

ordinance; and I have received the Queen's commands to acquaint you that Her Majesty has been graciously pleased to confirm and allow it.

It will thus be in your power to establish a Municipal Corporation in every settlement in New Zealand possessing the requisite number of inhabitants, a description which I find from the population return for the year 1844 includes only the settlements of Auckland, Wellington, and Nelson. It will be necessary that you should, with as little delay as possible, issue Proclamations for the establishment of such corporate bodies in these three settlements. These corporate bodies being thus constituted, you will invite the Council of each of them to suggest the name of a proper person to become a member of the Colonial Legislature. Assuming, as it may of course be assumed, that the recommendations will be made in favour of gentlemen of unexceptionable loyalty and moral character, it will be necessary that you should introduce them into the existing Legislature, by placing them in those positions in the Commission of the Peace to which seats in the Legislature are attached. For this purpose it will be necessary to supersede the three gentlemen at present sitting there by the Governor's nomination. It is a measure which I contemplate and adopt with regret, as it may convey to the local society an unfounded impression that some reproach attaches to the conduct of the present unofficial members of the Council, or some of them. Every effort must of course be made to counteract and dispel any such misapprehension, and to the gentlemen themselves you will most studiously explain that the real and only motive by which I have been guided in giving such instructions is the desire to make the necessary commencement of a more popular and constitutional scheme of colonial government.

When the local Legislature shall have been thus recruited, you will lay before them the project of an ordinance for amending the ordinance of the 8th Vict., Session III., No. 12. The object of that amendment will be chiefly the enlargement of the powers with which that statute invests the corporate bodies. Under the existing ordinance their powers are as nearly as possible the same as those of the Municipal Corporations in England. But, as I have already stated in my despatch of the 27th of June, considering the extent and physical character of New Zealand, more than this would seem to be requisite. Adhering to the principle there laid down for the definition of the districts to be included in them, each municipality will form the nucleus of a population intimately connected with each other, and, with the exception of Auckland, but very remotely connected with the central Government. It will be necessary, therefore, to impart to these Corporations a larger participation than is usual elsewhere in the powers of that Government. Especially their by-laws ought to be of avail for the establishment of local Courts of justice, in cases, civil or criminal, of inferior amount; for the foundation and support of schools, as provided in the case of District Councils in Canada and New South Wales; and for the imposition of rates and assessments for defraying the expense of the institutions above referred to, and also of every description of public work required for the safety or convenience of the locality. In effect, each of these communities should enjoy as much of the right of self-government as may be reconciled with their subordination to the Colonial Legislature in everything which affects the welfare of the colony at large, or the general interests of the colonists.

In bringing forward the suggested project of ordinance, an opportunity will conveniently arise for making other amendments which may be found advisable: and I shall accordingly, at the close of this despatch, point out such as appear to me to be advisable.

Supposing the number of settlements containing each a population of two thousand souls to continue limited to three, and that amount of population to be required as a preliminary to the grant of municipal privileges, the objects of providing for their representation in the Council, in the terms stated in Mr. Hope's letter to Lord Ingestre of the 7th August, and for the enlargement of the powers of the municipal bodies, would both be accomplished by the course above indicated, without any such alteration in the instruments on which the Constitution of the colony is founded as contemplated in my Despatch No. 28, of the 15th August. But when the new Municipal Corporations shall have become numerous there will of course arise a demand for an increase in the total number of the members in the Legislature, and possibly for new provisions respecting the delegation by the corporate bodies, or by the more considerable of them, of representatives in the Legislative Council. These, however, are changes which, if possible to avoid doing so, it is better not to originate at this distance from the scene of action; and, having been able for the present, by the method pointed out, to provide, in conformity with the terms of the existing Constitution, for the introduction into the local Legislature of the popular element in the required proportion, I must impose on you the duty of considering and reporting in what manner any fuller provision would be most advantageously and effectually made for blending together in the local Legislature the two component parts of which it will have to consist—that is, members sitting by Royal nomination, and members sitting in virtue of a corporate delegation or choice. The principle will be introduced at once. The adaptation of it to the wants of the local society will be a work of greater deliberation and delay. But, whatever may be the inconvenience likely to result from that delay, I am convinced that it will be more than balanced by the advantage of acting in concurrence with you, and with the benefit of your counsels, on a subject on which you possess, in such abundance, the means, the want of which I feel sensibly at this distance, of forming a sound and practical judgment.

With respect to the further amendments in the ordinance to which I have alluded as desirable, I must observe in the first place that, having regard to the peculiar manner in which the colonization of New Zealand has proceeded, and to the dispersion and distance from each other of the several settlements which are already established or in contemplation, I conceive it to be advisable not to limit the Governor's power of incorporation to towns or districts containing two thousand inhabitants or upwards.

I can readily believe that, as respects a remote settlement, such as that which is proposed to be founded at Otago, it will be necessary to confer upon it the advantages of municipal organization as soon even as its population shall have reached the limit of a thousand persons. I think, therefore, that the requisite minimum of population should be reduced by the amending ordinance to that limit, although the power of incorporating, thus extended, should not be exercised by the Governor in respect of any place or district whereof the population is less than fifteen hundred, unless in the case