

MESSAGE No. 13.

His Excellency the Officer administering the Government forwards to the House of Representatives, a Petition which he has received from Alexander McKay respecting a debt due to him from the late Mr. Andrew Wylie of Otago.

R. H. WYNYARD.

Government House, Auckland,
6th September, 1854.

Auckland, 5th September, 1854.

SIR,—We have the honor to transmit herewith copy of a Petition, from Mr. Alexander Mackay, of Otago, to the House of Representatives; and to request that your Excellency will have the goodness to cause the necessary investigation to be made into the case. We may be permitted to add that from our personal knowledge, we are aware that, the case is one which the character of the Public Officer complained against, requires should be cleared up.

We have, &c.,

Signed { JAMES MACANDREW.
 { J. CARGILL.

His Excellency
The Officer administering the Government of
New Zealand.

To the Honorable the Members of the House of Representatives of New Zealand.

The Petition of the undersigned Alexander McKay, of the East Taieri District, of the Province of Otago, New Zealand, settler.

HUMBLY SHEWETH,—

That the late Mr. Andrew Wylie, deceased, formerly Assistant Surveyor in this Settlement, boarded and lodged in my House (a Licensed Tavern, which I then kept) at Port Chalmers in this Province, during the space of about two years ending October 8th, 1849.

That one Louisa Keid, was living with him as his wife, although not married to him, and she also was boarded and lodged by me, on his account for the whole of that time.

That at the time of Mr. Wylie's death, the balance due to me was £76 2s. 9d. after giving Mr. Wylie credit for a Bill of Exchange for £100, drawn upon Mr. Pirmin Victor Mortin, of this place, which was dishonored; but on which I received £30 on that persons insolvency.

That only £30 of my whole claim was for wine, &c., and the remainder was for board and lodging, and for cash advanced.

That I employed Mr. Garrick, a solicitor here, to draw out my claim, in a proper manner; and it was sent in before the notice appeared in the Government Gazette of the 9th February, 1850, for creditors to prove their claims against the estate of Mr. Wylie, I duly made affidavits thereupon before Mr. Strode, the Acting Resident Magistrate, who was also acting as receiver of Intestate Estates, he told me he would send all the papers to Wellington, and that he had no doubt I should hear in a month or two.

That about the same time Mr. Rhodes, of Porirua, with whom the sister of Louisa Keid was living, came to fetch her away; and a large quantity of property was then excluded from the sale by auction of Mr. Wylie's effects, namely, his watch, bedding, and other articles, also, some pigs, several head of cattle, and three colts or fillies, which were then running at Mr. John Jone's Waikowaiti, these were handed over to Louisa Keid, and either taken away by her, or sold for her benefit.

That Mr. Strode himself received the three colts or fillies, which I have mentioned, in exchange I believe for a horse, or horses, belonging to him at Wellington. Two of them he exchanged for heifers with Mr. John Jones, the third is now, or was lately, in his possession and use, and there are numerous parties, including Mr. Jones himself, who can prove this part of my statement.

That about the 16th February, 1851, I again asked Mr. Strode, whether there was anything coming to me, he did not know, or was not sure, or some such unsatisfactory answer.

That I have at different times addressed two letters to Mr. Alfred Domett, the late Colonial Secretary of New Munster, upon the subject of my claim; and I have never received any reply to either of such letters.

I therefore venture humbly to beg that your Honorable House, will be pleased to direct enquiries to be made into the subject, in order that my just claim may not remain unsatisfied, through the inadvertance or mistake of the Government Officer whose duty it was to see the assets of the estate properly realized, and the debts justly due from it discharged, before giving any of them up as presents or legacies.

And your Petitioner will ever pray for your Honorable House.

(Signed) ALEXANDER MACKAY.