

DISALLOWANCE OF PROVINCIAL BILLS.

In Number 12, the "Municipal Council Ordinance," are several omissions or inaccuracies, as in Section 35 where an important blank is not filled up, in Section 73 which refers to Commissioners not otherwise alluded to, and to a Schedule which is omitted. This Ordinance confers large powers, amongst others, that of taking private property compulsorily, and of borrowing money. As to the exercise of many of the powers given by it, there is no appeal from the decision of the Council to be constituted, which is thus Judge, in cases where it is an interested party.

Cumulative penalties are also imposed in certain cases, which may in the whole exceed £100, which is the highest amount which Provincial Legislatures can authorize to be recovered. In addition to these objections, the 93rd Section is in direct contravention of the sub-Section of the 19th Section of the Constitution Act, which prohibits Provincial Laws from interfering with the Supreme Court.

For the above reasons it is necessary for me to advise his Excellency to disallow the three last mentioned Ordinances.

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

His Honor
The Superintendent of Canterbury.

MR. STAFFORD, TO SUPERINTENDENT, CANTERBURY.

Colonial Secretary's Office,
Auckland, 26th March, 1860.

SIR,—

With reference to my Despatch No. 163, of the 24th instant, I have to state that the Reserved Bill, entitled the "Peacock Jetty Extension Ordinance," could, as affecting lands of the Crown, only have been passed, as was the Peacock Wharf Ordinance of Session VIII, under the authority of the Waste Lands Act, 1856, which was disallowed by Her Majesty, as notified in the *New Zealand Gazette* of the 4th June, 1858, I regret therefore that His Excellency cannot be advised to assent to it.

The object of the Ordinance can however be carried out, by the issue of a Grant to your Honor under the Public Reserves Act, of so much of the Harbour as will enable an Ordinance similar to that under consideration to be passed by the Provincial Council.

I may observe that the Schedule of this Ordinance refers to a plan as annexed, which is not attached.

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

His Honor
The Superintendent of Canterbury.