

18. In laying out the lands of the District, allotments to be made to the aboriginal inhabitants having rightful claims, according to Rules to be made by the Governor in that behalf; (such allotments in all cases to include all paha and cultivations, unless specially surrendered by the occupants); and all such other lands as may be eligible to be held by them, whether for agricultural or pastoral purposes, or for commonage: and in making such allotments, regard to be had to the rank and station of the respective allottees, and as nearly as may be to their wishes, to be ascertained in such manner as the Governor may think expedient.

19. Provided that the quantity of land to be allotted to any individual, not being a Chief, shall not exceed acres, and the quantity to be allotted to a Chief shall not exceed acres, exclusive of commonage.

20. Crown Grants to be made to the respective allottees in fee simple, free from charge.

21. Lands may be assigned by the Governor for, and as endowments for, the support of Hospitals, Schools, Churches, Chapels, and other religious and eleemosynary Institutions, for the benefit of the aboriginal inhabitants of the District.

22. Provided that the quantity to be allotted for such last-mentioned purposes, shall not exceed of the whole quantity included in the District.

23. Subject to, and after setting apart lands for the several purposes aforesaid, the residue of the lands of the District to be open for colonization under such regulations as aforesaid.

24. The proceeds arising from the sale, disposal, and occupation of lands, under the provisions of the Act, to be paid to some person or persons appointed by the Governor in that behalf, and to be applied,—

1st. In defraying the charges of obtaining the cession of Native Title; of surveys and other expenses incurred in laying out the land, and preparing the same for settlement; and generally of surveys and management.

2nd. After deducting such charges, the residue to be divided into three equal shares,—

a. One thereof to be subject to the provisions of the Land Revenues Act, and to be the security for the Government Loan, and for the uses of the Province.

b. Another share thereof to be paid over to the Resident Magistrate and Assessors, to constitute a fund for making roads, bridges, and other public works.

c. Another share to be paid to the Resident Magistrate and Assessors to constitute a fund for promoting the social advancement of the aboriginal inhabitants, and to assist them, either by way of absolute gift, or loan, in improving their buildings and cultivations, acquiring stock, &c.; such fund to be administered according to Rules to be laid down by the Governor, and approved of by the Resident Magistrate and Assessors.

25. The Act to be reserved for Her Majesty's pleasure—to come into operation on a day to be fixed by Proclamation, and to continue for seven years from that day.

No. 3.

COPY OF A MEMORANDUM BY MR. RICHMOND.

Auckland, 19th August, 1859.

Native Land Purchases

In accordance with the Governor's request, conveyed in a memorandum dated 2nd July, His Excellency's responsible ministers submit the following observations on the heads of a Bill prepared by Mr. Sewell, and transmitted with the memorandum referred to.

The distinctive feature of Mr. Sewell's proposal is the constitution of a board of commissioners appointed by the Crown, having the Governor at its head, to which are to be transferred the important functions,

First,—Of conducting land purchasing operations;

Secondly,—Of regulating the sale and disposal of land acquired from the natives;

Thirdly,—Of supervising the survey and preparation for settlement of such lands.

Under existing arrangements, the first of these functions is exercised by the Governor, who acts upon the advice of his responsible ministers as to what blocks shall be purchased and what prices shall be paid: subject, however, to His Excellency's right of veto, if political reasons render it, in his opinion, inexpedient to make a particular purchase. Practically, the chief Land Purchase Commissioner (over whose appointment and removal the Governor retains a personal control, and who is the sole medium of communication on the subject of land purchase between the Government and the natives) exercises a very large influence over the conduct of land purchasing operations.

The second function at present belongs to the General Assembly; and the third and last, to the Provincial Governments.

His Excellency's responsible ministers are decidedly of opinion that the union of these powers in a permanent board would not fail to excite strong public dissatisfaction, and that the proposal cannot be made to the legislature with a chance of success. It appears improbable that such a system could work in harmony with the representative institutions of the Colony. Nor, looking at the scheme abstractedly, without reference to popular opinion or to the congruity of the scheme with the existing institutions of the Colony, does it seem calculated to secure greater stability or efficiency of administration than the present system.