

FURTHER PAPERS

RELATIVE TO THE

DISALLOWANCE OF PROVINCIAL BILLS.

*(In continuation of Papers presented on the 30th July, 1860.)*



## DISALLOWANCE OF PROVINCIAL BILLS.

## No. 1.

COPY OF A DESPATCH FROM MR. STAFFORD TO THE SUPERINTENDENT OF CANTERBURY.

Colonial Secretary's Office,  
Auckland, 16th August, 1860.

SIR,—

I have the honor to acknowledge the receipt of your letter No. 102 of the 17th May last, enclosing a copy of an Ordinance passed by the Provincial Council of Canterbury, intituled the "Trespass of Cattle Ordinance" Session 12, No. 1, to which your Honor has assented on behalf on His Excellency the Governor. The 36th Section of this Ordinance virtually repeals a Section of an Act of the General Assembly, "The Justices of the Peace Act, 1858," I regret therefore that I have been obliged to recommend the Governor to disallow this Ordinance, and His Excellency has been pleased to disallow it accordingly.

(No. 342.)

I have, &amp;c.,

E. W. STAFFORD.

His Honor the Superintendent, Canterbury.

## No 2.

COPY OF A DESPATCH FROM MR. STAFFORD TO THE SUPERINTENDENT OF OTAGO.

Colonial Secretary's Office,  
Auckland, 7th September, 1860.

SIR,—

I have the honor to acknowledge the receipt of your Honor's letter of the 12th ultimo, transmitting a Bill entitled the "Otago Loan Ordinance, 1860," passed by the Provincial Council of Otago, and reserved by you for the Governor's assent.

(No. 352.)

This Bill omits to observe, both as to the amount, and in other respects, the conditions prescribed by the Secretary of State for the Colonies as those upon which alone the assent of the Governor could be given to such a Bill, and which were communicated to your Honor in my letter No. 48, of the 24th January, 1860.

His Excellency has consequently been unable to assent to this Bill.

I have, &amp;c.,

E. W. STAFFORD.

His Honor the Superintendent, Otago.

## No. 3.

COPY OF A DESPATCH FROM MR. STAFFORD TO THE SUPERINTENDENT OF MARLBOROUGH.

Colonial Secretary's Office,  
Auckland, 6th November, 1860.

SIR,—

I have the honor to enclose a message from His Excellency the Governor to the Provincial Council of Marlborough returning, in conformity with the 13th clause of the "New Provinces Act, 1860," the Bill noted in the margin, with an amendment to the effect suggested in your Honor's letter of the 27th July last, forwarding such Bill for His Excellency's assent.

(No. 395.)

With reference to the "Dog Nuisance Abatement Act, 1860," passed in the same Session, I have to inform your Honor that, although there is no legal objection to this Bill, yet the Government is of opinion, that in the present state of the Colony, it would not be prudent to require Natives to register their Dogs, and to enforce penalties on them if they failed to do so. His Excellency has accordingly been advised to withhold his assent to that Bill.

"The Cattle Branding Act, 1860."

I have, &amp;c.,

E. W. STAFFORD.

His Honor the Superintendent of the Province of Marlborough.

COPY OF A DESPATCH FROM MR. STAFFORD TO THE SUPERINTENDENT OF AUCKLAND.

Colonial Secretary's Office,  
Auckland, 25th March, 1861.

SIR,—

(No. 165.)

I have to acknowledge the receipt of your Honor's letter No. 25 of the 27th ultimo, covering copies of the following Acts:—"The Harbour Endowments Act Amendment Act, 1861," "Appropriation Act, 1861," "Licensing Act Amendment Act, 1861," passed by the Auckland Provincial Council, to which your Honor has assented on behalf of the Governor.

The Governor has been advised to leave "The Appropriation Act, 1861," and "The Licensing Amendment Act, 1861," to their operation.

With respect to the "Harbour Endowments Act Amendment Act, 1861," I have to observe that the Provincial Legislature had no power to pass this Act. "The Auckland Harbour Debenture Act, 1860," passed by the General Assembly makes the Debentures issued under that Act a first charge on the Endowments, but Section 11 reserves to the Superintendent the powers given by the Provincial Act, Session XI, No. 2. Those powers, therefore, may still be exercised, and it is not competent to the Provincial Legislature to authorize the creation of any other estate or interest, as such would be inconsistent with the provisions of the Act making the Debentures a first charge.

His Excellency has accordingly been advised to disallow the "Harbour Endowments Act Amendment Act, 1861," and a Proclamation disallowing it will be issued accordingly.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Auckland.

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COPY OF A DESPATCH FROM MR. STAFFORD TO THE SUPERINTENDENT OF AUCKLAND.

Colonial Secretary's Office,  
Auckland, 26th March, 1861.

SIR,—

(No. 166.)

I have to acknowledge the receipt of your Honor's letter No. 20 of the 21st ultimo, transmitting "The Auckland Representation Act, 1861," passed by the Auckland Provincial Council and reserved by your Honor for the Governor's assent.

The fourth section of this Act, purporting to provide for the formation of Electoral Rolls for the election of Members of the Provincial Council is in contravention of the third and fourth sections of the Act of the General Assembly, intituled "The Provincial Elections Act, 1858," making other provision for that purpose, and is therefore illegal.

His Excellency has consequently been necessarily advised to withhold his assent to this Act, and that Assent has been withheld accordingly.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Auckland.

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