

that Mr. McKinnon would inevitably lose his land if I refused the cheque, that I was again induced, very reluctantly, to depart from my usual practice. Moreover, your acknowledgment of the receipt of the first cheque, without remark, naturally led me to suppose that it was duly honored, and tended, in a great measure, to overcome my reluctance to take the second; the cheque for £200 was accordingly taken by me, and, together with the land receipt, forwarded to you, with a statement of the circumstances, by the first opportunity.

In a private letter, of date 21st May, received from you, you informed me that neither the cheque for £200 nor the former one had been cashed, and stating also that you had seen Mr. Macandrew, who promised that both should be paid by the end of the month.

To this, as you may remember, I immediately replied, requesting you to present the cheques on receipt of my letter; and, if not paid at once, to send them back with the receipts, that I might have the entry erased from the books.

To this, in your private letter of the 4th June, you reply, that you had presented the cheques for payment at the Bank; that there was no funds then at the credit of Mr. Macandrew, and enclosing the receipts and cheques; and stating that the land must be re-applied for, and if the parties were not on the spot to pay the money, that the entries should be erased. I may here observe that the amount of the first cheque was duly paid by the person in whose name the land was applied for.

On receipt of your letter I immediately erased the entry from my cash-book, and waited on the Local Officer of the Waste Land Board, who keeps the books of the Land Office here, and informed him of all the circumstances of the case, and requested him to erase the entry from his books, to which he replied that he would; but by mere chance, I subsequently ascertained that he had not done so, but without apprising me of his intention, had forwarded the quarterly accounts and copy of the cash-book with the entry not erased, giving me as his reason for doing so, that without the sanction of the Chief Commissioner, he did not consider himself warranted in making the erasure: a conclusion, I beg to submit, which he was rather late of arriving at, and of which, as I stated to him at the time, he was in common courtesy bound to have appraised me, after his previous promise to make the erasure.

On being made aware of the non-erasure, I immediately wrote to you, pointing out the discrepancy that would appear between the two statements of accounts, viz., that sent to the Chief Commissioner, by Mr. Pearson, and that sent to you by me.

I have just received your letter informing me that, up till the 27th ultimo, the amount was not paid. In justice to myself, I have given you a very detailed account of this very annoying transaction, and having done so, I must leave the matter in your hands.

I have, &c.,

A. J. ELLES,

Receiver of Land Revenue.

To the Treasurer of the Waste Land Board, Otago.

No. 2.

Copy of a Letter from the SPEAKER, Provincial Council, Otago, to HIS EXCELLENCY THE GOVERNOR.

YOUR EXCELLENCY,—

Auckland, 1st January, 1861.

In laying before your Excellency the address of the Provincial Council, in conformity with their instructions, I would respectfully request to be heard by your Excellency, should Mr. Macandrew in his official communication have reflected upon the impartiality or honorable intentions of the Council in their painful investigations and more painful decision; or should he have made any statements affecting the conclusions at which the Council have arrived.

I feel confident your Excellency will justly appreciate my motives in being desirous of placing the Province, to which I belong, and the Colony, of which it is a part, in such a position that the enemies of Representative Institutions may find no cause of rejoicing in the presumed inapplicability of such Institutions to British Colonies.

I have, &c.,

J. RICHARDSON.

For His Excellency the Governor.

Enclosure in No. 2.

Copy of an Address to the GOVERNOR by the PROVINCIAL COUNCIL of Otago.

To His Excellency Thomas Gore Browne, C.B., Governor of the Colony of New Zealand, &c., &c., &c.

“MAY IT PLEASE YOUR EXCELLENCY,—

“In consequence of the facts disclosed by accompanying Report and Evidence taken before a Select Committee of the Provincial Council of Otago, on the Public Accounts, Funds, &c., from which it appears that His Honor James Macandrew, Esquire, the Superintendent of the Province of Otago, has had the use of a portion of the Public Funds for private purposes, and was for a considerable time aware that there was a deficiency in the Public Funds without having made the Members of his Executive acquainted therewith:

“We Members of the Provincial Council, humbly address your Excellency, and request you to exercise the powers vested in Her Majesty by the fourth clause of the Constitution Act, and to remove the said James Macandrew from the office of Superintendent of the Province of Otago.”

Sub-Enclosures in No. 2.

REPORT of SELECT COMMITTEE on the STATE of the PUBLIC ACCOUNTS, PUBLIC FUNDS, &c.
(Brought up by Mr. Gillies, 18th December.)

Committee—Messrs. T. B. Gillies, Frederick Walker, W. F. Tarlton, Thomas Dick, and the Speaker, Major Richardson.

In the prosecution of the important duties which devolved upon your Committee, it became at once