

which is indispensable for such a work. Subject to a remark which Your Committee hereafter make as regards the omission on his first circuit to visit the chief Potatau, his task seems to have been in all essential points executed with judgment. It was also attended on the whole with decided success. It no doubt contributed to stimulate the Native mind, and so to produce excitement, but not (so far as appears to Your Committee) of a dangerous or unhealthy character. No such work was ever done without similar effects. It doubtless tended also to produce a more distinct demarcation of parties. This would necessarily be the case in any political counter-movement. But no choice seems to have been open between suffering the whole people to be absorbed into the King party, or attempting to gain them over to allegiance to British authority; an attempt to which some visible separation of parties was an inevitable incident. Your Committee have failed to discover that this separation of parties was attended with any actual or threatened disturbance of public order.

Your Committee have given due weight to allegations intended to justify Mr. Fenton's withdrawal, of want of discretion on his part in overlooking the proper claims of Chiefs of high rank, and of over-zeal in encouraging these party divisions. They do undoubtedly recognize as working in Mr. Fenton's mind, and influencing in some degree his course of action, a disposition to rely, possibly overmuch, on the co-operation of the younger and more energetic men; the result of which would tend to lessen the importance of the older Chiefs, and, unless counteracted by careful management on the part of the Government, to excite their jealousy. It has been said that these younger men were wanting in stability of character, and could not be depended on. Your Committee, however, do not understand that Mr. Fenton sought for his coadjutors amongst the mere youth, but from men of sufficiently mature age and formed character upon whom reliance might reasonably be placed. One of them, Waata Kukutai, a Chief of importance, who was examined before Your Committee, shewed great intelligence and earnestness of purpose.

It must be remembered that the older Chiefs are passing away. Their real influence over their people, though sensibly diminished of late years, is still very great; not, however, to the exclusion of other and popular influences. It would be the duty of Government to secure their cordial assent by all legitimate means of conciliation and deference to their tribal position: and there seems little doubt that, under judicious management on the part of Government, their willing co-operation might be obtained. They are not, it is true, willing to surrender their tribal authority, or substantial power; but they seem disposed themselves to hand over to younger men of influence the active work, and to recognise what is an undeniable truth, that the social regeneration of the Maori race can only be effected by the agency of their rising men; that class which in all communities is really powerful for good or evil. But in forming a judgment as to Mr. Fenton's proceedings, Your Committee cannot after careful examination perceive faults of the nature imputed to him, in any of his practical operations, after his work in the district had commenced. If in the execution of a very difficult and delicate task faults of this kind had been committed, such a contingency lay in the very nature of the experiment. It demanded, therefore, on the part of the Government, whose agent he was, a watchful observation of his proceedings; a constant readiness on their part to supply counsel and instructions, framed in a spirit of hearty co-operation. Without such conditions, it would be almost inevitable that a single individual, unaided and uncontrolled, would fall into occasional errors. To prevent and correct these would be, in the judgment of your Committee, the peculiar function of Government.

At the time of Mr. Fenton's withdrawal there had sprung up in the minds of some of the older and more influential chiefs, Potatau in particular, a feeling of jealousy, perhaps of dislike, towards Mr. Fenton in his magisterial capacity. A risk of this kind, as it appears to Your Committee, might have been anticipated from the first. Prudent precautions on the part of the Government, and a very discreet course of action on the part of the Magistrate, might have removed or mitigated the objections of the older Chiefs. The Missionaries describe their own work as having been attended with similar difficulties: and to persuade the Native people to accept British law in lieu of their old customs, is, in truth, a Missionary enterprise. One circumstance has been mentioned as having roused Potatau's jealousy, namely, that when Mr. Fenton paid his first visit to the Waikato, he omitted to call on Potatau. This gave offence to the old Chief; and possibly contributed, with other causes, to estrange his sympathies from the Government. The omission was most unfortunate. To whom the blame is attributable, Your Committee do not pretend to say, whether to Mr. Fenton, the Native Minister, or the Native Department. But it is clear from the conversation between Mr. McLean and Potatau, stated in Mr. McLean's evidence, that the influences working in that Chief's mind, and which induced him ultimately to accept the ostensible position of King, were of a deeper kind. Probably by tact and management his objections might have been removed: but Your Committee do not think that these objections of themselves were a sufficient ground for the Government withdrawing the magistrate from the district. The reasons which induced them to adopt that course are entitled to the utmost consideration. They are stated clearly in the evidence of Mr. McLean and Mr. Smith, who thought that Mr. Fenton's proceedings were causing a division among the Waikato tribes, which tended to strengthen and consolidate the King party, and to produce such irritation as might have resulted in a collision. Your Committee hesitate in expressing an absolute opinion on the question whether, looking to all the circumstances, his withdrawal was judicious or not. It depends on facts on which the Government alone could have the means of forming a judgment.

But Your Committee, with the light of two years' experience since that time before them, do not perceive sufficient reasons for suspending the work in which Mr. Fenton was engaged. Without in any degree mitigating the real causes of agitation in the Native mind, his withdrawal disheartened a large and influential body of the Natives, especially in the Lower Waikato, including many influential Chiefs who had associated themselves with him, and were actively