

FURTHER PAPERS RELATIVE TO

myself justified in resisting the removal of the property. I accordingly sent a telegram to Mr. Watts, the R.M., at Campbelltown, to get a number of men together to resist such removal; and if no one was in possession on behalf of the Sheriff, to take possession in my name, and keep it. He acted in accordance with these instructions, and held possession till the arrival of the Provincial Treasurer. Again the same warnings were given to both Sheriff and the people assembled, told the sale would be illegal, and the removal of the property resisted. The Sheriff sold, nevertheless, without even being in possession, or being able to shew the greater part of the property. The whole lot, worth probably upwards of £30,000, was knocked down to Mr. M'Kenzie for £400. I still hold possession, and shall keep it by force, if necessary, till the decision of the Court is known. The sale of the rest of the railway plant is to take place at the Mokomoko to-day, and I have taken the same steps with regard to that. I must explain that I was, from the shortness of the notice, obliged to apply to Mr. Watts to act in this matter till the arrival of the Treasurer, as I literally knew of no other person on the spot whose discretion I could depend on. Mr. Watts, as well as I, knows of course that in ordinary circumstances *his acting thus* would be very reprehensible, but there was no help for it, as I had been informed that Mr. M'Kenzie had made his arrangements to ship off the rolling stock to Australia—I know not with what truth. I must therefore bespeak the leniency of the ministry in judging of Mr. Watts' proceedings in this matter, as without his prompt action worse would have come of it, and he ceased to act the moment my agent reached the Bluff. I will inform you of any further proceedings in this matter by the mail on the 2nd June. To-morrow we shall hear by telegraph the decision of the Judges.

I have, &c.,

JNO. P. TAYLOR,

Superintendent.

The Honorable the Postmaster-General.

Enclosure 1 in No. 51.

MESSRS. GILLIES AND TURTON TO MESSRS. M'DONALD AND RUSSELL.

Telegram,

Dunedin, May 23rd, 1865.

Rule *nisi* granted to-day to set aside *feri facias* in M'Kenzie *versus* Menzies. Proceedings ordered by the Court to be stayed. Rule returnable for Tuesday next. Give notice to Sheriff. Eccles *versus* Taylor part argued; adjourned until Thursday.

GILLIES AND TURTON.

Messrs. M'Donald and Russell,

Invercargill.

Enclosure 2 in No. 51.

MESSRS. GILLIES AND TURTON TO MESSRS. M'DONALD AND RUSSELL.

Telegram,

Dunedin, May 27th, 1865.

The rule *nisi* will warrant an attachment against the Sheriff. The Registrar telegraphed to him on Thursday stating that the Court had granted a rule *nisi*, &c., and ordered proceedings to be stayed.

GILLIES AND TURTON.

Messrs. M'Donald and Russell,
Invercargill.

No. 52.

THE ATTORNEY-GENERAL TO THE SHERIFF OF SOUTHLAND.

Attorney-General's Office,

Wellington, June 1, 1865.

SIR,—

It has been brought under my notice that in the action Messrs. M'Kenzie and Co. and the Superintendent of Southland—notwithstanding you had been distinctly informed that a rule of the Supreme Court had been obtained for staying proceedings pending the judgment of the Court, you took on yourself the responsibility of selling to the plaintiff certain property under circumstances which appear to be irregular, whereby the interests of the parties have been so prejudiced, that property to the value of £30,000 has been sacrificed for a few hundred pounds.

I have to request that you will be good enough to give me an explanation of the circumstances.

I am, &c.,

H. SEWELL.

M. Price, Esq.,
Sheriff, Southland.