

small hut for each family. Any one may enter a house and sleep there, but this is not a matter of right, but the exercise of hospitality. As a rule, a Maori hut lasts in tolerable condition for about four years. They are generally unlocked; though the custom of locking doors is growing into favour.
(Signed) F. D. FENTON.

COPY OF A LETTER FROM MR. CARLETON.

Auckland, 1st November, 1858.

SIR,—

On the occasion of moving a resolution, in the House of Representatives, declaratory of the evils that would ensue from the swamping of the European Constituency by Maori votes, and from the consequent introduction of Native Members to the House, I refrained from arguing the question at length, because, as it was well understood that the motion would be carried without a dissentient voice, I had no desire to occupy the time of the House, at that late period of the Session, by raising a prolonged discussion.

Since then, I have seen reason to regret, on account of the gravity of the question, and the probability of a reference to the Home Government having to be made, that the opinions of the Representatives were not more fully elicited in debate, and therefore propose to lay before you, in the form of a Memorandum, an outline of the arguments which I should have adduced in support of the Motion, had I thought it necessary to address the House at length. This Memorandum will at least serve the purpose of placing on record the political bearings of the case, under the present circumstances of the Colony.

Permit me to observe in reference to the remarks submitted to you, that although they be couched in strong terms, no undue bias can be attributed to one who has, for thirteen years past, been engaged in advocating the real rights and the real interests of the Maori race.

I have, &c.,
(Signed)

HUGH CARLETON.

The Honorable
the Colonial Secretary.

MEMORANDUM REFERRED TO ABOVE.

Having reference to the following Resolution, moved and carried in the House of Representatives on the 19th of August, 1858.

“*Resolved*,—That, in the opinion of this House, the New Zealand Government ought to endeavour to obtain an opinion from the Law Officers of the Imperial Government, on the subject of claims to vote, preferred by Aboriginal Natives under the seventh and forty-second sections of the Constitution Act, whether Natives can have such possession of any land that is used or occupied by them in common as tribes or communities, and not held under title derived from the Crown, as would qualify them to become voters under the provisions of the forecited sections; this, with a view to petitioning the Imperial Parliament, or taking other, the proper measures, to be relieved from the grave inconveniences and probable dangers to the Government of this Country which are to be apprehended, should it be found that a large body of men, who are destitute of political knowledge, who are mainly ignorant of the language in which our laws are written, and among whom respect for the law cannot be as yet enforced, have been allowed the right of interference with the enactment of law.”

This resolution was moved, in consequence of Clause 4, in the Qualification of Electors Bill, providing that “No Estate, House, Tenement or Hereditaments, shall be deemed to confer such qualification, unless the same be held or occupied by Title derived from or through the Crown,”—having been negatived in the Legislative Council. The object of that provision was, to hinder the great body of Natives from placing themselves on the Electoral Roll, and thus acquiring the power materially to influence the elections of European Candidates, or even to send up Maori Representatives to the General Assembly.

It is unnecessary, for the purpose of this Memorandum, to enter into the legal question, whether land held in common by Tribal tenure and not in severalty, can confer a qualification under the Constitution Act. It suffices that there is a doubt, and that the restriction imposed by the forecited Clause was introduced by the Government for the purpose of placing the question beyond a doubt.

The Legislative Council appear to have been influenced, in the course which they pursued, by an idea which was prevalent at an earlier period of the Colony, but which is now fast becoming obsolete in New Zealand, (though not, perhaps, in England) that Natives and Europeans ought to be placed upon a precisely equal footing, in all things; endowed with equal political rights, upon abstract considerations, and without reference to the possible uses or abuses of those rights. This theory really did seem plausible to some, while the advocacy of it