

FURTHER PAPERS

RELATIVE TO THE

ESTABLISHMENT OF THE NEW ZEALAND UNIVERSITY.

(In continuation of Papers presented 25th August, 1871.)

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF
HIS EXCELLENCY.

WELLINGTON.

—
1871.

FURTHER PAPERS RELATIVE TO THE ESTABLISHMENT OF THE NEW ZEALAND UNIVERSITY.

No. 1.

MR. H. CARLETON to the Hon. W. GISBORNE.

University Council Chambers, 23rd August, 1871.

SIR,—

I have the honor to state that I have been directed by the Council to request to be informed whether any of the regulations of Council, other than those two in regard to which assent has been already signified, have been approved and sanctioned by the Governor in Council.

I have, &c.,

HUGH CARLETON,
Vice-Chancellor.

The Hon. the Colonial Secretary.

No. 2.

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

Colonial Secretary's Office, Wellington, 17th October, 1871.

SIR,—

With reference to the communications that have passed between us on the subject of the proposed Regulations of the New Zealand University, I desire to state that it was considered by myself, and, as I believe, by the Council of the University, that the object of the Council was to liberate the funds at their disposal, so as to enable the Council to utilize them for the objects contemplated in the Regulations, pending the final settlement of the question of the locality of the University and its permanent organization. On conferring with the Attorney-General, he thinks that as, in the Regulations in their present form, the duration of the scholarships and lectureships is not restricted to a limited time, it may be pretended hereafter, when it is sought to alter them, that interests have been created which cannot properly be disturbed. It will, therefore, be necessary either that the Regulations themselves should be modified to meet the intended objects, or that the Order in Council should be so framed as to qualify and limit the operation of the Regulations; or that provision should be made, by the Bill now pending before the Legislature, to give the University Council the requisite powers of *ad interim* administration, in which case it would be needless to obtain His Excellency's approval of the Regulations. The Attorney-General is of opinion that the latter course would be the best. I shall be glad to hear from you, which of these three courses you would prefer to be adopted.

I would also point out, what I omitted in my letter of the 12th instant,—that it would be well that an additional regulation should be made, putting beyond doubt the question of holders of scholarships being members of the University.

I have, &c.,

W. GISBORNE.

The Chancellor of the New Zealand University.

No. 3.

MR. H. J. TANCRED to the Hon. W. GISBORNE.

University of New Zealand, 4th October, 1871.

SIR,—

Referring to my letter of the 11th July last, in which I enclosed copies of certain regulations made by the Council of this University, providing for—1. Conditions of affiliation. 2. The establishment of scholarships. 3. Appropriation of funds,—I venture respectfully to suggest that the Governor should be advised to sanction the same as soon as possible.

It will be remembered that, in your reply to my letter, you stated that the Government had determined to suspend all action in the matter until the General Assembly should have had an opportunity of considering the whole question. It is further understood that the Government wished to defer coming to any decision, in order to ascertain how far it was likely that the University of Otago would be willing to coalesce with or become incorporated in the general plan.

I submit that neither of these reasons are now of any practical force. As to the first, a general impression appears to prevail, that the General Assembly is not likely, during the course of the present Session, to be in a position to arrive at any final decision. In any case, several weeks may be expected to elapse before any Bill could be passed through both Houses. In the meantime the detention of the Members of the Council in Wellington is needlessly prolonged.

Several questions requiring some action to be taken are now before the Council, but are kept in abeyance until the decision of the Government on the regulations transmitted to it is notified.

I have every reason to believe that the suspense and uncertainty which this state of things occasions in all parts of the Colony, is a source of considerable inconvenience and disappointment to those most nearly interested.

FURTHER PAPERS RELATIVE TO THE

It will be remembered that the Governor was advised to sanction the regulation providing for the convening of meetings of the Council for the express purpose of enabling the present meeting to take place. I think I may fairly assume that the object which the Government had in view in taking this course was to place the Council in a position immediately, or at least after a very short delay, to proceed to business.

The Council has now been upwards of a month in session, and has not yet been able to transact any business of importance. It appears to me clear that this forced inaction must act very prejudicially, by preventing the University from promoting those objects for the attainment of which it was established.

As regards the second reason for delay—the hope that some arrangement would be come to with the University of Otago—it appears to me, expressing my own opinion on the subject, that there is very little prospect that a satisfactory arrangement will be arrived at for the present; and that it will be better to allow each University to pursue its own objects independently, under the law as it at present stands, until their views can be brought into greater harmony than at present exists.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary.

No. 4.

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

SIR,—

Colonial Secretary's Office, Wellington, 12th October, 1871.

I have the honor to acknowledge the receipt of your letter of the 4th instant, and to inform you that, under the circumstances stated in your letter, the Governor will be advised to assent to the Regulations as to conditions of affiliation, scholarship, and appropriation of funds of the New Zealand University. The Government are advised, however, that the Regulations ought to have required that the scholarships, so far as supplied out of the £3,000 appropriated by the General Assembly, shall be scholarships in the University, and not scholarships in affiliated institutions.

The Government infer from your letter that, though the Regulations are express as to the holder being a regular attendant at some affiliated College and are silent as to memberships of the University, it is not intended to evade the law, but that the holders are to be members of the University.

I have, &c.,

H. J. Tancred, Esq.,
Chancellor of the New Zealand University, Wellington.

W. GISBORNE.

No. 5.

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

SIR,—

University of New Zealand, 30th October, 1871.

I have the honor herewith to enclose a copy of a resolution passed by the Council of this University at its last meeting, and I am directed to accompany it by the following explanation:—Having learned that a Bill is now before the Legislature, to repeal "The University Act, 1870," I thought it my duty to bring to the notice of the Council the present position of the University, with a view of eliciting an expression of opinion on the part of that body as to the course that it would be desirable to adopt, and as to any representations that it might be desirable to make to the Government on the subject.

It will be manifest to the Government that the Council is altogether incapacitated from carrying into effect the provisions of the existing Act, or of performing any of those functions for the performance of which it was constituted, so long as regulations by which that Act is to be supplemented remain in abeyance.

The Government sanctioned the regulation for convening the meeting of the Council for the express purpose, as it was understood, of enabling it to hold its present meeting, and, as it is fair to presume, in order that it might be able to proceed to do some practical work.

From circumstances which it is now unnecessary to specify, the regulations enclosed in my letter of the 11th July last, under which it was proposed that the Act should be brought into operation, have been now for upwards of three months under the consideration of the Government, and no definite information has been received as to the intentions of the Government with regard to them until the receipt of your letter of the 12th instant, stating that the Governor would be advised to assent to them.

On the 17th of the same month, however, I received another communication from you, by which I learned for the first time that some further regulations were necessary before the Government could advise His Excellency to give his assent.

The Council expressed its willingness to adopt the views of the Government on this point; but the delay which has taken place before the wishes of the Government were made known, has made it almost impossible for the Council to carry them out during the present meeting. It is understood that the Assembly will in a short time be prorogued, and the Members of Council, who are also Members of the Assembly, will then in all probability be returning to their homes: in the meantime the work of the Assembly takes up so much of their time that they are often unable to attend the meetings of the Council, and so there is no certainty of obtaining a quorum.

Under these circumstances, it appears to me that there is no object to be attained by the prolongation of the present Session, and that the only result of such prolongation would be an unnecessary expenditure of public funds. It is therefore proposed to adjourn the present meeting to a future date, in the hope that the Government will then have fully considered the proposed action of the

Council, and have advised His Excellency to approve of the regulations passed during this Session and that held at Dunedin, or else that the Council shall have been informed of the exact nature of any objections, and of the amendments required. This arrangement will place the Council in a position, at its next meeting, at once to make any additions or alterations, and then without delay to proceed to business.

The Council is of opinion, as will be seen by the enclosed resolution, that the present Act is sufficient for the purposes contemplated by it, supposing that the Government would be willing to co-operate; but the Council cannot disguise from itself that the University can be of very little service to the Colony, if the impediments which have hitherto crippled the proceedings, and placed it in a state of forced inaction, are not removed.

I have, &c.

HENRY JOHN TANCRED,

Chancellor.

The Hon. the Colonial Secretary, Wellington.

Enclosure in No. 5.

RESOLUTION.

Resolved, (in reference to the Bill now before the House, intituled a Bill to repeal "The University Act, 1870,") That this Council are satisfied that, although the Act of 1870 is capable of amendment in detail, they will find no real difficulty in maturing an effective scheme of education under the provisions of that Act; and that this Council is in no way responsible for the several hindrances which have intervened.
