

4. But with regard to the paragraph of your letter on the 13th clause of the Ordinance, I have to observe that the Ordinance expressly gives power to make Grants without reference to original surveys and to reserve roads. But this clause was intended to have special reference to the Wellington Settlement wherein it was found necessary to re-survey all the old districts, and occasionally other lines incorrectly laid down. It is presumed that no such necessity exists at Otago. The old surveys must therefore be as rigidly adhered to as possible. Nor should the rights of reserving roads be exercised except in such cases as those alluded to by yourself, where access to sections would otherwise be unobtained, where the propriety of reservation is obvious, and the owners of sections concerned agree thereto.

The Form of Record to be adopted in carrying out the provisions of the 17th clause of the Ordinance must be left for yourself to determine—as you may find, that one form might not be applicable to every case. The 8th, 9th, and 10th clauses of section 2, of the general Memorandum give full information on this point.

5. Clauses 18 to 25 inclusively (being those relating to the issue of scrip) as well as clauses 27 and 29, are not applicable to the Otago Settlements.

6. With regard to your enquiry as to whether "Captain Cargill is still a resident Agent of the New Zealand Company, and whether leases granted by him in that capacity are binding however worded." I shall have the honour of addressing a separate letter to you on the subject.

7. The arrangement adopted by Captain Cargill of allowing payments by instalments in the purchase of Land, is one which the Government will on no account sanction.

8. Lastly, I have to inform you that I have already instructed Mr. Kettle relative to any Maps or Plans in his possession, as I stated in my letter to you quoted in the margin.

I have, &c.,  
(Signed)

ALFRED DOMETT,  
Civil Secretary.

Walter Mantell, Esq.,  
Commissioner,  
Otago.

Crown Lands Office,  
Otago, August 29th, 1853.

Sir,—

With reference to the 7th paragraph of your letter of 22nd May, No.—I have the honour to enclose a letter from Mr. Lloyd enquiring to whom he is to pay the next "instalment" on a section purchased by him from Captain Cargill with a copy of my reply.

I have, &c.,  
WALTER MANTELL,  
Commissioner,

To the Civil Secretary,  
&c., &c., &c.,  
Wellington.

Green Island Bush,  
July 22nd, 1853.

Sir,—

In October last I made application to Captain Cargill to purchase a Suburban Section No. 88, Green Island Bush, on the same terms he had been in the habit of allowing other persons to purchase sections by paying down ten pounds, and for the next two years paying ten pounds each year with interest. As the second ten pounds will be due in October next, I wish to know how far the Government will recognize my title to land chosen in this manner, and in what position I and others in the same situation stand. I should likewise wish to know if on the next instalment becoming due, I had better pay you, or Captain Cargill as before. On the other side you will find a copy of Captain Cargill's letter authorising me to choose.

I am, &c.,  
(Signed) GEORGE LLOYD.

To Walter Mantell, Esq.,  
Commissioner of Crown Lands,  
Dunedin.

55-309 April 6, 1853.