

In accordance with these proposals, it is the intention of Government to introduce during the ensuing Session a Loan and a Harbour Endowments Bill; and I have now only to thank you for the promptitude with which the difficulties which would have attended the disallowance have been obviated.

The Honble. the Colonial Secretary,
Auckland.

I have, &c.,

J. RICHARDSON,
Superintendent.

No. 63.

MR. SEWELL TO THE SUPERINTENDENT, OTAGO.

No. 210.

Colonial Secretary's Office,
Auckland, 25th February, 1862.

SIR,—

I have to inform Your Honor that before your letter, No. 21, of the 24th ult., was received, the Otago Endowments Ordinance had been disallowed by the Governor.

It will be a source of much regret if the Government of the Province should be inconvenienced by this step; but, on full consideration, I am unable to come to any other conclusion than that stated in my former letter on this subject.

I understand, however, that Your Honor is anxious on two points—1st, that you should be enabled to grant leases of special allotments of land for 99 years; 2nd, that you should be enabled to borrow money for carrying on Harbour improvements.

As regards the 1st, I suggest, as a course which will probably meet your wishes, that you should obtain the sanction of the Provincial Council to the proposed leases specifically by an Ordinance to be passed for that purpose, to which Ordinance His Excellency will be advised to give his assent. It will be desirable to particularize in such an Ordinance the lands intended to be leased. This plan will, no doubt, satisfy lessees, and enable Your Honor to proceed at once with the letting of the land.

As regards the 2nd point, if Your Honor will obtain the sanction of the Provincial Council to a Loan Ordinance of the usual kind for the purpose of Harbour improvements to be charged on the Provincial Revenues, His Excellency will assent to such a Loan, say to the extent of Fifty thousand pounds, a clause being introduced into the Ordinance for reimbursing the Provincial Treasury from the sale or letting of the land.

£50,000.

This will be found a more convenient course than borrowing on mortgage of the specific lands reclaimed, a course which would involve the necessity of making the mortgagee a party to every transaction.

Anticipating that Your Honor will adopt this suggestion, I have seen the Manager of the New South Wales Bank and informed him that the General Government are prepared to sanction such a loan, and I have arranged with him to place at your disposal the requisite funds without delay, subject to the approval of the Inspector, who is at Dunedin.

Earnestly trusting that the plan thus proposed will meet Your Honor's difficulties,

I have, &c.,

His Honor the Superintendent,
Otago.

HENRY SEWELL,
For the Colonial Secretary.

No. 64.

MR. SEWELL TO THE SUPERINTENDENT, OTAGO.

Colonial Secretary's Office,
Auckland, January 7th, 1862.

SIR,—

With reference to the "Criminal Ordinance, 1861," submitted for His Excellency's approval, Your Honor will, I think, on consideration, admit the force of reason which appears to me imperatively to require that His Excellency should disallow it.

I fully enter into the objects for such a measure. The discovery of gold has doubtless attracted to your Province great numbers of bad characters, many of whom have undergone punishment for the crime, and some, no doubt, are escaped convicts. That is an unavoidable incident to the present state of things in Otago. It is a set-off against the many benefits which accrue to the Province in other ways; but the ordinary means of the law can alone be used to repress such an evil. A vigilant and effective Police is the true and only remedy, and this your Province has, by the care of Your Honor's Government, been well supplied with. The General Government have gladly assisted Your Honor by sending troops, and assenting to a loan for Police purposes. If further aid of the latter kind is needed, the Government will gladly concur in measures which Your Honor may propose for that purpose.

But a law which extends the punishment of crime beyond the assigned period of sentence, and which treats as actual criminals persons who may have received Her Majesty's pardon, or who may have undergone their full term of punishment, is at variance with all established principles of criminal jurisdiction.