

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 1.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE HOUSE.

(Extracted from the Minutes.)

SESSION 1, OF 1854.

MONDAY, JUNE 5, 1854.

No. 1.—RESPONSIBLE GOVERNMENT.

Resolution proposed by Mr. E. G. Wakefield—"That amongst the objects which this House desires to see accomplished without delay, both as an essential means whereby the General Government may exercise a due control over the Provincial Governments, and as a no less indispensable means of obtaining for the General Government the confidence and attachment of the people, the most important is the establishment of Ministerial Responsibility, in the conduct of Legislative and Executive proceedings by the Governor."

Amendment proposed—"That this House being deeply convinced of the magnitude of the question of Ministerial Responsibility, and of the necessity that every step in connection with it should be taken calmly, deliberately, and only after all the Members shall have had full time for the due consideration of the subject in all its bearings, is of opinion, that its first proceeding should be the appointment of a Select Committee to consider and report upon the expediency of the adoption of the principle referred to in the Government of this Colony, and the time and mode in which—if such adoption should be deemed expedient—it may be brought into operation, so as most effectually to attain the object, and to guard the interests, and promote the welfare of both races, and all classes of Her Majesty's subjects in New Zealand."—(Mr. Forsaith.)

Question put—That the words proposed to be omitted stand part of the question.

Committee divided.

Ayes, 29.

Messrs. E. G. Wakefield

Gledhill

Rhodes

Mackay

Hart

Kelham

Crompton

Cargill

Macandrew

O'Neill

Picard

Lee

King

Wortley

Weld

Ludlam

Greenwood

Bartley

Sewell

Fitzgerald

Revans

Cutten

Gray

E. J. Wakefield

Carleton

Merriman

Taylor

Clifford

O'Brien (Teller)

Noes, 1.

Mr. Forsaith (Teller)

Original question put, and carried.

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 2:

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE HOUSE.

(Extracted from the Minutes.)

SESSION 1, OF 1854.

THURSDAY, JUNE 29, 1854.

Motion made and question put—That the following Resolution be adopted:—

“That, inasmuch as this first Session of the General Assembly partakes mainly of the character of a Constituent Parliament, which should especially found its enactments rather on carefully defined principles of Legislation than on the temporary expediency of modifying their practical application, this House declares its deliberate opinion that, according to established usage in the British Houses of Parliament, the introduction of any Bill which involves great change in the institutions or policy of the country, should be preceded by the attainment of ample information by the House, as to the past and existing state of those institutions or that policy, and by full and unreserved discussion of the principles on which the proposed change is suggested, and that according to the aforesaid usage, the pursuance of that order of business would be most effectually promoted by the preliminary consideration of resolutions enunciating such principles, in Committee of the whole House.” (*Mr. E. Jerningham Wakefield.*)

Committee divided.

Ayes, 10.

Messrs. Macandrew
Gledhill
Forsaith
Carleton
E. G. Wakefield
O'Neill
Greenwood
Bacot
Taylor
E. J. Wakefield (Teller)

Noes, 13.

Messrs. Clifford
Fitzgerald
Sewell
Wortley
Crompton
Rhodes
King
Hart
Picard
Revans
Cutten
Cargill
Weld (Teller)

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 3.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE HOUSE

[EXTRACTED FROM THE MINUTES.]

SESSION 1, OF 1854.

TUESDAY, JULY 4, 1854.

PUBLIC RESERVES BILL—

Preamble.—Whereas in the several Provinces of New Zealand, Lands have been heretofore reserved for various purposes of public utility, the legal title whereto is vested in Her Majesty: And whereas it is expedient to establish in each of the said Provinces a system of local arrangement of the said Lands as are or may be held for purposes of local concern:

Be it enacted by the General Assembly as follows.—*Read.*

Question proposed—That the preamble, as read, stand as the preamble of the Bill.—(*Mr. Fitzgerald.*)

Amendment proposed—Strike out all the words after the words “Be it enacted,” and substitute the following, “by the Governor of New Zealand, by and with the advice and consent of the Legislative Council and House of Representatives thereof, in General Assembly, and by authority of such Assembly.—(*Mr. Hart.*)

Question put—That the words proposed to be omitted stand part of the question

Committee divided.

Ayes, 22.
Messrs. Gledhill
Cargill
Porter
King
Macandrew
Mackay
Travers
Bartley
Picard
Cutten
Crompton
Taylor
Revans
Wortley
Fitzgerald
Clifford
Kelham
Featherston
Ludlam
Gray
Sewell
Weld (Teller)

Noes, 9.
Messrs. Forsaith
E. J. Wakefield
Bacot
Lee
O'Neill
Carleton
Monro
Greenwood
Hart (Teller)

Original question put and carried.

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 4.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE HOUSE.

(Extracted from the Minutes.)

SESSION 1, OF 1854.

TUESDAY JULY, 18TH, 1854.

No. 1.—WASTE LANDS BILL.

Clause 2. Provided also that it shall not be lawful for the said Governor to make or issue any terms of purchase or pasturage and regulations whereby any such lands shall be made subject to be sold or disposed of gratuitously, or for any less consideration than the sum of five shillings per acre, to be paid in full on or previous to the completion of such sale or disposition, except in the case of leases or licenses of land to be occupied for purposes of pasturage only, for terms not exceeding fourteen years, and, except in the case of licenses to cut timber and bush for any term not exceeding one year.—*Read.*

Question proposed—That the clause as read stand part of the Bill.—(*Mr. Fitzgerald.*)

Motion made and question put—That the following be added at the end of the clause as read,—

“ Provided also that it shall not be lawful for any terms of purchase, pasturage, or regulations to be made or issued by which any such lands shall be sold or disposed of at any less price than ten shillings an acre, except by way of public auction, in blocks not exceeding 320 acres in any one block.”—(*Mr. Picard.*)

Committee divided.

Ayes, 16.

Messrs. Kelham
Fitzgerald
Cargill
Sewell
E. J. Wakefield
O'Brien
Carleton
Mackay
Cutten
King
Ludlam
Gledhill
Crompton
E. G. Wakefield
Macandrew
Picard (teller)

Noes, 10.

Messrs. Forsaith
Revans
Bacot
Rhodes
Porter
Lee
Weld
Hart
Taylor
Travers (teller)

No. 2.—WASTE LANDS BILL.

Question put—That the clause as amended stand part of the Bill.—(*Mr. Sewell.*)

Amendment proposed—That the clause as first read stand as clause 2 of the Bill, with the exception of substituting the words “ten shillings” for “five shillings,” in the fourth line of the clause.—(*Mr. Hart.*)

Question put—That the words proposed to be omitted stand part of the question.

Committee divided.

Ayes 20.

Messrs. Mackay
Kelham
Fitzgerald
Sewell
Ludlam
O'Neill
Picard
Carleton
E. J. Wakefield
Greenwood
Taylor
Lee
Rhodes
Clifford
Gledhill
E. G. Wakefield
Porter
Revans
Forsaith
Weld (teller)

Noes 7.

Messrs. Macandrew
Cuttan
Hart
Travers
King
Crompton
Cargill (teller)

Clause as amended carried.

THURSDAY JULY 20TH, 1854.

No. 3.—WASTE LANDS BILL.

Motion made and question put—That the following do stand as clause 3 of the Bill,

“Provided also that it shall not be lawful in any such terms of purchase or pasturage or regulations to include any stipulation or agreement to the effect that any part of the proceeds of the Waste Lands included therein shall be appropriated to any specific purpose whatsoever.—(*Mr. Fitzgerald.*)”

Committee divided.

Ayes, 18.

Messrs. Revans
Monro
Ludlam
Kelham
Fitzgerald
Mackay
Sewell
Porter
Travers
Bacot
Picard
Crompton
King
Hart
Gledhill
Clifford
Carleton
Weld (teller)

Noes, 10.

Messrs. E. G. Wakefield
E. J. Wakefield
O'Neill
Cuttan
Macandrew
Rhodes
Forsaith
Greenwood
Lee
Cargill (teller)

No. 4.

Motion made and question put—That the following be inserted as clause 7 of the Bill,

Notwithstanding anything herein contained Officers of Her Majesty's Military and Naval Services, and of the Military Services of the Honorable the East India Company, proposing to settle within any province of the said colony, shall be entitled to the same privileges in respect to the acquisition of land, as those to which they would be entitled in any other of Her Majesty's colonies under the Regulations in that behalf issued under the authority of the Commander-in-Chief, dated July 27th, 1853.—(*Mr. Fitzgerald.*)

Amendment proposed—that the following words be added at the end of the clause as read,—“subject to any regulations in that behalf to be from time to time made and issued by the Governor, with the advice of the Executive Council, and which shall be approved by the Superintendent and agreed to by the Provincial Council of any province to which such regulations may apply.”—(*Mr. Cargill.*)

Question put—That the words proposed to be added stand part of the clause. Committee divided.

Ayes, 10.

Messrs. King
Crompton
E. G. Wakefield
E. J. Wakefield
Cutten
O Neill
Macandrew
Forsaith
Lee
Cargill (teller)

Noes, 13.

Messrs. Fitzgerald
Monro
Sewell
Wortley
Revans
Greenwood
Mackay
Gray
Ludlam
Rhodes
Porter
Gledhill
Weld (teller)

No. 5.

Amendment proposed—That the following words be added at the end of the clause as read.

“Provided that an actual residence of five years must be proved before any title to the last mentioned privileges shall be acquired, except in case in which death may have occurred before the expiration of that period.”—(*Mr. Forsaith.*)

Question put—That the words proposed to be added stand part of the clause. Committee divided.

Ayes, 13.

Messrs. Ludlam
King
Crompton
E. J. Wakefield
Cargill
Macandrew
Cutten
Gledhill
O'Neill
Lee
Rhodes
E. G. Wakefield
Forsaith (teller)

Noes, 9.

Messrs. Mackay
Gray
Greenwood
Travers
Sewell
Revans
Fitzgerald
Wortley
Weld (teller)

No. 6.

Further amendment proposed—That the following words be added at the end of the clause as amended.

“Provided also that no person shall be entitled in respect of the last mentioned privileges to receive a grant of more than one acre of land in respect of every pound sterling of remission money to which such person may be entitled under the regulations aforesaid”—(*Mr. Sewell.*)

Amendment agreed to.

Motion made and question put—That the clause as amended stand as clause 7 of the Bill.

Committee divided.

Ayes, 15.

Messrs. Ludlam
Wortley
Sewell
Monro
Fitzgerald
Travers
Crompton
E. G. Wakefield
E. J. Wakefield
Picard
Rhodes
Forsaith
Mackay
Gledhill
Weld (teller)

Noes, 7

Messrs. O'Neill
Macandrew
Gray
Lee
King
Cutten
Cargill (teller)

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 5.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE HOUSE.

[EXTRACTED FROM THE MINUTES.]

SESSION 1, OF 1854.

WEDNESDAY, JULY 26, 1854.

PUBLIC LANDS BILL—(*Re-committal*)—

Clause 1—Subject to the provisions of the said recited Act, from and after the passing of this Act, it shall be lawful for the Governor of New Zealand for the time being, with the advice of his Executive Council, from time to time to make and issue within the Colony of New Zealand, and from time to time to alter, amend, and re-issue terms of purchase and pasturage and regulations for the sale, letting, disposal, and occupation of such Waste Lands of the Crown within such Colony, and in the name and on behalf of Her Majesty, according to such terms of purchase and pasturage, and regulations to sell, let, or otherwise dispose thereof, and under the Public Seal of the Colony, to make and execute grants, leases, and licences thereof.—(*Read.*)

Motion made and question put—That the following words be added at the end of the Clause:—

“ Provided always, that a certain portion of all such waste lands shall be set apart as ‘ Working settlers land,’ and such terms of purchase so to be made and issued as aforesaid, shall be subject to the provisions hereinafter made in respect of ‘ working settlers land.’ ”—(*Mr. E. G. Wakefield.*)

Committee divided:

Ayes, 10.

Messrs. E. G. Wakefield

Bacot

Picard

Cargill

O'Neill

Greenwood

Macandrew

Forsaith

Lee

E. J. Wakefield (Teller)

Noes, 21.

Messrs. Mackay

Revans

Ludlam

Crompton

Carleton

Fitzgerald

Travers

King

Wortley

Kelham

Sewell

Monro

Moorhouse

Rhodes

Taylor

Cutten

Gledhill

Hart

Gray

Porter

Weld (Teller)

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 6:

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE HOUSE.

(Extracted from the Minutes.)

SESSION 1, OF 1854.

TUESDAY, AUGUST 7, 1854.

PUBLIC LANDS BILL—(*Re-committal*)—

Motion made and question put—That the following be inserted as Clause 21 of the Bill:—

“Nothing in this Act contained, shall extend to that portion of the Province of Otago known as the Otago Block, in which certain terms of purchase and pasturage raised by the New Zealand Company are now in force as contracts between the said Company and the Otago Association which terms of purchase and pasturage shall continue in force until altered or amended as hereinafter provided.”

Committee divided.

Ayes, 12.

Messrs. Bacot
Greenwood
Cargill
Forsaith
E. J. Wakefield
Carleton
Lee
Mackay
O'Brien
E. G. Wakefield
Gledhill
Macandrew (Teller)

Noes, 18.

Messrs. Cutton
Porter
Hart
Taylor
Fitzgerald
Moorhouse
Crompton
Travers
Sewell
O'Neill
Revans
Ludlam
Gray
King
Monro
Kelham
Wortley
Weld (Teller)

Clause 7.—Notwithstanding anything herein contained, Officers of Her Majesty's Military and Naval services and of the Military services of the Honourable the East India Company, proposing to settle within any Province of the said Colony, shall be entitled to the same privileges in respect to the acquisition of land, as those to which they would be entitled in any other of Her Majesty's Colonies, under the regulations in that behalf, issued under the authority of the Commander-in-Chief, and dated the 27th July, 1853. Provided that an actual residence of five

years must be proved before any Title to the last mentioned privileges shall be acquired, except in cases in which death may have occurred before the expiration of that period. Provided also, that no person shall be entitled, in respect to the last-mentioned privileges, to receive a grant of more than one acre of land in respect of every pound sterling of remission money to which such person may be entitled under the Regulations aforesaid.—(*Read.*)

Motion made and question put — That the following words be added at the end of clause 7,—

“ Discharged soldiers, non-commissioned officers and soldiers, petty officers and sailors in Her Majesty’s Navy of good character shall, on the recommendation of their Commanding Officers, be allowed a remission of purchase money of land on the following scale, according to their corresponding rents on the same conditions as those imposed on Commissioned Officers in clause 7.

Sergeants.....£50
Privates 20

—(*Major Greenwood.*)

Committee divided.

Ayes, 14.
Messrs. Kelham
Bacot
Carleton
Macandrew
Crompton
Cargill
O’Neill
E. G. Wakefield
Forsaith
E. J. Wakefield
Mackay
Moorhouse
Gray
Greenwood (Teller)

Noes, 15.
Messrs. Ludlam
Revans
King
Monro
Sewell
Travers
Fitzgerald
Hart
Picard
Gledhill
Cutten
Rhodes
O’Brien
Lee
Weld (Teller)

NEW ZEALAND.

HOUSE OF REPRESENTATIVES.

No. 7.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE HOUSE.

(Extracted from the Minutes.)

SESSION 1, OF 1854.

WEDNESDAY, AUGUST 9TH, 1854.

No. 1.—ADDRESS IN REPLY TO HIS EXCELLENCY'S MESSAGE No. 25.

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

May it please your Excellency,—

We, the Commons of New Zealand, assembled in the House of Representatives, beg leave to acknowledge, with sentiments of deep and sincere respect, your Excellency's very important Message (No. 25) on the subject of recent changes in the Executive Government, and the relations between your Excellency and the Legislature.

We can assure your Excellency of our earnest desire to give the earliest consideration to whatever matters may be submitted to us by or on behalf of your Excellency; but in approaching the subject of the Message in question, our attention has been, in the first instance, directed to incidental matters, to which we feel ourselves imperatively called on to advert.

The fact has been stated in this House by a Member in his place, that the Message in question has been presented to this House under his advice, he not being a sworn member of your Excellency's Executive Council.

The fact has also been stated in this House by the same Member in his place, that under the present critical circumstances of the Colony, and in reference to matters of the gravest importance relating to the Executive Government, your Excellency is acting under the sole and exclusive advice of that Member, without, and apart from, those members of your Excellency's Executive Council, who are sworn to advise your Excellency rightly, and who alone are responsible for the advice they may give.

The fact has also been stated in this House by the same Member in his place, that in a political crisis and in reference to affairs demanding deep knowledge and careful consideration of the law, your Excellency is acting under the advice of that Member, without the advice and opinion of Her Majesty's Attorney-General.

We have heard the statements referred to with alarm, as tending to compromise the honour of your Excellency's Government, and fraught with peril to the colony.

Assuming the facts so stated to be true, we humbly, but most earnestly, pray your Excellency to take this our respectful remonstrance into your serious con-

sideration. We can assure your Excellency, with the utmost sincerity, of our anxious desire in all things to mark our high respect for your person and office; at the same time, charged as we are with high constitutional privileges, involving corresponding duties, we dare not hesitate to pray your Excellency, at this serious crisis of affairs, to have recourse to the advice of your Executive Councillors, who, by Her Majesty's Instructions, and the Rules of the Constitution, are appointed as your Excellency's advisers in all matters of importance;—councillors who are sworn to advise your Excellency rightly, and who will be responsible to Her Majesty, to your Excellency, to this House, and to the Colony, for the advice they may give.

Without presuming to question your Excellency's undoubted right to exercise, under ordinary contingencies, a free and unbiassed judgment upon matters of Government policy, we, nevertheless, cannot but regard the subject of your Excellency's Message, involving, as it does, the relations between the Executive and the Legislature, and affecting the whole state of political affairs at the present moment, as matters of such importance as to be unfit to be confided to an unofficial and irresponsible adviser, but rather as demanding recourse, on your Excellency's part, to your Excellency's sworn constitutional advisers.

In the meantime we respectfully assure your Excellency that we will, at the earliest moment, proceed to consider the subjects referred to in your Excellency's Message, with an anxious desire to co-operate with your Excellency by all constitutional means, in averting the difficulties and dangers at present impending over the Colony.—(*Read.*)

Motion made and question put—That the Address as read be adopted.—(*Dr. Monro.*)

Amendment proposed—That the whole of the words of the address be omitted, and the following words substituted;—

“That in the opinion of this Committee, according to the usages of the British Constitution, than which none are more firmly established or better understood, every act of the Crown, with a single exception, must be performed by and with the advice of Cabinet Ministers, being sworn members of the Privy Council, and that the one only exception to the rule, is the absolutely free and independent discretion of the Sovereign alone, in doing whatever pertains to the choice and appointment of Cabinet Ministers.”—(*Mr. E. G. Wakefield.*)

Question put—That the words proposed to be omitted stand part of the question.

Committee divided.

Ayes, 23.
 Messrs. King
 Brown
 Kelham
 Featherston
 Monro
 Revans
 Taylor
 Weld
 Fitzgerald
 Cutten
 Bacot
 Gray
 O'Brien
 Picard
 Ludlam
 Moorhouse
 Crompton
 Rhodes
 Sewell
 Hart
 Carleton
 Gledhill
 Wortley (Teller)

Noes, 10.
 Messrs. E. G. Wakefield
 Forsaith
 Travers
 O'Neill
 Cargill
 Macandrew
 Mackay
 Greenwood
 Lee
 E. J. Wakefield (Teller)

Original question put. Committee divided.

Ayes, 23.

Messrs. King
Brown
Kelham
Featherston
Monro
Revans
Taylor
Weld
Fitzgerald
Cuttan
Bacot
Gray
O'Brien
Picard
Ludlam
Moorhouse
Crompton
Rhodes
Sewell
Hart
Carleton
Gledhill
Wortley (Teller)

Noes, 10.

Messrs. E. G. Wakefield
Forsaith
Travers
O'Neill
Cargill
Macandrew
Mackay
Greenwood
Lee
E. J. Wakefield (Teller)

