

he, "generally speaking, why these men are kept in custody at the present time *Hansard, Vol. 36,*
 "are two in number. It is clear that if they were released from custody and *p. 283.*
 "allowed to go to their homes their conduct would be turbulent—judging from
 "experience of facts—and would be likely to tend to a breach of the peace. That
 "is one reason. The other is that the safe custody of these men is a guarantee
 "against depredations and crimes being committed on that coast." He further *Hansard, Vol. 36,*
 urged that if brought to trial they would, if convicted, receive very slight punish- *p. 285.*
 ments, and that it was essential that power should be given to the Government to
 detain them so long as it was deemed necessary for the interest and safety of the
 colony; and that, though the technical offence committed might be a slight one,
 those arrested had really been guilty of something little short of treason.

31. On the other hand, it was contended that there was a great difference
 between postponing a trial, and altogether dispensing with one; that the right to
 such an inquiry should not be summarily set aside; that without such inquiry it
 was impossible to say who were innocent and who were guilty; that, in fact, a
 most friendly chief, (Wi Kingi Matakatea,) and many friendly Natives, had been *Hansard, Vol. 36,*
 so arrested; and that others as innocent might be indefinitely and ignorantly *pp. 282, 356.*
 detained under the provisions of the law. It was also urged that the inquiries of
 the Royal Commission had shown that the Maoris had many and substantial
 grievances to complain of, which, in all probability, would never have secured
 notice had it not been for the act committed by them; and that consequently great
 clemency should be shown them.

32. On a division, forty-eight votes were given in favour of the Bill, and
 thirty-four against it, counting pairs on both sides. In the Legislative Council it
 passed without a division, except in Committee. It was justified by the Attorney- *Hansard, Vol. 36,*
 General, and attacked by Messrs. Waterhouse, Taiaroa, and others, in speeches *pp. 406, 416.*
 which repay perusal.

33. This Act was passed on the 25th July. It referred, of course, only to
 prisoners already in custody; but a few days later, (5th August,) another short Act
 ("Maori Prisoners Detention Act, 1880") was adopted providing that all Natives
 who had been since the 19th July, or who might after the passing of the Act
 hereafter be, arrested, "by authority of the Government," in the district included
 within the Proclamation of Confiscation of 1865, should be deemed to be detained
 under the provisions of "The Maori Prisoners Act, 1880." This Act was passed
 through all its stages in the House of Representatives in one day, but not without
 opposition. The Native Minister in introducing it requested that it should be
 passed without discussion. He explained that the reason "why the Government *Hansard, Vol. 37*
 "wished the Bill to be passed was that they had found it necessary to make *p. 16.*
 "certain arrests on the West Coast, and might have to continue making more
 "arrests in the same way. This step had become necessary in the opinion of the
 "Government because of obstruction to the formation of a road over confiscated
 "land." Sir G. Grey pointed out that the Bill "amounted to a general warrant *Hansard, Vol. 37,*
 "for the apprehension of all persons of all ages and sexes for offences which were *p. 17.*
 "not named at all—in fact, they might be arrested for no offence;" and a warm
 discussion ensued, which ended in the passage of the Bill by a majority of
 seventeen. It passed through the Legislative Council with little difficulty.

34. The 2nd clause of this Act specially provided that no person impri-
 soned under it should be detained in prison beyond the 1st October, 1880; but a
 clause was introduced into another Act—the "West Coast Settlements Act"—
 passed a few days later, which was intended to reverse this apparent concession,
 and presumably did so, though the fact is not wholly clear.

35. The "West Coast Settlements Act" was introduced mainly for the
 purpose of enabling the Government to give effect to the recommendations
 of the Royal Commission, which had in the meantime made its report,
 and had clearly shown that the grievances of the Natives were by no
 means visionary, but real and substantial. The remedies suggested by them
 required legislative sanction, and the Bill in question was prepared in
 order to confer the necessary powers on the Executive Government. The
 same process of tacking together two different subjects in one Act, by
 which the Confiscated Lands Inquiry and Maori Prisoners Act of 1879 was
 formed, was however again had recourse to, and, along with the grant of these