

a guarantee for his poundage fees and incidental expenses, he would sell on Monday to obtain those costs. Mr. M'Kenzie declined to give such a guarantee, unless the Government would hold itself liable for the amount.

This at first I advised the Deputy-Superintendent to do. He left me, and after an interview with the Sheriff, informed me that that gentleman had stated that he would sell the Government property to get his fees, unless he received a guarantee for them, and he would not take the Government guarantee. I then reluctantly acquiesced in the Deputy-Superintendent's giving an acknowledgment of the Government's liability for the amount, which was accordingly done.

THOMAS MACDONALD,
Provincial Solicitor.

Invercargill, 17th April, 1865.

Enclosure 2 in No. 37.

Superintendent's Office,
Southland, 14th April, 1865.

I hereby guarantee, as Deputy Superintendent on the part of the Provincial Government of Southland, that in consideration of Messrs. McKenzie and Cain undertaking that they will not within six weeks, or forty-two days from this date, the fourteenth of April, 1865, sell any of the property of the Provincial Government, now seized by them under writ of *fi. fa.*, no technical legal objection will be taken by the Government to their right of possession at this date, or to their right to sell at the end of the time specified to satisfy their claims, it being understood that the said Messrs. McKenzie and Cain will offer no obstruction to the ordinary conduct of the public business in the Government offices, and I also undertake that during the aforesaid period of six weeks, every exertion will be used by the Government to obtain a substantial settlement of Messrs. McKenzie's and Cain's admitted claims.

JOHN R. CUTHBERTSON,
Deputy Superintendent.

We hereby agree to the above,

JAMES M'KENZIE & Co.

Books, records, and public documents, I understand, are not in any way liable to seizure.
J.R.C.

No. 38.

THE COLONIAL SECRETARY TO THE SUPERINTENDENT, SOUTHLAND.

Colonial Secretary's Office,
Wellington, 29th April, 1865.

SIR,—

I have to acknowledge the receipt of your Honor's letter of the 19th instant, reporting that under a writ of *fi. fa.* the Sheriff has seized certain rolling stock of the Bluff and Invercargill Railway, and that he had taken possession of the Provincial Government offices.

Your Honor's letter has just been received, but I will write by this mail to the Hon. Major Richardson, who is now in the South, upon the subject of it, and I hope to be able to send a further reply to your Honor by next mail.

I have &c.,

His Honor the Superintendent,
Southland.

FRED. A. WELD.

No. 39.

THE SUPERINTENDENT, SOUTHLAND, TO THE HON. MAJOR RICHARDSON.

Superintendent's Office,
Southland, 3rd May, 1865.

SIR,—

I have the honor to acknowledge the receipt of your letter of 23rd April (received to-day) in which you complain of the view which my Deputy has expressed in a letter of 19th April, addressed to the Honorable the Colonial Secretary, of the manner in which you managed the affair of M'Kenzie's seizure of the Provincial property by the payment of the £5,000, and, in reply, have to state—

That Mr. Cuthbertson's letter was written before my return to the Province; that I only made myself acquainted with its general contents before I addressed my own letter to you on the

No. 170.