

## Enclosure 5 in No. 4.

COPY OF A MESSAGE FROM THE GOVERNOR TO THE HOUSE OF REPRESENTATIVES.

THOMAS GORE BROWNE, Governor.

*Message No. 29.*

The Governor transmits to the House of Representatives for their consideration the Draft of a Bill intituled, "An Act to establish a Council to assist in the administration of Native Affairs," and recommends the House to make provision for the Native Council proposed to be established thereby.

In transmitting this Bill, the Governor desires to observe that, in his opinion, it would have been better to have entrusted the whole administration of Native Affairs to the Native Council; but the Bill has been framed in accordance with the Report of Select Committees, adopted in both Houses without dissent, and the Governor therefore foregoes pressing his own views on the Legislature further than he has already done through the Select Committees.

Government House,

Auckland, 26th October, 1860,

## Enclosure 6 in No. 4.

*(Extract from the Journals of the House of Representatives, Session 1860, p. 247).*

*Native Council Bill.*—Mr. Fox, from the Free Conference between this House and the Legislative Council, on the subject of their Amendments in the Native Council Bill, reported certain Amendments, which the Conference recommend for adoption by both Houses.

And the Amendments being read,

A debate arose thereupon.

On motion of Mr. Sewell, *Resolved*, That the Bill now under consideration be transmitted to His Excellency with an intimation that this House has been prepared to pass such a Bill, upon the distinct understanding that the ordinary control and departmental administration of Native Affairs shall be placed under Responsible Ministers, subject to the provisions of the Bill, and to the proper constitutional action of the Supreme Head of the Executive. But in the present uncertainty as to the relations which would subsist under the Bill between the Governor and Responsible Ministers, this House deems it its duty to defer the further consideration of the Bill until the precise views of the Governor on the above question be ascertained,

That a respectful Address be presented to His Excellency with the above Resolution.

## Enclosure 7 in No. 4.

COPY OF A MESSAGE FROM THE GOVERNOR TO THE HOUSE OF REPRESENTATIVES.

THOMAS GORE BROWNE, Governor.

*Message No. 43.*

In reply to the Resolution passed by the House of Representatives on the 3rd instant, the Governor desires to state that his understanding is, that in the event of the "Native Council Bill" becoming Law, the administration and management of Native Affairs shall be placed on the same basis as the other Departments of Government, and shall be conducted by a Secretary for Native Affairs, being a Member of the Responsible Ministry, a permanent Under Secretary, and the necessary Subordinate Officers, subject to the provisions of the Bill, and to the proper Constitutional Action of the Supreme Head of the Executive; such Constitutional Action being understood to have the same interpretation as regards Native Affairs, as in reference to other Imperial subjects.

Government House,

Auckland, 5th November, 1860.

## Enclosure 8 in No. 4.

COPY OF A MEMORANDUM BY THE GOVERNOR.

Government House,

Auckland, 30th October, 1860.

It appears to be admitted on all sides that the power to issue Crown Grants to Natives ought to be entrusted to some authority in New Zealand,—but that any Bill conceding such a power must be reserved for the Royal assent.

If, therefore, nothing is done on the subject during the present Session of the Assembly at least eighteen months must elapse before a single Grant can be made.

In the present critical state of the Colony, the Governor thinks such a delay will certainly be injurious, and might be dangerous, he therefore thinks it his duty to urge the consideration of the subject upon his Responsible Ministers, and strongly to recommend that a Bill be prepared, giving power to issue Crown Grants, and if possible passed before the Assembly is prorogued.

T. GORE BROWNE.