

other case it would have been paid not to the Governor but into the Colonial Treasury, by whom and in what manner to be expended you do not state.

You state that the grant was issued "three days before the day on which the General Assembly was summoned to meet, and six days before the accession to office of a new Ministry." I am unable to see that this is at all relevant to the question of the validity of the grant, or that it concerns either the Province of Auckland or myself; nor should I have referred to the point at all but that I desire to say a few words to clear myself of any charge of having neglected the business of the Province. It was in no way my fault that so much delay took place since December, 1863, when the Act passed, as I made repeated applications and received from time to time promises, some of them months before that, informing me that the grant should be issued without delay.

Of course it is quite competent for you to "submit the whole transaction to the General Assembly for their decision thereon;" but I very respectfully submit to you, whether, assuming the grant made to me as Superintendent, is a valid one, would it be just or even expedient to induce the General Assembly to repudiate an agreement made with this Province by one Government, confirmed and legalised by the General Assembly, and carried into effect by a succeeding Government. On the other hand, if you consider the grant to be invalid (which I am advised is not the case) I venture to suggest that the proper course is an appeal not to a Ministerial majority in the General Assembly but to the Supreme Court of the Colony—the constitutional tribunal for the determination of such questions.

I have, &c.,

The Hon. the Colonial Secretary,
Wellington.

ROBERT GRAHAM,
Superintendent.

No. 17.

The Hon. the COLONIAL SECRETARY to the SUPERINTENDENT, Auckland.

SIR,— Colonial Secretary's Office, Wellington, June 5th, 1865.

I have to acknowledge the receipt of your Honor's letter No. 372, of the 17th ultimo, in reply to mine of the 4th of the same month, on the subject of excepting the building of a Government House in the Domain at Auckland, out of the Commission issued by the Governor on the 29th of February last.

I cannot admit the force or relevancy of the arguments advanced by your Honor in that letter but I do not think it advisable to prolong a controversy, which will no doubt be soon renewed in the approaching session of the General Assembly.

I shall feel obliged by your Honor communicating to me, copies of any correspondence which you may have had with the Bank of New Zealand, on the subject of the arrangement made with a view to rendering the sum of £25,000 out of the Provincial Loan, available towards the erection of a Government House in the Domain at Auckland.

I have, &c.,

F. A. WELD.

His Honor the Superintendent, Auckland.

No. 18.

The Hon. the COLONIAL SECRETARY to the COMMISSIONERS FOR PUBLIC BUILDINGS, Auckland.

GENTLEMEN,— Colonial Secretary's Office, Wellington, June 5th, 1865.

I have the honor, by the direction of Mr. Weld, to request you to be good enough to inform the Government of the exact particulars of the terms on which certain moneys may have been placed at your disposal for the erection, respectively, of a Supreme Court House, a Government House, a Custom House, and a Post Office at Auckland.

I am also to remind you that the report of your proceedings, subsequent to the last reports approved and confirmed by the Governor, as required by the Commission under which you act, and as asked for in my letters of the 22nd of February, and of the 27th of April, has not yet been received by the Government.

I have, &c.,

W. GISBORNE,
Under Secretary.

The Commissioners of Public Buildings, Auckland.

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