

1884.

## NEW ZEALAND.

## DISPOSAL OF EDUCATION RESERVES AT WAIKAIA

(CORRESPONDENCE RELATIVE TO THE).

*Laid on the Table by the Hon. Mr. Rolleston, with leave of the House.*

## No. 1.

The Hon. the MINISTER of LANDS to the SCHOOL COMMISSIONERS, Dunedin.

GENTLEMEN,—

General Crown Lands Office, Wellington, 3rd September, 1882.

Bearing in mind the fact that, at the recent sale of the fine runs in the Waikaia District, an area of 51,000 acres was withheld from pastoral lease, and that that area will come into possession of the School Commissioners on the 1st of March next, it will be necessary, if the land is to be then made available for settlement, that the survey be immediately proceeded with under the direction of the Survey Department. Twenty thousand acres have already been surveyed, leaving 31,000 acres to be surveyed. The Government suggest that this country should be divided into sections varying in size according to the nature of the country, with a view to its being offered partly for absolute sale and partly under the leasing system of "The Land Act 1877 Amendment Act, 1882," on a scheme to be approved of by the Commissioners and the Government.

With regard to Runs 326 and 327 in the same district, the leases of which expire in March, 1884, the Government suggest to the Commissioners that it would be advantageous to the trust to offer them for re-lease in February next, that being the time when the Government will also offer large areas of pastoral country. In offering these runs it may be found possible to withhold the areas in the valley for settlement without injuring the working of the back country.

Should the Commissioners agree to the above proposals, it will be well to have a preliminary advertisement at once prepared, and maps published as soon as they can be got ready.

I have, &amp;c.,

W. ROLLESTON,

Minister of Lands.

The School Commissioners, Dunedin.

## No. 2.

The SCHOOL COMMISSIONERS, Dunedin, to the Hon. the MINISTER of LANDS.

SIR,—

Dunedin, 21st November, 1882.

I have the honour to acknowledge receipt of your letter of the 3rd ultimo (*sic*) with reference to the education reserves in the Waikaia District.

The matter has been very carefully considered by the Commissioners, after having had the benefit of a special inspection of the land by one of their number (Mr. W. H. Pearson, Commissioner of Crown Lands, Invercargill), who went systematically over it and inquired into the views and requirements of the residents in the neighbourhood; and the following course of action has been decided on: (1.) About 21,000 acres reserved from the runs which were leased in August last, and marked in light sienna on accompanying plan, to be surveyed into sections of from 200 to 320 acres each, according to the quality of the land, with a view of it being sold partly on deferred payment and partly for cash, under the provisions of "The Land Act, 1877." (2.) The surveyed blocks, viz., Block X., Waikaia (with the exception of Sections 3, 7, and 13, already leased), Block IX., Waikaia, Block I., Wendonside, Block VII., Wendon, and parts of Blocks VIII. and IX., Wendon, to be offered for sale, partly on deferred payment and partly for cash, under the provisions of "The Land Act, 1877." (3.) Runs 326 and 327 to be divided into three runs, the boundaries of which are marked red in the accompanying plan, and numbered as follows: No. 326 to contain 25,290 acres, No. 327 to contain 18,370 acres, and No. 327A, 17,700 acres; No. 326 to be leased for ten years, and Nos. 327 and 327A to be leased for fourteen years, at same time as Crown runs—about February next.

In addition to Block X. and Section 5, Block VII., Waikaia, the Commissioners have withdrawn, for settlement, from Runs 326 and 327, about 12,000 acres of land, marked yellow on the map, and which will be opened up for agricultural settlement on the expiry of the present run lease in 1884.

On the recommendation of Mr. Pearson, who reported that it was quite unsuitable for agricultural purposes, a block of about 10,500 acres, marked purple in the plan, has been withdrawn from the land which the Commissioners reserved from Run 193, for agricultural purposes, and they propose to lease it, as Run 193A, for a term of ten years.

In addition to the above lands, the Commissioners have decided to deal with the following education reserves in the manner indicated hereafter: (1.) Run 88, Wyndham, containing about 5,606 acres, available on the 1st May next, to be surveyed into sections of from 150 to 320 acres each, according to quality and position, and offered for sale partly on deferred payment and partly for cash, with the exception of about 1,000 acres around Mount Egremont, to be offered for sale in one section as pastoral deferred-payment land. (2.) Section 243, Hokonui, 1,000 acres, available on 1st January next, to be surveyed into sections of from 150 to 320 acres, and offered for sale on deferred payment. (3.) Sections 242, 404, and 405, Hokonui, 5,526 acres, and Sections 406, 407, and 408, Hokonui, 3,005 acres, all available in March next, with the exception of Section 404, all to be surveyed into sections of from 200 to 320 acres, and offered for sale partly for cash and partly on deferred payment. Section 404 to be offered for sale on pastoral deferred payment.

The Commissioners will therefore be glad if you take the necessary steps to have the survey of the before-mentioned blocks proceeded with as soon as possible, and would suggest that it be done by contract under the supervision of the Survey Department.

In the case of Block X., Waikaia, which is now in a position to be dealt with at once, it having been withdrawn from the run (326) by warrant under the hand of His Excellency the Governor, dated 13th May, 1879, under the provisions of "The Otago and Southland Education Reserves Leasing Act, 1878," the Commissioners have to suggest that, if possible, steps be taken to revoke the warrant setting this land aside for leasing in terms of the Act before mentioned, in order that Sections 1, 2, 4, 5, 6, 8, 9, 10, 11, and 12 may be declared open for sale under section 53 of "The Land Act 1877 Amendment Act, 1882."

Referring to the size of the sections suggested by the Commissioners for survey—viz., from 200 to 320 acres, according to quality—the Commissioners think it advisable to offer the land, in the first instance, in sections. If afterwards it is found desirable to offer for occupation in larger areas the sections can be grouped.

I annex hereto a map showing the reserves comprised in the Waikaia runs. The blocks marked in dark sienna and bordered with green are those already surveyed; those in light sienna and yellow have been reserved for settlement, but are not yet surveyed. The map also shows the boundaries of Runs 326, 327, and 327A, marked red, and Run 193A, marked in purple.

I have, &c.,

J. MAITLAND,

Chairman, School Commissioners of Otago.

The Hon. the Minister of Lands, Wellington.

### No. 3.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

SIR,—

General Crown Lands Office, Wellington, 13th December, 1882.

I have the honour, by direction of Mr. Rolleston, to acknowledge the receipt of your letter of the 21st ultimo, with reference to the proposals for dealing with the educational reserves in the Waikaia District.

In reply, I am to inform you as follows: 1. The Government concur in the recommendation of the Commissioners as to re-leasing Runs 326, 327, 327A, and 193A, with, however, a modification of the boundaries of Run 327, so as to include with it the area immediately behind the 1,300 acres (Sections 1 and 3 of Block VII.), and the strip of flat land between Section 3 and Gow's Creek, fronting the main road, as shown on the plan, which I return herewith. This proposed addition to Run 327 will give a good site for a homestead for the run. The subdivisional surveys will be at once proceeded with, in accordance with the recommendation of the Commissioners, with a view to the lands being offered for settlement at an early date. But, as the Government do not entirely concur with the proposals of the Commissioners as to the mode of dealing with the agricultural lands, Mr. Rolleston proposes to take an early opportunity of visiting the locality in which the extensive areas to be dealt with are situated before finally replying to the recommendations of the School Commissioners.

I have, &c.,

H. J. H. ELIOTT,

Under-Secretary.

The Chairman, School Commissioners, Dunedin.

### No. 4.

The SCHOOL COMMISSIONERS, Dunedin, to the Hon. the MINISTER of LANDS.

SIR,—

Dunedin, 27th January, 1883.

Referring to your conference with the School Commissioners yesterday *re* the education reserves in Otago, which you have lately visited, I have the honour to inform you that the Commissioners have decided to adopt your suggestions respecting village sites, forests, recreation, and cemetery reserves.

With regard to the disposal of part of the reserves under the perpetual-leasing clauses of "The Land Act 1877 Amendment Act 1882," they have unanimously decided to abide by their former resolution, viz., to have the lands mentioned in my letter to you of date 21st November last proclaimed open for sale in terms of section 53 of the Act before-mentioned, one-half to be sold for cash and the other half to be sold on deferred payments.

The Commissioners will be glad to avail themselves of the assistance of the Survey Department in classifying the land in question.

I have, &c.,

J. P. MAITLAND,

Chairman, School Commissioners of Otago.

The Hon. William Rolleston, Minister of Lands, Wellington.

## No. 5.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

SIR,—

General Crown Lands Office, Wellington, 23rd February, 1883.

I have the honour to acknowledge the receipt of your letter of the 27th January, relative to the dealing with the Otago education reserves.

In reply, I am directed to ask you to be good enough to report what sections have been leased in Block X., Waikaia District, showing the names of the lessees, sectional number, and area in each case, together with the date and term of each lease. Will you also please state if any leases have been issued over any of the other blocks included in the twenty thousand acres set apart by proclamation.

I have, &c.,

FRAS. STEVENS,

(for Under-Secretary).

J. P. Maitland, Esq., Chairman, School Commissioners, Dunedin.

## No. 6.

J. P. MAITLAND, Esq., to the UNDER-SECRETARY for LANDS.

(Telegram)

Dunedin, 1st March, 1883.

REPLYING to your letter of the 23rd ultimo, the sections leased in Block X. are—Waikaia No. 3, containing 220 acres, to W. G. Turnbull, twenty-one years, from 8th August, 1880, rent £32; No. 13, containing 260 acres, to James Gall, same period, rent £26; and No. 7, to A. T. Elwell, 320 acres, twenty-one years, from April, 1881, rent £32. No sections leased in other blocks mentioned in Proclamations. Necessary you take steps at once to have land dealt with, as per letters of 21st November and 27th January.

J. P. MAITLAND.

The Under-Secretary for Crown Lands, Wellington.

## No. 7.

The SURVEYOR-GENERAL to the SCHOOL COMMISSIONERS, Dunedin.

(Telegram.)

Wellington, 2nd March, 1883.

YOUR telegram of yesterday, urging immediate dealing with lands Waikaia, as recommended by School Commissioners, will be attended to as soon as Mr. Rolleston returns here; meanwhile County Council of Southland and Mr. Arthur have been invited to co-operate in opening of blocks by roads.

J. MCKERROW.

J. P. Maitland, Esq., Chairman, School Commissioners, Dunedin.

## No. 8.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

(Telegram.)

Government Buildings, Wellington, 19th March, 1883.

LETTER posted to you to-day stating that, for reasons given therein, Government cannot comply with request of Commissioners that reserves at Waikaia, Mataura, and Wyndham should be sold instead of leased. In the letter you are requested to bring the question again before the Commissioners, and, in the event of the proposals of the Government to lease the lands under the Land Act of last session not being agreed to by the Commissioners, the power of leasing conferred by the Education Reserves Leasing Act of 1878 will have to be exercised over the twenty thousand acres which have been already proclaimed, but it would be more desirable to deal with the whole of the lands under the leasing provisions of the Act of last session. Will you please arrange for a meeting of the Commissioners to be held to consider the letter immediately it reaches you, as the Government is desirous that no further delay should take place in opening the land for settlement.

The Chairman, School Commissioners, Dunedin.

H. J. H. ELIOTT.

## No. 9.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

SIR,—

General Crown Lands Office, Wellington, 19th March, 1883.

Referring to your letter of the 27th January, intimating that the School Commissioners of Otago had decided not to offer on lease any of the agricultural lands of the education reserves enumerated in your letter of the 21st November, 1882, comprising in all 68,000 acres in the Waikaia, Mataura, and Wyndham Valleys:

I am directed to state, in reply, that the Government, in view of the fact that the Legislature amended the Land Act last session so that endowment reserves of this class could be dealt with under its provisions, and at the same time empowered the Governor in Council to set apart one-third of the area of agricultural land in each land district for perpetual leasing, would not be justified in agreeing to this large area being entirely excluded from the operation of the Act, the more especially as it is, both as regards quality and situation, the most valuable area of public lands, for its size, available for the future extension of settlement in the colony.

I am further to point out that in "The Otago and Southland Education Reserve Leasing Act, 1878," there was special provision made for the leasing of twenty thousand acres of the land in question; so that it will be seen that both the general provisions of the Land Act, as applying to

endowment reserves, and the special provisions of the Act relating to these particular lands, contemplate the leasing of a portion of the area, having due regard to the interests of settlement; and this is no doubt in accordance with the original purpose of the reserve, viz., to provide a permanent and increasing source of revenue for educational purposes.

The necessary selection, setting apart, and sectional survey of the area prescribed by the Act of 1878 were all carried out with the approval of the Commissioners. But, in consequence of the large amount that would have had to be paid in compensation had the pastoral leases been determined over the whole area set aside, only a block of four thousand acres was proclaimed open for settlement under section 5 of the Act.

The fact of only about one-fourth of this block having been taken up has been frequently referred to as a reason why no more land should be offered on the same terms. But Mr. Rolleston, having recently visited the education reserves and inspected the various blocks, is of opinion that the block least likely to attract settlers was opened first. Not that the land is inferior, for this year's crops upon it point to a very different conclusion; but the land was difficult of access, and a considerable portion of it is on the hill side. The access is now in course of improvement, the Government having sanctioned the expenditure of a vote of £3,000 in opening roads to this and the other blocks.

For these reasons the Government cannot assent to offering the twenty thousand acres for sale on immediate and deferred payments, as desired by the Commissioners, until the intentions of the Legislature in respect of creating a leasehold estate have had a fair opportunity of being realized in one form or other. The Government will therefore be bound to fall back on the authority of the Act of 1878, unless upon reconsideration the Commissioners see fit to allow settlers an opportunity of taking up the land on the much more favourable terms of the Act of 1882.

I am therefore instructed to request you to bring the matter again before the Commissioners at the earliest possible opportunity, so that no further delay may ensue in advertising the land open for settlement.

I have, &c.,

H. J. H. ELLIOTT,  
Under-Secretary.

The Chairman, School Commissioners, Dunedin.

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#### No. 10.

The SCHOOL COMMISSIONERS, Dunedin, to the Hon. the COLONIAL SECRETARY.

*Memorandum for the Hon. Mr. Dick.*

For the last four years the School Commissioners have been thoroughly convinced that, in order to administer their trust to the best advantage, it was absolutely necessary that they should have power to sell certain of the education reserves, the proceeds of sales to be invested, and the income arising therefrom used for the same purposes as the rents are at present. The reason which actuated them was the extreme difficulty experienced in leasing land to advantage. The passage of "The Land Act 1877 Amendment Act, 1882," to a great extent got over the difficulty; but it was still necessary to obtain the consent of the Government in selling the reserves. Accordingly, in November last the Commissioners requested the Minister of Lands to declare some 51,000 acres in the Waikaia, Wendon, and Wendonside Districts, also about 5,000 acres at Wyndham and 6,500 acres at Hokonui, open for sale, half for cash and half on the deferred-payment system, which provides for compulsory residence; such land to be surveyed into sections of from 200 to 320 acres each; all in terms of Act of last session. To this the Under-Secretary for Lands replied to the effect that the subdivisional surveys would at once be commenced; but that, as the Government did not entirely concur in the proposals of the Commissioners as to selling agricultural land, Mr. Rolleston intended visiting the same before finally replying to the Commissioners. In January Mr. Rolleston, after having inspected the land, met the Commissioners, and asked them to set aside part of the land (some twenty thousand acres in the Waikaia, Wendon, and Wendonside Districts, which had been surveyed into 320-acre sections) for leasing under the perpetual-leasing clauses of "The Land Act 1877 Amendment Act, 1882," passed last session. After consideration the Commissioners unanimously decided to adhere to their former decision, and they wrote to the Minister to that effect.

The lands in question are now available for settlement, the leases having fallen in on the 1st instant. It is therefore imperative that it be dealt with at once. If not occupied a large portion of the Commissioners' revenue will be absorbed in keeping down the rabbits.

Of the 51,000 acres in the Waikaia, Wendon, and Wendonside Districts before mentioned some twenty thousand acres were set aside for lease under proclamation by the Governor, in terms of "The Otago and Southland Reserves Leasing Act, 1878," and some of it has been repeatedly offered for lease, with the result that only three sections were taken up.

In their application to the Government, before-mentioned, the Commissioners asked that the proclamation be revoked, in order that the land may be sold. The Commissioners telegraphed to the Crown Lands Office, Wellington, on the 1st instant, urging the Minister to take the necessary steps to have the land dealt with at once. In reply to this the following telegram has been received: "Wellington, 2nd March, 1883.—Chairman, School Commissioners, Dunedin.—Your telegram of yesterday urging immediate dealing with lands Waikaia as recommended by School Commissioners will be attended to as soon as Mr. Rolleston returns here. Meanwhile County Council of Southland and Mr. Arthur have been invited to co-operate in opening of blocks by roads.—J. McKERROW, Secretary of Lands."

8th March, 1883.

WILLIAM H. REYNOLDS.

## No. 11.

The SCHOOL COMMISSIONERS, Dunedin, to the UNDER-SECRETARY for LANDS.

School Commissioners of Otago.

(Memorandum.)

Education Reserves Office, Dunedin, 22nd March, 1883.

I HAVE the honour to acknowledge receipt of your letter dated the 19th instant, and numbered as in margin (No. 142-2), informing the School Commissioners of the decision of the Government respecting the education reserves in the Waikaia, Mataura, and Wyndham Valleys. A meeting of the Commissioners has been called for Friday, the 30th instant, for the purpose of considering the matter.

C. MACANDREW,

The Under-Secretary for Crown Lands, Wellington.

Secretary.

## No. 12.

The SCHOOL COMMISSIONERS, Dunedin, to the UNDER-SECRETARY for LANDS.

SIR,—

Dunedin, 30th March, 1883.

I have the honour to inform you that, at a special meeting held this day, the School Commissioners considered your letter of the 19th instant, in which the Commissioners are informed that, since they decide not to recommend that any of the lands they desire to open for settlement shall be leased, the Government would not be justified in agreeing that the area in question should be excluded from the operation of the perpetual-leasing provisions of the Land Act, 1882: it will therefore refuse its assent to the proposals of the Commissioners, and will be bound to fall back on the Act of 1878, "unless, on reconsideration, the Commissioners see fit to allow settlers an opportunity of taking up the land on the much more favourable terms of the Act of 1882. The chairman is therefore requested to bring the matter again before the Commissioners at the earliest possible opportunity, so that no further delay may ensue in advertising the land open for settlement."

In accordance with the wish of the Minister of Lands, the Commissioners have met here this day, when your letter was laid before them, and, in replying, they desire to make some remarks upon the terms of that letter. In passing, it may be observed that the term "lease," as applied in the letter, is open to some misconception, as a mode of disposing of education reserves: it may mean a lease of not more than twenty-one years, as provided by the Acts of 1877 and 1878, or a perpetual lease, as provided by "The Land Act Amendment Act, 1882."

The Commissioners had no occasion to recommend leases to be granted under the Acts of 1877 and 1878, seeing that "The Education Reserves Act, 1877," gave them full authority to grant such leases, while under the Act of 1878 the Governor might set aside, until the end of next session of the General Assembly, twenty thousand acres of education reserves for the purpose of being leased by the Commissioners, under his direction. The School Commissioners have hitherto had no power of dealing with these reserves beyond that of leasing, as provided by these Acts. As pastoral and other leases fell in they have endeavoured to settle the land by that mode, and have signally failed to do so.

The Hon. Mr. Rolleston refers to the 4,000-acre block at Waikaia, characterizing it as the one least likely to attract settlers, apparently with the view of showing that not the system, but the administration, was at fault. Perhaps that block, although near the local centre of population, was not the most attractive; but the like objection to the argument against leasing does not apply anywhere else.

The Commissioners have had to offer for lease thousands of acres in other localities, and similar disinclination has been evinced to take up the lands in that way. For example, on Run 88 a block of 5,600 acres was surveyed into sections in 1879, and lease of them for twenty-one years offered by auction. They were offered after being well advertised, yet only one of these sections has ever been let. To avoid having the run unoccupied the Commissioners have been obliged to let it from year to year by auction for pastoral purposes only, at a rental of less than 4d. per acre: yet the land is of excellent quality, the freehold land adjoining it being most fertile. The Hon. Mr. Rolleston recently visited this locality and, the Commissioners have no doubt, knows the circumstances, but he does not offer any explanation of the failure to lease in this case, where the land was of good quality, peculiarly attractive for settlement, adjoined freehold land in cultivation, no selection made of any particular block, but all of the run offered—repeatedly offered—for lease. The Hon. the Minister of Lands takes the opportunity of referring to a single case, where the selection appears to reflect on the judgment of the selectors, but he does not refer to or try to explain the equally signal failure to lease reserves where the whole block, suitably subdivided, was thrown open, and where (as regards Run 88) there was and still is an eager desire to acquire the land in freehold.

After three years' experience of the administration of these reserves, in 1880 the Commissioners came to the conclusion that it was advisable to open them up for settlement by way of sale. The Commissioners did not always hold that view, for a proposal to that effect was considered in July, 1878, and rejected. That the desire to obtain land in freehold continues unabated may be shown by the result of the sale of rural land on Run 161, adjoining Run 88, about a year ago—when 5,671 acres were sold at an average price of £3 2s. 2½d. per acre, the maximum being £5 19s. per acre—and by the applications that are regularly made to the Commissioners to open Run 88 for sale: even this day a numerous memorial from the settlers in the neighbourhood, who had heard of the refusal of the Government to open the land for sale, has been laid before the Commissioners, urging them to adhere to their decision. It will thus be seen that the Commissioners have no reason to expect that persistent attempts to lease these lands under the provisions of the Acts of 1877 and 1878 would lead to much settlement.

Following up the resolution to endeavour to open these lands for sale the Commissioners in 1880 applied to the Government to bring in a Bill to enable this to be done. The Minister of Lands, whilst declaring his unqualified hostility to the proposal, promised to bring the question before the

Cabinet, and when the refusal of the Government to accede to their desire was intimated to the Commissioners it was too late in the session for a private member to bring in such a Bill with any prospect of success. In 1881 the Commissioners prepared a Bill to effect the purpose, it passed through several stages, but was finally lost in Committee. In 1882 amendments to the Education Reserves Bill were proposed by the Commissioners, which would have been most suitable, but were not accepted, as the Minister of Lands considered his amending Land Bill answered the purpose more satisfactorily. Again, when the first printed copies of "The Land Act Amendment Act, 1882," were circulated, the proposals of the Commissioners were forwarded to the Government—about the 20th November, 1882. No conclusive reply was received until receipt of your letter of the 19th instant.

All this shows that the delay in opening these reserves for settlement is in no way attributable either to the disinclination or to the inaction of the School Commissioners. But, while endeavouring to show that the School Commissioners have no substantial ground for regarding their failure to lease reserves for twenty-one years as a sufficient reason for discontinuing the system for the present, the Minister does not indicate any greater confidence in that system, for, when now urging the trial of leasing, it is of a system radically different, namely, perpetual leasing.

The Commissioners have carefully considered this question, and they are unable to concur in the views of the Minister of Lands. They see no reason to alter their decision already communicated upon two separate occasions, and they are convinced, from the terms of memorials sent them, and from personal communications with residents in various parts of the district, that their proposals will, if carried out, best meet the wishes of the settlers. The School Commissioners have been under the impression that, subject to the approval of the Governor in certain cases only, they were free agents, administering these reserves to the best of their ability; not subject to have their decisions repeatedly carped at and overruled by the Minister of Lands. If they were subject to receive directions from the Minister, a great step would be taken towards centralizing the administration of these reserves, a result of which the community would not be likely to approve. A time might come when the Minister of the day might be a headstrong individual, unwilling to surrender his own procrustean views, although it could be shown that they were not in harmony with those of the community; possibly unable to look at a question of this kind otherwise than from his own point of view, trained, perhaps, to consider that the administration of these reserves should be conducted on considerations of political expediency, and in whose regard the beneficial occupation of the land might hold a subordinate place. An official of such character would be not unlikely to search for precedents, if he happened to have some little difference of opinion with any of the minor public bodies; and in this view the Commissioners would deprecate any controversy with the Minister of Lands in the course of which it might be so far misconstrued as to seem to the public as if the Minister desired to bring pressure to bear on the Commissioners in order that their opinions and actions might be brought into conformity with his own.

I have, &c.,

C. MACANDREW,  
Secretary.

The Under-Secretary, Crown Lands, Wellington.

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### No. 13.

The UNDER-SECRETARY FOR LANDS to the SCHOOL COMMISSIONERS, Dunedin.

SIR,—

General Crown Lands Office, 6th April, 1883.

I have the honour, by direction of Mr. Rolleston, to acknowledge the receipt of the letter from the Secretary of the School Commissioners, dated the 30th ultimo, in further reference to the question of dealing with the education reserves in the Waikaia, Mataura, and Wyndham Valleys.

My telegrams of the 3rd instant and this day's date, copies of which I forward herewith, will have informed you of the decision of the Government to deal with the balance of the twenty thousand acres which was set apart on the 9th May, 1879, for leasing, in terms of "The Otago and Southland Education Reserves Leasing Act, 1878"; and, as Mr. Rolleston is equally desirous with the School Commissioners of avoiding any controversy, he hopes that effect will at once be given to the terms of the Proclamation of the 2nd instant and the land advertised for leasing to the public, unless, as he still hopes may be the case, the Commissioners see their way to taking action under section 50 of the Land Act of last session.

My telegram of this morning will have informed you that an Order in Council (copy enclosed), making terms and conditions for the leasing of the land as required by the 4th section of the Act of 1878, has been transmitted to Auckland for the signature of His Excellency the Governor. These terms and conditions have been framed on the basis of those which were issued with the approval of the School Commissioners for the leasing of the four thousand acres in June, 1880, the only material alterations being in the clauses relating to compensation for value of improvements. These clauses have, you will observe, been altered so as to embrace the more extended provisions of the 33rd section of the Land Act of last session, and the limit of valuation for improvements at the end of the term of lease has been extended from £3 to £5 per acre.

I have, &c.,

H. J. H. ELLIOTT,  
Under-Secretary.

The Chairman, School Commissioners, Dunedin.

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### Enclosure 1 in No. 13.

The UNDER-SECRETARY FOR LANDS to the SCHOOL COMMISSIONERS, Dunedin

(Telegram.)

Government Buildings, 3rd April, 1883.

MR. ROLLESTON received yesterday the Commissioner's letter of Friday last. He desires me to ask whether he is to understand from it that the Commissioners decline to take any action under section

50 of the Land Act, 1882, to the extent of bringing a portion of the lands in question under the leasing clauses of the Act. In view of the fact that gold has been worked on some portions of the land, and in view of the other considerations which were pressed upon the attention of the Commissioners personally by him after visiting the district, as well as in my letter of the 19th ultimo, he is unwilling to believe that a course will be adopted which may prevent the land being offered on as advantageous terms to the public as would otherwise be the case. If the Commissioners are, as it would seem, of opinion that the public will not take up the lands on leasing terms, the lands could be otherwise dealt with after fair opportunity has been afforded for giving effect to the intentions of the Legislature. You are doubtless aware that the public have had no opportunity of taking up the best lands as yet. Please reply urgent to-day, if possible before two o'clock.

H. J. H. ELLIOTT,  
Under-Secretary.

J. P. Maitland, Esq., Chairman, School Commissioners, Dunedin.

### Enclosure 2 in No. 13.

The SECRETARY, School Commissioners, Dunedin, to the UNDER-SECRETARY for LANDS.  
(Telegram.) Dunedin, 3rd April, 1883.  
CHAIRMAN and all the Commissioners but one absent from town. Will send each a copy of your telegram immediately, and wire reply soon as possible.  
The Under-Secretary for Crown Lands, Wellington. C. MACANDREW,  
Secretary.

### Enclosure 3 in No. 13.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.  
(Telegram.) Government Buildings, 6th April, 1883.  
IN reference to my previous telegram, I have to inform you that, in order to avoid loss of time, and as the Governor was leaving Wellington, a Proclamation has been issued under "The Otago and Southland Education Reserves Leasing Act, 1878," setting aside the balance of twenty thousand acres for leasing. Mr. Rolleston hopes that the Commissioners will at once meet and take the necessary action for disposing of the land as prescribed by law, unless, as he hopes may yet be the case, the Commissioners may see their way to making the necessary request, under section 50 of the Land Act of last session, to enable the land, or some portions of it, to be dealt with on more liberal terms to the public.  
As directed by the Proclamation an Order in Council making terms for leasing under the Act of 1878 has been forwarded to Auckland for His Excellency's signature. In the meantime a copy will be sent to the Commissioners, so that no time may be lost in advertising the land. You will observe that, in respect of compensation for improvements, the new regulations are more liberal than those which were made for the first four thousand acres.  
J. P. Maitland, Esq., Chairman, School Commissioners, Dunedin. H. J. H. ELLIOTT.

### No. 14.

The COMMISSIONER of CROWN LANDS, Otago, to the UNDER-SECRETARY for LANDS.  
(Telegram.) Dunedin, 7th April, 1883.  
SINCE receiving your urgent telegram of 6th, I have been doing all in my power to arrange a compromise with respect to the disposal of twenty thousand acres, but cannot yet give any certain assurance that such can be effected. I have arranged for another special meeting of Commissioners on Tuesday next, when I hope that proposal to open one-third of the sections on perpetual leasing may be carried.  
Secretary for Crown Lands, Wellington. J. P. MAITLAND.

### No. 15.

The SCHOOL COMMISSIONERS, Dunedin, to the Hon. the MINISTER of LANDS.  
(Telegram.) Dunedin, 9th April, 1883.  
ARE Commissioners to understand that, if they agree to let under perpetual leases one-third of Waikaia land, there will be no objection to deal with the Wyndham and Hokonui lands as proposed by them? Please reply in time for meeting to-morrow morning.  
Minister of Lands, Wellington. J. P. MAITLAND.

### No. 16.

The Hon. the MINISTER of LANDS to the SCHOOL COMMISSIONERS, Dunedin.  
(Telegram.) Government Buildings, 9th April, 1883.  
THE introduction of the perpetual-leasing system being tentative, Government cannot pledge itself beyond the land now open for dealing with, namely, the twenty thousand acres which have been set

apart under the Act of 1878; but, with regard to these lands, His Excellency will be advised to proclaim them under the provisions of sections 50 and 53 of the Land Act of last session, in the proportions of one-third perpetual leasehold and two-thirds for sale, if requested to do so by the Commissioners, in terms of the Act. The dealing with the other lands can best be determined when the surveys are ready, and after it is seen how the twenty thousand acres are taken up.

Chairman, School Commissioners, High Street, Dunedin.

W. ROLLESTON.

### No. 17.

The SCHOOL COMMISSIONERS, Dunedin, to the Hon. the MINISTER of LANDS.

(Telegram.)

Dunedin, 10th April, 1883. \*

At special meeting of School Commissioners held this day the following resolution was passed:—  
“Having considered, at request of Government, dealing with twenty thousand acres, comprising surveyed land at Waikaia, Wendon, and Wendonside, now recommend that one-third of the land in question be proclaimed under provisions section 50, “Land Act 1877 Amendment Act 1822,” remaining two-thirds of land to be proclaimed under provisions of section 53 of same Act, with view of the said two-thirds being opened for sale in equal proportion for cash and deferred-payment, the sections to be alternated.” Please reply early if this meets approval of Government.

Minister of Lands, Wellington.

J. P. MAITLAND,  
Chairman, School Commissioners.

### No. 18.

The Hon. the MINISTER of LANDS to the SCHOOL COMMISSIONERS, Dunedin.

(Telegram.)

Wellington, 10th April, 1883.

GOVERNMENT approve of proposals of Commissioners as telegraphed to-day. Immediate action will be taken by Land Department here.

Chairman, School Commissioners, Land Office, Dunedin.

W. ROLLESTON.

### No. 19.

The SCHOOL COMMISSIONERS, Dunedin, to the SECRETARY, Education Department.

(Memorandum.)

School Commissioners of Otago.

Education Reserves Office, Dunedin, 28th July, 1883.

ON behalf of the School Commissioners, I have the honour to request you to take the necessary steps to have the Proclamation given under the hand of His Excellency the Governor on the 9th May, 1879, in as far as it applies to Sections 1, 2, 5, 6, 8, 9, 10, 11, and 12, Block X., Waikaia, revoked, with a view to having Sections 1, 2, 5, 6, 8, 9, 10, and 11 offered for occupation on perpetual lease under the provisions of “The Land Act 1877 Amendment Act, 1882.” In their present shape the sections have proved unsaleable, but by offering them in such a way that two might be taken together the objection to their shape would be in a great measure surmounted, and the Commissioners are informed by local authorities that they would be taken up. Owing to a mistake in the coloured map supplied from Wellington showing the Waikaia runs, Section 12 was included with Run 327, recently leased, and, as it consists of very rough land, the Commissioners desire to let it go along with the run.

As per my letter to the Hon. the Minister of Lands dated 21st November last, the Commissioners formerly decided to endeavour to sell Section 404A, Hokonui, on pastoral deferred payment, but, in consequence of having received a memorial from residents in its neighbourhood asking that part of it should be sold in sections of from 100 to 320 acres on deferred payment as arable land, and part in sections not exceeding 750 acres as pastoral deferred-payment land, they have reconsidered the matter and agreed to the recommendation of the petitioners. The land has not yet been surveyed, and the Commissioners will be glad if you obtain the necessary consent from His Excellency the Governor to its being dealt with as proposed. In the event of the sale being approved of, instructions might be given to the Survey Department to have the survey gone on with at once. The land is at present being occupied by the Agricultural Company of New Zealand, during the pleasure of the Commissioners, at a low rental.

The Secretary, Education Department, Wellington.

J. P. MAITLAND,  
Chairman.

### No. 20.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

(Telegram.)

Wellington, 28th September, 1883.

REFERRING to your letter of 21st November, 1882, asking Minister of Lands to concur in proposals of Commissioners with regard to dealing with education reserves in Hokonui District, also run No. 88, Wyndham, will you please forward request of Commissioners, as required by section 53,



Land Act, 1882, to have the land proclaimed open for sale by Land Department. By having the sales and plans all brought before the public at the same time a greater interest will be created than would be the case if the Waikaia, Hokonui, and Wyndham lands were offered at different times. The Minister of Lands concurs in the proposals of Commissioners with regard to Hokonui and Wyndham, as detailed in letter of 21st November, 1882. H. J. H. ELLIOTT.

J. P. Maitland, Esq., Chairman, Otago School Commissioners, Dunedin.

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### No. 21.

The SCHOOL COMMISSIONERS, Dunedin, to the UNDER-SECRETARY for LANDS.

SIR,—

Dunedin, 9th October, 1883.

I have the honour to acknowledge receipt of your telegram of the 28th ultimo, informing me that the Government had agreed to give effect to the recommendations of the School Commissioners with reference to the reserves in the Hokonui district, and also on Run 88, Wyndham; and I have now to request you to take the necessary steps to have the lands referred to declared open for sale in terms of sections 53 to 57 of "The Land Act 1877 Amendment Act, 1882," in the following manner viz. :—

Run 88, consisting of parts of Blocks I. and IV., Mokoreta, and VII., Wyndham (as per lithograph attached), to be offered for sale, one-half of the sections to be offered for cash and one-half on deferred payment. Section 6, Block I., Mokoreta, to be offered on pastoral deferred payment; Section 243, Hokonui, subdivided into sections, to be offered for sale on deferred payments; Sections 242, 405, 406, 407, and 408, Hokonui, subdivided into sections, to be offered one-half for cash and one-half on deferred payment. In their letter of 21st November last the Commissioners recommended that Section 404A, Hokonui, be offered for sale in one lot on pastoral deferred payment; but, since then, in consequence of a petition which they received from several residents at Longridge, they requested the Government to have the arable portions of it offered for sale on deferred payment in sections of from 100 to 320 acres each, and the pastoral or hilly portions in sections not exceeding 750 acres on pastoral deferred-payment (see letter No. 139, dated 28th July last, addressed to the Secretary, Education Department, Wellington).

The survey of the Hokonui lands has been made by the Southland Survey Department, and I am informed that lithographs have been prepared in Wellington. I shall be glad to receive a supply for distribution as soon as possible.

In the case of the lands at Wendon, Wendonside, Waikaia, and Greenvale, the Commissioner of Crown Lands has already received instructions as to their disposal in terms of the Commissioner's suggestions, but he has delayed advertising them, with a view to offering the Wyndham, Mokoreta, and Hokonui sections at the same time, as suggested in your telegrams before mentioned.

I shall be glad if you will obtain the necessary proclamations for the whole of these sections as soon as possible.

I have, &c.,

J. P. MAITLAND,

Chairman, School Commissioners.

The Under-Secretary for Crown Lands, Wellington.

P.S.—The Board wish Section 5, Block I., Mokoreta, to be made a cash section.

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### No. 22.

The UNDER-SECRETARY for LANDS to the COMMISSIONER of CROWN LANDS, Dunedin.

(Telegram.)

Wellington, 22nd October, 1883.

PLEASE bring before Board on Wednesday the following sections, to be opened on the deferred-payment on Educational Reserves, Run 88, Wyndham: In Block I., Mokoreta, Sections 7 to 10, and 15, the parts of 9 and 10 north of road to be grouped as one allotment, the part of 10 south of road to be grouped with Section 5, and the part of Section 9 to be grouped with Section 6. The Chief Surveyor will give you the new sectional numbers of the parts of Sections 9 and 10. Also, on deferred payments, in Block IV., Mokoreta, Sections 5, 6, and 7; in Block VII., Wyndham, Section 30. In Block I., Mokoreta, Section 6 is to be offered on pastoral lease, as Government will not offer any land on pastoral deferred payment in present state of law. Ask Land Board to fix upset prices of deferred-payment sections, and rent and term of pastoral lease of Section 6, also cash prices of the sections not enumerated in the blocks which are to be offered by auction at Gore.

FRAS. STEVENS,

(for Under-Secretary for Lands).

Commissioner of Crown Lands, Dunedin.

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### No. 23.

The UNDER-SECRETARY for LANDS to the COMMISSIONER of CROWN LANDS, Invercargill.

(Telegram.)

Wellington, 22nd October, 1883.

THE Otago School Commissioners having, in terms of section 53 of the Land Act, 1882, asked that education reserves in Hokonui district under their charge should be disposed of in terms of "The Land Act, 1877," and the Governor having agreed, you will please ask the Land Board to value the following twenty-eight sections for disposal on deferred-payments: 1 to 9 of 404A, 11 and 12 of 404A, 1, 2, and 5 of 405A, 1, 2, and 3 of 242, 1 and 3 of 406A, 3 and 4 of 407A, 1 and 3 of 408A, 1 to 5 of 243. Fix the day of application early in December. The other sections (excepting

14 of 404A) it is proposed to sell for cash by public auction at Gore, along with other education sections in Waikaia and Wyndham, on a day near Christmas, exact date to be fixed after hearing from Mr. Maitland. Section 14 of 404A to be offered on pastoral lease. Ask Board to fix upset rental and term of lease, say ten years. Please bring these matters before Board next meeting, as plans cannot be published until full particulars are known. Ask Board also to fix upset price of cash sections.

Settlers petitioned Otago School Commissioners in June last for a cemetery near Balfour-Longridge railway siding. Chief Surveyor has been instructed to see you about reserving suitable area of, say five acres from one of the sections.

Commissioner, Crown Lands, Invercargill.

FRAS. STEVENS,  
(for Under-Secretary for Lands).

- No. 24.

The SCHOOL COMMISSIONERS, Dunedin, to the SECRETARY, Education Department.

School Commissioners of Otago.

(Memorandum.)

Education Reserves Office, Dunedin, 10th May, 1884.

I have the honour to inform you that at last meeting of the School Commissioners the following resolutions, dealing with the lands reserved from the Waikaia runs for settlement, were adopted, and I am directed to request you to take the necessary action to have them carried into effect by the Crown Lands Department, in terms of sections 53 to 57 of "The Land Act 1877 Amendment Act, 1882": "That the land in the education reserves in the Waikaia district not hitherto dealt with shall be disposed of henceforward in the following proportions: One-third for cash, and two-thirds on deferred payments; and also that the Government be requested to give effect to the foregoing resolution." The lands referred to above consist of the following blocks: Waikaia district, Blocks I., VII., VIII., IX., XI., and XII., the total area being about 11,108 acres, and the blocks are shown in the attached plan as being enclosed in a red margin. With a view to laying off village settlements, as recommended by the Hon. Mr. Rolleston, several small sections have been made in Blocks VII., I., and IX.

I enclose a schedule giving the numbers and areas of the various sections, and will forward plans as soon as they are completed. I presume that lithographs showing the classification of the sections will be prepared by the Crown Lands Department, as formerly.

The Secretary, Education Department, Wellington.

J. P. MAITLAND,  
Chairman.

Waikaia District.

Sec.	Block.	Area.	Sec.	Block.	Area.	Sec.	Block.	Area.	Sec.	Block.	Area.
		A. R. P.			A. R. P.			A. R. P.			A. R. P.
6	VII.	143 1 14	37	VIII.	313 3 16	8	XII.	210 3 8	11	IX.	10 1 0
7	"	55 1 27	38	"	283 3 0				12	"	10 0 0
3	"	46 1 28	39	"	318 0 0			1,484 0 28	13	"	10 0 0
9	"	49 0 19	40	"	320 0 0				14	"	10 0 0
10	"	49 0 6	41	"	306 0 0	53		19 0 15	15	"	10 0 0
11	"	49 0 27	42	"	291 2 0	54		39 0 20	16	"	10 0 0
12	"	48 2 0				55		50 0 0	17	"	10 0 0
13	"	50 0 0			3,192 3 28	56		43 3 13	18*	"	..
14	"	46 1 0				57	"	48 0 10	19*	"	..
15	"	160 0 0	1	XI.	197 1 35	58	"	41 1 4	20*	"	..
16	"	189 1 22	2	"	311 1 0	59	"	36 2 18	21*	"	..
17	"	201 2 14	3	"	315 3 24	60	"	50 0 0	22*	"	..
18	"	281 3 13	4	"	157 0 18	61	"	24 2 32	23*	"	..
19	"	160 0 0	5	"	272 2 28	62	"	34 2 12	24	"	71 0 0
20	"	160 0 0	6	"	160 0 0	63	"	50 0 0	25	"	80 0 0
21	"	80 3 0				64	"	44 0 11	26	"	207 2 10
					1,414 1 25	65	"	24 3 8	27	"	169 0 32
		1,770 3 10				66	"	24 3 26	28*	"	..
31	VIII.	159 1 2	1	XII.	176 2 0	67	"	27 0 24	29*	"	..
32	"	304 1 8	2*	"	..	68	"	20 0 0	30*	"	..
33	"	251 3 26	4	"	197 1 20				31	"	137 2 0
34	"	242 0 32	5	"	298 2 0			578 0 33	32	"	54 2 0
35	"	174 0 0	6	"	320 0 0				33	"	59 0 10
36	"	228 0 24	7†	"	281 0 0	9	IX.	10 0 0			
					..	10	"	6 0 0			465 0 12

\* Mining reserve. † Omitted.

No. 25.

The SCHOOL COMMISSIONERS, Dunedin, to the SECRETARY, Education Department.

School Commissioners of Otago.

(Memorandum.)

Education Reserves Office, Dunedin, 15th May, 1884.

I HAVE the honour to forward herewith an amended schedule of sections in the Waikaia district, which please substitute for the one attached to my letter of the 10th instant, and also change the figures giving the total area from 3,942 acres to 11,108 acres. Sections 1 to 6, Block IX., are not coloured in the plan, as they were surveyed before the lithograph was coloured, but they are included in the list of sections for sale.

The Secretary, Education Department, Wellington.

J. P. MAITLAND, Chairman,  
(per C. MACANDREW).

## Waikaia District.

Sec.	Block.	Area.			Sec.	Block.	Area.			Sec.	Block.	Area.		
		A.	R.	P.			A.	R.	P.			A.	R.	P.
6	VII.	143	1	14	39	VIII.	318	0	0	53	I.	19	0	15
7	"	55	1	27	40	"	320	0	0	54	"	39	0	20
8	"	46	1	28	41	"	306	0	0	55	"	50	0	0
9	"	49	0	19	42	"	291	0	0	56	"	43	3	13
10	"	49	0	6		"				57	"	48	0	10
11	"	49	0	27		"	3,192	3	28	58	"	41	1	0
12	"	48	2	0		"				59	"	36	2	10
13	"	50	0	0	1	XI.	197	1	35	60	"	50	0	0
14	"	46	1	0	2	"	311	1	0	61	"	24	2	39
15	"	160	0	0	3	"	315	3	24	62	"	34	2	12
16	"	189	1	22	4	"	157	0	18	63	"	50	0	0
17	"	201	2	14	5	"	272	2	28	64	"	44	0	16
18	"	281	3	13	6	"	160	0	0	65	"	24	3	8
19	"	160	0	0						66	"	24	3	26
20	"	160	0	0			1,414	1	25	67	"	27	0	24
21	"	80	3	0						68	"	20	0	0
		1,770	3	10	1	XII.	176	2	0					
					2*	"						578	0	33
					3	"	197	1	20					
31	VIII.	159	1	2	4	"	298	2	0	1	IX.	318	3	23
32	"	304	1	8	5	"	320	0	0	2	"	312	0	0
33	"	251	3	26	6	"	281	0	0	3	"	214	2	19
34	"	242	0	32	7†	"				4	"	318	1	5
35	"	174	0	0	8	"	210	3	8	5	"	319	0	4
36	"	228	0	24						6	"	319	3	20
37	"	313	3	16			1,484	0	28					
38	"	233	3	0								1,802	2	31
														865
														0
														12

\* Mining reserve. † Omitted.

Total Acreage.—1,770 acres 3 roods 10 perches, 3,192 acres 3 roods 28 perches, 1,414 acres 1 rood 25 perches, 1,484 acres and 28 perches, 578 acres and 33 perches, 1,802 acres 2 roods 31 perches, 865 acres and 12 perches: total, 11,108 acres 1 rood 7 perches.

## No. 26.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

SIR,—

General Crown Lands Office, Wellington, 24th May, 1884.

I have the honour, by direction of Mr. Rolleston, to acknowledge the receipt of your letter of 10th May, in which you forward certain resolutions of the School Commissioners of Otago with regard to the land reserved from the Waikaia runs for settlement. In this letter you state that the area of those lands is about 3,942 acres, and enclose a schedule giving the numbers and the areas of the sections and blocks. I have also to acknowledge the receipt of an amended schedule, forwarded in your letter of 15th May, stating that the total area is 11,108 acres, instead of, as previously stated, 3,942 acres. The resolutions of the Board, as forwarded, recommend, in terms of sections 53-57 of "The Land Act 1877 Amendment Act, 1882," that all the remaining sections in education reserves, Waikaia district, not hitherto disposed of, should henceforth be dealt with in the proportion of one-third for cash and two-thirds for deferred payments. I am directed by Mr. Rolleston to request you to bring the subject again under the consideration of the Commissioners, and to express his hope that they will see fit to recommend that a proportion of the lands now to be dealt with in the Waikaia district should be dealt with by way of perpetual lease, in accordance with the intention of the Legislature as expressed in the Land Act, 1882.

When Mr. Rolleston had the advantage of personally conferring with the Commissioners in the month of January, 1883, he placed before them the reasons which, to his mind, made it exceedingly desirable that the whole of the estate, wisely set aside as an endowment for educational purposes, should not be absolutely alienated. Those reasons have acquired additional strength from the fact that since that date the course that has been pursued in setting aside a proportion of Crown lands and education reserves to be dealt with under the system of perpetual leasing has met with marked success, the amount of sections which have been taken up in this way being as follows: 132 sections, with an area of 23,196 acres.

Mr. Rolleston pointed out, on the occasion referred to above, as well as in his letter of 19th March, 1883, that the primary object of these reserves was to provide a permanent and increasing source of revenue for educational purposes; that the sale of reserves made for the purpose of endowment was only justifiable as far as such sale was rendered necessary in the interests of settlement, and to give value to the remainder which was retained; that on no other supposition would there be good ground for the creation of a trust, or for doing anything more than providing that the returns from land sales in any particular district should be applied to educational purposes. He further pointed out that the Legislature, so far as legislation had taken place upon the subject, had recognized this view both in "The Otago and Southland Education Reserves Leasing Act, 1878," and in the Land Act, 1882. He would earnestly urge upon the Commissioners that, if, as would appear, their own opinions tend in a different direction, they should, at any rate, in the administration of the law, endeavour to give effect to those provisions which are framed on this principle.

Mr. Rolleston would therefore request the Commissioners to reconsider their decision and make such a recommendation as will allow of the course being again adopted which was pursued, as he believes, with considerable advantage with respect to the reserves previously disposed of in this district. On learning from you that they are prepared to reconsider their decision, as suggested, he will at once take the necessary steps to give effect to their wishes.

I have, &amp;c.,

H. J. H. ELLIOTT,  
Under-Secretary.

The Chairman, Otago School Commissioners, Dunedin.

## No. 27.

The UNDER-SECRETARY for LANDS to the SCHOOL COMMISSIONERS, Dunedin.

(Telegram.)

Government Buildings, 29th May, 1884.

By direction of Mr. Rolleston I telegraph the following letter, for the information of the School Commissioners:—

“Waikaia, 19th May, 1884.—The Hon. Minister of Lands, Wellington.—Sir,—I have been instructed by the Waikaia Land and Progress Committee to request you to use your influence in favour of perpetual leasing one-half or at least a third of the land lately surveyed and shortly to be opened for sale, being portion of the Waikaia Education Reserves. A large number of residents in this district would prefer to lease land instead of being compelled to purchase.—Yours, &c.  
THOS. TAYLOR, Chairman W.L. and P.C.”

H. J. H. ELIOTT.

J. P. Maitland, Esq., Chairman, Otago School Commissioners, Dunedin.

## No. 28.

The Hon. the MINISTER of LANDS to THOS. TAYLOR, Esq.

SIR,—

General Crown Lands Office, Wellington, 29th May, 1884.

I have the honour to acknowledge the receipt of your letter of the 19th instant, requesting me to use my influence in favour of having some portion of the educational reserves which have lately been surveyed at Waikaia opened on perpetual leasing.

In reply I have to thank you for your letter, and to inform you that I addressed a communication to the School Commissioners on the 24th of the present month, in which I requested them to consent to the opening of a portion of the land as desired by you, and I forward a copy of that letter for your information. I have telegraphed your letter now under reply for the information of the School Commissioners at Dunedin.

I have, &c.,

W. ROLLESTON,

Minister of Lands.

Thos. Taylor, Esq., Chairman, W.L. and P. Committee.

## No. 29.

The SCHOOL COMMISSIONERS, Dunedin, to the SECRETARY, Education Department.

School Commissioners of Otago.

(Memorandum.)

Education Reserves Office, Dunedin, 5th June, 1884.

I HAVE the honour to acknowledge receipt of your letter (No. 342), of date “Wellington, 24th May, 1884,” forwarding the Hon. Mr. Rolleston’s request that the School Commissioners should reconsider the question of dealing with the lands to be opened up for settlement in the Waikaia district, with a view to offering at least one-third of the area on the perpetual-leasing system, and also of your telegram of 19th May, forwarding copy of letter from the Chairman of the Waikaia Land and Progress Committee on the same subject.

In accordance with the desire of the Hon. Mr. Rolleston, the School Commissioners met this day to consider your communication, when the following resolution, moved by Mr. A. C. Begg, and seconded by the Hon. Dr. Menzies, was passed: “That the Commissioners adhere to their former resolution.” Ayes: Messrs. Begg, Reynolds, and Menzies. Noes: Messrs. Maitland and Pearson.

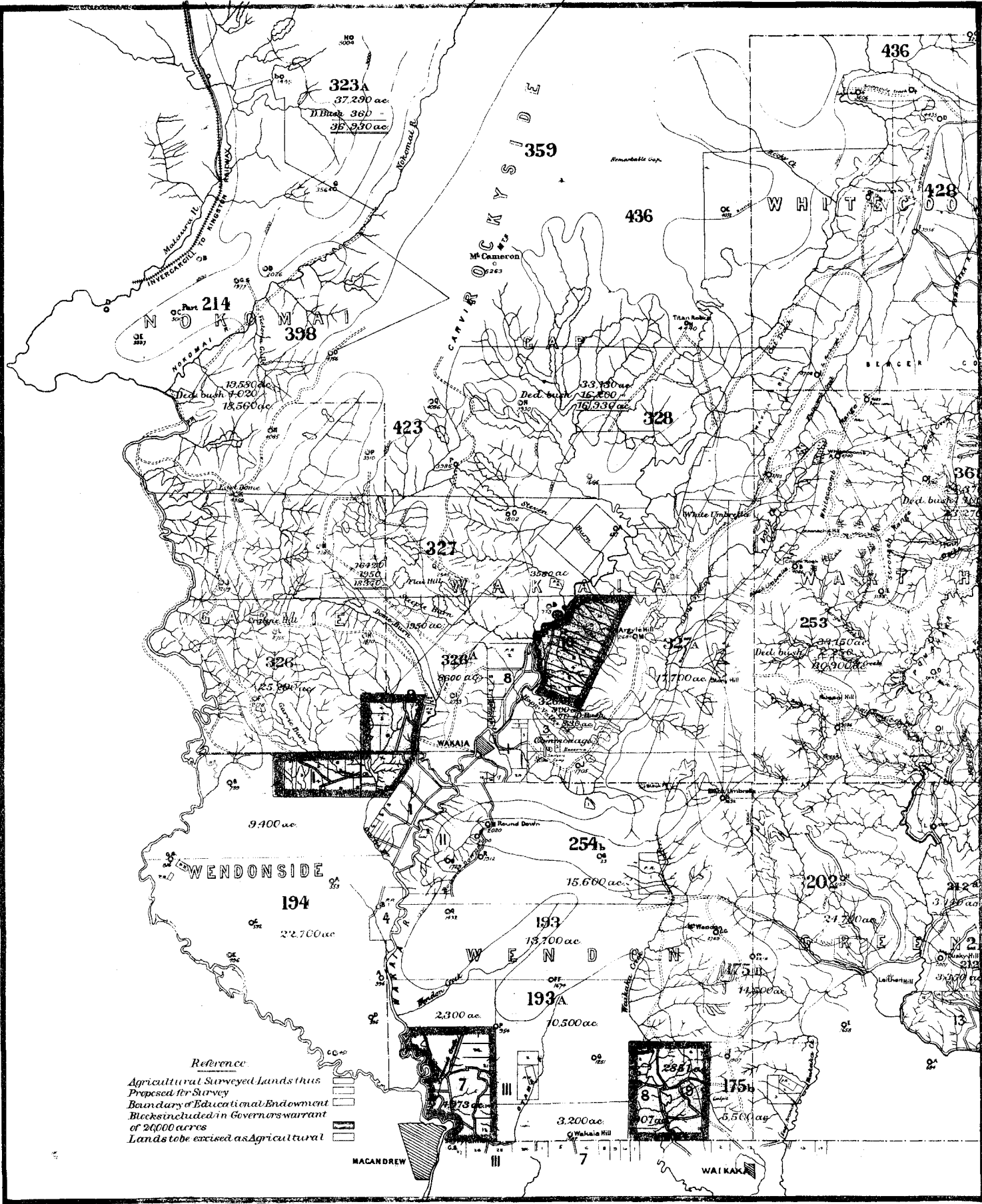
I was also instructed, by a resolution of the Commissioners (Messrs. Maitland and Pearson dissenting), to reply as follows: “The Hon. Mr. Rolleston says that he hopes that a portion of the lands referred to in your letter shall be dealt with in accordance with the intention of Legislature as expressed in the Land Act, 1882. Surely Mr. Rolleston does not mean that his interpretation of the intentions of the Legislature in framing the Act is to be the standard and rule of direction for the Commissioners in their administration of it. In “The Education Reserves Act, 1877,” and in “The Otago and Southland Education Reserves Act, 1878,” ample powers of administration short of a power of sale were given to the Commissioners. The power of determining that education reserves should be opened for settlement by way of sale was conferred upon them by the Land Act, 1882, and the confidence of the Legislature in their administration was evidenced by a provision in that Act whereby, when the Governor agreed to the recommendations of the Commissioners that certain education reserves should be disposed of, they could be disposed of only in conformity with the terms of that recommendation. The Legislature professed to give the Commissioners freedom of administrative action, within defined limits, but their freedom is illusory, is nothing but a mockery, if an imperious Minister of Lands is entitled to censure the Commissioners and frustrate their efforts to secure the industrial occupation of waste lands if they venture to act upon opinions different from those he entertains upon the most advantageous mode of settling these lands, although their action is strictly within statutory limits. Moreover, it is not improbable that Mr. Rolleston deceives himself, if he believes the opinions of the Legislature to be eminently favourable to the nostrum of perpetual leasing. He cannot fail to remember that the Land Bill of 1882 could not be carried through until it was amended by the insertion of a purchasing clause, and that all his influence was strained in obtaining a modification of that clause, which to some extent limited its application, and also that the attempt to repeal that purchasing clause by his Land Act Amendment Bill, 1883, of which it was a prominent provision, caused the summary rejection of that Bill in the last session of the General Assembly.

The Commissioners are of opinion that their action is in conformity with the law, and that the course they desire to take will be the most conducive to the prosperous settlement of the district. They venture to express a hope that the Hon. Mr. Rolleston will forego his own private opinion on this occasion, and cause effect to be given to the recommendation of the local administrators.

C. MACANDREW,

Secretary.

The Under-Secretary for Crown Lands, Wellington.



Photolithographed at the General Survey Office, Wellington, N.Z. July 1884

