

will require their immediate attention. The whole of the local Councils have already met for the despatch of business, and have passed a variety of useful and necessary laws, copies of which will be laid before you. Having regard to ultimate uniformity, certain of these enactments will require your especial attention. It will probably be found that the Ordinances enacted by some of the local councils for transferring the powers heretofore exercised by the Governor of the colony to the Superintendent of the Province, vest in that officer a wider extent of executive jurisdiction than is consistent with the establishment of ultimate unity, and of an efficient central authority. Instead of exercising the power of disallowance vested in the Governor by the Constitution, I have preferred to leave for the present these local Acts to their operations, in the anticipation that the Assembly will substitute one general enactment for all the Provinces, giving to the head of each Province such executive power and authority as, after careful deliberation, may be deemed necessary for securing the prompt and efficient conduct of Provincial Government. It will probably be found that on other subjects also, as the appropriation of fees, fines, and penalties several of the Provinces have simultaneously passed an enactment with the same object, and on the same subject, but each differing from another; it may in some instances be within the power of the Assembly by adopting and consolidating the provisions of the several local laws, at once to substitute one general law on the subject, and thus to secure uniformity without any undue interference with the freedom of Provincial legislation.

It will appear also, from an examination of their legislative proceedings, that by some of the Provinces, the salaries of officers (Registrars of the Supreme Court, &c.) whose appointment is vested exclusively in the Governor of the Colony, have been provided for by a vote of the Provincial Council that the power of appointing officers belonging to establishments under the exclusive legislative authority of the General Assembly, has also, by some of the local Councils, been given to the Superintendent of the Province; and that the salaries of these officers also, have been borne on the Provincial Estimates. It can scarcely be either sound in principle, or convenient in practice, that the Resident Magistrates, or any other public officers, should be thus dependent on two distinct authorities.

The Registrars of the Supreme Court can be appointed only by the Crown or by the Governor provisionally, in the name of the Crown; the Court of Judicature to which these officers belong is expressly excepted from the jurisdiction of Provincial Legislation; and it cannot be fitting that the due maintenance of an institution, established for the benefit of the colony at large, should be left to depend upon the annual vote of the council of a province. I would suggest, therefore, for the consideration of the Assembly, whether the power of appointing a public officer, of determining the amount of his salary, and of providing for its payment, should not be exercised by the same authority; whether the power of appointing the officers connected with the establishments, excepted from the jurisdiction of the Provincial Councils, should not, as a general rule, be exercised by the Governor alone, and whether the salaries of these officers should not be paid out of the general revenue of the colony, and that too, not by annual vote, but under the authority of an act of the General Assembly.

On certain of the subjects within the common jurisdiction of the General and Provincial Legislatures, the initiative in Legislation will from time to time, be taken by a single Provincial Legislature. In that case also, the Assembly, by a timely interposition, adopting as far as may be, the provisions of the Provincial ordinance, and passing a general law on the subject, may prevent a useless multiplicity and diversity of laws. Amongst other recent acts, a law has been enacted by the Legislature of the Province of Auckland on the subject of Foreign Seamen; and by the Province of Wellington, an Act has been passed for authorizing the formation of "Mixed Partnership;" it would, no doubt, be competent for each of the other Provincial Councils to pass a law to prevent the desertion, and to punish the misconduct of Foreign Seamen, and also to regulate the law of Partnership, yet it would be more convenient that, instead of six different laws, there should, on such subjects, be one general law, known to be in force for the Islands of New Zealand. The enactment by the Assembly of a general law, based upon the suggestion and experience of the Province, which has already legislated on the subject, would secure future uniformity, and might, I think, be justly regarded by the colonists at large, as a salutary and timely exercise by the Supreme Legislature of its controlling Legislative power.

The same observation applies, but with greater force, to an act passed by the Council of this Province, providing for the execution of deeds, and for other purposes relating to real property. There is scarcely any subject on which diversity or uncertainty is more carefully to be guarded against than in the law relating to real property. It would by no means tend to facilitate the transfer of lands, if, in time to come, the title to such property shall be found to depend upon what was the particular law at a certain time in a particular district of New Zealand, as to the execution of a particular description of legal instrument. Seeing the expense, uncertainty, and delay which has been experienced in England in the transfer of real property, arising from the existence in different parts of the country of a variety of laws, customs, and usages relating to this subject,