

1863
1879

(Stout & Stout, 1911)

NEW ZEALAND

BY

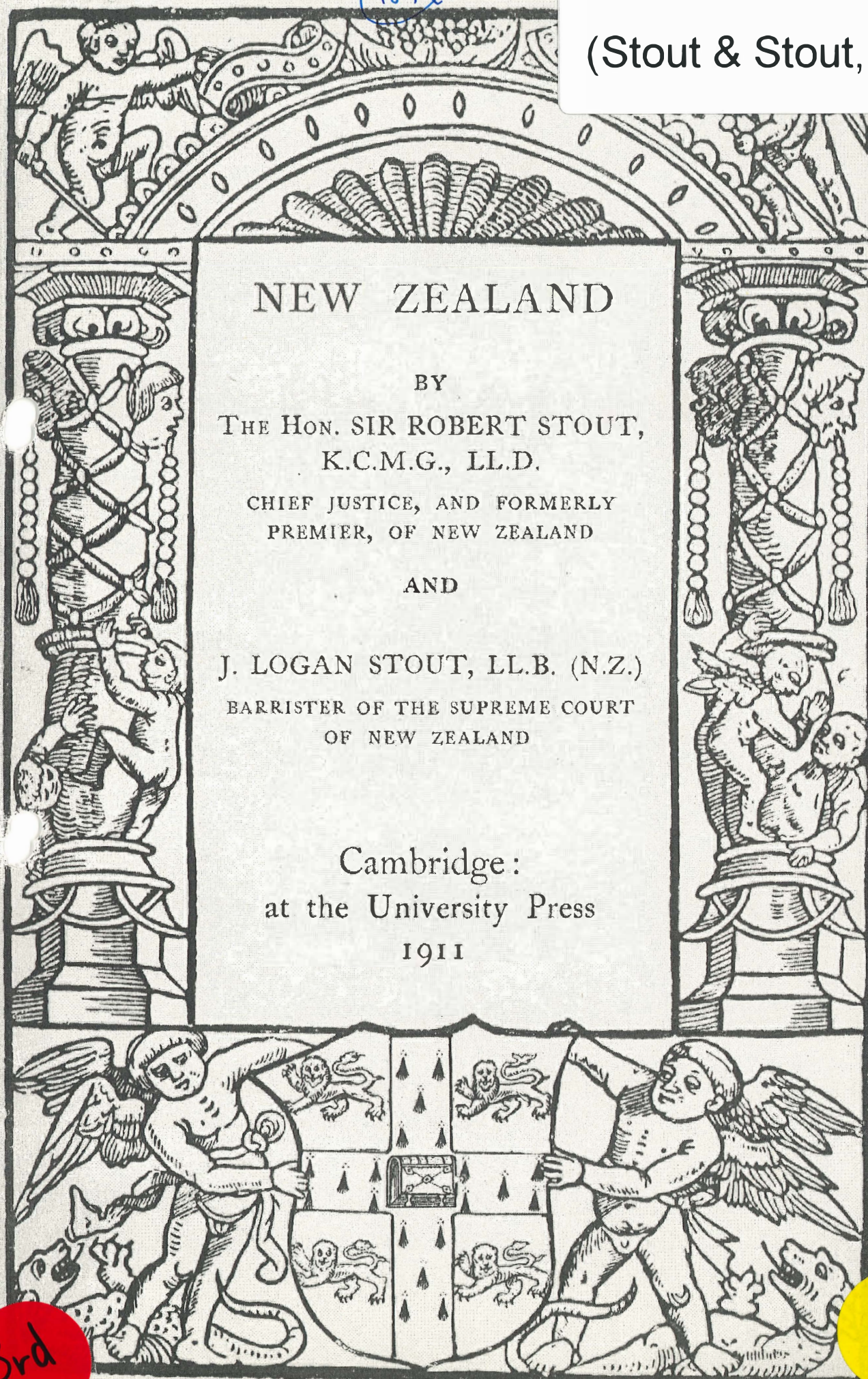
THE HON. SIR ROBERT STOUT,
K.C.M.G., LL.D.

CHIEF JUSTICE, AND FORMERLY
PREMIER, OF NEW ZEALAND

AND

J. LOGAN STOUT, LL.B. (N.Z.)
BARRISTER OF THE SUPREME COURT
OF NEW ZEALAND

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CHAPTER I

SECTION I

INTRODUCTORY

THE Dominion of New Zealand comprises all territories, islands and countries lying between 162° east longitude and 173° east longitude and between 33° and 53° south latitude, and in addition the Kermadec Islands, a scattered group situated between the parallels of 29° 10' and 31° 30' south latitude and between the meridians of 177° 45' and 179° west longitude, and the Cook group and other islands situated in the South Pacific Ocean within the Tropic of Capricorn and lying approximately between the meridians of 156° and 170° west longitude.

The original boundaries of the Colony of New Zealand were fixed by an Imperial statute (26 & 27 Vict. c. 23) in the year 1863. There was a prior Proclamation of Captain Hobson on the 30th January, 1840, which excluded small portions of the main islands, and a further extension by Royal Letters Patent in 1842, but the Imperial statute of 1863 first fixed the boundaries for constitutional purposes.

(Stout & Stout, 1911)

Government and the States. The problem of how to maintain the present federal government of the Commonwealth of Australia may soon arise. In the States of Australia there are some constituencies even now clamouring for the abolition of the parliaments of the States. "Is not one parliament for five million people enough?" they exclaim.

The recognition of the benefits of federal government is still far from universal. It is not recognised in England, and South Africa has not a federal constitution. In New Zealand there are still many federalists. It is true New Zealand did not join the Commonwealth, but it was not distance that made the people of New Zealand refuse to enter into a Commonwealth with their Australian brethren. They dreaded the same agitation for centralism that they had experienced in their own country, and they were not impressed with the wisdom often displayed by a strong central government.

The franchise qualification for the electors to the first parliament was as follows: Every man having a freehold estate in possession of the value of £50 above all encumbrances or charges, and of which he has been seised or entitled for six months before registration, or having a leasehold estate in possession of the clear annual value of £10 per year, held upon lease having at least three years to run, or who, having a leasehold of such value, has been three years

in possession before the date of registration, or being a householder or a lessee of a tenement £10 in value or in the country of £5 in value.

After the influx of gold miners at the end of the fifties and the beginning of the sixties, miners were allowed to vote on production of their miners' rights or licenses to mine, which were issued on the annual fee of £1. The first Miners' Franchise Act was passed in 1860, and there were various amendments down to 1870. In 1875 a lodger was allowed to be registered as an elector if he had occupied in the same electoral district, separately and as a sole tenant for 12 months in any year preceding the last day of December, the same lodgings, being part of the same dwelling house, and of a clear value if let unfurnished of £10 or upwards, etc.

In 1879 the franchise was so extended that every male resident if he had attained his majority could vote. The freehold qualification was continued, the value of the freehold being reduced to £25 with or without encumbrances, and there was created the residential franchise, which declared that any man who had been one year in the colony and six months in the electoral district for which he desired to vote could be registered. Aliens were disqualified, but naturalisation has, however, always been easy of acquirement. The same year—1879—saw the term of Parliament shortened. From the commencement of

Parliament till 1879 the term of the House of Representatives had been five years. It was in that year made and has since continued to be three years.

A new Electoral Act was passed in 1893, and that Act was the first to create an equality of the sexes. Women had granted to them the same political rights as men, save that no woman could be elected as a member of Parliament. The freehold qualification was abolished, the residential qualification being the only one required. It was impossible thereafter to vote in more than one district, and all elections had to be held on one day. The ballot system was introduced in 1870. A ballot paper containing the names of the candidates is handed to the voter, who strikes out the names of the candidates he does not wish to vote for, leaving the name of the person of his choice. The electoral law was consolidated in 1908, but it remains as defined in 1893. In 1887 was passed an Act to provide for the division of the colony into electoral districts. The mode of providing for the redistribution of seats based on population was then carried, and with some modifications is still the law. Two commissions are appointed to consider the results of the quinquennial census, and how far the returns of the population affect the electoral districts. The two commissions meet and determine according to the population what number of districts should be allocated to the North, and what number to the South

Island. On the numbers being fixed, one commission sits and divides the North Island into the number of districts allocated, and the other commission does the same for the South Island. The basis is that of population other than Maori population. The Maoris have separate districts and members. Twenty-eight per cent. is added to the rural population, and on the basis of one member for a district, the respective islands are divided into electoral districts. The population of the districts, after adding the 28 per cent. for rural districts, must, as far as possible, be equal. Where it is not possible to get equality, an allowance by way of addition or deduction not exceeding 550 persons is made. The system has worked well, and all complaints about legislative gerrymandering have ceased.

The number of ministers must not exceed eight, but there may be in addition two paid members of the Executive Council, who must be Maoris or half-castes. The Governor is appointed by the Sovereign and usually holds office for six years, but there is no limit to the years he may serve. The Parliament at present consists (1) of a Legislative Council of 44 members, of whom two are Maoris. These members are appointed by the Governor on the advice of the ministers, and hold office for seven years. There is no limit to the number that may be appointed. (2) The House of Representatives consists at present of

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