

## DISALLOWANCE OF PROVINCIAL BILLS.

## No. 23.

His Honor W. WOOD to the Hon. W. GISBORNE.

SIR,—

Superintendent's Office, Southland, 4th January, 1870.

I have the honor to enclose herewith copy (in duplicate) of the Bill passed by the Provincial Council of Southland during its last Session, and reserved for the signification of His Excellency's pleasure thereon—"The Sheep Ordinance, 1866, Amendment Ordinance, 1869."

I have, &amp;c.,

WILLIAM WOOD,  
Superintendent.

The Hon. the Colonial Secretary, Wellington.

## No. 24.

The Hon. W. GISBORNE to His Honor W. WOOD.

SIR,—

Colonial Secretary's Office, Wellington, 18th February, 1870.

I have the honor to acknowledge the receipt of your letter of the 4th ultimo, enclosing "The Sheep Ordinance, 1866, Amendment Ordinance, 1869," which your Honor had reserved for the signification of the Governor's pleasure thereon, and, in reply, to inform you that the Government is advised that the Ordinance is open to legal objection, and cannot properly be assented to. As the law at present stands, all the fines and penalties referred to in this Bill are paid into the Public Account of the Province by the Clerks of the Court and others "to whom they are legally payable;" but the Bill would render such clerks and others liable to a fine of one hundred pounds under it if they performed their duty under "The Diseased Sheep Fines Appropriation Act, 1867," (passed by the General Assembly,) because the Bill provides that such persons shall pay fines and penalties into a bank named by the Superintendent on the recommendation of the Sheep Board.

"The Diseased Sheep Fines Appropriation Act, 1867," certainly provides that such fines and penalties shall be Provincial Revenue; but this, in effect, is a provision that Clerks of Courts shall pay to Provincial Account at the Bank where the Provincial Account is kept. The provision, therefore, in the Bill, should have been simply an appropriation of the moneys received as fines and penalties under "The Diseased Sheep Fines Appropriation Act, 1867."

I have therefore been compelled to advise His Excellency to withhold his assent to this Bill.

I have, &amp;c.,

W. GISBORNE.

His Honor the Superintendent, Southland.

## No. 25.

His Honor O. CURTIS to the Hon. COLONIAL SECRETARY.

(No. 31.)

Superintendent's Office,

SIR,—

Nelson, 28th June, 1870.

I have the honor to forward herewith the under-mentioned Acts, passed by the Provincial Council of this Province, to which I have given my assent, on behalf of His Excellency the Governor, viz. :—

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

"An Act to appropriate the Revenue of the Province of Nelson for the year ending 31st March, 1871."

I have also the honor to forward the under-mentioned Acts (in duplicate), passed by the Provincial Council, which I have reserved for the signification of His Excellency's pleasure thereon, viz. :—

"An Act to enable the Nelson Board of Works to raise the sum of Four Thousand Pounds by the issue of Debentures."

"An Act to amend the Nelson Water Works Act."

"An Act to further amend 'An Act to authorize the Superintendent to guarantee Interest upon the Capital to be expended in the construction of a Patent Slip or Dry Dock in the Port of Nelson.'"

I also enclose copies of two letters signed by the Speaker of the Provincial Council relative to the unauthorized expenditure during the year ended 31st March, 1870, in compliance with the provisions of the fourteenth section of "The Provincial Audit Act."

I have, &amp;c.,

OSWALD CURTIS,  
Superintendent.

The Hon. the Colonial Secretary, Wellington.

## No. 26.

The Hon. W. GISBORNE to His Honor O. CURTIS.

(70-1,723.)

Colonial Secretary's Office,

SIR,—

Wellington, 21st July, 1870.

Adverting to my letter of this day's date, I have to inform your Honor that the Government is advised that the reserved Bill passed by the Nelson Provincial Council, entitled "The Patent Slip Act, 1870," is *ultra vires*, inasmuch as it extends for three years the operation of the former Ordinance (authorizing a guarantee), and thus infringes the prohibition contained in the eleventh section of "The Consolidated Loan Act, 1867." His Excellency has therefore been advised to withhold his assent to this Bill.

I have, &amp;c.,

W. GISBORNE.

His Honor the Superintendent, Nelson.