

PROCLAMATION by Charles Brown, Esq., Superintendent of the Province of Taranaki.

WHEREAS by Warrant dated 1st October, 1861, the Governor, with the advice and consent of the Executive Council of New Zealand, delegated to Charles Brown, Esquire, so long as he shall hold the office of Superintendent of the Province of Taranaki, the several powers vested in the Governor by the second, fourth, fifth, seventh, ninth, and tenth sections of "The Diseased Cattle Act, 1861," subject to be rescinded as in the said Act provided, and subject to the Regulations of even date therewith, and to any other Regulations to be from time to time duly made:

Now therefore, I, the said Charles Brown, by virtue of such powers in me vested, do hereby proclaim and declare that from and after the date hereof, the several Colonies of Australia, that is to say, Victoria, New South Wales, Queensland, South Australia and Western Australia, as well as the Colony of Tasmania, and the Colony of the Cape of Good Hope, and the islands of Great Britain and Ireland, shall be deemed to be infected districts within the meaning and for the purposes of the said Act, and that no cattle shall be allowed to be imported from such districts: provided that the Superintendent may allow any cattle to be landed from vessels from the islands of Great Britain and Ireland, subject to such conditions and restrictions as he may deem expedient, and the circumstances of the case require.

And I do further proclaim and declare that the Provinces of Otago and Southland in the Colony of New Zealand, shall be deemed to be infected districts within the meaning and for the purposes of the said Act, and that no cattle shall be allowed to be imported from the said Provinces.

Given under my hand at New Plymouth, this sixteenth day of January, one thousand eight hundred and sixty-two.

CHARLES BROWN,
Superintendent.

Mr. DOMETT to Mr. C. BROWN.

(No. 197)

New Plymouth, 2nd June, 1863.

SIR,—

The demands of the Commissariat Department for beef for the supply of the Forces in this Province have now become so great that the Lieutenant-General has brought under the notice of Government the propriety of removing the restrictions on the importation of cattle from Australia.

I understand that in the Southern Provinces of New Zealand importation from Gipps Land is now permitted, and as the high contract price for beef in this Province renders the question one of great importance, I have to suggest to your Honor the propriety of your relaxing the prohibition affecting the importation of cattle from at least the same Australian districts as have been thrown open to the trade with Otago.

His Honor the Superintendent, Taranaki.

I have, &c.,
ALFRED DOMETT.

Mr. W. BAYLY to Mr. C. BROWN.

SIR,—

New Plymouth, 13th April, 1865.

In reply to your verbal communication as regards the price per pound for fresh meat for the supply of Her Majesty's Forces in this Province, I will supply the whole of Her Majesty's Troops in this Province for the sum of 6d. 9-10ths (sixpence nine-tenths), four days mutton, three days beef per week, from this date to the 1st of April, 1866.

Charles Brown, Esq., Superintendent, New Plymouth.

I have, &c.,
W. BAYLY, sen.

Sub-Enclosure 2 to Enclosure in No. 17.

MEMORANDUM by Mr. WELD.

MINISTERS have received a Memorandum addressed on the 25th ultimo direct to His Excellency the Governor by Commissary-General Jones, C.B., and referred to them by His Excellency on the following day.

The Commissary-General refers to previous Memoranda on the subject of the refusal of the Superintendent of Taranaki to allow certain cattle brought from Australia to be landed at New Plymouth, and expresses an opinion that, as the cattle in question were intended for Her Majesty's Troops, the Colony should bear all loss incurred by the contractor in consequence of his inability to land the cattle at New Plymouth.

It appears that the Superintendent of Taranaki, in exercise of the powers delegated by the Governor to him under an Act of the General Assembly, intituled "The Diseased Cattle Act, 1861," issued certain proclamations, which were duly published at the time, and were republished in the *New Zealand Gazette*, (No. 10, 18th March, 1865, pages 53, 54, and 55,) a copy of which is enclosed, declaring certain districts within the meaning of the Act, and prescribing certain regulations respecting the importation of cattle into that Province. It further appears, that because the Superintendent refused in April last to rescind these proclamations in favour of an individual who must have deliberately intended to disregard them, or to allow him to violate the law, the Commissary-General now prefers against the Colony a claim by that individual for compensation.

Ministers can see no reason for admitting such a claim against the Colony. It is the duty of a Government to uphold the law; and it is equally the duty of Commissariat Officers and of contractors for the supply of Her Majesty's Troops to inform themselves of the state of the law, and to abide by its provisions, or to accept the consequences of their neglect.

In the case now under consideration Ministers can see no palliation or excuse for such neglect. If the proclamation was considered objectionable, the proper course would have been for the Military Authorities, or any other person interested in the matter, to have represented such objections to the