

priation Bill, for which act also a clause of indemnity was smuggled into the Appropriation Bill of 1851–52, and passed by the late General Legislature; considering that His Excellency may be expected still further to show his contempt for law by forcing the Provincial Councils Ordinance upon the community; adverting also, in the event of such proceeding, to the fact that no British colony is without persons whose interest it is to support even the most arbitrary of Governments, and that among these a certain number will be guided by that interest; adverting to the certainty that some, no matter how few, will be found to vote, and some to accept seats; adverting, finally, to the chances of a Government, unparalleled in the art of taking small advantages, being able to base some unforeseen manœuvre upon our neglect,—this Association deem it their duty to urge the expediency of complying with the invitation to register, not indeed as giving the smallest countenance to so obnoxious an Ordinance, but purely and simply as a matter of self-defence.”

7. Proposed by Mr. W. Dorset, and seconded by Mr. J. Blyth: “That the chairman be requested to forward copies of the foregoing resolutions to Mr. Fox, the Political Agent of this settlement, and through Sir George Grey to Her Majesty’s Principal Secretary of State for the Colonies.”

No. 46.

COPY of a DESPATCH from Governor GREY to the Right Hon. Sir JOHN S. PAKINGTON.
(No. 109.)

SIR,—

Government House, Wellington, 27th August, 1852.

Adverting to my Despatch No. 121, of the 30th August, 1851, in which I transmitted, in order that the Queen’s pleasure might be taken thereon, an Ordinance of the General Assembly of New Zealand, Session XI., No. 6, intituled “An Ordinance to provide for the Establishment of Provincial Councils,” I have now the honour to transmit copies of three Proclamations which I have issued under the authority of that Ordinance.

2. I should call attention to the fact that, when the Ordinance to which I am alluding was enacted by the Council of this colony, it was hoped that Parliament would shortly legislate upon the same subject, and that it might thus not be necessary to bring the law into operation before the decision of Parliament was pronounced upon the subject; but still, as it was uncertain whether, amidst the mass of important matters connected with the welfare of so large an Empire, Parliament might find time during the current session to attend to the affairs of New Zealand, it was thought desirable, by the enactment in this colony of the Provincial Councils Ordinance, to provide for the immediate introduction of representative institutions into New Zealand even in the contingency of Parliament finding it expedient to delay for another session all legislation upon the subject of New Zealand affairs. And with this object in view, a clause, No. 17, was inserted in the Ordinance, by which it was provided that the first writs for the election of members for the Provinces of New Ulster and New Munster should be issued at some period not later than twelve calendar months after the passing of the Ordinance,—that is, not later than 9th July, 1852.

3. I should also premise that in Lord Grey’s Despatch No. 23, of the 19th February, 1851, I was informed that I should be empowered in general terms to constitute new provinces in New Zealand for the purpose of establishing Provincial Legislative Councils in such provinces; and the Council passed the Provincial Councils Ordinance in the belief that such powers would be immediately conferred upon me, although they have not yet been received in the colony.

4. As up to the 21st day of May last no instructions had reached me regarding the intention of Her Majesty’s Government to introduce into Parliament during the present session a measure for the purpose of bestowing representative institutions upon New Zealand; and as it was most probable that any redivision of New Zealand into provinces would not seriously affect the Province of New Ulster, I issued, upon the 21st of May last, the first of the enclosed Proclamations for the purpose of bringing the Provincial Councils Ordinance into full operation in that province. This Proclamation was principally based upon a very able report drawn up by Lieutenant-Governor Wynyard and the Executive Council of New Ulster for my information; and I believe that the number and boundaries of the electoral districts, and the number of members allotted to each district, have given very general satisfaction. The writs for New Ulster were issued under this Proclamation before the 9th of July, and the elections must by this time have taken place, although the result of them has not yet been reported to me.

5. In reference to the Province of New Munster, however, as its division into the new provinces of which it was to be composed would have entirely altered the number and proportion of members in the several electoral districts, I thought it most prudent in the first instance only to issue upon the 3rd of June a Proclamation dividing that province into electoral districts, and making every provision for the formation of the electoral rolls in the several districts, so that, upon the receipt of the Instruction authorising me to create new provinces, which I expected immediately to receive, every preparation might have been made for the immediate introduction of representative institutions into the present Province of New Munster. To this Proclamation of the 3rd June I caused a letter to be attached, which was addressed to the principal executive officer at each settlement, and which explained the intentions with which I had issued the Proclamation.

6. I then waited until the 9th August—that is, until one month after the date named in the Provincial Councils Ordinance as that on which the first writs should be issued—in the hope of receiving the expected Instructions for the creation of new provinces; finding, however, that these did not arrive, and thinking that I should not be justified in longer delaying the introduction of representative institutions into this province, I, upon the 9th of August, issued the third of the enclosed Proclamations, apportioning the number of members to each electoral district in New Munster. This Proclamation was based upon a very able report prepared by the Executive Council of this province; but, for the reasons stated at the close of their report, a copy of which is enclosed, they subsequently advised me to delay the issue of the writs for the election of members until the 1st of September.