

3. That the Hon. William Fitzherbert, a member of the House of Representatives, was at the date of the passing of the said Act, and has continuously been and still is, Superintendent of the said Province.

[An Act to establish an Executive Government for the Province of Wellington, Session 1, No. 1. Assented to, 3rd November, 1853. Sections 1, 6 & 7.

4. That Henry Bunny, a member of the Provincial Council of the said Province, was, at the date of the passing of the said Act, and hath continuously been and still is, the Provincial Treasurer of the said Province, appointed under the Act of the Provincial Council of the said Province mentioned in the margin hereof; and the said James Prendergast, Attorney-General as aforesaid on behalf as aforesaid, relies on the sections of the said Act mentioned in the margin hereof.

5. That William Dorset was, at the date of the passing of the Act mentioned in the first paragraph hereof, the Provincial Auditor of the said Province, under the Act of the General Assembly the short title whereof is "The Provincial Audit Act, 1866," and was the Auditor of the said Province under the said last-mentioned Act on the twenty-seventh day of January last.

6. That, on the said twenty-seventh day of January last, the said William Fitzherbert and Henry Bunny caused to be prepared and presented to the said William Dorset, in his capacity of Provincial Auditor of the said Province, a paper writing, of which the following is a copy:—

Warrant No. 15, 1874.

By His Honor WILLIAM FITZHERBERT, Esquire, Superintendent of the Province of Wellington, New Zealand, &c., &c., &c.

To HENRY BUNNY, Esquire, Provincial Treasurer, Wellington.

You are hereby authorized to pay or cause to be paid to the persons who may be and may become respectively entitled thereto, the several sums hereinafter mentioned, for the services also hereinafter mentioned, upon such days as the said several sums, or such respective parts thereof, shall become due and payable, that is to say,—

| | £ | s. | d. | £ | s. | d. |
|---|--------|----|----|---|----|--------------------|
| Bridges—Ruamahanga (near Te Ore Ore) | 4,000 | 0 | 0 | | | |
| Abbott's Creek (two bridges) | 4,500 | 0 | 0 | | | |
| | | | | | | 8,500 0 0 |
| Roads—Foxton to Sandon | £3,741 | 0 | 0 | | | |
| Roads to open up Paraekaretu Block | 6,000 | 0 | 0 | | | |
| Preliminary Surveys, Deviation Paikakariki Hill Road | 600 | 0 | 0 | | | |
| Tinui to Alfredton and Forty-Mile Bush | 4,000 | 0 | 0 | | | |
| Masterton to Alfredton, through Wangaeahu | 4,000 | 0 | 0 | | | |
| | | | | | | 18,341 0 0 |
| Lunatic Asylum in Wellington | | | | | | 7,709 0 0 |
| School-houses and Teachers' Residences, and Lands for same | | | | | | 9,000 0 0 |
| Preliminary Expenses, Survey, and Removing Snags, &c., Wanganui River | | | | | | 1,000 0 0 |
| Contingencies | | | | | | 5,000 0 0 |
| | | | | | | <u>£49,550 0 0</u> |

Amounting to Forty-nine thousand five hundred and fifty pounds sterling.

And for so doing this authority, with the several abstracts, supported by the proper vouchers and acquittances of the parties who are respectively entitled to the sums mentioned herein, shall be your sufficient warrant and discharge.

Given under my hand at Wellington, New Zealand, this twenty-seventh day of January, one thousand eight hundred and seventy-four.

7. That the said William Fitzherbert and the said Henry Bunny pretended, at the time of presenting the same to the said William Dorset as aforesaid, that the said paper writing was a warrant within the meaning and complying with the provisions of the twenty-fifth section of the Constitution Act, and the said Act of the Provincial Council hereinbefore mentioned in the margin hereof, and the said "Provincial Audit Act, 1866," whereas in fact the said paper writing is not a warrant within the meaning of the said Acts.

8. That at the time of the presentation of the said paper writing to the said William Dorset for his certificate as aforesaid, there was no Act of the Provincial Legislature of the said Province in force, appropriating any of the Provincial revenues to the services mentioned in the said paper writing, nor has any such Act since such presentation come into or been in force.

9. That the said paper writing so presented to the said William Dorset for his certificate was not accompanied by any special order, as required by the twelfth section of the said "Provincial Audit Act, 1866."

10. That at the time of the presentation of the said paper writing to the said William Dorset for such certificate as aforesaid, the amount of the Provincial revenue of the said Province at the credit of the Provincial Account of the said Province was one hundred and eighty-five pounds twelve shillings and sixpence (£185 12s. 6d.), and no more, and that, at the time of such certificate being made, the works and services mentioned in the said paper writing had not been performed or executed, and no liabilities had been incurred in respect thereof.