

FURTHER PAPERS RELATIVE TO

I observe His Honor's remark as to the reservation in Crown Grants of land required for roads. The question under what conditions that power should be exercised was under the consideration of the Assembly in the last session. Great objections were made to an unlimited exercise of that power as interfering too much with private rights.

The power of taking lands for roads as defined by the English Highways Act would seem to suggest the proper conditions for the exercise of such powers.

The other objections are not noticed by His Honor.

HENRY SEWELL.

No. 51.

No. 896.

MR. FOX TO THE SUPERINTENDENT, OTAGO.

Colonial Secretary's Office,
Auckland, 4th December, 1861.

SIR,—

I have the honor to acknowledge the receipt of the "Education Ordinance, 1861," transmitted in your Honor's letter dated 4th October, 1861, No. 157, which had been passed by the Provincial Council of Otago, and which had been assented to by your Honor.

After a careful consideration of this Ordinance, His Excellency's Advisers regret to find that there are several objections in its provisions, which oblige them to advise the Governor to disallow it.

Independently of some objections of a technical nature, to which I need not advert, the general scope of the Bill appears open to objection. It constitutes the Executive Government, for the time being, an Educational Board, giving them the direction of the Education of the Province. The Board, that is, the Government, is to have the power of dividing the country into Educational Districts. In each District the occupying householders convened by the Board are to have the power of forming Select Committees, which Committees are to have an absolute power of levying assessments without limit upon the owners of all the property of the district, assessing all cultivated land at the annual value of 20s. per acre, and all uncultivated land at the annual value of 4s. per acre, an excessive rate, looking at the bulk of the wild land of the Province.

The owners upon whom the rate will be levied, will not, as such, have any voice in the making of it, unless, in fact, they happen to be occupying householders.

Owners of land will have reasonable ground to complain of a law obliging them to pay an unlimited assessment imposed without their having a voice in the making of it.

A Proclamation, therefore, disallowing this Ordinance, will be published in the *New Zealand Gazette*.

I have, &c.,

His Honor the Superintendent,
Otago.

WILLIAM FOX.

No. 52.

No. 205.

THE SUPERINTENDENT, OTAGO, TO THE COLONIAL SECRETARY.

Superintendent's Office,
Dunedin, December 19th, 1861.

SIR,—

I have the honor to acknowledge the receipt of your letter, No. 896, of the 4th instant, intimating the Governor's disallowance of the "Education Ordinance, 1861."

On this subject, I shall probably have an opportunity of addressing you by the ensuing mail, and as a new Ordinance is imperative from the circumstance of the one which we now have to fall back on having been quite unworkable, it will be necessary that I should explain my views more in detail before introducing a new Ordinance next Session.

I have, &c.,

The Hon. the Colonial Secretary,
Auckland.

J. RICHARDSON,
Superintendent.

No. 53.

THE SUPERINTENDENT, OTAGO, TO THE COLONIAL SECRETARY.

Superintendent's Office,
Dunedin, 18th January, 1862.

SIR,—

19th Dec., 1861, No. 205.

In furtherance of my intention as expressed in my letter of date and number as per margin, I have the honor to forward you a few remarks on the subject of the disallowed Education Ordinance, which I trust will have the effect of enabling me to re-introduce it in the April Session of the Provincial Council, with a certainty of success. The technical objections I shall feel obliged by your indicating in your reply.