

FURTHER PAPERS RELATING TO THE

appears in the Ordinance itself. There seems also to be some obscurity in the 9th section as to the mode in which the rotation of retirement of members of the General Board shall annually take place. His Excellency will be advised to leave the Ordinance to its operation.

His Excellency will also be advised to leave "The Fencing Ordinance, 1863" to its operation.

In the "Bush Fires Ordinance, 1863" a new principle is introduced into the law of evidence, it is enacted that a person shall *prima facie* be deemed guilty of an offence from the mere fact of its happening on his premises, and then provision is made that the matter may be determined by the oath of the party accused, thus legalizing the evidence of the accused party in criminal offences.

The 34th section of the "Sheep Ordinance, 1863" is open to somewhat a similar objection. It is repugnant to the Law of England that a man should be required to criminate himself, yet under that section he may be examined by an inspector on oath as to any facts within his knowledge in respect of sheep under his control, &c. The Inspector is in fact made an Inquisitor.

Ministers regret that for these reasons they are compelled to advise His Excellency to disallow the "Bush Fires Ordinance, 1863," and the "Sheep Ordinance, 1863" respectively. A Proclamation of such disallowance will be published in the *New Zealand Gazette*.

I have, &c.,

FREDERICK WHITAKER,
For the Colonial Secretary.

His Honor
The Superintendent,
Canterbury.

No. 3.

SUPERINTENDENT CANTERBURY TO THE HONORABLE COLONIAL SECRETARY.

Superintendent's Office, Christchurch,
Canterbury, N.Z., 11th January, 1864.

SIR,—

I have the honor to acknowledge the receipt of your letter dated 23rd Dec., No. 461, informing me that the Ordinances noted in the margin have been left by His Excellency the Governor to their operation, also drawing my attention to the form of the certificate of the Speaker as being inconvenient and enclosing forms of certificates as used in such cases by the Superintendent and Provincial Councils of the other Provinces, also informing me that for reasons stated, His Excellency has been advised to disallow the

"Bush Fires Ordinance 1863," and the "Sheep Ordinance 1863."

I have, &c.,

S. BEALEY,
Superintendent.

The Honorable
The Colonial Secretary.

No. 4.

SUPERINTENDENT CANTERBURY TO THE HONORABLE COLONIAL SECRETARY.

Superintendent's Office,
Christchurch, October 27th, 1863.

SIR,—

I have the honor to forward three Bills, which I have reserved for the signification of His Excellency the Governor's pleasure thereon, and to request that you will advise His Excellency to give his assent thereto with all convenient despatch.

The Road Districts Bill, No. 1, is an extremely important measure, as it involves a new system of carrying on the public works of the Province, and places the subject of taxation for local improvement for the first time before the settlers in the rural districts, whose wants have hitherto been supplied so far as road-making and drainage improvements were required, by votes of the Provincial Council from the Land Revenue chiefly.

So important have I deemed this measure to be, that in order to prevent any danger of the Bill being disallowed on the ground that Crown lands would be affected by it, where parties having pasturage rights came under its provisions as was originally proposed, I have caused a second Bill, referring solely to the holders of Pasturage Licenses, to be submitted to the Council, which I have also reserved for His Excellency's assent. If therefore, the Advisers of His Excellency are of opinion that it is not competent for the Provincial Council to pass such a measure as the "Road Districts Bill, No. 2," this Bill will be disallowed without affecting the Bill No. 1 at the same time. I should be glad to know in the event of this contingency, what would be the most convenient mode of dealing with the holders of Pasturage Licenses, so as to place them on a similar footing to the farmers and holders of land in the Rural Districts.

I should be glad if these Bills may be presented at once, and a copy returned to me as soon as possible, in order that convenient notices may be given of the meetings to be held under the provisions of the Bill.

Christchurch Hospital Ordinance, 1863.

The Fencing Ordinance, 1863.

Road Districts Bill, No. 1.

Road Districts Bill, No. 2.

Christchurch City Council Bill, 1863.