

But the ground of objection taken to the declaration by the Court—that the allegation that the reserve was duly made does not involve the assertion that the steps necessary to its being duly made were taken by the Governor, namely, the obtaining the advice and consent of his Executive Council—not only renders research necessary into old transactions, the records of which are probably imperfect and not easy of access, but also necessitates a reference to Sir George Grey, who, as you are aware, is now in England. No amount of diligence can therefore, I fear, obviate a considerable delay in the preparation of the amended document.

With respect to the Bill of the Otago Provincial Council mentioned in your letter, I am informed by Mr. Izard that he has not been favoured by you with a copy of that Bill. I would therefore venture to request that you would either furnish me with such copy for his information, or that you would inform me to what extent and in what manner you are advised that the Bill, if assented to, would prejudice his clients.

I have restricted my reply to the more essential parts of your letters; but I may add, that although I deferred my reply to Mr. Richmond's letter, any necessity for a written answer was eventually superseded by a personal interview with Mr. Bell, at which I gave him the fullest information.

I have, &c.,

WALTER MANTELL.

The Hon. the Colonial Secretary.

### No. 15.

His Honor J. MACANDREW to the Hon. W. GISBORNE.

(No. 10,135-13.)

Province of Otago, New Zealand,

SIR,—Superintendent's Office, Dunedin, 18th March, 1870.

Referring to my letter, No. 10,135-10, of the 4th instant, in reply to yours, No. 73, of the 25th ultimo, with accompanying correspondence relative to the Princes Street Reserve, I have the honor to state that the question of "pending proceedings" has been again referred to the Provincial Solicitor, who intimates that my telegram to you of 10th February expresses the actual position of the case. Seeing, therefore, that there are no proceedings pending as regards the main question, and that it is of the utmost importance, in the interests of the public, that His Excellency's assent should be given to "The Dunedin Reserves Management Ordinance, 1869," I venture to hope that such assent may be given without further delay. It is evident that Mr. Izard's clients have no case, and have no intention of prosecuting the matter further.

So perfectly satisfied is the Provincial Government, both as to the law and equity of the case, that had an adverse decision been given, we should have appealed to the Court of final jurisdiction.

I may observe, that at present the reserve, which ought to be yielding a good rental, is occupied by parties who are paying no rent at all; and that the longer the question of administration is allowed to remain in abeyance, the more complicated and unsatisfactory is the position of those interested.

I have, &c.,

J. MACANDREW,

Superintendent.

The Hon. the Colonial Secretary, Wellington.

### No. 16.

Mr. BIRCH to the Hon. W. GISBORNE.

(Telegram.)

Dunedin, 28.3.70.

MEMBERS of Corporation exceedingly anxious to know what position Princes Street Reserve is in; whether General Government has advised the Governor to give his assent to Bill passed at last Session of Provincial Council, placing reserve in control of municipality. Would General Government sanction Corporation asking Provincial Government for the £6,000 in their possession, on the Corporation handing over bonds as security for same while settlement of question is pending?

The Colonial Secretary, Wellington.

BIRCH, Mayor.

### No. 17.

The Hon. W. GISBORNE to Mr. BIRCH.

(Telegram.)

Wellington, 31st March, 1870.

In reply to your telegram of 28th instant, I send you copy of my telegram to Superintendent on subject of Dunedin Princes Street Reserves Bill.

The Mayor of Dunedin.

W. GISBORNE.

The Hon. W. GISBORNE to His Honor J. MACANDREW.

(Telegram.)

Wellington, 31st March, 1870.

UNLESS the Attorney-General is satisfied within a week by Mr. Izard that legal proceedings are pending, and are being diligently prosecuted, in respect of the Dunedin Princes Street Reserve, Governor will be advised to assent to "Dunedin Reserves Management Ordinance, 1869." Please send me by first opportunity two more copies of the Bill. With respect to the transfer of the £6,000 to the Corporation, Government are advised that, as the Superintendent has undertaken to the General Government to restore that money whenever the title under the Crown Grant issued to the Superintendent shall be declared by a Court of law invalid, the General Government should not either sanction, or refuse to sanction, or express any opinion on, this proposal. It is a matter for the Province to decide upon, both as regards transfer and security, and not the General Government. I will communicate this telegram to Mayor of Dunedin, who telegraphed to me on the subject.

His Honor the Superintendent, Dunedin.

W. GISBORNE.