Debtor or opposing Creditor may, at any time within three days after such notice, by notice in writing to such Registrar challenge peremptorily such Mercantile Assessor or Assessors, and so on for two successive appointments, and the Debtor or opposing Creditor may further apply to the Court, shewing cause why any other Mercantile Assessor or Assessors should not be summoned as aforesaid, and the Court may either grant or refuse such application.

XXIX. The Court may order such reasonable fees and allowances to be paid to such Mercantile Assessor or Assessors as to the Court shall seem fit, not exceeding Three guineas per day for every day's attendance or occupation about such business.

XXX. No Sale, Mortgage, Delivery, or Disposition whatsoever of any real or personal Estate of any Prisoner in custody shall be of any force or effect whatever unless the same shall be made with the consent of the Court, or such person or persons as the Court shall in that behalf from time to time appoint, and no such consent shall be given unless it shall appear to the Court or to such person or persons that the same is made *bonâ fide*, and is not meant to defeat the Prisoner's just Creditors, or to give undue preference, or with any other fraudulent intent whatever.

XXXI. If any Debtor who shall become subject to the provisions of this Act shall, being in Insolvent circumstances, convery, assign, transfer, charge, deliver, or make over, either voluntarily or fraudulently, any security for money, bond, bill, note, money, property, goods, or effects, or real or personal estate whatsoever, to any Creditor or Creditors, or to any other person or persons, every such transaction shall be fraudulent and void as against any Trustee to whom the estate and effects of such Debtor shall be conveyed or assigned under any order of Court made under this Act. Provided such transactions shall have taken place within three months next before such order made. Provided that nothing in this Act contained shall prejudice or affect any *bonâ fide* purchaser for valuable consideration without notice of fraud.

XXXII.

XXXII. Every act, deed, disposition, or delivery of real or personal estate, goods, chattels, or effects whatsoever, made by any Prisoner in custody contrary to the provisions of this Act shall be void, and of no effect.

XXXIII. Every Trustee appointed under this Act shall have the same power of recovering and receiving any debts, monies, goods, chattels, and estate disposed of by a Prisoner in custody contrary to the provisions of this Act as effectually as if no such disposition thereof had taken place.

XXXIV. Where a person in custody shall be maintained at the public charge, there shall be paid out of the estate and effects of such Prisoner, so long as he shall be so detained, and so far as such estate and effects will extend, the sum of Five shillings per week for his maintenance, and the same shall be paid to the Keeper of the Gaol towards the maintenance of the Prisoner, and accounted for by him accordingly. And the Court shall, in any order relating to the estate and effects of the Prisoner under this Act, make provision for payment of such sums accordingly in preference to any other debt or liability whatsoever.

XXXV. A detaining Creditor shall pay at the rate of Five shillings per week for the maintenance of a Prisoner detained at his suit, and failing such payment the Court may order the Prisoner to be discharged. The money so paid to be applied in reimbursement of the cost of maintaining the prisoner.

XXXVI. Where there shall be several detaining Creditors, they shall contribute equally towards the maintenance of the Prisoner at the before-mentioned rate. On failure of a detaining Creditor to make such payment, the Debtor shall be discharged from custody as regards the Debt due to the Creditor so failing to make such payment.

XXXVII. Meetings of Creditors of any Debtor who shall come or be brought under the provisions of this Act, may be from time to time convened and held by or under the direction of the Court, or in accordance with any rules or orders to be made by the Court, and which the Court is hereby empowered to make in that behalf for the purpose of considering questions, matters, and things relating to the estate and affairs of such Debtor. And the proceedings of such meetings shall be regulated in such manner as may be appointed by any such rule or order as aforesaid, and such meetings shall have power to make recommendations to the Court touching any such questions, matters, or things, which recommendations shall have such force and effect, and shall be obligatory or not on the Court as may in and by such rules and orders as aforesaid be from time to time provided.

XXXVIII. For the purpose of carrying into execution the provisions of this Act, the Court shall have power to employ from time to time, Receivers, Agents, Clerks, and Accountants, and may allow the Mercantile Assessors to employ Clerks and Accountants, and may incur other reasonable costs and expenses incidental to the carrying into execution the provisions of this Act.

XXXIX. For the purpose of forming a fund for payment of costs and expenses under this Act, there shall be paid out of every estate brought under Administration through the provisions of this Act a sum of One shilling in the pound, to be computed upon the gross amount of all monies recovered and received from such estate and effects, which money shall be paid in to the Supreme Court, to the credit of a fund to be called "The Insolvent Estates Fund."

XL. All payments authorized by the Court to be made under this Act shall be paid out of "The Insolvent Estates Fund," or, if there shall be no monies applicable from such fund, then by the Colonial Treasurer, upon an order of the Court to that effect, out of the General Revenue of the Colony, by way of advance to such fund, and to be repaid when and as the state of such fund shall admit, by an order of the Court, upon application of the Colonial Treasurer.

XLI. If any person shall have been guilty of any of the following acts, deeds, neglects, or defaults, that is to say, if he shall have contracted any of his debts fraudulently, or by means of a breach of trust, or by means of false pretences, or without having had any reasonable or probable expectation at the time when contracted, of paying the same, or shall have fraudulently, or by means of false pretences, obtained the forbearance of any such debts by any of his Creditors, or shall have put any of his Creditors to unnecessary expense by any vexatious or frivolous defence or delay to any suit for recovering any such debts, or shall be imprisoned or liable for damages recovered in any action for criminal conversation, seduction, or breach of promise of marriage, or for damages recovered in any action for a malicious prosecution, or for libel, or for slander, or in any other action for a malicious injury, or shall have falsified any books of accounts, or being a trader shall have conducted his business or kept his accounts with gross negligence, or who shall have fraudulently concealed or misrepresented the state of his affairs, or (with intent to diminish his means of paying and satisfying his Creditors, or any of them) shall have fraudulently discharged or concealed any debt due or growing due to him or to any person in trust for him, or made away

away with or assigned, transferred, charged, delivered, or made over any of his estate or effects before or after the commencement of his imprisonment, or shall have been guilty of any fraud or misconduct whatsoever in reference to the management or disposition of his estate, or the contracting of any unsatisfied debts, liabilities, or engagements, he shall not be entitled to relief under this Act until after the expiration of such time as the Court may order, not exceeding one year from the date of his first imprisonment.

XLII. From and after the passing of this Act, any Debtor who shall become subject to the provisions of this Act, and who shall do any of the acts or things following with intent to defraud or defeat the rights of his Creditors shall be guilty of a misdemeanour, and shall be liable, at the discretion of the Court before which he shall be convicted, to punishment by imprisonment for not more than three years or to any greater punishment attaching to the offence by any existing law:

1. If he shall not upon the service of any Rule calling upon him to appear before the Supreme Court having no lawful impediment allowed by the Court, appear before such Court according to such Rule and submit to be examined from time to time.

2. If he shall not upon his examination fully and truly discover to the best of his knowledge and belief, all his property, real and personal inclusive of his rights and credits and all other particulars required to be disclosed by the provisions of this Act.

3. If within two months previous to the service of any such Rule he shall, with intent to defraud his Creditors, remove conceal or embezzle any part of his property to the value of ten pounds or upwards.

4. If in case of any person having to his knowledge or belief proved a false debt under proceedings taken under this Act he shall fail to disclose the same to the Court or to a Trustee or other person appointed to manage the Estate within one month after the same coming to his knowledge or belief.

5. If he shall with intent to defraud, wilfully and fraudulently omit from his Petition or Schedule any effects or property whatsoever.

6. If he shall after the Petition is presented, with intent to conceal the state of his affairs, or to defeat the object of this law, conceal prevent or withhold the production of any book deed paper or writitng relating to his property, dealings or affairs.

7. If he shall after the Petition is presented or within three months next before, with intent to conceal the state of his affairs or to defeat the objects of the law, part with, conceal, destroy, alter, mutilate, or falsify, or cause to be concealed, destroyed, altered, mutilated, or falsified, any book, paper, writing, or security, or document relating to his property, trade, dealings, or affairs, or make or be privy to the making of any false or fraudulent entry or statement in or omission from any book, paper, document, or writing relating thereto.

8. If within the like time he shall, knowing that he is at the time unab e to meet his engagements, fraudulently, and with intent to diminish the sum to be divided amongst the general body of his Creditors, have made away with, mortgaged, encumbered, or charged any part of his property of what kind soever, or if he shall conceal from the Court, or from the Trustee, or person concerned in the management of the Estate, any debt due to or from him.

9. If he shall, either to the Court or at any meeting of his Creditors, within three months next preceding the presentation of the Petition, have attempted to account for any of his property by fictitious losses or expenses.

10. If he shall within three months next before the presentation of the Petition, under the false colour and pretence of carrying on business, and dealing in the ordinary course of trade, have obtained on credit from any person any goods or chattels, with intent to defraud.

11. If he shall, with intent to defraud his Creditors within three months next before the presentation of the Petition, have pawned, pledged, or disposed of, otherwise than by *bonâ fide* transactions in the ordinary way of his trade, any of his goods or chattels which have been obtained on credit, and remain unpaid for.

XLIII. This Act shall not extend to discharge any Debtor with respect to any debt due to Her Majesty or her successors, or to any debt or penalty with which he shall stand charged at the suit of the Crown, or of any person, for any offence committed against any Act or Ordinance in force within this Colony relative to any branch of the Public Revenue, or at the suit of any Sheriff or other Public Officer upon any Bail Bond entered into for the appearance of any person prosecuted for any such offence, unless His Excellency the Governor shall certify under his hand, his consent that such person may apply to take the benefit of this Act.

XLIV. The Judges of the Court shall from time to time make Rules and Orders for ascertaining the amounts and value of all claims of Creditors under this Act for the purposes of

of this Act, and otherwise for regulating proceedings under this Act, and may from time to time alter and rescind the same.

XLV. Notice of such Rules and Orders, and of all alterations and rescindings thereof, shall be published in the *Government Gazette* of the Colony.

XLVI. All Trustees, Receivers, Agents, Accountants, and other persons from time to time acting under or in execution of the provisions of this Act, or any Conveyance or Assignment made in pursuance thereof, shall, for the time they shall so act, and so far as they shall so act, be deemed to be Officers of the Court, and shall be subject to and shall obey such orders as the Court shall from time to time make.

XLVII. The Judges of the Supreme Court shall settle, and may from time to time alter, a Table of Fees to be paid by Petitioners, Creditors, and other persons, and a scale of allowances to Witnesses, and other allowances in respect of proceedings under this Act, which Table of Fees and Allowances, and all alterations thereof, being allowed by the Governor in Council, shall be payable accordingly.

XLVIII. The Judge of the Supreme Court in any District may by an Instrument under his hand to be registered in the Registry of the Supreme Court for such District, delegate to any person qualified as hereinafter mentioned the powers hereby created of exercising the jurisdiction and functions of the Supreme Court under this Act, and the person to whom such Delegation shall be made may exercise such Jurisdiction accordingly, as effectually as a Judge of the Supreme Court.

XLIX. The person to whom such Delegation shall be made shall be a Barrister or Solicitor of the Supreme Court who has practised in the Superior Courts at Westminster or in the Supreme Court of New Zealand for the period of three years before such Delegation, or a Resident Magistrate who shall have performed the duties of Resident Magistrate for three years at least.

L. No such Delegation of powers shall continue in force for any longer period than one year.

LI. No such Delegation shall be of any force or effect until the same shall have been approved of by the Governor in Council, and shall have been registered as aforesaid.

LII. The term "Court," in this Act, shall mean the Supreme Court of the Colony exercising Jurisdiction in a separate District. The term "Creditor" shall mean also any two or more persons being partners, and Incorporated and Joint Stock Companies.

LIII. This Act shall not come into operation until a day to be fixed by the Governor by Proclamation to be published in the *Government Gazette*.

And the Question having been put on each of the said several Clauses, they passed in the Affirmative.

Enacting Clause read and agreed to.

Title read. Amendment proposed: To omit the words "persons imprisoned for debt," with the view to insert in lieu thereof the word "Debtors." (*Hon. Mr. Russell.*)

Amendment agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto, and had directed him specially to report an Amendment in the Title thereof.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for the relief of Debtors and "for the better security of Creditors."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

12. *Loan Bill.*—The Order of the day being read, for the second reading of the Loan Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 to 11 read and agreed to.

Motion made, and Question proposed, That the following do stand as Clause 12 of the Bill:—

"Until the foresaid sum of £500,000 shall be raised in Great Britain, it shall be lawful "for the Colonial Treasurer, if thereunto authorised by an Order of the Governor in "Council, from time to time to borrow and take up at interest at a rate not exceeding six "pounds

"pounds per centum per annum, payable out of the Ordinary Revenue, any sums of "money not exceeding in the whole one hundred thousand pounds, on the Security of "Treasury Bills payable at the expiration of a time not exceeding twelve months from the "date thereof." (*Hon. Mr. Wood.*)

And the Question being put, it passed in the Affirmative.

Schedule read and agreed to.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for raising a Loan of "£500,000 for the public service of the Colony of New Zealand."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

13. *Messages.*—Messages from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have passed the Bill, intituled "An Act to amend the 'Auckland "'Waste Lands Act, 1858,'" without any Amendment. And also,—

The Legislative Council request a Free Conference with the House of Representatives on the subject of their Amendments in the Bill, intituled "An Act to amend the 'Native "'Circuit Courts Act, 1858,'" They have appointed a Committee of four Managers on their behalf, and request the House of Representatives to appoint a similar Committee, and name the hour of the Conference. And also,—

The Legislative Council have adopted the Reports of the Free Conference between the Legislative Council and the House of Representatives on the following Bills:—

A Bill, intituled "An Act for Extension of the Jurisdiction of Resident Magistrates in "Civil cases in certain places." And

A Bill intituled "An Act for regulating the Sale of Land for Non-payment of Rates."

14. *Native Circuit Courts Bill.*—On motion of the Honourable Mr. Russell, *Resolved*, That this House concurs in the desire of the Legislative Council, that a Free Conference be held on the Amendments made by this House in the Native Circuit Courts Bill, and that the Honourable Mr. Dillon Bell, Mr. Colenso, Mr. J. C. Richmond, and the Honourable Mr. Russell be the Managers of such Conference on the part of this House.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House agrees to a Conference on the Amendments made by this House in the Native Circuit Courts Bill, and hath appointed five of the clock To-day for the hour of meeting.

15. *Colonial Defence Force Bill.*—The Order of the day being read, for the House in Committee further to consider the Colonial Defence Force Bill,

The House accordingly resolved itself into the said Committee.

(In the Committee.)

His Excellency's Message No. 24 read.

Clauses 12 to 17 read and agreed to.

Enacting Clause read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass, and the Title be "An Act for raising a Force for the "internal Defence of the Colony."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

16. *Resignation.*—Mr. Speaker reported the following resignation:—

Dunedin

Dunedin, September, 1862.

SIR,—I have the honor to resign my Seat in the House of Representatives for the City of Dunedin.

I have, &c.,

J. L. C. RICHARDSON.

To the Honourable the Speaker
of the House of Representatives.

17. *New Writ.*—On motion of the Honourable Mr. Domett, *Resolved,* That a respectful Address be presented to His Excellency the Governor, requesting that he will forthwith cause a new Writ to be issued for the election of a Member to serve in this House for the City of Dunedin, in the room of Major Richardson, resigned.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Saturday, 13th September, 1862.

1. Mr. Fox to ask the Government, Whether it is its intention that the Attorney-General should, after the close of the Session, become a Member of the Responsible Ministry.
2. Mr. RHODES to ask the Colonial Secretary, Whether any and what steps will be taken by Government to protect or recover the property of passengers and others in the wreck of the *"Lord Worsley."*

NOTICES OF MOTION.

1. Mr. DOMETT to move, That the Report of the Select Committee on the Address to Her Majesty be taken into consideration with a view to its adoption.
2. Mr. STAFFORD to move, That the Returns called for by this House in conformity with the Notices of Motion Nos. 1, 3, 4, 6, and 7, on the Order Paper of the 24th July, and No. 9 of the 6th August, be printed in the Appendix to the Journals of the House for this Session.

ORDER OF THE DAY.

1. Land Claims Bill—second reading.

Saturday, the 13th day of September, 1862.

PRAYERS.

1. *Native Circuit Courts Bill.*—The Honourable Mr. Dillon Bell, from the Committee appointed to confer with the Committee of the Legislative Council on the Amendments made in the Native Circuit Courts Bill, brought up a Report, which was read as followeth :—

   The Joint Committee agree in recommending the House of Representatives to agree with the Legislative Council in expunging Section 11, and in recommending the Legislative Council to concur with the House of Representatives in expunging Section 9.

   Resolved, That the said Report be now adopted.

   Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath adopted the Report of the Free Conference on the Amendments in the Native Circuit Courts Bill.

2. *Adjournment.*—On motion of the Honourable Mr. Domett, *Resolved,* That this House will, at the rising of the House this day, adjourn until Monday next, at eleven of the clock.

3. *Address to Her Majesty.*—The Honourable Mr. Domett moved, and the Question being proposed, That the following Address to Her Majesty be now adopted :—

   MOST GRACIOUS SOVEREIGN,—

   We, Your Majesty's loyal subjects, the House of Representatives of New Zealand, in Parliament assembled, in all faithfulness and zeal to Your Majesty's service, desire humbly to lay before Your Majesty the difficulties under which this Colony is labouring, and the dangers with which it is threatened.

   From Despatches recently received from Your Majesty's Secretary of State, especially from a Despatch dated the 26th May, 1862, and laid before us by His Excellency Governor

Sir,

Sir George Grey, we have learnt that Your Majesty's Government, recognising "that the "endeavour to keep the management of the Natives under the control of the Home Govern- "ment has failed," has resolved to sanction the important step taken by His Excellency "in placing the management of the Natives under the control of the General Assembly" of the Colony, subject to several conditions which are fully stated in the Despatch referred to.

We desire humbly to represent to Your Majesty that the proposal of His Excellency was made without obtaining the assent of the General Assembly to accept the responsibility thereby imposed upon it; and although the Legislature might, under other circumstances, be willing to accept that responsibility, the present condition of the Colony forbids such a course. Our duty to the inhabitants of both races within these Islands, a due regard for the honour of Your Majesty's Throne, and for the interests of humanity, alike compel us with the deepest respect to decline to undertake the task imposed upon us, under conditions which were never contemplated by Your Majesty's Representative, and which render it impossible for us honourably or successfully to fulfil that task.

We recognise the difficulty of the attempt to govern two races within the same territory by means of separate Governments responsible to different authorities, between whose respective jurisdictions no definite line can be drawn, and whose administration must often conflict. But we deem it necessary humbly to represent to Your Majesty that the duty of educating, civilising, and governing the Aboriginal Inhabitants of these Islands is one which does not and has never hitherto been supposed solely to belong to, and therefore ought not to be wholly charged upon the European Inhabitants of the Colony. And we would further humbly submit that the task is one which it is impossible the Colony can, by its unaided efforts, rightly perform. At the same time, no efforts will be spared on our part, by cordial co-operation with Your Majesty's Government, to put an end to the prejudicial effects which have hitherto attended a divided administration.

We are compelled humbly to represent to Your Majesty that the liability which attaches to the Home Government in respect of the Native Race is greatly increased by the fact that, from the first settlement of the Colony the government of the Natives has been in the hands of Your Majesty's Representatives under the orders of successive Secretaries of State. An absolute control over all legislation affecting the Natives, and over the administration of laws relating to them, has been strictly reserved by Your Majesty's Government, and the settlers, as a body, seem to have been viewed as objects of suspicion and distrust, to preserve the Natives from whom, it was necessary to pass peculiar enactments, and to establish especial protectorates.

In respectfully declining, therefore, to accept the proposal of Your Majesty's Government, we do so, not as shrinking from labours or burdens which we ought rightly to undertake, but because, along with a desire on the part of Your Majesty's Government to confer an apparent political boon on the Colony, we seem to discover in the despatches to which we have referred, the intention to withdraw from engagements to which the British nation is honourably bound, and to transfer to the Colony liabilities and burdens which belong properly to the Empire.

Had the Natives been in real allegiance to Your Majesty, or in a state of peace and prosperity, the transfer of authority to govern them, together with all the liabilities attending such a transfer, might have been accepted by us with thankfulness for the confidence displayed in us, and with a reasonable anticipation of good results. But the allegiance of the Natives as a body has never been more than nominal; and it is proposed to make the transfer at a time when a large section of the race have endeavoured to establish a separate nationality, and to set up a King, and have raised bands of armed men to maintain his authority. It is to be made when many other Tribes are alienated and disaffected, and at the close of a war which has failed to convince the Natives of the superiority of Your Majesty's arms, but which has reduced to a mere garrison one British settlement, where the insurgent Natives at this moment hold possession, avowedly by right of conquest, of one of its principal agricultural districts, which had been occupied under grants from Your Majesty, and cultivated for years, by peaceful and industrious settlers. It is to be made, in short, at a time when its duties must entail upon the Colony expenses which it is not in a condition to bear, and dangers it cannot successfully contend against without the aid of a considerable military force. For we humbly submit for Your Majesty's consideration that it is hardly to be expected that the colonists, if left at an early date to their own resources, without powerful military aid, would, in the event of future collisions with the Natives, be able to exercise that self-restraint which is the privilege of the strong; and that any war which might arise would degenerate into a guerilla warfare, and become a life and death struggle of races. And if peace should happily be preserved, it might not be prudent or humane for the Colony to attempt by its own limited means to establish and maintain Your Majesty's authority in the whole of those districts where the Native Race predominates. It might be driven in its weakness to abandon the show where it could not possess the reality of control

control, and to leave the bulk of the Maori Race to virtual and even avowed independence.

We have read with great concern the opinion expressed by Your Majesty's Secretary of State, that His Grace can see "no adequate apprehension on the part of the New Zealand "Government of the obligation under which the Colonists themselves lie, to exert "themselves in their own defence, and to submit to those sacrifices which are necessary "from persons whose lives and properties are in danger." Had the dangers, losses, and sacrifices of the Colonists arisen from their own misconduct or imprudence, the imputation thus cast upon them would have been less intolerable; but when the fact is admitted, that the settlers have not been the authors of the wars in New Zealand, although immeasurably the severest sufferers by them, we humbly submit that such a charge ought not to have come from the authority under which those sufferings have arisen.

But we are further bound to state, with deep respect to Your Majesty, that the imputation thus cast on the Colony by His Grace the Duke of Newcastle is undeserved. The taxation imposed upon the colonists by the recent war, alone amounts to more than half a million sterling, a charge exceeding five pounds per head upon the whole European population of both Islands. And very nearly the whole male inhabitants of Taranaki, from sixteen years of age upwards, have been engaged for two years and a half in full military service. We humbly submit to Your Majesty that it would have been ruinous and impracticable to exact any large amount of compulsory service, and raise a considerable moveable army from among the settlers scattered over the whole Colony. The neighbourhood of the plains of Australia, and of the rich gold-fields of Victoria and New Zealand, would have effectually prevented such a scheme, which would have resulted simply in depopulating the Northern Island of this Colony. It would, moreover, have been impossible that any large part of this, as of any civilised community, should have remained long under arms without public bankruptcy, unless stayed by pecuniary assistance from without. But the population of the Colony were at all times ready, if called upon by the military commanders, for active support in their own districts. And the conduct of the Volunteers and Militia of Taranaki will, on enquiry, prove to Your Majesty that the settlers, though untrained, were as able to serve as they were willing to risk themselves in support of your Majesty's sovereignty. Those two corps, whose services have not been fortunate enough to meet with recognition, took an active part in the most successful operations of the late war, and never shrunk from the post of honour and danger.

We deem it our duty to Your Majesty, humbly to record the conviction which has been forced upon us by experience, that it will ever be found impossible to sustain or even to elicit the full military ardour of a community, under a system which places Your Majesty's local forces in a position of marked inferiority to the regular army, not only in the performance of military duties but also in the distribution of honours and rewards due to meritorious service.

And we would humbly express this further conviction, that in a country in which the maintenance of your Majesty's Government, and the enforcement of its policy, requires the presence, and may require the active help of the Military power, it is essential that the Government directing the policy should be armed with the entire control of that Military power. Great calamities have already fallen upon this Colony; wars have been needlesly prolonged, lives lost, and treasure squandered, solely from the want of some local authority having power to remove inefficient and incompetent commanders, and to entrust the execution of Military operations to men capable of conducting them to a successful issue. We cannot but feel, therefore, that any proposal to get rid of the divided responsibility hitherto existing in the Colony, and to unite the Government under a single administration, is a proposal in name rather than in fact, unless the control of the Military force be entrusted to Your Majesty's representative in the Colony.

We humbly trust that upon a consideration of the above views and statements it may appear to Your Majesty, that a complete examination ought to be made into the respective obligations of the Mother Country and the Colony, with reference to the Native race, in order to an equitable apportionment of those obligations; and that Your Majesty will be pleased to direct a full enquiry into the condition and prospects of the Colony, and a reconsideration of the announced intentions of Your Majesty's Government.

A sense of the gravity of the duty which it is proposed to transfer wholly to us, and it, without material aid, has induced us thus earnestly, but with deep respect, to appeal to Your Majesty. We have always been, and shall ever remain, ready to take as large a share as our means will allow of the burden of that duty; and we will gladly aid Your Majesty's Government by relieving them from the anxious task of guiding the affairs of this Your Majesty's remotest dependency, if the power is given, and the help continued to us that will make our efforts hopeful. And we humbly pray, that the youngest of Your Majesty's

colonies

colonies may not be left to struggle unaided amid political and financial difficulties too great for its strength, but that Your Majesty may be pleased to deal with it as an integral part of the Empire to which we are proud to belong, and one where peculiar troubles and dangers demand peculiarly liberal considerations.

Major Nixon moved, in Amendment, the omission of the following words:—

"And we would humbly express this further conviction, that in a country in which the "maintenance of your Majesty's Government, and the enforcement of its policy requires "the presence, and may require the active help of the Military power, it is essential that "the Government directing the policy should be armed with the entire control of that "Military power. Great calamities have already fallen upon this Colony; wars have been "needlesly prolonged, lives lost, and treasure squandered, solely from the want of some "local authority having power to remove inefficient and incompetent commanders, and to "entrust the execution of Military operations to men capable of conducting them to a "successful issue. We cannot but feel, therefore, that any proposal to get rid of the "divided responsibility hitherto existing in the Colony, and to unite the Government under "a single administration, is a proposal in name rather than in fact, unless the control of "the Military force be entrusted to your Majesty's representative in the Colony."

And the Question being put, That the words proposed to be omitted do stand part of the Question, the House divided, and the names were taken down as follows:—

Ayes, 22.	*Noes*, 6.
Mr. Atkinson,	Mr. G. Graham,
Hon. Mr. Dillon Bell,	Mr. Mason,
Mr. Cargill,	Mr. O'Rorke,
Mr. Carleton,	Mr. A. J. Richmond,
Mr. Colenso,	Mr. John Williamson,
Mr. Cookson,	Major Nixon (Teller).
Mr. Curtis,	
Hon. Mr. Domett,	
Mr. Henderson,	
Mr. Jollie,	
Mr. Mantell,	
Mr. Moorhouse,	
Mr. Munro,	
Hon. Mr. Russell,	
Mr. Stafford,	
Mr. Thomson,	
Hon. Mr. Crosbie Ward,	
Mr. Watt,	
Mr. James Williamson,	
Mr. Cracroft Wilson, C.B.,	
Hon. Mr. Wood,	
Mr. J. C. Richmond (Teller).	

So it was resolved in the Affirmative.

Then the Original Question being put, it was resolved in the Affirmative.

Resolved, That an Address be presented to His Excellency the Governor, informing His Excellency that this House has voted an humble Address to Her Majesty, and praying that His Excellency will be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies to be laid at the foot of the Throne.

4. *Returns.*—On motion of Mr. Stafford, *Ordered*, That the Returns called for by this House in conformity with the Notices of Motion Nos. 1, 3, 4, 6, and 7 on the Order Paper of the 24th July, and No. 9 of the 6th August, be printed in the Appendix to the Journals of the House for this Session.

5. *Messages.*—Messages from the Legislative Council by John Cumin, Esquire, Clerk of the Legislative Council.

The Legislative Council have adopted the Amendments proposed by His Excellency the Governor in the Bill intituled "An Act to provide for the ascertainment of the ownership "of Native Lands, and for granting Certificates of Title thereto, and for regulating the "disposal of Native Lands, and for other purposes," as transmitted to them by the House of Representatives. And also,—

The Legislative Council have passed the following Bills without any Amendment, viz.:—

A Bill

A Bill intituled "An Act to amend an Act to appropriate the Revenue arising from the "disposal of the Waste Lands of the Crown in New Zealand."

A Bill intituled "An Act to provide for payment by the Colonial Treasurer to the Pro- "vincial Treasuries of certain Provinces of sums paid to him under the 'Land Revenue "Appropriation Act, 1858,' for the extinguishment of Native Title to Lands in such "Provinces."

A Bill intituled "An Act to apply certain sums out of the Ordinary Revenue, and other "monies to the service of the year ending the 30th day of June, 1863."

A Bill, intituled "An Act for raising a Loan of £500,000 for the public service of the "Colony of New Zealand."

Which Bills the Legislative Council return to the House of Representatives as Bills of Supply. And also,—

The Legislative Council have passed the Bill, intituled "An Act for raising the Force for the "internal defence of the Colony," with an Amendment, to which they request the con- currence of the House of Representatives. And also,—

The Legislative Council have adopted the Amendments of the House of Representatives in the Bill, intituled "An Act for the relief of Debtors, and for the better security of "Creditors." And also,—

The Legislative Council have adopted the Report of the Free Conference on the Native Circuit Courts Bill.

6. *Colonial Defence Force Bill.*—The House proceeded to the consideration of the Amendment made by the Legislative Council in the Colonial Defence Force Bill.

And the same being read, was adopted.

Ordered, That a Message be transmitted to the Legislative Council, acquainting them that this House hath agreed to their Amendment.

7. *Land Claims Bill.*—The Order of the day being read, for the second reading of the Land Claims Bill,

The Bill was accordingly read a second time, and committed to a Committee of the whole House forthwith.

The House accordingly resolved itself into the said Committee.

(In the Committee.)

Clauses 1 and 2 read and agreed to.

Clause 3 read. Amendment proposed. In Sub-Section 2, lines 1 and 2: To omit the words "have been declared to," with the view to insert in lieu thereof the words "be "declared by the Land Claims Commissioner to have been." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 4 to 9 read and agreed to.

Clause 10 read. Amendment proposed. Between lines 6 and 7: To insert the words "or award." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clause 11 read. Amendment proposed: To add to the Clause the words "which rules "shall be submitted for the approval of the Governor, and upon such approval shall be "published in the *New Zealand Gazette*." (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Clause as amended agreed to.

Clauses 12 and 13 read and agreed to.

Preamble read and agreed to.

To report the Bill with Amendments.

On Mr. Speaker resuming the Chair, Mr. Carleton reported, That the Committee had gone through the Bill, and had made Amendments thereto.

And the Report being read was adopted.

Ordered, That the Bill be now read a third time.

The Bill was read a third time accordingly.

Resolved, That the Bill do pass.

Question proposed, That the following be the Title of the Bill:—

"An Act to make further provision for the settlement of Land Claims."

Amendment proposed: That the Title be amended by the omission of the words "further "provision for the," and the insertion of the words "provision for the final" in lieu thereof. (*Hon. Mr. Dillon Bell.*)

Amendment agreed to.

Resolved,

Resolved, That the Title be "An Act to make provision for the final settlement of Land "Claims."

Ordered, That the Bill be transmitted to the Legislative Council, together with a Message requesting their concurrence.

8. *Private Grievance Committee.*—Mr. Jollie, from the Select Committee on Private Grievances, brought up a Report, and the same was read as followeth :—

The Select Committee on Private Grievances have to submit to the House the following final Report on the Petitions referred to their consideration :—

Petition of Edmund Halswell.

This Petition is from a gentleman well known to have been for some years a resident in Wellington, and alleges the failure of repeated attempts on his own part, and that of his agent, Mr. St. Hill (by whom the Petition itself is signed), to obtain compensation as a purchaser of land from the New Zealand Company, either in his capacity as a resident or as an absentee. The Committee have expressed their views on this Petition in the following Resolution :—

That, with reference to this Petition, the Chairman report to the House that the Committee considers the Petitioner to be as well entitled on equitable grounds to compensation, as an original purchaser from the New Zealand Company within the settlement of Wellington, as any others who as absentees received such compensation; that it regrets to find that partly through his own neglect or his agent's, and partly through causes over which neither would appear to have had entire control, the Petitioner has allowed the time to expire within which he might have obtained compensation in accordance with the provision made by law for the purpose; but that, looking to the subsequent lapse of time, and the necessity that exists of putting a definite limit to applications of this kind, the Committee is unable to recommend any special legislation at this moment in favour of the Petitioner.

At the same time, should an Act of the General Assembly be hereafter required for the purpose of settling any unsatisfied and exceptional claims against the New Zealand Company, or against the Government of New Zealand as the Company's transferree in such matters, the Committee thinks the Petitioner's claim would be entitled to consideration and to such recognition by means of that measure as the House may think right to accord to it, after the New Zealand Company's Land Claims Commissioner shall have reported on the special circumstances of the case.

Luscombe's Petition.

Mr. Luscombe, it appears, from this Petition (which is signed on his behalf by his Attorney, Mr. St. Hill), was an original purchaser of land from the New Zealand Company in the settlement of Wellington, and as such, selected an acre of land in the town, of one half of which, or thereabouts, he has never been able to obtain possession, nor any title, in consequence of its being comprised in what is commonly known as "Tod's Grant" —a Grant from the Crown, of land claimed under an original purchase from the Natives by a certain Mr. Robert Tod, whose acquisition was confirmed by the Land Claims Commissioner, Mr. Spain, in the early years of the Wellington settlement.

The Committee have agreed to the following Resolution in reference to this Petition, and now beg to call the special attention of the Government thereto.

That the Chairman do report to the House with reference to Luscombe's Petition, that the Petitioner is entitled to have his case referred by the Government to the Commissioner under the New Zealand Company's Land Claimants Ordinance of 1851, with a view to its being immediately adjudicated upon, conformably to the provisions of that Ordinance, and to the principles which have governed the action of the Commissioners in previous cases of an analogous nature; but that under the particular circumstances of the case, as it may be a question whether the compensation due to the Petitioner for the non-possession of his land, especially if such compensation be made in money, as appears to have been done in some previous instances, ought to be considered a liability either of the Provincial Government of Wellington or of the Colonial Government, or rather one strictly belonging to the Imperial Government, as the transferree of the New Zealand Company, it is desirable that the opinion of the Attorney-General should be taken on this point before the Provincial or Colonial revenue is permanently charged with such compensation.

Petition of Thomas and Henry Shirley.

The case presented to the notice of the House in this Petition will be found stated, in its main features, in the Report of the Honourable Mr. Crosbie Ward, to His Excellency the Governor

Governor, of the 23rd January last. It is one of a somewhat numerous class of cases which have lately occurred in the Province of Hawke's Bay, where the cattle or other stock of the European settlers in certain localities trespass, almost by the necessity of things, upon the unfenced waste lands of the Natives, and the latter, failing, as it is said, any legal means of obtaining redress, have recourse to a process of their own—that is to say, seizing the cattle, and forcibly holding possession of them until their demands are complied with.

In the present instance, some twenty head of cattle belonging to the Petitioners, which had been collected together, and placed in their stockyard, preparatory to a sale of them taking place, which had been advertised and arranged for, were, with some violence to the Petitioners and their families, as they allege in their Petition, liberated and forcibly driven off by a party of Natives, on the refusal of the owners to pay their demand of £30, as damages for an alleged habitual trespass on Native land in the immediate vicinity during a period extending over something like five years (an offer to pay the sum of £20, which it seems the Natives would have accepted in actual cash, by an order on the auctioneer, or so soon as funds for the purpose were forthcoming by the intended sale, being previously rejected by the Maori Claimants.)

The cattle, which are stated to have been chiefly milch cows, by the produce of which the Petitioners got their livelihood, were retained by the Natives for twelve or thirteen weeks, when, on Mr. Ward's visit to the district in January last, and in consequence it would appear of his interposition, they were restored to the owners upon an understanding that the case should go before the Resident Magistrate for adjudication, under Clause 3 of the Wellington Impounding Ordinance (Sess. 3, No. 8), which Ordinance had till then been overlooked by the local authorities, or not considered applicable to cases of trespass on Maori lands in a state of nature. Thomas Shirley, one of the Petitioners, at the same time it appears entered a claim against the Maori plaintiffs, Paora Kaiwhata and another Native, for damages for losses sustained by him in consequence of their having driven away and detained his cattle, and having returned them greatly depreciated in value, which losses he proved at the trial to the extent of £60 or thereabouts.

The result was, that the Court, which consisted of the Resident Magistrate, two other Justices, and two Native Assessors (Renata and Tareha), after hearing both cases, gave judgment against Shirley for the full amount claimed for the trespass (viz., £30), and dismissed his suit against the two Natives, chiefly, it would appear, on the grounds that Shirley had largely contributed to his own loss by his obstinacy and carelessness, and that the Natives concerned, although wrong in taking the law into their own hands, had shewn much forbearance throughout the affair, and resorted to extreme measures only when given to understand (by some of the Magistrates themselves, it would appear) that there were no legal means open to them for recovering anything from Shirley.

This decision, whatever objections may be urged against it on the grounds of abstract justice, was no doubt so far practically beneficial as showing the Natives generally that legal redress for their wrongs was obtainable, and that there was, therefore, no necessity for resorting to violent measures for the future; but the judgment against the Shirleys in their suits for damages for the detention, &c., of their cattle (or, perhaps, the result altogether, viewed as a matter of substantial justice) seems to have disappointed Mr. Ward, for that gentleman immediately wrote to the two Petitioners the following letter:—

"Referring to the judgment of the Resident Magistrate's Court, on the 16th inst., in "your case, in which it was declared that the damages sought by you against the Natives "for forcible removal, detention, and injury of your cattle, could not be awarded, because "your loss sprung partly from your own neglect, and partly from the fact that the Natives "had no other redress open to them, I have the honor to inform you that the Government, "in consideration of the fact that the imperfect operation of the law partially conduced to "your injury, will pay you the sum of thirty pounds as partial compensation"—which sum the Petitioners accordingly received, and therewith paid the amount adjudged against them by the Court.

"During the action," remarks Mr. Ward in his report to the Governor already referred to, "evidence was taken to show that Shirley had suffered absolute loss by the deprivation "of his dairy stock to the extent of £54 in fourteen weeks. I felt that the impotence "of the law having been declared to be a prime reason for the loss which Shirley sustained, "and a reason also why he could not recover the amount of damage done to him from "those who committed it, justice required that the Government should give compensation. "I therefore caused the sum of £30 to be paid to Shirley on this account, and permitted "him to suffer the remainder of his actual loss as a penalty for his own obstinacy as "defined by the judgment of the Court. I took care also that the Natives received the "amount of damages awarded to them, and both parties were satisfied."

The Petition which the House has received, and referred to the consideration of this Committee

Committee may be taken as a conclusive refutation of that statement, so far at least as one of the parties is concerned. It is a remonstrance against the constitution and proceedings of the Court which tried the case; against its constitution, inasmuch as Tareha and Renata, the two Native Assessors, if authorised by Law to sit at all, where themselves, it is alleged, interested in the case, as being "by Native custom lords of the soil, and entitled to the "larger portion of any damages awarded to the Native Plaintiff." It states that the decision of the Court left the Petititioners practically without any redress for the great loss and injury they have suffered at the hands of the Natives; that they conceive the payment made by Mr. Ward, and which they agreed to allow to be paid in discharge of the Native's claims against them was "an admission that the judgment of the said Court could not be "supported on appeal, and must have been paid by him on that ground only; that unless "the House is graciously pleased to administer some relief, they will be ruined; and "further, that unless the decision of the said Court is over-ruled or discountenanced, the "Natives will be naturally induced to commit similar outrages, under the apparent "sanction of the law."

The Petitioners likewise declare that their losses, arising in various ways from the conduct of the Natives, in reality greatly exceeded the amount of £50 to which, "in order to bring "it within the jurisdiction of the Court," they limited their claim, and that the same amounted to more than £150, without including nine head of cattle which are alleged to have been driven away by the Natives on a previous occasion, and which have never since been returned or found.

The Committee have had considerable difficulty in dealing with this case, involving as it does some nice points of policy and jurisdiction. They have not had the advantage of being able to examine the Petitioners themselves or any of the other parties immediately concerned, with the exception of Mr. Ward; they have, however, taken the evidence of Mr. Allen, who appeared professionally for the Messrs. Shirley at the trial at Puketapu, and received by means of written statements from Mr. Ward, Mr. Colenso, and Mr. Ormond, a good deal of information bearing upon the general subject of the proceedings and decision of the Court. Without therefore assuming to themselves the right of undertaking anything like a judicial review of those proceedings. The Committee may be expected to do something more in this Report than make the mere negative announcement of their inability to recommend to the House a compliance with the request of the Petitioners for pecuniary relief under the circumstances of hardship to which they have been exposed.

(1.) With regard to the Constitution of the Court which sat in this case, and the presence upon the Bench of the two Native Assessors, Tareha and Renata, the Committee have to remark that, so far as they are aware, there is no law to authorize a Resident Magistrate or other Magistrate to associate to themselves Native Assessors in proceedings of this kind, at least for *judicial* purposes. By the Resident Magistrates' Courts Ordinance of 1846, it was provided that Native Assessors should be appointed by the Governor to assist Resident or other Magistrates when sitting as a Court of Arbitration in cases of a civil nature arising between persons of the Native race; but the functions of such Assessors extend no further than to such cases—apparently not even for purposes of consultation. But, independently of the question of legal right, it is pretty clear even from the published report of the trial, that one of these Assessors, if not both of them, had such a direct personal interest in the question to be decided, as to have required his withdrawal from the Court on objection being raised on that ground, as it was by Mr. Allen, on behalf of the Petitioners—certainly his abstaining from any influence over the decision to be arrived at.

(2). With regard to the particular Ordinance the provisions of which were taken advantage of to bring the case of trespass under the jurisdiction of the Court, the Committee have simply to remark that, in their opinion, that Ordinance, though legally or technically in force within the Hawke's Bay Province, was never intended to meet such cases as this, and is very ill adapted to secure the satisfactory administration of justice as between Natives and Europeans. The Cattle Trespass Ordinance of 1846, which the Impounding Ordinance repealed as regards the original Province of Wellington, made special provision for districts of mixed population; the latter Ordinance makes no such provision, and the enforcement of it in such districts seems never to have been contemplated by those who introduced and passed it. Though law therefore, technically, its applicability and application in this particular case seems, on equitable grounds, at least as questionable as would have been the enforcement of the penalties of the 12th clause of the Native Land Purchase Ordinance against Shirley, had he agreed, like his neighbours, in despite of that Ordinance, to pay the Natives a regular pasturage rent.

(3.) As to the decision given by the Court on Shirley's action for damages, the Committee have, of course, some delicacy in expressing any opinion upon it. They are inclined, however, to think that the Court would have exercised a wise discretion, under the particular

particular circumstances in which the claim arose, if, instead of dismissing the case altogether (which was one apparently where the right of appeal has not been given), it had discountenanced the violent conduct of the Natives by awarding damages to Shirley, even though the amount were but trifling, and the recovery of it had been delayed. There seems to be a spirit of lawlessness and cupidity prevalent amongst the Natives of Hawke's Bay which cannot but be most inimical to the interests of the European settlers as well as to the whole state of society, and which will only become stronger and more encroaching by being yielded to. If the law cannot be enforced without great risk, as seems to be the unfortunate position of a great part of that district, when Natives are the parties concerned, it is for the Magistrate to exercise the discretion which has wisely been given him by the 5th Clause of the Resident Magistrates Court Act, 1858, or when cases do come before him to attempt to mediate rather than to adjudicate—seeing, as the Civil Commissioner, Colonel Russell, well puts it in his published Report of the 9th June last:—"It is but "one-sided justice to convict and fine the European for trespass, if we have no power to "convict and fine the Natives for unlawful seizure, often in direct opposition to the "Magistrate."

(4.) With regard to the course pursued by Mr. Ward, on the part of the Government, in paying the amount awarded for the trespass, it is not necessary for the Committee to say more than that it does not appear to have been attended with any very happy results. It was a proceeding recommended by the best intentions no doubt, and in defence of which a good deal may be said; but upon the whole, it seems to have rather compromised the position of the Court, and at the same time brought into question the motives of the Government in interfering with the decision pronounced by it.

The Committee have thought it right to append to their Report on this case, the several papers already referred to as having been furnished to them by Mr. Ward, Mr. Colenso, and Mr. Ormond. They will only add this remark, that in their opinion the Legislature would be doing a very necessary thing, and conferring a great boon on Hawke's Bay, and districts with a similar mixed population, by devising some means of enabling Resident Magistrates to enquire into cases of trespass upon Native lands, and equitably assess the damages to be recovered, and by introducing the same into the Bill now passing through the House of Representatives for extending the jurisdiction of such Magistrates.

Ordered, That the said Report do lie on the Table.

Then, on motion of the Honourable Mr. Domett,
The House adjourned.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Monday, 15th September, 1862.

NOTICES OF MOTION.

1. Mr. J. C. RICHMOND to move, That Mr. Speaker do direct the Auditor of Public Accounts to furnish a Certificate of the correctness of the Colonial Treasurer's statement of Accounts for the Financial year, ended 30th June, 1861, reserving the items referred to in the Report of the Audit Committee, and that Mr. Speaker be authorised to countersign the same.
2. Mr. FOX to move, That it is expedient that this House shall be informed what arrangements have been made, or it is intended to make, in reference to filling up the Attorney-Generalship, and whether any other Ministerial changes are contemplated after the Prorogation of this House.

Monday, the 15th day of September, 1862.

PRAYERS.

1. *Message.*—A Message from His Excellency the Governor was delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary;

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

G. GREY, Governor. *Message No.* 25.

Pursuant to Section 36 of the Constitution Act, the Governor returns to the House of Representatives "The Resident Magistrates' Jurisdiction Extension Bill," (No. 36) with the following Amendment, for their consideration.:—

In

In Section 11, line 8, after the word "suspended," it appears necessary to insert the words "on receiving" in order to complete the operative effect of the Section.

Government House,
Wellington, 15th September, 1862.

3. *Resident Magistrates' Jurisdiction Extension Bill.*—The House proceeded to the consider the Amendment by His Excellency the Governor in the Resident Magistrates' Jurisdiction Extension Bill,

And the same being read was adopted.

Ordered, That the Resident Magistrates' Jurisdiction Extension Bill, and the Amendment proposed therein by His Excellency the Governor, be transmitted to the Legislative Council, together with a Message acquainting the Council that this House hath adopted the said Amendment, and requesting their concurrence.

3. *Library and Printing Committee.*—The Honourable Mr. Dillon Bell, from the Joint Committee of both Houses on the Library and Printing, brought up a Report, and the same was read as followeth:—

Your Committee recommend that the Honourable the Speaker of the Legislative Council, the Honourable Mr. Dillon Bell, and the Chairman of Committees of the House of Representatives be authorised to select books for the Library of the Assembly to the amount voted, to make payments and generally to conduct the Library business for the Joint Committee of the two Houses during the recess; and that Mr. Carleton (the Chairman of Committees) be requested to undertake the purchase of the books agreed upon by the Committee, varying or adding to the list, within the limit of the Vote, according to his discretion.

On motion of the Honourable Mr. Dillon Bell, *Resolved*, That the foregoing Report be now adopted.

4. *Message.*—A Message from the Legislative Council by John Curnin, Esquire, Clerk of the Legislative Council,—

The Legislative Council have adopted the Amendment proposed by His Excellency the Governor in the Resident Magistrates' Jurisdiction Extension Bill.

5. *Audit Committee.*—On motion of Mr. J. C. Richmond, *Resolved*, That Mr. Speaker do direct the Auditor of Public Accounts to furnish a Certificate of the correctness of the Colonial Treasurer's Statement of Accounts for the financial year, ended 30th June, 1861, reserving the items referred to in the Report of the Audit Committee, and that Mr. Speaker be authorised to countersign the same.

6. *Messages.*—Messages from His Excellency the Governor were delivered to Mr. Speaker by Major Dwyer, His Excellency's Private Secretary.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

G. GREY, Governor. *Message* No. 26.

The Bills, intituled—

"The Public Reserves Act Amendment Act, 1862,"
"The Panama Route Postal Act, 1862,"
"The Crown Grants Act (No. 2) 1862,"
"The Delegations Continuance Act, 1862,"
"The Marine Boards Act, 1862,"
"The Gold Fields Act, 1862,"
"The Steam Navigation Act, 1862,"
"The Crown Lands Act, 1862,"
"The Court of Appeal Act, 1862,"
"The Naturalization Act, 1862,"
"The Land Revenue Appropriation Act (No. 1), 1862,"
"The Land Revenue Appropriation Act (No. 2), 1862,"
"The Juries Act, 1862,"
"The Sale for Non-payment of Rates Act, 1862,"
"The Resident Magistrates' Jurisdiction Extension Act, 1862,"
"The Debtors and Creditors Act, 1862,"
"The Militia Act, 1862,"
"The Native Districts Regulation Amendment Act, 1862,"

"The

"The Native Circuit Courts Amendment Act, 1862,"
"The Commencement of Acts Act, 1862,"
"The Colonial Defence Force Act, 1862,"

as finally passed by the Honourable the Legislative Council and the House of Representatives, having been presented to the Governor for the Royal Assent, he has, in the Name of Her Majesty, assented to the said Bills.

Government House,
Wellington, 15th September, 1862.

G. GREY, Governor. *Message No. 27.*

The Bills intituled—

"The Crown Grants Bill (No. 1) 1862,"
"The Civil List Bill 1862,"
"The Auckland Waste Lands Act Amendment Bill, 1862,"
"The Native Lands Bill, 1862,"

as finally passed by the Honourable the Legislative Council and the House of Representatives, having been presented to the Governor for the Royal Assent, he has reserved the same for the signification of Her Majesty's pleasure thereon.

Government House,
Wellington, 15th September, 1862.

7. *Summons from His Excellency.*—A Summons from His Excellency the Governor by Major Dwyer, His Excellency's Private Secretary.

Mr. Speaker,—

The Governor desires this Honourable House to attend His Excellency forthwith in the Legislative Council Chamber.

Accordingly, Mr. Speaker, with the House, went up to attend His Excellency.

Then the Honourable the Speaker of the House of Representatives addressed His Excellency the Governor as followeth:—

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's faithful and loyal subjects, the House of Representatives of New Zealand, have, during the Session which is now about to terminate, given much careful and diligent attention not only to the subjects indicated to us by Your Excellency in the Speech which you were pleased to address to us on opening the Session, but also to the position and prospects of the Colony generally, and its relations with the Mother Country.

The large and sudden increase of the population and wealth of certain districts in the Province of Otago have induced us to make an addition to the representation of that portion of New Zealand; and the general progress of the country, and the increasing amount and importance of its commercial transactions have suggested to us the necessity of various amendments in the law and the practice of the Courts, the advantage of which, we trust, will be generally felt.

But our attention has been chiefly directed to the condition of the Aboriginal Race; and we have sought, by co-operating with Your Excellency in making the largest possible concessions, and by a greatly increased provision for their wants, to leave no ground for any doubt on their part, of the benevolent intentions of the British Government.

The condition of the Province of Taranaki has occupied much of our attention, and deeply excited our sympathies; and we trust that the measures we have taken with regard to it, may compensate in some measure for its losses, and tend towards its re-instatement.

For these and other purposes connected with the Public Service, it has been the duty as well as the special privilege of Her Majesty's faithful subjects the Representatives of New Zealand, to make just and ample provision: and it is in their name that I pray your Excellency's Assent in the name and on behalf of Her Majesty, to the Bills which I have now the honour to present.

The Honourable the Speaker of the House of Representatives then presented the following Money Bills:—

A Bill intituled "An Act to grant certain Sums of Money to Her Majesty for Native "Purposes."

A Bill intituled "An Act for raising a Loan of £500,000 for the public service of the "Colony of New Zealand."

A Bill

A Bill intituled "An Act to apply certain Sums out of the Ordinary Revenue, and "other Monies, to the service of the year ending the 30th day of June, 1863."

to which Bills His Excellency was pleased to assent in the name and on behalf of Her Majesty.

After which, His Excellency was pleased to make the following Speech to both Houses:—

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,—

The business of this Session of the General Assembly having been brought to a close, it is now my duty to release you from the task of legislation, which, under the present circumstances of the Colony, has been one of extraordinary difficulty.

I return you my sincere thanks for the measures you have passed to assist me in the work of restoring this country to tranquillity, and of bringing its Native population to obey the Law, and acknowledge the authority of Her Majesty's Government. Your care for the welfare of the Natives, and your desire to admit them in all respects to the privileges and rights of British subjects, have been shewn in a marked manner during the present Session. The Act you have passed to secure to them the practical advantages of ownership in their lands, and to give them titles which can be recognised by our laws, will, I trust, if administered with discretion and judgment, contribute very greatly to remove the distrust and disaffection prevailing amongst a portion of the Native population. It will be my care to endeavour so to administer this law, if it should receive Her Majesty's Assent, as to secure the beneficial results, which it has evidently been your object to attain.

I will transmit to Her Majesty the Addresses you have adopted relating to the government of the Natives, and the adjustment of the past and future liabilities attending it. The Imperial Government will, without doubt, give to these subjects that full and impartial consideration which their importance demands.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,—

I thank you for the ample supplies you have voted for the public service of the Colony. The increase which you have made in the salaries of the Judges will tend to maintain the independence and reputation of the Bench, by helping to secure a succession of men of high attainments and character to occupy it. There is no object to which the public funds can be more worthily devoted than the maintenance of the dignity, and the social, as well as the intellectual elevation of the chief administrators of the Law.

It is particularly incumbent on me to acknowledge the liberality of your contributions for the benefit of the Natives. All the assistance in your power to give towards the success of the experiment of introducing Civil Institutions among them, you have freely bestowed, in voting the whole of the amount which was asked to meet the expenses of that experiment. You have further consented to impose upon the future resources of the Colony the burden of a Loan for a large sum of money, to be expended in defraying past liabilities, in remedying existing evils, and in providing for future exigencies, resulting from the relations between the Government and the Natives. These are large liabilities to be undertaken by so young a Colony, and prove the sincerity of your desire for the welfare of those on whose behalf you undertake them.

I think it due to the Members representing the Middle Island, especially to acknowledge the public spirit and sympathy with their Northern fellow-colonists, which they have shown in cheerfully taking so large a share of the burdens arising from political troubles, peculiarly affecting the Northern Island, and from the removal of which troubles the principal advantage they can reap will be such as must necessarily spring from the prosperity and welfare of these important Islands regarded as a whole.

It gives me great gratification to observe that you propose to appropriate so considerable a sum to the re-establishment of the ruined settlement of Taranaki, and the reinstatement on their lands of those settlers who so bravely contended against, and have since endured with so much fortitude, the various calamities which have befallen them. It will be my earnest endeavour to effect these objects with the least possible delay. I desire you to accept my assurance that the large sums thus to be placed at my disposal as the contribution of the Colony towards the settlement of the Native question shall be expended with the utmost regard to economy, and in accordance with your views in supplying them.

HONOURABLE GENTLEMEN AND GENTLEMEN,—

The Act for the management of the Gold Fields of the Colony will, it may be hoped, remedy many defects in the existing Laws relating to this subject, and materially assist in the orderly and successful development of the great mineral wealth of these Islands. The Act for increasing the number of Members representing the Southern portion of the Middle Island

Island will secure for it an influence in the Legislature more in accordance with its rank and importance as a component part of the Colony. In the meantime, it will be the object and desire of the Government to give to its interests on all occasions that anxious attention to which its rapid increase in wealth and population justly entitles it.

I have assented with pleasure to various practical measures passed by you affecting the administration of justice and the commercial interests of the country.

I trust that, under divine Providence, these measures and all our efforts may tend to the complete re-establishment of peace, and to assure the prosperity of all classes of Her Majesty's subjects in the Colony.

I now declare this Assembly to stand prorogued to the 31st day of December next.