

subject is exceedingly complex, and can only be effectively dealt with by a comprehensive consolidating and amending enactment, which should be prepared by some person skilled in Native law both customary and statutory.

(b.) *As to the other Acts in Appendix C.*—At present the New Zealand statute-book is arranged in separate divisions—one comprising Public General Acts, and the other Local and Personal Acts, but prior to 1877 this arrangement was not in force, nor indeed has it been always observed since that date. The majority of the Acts in this Appendix would be properly classed as “Local and Personal,” or even as “Private” Acts. Respecting many of them it would require much investigation and inquiry to ascertain how far they are still operative, or have had effect and can be treated as spent. On the whole we deemed it more in accordance with the terms of “The Reprint of Statutes Act, 1895,” to omit these enactments from consolidation, judging that the Legislature would, if it deemed it advisable, adopt measures to ascertain how far they are still in force, or have had effect, and what steps should be taken to clear the statute-book from obsolete enactments.

In a supplementary report which is now being prepared, and which we hope to submit to Your Excellency at an early date, we will mention some of the difficulties we have met with as regards particular statutes, and the action taken by us thereon, and will also explain other matters of detail to which we desire to draw attention.

Our labours have extended over a long period of time, and though we do not feel that we are in any way upon our defence, we think it not out of place to indicate some of the difficulties of our task.

Having regard to the responsible nature of the work, the greatest care has been necessary, and this we have given. A reference to the Acts will show that not only is there extensive rearrangement, but that in many cases, as, for instance, a large portion of the Rating Act, there is entire redrafting. Some Acts—*e.g.*, The Financial Arrangements Acts, The Local Government Voting Reform Act, The Law Amendment Acts—have wholly disappeared in the process, their provisions being embodied in other Acts. Difficult questions of implied modification or repeal had to be dealt with. The effect of one Act on another depends in many cases on their dates, and, as under our scheme all the Acts come into operation on the same date, constant care had to be exercised to prevent the alteration in date producing an alteration in the law. Then, again, the legislation of each session has necessarily affected work we had already done, thus compelling us to revise what we had finished, and often, indeed, to do it over again. The difficulties referred to were inevitable, but there were others which, though accidental, none the less led to delay.

During the last year our work has been more or less interrupted by the absence from Wellington of two of our members, our Chairman, Sir Robert Stout, being often away in the North on the business of the Native Land Commission, and Dr. Fitchett being absent for several months on official duty in England. At the outset, too, we were entangled in much needless labour, owing to the suggestion of the Government that we should adopt a printed volume of consolidated statutes that had been prepared by our Secretary, Mr. Jolliffe, in his capacity of Law Draftsman. We took this volume, but found it a hindrance instead of a help. It was more in the nature of a code than a consolidation; and although in itself an excellent piece of draftsmanship, we found that Mr. Jolliffe had given himself a latitude far in excess of anything authorised by the Act under which we were appointed. And in departing from the language of the statute he had in many instances departed from the law. Even where alteration in language did not necessarily result in altering the law, we found that in many of his Acts, particularly those dealing with mercantile contracts, such as the Bills of Exchange Act, the Chattels Transfer Act, and others, the provisions of which are the subject of legal decisions, there were changes which we could not allow to stand. We had, therefore, to spend much time and trouble in revising and restoring the text. Moreover, as was natural, Mr. Jolliffe did not enter very heartily into the task, and it was not until we were well outside the range of his volume that