

(237.)

MR. STAFFORD TO SUPERINTENDENT, NELSON.

Colonial Secretary's Office,  
Auckland, 28th June, 1858.

SIR,—

I have to acknowledge the receipt of your letter No. 23, of the 2nd instant, transmitting the two Bills named in the margin, passed by the Provincial Council of Nelson, and reserved by your Honor for the Governor's Assent.

Dun Mountain Railway  
Bill.  
Nelson Waste Lands Bill.

In reply, I have to inform you that in consequence of the disallowance by Her Majesty of the "Waste Lands Act, 1856," His Excellency has no power to give his assent to either of these Bills.

The quantity of Crown Land affected by the Dun Mountain Railway Act being small, does not place that Bill on a different footing as regards the power of Provincial Councils, from the other Bill (the Waste Lands Bill.)

It is the intention of the Government to propose a Bill on the subject of the Waste Lands, to the General Assembly in the present Session.

I have, &amp;c.,

(Signed) E. W. STAFFORD.

His Honor the Superintendent,  
Nelson.

(365.)

MR. STAFFORD TO SUPERINTENDENT, WELLINGTON.

Colonial Secretary's Office,  
Auckland, 20th September, 1858.

SIR,

I have the honor to acknowledge the receipt of your letter of the 16th ultimo, transmitting to the Governor the Acts noted in the margin, passed by the Provincial Council of Wellington, and assented to by your Honor on His Excellency's behalf.

No. 3. An Act to repeal  
the Streets Sewerage and  
Drainage Act, Sess. 2,  
No. 17, as to part of the  
town of Wellington.

No. 4. An Act to vest in  
Trustees certain Lands in  
the Wairarapa District  
for the purpose of a  
Public Race Course.

No. 6. An Act to incor-  
porate the Wellington  
Steam Navigation Com-  
pany, and for other pur-  
poses therein named.

The Act No. 4 appears to have been framed upon the model of the "Hutt Race Course Act." As, however, it affects Crown Lands, the Disallowance by Her Majesty of the Waste Lands Act, 1856, has deprived the Provincial Council of the power of passing such an Act; His Excellency's Advisers had therefore no option but to advise that this Act be disallowed, and the Governor has been pleased to disallow the same accordingly. The object sought by this Act, might, however, be attained by your Honor setting apart the proposed Race Course as a Public Reserve for that purpose, and then obtaining a Crown Grant under the Public Reserves Act, 1854, when it would be competent for the Provincial Legislature to deal with it as they may think fit.

The Act No. 5 is in contravention of the 2nd sub-section of the 19th Section of the Constitution Act, and of the Supreme Court Procedure Act, 1856; and it was thus necessary to advise it to be disallowed.

The Act No. 3 has been left to its operation. The Government has adverted to the circumstance that both this and the other Acts just mentioned, were passed by the Provincial Council at a time when there was no Superintendent. Though the legality of Acts so passed may not be absolutely free from doubt, the Government has not considered that such doubt is sufficiently well founded to require or justify the disallowance of the Act in question.

I have, &amp;c.,

(igned) E. W. STAFFORD.

His Honor the Superintendent,  
Wellington.

(10.)

MR. STAFFORD TO SUPERINTENDENT, OTAGO.

Colonial Secretary's Office,  
Auckland, 10th January, 1859.

SIR,—

I have the honor to acknowledge the receipt of your letter No. 23, of the 18th November last, forwarding copies of the Ordinances cited in the margin, passed by the Provincial Council of the Province of Otago. "The Cattle Trespass Ordinance," "The Appropriation Ordinance," Nos. 1 and 2, "The Immigration Fund Ordinance," "The Leases of Jetty Reserves Ordinance," and "The Jetties and Wharves Ordinance," have been laid before the Governor, who has been advised to leave them to their operation.

No. 27. Cattle Trespass  
Ordinance, 1858.

No. 28. Appropriation  
Ordinance, 1858, No. 1.

No. 29. Immigration  
Fund Ordinance, 1858.