

*D. McLean, Esq.* it to the Governor while at Canterbury, before the late outbreak, as a step that might be wisely carried into effect, and his Excellency concurred in my opinion.

22 Oct. 1860.

1564. Are you at liberty to state any reason to the Committee for the postponement of such a Conference?—The chief reason was the want of funds: the Committee are aware that there is only a sum of £7000 for all Native purposes.

1565. *Mr. Fox.*] Did not that objection exist at the time the Conference was held?—Yes, but there had then arisen a pressing emergency, in consideration of which funds were provided by the Government.

1566. Can you give the Committee some further explanation of your reasons for not furnishing to the Committee the comprehensive plan you have referred to?—My hesitation in furnishing it has no reference to the Governor or the Assembly, nor does it arise from any desire of my own to withhold cognizance of my plan, but rests on political grounds. The promulgation of any scheme by me which might not be carried out, would have an injurious effect with the Natives.

1567. Reverting to your answer to a former question, that it would be your duty to communicate your plan to the Governor and not the Assembly, have you officially brought that scheme before the Governor?—I have not. I have discussed the Native question generally with his Excellency in its various aspects, but I have not laid a particular scheme before him in a specific form.

1568. *Chairman.*] Would such a scheme as you have in your mind involve not so much a settled plan of institutions as a large discretionary action on the part of the Government?—It would require both.

1569. Did you consider yourself at liberty to propose any particular scheme for the Governor without being first invited to do so?—I might be at liberty to suggest a plan, but it would of course rest with the Governor to adopt or reject it.

1570. *Mr. Forsaith.*] Do you consider yourself justified for the reasons you have already given, in withholding your plan for the better government of the Natives?—I think the reasons I have already given for not promulgating a specific plan are sufficient.

1571. *Chairman.*] Is it true that Captain Johnston proclaimed Martial Law of his own authority at Raglan?—I heard he was solicited by the settlers at Raglan, in a time of panic when an invasion of Waikato was expected, to take command. I heard he issued such a proclamation, but do not know it myself.

1572. *Mr. Brown.*] Mr. Marshall has said that Mr. Fenton stated at Paetai that he would not enforce the recovery of debts incurred before his arrival: do you think it would have been prudent to have enforced payment of such debts?—I consider that as an incentive to honesty it was the duty of the Magistrate to enforce the carrying out of obligations, whether incurred prior or subsequent to his arrival.

1573. Did not Mr. Fenton also decline to take cognizance of other offences which had occurred previous to his appointment as a Magistrate?—I have no doubt he did.

1574. *Chairman.*] Is not one of the difficulties which we have to meet on the Native question this: that the older Chiefs who have become attached to us are passing away, and a new generation springing up over whom the older Chiefs have lost much of their influence, and who are left to expend their energies without any proper direction?—I don't think the older Chiefs have lost their influence to the extent generally supposed: they still exercise a great authority on all matters of great importance, and in questions of peace and war their authority is as paramount as it ever was. I think that one of the causes of the state of anarchy existing among the Natives, arises from the emancipation of many of the slaves and the subsequent re-establishment of them in districts formerly owned by them (such as Taranaki) where they feel themselves removed from the controul of Chieftainship. This extends also to other districts in New Zealand, such as the East Coast and Poverty Bay.

1575. Is there not in fact at this present time among the Natives a turbulent element, arising from the growing up of a younger class of energetic and unrestrained persons?—There is to some extent, but it is only in those districts where they have been liberated from the influence of Chieftainship that such a class is capable of giving much trouble. The Chiefs still hold very considerable sway over their tribes, in those districts of New Zealand which have not been subjected by conquest; such for instance as the Ngapuhi, the Waikato, and the Wanganui tribes.

1576. Do you mean that the authority of the chiefs among these tribes is sufficient of itself to keep these younger classes under the restraint of law and order?—No, I do not think it is entirely so: it is to some extent. Not law and order in our acceptation of the term, but generally to maintain tranquillity.

1577. Do you not think it necessary that there should be some settled institutions of law either independent of or auxiliary to the authority of the chiefs, to keep such classes in restraint?—I think law alone would do very little to keep them under restraint; as auxiliary to the influence of chiefs, and to other measures, it would unquestionably have a very good effect.

1578. Is it likely that peaceful relations between the two races will be preserved unless these irregular energies of the younger men are kept under restraint by some system of law, by civil institutions?—I believe that the authority of the chiefs is the first thing to be considered, and any action taken in conjunction with them would be likely to restrain the younger men from acts of violence.

1579. Then do you not think it would be desirable that some action should be taken by the Government in conjunction with the chiefs for the establishment of settled institutions?—I think so certainly.

1580. *Mr. Williamson.*] Have you observed among the older chiefs any desire for another system of ruling their people?—Yes, I have heard the older chiefs express such a desire so long as they have a part in carrying it out.