

the Natives handed to him two well-written Native addresses, embodying the subject of their numerous grievances since the establishment of British authority. They particularly dwelt on the injustice of preventing them from selling their lands to Europeans, as well as that of the Crown resuming the surplus lands of the old settlers, or land-claimants. The subject of Customs, especially the duty on tobacco, was also dwelt upon. These addresses were read in English by Mr. Clarke, who was instructed by the Governor to inform the chiefs that he would do all he could to adjust their grievances; that he was requested to assure them that the Queen of England sought no benefit to herself from their lands; that she sent a Governor to them for the purpose of preserving peace and order, and teaching them to grow up in the habits and arts of civilised life. *With regard to the surplus lands, he disclaimed on the part of the Crown any intention of reserving them—they would revert to the Natives themselves.* The other subject—the liberty of selling their own lands—he hoped would also be granted to them.

This latter promise was fulfilled by the two pre-emption waivers.

69. The rest of the speech is hardly relevant to our purpose, and we see no reason to doubt the correctness of this report. This historian was a member of the gathering and was presented to the Governor at the levee. He was a medical practitioner, a newspaper editor, and was subsequently appointed by Governor Fitzroy to the Legislative Council. The doctor was without doubt a gentleman of considerable standing in the community. He was a forthright critic of public men, and absolutely fearless in his utterances. We have had the records of the period investigated, and Mr. R. Blane, the Secretary to the Commission, has consulted the Librarians of both the General Assembly and the Turnbull Libraries, and nowhere can it be discovered that the accuracy of Dr. Martin's report has ever been questioned or the statement alleged to have been made by Governor Fitzroy contradicted or controverted. *We cannot find any pretext to doubt Dr. Martin's integrity or veracity.*

70. In the face of this explicit promise by the newly-appointed representative of the Queen whose word would be regarded as sacrosanct it seems abundantly clear to us that the Natives were entitled to consider that the surplus lands were to be returned to them. If this contention be correct then they should have had the equity in the lands so soon as the formalities of return could have been complied with.

71. Had this been done it would have saved the country a great deal of money and would have removed the root cause of much bitterness and ill feeling between the two races, and would have obviated the necessity for this Commission.

72. It is of interest to quote Governor Grey in reply to a congratulatory address of welcome at Auckland on the 29th January, 1847, the seventh anniversary of the Colony:—

In his reply to the address, the Governor gave vent to some of the irritation which six months' battling with opposing interests had aroused:—

"I shall, I think, most effectually serve the interests of the really influential portion of the community by speaking plainly. Many persons are disposed to make, in some cases most illegal, in other cases most unjust, pretended purchases from the Natives, and who have then resorted to most improper means to compel the Government to recognize most exceptional claims. I have also seen most improper attempts made to excite the Natives and to fill them with distrust and suspicions of the Government"

" My regret was that I never saw public opinion manifest itself against the improper proceedings which were taking place, and that so few friendly hands were held out in the north of New Zealand to aid me."—(*Despatch Governor Grey to Earl Grey, February 4, 1847.*)

73. This most illuminating reply is self-explanatory.

74. For over one hundred years the Maoris have been clamouring to have their surplus lands grievance redressed. This is the first occasion in which a tribunal has been requested to decide the matter on the basis of equity and good conscience, and we consider that it would be to the honour of the Crown to have this long-standing dispute disposed of amicably, and so establish in the minds of the descendants of the parties alleged to have been injured that spirit of mutual confidence so necessary to the harmony of our national life.