

WEDNESDAY, THE 24TH DAY OF OCTOBER, 1860.

24 Oct. 1860.

PRESENT:

Mr. Domett,
Mr. Forsaith,
Mr. Dillon Bell,
Mr. Williamson,

Mr. Heale,
Mr. Fox,
Mr. Hunter Brown,
Mr. King,

Mr. Sewell in the Chair.

[The Chairman put in two documents received from the Government: same read as follows.]

MR. FENTON TO NATIVE SECRETARY, 7TH NOVEMBER, 1857.

Auckland, November 7, 1857.

SIR,—

I have the honor to request that you will express to His Excellency my feeling that my duty requires my immediate presence in my district, and that in accordance with this feeling, I am anxious to postpone the completion of the Laws until I have made a short circuit.

I also beg you to call the attention of His Excellency to the length of time which has elapsed since the delivery of the civil part of the laws, and to express my desire to settle it with the Attorney-General before my proposed departure.

I have the honor to be, Sir,

Your very obedient servant,

The Native Secretary.

F. D. FENTON, R.M.

MEMORANDUM OF NATIVE SECRETARY, 16TH NOVEMBER, 1857, ON PRECEDING LETTER.

Recommended, as Mr. Fenton states that his presence is urgently required in the Waikato, that he be allowed to return to that district under instructions from His Excellency, through the Native Secretary. By these instructions he should be distinctly directed to abstain from any interference in Native matters beyond the performance of his magisterial duties.

From a perusal of Mr. Fenton's diary, I find that schemes have been propounded and attempts made to introduce among the Natives on the Waikato, a system involving important and fundamental changes in their present social organization. Admitting the value of some of Mr. Fenton's suggestions, viewed merely as suggestions, I still feel it my duty to warn the Government against committing itself to any immature scheme the prosecution of which would involve the too sudden destruction of the existing social fabric, however defective. I submit before doing so that the Government should be prepared to substitute in its place and fully support one likely to prove of a beneficial and permanent character: Mr. Fenton's plans I am not prepared to recommend for the adoption of the Government. For these reasons I consider it necessary that he should be instructed to abstain from conferring with the Natives on any matter not specially pertaining to his office as arbitrator of disputes referred to him as Resident Magistrate under the Resident Magistrates' Ordinance.

DONALD McLEAN.

November 16th, 1857.

MINUTE OF COLONIAL SECRETARY, 18TH NOVEMBER, 1857, ON NATIVE SECRETARY'S MEMORANDUM.

Mr. Fenton was specially stationed in the Waikato to initiate a system carefully considered and jointly recommended and agreed on by the Governor and his Responsible Advisers, as calculated to improve the condition of the Maori race, secure the peace of the country, and counteract the desire for a Maori King, which has grown out of their dislike of the continued anarchy which they have long experienced, and are now tired of. To discontinue the measures which have been initiated would greatly lay the Government open to the accusation of bad faith, or "humbugging," and could not but tend largely to increase and justify the Native King party. If the Native Secretary would point out any special or particular acts which were, in his opinion, a violation as to the practice initiated in the Waikato, they might be separately considered, and, if thought necessary, abandoned for the future;—but to receive a general denouncement of a system (while it is at the same time admitted that a new system is necessary, as the old one—as is palpable—cannot last, and is universally condemned) so carefully considered and approved as that directed to be instituted gradually in the Waikato, is neither courteous to the authors of it, nor can it carry that weight which would rightfully belong to well reasoned objections. The memorandum of the Governor and His Excellency's Advisers on this subject, and the letter of instructions to Mr. Fenton, are herewith attached.

E. W. STAFFORD.

GOVERNOR'S ORDER, 19TH NOVEMBER, 1857, ON PRECEDING MINUTES.

Mr. Fenton must remain in Auckland until the work for which he was recalled is completed. When he returns to the Waikato special instructions will be given.

T. G. B.