

7. Or whether it shall be divided among the Members of the Tribe, and if so, in what proportions, and in what places each owner should have his allotment.

8. Whether each owner of the parcels of land so divided, shall be at liberty to let or sell at his own discretion, or whether in either or both cases, he shall be required first to obtain the consent of the Tribe.

9. What portion of the land of the Tribe shall be held in Trust for public purposes, with the usual powers of sale and exchange—

For Endowment of Native Ministers and Schoolmasters,

For Endowment of Hospitals and Poor,

For Endowment of Native Magistrates and Expenses of Government,

And for sites of all kinds of Public Buildings.

The results of all these enquiries, when carried out under the authority of the Governor and the Native Council, ought to be made to appear on the face of an outline map of the Country, shewing—

1. What lands belong to each Tribe.

2. What lands are inalienable.

3. What lands can not be bought or leased without the consent of the Tribe.

4. What lands can be leased but not sold.

5. What lands can be sold or leased at the discretion of the individual owners.

The expense of surveys ought not to stand in the way of a great public benefit. The Native owners would, no doubt, supply the manual labour of cutting the lines; and the Colony would be amply remunerated for the expense of the staff of surveyors, by the possession of an outline map of the whole of the Northern Island.

V. The Native Land Title as regards the transfer of land from the Native owner to the English Colonist.

This point has always been encumbered with unnecessary difficulties. Most if not all the hindrances to the acquisition of land from the Native owners have been of our own making. Private settlers, before the colonization of the country, found no difficulty in acquiring vast tracts of land by purchase from the Native owners, and the sales were willingly supported by the evidence of the vendors in the Commissioners' Courts. The difficulty was not felt in acquiring land, but in restricting the purchases within reasonable limits. Governor Fitzroy was informed by his own advisers in Native affairs that the Natives would rebel if they were not allowed to sell their lands as they pleased.

The New Zealanders, like ourselves, are much guided by personal considerations. They will sell land to an acquaintance, when they would withhold it from the Government. It has been already shown that the necessity of maintaining the strength and influence of the Tribe always restrained the alienation of land. It is no contradiction to this, that land has been so freely sold to foreigners, because the great majority of land purchasers were persons resident on the spot, and useful in various ways to the tribe. It often happened that the introduction of a neutral occupier of land strengthened the adjacent Tribes by removing a cause of dispute. Sometimes, as in the case of Auckland, a weaker Tribe found itself secured from a warlike neighbour by the presence of a foreign protector. On the contrary, the promiscuous introduction of an unknown body of strangers was always an object of suspicion. Most of the difficulties of the New Zealand Company's settlements arose from the fallacy, (of which the signs may still be seen in their early maps of New Zealand) that they had acquired secure possession of the vast Districts called North Durham and South Durham, with power to dispossess the Native inhabitants, and to replace them by their own settlers. The Southern Tribes, always hospitable to individual settlers, objected to the introduction of an unknown body, or as they called it "The Tokomaha Wairaweke." If each settler had gone to his own section, with his payment in his hand, and an interpreter to introduce him, quiet possession would in most cases have been obtained.

Difficulties of a similar kind have arisen since the partial introduction into the country of a Representative system in which the natives have no voice; and but few advocates. They hear of thousands of immigrants brought into the country by the promise of free grants of land; and every vituperative epithet is heaped upon them in the public journals, and even threats used openly in the Provincial Councils; because they are accused of not selling their land fast enough to supply the new comers. It is but natural that they should cling to their rights with more tenacity the more they are called in question. Land leagues are the reasonable protest of an unrepresented majority against an aggressive minority.

In what sense it is an offence on the part of the Native people, either individually or collectively to oppose the further sale of land, it is difficult to see. The question is left by the treaty of Waitangi entirely to their discretion. They may think that they have already sold enough; or they may be waiting till the land has acquired a higher value; or they may dread the unscrupulous use which English settlers make of their neighbour's land by trespass of cattle; or they may be taking steps to acquire sheep and cattle for themselves, and require a much larger surface than is needed at present for their crops of corn and potatoes. Or they may dread moral evils; such as the establishment of grog-shops in all parts of the country, for the augmentation of the Provincial Revenue, but to their own incalculable injury. There may be many good reasons to induce the native owners to suspend for a time all further sales of land; and it is enough to say, that they have full discretion in the matter.

Direct purchase from the Native owners, under strict regulations, is likely to have a beneficial effect in disarming many of these suspicions, and so procuring more land for the Colonist. Force will be of no avail against a people ready at any moment to die in defence of the inheritance of their Tribe.