

4. The Government are of opinion that, in future Appropriation Ordinances of the Provincial Council of Canterbury, this provision ought to be inserted.

5. I observe that though the first of these Ordinances appears to have been passed on the 29th of November, 1873, and the last on the 23rd of January, 1874, they were not forwarded by your Honor to the Government till the 22nd of April, 1874. They were received here on the 23rd of April; so that, in the first case, the Ordinance had been in operation nearly five months, and in the latter case exactly three months, before the Government had the opportunity of tendering any advice to His Excellency regarding them, although the 28th section of the Constitution Act provides that whenever a Bill is assented to, the Superintendent shall "forthwith" transmit to the Governor an authentic copy thereof.

6. I point this out to your Honor, as, in the event of His Excellency having decided on using his power of disallowance of any of these Ordinances, a period of from three to five months would have elapsed, during which a possibly illegal Ordinance would have been law, involving serious complications and possibly loss to innocent individuals.

His Honor the Superintendent, Canterbury.

I have, &c.,
EDWARD RICHARDSON,
(in absence of the Colonial Secretary).

OTAGO.

No. 25.

His Honor the SUPERINTENDENT, Otago, to the Hon. the COLONIAL SECRETARY.

Province of Otago, New Zealand.

SIR,—

Superintendent's Office, Dunedin, 22nd June, 1874.

I do myself the honor to forward the enclosed Ordinances, passed at the last Session of the Provincial Council, to which I have assented on behalf of His Excellency the Governor, viz.,—

"Imprest Supply Ordinance, 1874."

"Otago Gold Duty Repayment Ordinance, 1874."

Also, the following Bill, which I have reserved for the signification of His Excellency's pleasure thereon, viz.,—

"Otago Harbour Board Ordinance, 1874."

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
J. MACANDREW,
Superintendent.

No. 26.

The Hon. the COLONIAL SECRETARY to His Honor the SUPERINTENDENT, Otago.

SIR,—

Colonial Secretary's Office, Wellington, 18th July, 1874.

I have the honor to inform your Honor that the Governor has disallowed "The Otago Gold Duty Repayment Ordinance, 1874." His Excellency was advised to take that course because there did not appear to be sufficient provision in the Bill to prevent the repayment of gold duty being made for gold the produce of other provinces shipped from Otago.

Although the 2nd section of the Bill refers to the gold as being the produce of the Province of Otago, the 3rd section requires your Honor to be satisfied with the proof only of the gold being shipped from the province. Thus inducements would be offered to transmit to Otago for shipment the gold produced in other provinces, thereby causing loss to their revenue.

It may be doubted whether any provision for giving a bonus on gold shipped could be hedged round with sufficient prohibition to protect the interests of other provinces; but provision might be made for allowing the bonus directly to the miners, on their satisfying the Warden or other authorized officer that they obtained gold within any district, and forwarded it to the coast for shipment.

A measure of that kind, whilst answering the purpose of the Ordinance lately made by the Otago Provincial Council, would be free from the great objection to which I have referred, as well as from another which might be urged against it, as being, in appearance at least, an unconstitutional interference with the authorized taxation.

His Honor the Superintendent, Otago.

I have, &c.,
DANIEL POLLEN.

By Authority: GEORGE DMSBURY, Government Printer, Wellington.—1874.

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