

Auckland, 7th February, 1854.

SIR,—In reference to the communications, verbal and written, which, for some months back, have been carried on with the Government, in the name of Mr. Duncan McKenzie, respecting the locating of the Highland emigrants now here, and those to follow, I (being one of the party referred to, and acting for the others), have the honor respectfully to request that you will recognise my present address to your Excellency as a continuation of the correspondence which Mr. McKenzie had originated, but who is now at a distance in the country, on an exploring expedition connected with the subject of the present letter. And I would further respectfully request a reference to the correspondence on the subject which has already taken place, and more particularly to the Colonial Secretary's letter of the 3rd instant, in which your Excellency states that the terms already offered us present the following advantages, viz. :—offering us “for sale a small block of the extent we may wish for our immediate accommodation, and next, the reserving from sale the contiguous land to a reasonable extent and for a reasonable time, until the party whom I represent may be prepared to purchase the same.”

I have already, in the name of Mr. McKenzie, addressed the Government (4th instant), on the terms of this letter, and would have waited a written reply ; but the urgency of the circumstances of our case having exhausted my patience, I took the liberty of calling to-day at the Colonial Secretary's, in the hope of finding a reply waiting me, after which I had the honor of a personal interview with your Excellency, and then learned, to my great surprise and disappointment, that your Excellency did not see how the reserve of land in question could be made to the party whom I represent, in accordance with the present Land Regulations.

I am surprised at this statement, inasmuch as the letter from which I have just quoted the above remarks, states, in what may be considered explicit terms, that the Government will make a reserve to “a reasonable extent and for a reasonable time,” and I naturally concluded that I had only to request that the Government would specify clearly the extent and the time, and so close the whole negotiation which has been carried on with the Government for so many months, during which, our people, instead of locating themselves as they might have done, though perhaps less advantageously, on the lands of private parties, were buoyed up by hopes held out by the Government of a location being obtained on the most favourable terms. Had not this been the case, we should have effected a settlement long ago ; and, therefore it is, that I feel extremely disappointed—I may say fairly taken aback—with the expression of doubt (for the first time used to day) by your Excellency, as to your ability to grant our request under the present Regulations.

It was never supposed by us that your Excellency could do so under the present Regulations if they had been officially promulgated. Our first application showed that we considered ours a special case, and we gave, in our first written correspondence (15th December last), sundry reasons upon which we rested our claims to such special consideration.

Up to that period, from our personal communications with the Government, we had been led to believe that the Government had no difficulty on the point, and therefore it was that our letter of the 15th December contained so few reasons for considering ours a special case. Since that letter both Mr. McKenzie and myself have had interviews with Governor Grey, who spoke most warmly of his interest in our views and success, and even assured us that our application would be favourably entertained, and that a formal communication to that effect would be made to us, and which we expected to receive, at the very furthest, before the end of the first week of January last.

Since your Excellency, however, has thrown out doubts as to your ability to make ours a special case ; but having at the same time expressed your willingness to do so, if in your power, I am now induced to draw your attention to the following observations which appear to me to present full and sufficient warrant for your Excellency's acceding to our request of our case being made a special one.

Craving reference to the letter of 15th December referred to, I would only further observe that the Land Regulations requiring a month's notice of lands open for sale, before being appropriated under the new system, though promulgated in the Southern Provinces, have not yet, I believe, been proclaimed here, nor have they yet been acted upon ; so that no obstacles from this cause would seem to prevent your Excellency's acceding to our request, as the Regulations become thus reduced to a mere Government message, or notice to the Surveyor General, which the Governor can at any subsequent moment alter or wholly set aside.

But, were the Land Regulations in full force, even then I cannot see how your Excellency (holding in your own hand the entire disposal of the land and the making of such regulations therein, as from time to time you may deem best for the general benefit) should not fairly and reasonably make special exceptions therefrom, in cases like the present, whenever they might arise.

Again, in asking the Government to make the reserve applied for, it is only carrying out a principle already introduced in the Southern Provinces. I refer to the Block of land reserved by