

Otago, lapsed, and since that date the Government of that Province has had no power to give instructions with respect to the administration of the gold fields. It is only necessary, I am sure, for me to remind your Honor of that circumstance, in order to remove any impression you may have conceived that hostility or discourtesy to the Provincial authorities of Otago was indicated by the course taken of communicating directly with Messrs. Driver and McLean, the auctioneers, and informing them that the sale of the Depasturing Licenses in question could not be legally completed, to which I presume you refer when you complain of the mode in which the General Government had carried their action into effect. Your Honor will, on a consideration of the above fact, recognize that as the General Government alone could stop the sale, it was compelled to communicate directly with the auctioneers, and also that as by the same mail I fully informed your Honor of the action taken, and of the reasons for it, every courtesy was shewn to the Provincial Government.

The Government cannot concur in the arguments advanced by the Provincial Treasurer in support of an immediate sale of these Depasturing Licenses, which would have the effect of locking up these lands in the hands of a few individuals, who might not only have no connection with, but might have even opposite interests to the mining or other industries of the localities in which they were situated. The Government believes that the lands in question, and indeed all lands similarly circumstanced, as well as all special land funds or other local funds, should be used for the advantage of the inhabitants of the district in which the lands are situated, or in which the funds respectively accrue, and that in no other manner can justice to individual localities be so effectively secured, and the colonization and development of the resources of the country in so great a degree promoted.

The Provincial Treasurer is in error if he believes that the Provincial Government can sell the licenses under "The Otago Waste Lands Act, 1866." The General Government is advised that such a sale would be illegal, and that the Otago Waste Lands Act gives no such power. So long as the lands over which the licenses are to run remain within a proclaimed gold field, the Waste Lands Act has not, in the absence of a special provision to the contrary, any operation over these lands. In the case in question no such special provision exists.

The leasing of land within a gold field for depasturing sheep is not specially provided for in the Otago Waste Lands Act. The one hundred and twenty-third section of that Act does not authorize it, as that section does not expressly confer the power of granting Pastoral Leases, and as it does not do so expressly or specially, the provision does not satisfy the forty-eighth section of "The Gold Fields Act, 1866."

His Honor the Superintendent, Otago.

I have, &c.,
E. W. STAFFORD.

No. 5.

Copy of a Letter from the SUPERINTENDENT, Otago, to the Hon. E. W. STAFFORD.

(No. 370-141.)

Province of Otago, New Zealand,

SIR,—

Superintendent's Office, Dunedin, 17th May, 1867.

Referring to the last paragraph of my letter No. 370-140, of the 4th ultimo, I have now the honor to forward copies of applications which have been received by this Government, for payment of expenses incurred by the writers in visiting the Wakatip Runs as intending purchasers.

The applicants have been informed that it is presumed the General Government, having stopped the sale of the runs in question, is prepared to pay such expenses.

I have, &c.,

JAMES MACANDREW,

Superintendent.

The Hon. the Colonial Secretary, Wellington.

Enclosures in No. 5.

Copy of a Letter from Mr. YOUNG to the PROVINCIAL TREASURER.

SIR,—

Wain's Hotel, Dunedin, 25th April, 1867.

I beg to call your attention to the account on next page. The trouble and inconvenience I was at in wandering over the Wakatip Country was very great, and the loss of time and expenses considerable.

I was prepared to purchase part of the land at even over its value rather than lose it, therefore I trust that you will kindly take into consideration the annoyance and expense I have been at, and make me an allowance for the same as per annexed charge.

I have, &c.,

HUGH W. YOUNG.

Julius Vogel, Esq., Provincial Treasurer, Otago.

Account of Expenses in visiting Wakatipu Runs:—

	£	s.	d.
To personal expenses for two weeks @ 25s. $\frac{1}{2}$ day	15	0	0
To expenses of a valuator for four days	12	12	6
To loss of time and trouble &c., three weeks	20	0	0
	<u>£47</u>	<u>12</u>	<u>6</u>

HUGH W. YOUNG.