

No. 2.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor S. BEALEY.

(No. 94.)

Colonial Secretary's Office,

Wellington, 23rd February, 1866.

SIR,—

I have to acknowledge the receipt of your Honor's letter No. 24, of the 10th instant, transmitting a reserved Bill passed by the Provincial Council of Canterbury, entitled "The Provincial Council Extension Ordinance, 1866," for the signification of the Governor's pleasure thereon.

This Bill contains no provision for the formation of Electoral Rolls for the new districts which it creates; and I am advised that the Registration Officer appointed under "The Provincial Elections Act, 1858," for the formation of Provincial Electoral Rolls, is not thereby authorized, after he has formed such Rolls for one year, to repeat that process during the same year.

If therefore this Bill is assented to, no new Electoral Rolls can be formed for the districts created by it until after the completion of the next Rolls for the election of Members of the House of Representatives.

It does not however appear to the Acting Law Officer that the insertion of a clause in the Provincial Bill providing for the framing of the altered Provincial Rolls by the officer appointed under "The Provincial Elections Act, 1858," for the interval for which provision is not made by that Act, would be necessarily inconsistent with that Act.

It appears accordingly advisable, if the Provincial authorities are anxious that the next elections should take place in accordance with the proposed new constitution of districts, that another Bill should be passed containing the clause suggested.

I shall delay advising His Excellency with respect to this Bill until your Honor has had an opportunity of replying to this letter.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Canterbury.

No. 3.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.

(No. 42.)

Superintendent's Office,

Christchurch, Canterbury, N.Z., 28th February, 1866.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 23rd instant, in which you inform me that the Bill, passed by the Provincial Council, intitled "The Provincial Council Extension Ordinance, 1866," and transmitted by me for the Governor's assent, contains no provision for the formation of Electoral Rolls for the new districts which it creates, and that you are advised that the Registration Officer appointed under "The Provincial Elections Act, 1858" for the formation of Provincial Electoral Rolls, is not thereby authorized after he has formed such rolls for one year, to repeat that process during the same year.

In reply I have the honor to state that the above objection was considered previous to the introduction of the Bill into the Council, and it was thought better not to make any provision for the formation of Provincial Electoral Rolls, because the right to vote, according to the second clause of "The Provincial Elections Act, 1858," depends solely on the rolls for the House of Representatives. It is therefore clear that the Provincial Rolls are merely for convenience, and can be formed without legislative enactment quite as well as with, inasmuch as they cannot in either case be taken as evidence in deciding the right of anyone to vote. Another reason why the Bill was sent up in its present state was that being similar in all its provisions to "The Provincial Council Extension Ordinance, 1861," which received the assent of the Governor, it was considered unadvisable to deviate from that Ordinance.

Should the above reasons not be sufficient to cause you to advise His Excellency to give his assent to the Bill, I have, in deference to the opinion expressed in your letter, summoned the Provincial Council to meet, that a clause may be inserted in the Bill, as suggested by the Acting Law Officer, providing for the framing of the altered Provincial Rolls by the officer appointed under "The Provincial Elections Act, 1858" for the interval for which provision is not made by that Act.

I have to thank you for having afforded me the opportunity for making the alteration in the Bill which you state to be necessary.

I have, &c.,

S. BEALEY,

Superintendent.

The Hon. the Colonial Secretary.

No. 4.

Copy of a Letter from His Honor S. BEALEY to the Hon. E. W. STAFFORD.

(No. 44.)

Superintendent's Office,

Christchurch, Canterbury, N.Z., 1st March, 1866.

SIR,—

In consequence of the opinion of the Acting Law Officer of the General Government in reference to "The Provincial Council Extension Ordinance, 1866," I have the honor to inform you that I have called the Provincial Council to meet on the 13th instant. I have therefore to request that you will delay dissolving the Council until further communication from me.

I have, &c.,

S. BEALEY,

Superintendent.

The Hon. the Colonial Secretary.