

Colonial Secretary's Office,  
Auckland, 14th July, 1856.

SIR,—

In acknowledging the receipt of your Honor's letter of the 26th May last, covering an authentic copy of an "Act to provide for the efficient branding and marking of Cattle," (Session 3, No. 7,) passed by the Provincial Council of the Province of Nelson, and assented to by you on behalf of the Governor; I have the honor to inform you that His Excellency is advised that the 16th Section of this Act purports to extend the jurisdiction of the Supreme Court, in contravention of the 19th Section of the Constitution Act.

The 18th Section of the "Summary Proceedings Ordinance," (No. 5., Sess. 2.,) as amended by the "Summary Proceedings Amendment Ordinance," (No. 15., Sess. 3.), limits the right of appeal to the Supreme Court on summary convictions, to cases in which the sum adjudged to be paid exceeds five pounds; whereas the Section above referred to purports to confer such right of appeal in cases where the sum so adjudged to be paid exceeds forty shillings.

His Excellency regrets that for this reason he is under the necessity of disallowing this Act of the Provincial Council of Nelson.

I have &c.,  
(Signed) C. W. RICHMOND,  
Colonial Secretary.

His Honor  
The Superintendent, Nelson.

Colonial Secretary's Office,  
Auckland, April 9th, 1857.

SIR,—

I have the honor to acknowledge the receipt of an Ordinance passed by the Local Legislature of the Province of Otago, transmitted in your despatch of the 18th of December last, but only received on the 26th ultimo, entitled, an "Appropriation Ordinance 1856-7."

The fourth section of this Ordinance directly contravenes the provisions of the Constitution Act, by purporting to empower the Superintendent's Deputy or the Speaker of the Provincial Council to issue warrants for the payments of money;—a power which the General Assembly carefully excluded from the Superintendent's Deputy Act; as being beyond the authority even of that Legislature to confer.

Under these circumstances, I need scarcely observe that it became the duty of His Excellency's Ministers to advise the Governor to disallow, and His Excellency is accordingly pleased to disallow this Ordinance.

I have &c.,  
(Signed) E. W. STAFFORD.

His Honor  
The Superintendent, Otago.

Colonial Secretary's Office  
Auckland, April 9th, 1857.

SIR,—

In acknowledging the receipt of your Honor's despatch No. 47, of the 18th December last, enclosing copies of certain Ordinances, passed by the Local Legislature of the Province of Otago, I have the honour to acquaint you, that having laid before the Governor the undermentioned Ordinances, intituled respectively,

Provincial Councils Ordinance Amendment Ordinance, 1856.

Loan Ordinance, 1856.

Towns Cattle Trespass Ordinance, 1856.

Cemeteries Ordinance, 1856.

Ferries Ordinance Amendment Ordinance, 1856.

Sheep Ordinance, 1856.

His Excellency has been pleased to leave the same to their operation.

I have at the same time to direct your attention to the following objections which apply to three of these Ordinances. Your Honor has already been informed that, with reference to the imposition of penalties, the limit, viz.,—One hundred Pounds specified in the Provincial Council's Powers<sup>1</sup> Act of the General Assembly, should not be exceeded. The Town Cattle Trespass Ordinance, and the Sheep Ordinance, virtually, though not expressly, exceed that limit, by imposing penalties for a number of Cattle, per head, which may according to the number, amount to more than One Hundred Pounds.