

The third resolution recommends that the whole of the waste lands of the Province available for settlement should, after satisfying holders of scrip and land orders, be administered by the Provincial Government in such manner as to enable the Colonial Executive to give effect to their immigration scheme without delay. In the latter part of the resolution reference is made to the "immigration scheme," and in the former part to "the colonizing schemes;" and it is, therefore, important that it should be distinctly understood whether the Council desires that these lands should be specially applied to immigration purposes, or should be applicable for the general purposes of the Act. It is also desirable that a more specific form should be given to the opinion of the Council; because, while the resolution, as adopted, indicates the desire of the Council that the lands shall be used for the advancement of colonization, and while the resolution indicates that the administration of the lands should be in the hands of the Provincial Government, the resolution does not indicate what specific parts of the Act it is desired should be taken advantage of, nor in what manner. There are various ways in which the lands of the Province can be made available for the purposes of the Act of last Session. For instance, under the 17th clause of "The Immigration and Public Works Act, 1870," lands may be set apart for the purposes of railway construction; but that must be done by a Provincial Act or Ordinance, and a mere resolution will have no effect. If, therefore, the Council desires that lands should be set apart, under the 17th clause, for the construction of railways, an Act or Ordinance will be necessary. Your Honor will observe that, by the terms of the 17th section of the Act, the Council may attach to the recommendation to the Governor contained in any such Act or Ordinance such conditions and limitations as may by the Council be deemed desirable. The 20th clause gives power to a Superintendent to negotiate with the General Government for the acceptance of land in lieu of a money payment or payments for railways, but this section also requires the passing of an Act or Ordinance specifying the land, and the amount or amounts of money in lieu of which it is proposed such lands shall be accepted. I am not, however, prepared to indicate that the General Government would be able to enter into any arrangements under the 20th clause; and to make such arrangements would seem to be not consistent with the desire of the Council, since the control and disposal of lands as accepted in lieu of money payments would be taken out of the hands of the Provincial authorities, and be left to be decided by the Assembly.

There is one other portion of the Act to which the Council might mean its resolutions in reference to the waste lands of the Province to be exclusively applicable, and that is Part V., which relates to immigration. In that part it is provided that the Governor may introduce immigrants at the request of the Superintendent of a Province; and I presume that, putting it generally, the interpretation of such a provision may be taken to be that the General Government shall ascertain from the Superintendent of a Province the conditions under which he desires that immigrants shall be introduced, and that the Governor may enter into arrangements in conformity therewith. There are provisions under which the Governor may make regulations in regard to the conduct of immigration; for the nomination of immigrants by residents in the particular Province; for the distribution of funds available under Act for immigration purposes; for the introduction and settlement of immigrants; for the sale to such immigrants of lands acquired from the Province or under "The New Zealand Settlements Act, 1863;" and for laying out and allotting such lands, &c.

It will be seen, therefore, that under this part of the Act, inducements in the shape of land may be offered in various forms. But if the resolutions of the Council are meant to apply specially to Part V. of the Act, relating to immigration, it is of very great importance that your Honor should, with as little delay as possible, indicate to the General Government your opinion on the question generally: and I would suggest that your Honor should state whether you desire that immigrants should be introduced upon the basis of the payment of the passage money in each case, or its part payment, and what class or classes of immigrants should be so introduced; whether you desire to afford facilities to persons now resident in the Province to secure the sending out of immigrants, upon arrangements being made in the Province by such residents; whether you desire that to those immigrants whose passage money may be wholly or partly paid, there should be given grants of land; whether you desire that arrangements should be made with associations or companies by which, in the event of the introduction by them of a large number of immigrants, land shall be made available for the settlement of such immigrants, subject to such conditions as may be agreed upon for the expenditure of stipulated amounts of capital by the occupation and cultivation of such lands. It will be very desirable that your Honor should, as early as possible, place the General Government in possession of your views upon the whole subject; and I take the present opportunity to invite your Honor's attention to clause 6 of the Immigration and Public Works Act, with a view to asking that your Honor will lay before the Government the opinion of yourself and of the Provincial Council of Auckland, in reference to the construction of railways within the Province under the provisions of that clause.

His Honor the Superintendent, Auckland.

I have, &c.,  
W. GISBORNE.

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### No. 6.

His Honor T. B. GILLIES to the Hon. W. GISBORNE.

SIR,—

Superintendent's Office, Auckland, 9th December, 1870.

I have the honor to acknowledge the receipt of your letter No. 295, dated the 3rd instant, replying to the resolutions passed by the Auckland Provincial Council in reference to the operation of the Public Works and Immigration Act within this Province, which I had the honor to forward to you with my letter of the 21st ultimo.

I thank you for your prompt reply and the valuable suggestions contained in your letter, and beg to state that I shall lose no time in consulting the Provincial Council upon the subject.

I have, &c.,

THOMAS B. GILLIES,  
Superintendent.

The Hon. the Colonial Secretary, Wellington.