

Your letter does not indicate the intentions of the Government in reference to this Act, but I presume, from your remarks, that it is not intended to disallow it.

4. "The Registration of Brands Act, 1871."—I fully concur in your remarks hereon, and will introduce an amending Act, as desired, next Session.

5. "The Education Reserves Management Act, 1871."—I regret to learn that His Excellency will be advised to disallow this Act, as there does not appear to be any legal objections to the Act; and I think, had your Government been aware of the circumstances which it is intended to deal with, they would have seen that it is not open to the objections raised on the grounds of public policy. The reason for inserting the sale provisions, is, that, some time ago, all the lands then open for sale in the Province were set aside as reserves for educational endowments—in many cases of town sections, and in others of country lands, which would be valueless to lease, but which might be sold, and the proceeds invested in reproductive modes for the support of education. You will observe, that no sale is to take place except on the request of the Board of Education, with the consent of the Superintendent and Executive, and that the proceeds are bound to be re-invested for the objects of the original reserve. If further safeguards were required, there would be no objection to my giving an undertaking, that no land would be sold until the General Government were consulted thereon, and that an Act would be brought into the Council next session rendering such a course imperative. The effect of disallowing the present Act will be to lock up, for instance, the whole township at Herd's Point, Hokianga, from sale, till a fresh Act be passed, and to prevent the utilization, by leasing, of all the reserves for the purpose of education for an indefinite period. I trust that, in the interests of education, you may yet see fit to leave this Act to its operation, subject to such conditions as I have suggested.

6. Kaipara Railway Act.—It is unnecessary to enter into any discussion as to the objections raised to this Act, inasmuch as it is not of the slightest consequence whether the Act be disallowed or not. It was passed merely to pledge the Council to an understanding entered into by myself with the Colonial Treasurer, that £27,000 should be expended on this work, and was not intended to confer any powers on the Provincial Government which they do not otherwise possess. The line passes nearly, if not altogether, through private property alone, over which the Provincial Government have obtained from the owners the necessary concessions, and it crosses, I think, only one road over which there is great traffic. I see no necessity, therefore, for giving the undertaking required, as the allowance or disallowance of the Act will not interfere with the progress of the work.

I have, &c.,

THOMAS B. GILLIES,

Superintendent.

The Hon. the Colonial Secretary, Wellington.

No. 4.

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

SIR,—

Colonial Secretary's Office, Wellington, 14th April, 1871.

I have to acknowledge the receipt of your Honor's letter of the 16th March, in reply to Mr. Fox's of the 27th of February, upon the subject of certain Bills passed by the Provincial Council of Auckland, to which you had assented on behalf of His Excellency the Governor.

In reply, I have the honor to communicate to you the final decision of the Government in regard to those Acts in respect to which your Honor had not been informed by Mr. Fox that they would be left to their operation.

1. Highway Act.—As the Government intend to introduce a measure next Session to remove the difficulties about Highway Acts, this Bill will be left to its operation, on the undertaking of your Honor that, if such difficulties in respect to this Act are not removed, a Bill will be submitted by your Honor to the Provincial Council to repeal or amend the objectionable sections.

2. The Licensing Act will be left to its operation, upon the undertaking promised by your Honor.

3. The Grahamstown Fire Rates Act will be left to its operation.

4. The Registration of Brands Act will be left to its operation, on the undertaking promised by your Honor.

5. The Education Act will be left to its operation, on receiving an undertaking from your Honor that no reserves shall be sold without the previous sanction of the Governor, and that you will propose a Bill to that effect to the Provincial Legislature at its next Session.

6. Kaipara Railway.—As your Honor declines to give the undertaking asked for in respect to this Act, it will be the duty of the Government to advise His Excellency to exercise his power of disallowing it.

I have, &c.,

W. GISBORNE.

His Honor the Superintendent, Auckland.

No. 5.

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

SIR,—

Superintendent's Office, Auckland, 24th April, 1871.

I have the honor to acknowledge the receipt of your letter No. 102, of the 14th instant, in reply to mine of the 16th March, upon the subject of certain Bills passed by the Provincial Council of Auckland, to which I had assented on behalf of His Excellency the Governor.