

ultimately to introduce habits of sloth and negligence into the church, and thus to be injurious to its own welfare. He would far rather have seen the virtuous and industrious, who could find no place at Home, encouraged to occupy such a country upon terms which would have enabled them easily to acquire homes for themselves and their families, and readily to develop the resources of the country, and to have seen a busy, active clergy, by acts of kindness and Christian virtue, gaining from the members of their own church in that fertile district a love and gratitude which would readily have yielded ample endowments for all their wants. He feared the present system would injure the church; it led men incautiously, even in the publications issued under the authority of the Association, to hold out the clergy as a feature of attractiveness, and even to use such language in support of what is termed the religious principle, as that "the merest land speculator has an interest in the Canterbury Bishopric." He thought that such arguments, whilst they might gain endowments for the church, must injure the very religion they were meant to support. It therefore behoved those who objected to having the lands in their vicinity placed under such regulations to state their views upon the subject.

No. 43.

COPY of a DESPATCH from Governor GREY to the Right Hon. Earl GREY.

(No. 154.)

MY LORD,—

Government House, Wellington, 13th December, 1851.

I had the honour of receiving, upon the 26th of September last, your Lordship's Despatch No. 39, of the 2nd April, 1851, upon the subject of the Provincial Councils Ordinance, which I reported I intended to submit to the General Legislature of these Islands.

2. In reference to that Ordinance your Lordship informs me that Her Majesty cannot be advised to confirm it in its present shape because it vests the power of confirming or disallowing the Ordinances passed by the Provincial Councils in the Governor-in-Chief instead of in Her Majesty; and your Lordship suggests, as the best course to be pursued, that I should submit to the General Legislature an Ordinance repealing the Provincial Councils Ordinance, and re-enacting it with the alterations which are considered necessary.

3. Since I received your Lordship's despatch of the 2nd April, 1851, I have necessarily bestowed much reflection upon the course I ought to pursue under existing circumstances; and as I think a preferable course may be adopted to that which has been proposed by your Lordship, and which would further relieve the local Government from great difficulties, I beg to be permitted to suggest it for your Lordship's consideration. But before doing so I will, in the first instance, state a few particulars regarding the present state of the local Legislature in reference to the Provincial Councils Ordinance.

4. Upon the 9th July, 1851, the General Legislature of these Islands passed the Provincial Councils Ordinance almost in the form in which I had transmitted the draft of that law to your Lordship. The Council consisted of fourteen members, many of whom had been summoned from a distance of several hundred miles, at great inconvenience to themselves, to attend the Council, and there would now be found very great difficulty in collecting the Council after so short an interval of time, unless some most pressing emergency rendered it necessary for them to meet, and unless this emergency related to some question in which the inhabitants of the Islands generally took a deep interest. Moreover, the General Legislature was only empowered to pass the Provincial Councils Ordinance by the Act of Parliament 10 Vict., c. 5, which suspended the New Zealand Constitution for five years, which Act was passed upon the 7th March, 1848, so that the Constitution comes into force again upon the 7th March, 1853—that is, in fifteen months from the present time, and the Provincial Councils Ordinance, with the provision which is objected to, will then expire. I think, therefore, that but little harm can result from leaving it to its operation for so short a period of time.

5. Not that I imagine that the Constitution is now likely to come into operation exactly in its original form, but at least before 1853 Parliament must again legislate upon the subject, and I think that upon that occasion the Provincial Councils Ordinance may be most advantageously amended in the manner considered necessary by Parliament enacting that "all Ordinances enacted by any Provincial Legislature shall be subject to Her Majesty's confirmation or disallowance."

6. As, therefore, the local Government may be saved much embarrassment by the adoption of the course of either permitting the Provincial Councils Ordinance to expire on the 7th March, 1853, or by taking care, when Parliament again legislate regarding the Constitution of New Zealand, that a clause is inserted into the Act of Parliament specially enacting that all Ordinances made by any Provincial Legislature in New Zealand shall be subject to Her Majesty's confirmation or disallowance, I have thought it better upon the whole to delay taking any steps in reference to the amendment of the Provincial Councils Ordinance until I receive your Lordship's further instructions upon the subject; and I am the more confirmed in this opinion as, upon carefully considering the terms of your Lordship's Despatch No. 39, of the 2nd April, 1851, I am inclined to hope that upon receipt of my Despatch No. 121, of the 30th August last, your Lordship may perhaps consider the provision of the Provincial Councils Ordinance now objected to as being less objectionable in character than it at first appeared to be.

I have, &c.,

The Right Hon. Earl Grey, &c.

G. GREY.

No. 44.

COPY of a DESPATCH from Governor GREY to Earl GREY.

(No. 47.)

MY LORD,—

Government House, Wellington, 15th March, 1852.

I have the honour to enclose a letter addressed to your Lordship by Mr. John Dorset, transmitting a series of resolutions passed by an association called The Settlers' Constitutional Association of this settlement.