

Hon. Mr. Hall.

# Maori Representation.

## ANALYSIS.

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## A BILL INTITULED

AN ACT to provide for the Representation of the  
 Maori People in the House of Representatives. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is “The Maori Representation Act, Short Title.  
 5 1879.”

2. In the construction of this Act the terms and expressions Interpretation.  
 following shall have the meanings hereby assigned to them respectively,  
 unless there be something in the context or subject-matter repugnant  
 to such meaning, that is to say,—

10 “Maori” means a male aboriginal native inhabitant of New  
 Zealand, and includes any male half-caste living as a  
 member of a Native tribe according to their customs and  
 usages, and any male descendant of such half-caste by a  
 Maori woman.

15 “Registrar” means a person appointed under this Act to  
 register Maori electors.

“Returning Officer” means a person appointed to conduct  
 elections under this Act.

20 “District” means an electoral district constituted under the  
 provisions of this Act.

Qualification of  
Maori electors.

**3.** Every Maori twenty-one years of age and upwards, who shall not have been attainted or convicted of any treason, felony, or infamous offence, is entitled to be registered as an elector, and to vote at the elections of Maori members for the House of Representatives in respect of the district for which he registered. 5

Qualification of  
Maori members.

**4.** Every Maori duly registered as an elector, but no other person, is qualified to be a Maori member of the House of Representatives for any division of the colony under this Act.

Proportion of  
representation.

**5.** The number of Maori members to be elected for the whole colony shall bear to the entire number of the members of the House of Representatives (exclusive of the Maori members thereof) the same proportion as the number of registered Maori electors shall bear to the entire number of registered electors on the rolls of the several electoral districts of the colony constituted for the election of members of the European race. 10 15

Complete lists of  
Maoris to be formed.

**6.** In order to form a complete list of Maoris so qualified as aforesaid, the Governor shall appoint a sufficient number of suitable persons throughout the colony, and allot to each such person a defined area.

Manner of forming  
the lists.

**7.** It shall be the duty of each such person to form a list for the area for which he is appointed, by placing thereon the names (in alphabetical order according to the manner usual with Maori names) of all Maoris resident within the area who, in his opinion, are of the full age of twenty-one years and upwards, and who shall consent in writing to be placed on such list. 20 25

Lists to be returned  
to Registrar-General.

**8.** The list so made shall be signed by the person making the same, and shall be transmitted to the Registrar-General, who shall, as soon as he shall have received the lists for all the several areas, add together the total number of names therein contained.

Colony apportioned  
into divisions.

**9.** He shall then ascertain the number of Maori members to be returned for the whole colony, in accordance with the proportion hereinbefore prescribed, and, with the assistance of such persons as the Governor shall appoint for that purpose, shall apportion the colony into as many districts as there are Maori members to be returned. 30

Each division to be  
equalized as to  
electors therein.

**10.** Each such district shall be formed in such manner that the number of qualified electors within the several districts shall be, as nearly as may be, equal to one another, taking especial care, however, that each single Native tribe, so far as conveniently may be, shall be aggregated within the same district. 35

One representative  
to be elected for  
each division.  
Maori electoral rolls  
to be formed.

**11.** To every district so formed as aforesaid, there shall be assigned one member, to be elected by such district. 40

**12.** After the division of the colony into districts, as herein provided, the Registrar-General, with such assistance as aforesaid, shall form the first electoral rolls for every such district, by placing thereon the names in alphabetical order of all Maoris residing in the district who are on the lists hereinbefore mentioned of Maoris qualified to be electors. 45

Registrars to be  
appointed for dis-  
tricts to complete  
the rolls.

**13.** For every district the Governor shall appoint some competent person to be the Registrar thereof, who, before acting in his office, shall take an oath before a Justice of the Peace, and such Justice shall transmit a record of the same to the Native Minister. 50

It shall be the duty of every Registrar to make the rolls as complete and correct as possible, and with that object to place thereon or add thereto the name of every Maori of whose qualification to be an elector he is satisfied, and who shall consent in writing to be placed thereon. 55

Provided that no name shall be placed on the roll of any district after a writ has been issued under this Act for the election of a member of such district until such election has terminated.

Conduct of elections.

**14.** The elections of all Maori members shall be conducted according to the following regulations :— 60

- 5 (1.) There shall be one Returning Officer for each Maori electoral division, to be appointed by the Governor, and the Returning Officer shall have power to appoint, on the occasion of any election, such Deputy Returning Officers as he may deem necessary.
- 10 (2.) Every Returning Officer and Deputy Returning Officer shall, before acting in his office, take an oath before a Justice of the Peace in the Form A, and such Justice of the Peace shall transmit a record of the same to the Colonial Secretary.
- 15 (3.) Polling-places shall be appointed by the Governor in each district of every Maori electoral division, and notice of the places so appointed shall be published in the *Kahiti* for at least thirty days previous to the day of nomination.
- 20 (4.) The Governor shall issue a writ in the Form B, specifying the day and place of nomination, and the day on which the poll, if necessary, shall take place, which shall not be earlier than fourteen days after the day of the nomination.
- 25 (5.) The above writ shall be forwarded to each Returning Officer, and a copy thereof shall be published in the *Kahiti* and *Gazette*, and posted in such public places as shall be thought desirable by the Returning Officer.
- 30 (6.) On the day of nomination, so to be fixed as aforesaid, the Returning Officer shall preside at a meeting to be held at noon at the appointed place, and shall declare the purpose for which the meeting is held. It shall be competent to the Returning Officer to declare the meeting adjourned from day to day till the election is completed.
- 35 (7.) Every candidate shall be proposed by one and seconded by another registered elector; and if no more than one candidate shall be so proposed and seconded, the Returning Officer shall declare such candidate duly elected, and make his return accordingly.
- 40 (8.) In the event of there being more candidates than one proposed and seconded, the Returning Officer shall call for a show of hands, separately, in favour of each candidate, and after such show shall declare the name of the person in whose favour the show of hands shall appear to have been largest; and if thereupon a poll be not demanded by one of the candidates, the Returning Officer shall declare such person to be duly elected, and indorse and return and forward the writ as provided by subsection *fourteen*.
- 45 (9.) If a poll be demanded as aforesaid, the Returning Officer shall then declare the day on which the same shall be taken, being the day fixed by the writ as aforesaid, and on that day the poll shall be taken at the places appointed as aforesaid; it shall commence at nine o'clock in the forenoon of the day appointed, and shall close at six o'clock in the afternoon of the same day.
- 50 Care shall be taken that no nomination or polling at any election of a member for any Maori electoral district shall occur on the same day as any other election is in progress within any part of such district.
- 55 (10.) If a poll be demanded, the Returning Officer shall immediately make arrangements for the issue at each polling-place of voting papers to electors, and such papers may be issued at any time or times appointed by the Returning Officer until the close of the poll.
- 60 Each candidate may appoint one scrutineer for each booth at the election.

- (11.) On the day of the poll the electors shall enter one by one the polling-booth, and shall each present his voting paper, which shall be in the Form C, and in the English and in the Maori language, and, when requested to do so, shall state the name of the candidate for whom he intends to vote, and his own name. The Returning Officer or his deputy shall thereupon write the name of such candidate and elector on the voting paper, and any scrutineer may place his initials or name upon the paper as witness. 5
- (12.) The Returning Officer shall, as soon as convenient, immediately after the closing of the poll, proceed, with such of his deputies and scrutineers as can conveniently attend, to ascertain the numbers polled for each candidate, and shall sign a notice and declaration stating the number of votes polled for each candidate, and declare the candidate having the greatest number duly elected. 10 15
- The Returning Officer shall forthwith publish such notice and declaration in the *Gazette* and in the *Kahiti*.
- (13.) If two or more candidates have received an equal number of votes, the Returning Officer shall give a casting vote. 20
- (14.) The Returning Officer shall thereupon indorse on the writ a certificate stating the name of the person elected, and shall forthwith return the writ to the Governor. He shall also, as soon as practicable, enclose and seal up in a parcel all the voting papers relating to the electoral district, and transmit the same to the Governor. 25

15. The Governor shall forward the writ so indorsed, together with a sealed packet containing all the voting papers and indorsed with the name of the district and verified by his signature, to the Clerk of the House of Representatives. 30

The sealed packet shall be safely kept for one year unopened, except by the lawful command of a competent Court or other tribunal.

At the end of one year the packet shall be burnt unopened, in the presence of the said Clerk and one of the Commissioners of Audit.

16. If after the day of nomination and before the day appointed for the poll a candidate dies, the Returning Officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by him on the day on which proof was given him of such death. 35 40

17. Where by these regulations it is directed that any notice or copy of any instrument is to be published in the *Kahiti*, such publication shall be in the Maori language, and where by these regulations it is directed that any notice or copy of any instrument is to be published in the *Gazette*, such publication shall be in the English language. 45

18. In any case not provided for in the above regulations the Returning Officer shall, as far as possible, be guided by the provisions of this Act, *mutatis mutandis*, in relation to election of European members for the House of Representatives. 50

Voting papers to be sealed up and sent with writ to Clerk of House.

In case of death of candidate, new election to be had.

Notices to be printed in Maori or English.

In cases not herein provided for, Acts relating to elections of European members to apply.

Schedule.

## SCHEDULE.

### FORM A.

I [A.B.], Returning Officer for the Maori Electoral Division [or one of the Deputy Returning Officers or Registration Officers], do promise and swear that I will faithfully perform the duties of Returning Officer [or Deputy Returning Officer or Registration Officer] to the best of my ability—So help me God.

Maori Representation.

FORM B.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, and of the Islands of New Zealand, &c., Queen, to , Esquire, Returning Officer for the Maori Electoral Division,—Greeting:

WHEREAS it is necessary that an election of member of the House of Representatives of New Zealand shall take place: Now, therefore, we do hereby require and command you to cause to be elected by the voters duly qualified for that purpose, freely and indifferently, and in manner and form by law and regulations in this behalf prescribed, legally qualified person to serve as member of the said House of Representatives for the Maori Electoral Division: And we do hereby further require and command that you cause the nomination of the said member to be at , on the day of , and the polling, in case it shall be required, to be at the several polling-places, on the day of , and that this our writ, with the name of the person so elected indorsed thereon by you, shall be returned to the General Registrar on or before the

In witness whereof His Excellency the Governor and Commander-in-Chief of New Zealand, has caused the Public Seal of the Colony of New Zealand to be hereunto affixed, at Wellington, the day of 18 .

.....Governor.

FORM C.

Pukupuka Pooti.

Ko te tangata Maori kei raro nei tona ingoa e marama ana ia kia pooti a te whakatunga o te tangata mo te Takiwa Pooti Maori Whaka-te hei reo mo ratou Whaka-Maori ki roto ki te Runanga Nui o Niu Tireni.

Voting Paper.

THE undermentioned person is entitled to vote at the election of a Member of the House of Representatives for the Maori Electoral Division.

Ko te ingoa iriri, Maori hoki, o te tangata pooti. Christian and Surname of Elector.	Iwi. Tribe.	Hapu. Hapu.	Kainga. Abode.

Tangata e pootitia ana  
Candidate voted for

.....Returning Officer.