

PAPERS RELATIVE TO THE APPORTIONMENT OF  
THE PUBLIC DEBT OF NELSON AND MARLBOROUGH.

B—No. 9

No. 1.

SUPERINTENDENT OF MARLBOROUGH TO THE COLONIAL SECRETARY.

Superintendent's Office, Marlborough,  
December 27th, 1860.

SIR,—

In accordance with the provisions of an "Act to apportion the Public debt of the former Province of Nelson, between the Provinces of Nelson and Marlborough,"

I do myself the honour to appoint David Monro, Esq., M.D., of Nelson, as Arbitrator on the part of the Province of Marlborough.

I have, &c.,

WILLIAM ADAMS,  
Superintendent.

The Honorable the Colonial Secretary,  
Auckland.

No. 2.

MR. STAFFORD TO THE SUPERINTENDENT OF MARLBOROUGH.

Colonial Secretary's Office,  
Auckland, 6th March, 1861.

SIR,—

I have to acknowledge the receipt of your Honor's Letter, dated 27th December last, appointing, under the authority of the Nelson and Marlborough Public Debt Apportionment Act, 1860, David Monro, Esq., M.D., to be an Arbitrator under that Act.

His Honor the Superintendent of Nelson not having, on his part, appointed an Arbitrator, His Excellency the Governor has, as required by the Act in default of such appointment, appointed John Sharp, Esq., of Nelson to be an Arbitrator.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent,  
Marlborough.

No. 3.

SUPERINTENDENT OF NELSON TO THE COLONIAL SECRETARY.

Superintendent's Office,  
Nelson, 28th January, 1861.

SIR,—

I find in the copy of Acts passed in the last Session of the General Assembly, and received at this Office on the 7th instant, one entitled "An Act to apportion the Public Debt of the former Province of Nelson between the Provinces of Nelson and Marlborough," in which it is provided by the 11th clause that "within 90 days after the passing of this Act the Superintendent of each of the Provinces of Nelson and Marlborough, shall, by writing under his hand, delivered or forwarded by post to the Colonial Secretary, appoint an Arbitrator willing to act, and in default of such appointment being made by either of the said Superintendents, the Governor of the Colony, in lieu of the Superintendent so making default, shall appoint an Arbitrator, or if both such Superintendents shall make default, then the Governor shall appoint two Arbitrators."

As I am still fully impressed with the belief that the boundaries separating this Province as defined by the Order in Council, dated 4th October, 1859, are not in accordance with the "New Provinces Act, 1858," and therefore illegal, I am unwilling by such an overt act on my part as that of appointing an Arbitrator on behalf of this Province, for the purpose specified in the Act of 1860, to compromise its interests.

I have, therefore, the honor to request that you will be good enough to acquaint His Excellency that, actuated solely by a desire to protect as far as possible the welfare of this Province, I consider it my duty to decline exercising the right of appointing an Arbitrator as provided by the Act referred to, thereby leaving it to His Excellency to exercise the right as he may think best.

I may remark, without prejudice however to the question raised as to the legality of the boundaries, that could I view it as compatible with my duty and for the welfare of this Province to exercise the right of appointing an Arbitrator, I should appoint Mr. John Sharp, Registrar of the Supreme Court, &c.

I have, &c.,

J. P. ROBINSON,  
Superintendent.

The Honorable the Colonial Secretary,  
Auckland.