

them both here in a few days, when, whatever it is found can be prudently done, shall be forthwith commenced.

I have, &c.,

F. WHITAKER,

Superintendent.

The Hon. the Colonial Secretary, Wellington.

### No. 15.

(No. 103.) Copy of a letter from the HON. E. W. STAFFORD to HIS HONOR F. WHITAKER.

SIR,—

Colonial Secretary's Office, Wellington, 19th March, 1866.

I have to acknowledge the receipt of your Honor's letter, No. 31, of the 5th instant, relative to that portion of your Message, No. 3, to the Auckland Provincial Council, which referred to the proposed transfer of Confiscated Lands in the Opotiki district to Provincial Administration.

In my letter, No. 74, of the 24th ult., I pointed out that in a part of that Message the omission of the words, "subject to the sanction of the Legislature" (words, in fact, rendering the transfer altogether conditional) and the non-publication of the correspondence enclosed in the Message, had caused that part of it to be liable to misinterpretation.

I was aware that (as stated in your letter) the correspondence accompanied the Message to the Council, but I referred to the circumstance that the Message, which omitted those important words, was extensively circulated in the Press, while the correspondence had not, so far as I am aware, been similarly published. As the proposal to your Honor had been consequently misunderstood, my object was to draw your Honor's attention to the fact that the conditional nature of the proposed transfer was not stated in your Message.

With respect to the words quoted by your Honor from my letter of the 18th January last, in which I stated that the Government proposes, subject to the sanction of the Legislature, that the lands should be transferred, "as the other lands had been," to Provincial Administration, I would observe that the expression quoted above was intended to mean simply that a proposal would be made to the Colonial Legislature that the lands at Opotiki shall be transferred to Provincial Administration, leaving it open to the Legislature to specify the conditions on which this transfer should take place. Those words merely referred to the substantive fact of a transfer, and not to its precise conditions, some of which are not applicable. Had it been intended to adopt those conditions, the words, "on the same conditions," or some phrase to that effect, would have been used; the conditions on which the transfer should be effected will, of course, be considered by the Legislature when the subject is brought before it.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Auckland.

### No. 16.

Copy of a letter from HIS HONOR F. WHITAKER to the HON. E. W. STAFFORD.

SIR,—

Superintendent's Office, Auckland, 23rd February, 1866.

I have the honor to inform you that in pursuance of the sixth Resolution of the House of Representatives, passed on the 26th October, 1865, the Superintendent and Provincial Council have agreed to Regulations for the disposal of the confiscated lands in the Province of Auckland, and now recommend them to be made by Order in Council, and issued under the powers conferred by the 16th section of the "New Zealand Settlement Amendment and Continuance Act, 1865."

I enclose a copy of the Regulations, as amended by the Council, and agreed to by me; and I have to urge on you the great importance of issuing them as early as possible, as it is essential that some of the land should be disposed of without delay.

I have, &c.,

FRED. WHITAKER,

Superintendent.

The Hon. the Colonial Secretary.

### Enclosure 1 in No. 16.

Address No. 11. Session XIX., 1865-66.

Extract from the JOURNALS of the AUCKLAND PROVINCIAL COUNCIL.

RESOLVED—

Tuesday, February 13, 1866.

"That the Regulations for the sale of confiscated lands, as amended by the Council, be transmitted to the Superintendent by Mr. Speaker, and that His Honor be requested to concur in the same."

RESOLVED—

"That an Address be presented to His Honor the Superintendent forwarding the foregoing Resolution."

True extract.

(Signed) G. MAURICE O'ROKKE,

His Honor the Superintendent.

Speaker.