

SECTION IV.

BAY OF PLENTY.

No. 1.

PRELIMINARY INSTRUCTIONS TO T. H. SMITH, ESQ.

Attorney-General's Office,
Auckland, 14th December, 1861.

SIR,—

In the absence of Mr. Fox, I beg to communicate to you the following instructions for your guidance.

The Natives of the district of the Bay of Plenty appear from recent accounts to be in an unsettled temper of mind, hanging between submission to the Queen's authority and adherence to the King movement. It is of importance that no time should be lost in tranquillizing their minds, and securing their allegiance to the Government. With this object in view, His Excellency desires that you will be good enough to proceed without delay to the district in question. From your previous acquaintance with it, and the Natives inhabiting it, and your experience in Native affairs, you will have no difficulty in making yourself acquainted with the circumstances of the district, and the temper of the Native mind. You will be good enough to be minute in your enquiries on these points, and report them to the Government with as little delay as possible.

It will be extremely desirable to obtain, if possible, without delay, the assent of the Natives of that district to the introduction of the new Institutions planned by His Excellency for the government of the Native race. With a view to the attainment of this object, you will proceed to Tauranga in the "Caroline," and communicate as soon as possible with the various Native tribes living at that place, at Maketu, Te Awa-a-te-Atua, Whakatane, and the Lake district. You will explain to them the plan proposed by the Government for establishing law and order among them, by means of institutions to be worked by themselves under Government auspices and the supervision of a European Officer.

The general outline of this plan is as follows:—

To establish in convenient districts Resident Magistrates to act in conjunction with Native Assessors, and to put into execution the provisions of the Native Districts Regulation Act and Native Circuit Courts Act, with such other enlarged jurisdiction as the General Assembly may think right to create. The Government contemplate making application to the General Assembly for extending the jurisdiction under these Acts. The concurrence of the Native people in the laws and regulations made for their government will be obtained through the medium of that institution with which they are familiar, the Runanga, now in practical use throughout the Colony. You will explain to the Natives that is the intention of the Government to recognize the Maori Runanga, and to constitute and establish it upon a regular system.

For managing the affairs of these districts as regards inter-tribal questions, it is proposed to establish a District Runanga, to be composed of Resident Magistrates, Chiefs, and Assessors. An Officer, to be termed a Civil Commissioner, and whose functions will be principally of a political nature, will be appointed over the district.

The precise functions of that Officer cannot yet be determined, except so far as relates to his convening and presiding over the District Runanga, and being the general medium of communication with the Government in political matters affecting the district. His Excellency intends to offer you the appointment of Civil Commissioner of a district in the Bay of Plenty.

You are sufficiently familiar with the present state of the law to be enabled to point out to the Natives its various provisions, and the benefits which they will derive from its introduction, particularly as regards the settlement of disputes between themselves respecting land.

His Excellency proposes to appoint Native Assessors to assist in the administration of justice, with constables, and officers of police, who will receive suitable salaries according to the nature of their services, as may be hereafter provided. These salaries will be on a more liberal rate than has been adopted hitherto.

For the imprisonment of criminals, His Excellency proposes to establish places of confinement in convenient localities.

You will further explain to the Natives that it is generally the desire and intention of the Government to aid them in the establishment of schools, hospitals, and other institutions for the social advancement of their race; and you will lose no opportunity of assuring them of the hearty sympathy which His Excellency feels in all which concerns their welfare and progress.