

8. A stream of immigration is pouring thousands of settlers into this Province every year, and, if it continues, the population will be doubled in a very short time. Soon, therefore, a want of available land will really be experienced, and it cannot be concealed that neither law nor equity will prevent the occupation of Native lands by Europeans when the latter are strong enough to defy both the Native owners and the Government, as will be the case ere long, and then it will be seen whether or not the Maories will prove an exception to the rule which seems universal, viz., that the Aboriginal savages must fade away before their civilized brethren.

9. The immediate consequence of any attempt to acquire Maori lands without previously extinguishing the Native title to the satisfaction of all having an interest in them, would be an universal outbreak in which many innocent Europeans would perish, and colonization would be indefinitely retarded, but the Native Race would be eventually extirpated.

10. The Imperial Government having, however, declared unequivocally its determination that even colonization must be a subordinate consideration to the duty of maintaining the substantial rights of the Aborigines, and that their full and intelligent consent to alienate must be an indispensable preliminary in the acquisition of Native lands, it remains to be considered in what manner these objects can be most effectually secured; apprehension for the future most carefully allayed; and provision made for the wants of European settlers and expected immigrants.

11. The interests of the two Races are really identical: but they are not so apparently; and whenever the pressure from without is sufficiently strong, it is evident that a Ministry responsible to a popular Assembly must and will yield. Add also the change of opinion necessarily consequent upon a change of Ministry, and it will be admitted that the Governor's Advisers in Maori Affairs should be responsible to the Crown and not to the Assembly.

12. Perhaps it may be urged that the Governor alone should be held responsible for the conduct of Native Affairs; but he, like other functionaries is liable to change; I recommend therefore that the Governor should be assisted by a permanent Council for Native Affairs, to be nominated by the Crown: that it should consist of say seven members, and in order to bring this Council into relation with the Government of the Settlers I propose* that the Responsible Ministry should have the power of recommending two persons to Her Majesty; that the Governor should recommend five, three of whom should be paid; that the members of the Council should be responsible to the Crown, and removable only by an Order from the Secretary of State; that the relations of the Governor to this Council should be identical with those conveyed in the Royal Instructions of 1855,—preserving his entire responsibility.

13. It has been urged, and not without reason, that a nominated Council would be a target for abuse and misrepresentation from all sides; but in a Colony no one should quit the obscurity of private life, or seek to rise above insignificance in Office, who is unable or unwilling to encounter and disregard both the one and the other.

If such men as the Bishop of New Zealand, and Dr. Martin (the late Chief Justice) could be induced to occupy seats in a Council nominated by the Crown (unpaid), calumny would fall harmless and unheeded, while the presence of men so well known and so thoroughly trusted by the Maories, would secure to it an influence which no other European body could possibly acquire. Acting in accordance with such a Council, the Governor should prepare regulations based on the following data, and submit them for confirmation by Her Majesty's Government.

I. That in the settlement of Waste Lands, over which Native Title has not been extinguished, the real interests of the Aboriginal owners should be matter for primary consideration.

II. That such a portion of their own land as is necessary for their use and support should be secured to them and made inalienable under Crown title.

III. That ample reserves should be made in each district for education and other purposes, exclusively for the use of the Maori race.

IV. That (the provisions of the two preceding sections having been first secured) in districts chiefly occupied by Europeans, well ascertained Native title to land, limited in extent by fixed rules, should be clothed with a Crown title, and be alienable in the usual manner.

V. That in districts specially proclaimed for the purpose, the Governor should be enabled to accept land, and cause it to be sold by auction for the benefit of the Aboriginal owners.

VI. That the Governor in Council should be empowered to borrow money for the foregoing purposes, and for the laying out and preparing settlements; the same to be a lien upon the land acquired from the Natives; that these objects should be secured in such a manner that no pressure on the local Government should prevent their being attained and maintained.

14. Having settled these points, every exertion should be made to acquire all remaining lands which are at present not only useless but harmful to the Aborigines, and which will soon be much required for colonization by the Europeans.

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15. To enable Your Grace to form a correct opinion on the subject, I enclose a map shewing the lands acquired from the Natives, and those over which Native Title has not yet been extinguished. A reference to this map will shew you that the Europeans have acquired but little land in the central part of the Northern Island. Over these districts a large portion of the Maori population is thinly scattered; and a little to the north of the Taupo Lake dwell the Waikato tribes who have set up a King among themselves, and have succeeded in establishing a league against selling land, which extends over a large part of that territory.

16. I need not say, therefore, that there is great difficulty in acquiring such an extent of land in these districts as would be sufficient for a settlement of Europeans strong enough to support itself, and though individuals are quite ready to incur the risks, yet as soon as they believed themselves injured, they would not fail to appeal to the Government for redress.

* The valuable opinions in the enclosures induce me to consider the expediency of this proposition somewhat doubtful.