

CORRESPONDENCE

BETWEEN

HIS EXCELLENCY AND HIS RESPONSIBLE ADVISERS

IN REFERENCE TO THE

GRANT IN AID OF NATIVE SCHOOLS.

*Presented to the Honourable the House of Representatives by command of His Excellency,
28th July, 1858, and ordered to be printed.*

AUCKLAND:
1858.

[MINUTE.]

In the course of the last year the Colonial Treasurer proposed to the Governor, in private conversation, the removal of the grant in aid of Native Schools from the Civil List, and a provision for them in another way. Frequent conversations were held on the subject at different times; after one with the Colonial Secretary (in which the Governor suggested that it would be right to give the heads of the several religious bodies notice of the intended alterations), Mr. Stafford addressed a circular to these functionaries, stating,—“It is probable that the distribution of that fund will be materially altered. This intimation is made in order that you may be prepared for any decision which may be arrived at. I have at the same time to state, that the Government contemplates, should the Native Fund be devoted to other than educational objects, proposing the appropriation of a sum, for, say, seven years to the support of establishments for the education of the Native Race conducted by the several religious bodies who have hitherto received assistance for this purpose from the Civil List.”

On the 4th March the Governor was informed by the Colonial Treasurer that Ministers were prepared to propose to the Assembly measures calculated to maintain the *status quo* in the relations between them and the Governor; but that they would not venture to propose the removal of the grant to Native Schools from the Civil List; because their doing so would tend to increase the Governor's power.

The Governor heard this announcement with regret, and not without surprise. He observes that the removal of the grant to Native Schools from the Civil List would in no way alter the present relations, or add to his power. The items which would replace that grant on the Civil List would be taken from the Appropriation Act; they have been previously voted, and (if not on the Civil List), will continue to be voted, unless any popular excitement or pressure of political parties should alter the usual opinions of the members of the House of Representatives.

The items to be placed on the Civil List would also form a subject of consideration and mutual agreement between the Governor and his advisers.

The Governor further observes that the appropriation of the £7,000 for Native purposes on the Civil List was specially intended by Her Majesty's Government and the Imperial Parliament to render the management of Native Affairs independent of any temporary excitement to which Representative bodies are liable. It was so spoken of, in a recent debate in the House of Commons.

It is not the Governor's intention to discuss the propriety of the mode in which the Civil List was distributed by his predecessor; but he would remark that it was at the earnest request of his present advisers that he consented to devote to the use of Schools the remaining portion of the £7,000 (*viz.*, £1,100) which Sir George Grey had not previously appropriated to them. The Governor made this concession only because the sum was too small to be of importance; and because it was not expended in the best manner: the salary for the Resident Magistrate at Auckland, whose duties are almost exclusively connected with the Europeans, having formed one of the items.

The Governor would regret that any measure proposed by his advisers to the Assembly should risk their tenure of office; but, while he offers no opinion on that subject, he has observed that part of the press at Wellington—usually opposed to his advisers—has always advocated the removal of the grant to the Schools from the Civil List, in order that that the £7,000 might be devoted to more legitimate objects: assuming that such an alteration would be unpalatable to his present advisers.

Part of the Auckland press advocates the exact measure in contemplation in strong terms. No portion of the New Zealand press has expressed any adverse opinion; and the language of individual members during the last Session frequently indicated a desire for some such alterations as the one suggested.

In conclusion, the Governor repeats that he observes the change in the opinion of his advisers with regret, which is not diminished by the almost extraordinary unanimity of opinion which has prevailed between him and them to the present time.

(Signed) T. GORE BROWNE.

Government House,
6th March, 1858.

NATIVE AFFAIRS.

24th March, 1858.

Referring to His Excellency's minute of the 6th instant, Ministers have the honor to submit for his Excellency's approval proposals for a new appropriation of the sum of seven thousand pounds, reserved on the Civil List for Native purposes; and also proposals for a new provision for Native Education.

2. In a correspondence which took place in May, 1853, between the then Governor and the heads of three principal religious bodies, Sir George Grey undertook to recommend the appropriation of the whole of the above-mentioned fund of £7,000 to those bodies for the purpose of Native Education, in the following proportions:—

To the Church of England	£3,500
To the Wesleyan Society	2,300
To the Church of Rome	1,200
Total	<u>£7,000</u>

Exclusive of a sum of £200 for the Wellington Roman Catholic School.

3. This promise, was, however, only partially redeemed ; Sir George Grey having procured the approval of the Secretary of State to the following appropriation, viz,—

To the Church of England	£3,500
To the Wesleyan Society	1,600
To the Church of Rome	800
Total.....	<u>£5,900</u>

4. The full deficiency, together with the sum of £200 for the Wellington Roman Catholic School was however in two successive sessions made good by a vote of £1300 on the General Estimates ; raising the total annual provision for the Schools to the sum of £7,000.

5. During the late session of the General Assembly, His Excellency assented to a change, whereby the total provision for the Schools was reduced to £7,000, by a trifling rateable abatement of the sum received by each of the three religious bodies ; and the whole amount was charged on the Civil List : thus absorbing the whole of the permanent provision for Native Expenditure.

6. At the same time, all the Native Services displaced by this change, with others not before on the Civil List, were transferred on to the sum of £4,700 on the Civil List for the Establishment of the General Government. The salaries of eight Resident Magistrates, amounting to £1,400 were thus provided for ; together with £300 for the salary of the Native Secretary. Thus the total provision on the Civil List for Native purposes was increased by £1,700 which sum was in fact substituted for the sum of £1,100 surrendered by His Excellency in favour of the Schools. The expenditure, also, (as observed by His Excellency) was more rigidly confined to properly Native purposes than it previously had been.

7. Ministers now recommend a further change, whereby an increased provision for expenditure for the special benefit of the Natives will be secured by permanent laws.

8. Of the above-named fund of £7,000 they propose the following new appropriation, to take effect on and from 30th September next :—

Native Secretary's Department.

AUCKLAND.

Native Secretary.....	£300
Assistant Native Secretary	300
Translator.....	200
Clerk	150
Occasional Clerical Assistance.....	120
Messenger.....	80
Contingencies	50

PROVINCES.

Assistant Native Secretary, New Plymouth	250
“ “ “ Nelson	150
“ “ “ South Island.....	250
Contingencies	100

Maori Messenger.....	300	£1950
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Resident Magistrate's Courts in Native Districts.

Resident Magistrate, Turanga*.....	£300	
“ “ Waikato*.....	300	
Native Assessors.....	1000	
Contingencies.....	200	
Interpreters to Resident Magistrate's Courts.....	600	
Pensions (being existing Pensions not secured by permanent Act)	250	
Hospitals and Medical Attendance.....	1,600	
Native Entertainment and Presents	500	
		<u>£7,000</u>

9. Sir George Grey, in the 71st paragraph of his despatch to the Secretary of State, dated 30th August, 1851, defines what he deemed the proper application of the Native Fund, as

* Without allowances of any kind, except actual travelling expenses.

1st. The construction and maintenance of Hospitals ; to which Maories are admitted on equal terms with other subjects of Her Majesty.

2nd. The establishment and maintenance of schools; to which Maori children are admitted on the same terms as other scholars.

3rd. For the payment of Resident Magistrates and of Native Magistrates, and for the maintenance of a Native Police.

4th. For making presents to Native Chiefs, in acknowledgment of services rendered by them.

5th. Generally to such other purposes as may tend to promote the prosperity and happiness of the Native race, and their advancement in Christianity and civilization.

These objects of expenditure appear fairly selected ; and, accordingly in proposing the above-specified appropriation, Ministers have had regard to all these objects.

The provision to be made for Native Education will be hereafter referred to.

10. As it was impossible to provide out of the £7,000 for every service in which the Aborigines may be thought to have some special interest, Ministers have as far as possible selected those in which the interest is predominantly or exclusively Native. Thus as regards the Resident Magistrate, they propose to place on the Civil List only those in purely Native districts. In the case of every other of those eight Magistracies now partially provided for on the Civil List, European cases form a more or less considerable and increasing proportion of the business transacted. These latter services it is accordingly proposed to provide for on the General Estimates.

11. It is not desired to fix the Native Expenditure rigidly to the items above specified ; but it is considered essential to the success of the proposals in the House that any changes to be from time to time made in the mode of expenditure should only be made with the concurrence of Ministers. This is what His Excellency is understood to suggest in the Memorandum of the 6th instant. It further appears quite essential that the Native Department on the Civil List should be recognized as subject to the same regulations respecting their contingent expenditure, as other Departments ; without prejudice of course to His Excellency's power of final determination respecting the allowance of expenditure for which there is a legal provision.

12. As a part of the new scheme, it is proposed to relieve the Civil List from the salaries of those Resident Magistrates who are not placed on the Native Fund. These establishments are already provided for on the General Estimates ; and it is proposed to take a vote for their salaries also. Interpreters salaries are chargeable against the Native Fund. The £300 now charged against the £4,700, for the Native Secretary's salary would of course be struck off.

13. Concurrently with the new appropriation above suggested, it is proposed to provide for the maintenance of the Native Schools by Act of Assembly ; granting an equal provision to that now made, for a term of not less than five years. Any change in the Civil List, Ministers would only advise contingently upon the adoption of such a measure by the General Assembly.

14. Government aid is to be rendered to the schools according to a scheme of which the basis should be—

1st. Government contribution proportionate to the average number of pupils efficiently instructed during each quarter (or other period of payment), according to a standard of instruction, to be fixed by Government.

2nd. A standard of Instruction entitling to Government aid, which shall comprise the ordinary subjects of primary instructions in English as well as in Maori, and industrial training ; but which shall not include any kind of Religious instruction.

3rd. Periodical inspection of the Schools by an Officer or Board, appointed or approved of by the Governor.

4th. Perfect freedom of the Managers of the Schools as to the course of instruction and conduct of their establishments : especially in regard to the Religious education of the pupils.

The question of the constitution of an intervening agency between the Government and the Schools ; the classification of Schools into central and primary : the reservation of a fund for special grants for buildings, &c. ; and other particulars to be left for future consideration.

15. Subject to such guarantees for the due application of the Colonial funds as have been above indicated, Ministers trust to secure the assent of the Legislature to the preceding propositions, notwithstanding the considerable increase of expenditure which is involved. With proper security for the due application of the public money in furtherance of the permanent welfare of the Natives ; and in accordance with definite principles, which have borne the test of discussion ; Ministers express their firm belief that the Legislature of this Colony will never be swayed by a parsimonious spirit in the provision made by it for Native Expenditure.

16. In coincidence with this view, Ministers are glad to refer to the opinion of Sir George Grey, which is expressed in the 73rd paragraph of the despatch already cited, in the following terms :

“ I have recommended that for the present the Governor-in-Chief should be authorised to apply, at his discretion, the sums reserved for Native purposes ; but I think that a provision should be made, that he should only exercise this power for a limited time ; and that, after that date, such sums should be appropriated under the authority of Ordinances, to be passed by the Governor-in-Chief and General Assembly ; who, I think, would freely and cheerfully contribute such amounts as were required for the wants of the Native population ; whilst, as I have continued,—as I have reported in several despatches,—to make considerable endowments for Hospitals and Native Schools, the income

“yielded from which are rapidly increasing, the necessity of providing for the support to such establishments from the General Revenue will constantly diminish.”

17. It is not doubted that the hearty concurrence of the members of the three principal Religious Bodies engaged in the work of Native Education will be secured to a scheme, which will make a fairer apportionment, and secure a more efficient application of the funds at the disposal of Government, than the present plan.

18. Nor do Ministers think that the temporary character of the provision will be generally deemed an objection. It would be monstrous to suppose that the present interest of these establishments in the Fund is a permanent one. The opinion of the originator of the endowment, (as above cited), is entirely opposed to such a notion. But if this view of the availability of the endowments prove over-sanguine, and it should happen, that, at the expiration of the grant now proposed, it is still requisite for these institutions to seek the aid of Government,—Ministers feel perfectly well satisfied that the just claim of Native Education will then receive a fair consideration from the Colonial Legislature.

19. Should the foregoing proposals prove, as it is trusted they may, satisfactory to His Excellency there will be no need to make detailed reference to the statements of His Excellency's Memorandum of the 6th instant. Ministers would exceedingly regret that anything should occur in their communications with His Excellency which could possibly be viewed as in any degree a breach of faith. They are unable to admit that anything which has passed, until the date of the present Memorandum can be fairly supposed to have pledged them to advise the changes referred to in His Excellency's Memorandum of the 6th. They beg, with great deference, to represent the inconvenience certain to ensue, if mere conversations with individual Ministers on matters of moment are cited as honourably engaging the Ministry to measures, which when they come to be accurately considered, may be found to be open to strong objection, or to be attended with insuperable difficulty. Not the least evil of such a practice would be that it would greatly fetter that freedom of intercourse with His Excellency, which is so essential under the present form of Government. The danger of constant misunderstanding in such oral communications is exemplified on the present occasion; as the Colonial Treasurer, in his interview with the Governor on the 4th instant, had no intention to convey the meaning imputed by His Excellency, but conceived, on the contrary, that he had with great distinctness informed His Excellency that no positive conclusion had been arrived at by Ministers.

(Signed) C. W. RICHMOND.

[MEMORANDUM.]

I accept generally the views stated in the Colonial Treasurer's Memorandum of 24th instant, and proceed to remark on some portions of it.

2. In reference to the details contained in paragraph 8,—it will be necessary that I should communicate with the Treasurer personally; I will therefore not allude to them here.

3. I do not know if I understand the last part of paragraph 11 correctly:—all departments require approval for their expenditure, and I am not aware that the Native department has been an exception. On a recent occasion an omission in this respect was visited more harshly than I could at all approve; but I allowed it to pass because I recognized the principle. If more than has hitherto been admitted is intended by this clause, I do not assent; as I am not aware of what is required.

4. Paragraph 13. This is a very important point, and may be made to act variously. And first, I should say, that after the positive instructions contained in the last despatches, I could not venture to accept a less term than seven years; second, that I am ready to confer as to the classification of schools and other details,—believing that there is little or no difference of opinion on the subject. The main object to be kept in view being to distribute the £7000 in the most useful manner without reference to sect or denomination.

5. Paragraph 14 (1).—“Government contributions proportionate to the average number of pupils.” Here it is of course intended that the pupils should be Native or Half-Caste.

6. (3) In the inspection here provided, it must be clearly understood that I have an active, and not a passive voice only.

Paragraph 19.—I have carefully read over my minute to which this paragraph refers; and I find in it that “The Governor regrets the *change of opinion* of his advisers;” but I looked in vain for anything to shew that I had viewed or spoken of that change of opinion as in any degree a breach of faith.

7. I might with some reason object to the reproof conveyed in the last part of this paragraph, but I prefer asking if it is intended that I should not freely communicate with Ministers on matters discussed only with one. The example quoted appears to me very appropriate; but I do not arrive at the same conclusion. The Colonial Treasurer informed me in a long conversation that the subject in question had been discussed by himself and his colleagues; that they had not arrived at a final decision, but that their opinions were then opposed to the views communicated in former conversations. Upon this I wrote a minute, adverting not only to conversations, but to a circular letter, addressed to official persons, and signed by the first Minister. I addressed that Minute to the Colonial Treasurer, who might have corrected me if I had misunderstood him.

8. I should regret as much as my advisers can do, anything which would fetter the freedom of intercourse between myself and them which I believe to have been as useful to the public service as gratifying to myself; but I might ask of what use would such communications be, if they may not be imparted to those who take part, and are equally interested in them.

Had I made such a communication to a person not connected with the Ministry, the Treasurer's reasoning might have been more applicable.

(Signed) T. GORE BROWNE.

Government House,
25th March, 1858.

March 26th, 1858.

Ministers respectively submit the following replies to such portions of His Excellency's Memorandum of the 25th instant as appear to require an answer.

2. In reply to the 3rd paragraph—

Nothing more is desired, with respect to the contingent expenditure of the Native Departments than His Excellency's continued adherence to established rules.

3. In reply to the 4th paragraph—

Ministers will propose the longer term; as they do not regard the question between the two terms as of very much importance. Looking, however, to the value and extent of the landed endowments of the Schools, the Legislature can scarcely be expected to debar itself from a reconsideration of the subject for so long a term as seven years. Ministers would have preferred to have been enabled to propose the shorter period with His Excellency's sanction.

4. To the fifth paragraph—

Ministers reply that it is intended to confine Government aid to Maori and Half-Caste pupils, although this is not according to the original scheme of the Schools.

5. In answer to the 6th paragraph—

It is understood that the Governor has not a veto merely on the appointment of an Inspector or Inspectors; but the actual power of appointment,—after consulting with Ministers. The term *approved* in the 4th paragraph of Ministers' Memorandum of 24th March, was inserted with reference to the possibility of some other body having the nomination of Inspectors, subject to the Governor's approval.

6. Remarking on the concluding paragraph—

Ministers, in reply to His Excellency's question, express their opinion that it would be at once unbecoming and absurd to expect that His Excellency should not with absolute freedom communicate with all or any of them, on matters discussed with one only. Ministers merely express their hope, that, in the mind of His Excellency, conversational suggestions and expressions of private thought, (which cannot but occur,) may be kept well distinguished from Ministerial proposals. They on their side, are not accustomed to regard similar expressions on His Excellency's part, as definitive and binding.

(Signed) C. W. RICHMOND.

21st June, 1858.

Referring to the 8th paragraph of their Memorandum of 24th March, 1858, on Native Affairs; Ministers have the honor to propose that in lieu of the appropriation suggested by the Memorandum above referred to, the sum of £7000 for Native Purposes on the Civil List be appropriated as follows:—

	£	s.	d.	£	s.	d.
Medical treatment of Natives in Hospital, and as out patients				200	0	0
<i>Circuit and Resident Magistrates' Courts,—</i>						
Magistrates.....	1200	0	0			
Assessors.....	1000	0	0			
Court Houses.....	200	0	0			
Travelling Expenses.....	300	0	0			
Contingencies of Courts.....	200	0	0			
				2900	0	0
Maori Newspaper and other Publications.....	400	0	0			
Pensions to Natives.....	200	0	0			
				600	0	0
<i>Pensions and Gratuities under Walker Nene's Ordinance,—</i>						
T. Walker Nene.....	100	0	0			
Gratuities to Chiefs.....	100	0	0			
				200	0	0
Presents and Entertainments of Natives.....				500	0	0
Southern Islands, Natives purposes.....				500	0	0
For Services not above specified.....				300	0	0
				£7000	0	0

It will be seen that Ministers proposed to relieve the £7000 of the whole charge of the Native Department. A portion of the cost of that Department will have to be provided for on the General Esti-

mates, but, as regards the Native Secretary's Salary, they propose, (instead of striking off £300 now charged on the Civil List, as proposed by paragraph 12 of the Memorandum above referred to), to provide £400 for that purpose out of the sum on the Civil List appropriated for the Establishment of the General Government.

For the present it is proposed that £300 of this sum shall be received by the present Assistant Native Secretary ; and the remaining £100 by the Native Secretary and Chief Land Purchase Commissioner : the balance of the latter Officer's Salary, of £500 per annum being charged against the Land Purchase Loan.

It is understood that the Salary of the present holder of the Office of Native Secretary is not to be reduced from £500 without His Excellency's concurrence ; therefore, that, notwithstanding the arrangement expressed in the 11th paragraph of the Memorandum above referred to, His Excellency is to be free, (should occasion ever arise), to direct that the whole of the sum of £400, proposed to be placed on the Civil List be applied towards defraying the Salary of the present holder of the Office of Native Secretary ; and that the balance of £100 per annum be made good out of the Sum of £300 (part of the £7000 appropriated for purposes not specified.)

(Signed) C. W. RICHMOND.

[MINUTE.]

It would have been much more satisfactory to the Governor if the engagement contained in his Memorandum of 28th August, 1856, had appeared distinctly in the estimate for the Civil List; he is, however, very unwilling to place difficulties in the way of his Advisers, and therefore accedes to the proposal contained in their Minute of 21st June, on a distinct understanding that the arrangements contained in his Memorandum of 28th August, 1856, are to be strictly adhered to, and that this Minute, together with that of his Advisers, dated 21st June, are both laid before the Assembly.

(Signed) T. GORE BROWNE.

Government House,
21st June, 1858.

