

These Ordinances therefore contravene the terms of the Act, referred to above, which has been reserved for Her Majesty's assent ; and will probably become law in a few weeks.

I have also to point out that the fifth Section of the Cemeteries Ordinance cannot legally be construed as extending to Crown Lands, as in such case it must, in accordance with the provisions of the "Waste Lands Act, 1856," have been reserved for the Governor's assent; but the Ordinance will apply to all other cases, which it is presumed, was the intention of its framers.

I have &c.,

(Signed) E. W. STAFFORD.

His Honor
The Superintendent, Otago.

Colonial Secretary's Office,
Auckland, April 10th, 1857.

SIR,—

His Excellency's Ministers have had under their consideration an Act passed by the Local Legislature of the Province of Wellington, intituled "An Act to provide against certain persons leaving the Province clandestinely."

This Act is of a most objectionable tendency ; and, if not repugnant to the letter of the Law of England, is most certainly at direct variance with the spirit of the British Constitution.

I am aware that in some Colonies persons are prohibited from leaving them without giving notice; but even this restriction has been confined in this hemisphere at least, to those Colonies in which the safe custody of convicts has rendered such a restriction advisable ; and to guard, under such circumstances, against persons clandestinely departing from a Colony altogether is widely different from obstructing their passing to and fro within the limits of the Colony itself. Her Majesty's subjects are not prohibited from passing from one part of Great Britain to another, nor does any free community in the British Dominions afford a precedent for such a law as that under consideration, which resembles only the passport system maintained by the Despotic Governments of the Continent of Europe. Nor can it be overlooked that such a law on the part of one Province would tend to the enactment of laws of a similar, possibly of a still more, restrictive character, in other Provinces,—to the mutual irritation, annoyance, and inconvenience of the inhabitants of the Colony generally. Having regard, therefore, to its unconstitutional character, to the feelings of ill will between one portion of the Colony and another which it would engender, and to the absence of any appeal, (whatever might be the emergency or circumstances, of each case,) from the arbitrary decision of a particular Officer; His Excellency's Ministers have advised the Governor to disallow this Act ; and His Excellency has been pleased to disallow it accordingly.

I have &c.,

(Signed) E. W. STAFFORD.

His Honor
The Superintendent, Wellington.

Colonial Secretary's Office,
Auckland, April 11th, 1857.

SIR,—

In acknowledging the receipt of an Act passed by the Local Legislature of the Province of Wellington intituled an "Act to authorise the raising of a further sum of Twenty five thousand pounds," I have to point out that the Loan intended to be raised under this Act is for the express purpose, amongst others, of constructing a Lighthouse ; while the 19th section of the Constitution Act prohibits any Provincial Legislature from making any law for the erection or maintenance of Lighthouses, His Excellency's Ministers had therefore to advise the Governor to disallow this Act, and His Excellency has been pleased to disallow it accordingly.

With reference, however, to the erection of a Lighthouse for the Port of Wellington, I have to assure your Honor that the Government will at all times most willingly act in concert with the Provincial Authorities of Wellington for this object,—where not prevented by legal obstructions. Possibly it might in this matter be advisable to act in accordance with the mode specified in the enclosures accompanying my despatch No. 498, of 2nd December last.

I have &c.,

(Signed) E. W. STAFFORD.

His Honor
The Superintendent, Wellington.

Colonial Secretary's Office,
Auckland, April 17th, 1857.

SIR,—

I have the honor to state that in giving the Governor's assent to the Acts quoted in the enclosed Schedule, passed by the Provincial Council of Wellington, your Honor has contravened the provisions