

## FURTHER PAPERS

RELATIVE TO THE

## DISALLOWANCE OF PROVINCIAL BILLS.

*(Return to an Order of the House of Representatives, dated 9th August, 1866.)*

That there be laid upon the Table of this House—"All Papers not yet presented relative to the Disallowance of Provincial Bills, dating from the termination of the last Session."

*(Mr. Carleton.)*

WELLINGTON.

—  
1866.



## CORRESPONDENCE

RELATIVE TO

## THE DISALLOWANCE OF PROVINCIAL BILLS.

## PROVINCE OF AUCKLAND.

## No. 1.

Copy of a Letter from His Honor F. WHITAKER to the Hon. E. W. STAFFORD.

(No. 262.)

Superintendent's Office,  
Auckland, 10th April, 1866.

SIR,—

In your letter of the 19th February, you inform me that the Attorney-General thinks, that "The City Board Loan Act, No. 2, 1865," did authorize the Board to borrow: it principally authorizes a loan to the Board, and, thereby, authorizes the Board to borrow."

I should not trouble you with any further discussion on this subject if it affected only the Act in question, but as it affects also future proceedings of the Provincial Government, I shall feel much obliged if you will be so good as to inform me, whether I am to consider that the instructions issued to Superintendents on the 2nd of May, 1857, and published in the *Government Gazette* of the same day, apply to Acts authorizing the Provincial Government to lend money, as they thus impliedly, though not expressly, authorize some person or public body to borrow.

I have, &c.,  
FREDERICK WHITAKER,  
Superintendent.

The Hon. the Colonial Secretary.

## No. 2.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor F. WHITAKER.

(No. 144.)

Colonial Secretary's Office,  
Wellington, 23rd April, 1866.

SIR,—

I have to acknowledge the receipt of your Honor's letter No. 262, of the 10th instant, requesting that you may be informed whether the instructions issued to Superintendents on the 2nd of May, 1857, in reference to Loan Bills, apply to Acts authorizing the Provincial Government to lend money.

I have referred this question to the acting Law Officer, and he advises me that those instructions appear to him only to operate on Bills for raising loans much in the same manner as "The Southland Provincial Debt Act, 1865," now operates, only substituting the General Assembly for the Governor.

I have, &c.,  
E. W. STAFFORD.

His Honor the Superintendent, Auckland.

## No. 3.

Copy of a Letter from Mr. CARLETON to the Hon. E. W. STAFFORD.

(No. 55.)

Superintendent's Office,  
Auckland, 1st May, 1866.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 23rd of April last, having reference to instructions issued to Superintendents on the 2nd of May, 1857, and their application to Acts authorizing the Provincial Governments to lend money.

I have, &c.,  
HUGH CARLETON,  
(for the Superintendent.)

The Hon. the Colonial Secretary, Wellington.

## PROVINCE OF WELLINGTON.

## No. 1.

Copy of a Letter from His Honor I. E. FEATHERSTON to His Excellency Sir GEORGE GREY, K.C.B.

(No. 66-1292.)

Superintendent's Office,  
Wellington, 27th July, 1866.

SIR,—

I do myself the honor to forward to your Excellency copies of six Acts passed by the

## CORRESPONDENCE RELATIVE TO THE

Provincial Council of the Province of Wellington, which I have assented to on behalf of your Excellency, viz. :—

- “An Act to alter and amend an Act to make void the election of certain Members of the Provincial Council, Sess. I., No. 26.”
- “An Act to indemnify the Superintendent of the Province of Wellington for the expenditure of certain moneys for the Civil Government and Public Works and undertakings of the said Province.”
- “An Act to grant a retiring Pension to John Wallace.”
- “An Act to amend an Act of Sess. XIII., No. 10, of the Provincial Council, Wellington, intituled ‘An Act to amend the Licenses Ordinances in force in the Province of Wellington.’”
- “An Act to amend and consolidate the laws relating to Scab Catarrh and Sheep Inspectors.”
- “An Act to appropriate the Revenue of the Province of Wellington for the years commencing the 1st day of April, 1866, and ending the 31st day of March, 1867.”

I have, &c.,

I. E. FEATHERSTON,  
Superintendent.

His Excellency the Governor, &c.

## No. 2.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor I. E. FEATHERSTON.

(No. 285.)

Colonial Secretary's Office,

SIR,—

Wellington, 15th August, 1866.

Referring to “An Act to amend and Consolidate the Laws relating to Scab Cattarrh and Sheep Inspectors,” enclosed in your Honor's letter of the 27th ultimo, and passed by the Provincial Legislature of the Province of Wellington, I regret to state that as many of the provisions of that Act are, in the opinion of the Honorable the Attorney-General, beyond the power of the Provincial Council to enact, I am compelled to advise His Excellency to disallow it.

In sections 7 and 17 the penalty would in certain cases exceed one hundred pounds (£100), and a limit should be prescribed in conformity with “The Provincial Council Powers Act, 1856.”

Section 12, so far as it affects the Supreme Court and other Courts not subject to the Provincial Legislatures, is *ultra vires*.

There is the same legal objection to section 23, and this section is also objectionable in not leaving a discretion in the Magistrates to mitigate the penalty.

Section 33, contravenes “The Provincial Council Powers Act, 1856,” as Provincial Legislatures cannot establish Civil Courts except for matters under (£20) twenty pounds.

The Attorney-General is of opinion that section 10 is *ultra vires*, and that Provincial Legislatures cannot establish Courts of Appeal and impose such duties on Justices and Resident Magistrates.

I have, &c.,

His Honor the Superintendent, Wellington.

E. W. STAFFORD.

## No. 3.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor I. E. FEATHERSTON.

(No. 291.)

Colonial Secretary's Office,

SIR,—

Wellington 21st August, 1866.

With reference to the Act, Session XIV., No. 2 (passed by the Provincial Legislature of the Province of Wellington) intituled “An Act to alter and amend an Act to make void the election of certain members of the Provincial Council, Session I., No. 26,” transmitted in your Honor's letter of the 27th ultimo, I have to state that as the qualification and disqualification of persons for election to Provincial Councils is provided for in the Constitution Act, and the “Disqualification Act 1858,” of the General Assembly, the Provincial Legislature is not, in the opinion of the Honorable the Attorney-General, able to disqualify those who under the Acts alluded to would be qualified. If it is desired to extend the provisions of the Disqualification Act, 1858, that extension must be by Act of the Assembly.

For the above reasons, therefore, His Excellency the Governor has been advised to disallow the Act in question.

I have, &c.,

His Honor the Superintendent, Wellington.

E. W. STAFFORD.

## PROVINCE OF NELSON.

## No. 1.

Copy of a Letter from His Honor A. SAUNDERS to the Hon. E. W. STAFFORD.

(No. 39.)

Superintendent's Office,

SIR,—

Nelson, 23rd June, 1866.

I have the honor to transmit herewith the undermentioned Acts passed by the Provincial Council in Session XIV., to which I have given my assent on behalf of His Excellency the Governor, viz. —

"An Act to repeal the Fencing Act, 1862, so far as relates to districts constituted under the Pastoral Districts Fencing Act, 1863."

"An Act to provide for the construction and maintenance of Roads and other Public Works in certain districts."

"An Act to appropriate the Revenue of the Province of Nelson, for the year ending the 31st day of March, 1867."

I also transmit the following Acts in duplicate, passed by the Provincial Council in the same Session, which I have reserved for the signification of His Excellency's pleasure thereon, viz. :—

"An Act to provide for the constitution of New Electoral Districts, and for the election of additional Members of the Provincial Council of the Province of Nelson."

"An Act to authorize the Superintendent to lease certain Lands in the District of Motueka granted for public purposes."

"An Act to repeal the Cattle Trespass Ordinance, and to make other provisions in lieu thereof."

"An Act to amend the Buller Reserve Administration Act, 1863."

I have, &c.,

ALFRED SAUNDERS,  
Superintendent.

The Hon. the Colonial Secretary, Wellington.

## No. 2.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor A. SAUNDERS.

(No. 353.)

Colonial Secretary's Office,

SIR,—

Wellington, 15th August, 1866.

With reference to my letter to your Honor of this day's date, respecting the Acts and Bills forwarded in your letter of the 23rd June last, No. 39, I have the honor to inform you that there are legal objections to several of the provisions of the Public Works Act, and I regret to state that they are of such a nature as to compel me reluctantly to advise His Excellency to disallow that Act, the object and general purport of which is of so useful a character. The objections in question are the following :—

Section 15 gives a jurisdiction to Justices and Resident Magistrates beyond what Provincial Legislatures are, by the Constitution Act, or by "The Provincial Council Powers Act, 1856," empowered to give, and is therefore *ultra vires*.

The 18th, 19th, and 20th sections are open to the same objection, as in effect they purport to establish a court of civil judicature, which by section 19, sub-section 2, of the Constitution Act, is beyond the powers of a Provincial Legislature.

The 21st section is also objectionable, on similar grounds, as it purports to alter,—that is to say, add to the jurisdiction and regulate the practice of the Supreme Court.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Nelson.

## PROVINCE OF MARLBOROUGH.

### No. 1.

Copy of a Letter from His Honor W. H. EYES to the Hon. E. W. STAFFORD.

(No. 1156.)

Superintendent's Office,

SIR,—

Blenheim, 20th June, 1866.

I have the honor to transmit herewith three copies of an Act passed by the Provincial Council of Marlborough, on the 30th ultimo, intituled "An Act to provide for the cost of Vaccinating in the Province of Marlborough," and to request that you will be good enough to lay the same before His Excellency the Governor, and advise him to assent to the same.

I have, &c.,

W. H. EYES,

Superintendent.

The Hon. the Colonial Secretary, Wellington.

### No. 2.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor W. H. EYES.

(No. 308.)

Colonial Secretary's Office,

SIR,—

Wellington, 4th July, 1866.

I have to acknowledge the receipt of your Honor's letter, No. 1156, of the 20th ultimo, transmitting a reserved Bill intituled "The Vaccination Act, 1866," passed by the Provincial Council of Marlborough.

The Honorable the Attorney-General is of opinion that it is doubtful whether the Provincial Legislature is able to pass such a law as the Bill in question. The subject of vaccination is dealt with by an Act of the General Assembly, and although that Act does not declare that no fee shall be charged, as is purported to be done by this Bill, yet it makes no provision empowering a Provincial Legislature to pass a law making a fee payable.

Moreover, if the imposition of such a fee were valid, it would be impolitic, and tend to frustrate the object of the Act of the General Assembly. The public benefit of compulsory vaccination is

cheaply purchased by defraying the expense of it at the public cost; any payment would create an inducement to evade the law. It is believed that there is no precedent in British or Colonial legislation for such a charge.

The recital in the Bill is inaccurate. The Colonial Act referred to does not require the Superintendent to provide facilities for vaccination. He is required to divide the Province into districts and to appoint a medical officer. It was no doubt assumed by the Colonial Legislature that the medical officer would be paid out of funds provided by the Provincial Legislature, but there is no provision for payment of fees, and as the Act makes it compulsory on the parent to take the child to the medical officer, and also compulsory on that officer to vaccinate, the vaccination would have to be performed gratuitously.

The Bill would also be to some extent oppressive. A fee of five shillings is payable to the medical officer appointed by the Superintendent, if the vaccination is performed by that officer, but if the vaccination is performed by any other medical man, a fee of fifteen shillings is to be paid to the medical officer appointed by the Superintendent, although that officer had nothing to do in the matter.

For these reasons His Excellency has been advised to withhold his assent to this Bill.

His Honor the Superintendent, Marlborough.

I have, &c.,

E. W. STAFFORD.

### No. 3.

Copy of a Letter from Mr. H. GODFREY to the Hon. E. W. STAFFORD.

(No. 1154.)

Superintendent's Office,

SIR,—

Blenheim, 13th July, 1866.

I have the honor to acknowledge the receipt of your letter, of the 4th instant, to His Honor the Superintendent, intimating that His Excellency the Governor had been pleased to withhold his assent to "The Vaccination Act, 1866."

I have, &c.,

H. GODFREY,

The Hon. the Colonial Secretary, Wellington.

Deputy Superintendent.

### No. 4.

Copy of a Letter from Mr. GODFREY to the Hon. E. W. STAFFORD.

(No. 1156.)

Superintendent's Office,

SIR,—

Blenheim, 20th July, 1866.

I have honor to forward herewith copies of "The Roads Act," Session XV., No. 7, which has been passed by the Provincial Council of Marlborough, and to request that you will be good enough to lay the same before His Excellency the Governor for his assent thereto.

I have, &c.,

H. GODFREY,

The Hon. the Colonial Secretary, Wellington.

Deputy Superintendent.

### No. 5.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor W. H. EYES.

(No. 359.)

Colonial Secretary's Office,

SIR,—

Wellington, 15th August, 1866.

I have to acknowledge the receipt of your Honor's letter No. 1156, of the 20th ultimo, transmitting a Bill intituled "The Roads Act, 1866," passed by the Provincial Council of Marlborough and reserved for the Governor's assent.

There are several legal objections to this Bill which preclude me from advising His Excellency to assent to it.

The Honorable the Attorney-General is of opinion that no Provincial Legislature can create a Court of Appeal, or impose on a Magistrate the duties referred to in sections 20, 21, 22, and 23, which are in contravention of section 19, sub-section 2, of the Constitution Act, and not within "The Provincial Council Powers Act, 1856."

Section 42 contravenes section 19, sub-section 2, of the Constitution Act and section 57 affects Crown Lands, and therefore contravenes sub-section 10 of the same section of the Constitution Act.

Sections 61, 62, 63, and 64 establish Courts of Justice and affect the practice of the Supreme Court and are in contravention of the Constitution Act (section 19, sub-section 2).

The provisions which I have designated are *ultra vires*, and would require validation by an Act of the General Assembly.

I have, &c.,

His Honor the Superintendent, Marlborough,

E. W. STAFFORD,

### No. 6.

Copy of a Letter from His Honor W. H. EYES to the Hon. E. W. STAFFORD.

(No. 1165.)

Superintendent's Office,

SIR,—

Blenheim, 24th August, 1866.

I have the honor to acknowledge the receipt of your letter of the 15th instant, informing me that there are several legal objections which preclude you from advising His Excellency to assent to the Bill intituled "Roads Act, 1866," passed by the Provincial Council of Marlborough.

I regret exceedingly that this Act, which is of great and immediate importance to the Province, should have been disallowed on legal grounds; and as this Province and several other Provinces have passed Acts containing clauses similar to some of those now objected to, which Acts have received His Excellency the Governor's assent and are in operation, I cannot allow the present opportunity to pass without calling your attention to the difficulty thus thrown in the way of Provincial Councils framing any Bill when such a diversity of opinion exists in the minds of the different legal advisers of the Crown.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,  
W. H. EYES,  
Superintendent.

### No. 7.

Copy of a Letter from His Honor W. H. EYES to the Hon. E. W. STAFFORD.  
(No. 1158.) Superintendent's Office,  
Blenheim, 4th August, 1866.

SIR,—

I have the honor to transmit herewith copies of four Acts:—  
"Police Regulation Ordinance Amendment Act, 1866," Session XV., No. 1;  
"Fencing Act Amendment Act, 1866," Session XV., No. 2;  
"Special Diversion of Roads Act, 1866," Session XV., No. 4;  
"Blenheim and Picton Gorse Hedges Act, 1866, Session XV., No. 6;

which have been passed by the Provincial Council of Marlborough, and to request that you will be good enough to lay the same before His Excellency the Governor, and advise him to give his assent thereto.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,  
W. H. EYES,  
Superintendent.

### No. 8.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor W. H. EYES.  
(No. 354.) Colonial Secretary's Office,  
Wellington, 15th August, 1866.

SIR,—

I regret to inform your Honor, that I am unable to advise His Excellency to assent to "The Special Diversion of Roads Act, 1866," enclosed in your Honor's letter of the 4th instant. The third section purports to give power to take private lands for roads. It is very doubtful whether Provincial Legislatures have power to legislate to that effect. There is a Bill entitled "The Provincial Compulsory Land Taking Act, 1866," now before the General Assembly, the provisions of which, when it becomes law, can be acted on, and will enable the desired object to be attained.

Moreover, the Provincial Bill is objectionable on the ground that it does not provide that the owners of the land proposed to be taken have assented, or have had the opportunity of objecting to their lands being taken, and that it contains no provision enabling the public to make objection to the closing or diverting of roads.

His Honor the Superintendent, Marlborough.

I have, &c.,  
E. W. STAFFORD.

### No. 9.

Copy of a Letter from His Honor W. H. EYES to the Hon. E. W. STAFFORD.  
(No. 1166.) Superintendent's Office,  
Blenheim, 25th August, 1866.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 15th August, informing me that you have been unable to advise His Excellency to assent to "The Special Diversion of Roads Act, 1866," passed by the Provincial Council of Marlborough, during the last session.

I much regret that further delay should take place in bringing into operation a measure which is so much required in this Province, but hope that "The Provincial Compulsory Land Taking Act, 1866," alluded to by you, will enable the Provincial Council to deal with a subject of so much importance to country.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,  
W. H. EYES,  
Superintendent.

## PROVINCE OF CANTERBURY.

### No. 1.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.  
(No. 24.) Superintendent's Office,  
Christchurch, Canterbury, N.Z., 10th February, 1866.

SIR,—

I have the honor to transmit herewith copy in duplicate of an Ordinance passed by the Provincial Council, entitled "The Provincial Council Extension Ordinance, 1866."

I have the honor to request that His Excellency the Governor may be pleased to assent to the same.

The Hon. the Colonial Secretary.

I have, &c.,  
S. BEALEY,  
Superintendent.

## No. 2.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor S. BEALEY.

(No. 94.)

Colonial Secretary's Office,

Wellington, 23rd February, 1866.

SIR,—

I have to acknowledge the receipt of your Honor's letter No. 24, of the 10th instant, transmitting a reserved Bill passed by the Provincial Council of Canterbury, entitled "The Provincial Council Extension Ordinance, 1866," for the signification of the Governor's pleasure thereon.

This Bill contains no provision for the formation of Electoral Rolls for the new districts which it creates; and I am advised that the Registration Officer appointed under "The Provincial Elections Act, 1858," for the formation of Provincial Electoral Rolls, is not thereby authorized, after he has formed such Rolls for one year, to repeat that process during the same year.

If therefore this Bill is assented to, no new Electoral Rolls can be formed for the districts created by it until after the completion of the next Rolls for the election of Members of the House of Representatives.

It does not however appear to the Acting Law Officer that the insertion of a clause in the Provincial Bill providing for the framing of the altered Provincial Rolls by the officer appointed under "The Provincial Elections Act, 1858," for the interval for which provision is not made by that Act, would be necessarily inconsistent with that Act.

It appears accordingly advisable, if the Provincial authorities are anxious that the next elections should take place in accordance with the proposed new constitution of districts, that another Bill should be passed containing the clause suggested.

I shall delay advising His Excellency with respect to this Bill until your Honor has had an opportunity of replying to this letter.

I have, &amp;c.,

E. W. STAFFORD.

His Honor the Superintendent, Canterbury.

## No. 3.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.

(No. 42.)

Superintendent's Office,

Christchurch, Canterbury, N.Z., 28th February, 1866.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 23rd instant, in which you inform me that the Bill, passed by the Provincial Council, intituled "The Provincial Council Extension Ordinance, 1866," and transmitted by me for the Governor's assent, contains no provision for the formation of Electoral Rolls for the new districts which it creates, and that you are advised that the Registration Officer appointed under "The Provincial Elections Act, 1858" for the formation of Provincial Electoral Rolls, is not thereby authorized after he has formed such rolls for one year, to repeat that process during the same year.

In reply I have the honor to state that the above objection was considered previous to the introduction of the Bill into the Council, and it was thought better not to make any provision for the formation of Provincial Electoral Rolls, because the right to vote, according to the second clause of "The Provincial Elections Act, 1858," depends solely on the rolls for the House of Representatives. It is therefore clear that the Provincial Rolls are merely for convenience, and can be formed without legislative enactment quite as well as with, inasmuch as they cannot in either case be taken as evidence in deciding the right of anyone to vote. Another reason why the Bill was sent up in its present state was that being similar in all its provisions to "The Provincial Council Extension Ordinance, 1861," which received the assent of the Governor, it was considered unadvisable to deviate from that Ordinance.

Should the above reasons not be sufficient to cause you to advise His Excellency to give his assent to the Bill, I have, in deference to the opinion expressed in your letter, summoned the Provincial Council to meet, that a clause may be inserted in the Bill, as suggested by the Acting Law Officer, providing for the framing of the altered Provincial Rolls by the officer appointed under "The Provincial Elections Act, 1858" for the interval for which provision is not made by that Act.

I have to thank you for having afforded me the opportunity for making the alteration in the Bill which you state to be necessary.

I have, &amp;c.,

S. BEALEY,

Superintendent.

The Hon. the Colonial Secretary.

## No. 4.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.

(No. 44.)

Superintendent's Office,

Christchurch, Canterbury, N.Z., 1st March, 1866.

SIR,—

In consequence of the opinion of the Acting Law Officer of the General Government in reference to "The Provincial Council Extension Ordinance, 1866," I have the honor to inform you that I have called the Provincial Council to meet on the 13th instant. I have therefore to request that you will delay dissolving the Council until further communication from me.

I have, &amp;c.,

S. BEALEY,

Superintendent.

The Hon. the Colonial Secretary.



## No. 5.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor S. BEALEY.  
(No. 121.) Colonial Secretary's Office,

SIR,— Wellington, 9th March, 1866.

In reference to your Honor's letter No. 42, of the 28th ultimo, on the subject of the Bill entitled "The Provincial Council Extension Ordinance, 1866," I am advised that, although "The Registration of Electors Act, 1858," provides that the Electoral Rolls for the House of Representatives shall be conclusive evidence of the right of persons whose names are thereon as electors, to vote at Provincial elections, it does not make them evidence of the Provincial Electoral District in respect of which the elector is to vote. The duty of the Returning officer, under the 12th section of "The Regulation of Elections Act, 1858," is to furnish copies of the Electoral Rolls prepared by the Provincial Registration Officer.

It would therefore be preferable that a short clause should be added to "The Provincial Council Extension Ordinance, 1866," as suggested in my letter of the 23rd ultimo.

His Honor the Superintendent, Canterbury.

I have, &c.,  
E. W. STAFFORD.

## No. 6.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.  
(No. 54.) Superintendent's Office,

SIR,— Christchurch, Canterbury, N.Z., 16th March, 1866.

The Provincial Council having met for the purpose of inserting additional clauses in "The Provincial Council Extension Bill," passed last Session, providing for the formation of the Rolls for the new districts thereby created, I have the honor to forward herewith copies of that Bill as now passed with the additional clauses, for the signification of the Governor's pleasure thereon; and I have the honor to request that you will be good enough to advise His Excellency to disallow the Bill previously transmitted.

I have, &c.,  
S. BEALEY,  
Superintendent.

The Hon. the Colonial Secretary.

## No. 7.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor S. BEALEY.  
(No. 211.) Colonial Secretary's Office,

SIR,— Wellington, 25th April, 1866.

I have the honor to acknowledge the receipt of your letter of the 16th ultimo, No. 54, forwarding "The Provincial Council Extension Ordinance, 1866," which you had reserved for the signification of the Governor's pleasure thereon.

In reply I have to inform your Honor, that His Excellency the Governor has been pleased to assent to that Ordinance, and I herewith return to you the duplicate with His Excellency's assent duly noted thereon.

When this Ordinance was forwarded to the Governor, a proclamation dissolving the Provincial Council of Canterbury, and warrants for the appointment of polling-places, and writs for the new Elections, were also sent for His Excellency's signature, but have not yet been returned; the Government is consequently unable at present to move further in this matter.

In the meantime it is advisable that the usual notification by your Honor of the Governor's assent to the enclosed Act should be published in the Provincial *Gazette* of Canterbury as soon as possible.

His Honor the Superintendent, Canterbury.

I have, &c.,  
E. W. STAFFORD.

## No. 8.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.  
(No. 85.) Superintendent's Office, Christchurch, Canterbury, N.Z.,

SIR,— 27th April, 1866.

I have the honor to acknowledge the receipt of your letter of the 25th instant, No. 211, in which you inform me that His Excellency the Governor has been pleased to assent to "The Provincial Council Extension Ordinance, 1866," a copy of which is returned with His Excellency's assent duly noted thereon.

You further inform me that when that Ordinance was forwarded to the Governor, a proclamation dissolving the Provincial Council, and warrants for the appointment of polling-places, and writs for the new elections, were also sent for His Excellency's signature, but that they had not been returned, and that consequently the Government is unable at present to move further in the matter.

The Hon. the Colonial Secretary.

I have, &c.,  
S. BEALEY,  
Superintendent.

