

has been reproached for want of activity by those who only look at results, and are unacquainted with the actual facts of the case.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 5.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 79.)

SIR,—

Colonial Secretary's Office, Wellington, 26th January, 1872.

Adverting to my letter of the 14th November last, I have the honor to inform you that the Statutes and Regulations enclosed in your letter of the 3rd of that month will be submitted to the Governor at the next Executive Council for His Excellency's assent.

I have, &c.,

W. GISBORNE.

The Chancellor of the New Zealand University,
Christchurch.

No. 6.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 83.)

SIR,—

Colonial Secretary's Office, Wellington, 31st January, 1872.

I have the honor to acknowledge the receipt of your letter of the 23rd instant. My letter of the 26th instant, written before your letter was received by me, will have apprised you that the Statutes and Regulations enclosed in your letter of the 3rd of November last would be submitted to the Governor in Council.

I cannot admit the assumption which pervades your letter, that the delay which has taken place in the action of the Council of the University has resulted altogether from the neglect of the Government. I will shortly recapitulate facts which prove how unfounded that assumption is.

"The New Zealand University Act, 1870," under which the Council was constituted, omitted to provide for its first meeting, and the Governor was advised to remedy that defect by summoning it himself. The Council met in Dunedin, and on the 7th of June last, as the first step essential to the conduct of its business, elected the Chancellor, and on the following day the Government remitted to the University Account the sum of £3,000 allocated by the Act. The Council in the course of that month forwarded certain resolutions, and proposed statutes and regulations to which His Excellency's assent was desired. In my letter of the 3rd of July, I intimated to you the irregularities and illegalities to which, as the Government were advised by the Attorney-General, the course taken by the Council would lead; and on the 15th of July, I stated that, "after careful consideration of all the circumstances arising out of the recent meeting of the Council of the University of New Zealand, and of legal difficulties connected therewith, the Government have decided on submitting the whole question to the further consideration of the General Assembly in its approaching Session," and His Excellency was advised to sanction the statute convening future sessions of the Council, in order that the Council might meet at Wellington while Parliament was sitting, and thus a satisfactory solution of existing difficulties be facilitated.

The whole question occupied the attention of Parliament during the entire course of the Session, and it was not until its close that it became evident that there was no probability of any satisfactory result. In fact, on the 13th of November last (three days before prorogation), the House of Representatives passed a resolution (by a majority of 32 to 14), instructing the Committee of the House in the following words, namely, "to so amend the Bill (University) as to make it repeal 'The University Act, 1870;' and the House gives this instruction on the understanding that if, during the present Session, the Bill is not passed, the House recommends the Government to withhold payment of any portion of the three thousand pounds (£3,000) subsidy to the New Zealand University, beyond the amount required for the payment of liabilities to date."

I would also remind you that, in my letter of the 17th of October last, I pointed out to you the opinion of the Attorney-General, that the unqualified assent (promised by me in my letter of the 12th of that month, without, I admit, sufficient consideration of all the consequences) to the regulations enclosed in your letter of the 4th of October would create further complications, and I requested you to inform me which of the three alternative courses suggested by that officer in respect of those regulations you would prefer to be adopted. To that letter you replied that the Council preferred the first alternative, and proposed altering the regulations as to the duration of the scholarships and lectureships. I have, however, received from the Council no such alteration, and have been unable to advise His Excellency to assent to the regulations in their present form. Moreover, in face of the above-quoted resolution of the House, passed since my letter of the 17th of October, the Government would not be justified in assenting to