

In the Report, page ten, line thirty-seven, it is said—"In Wellington an empowering Ordinance, 1854, passed or professed to transfer the powers of the Lieutenant-Governor of New Munster to the Superintendent; but the Prisons Ordinance is not one of those enumerated in the Schedule, and therefore the powers derived therefrom by the Lieutenant-Governor of New Munster have not been transferred to the Superintendent of Wellington. In the Province of Hawke's Bay, the empowering Ordinance, like that of Wellington, from which it is derived, does not contain the Prisons Ordinance in the Schedule." Now it appears, that while the New Munster empowering Ordinance enumerated in its Schedule the Ordinances which contained the powers transferred by it from the Governor of the Colony to the Lieutenant-Governor of New Munster, the Provincial Ordinances of Wellington and Hawke's Bay transferred the powers under the Ordinances enumerated in the Munster Ordinance, *except* those enumerated in the Schedules attached to the new Provincial Ordinances respectively; and the Prisons Ordinance being omitted from those Schedules, the powers of the Governor under the Prisons Ordinance *were* transferred to the Superintendents of Wellington and Hawke's Bay.

It appears, however, that the Superintendents of those Provinces have not exercised their powers for the purpose of making such rules as they are thereby authorized to make, although they seem to have (legally) appointed Visiting Justices.

At Wellington, no rules have been made for prisoners under sentences of imprisonment with hard labour; and for Napier, such rules have been made by the Governor, apparently in derogation of the powers transferred to the Superintendent.

The correction now suggested will apply not only to the passages of the Report above quoted, but also to the sentences beginning respectively at the thirty-fifth and forty-seventh lines of page twelve of the Report.

ALEXANDER J. JOHNSTON.

Wellington, 29th July, 1868.

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