

FURTHER PAPERS RELATIVE TO THE

No. 18.

The Hon. E. W. STAFFORD to His Honor D. McLEAN.

(210.)
SIR,—Colonial Secretary's Office,
Wellington, 25th July, 1868.

I have to inform your Honor that His Excellency the Governor has been advised to withhold his assent to the reserved Bill entitled "The Overdraft Act, 1868," which accompanied your Honor's letter of the 4th instant.

I am advised that the Bill is *ultra vires*, as a Provincial Legislature cannot authorize the Superintendent to borrow, and cannot therefore authorize the appropriation of money to pay what has been illegally borrowed.

I have, &c.,

His Honor the Superintendent, Hawke's Bay.

E. W. STAFFORD.

No. 19.

His Honor J. MACANDREW to the Hon. E. W. STAFFORD.

(No. 7,797-4.)
SIR,—Superintendent's Office,
Dunedin, 17th July, 1868.

I do myself the honor to forward the enclosed Ordinances passed at the last session of the Provincial Council, to which I have assented on behalf of His Excellency the Governor, namely:—

"The Gunpowder Ordinance, 1868;"

"The Sheep Ordinance, 1867, Amendment Ordinance, 1868;"

"The Fencing Ordinance, 1868;"

"The Appropriation Ordinance, 1868-9;"

"The Imprest Supply Ordinance, 1868;"

"The Cattle Trespass Ordinance, 1858, Amendment Ordinance, 1868;"

"The Goat Nuisance Ordinance, 1868;" and

"The Inflammable Oils Ordinance, 1868;"

and the following Bills which I have reserved for the signification of His Excellency's pleasure thereon, namely:—

"The Dunedin Reserves Leasing and Sale Ordinance, 1868;"

"The Shag Point Coal Reserve Leasing Ordinance, 1868;" and

"The Warepa Schoolmaster's Residence and Glebe Lands Leasing Ordinance, 1868."

I have, &c.,

J. MACANDREW,

Superintendent.

The Hon. the Colonial Secretary, Wellington.

No. 20.

His Honor J. MACANDREW to the Hon. E. W. STAFFORD.

SIR,—

Wellington, 10th August, 1868.

Referring to the Fencing Ordinance passed by the Provincial Council of Otago at its recent session, I have now to state that circumstances have arisen in connection with the acquirement of land for agricultural lease settlement on the gold fields which render it expedient that the said Ordinance should not come into operation.

Under the Ordinance as it stands, the runholder will be liable to pay one-half the cost of fencing on every fifty-acre section which may be taken up within the boundaries of his run—a provision which will add greatly to the amount of claims for compensation, and seriously limit the action of the Provincial Government in acquiring land for settlement.

I have therefore to request that His Excellency's assent may be withheld from the Ordinance in question, with a view to the subject being again dealt with by the Provincial Council.

I have, &c.,

J. MACANDREW,

Superintendent of Otago.

The Hon. the Colonial Secretary.

No. 21.

The Hon. E. W. STAFFORD to His Honor J. MACANDREW.

(388.)
SIR,—Colonial Secretary's Office,
Wellington, 15th August, 1868.

Adverting to "The Inflammable Oils Ordinance, 1868," and "The Fencing Ordinance, 1868," which accompanied your Honor's letter No. 7,797, of the 17th ultimo, I have to state that His Excellency has been advised to disallow those Ordinances, for the following reasons respectively:—

I am advised that the provisions in "The Inflammable Oils Ordinance, 1868," affecting to empower the forfeiture of oils, &c., kept contrary to the Ordinance, and to authorize the issue by Justices of the Peace of search warrants, are *ultra vires*.

"The Fencing Ordinance, 1868," has been disallowed in compliance with the request and for the reasons contained in your Honor's letter of the 10th instant.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent of Otago.