

NATIVE AFFAIRS.

COPY OF A DESPATCH FROM SIR G. C. LEWIS BART., TO GOVERNOR GORE BROWNE, C.B.

Downing Street,
26th July, 1860.

SIR,—

I enclose a copy of a Bill which has been introduced into Parliament to authorize the appointment of a Council for the conduct of Native Affairs.

(No. 47.)

You will not fail to observe that in framing this Bill, great care has been taken to adhere to the spirit of sections 71, 72, and 73 of the Constitutional Act. The quasi Legislative functions of the Council are confined to those Districts within which Her Majesty is empowered to provide for the maintenance of Native law, and provision is made that neither directly or indirectly shall the Council have the power without the consent of the local Legislature to affect the extinguishment of a Native title or to anticipate the revenue arising from the resale of Native lands.

The power of leasing given by the Bill is confined to five years, in order that it may not be used to effect a virtual transfer of land from a Native to an European owner.

It is plain, therefore, that without the co-operation of the colonists the Council will be able to effect little, with that co-operation it may, I hope, prove a valuable instrument for recalling the Natives to those feelings of loyalty which the course of events appears calculated to efface, and for inducing them to part on reasonable terms with the lands, which are indispensable to the European settlement of the country.

Any scheme for the latter purpose, in which your Native Council and your Responsible Advisers may concur, will be considered by Her Majesty's Government with the strongest desire to give it full effect.

I shall probably address you more fully on this subject by the next mail, when it appears, whether, and with what modifications the Bill will receive the sanction of Parliament. But I have thought it best to apprise you at once of its introduction.

I enclose a pamphlet on the subject, written by Mr. Fitzgerald, the agent for Canterbury.

From what I have said, and, still more, from a comparison of the Bill with the Constitutional Act, you will see that its authors have carefully endeavoured to avoid that curtailment of Colonial privileges which he sees in this proposal of Her Majesty's Government.

I have, &c.,

G. C. LEWIS.

Governor Gore Browne, C.B.
&c., &c., &c.

Enclosure No. 1.

NEW ZEALAND BILL.

ARRANGEMENT OF CLAUSES.

- Interpretation of Terms ; Sec. 1.
- Appointment of Native Council ; 2.
- Presidency of Council ; 3.
- Rules to be made by Royal Instructions ; 4.
- Powers of Council ; 5.
- Questions to be decided by Majority of Votes ; 6.

A BILL,

INTITLED

AN ACT for the better Government of the Native Inhabitants of New Zealand, and for facilitating the Purchase of Native Lands.

WHEREAS by an Act of the Session holden in the Fifteenth and Sixteenth years of Her Majesty, Chapter Seventy-two, after reciting that it might be expedient that the Laws, Customs, and Usages of the Aboriginal or Native Inhabitants of New Zealand, so far as they were not repugnant to the general Principles of Humanity, should for the present be maintained for the Government of themselves in all their Relations to and Dealings with each other, and that particular Districts should be set apart within which such Laws, Customs, or Usages should be so observed, it was enacted, that it should be lawful for Her Majesty, by any Letters Patent to be issued under the Great Seal of the United Kingdom, from Time to Time to make Provision for the Purposes aforesaid, any Repugnancy of any such Native Laws, Customs, or Usages to the Law of England, or to any Law, Statute, or Usage in force in New Zealand, or in any Part thereof, in anywise notwithstanding ; and it was further enacted, that, subject to the Provisions in the said Act contained, it should be lawful for the General Assembly of the Colony of New Zealand to make laws for regulating the Sale, Letting, Disposal, and