

But to receive individuals into a share of their common property, was as much a national feeling, as to resist to the death the encroachments of a hostile neighbour.

This part of the subject must be separately considered for the Province of Auckland.

Throughout the Provinces of Wellington and Hawke's Bay the Native Reserves and unsold Land are mixed up with the Lands of the English settlers. There it seems to be expedient that the Native owners should be advised to divide their property and to take out Crown Grants with powers of sale and leasing, limited only in cases where the Tribe may require that its consent should be first obtained.

But in the Province of Auckland, containing as it does the bulk of the native population, and where considerable powers of self-government ought to be given to them, it seems to be necessary that the right of sale should be given at first only to tribes or persons residing on the margin of the settled districts. Each successive portion of land acquired by the English purchaser might then be added from time to time to the province of Auckland, defined as above proposed. Within the central district containing one or more native provinces, and superintended by native magistrates, the power of sale might be restricted but liberty given to tribes, or to individual owners, with consent of the tribe, to grant leases to English tenants with such conditions of submission to the laws in force in the native province as may be approved of by the Governor and native council. This would probably secure the following advantages:—

1. That large tracts of land would be opened to English industry under lease, as farms or cattle runs.
2. That the rentals of these lands would supply a fund for the expenses of government, for maintenance of ministers and schoolmasters, for the advancement of the social habits of the natives, and would act as a powerful check upon disturbances of the peace.
3. That the absorption of the land by large capitalists and absentee proprietors would be rendered impossible, and the whole revenue of the land spent in this country.
4. That the selection of persons and the nature of their employments, would be at the discretion of the owners of the land, to be defined in the terms of the lease.
5. That this union of the two races in relations of mutual interest would extend the knowledge of our language and laws, and thus hasten the coming of the time when all separate systems and all exceptional laws may be abolished as unnecessary.

(Signed) G. A. NEW ZEALAND.

Auckland, 8th May, 1860.

Enclosure 2 in No. 4.

MEMORANDUM BY WM. MARTIN, ESQ., D.C.L.

The practical problem, which is to be solved in respect of the Native race, comprises two operations, namely:—

1. To obtain from the Natives, by fair and peaceful means, a transfer of their superfluous lands.
2. To establish the Natives upon the residue in orderly communities, obedient to Law.

Hitherto the endeavours which have been made to solve this problem have been remarkably successful. The Natives have voluntarily transferred to the Crown nearly all the Southern Island and very large tracts in the Northern. They have gradually abandoned old usages, adopted our dress and our modes of cultivating the ground. A very large portion of the corn and other produce raised in this Island has been grown by them. By co-operative labour sustained for great lengths of time, they have raised large sums of money, which have been expended in the building of mills, and the purchase of small vessels for trading, for the building of churches, &c.

Nor has the moral growth of the race been less apparent. They have readily given land for Schools. In the central district of this Island, Boarding Schools for the children, offshoots of the Schools aided by the Government, have been established by the Natives themselves, and are now conducted and supported by them. One hundred and seventy children are at this time boarded in such Schools.

In every part of the country efforts have been made to establish some mode of settling their disputes by law, and to frame and enforce regulations for repressing drunkenness and immorality, and for securing good order amongst themselves. The success of this great undertaking, as to both its branches, has been such as no man in the Colony anticipated twenty years back.

Now throughout this whole period of time the policy of the Government has been founded on one principle, namely, that of recognizing the Chiefs of the Native tribes and acting through them.

The Treaty of Waitangi, in the Maori text, expressly guarantees to the Chiefs their full rights of chiefship. The English form, the original draft of the Treaty, was less explicit on the point.

By the influence of the Chiefs the beforementioned large cessions of land were procured. If in any case ill-will arose amongst the clansmen respecting any sale of land, that ill-will was directed rather against the Chief than against the Governor.

At the same time the process of converting the irregular and arbitrary sway of the Chief into a more definite and legal authority, subordinate to the Governor, was steadily carried on.

I do not mean to say that the success abovementioned is due to the Government policy alone. Many other agencies have concurred. But I take it to be quite certain that the same result could not have been attained under a contrary policy.