Americans, for instance, recognise a certain modified sove­reignty as continuing in the Cherokees and other aborigi­nal tribes, but they nevertheless assert the sovereignty of the Union as against all European nations. Of our origi­nal sovereignty over New Zealand no one ever doubted, until it was lately repudiated or renounced by the colonial department. Acts of sovereignty had frequently been ex­ercised. Magistrates had been appointed ; criminals had many years since been arrested, sent to Sydney, tried, and punished ; and yet it was determined that Captain Hobson should take a new lease of sovereignty, dating from a first cession or successive cessions from the natives.

One of the consequences of this was, that New Zealand, which had all along been respected by foreign powers, was immediately thrown open to colonization by any European power. France at once took the hint, and sent out the Comte de Paris transport with about sixty settlers, to found a French colony there. This expedition was only twenty days too late to take possession of the southern island in the name of France. Twenty days before, Cap­tain Hobson had declared the queen’s sovereignty over both islands, otherwise we must either have submitted to have a French colony on the southern island, or have reverted to our ancient seisin, declared a species of retro­spective sovereignty, and stultified the recent proceedings of the government in that behalf. And in point of fact this has been done. Captain Hobson at first pursued the plan of cession. The chiefs of a small portion of the northern island north of the estuary of the Thames were assembled to barter sovereignty for a blanket. Captain Hobson thereafter proclaimed the queen’s authority. With the proclamation of sovereignty a second proclamation was issued, appointing a commission to inquire into the titles to land, to confirm such as might have been obtained by fair means, and to disallow such as might have been obtained for a fraudulent or inadequate consideration, or where the extent of territory claimed was unreasonably large. This second proclamation has since been carried into effect by an act of the council of New South Wales. Now this act, toge­ther with the second proclamation respecting titles, is utterly inconsistent with the first proclamation, which makes her majesty’s sovereignty commence with the date of the ces­sion in January 1840. Proclamation No. 1 denies her majesty any jurisdiction previously to 1840. Proclamation No. 2 asserts jurisdiction for an indefinite period before that date. In other words, our “ancient seisin” is reverted to ; her majesty, to use the language of our ancient legal writers, is “ in of her old estate and the whole ceremony of the formal cession is treated as a solemn farce. Indeed Captain Hobson himself found it necessary to cut the gor- dian knot, and renounce the scheme of obtaining the sove­reignty bit by bit by means of cession ; for in May he issued a proclamation, declaring her majesty’s sovereignty over both islands, and so anticipated the French expedi­tion by twenty days.

Without reverting to our ancient sovereignty, so as to give her majesty jurisdiction antecedently to January 1840, not merely could no title be questioned previously to that date, but many crimes must go unpunished, if they were not crimes according to the customs of New Zea­land. What we call murder was undoubtedly sanctioned by the “ sovereign chiefs of New Zealand” in 1839; and a mere tyro in pleading would have no difficulty in framing a plea in abatement of the indictment, provided the doctrine of the proclamation was to be maintained.

But to return to the proceedings in this country. After the departure of the first colony in the autumn of 1839, no further emigration took place for some time. In the month of February 1840, two vessels, the Brougham and the Platina, were despatched, the former with provisions for the colony, and the latter with one of Manning’s houses for Captain Hobson ; but in the state of uncertainty which then existed, the company did not deem it expedient to promote emigration. Nothing had been heard of the Tory, all was doubt respecting Captain Hobson’s proceedings, the government continued hostile, or at least withheld its sanction, and rumours of French rivalry, greatly exagge­rated and over-estimated, conspired with the unsatisfactory state of our relations with France to render delay pru­dent. The friends of New Zealand felt that any one fa­vourable piece of intelligence would renew public interest in the question, and create a spirit which would dash aside all other difficulties; but when all was uncertainty and doubt, it would be unwise to attempt to carry public opi­nion by storm. This state of uncertainty did not long continue. Early in March, news of the arrival of the Tory reached this country. The expedition had been in every way successful, and Colonel Wakefield’s despatch, pub­lished in the New Zealand Journal of the 10th of March, shewed that all the expectations of the company and the public would be abundantly fulfilled.

The very favourable accounts which were received from New Zealand at the very moment that the rumours were current respecting the designs of the French in that quar­ter, aroused the great commercial interests of the city. On the 15th of April, a numerous and very respectable meet­ing took place in Guildhall. It had been convened by a requisition signed by one hundred and fourteen “ of the higher classes of bankers, merchants, shipowners,” as they were described by the Times newspaper, and it was attend­ed by a numerous assemblage of persons, by some of whom all the great interests in the city were represented. As if in anticipation of this meeting, a series of papers was laid on the table of the House of Commons the evening before the meeting, entitled “ Correspondence with the Secretary of State relative to New Zealand,” where, in the shape of a “ memorandum,” dated l8th March, “ the pre tensions made in behalf of her majesty” respecting the sovereignty of New Zealand were “ repelled,” and New Zealand declared “ a substantive and independent state.” A meeting of this character was not to be put down, how­ever, by a mere declaration of the opinion, for it really amounted to no more, of one of the under secretaries of state. It merely seemed to stimulate both speakers and listeners, and a petition to her majesty and both houses of parliament, praying that the subject might be taken into immediate consideration, “ to preserve these va­luable islands to her majesty’s dominions,” was nume­rously signed in the hall. The petition was afterwards brought before the house by Lord Eliot, who, with great industry, had completely mastered the subject. A com­mittee was appointed, and a body of evidence collect­ed, which completely showed that the government could no longer lag behind the active colonizers of New Zea­land.

From the period of Lord Eliot’s successful motion, the colonization of New Zealand, and every thing connected with it, have prospered in every way. From Lord John Russell’s speech, although in the first place he opposed Lord Eliot, it was evident that he was actuated by no vin­dictive feeling, and the friends of New Zealand were soon made aware that the fostering aid of government would no longer be denied them. Immediately after the city meet­ing, the arrival of a second favourable despatch from Colo­nel Wakefield justified the company in recommencing emi­gration. The Martha Ridgway was taken up, and sailed on the 9th of July, taking out the report of the debate on Lord Eliot’s motion, since which time a shipload of emi­grants, selected on the principle we have described, has sailed every month ; so that up to the end of June 1841, 3469 emigrants had been sent out by the company alone, besides about four hundred by the Plymouth Company,