

SIR GEORGE GREY'S PLAN

OF

NATIVE GOVERNMENT.

MINUTES BY HIS EXCELLENCY AND HIS EXCELLENCY'S
RESPONSIBLE ADVISERS.

PRESENTED TO BOTH HOUSES OF ASSEMBLY, BY COMMAND OF HIS EXCELLENCY.

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MINUTES BY THE GOVERNOR AND MINISTERS.

MINUTE BY MINISTERS ON THE POSITION OF THE COLONY AT THE DATE OF THE ARRIVAL OF SIR GEORGE GREY: CHIEFLY IN RELATION TO THE NATIVE INSURRECTION.

Auckland, 8th October, 1861.

Ministers assume that Sir George Grey has been put in possession of all information which had reached the Home Government down to the 5th of June last, which would include the events in the month of March, or possibly to the beginning of April.

It is unnecessary to offer any comments on the origin or progress of the Taranaki war, with the particulars of which Sir George Grey is no doubt fully acquainted to the above dates. Actual fighting ceased on the 12th or 14th of March last; the Waikato contingent returned home, accompanied by Wiremu Kingi and a few followers; whilst Hapurora, Kingi's fighting general, and a portion of the Ngatiawas, submitted themselves and accepted the terms of peace offered by the Governor. The Ngatiruanuis and Taranakis also returned home, and the British force, with the exception of one Regiment, were removed to Auckland.

There were three distinct offers of terms of peace by the Governor to the different tribes who had been engaged in the insurrection. 1st, those addressed to the Ngatiawas: 2nd, those addressed to the Ngatiruanuis and Taranakis: 3rd, those addressed to the Waikatos. See Assembly Paper, E—No. 1B. p. 4 & 5.

The first have been subscribed by a portion of the Ngatiawas, including Hapurora but not Kingi. But although a cessation of hostilities has resulted, the terms imposed on the natives have not been fulfilled.

The second have been rejected.

The third were laid before a very large Runanga of Waikatos at Ngaruawahia on the 7th June last. The reply of the Runanga neither accepts nor rejects, but suggests that the Governor should give time for discussion and consideration. A letter from Wiremu Tamehana, the leader of the King movement, of the same date, rejects the terms; but he subsequently addressed another letter to the Governor, June 7th, of a less argumentative and positive character. Ibid, p. 6.
Ibid, p. 11.
E—No. 1B. p. 17.
No. 1B. p. 15.

Thompson cannot be regarded as the mouthpiece of the Waikato tribe as a whole, though he probably represents, or at least at that time represented, the sentiments of a majority, and exercises much influence both in Waikato and elsewhere. A brief memoir which appeared in a late Auckland paper, illustrates his position at this crisis. It was written by a gentleman who has had peculiar opportunities of making himself acquainted with the subject.

Owing to the lateness of the season and the unprecedented wetness of the winter, all military movements have been necessarily suspended from the period of the return of the Waikatos to their own country. It is understood, however, to have been the intention of Governor Browne to insist on the submission of that tribe, and their acceptance of the terms offered to them in May.

Early in July a change of Ministry took place. A prominent feature of the policy of the new Ministry, consisted in their desire to set on foot negotiations with the natives, of a practical character, by personal communication; in the hope that amicable discussion might lead to a peaceful solution of the difficulties in which the relations of the Government and the Natives were involved. The Ministry proposed that a preliminary meeting should be held between Tamehana and some of the Ministry, at Tuakau, and then, if there proved to be a prospect of a satisfactory result, that Tamehana should meet the Governor at Auckland or elsewhere. These views met His Excellency's concurrence. Replies were sent to Tamehana, intimating that the desired meeting should shortly take place.

Matters were in this state when the announcement of the appointment of Sir George Grey led to the suspension of all important measures connected with the natives, either of a military or diplomatic character.

The attitude of the Waikatos is at present one of suspense. They say that they will not give up the King movement, that the appointment of Sir George Grey as Governor will not induce them to succumb; they must hear what he has to say. They will remain quiescent. They do not wish to fight; but if they are attacked, they will fight to the last man. These are probably the statements of a majority of the tribe: but there is a considerable section of them who are opposed to the King movement, and other tribes elsewhere, particularly the Ngapuhis and Northern Natives; and some of them are reported to be exerting themselves to induce others to abandon it. It is probable, however, that if war should ensue, the bulk of the native population to the Southward of Auckland would gradually drift into it.

The Waikatos are the backbone of the present great movement; whether called the King movement, or known by any other symbol. The Kingship is not, in the opinion of Ministers, an essential ingredient in that movement, further than as a rallying cry, and as representing in some degree ideas of self government and separate nationality. But many of the other tribes which support the movement and call themselves Kingites, would admit of no claim to supremacy on the part of the Waikatos.

Their views on the subject of the great agitation which has been going on for some years are probably not well defined; but the pervading idea of the bulk of those who support the movement aims at independence and freedom from interference on the part of the British government. It is less

an idea of collective national independence, than a desire of the different sections of population to be let alone as they are, to manage their own affairs after their own fashion: and if, as between them and us, they should achieve the independence they aim at, its immediate result would be a struggle for supremacy and intertribal hostilities among the several sections of which the confederacy is made up. They further imagine, that while they suffer from interference with their liberty of action on the part of our government, they derive no substantial benefit or protection from its paternal care. The Government, they say, does not suppress crime except where a European is concerned. On the other hand, they point to the result of their own rude efforts at the establishment of institutions, including in many places judicial tribunals, as having already produced practical fruits of better government than our institutions, as hitherto worked, have conferred on them. How the Runanga has worked, see Mr. Fenton's journal of 1857, the Report of the Waikato committee and letter from Waikato settler, appended. In addition to this desire for law, order, and social elevation, jealousy on the subject of their lands has been a very strong motive in creating this movement. They are dissatisfied with the present system of land purchasing, and suspicious that the sole aim of the Government is to induce them to sell their land; and whatsoever may be the merits of the Taranaki case, there is no doubt it has contributed very greatly to the growth of this feeling.

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The foundations of the King movement may then be summed up in a few words. They are a desire for good Government, a conviction that our rule does not give it, jealousy on the land question, and certain crude ideas of independence.

Ministers are persuaded, that had the task of patiently framing and embodying suitable institutions (commenced some four or five years ago) been persevered in, shape might have been given to the natives' confused ideas, and their acquiescence secured in some general system of government which might have strengthened the bonds of union between the two races. The lapse of time, and still more the Taranaki war, have not only rendered this task much more difficult in itself, but created or developed an inflammable and dangerous temperament in the native mind which a very small spark may at any moment cause to break out into a blaze. This, however, only makes the task more difficult, not altogether hopeless.

The Natives of New Zealand are, as Sir George Grey is aware, a deliberative people. Deeply impressed with the value of the King movement, which embodies at present the one political idea of the race, they are not likely to abandon it, unless some more attractive and at the same time solid substitute is offered. To give practical effect to what is good in that movement, by institutions adapted to their habits and capacities, while at the same time we persuade the natives to reject whatever in it may be antagonistic to the authority of the British Government, ought to be our aim. To effect this, time and forbearance and the personal action of the highest officers of the Government, are necessary conditions.

It has been argued that direct communication between the Governor and the Waikatos at this crisis would not be consistent with the dignity of the Crown, that no further overtures on our side can be made, that the terms already offered must be unconditionally accepted, or that submission must be enforced with the sword.

If we were dealing with a civilized people, long accustomed to the usages of great nations, and versed in the rules of international law, such arguments might have weight. But when we consider that the New Zealanders are a people barely emerged from barbarism, and groping their way from darkness to light, for the most part without help, it is not towards them that such an argument should be used. Nor should it be forgotten that they are British subjects: a character which imposes upon us the obligation to win, rather than to enforce, their allegiance. They have of late years attained a remarkable appreciation of the advantages of law and order, as administered and maintained by themselves. It wants but little more to induce them to accept at our hands a better law, and more perfect order; not confined solely to their own social wants, but involving the proper regulation of those relations which spring from the juxtaposition of the two races, and which can only be harmonized under the rule of one supreme head extending its protection equally to both.

A resort to force in the case of the Waikatos will almost to a certainty involve all the tribes South of Auckland. "The first shot fired in Waikato," Governor Browne said on a late occasion, "will be the signal for a general rising." On the other hand, many of the tribes alluded to, who would make common cause with the Waikatos in case of war, are far from being so wedded to the King movement as not to be open to be detached from it by persuasion and argument. Only a small part of the natives have been in overt insurrection; except the Ngatiruanuis and Taranakis, no whole tribe has been committed. Such of the Waikatos as took part in the Taranaki war, did so on their own individual responsibility, and not as the result of any tribal action. Admitting that these individuals and the Ngatiruanui and Taranaki tribes have placed themselves in a position to justify severe treatment, why should the larger part of the Waikatos, and all the other tribes who have taken no part in the insurrection, be included in the same sentence?

The object of Ministers in this memorandum is not so much to suggest to Sir George Grey the course to be pursued, as to put him in possession of the facts of the case at the present moment. It may not, however, be out of place if they indicate certain courses of action which might suggest themselves as those to be pursued.

1st. There is the assumption of a position resting on the demand of unconditional submission to the terms already offered, or to any other of a similar character. It will be inferred from what has already been said, that this is not recommended.

3rd. The Governor might place himself in direct communication with the insurgent natives, condone them for their past conduct, give them assurance of a desire to meet their wishes, and yield whatever they might ask. This is a course not to be recommended.

3rd. The Governor might instal himself at Auckland without making any direct overture to the insurgents. It is pretty certain that before long he would be visited by many of the most

Influential chiefs belonging to or connected with the Waikatos; indeed, with all the other tribes. Friendly communication with them in a spirit of firmness and conciliation accompanied by acts of personal kindness, would result in their return to their tribes in a temper which would probably go far to promote a pacific solution of difficulties. Sir George Grey would have in the meantime the opportunity of making himself fully acquainted with the position of the question, and arranging his own plans for the future. Then will be the time for direct personal communication with the larger bodies of Natives.

Sir George Grey will find the circumstances of the Colony greatly changed since the period of his previous administration. Whilst its resources are greatly increased its weak points are multiplied also. Large districts, remote from towns, have been occupied by considerable populations more or less scattered, but all substantially unprepared for self-defence in case of a general insurrection. In the Province of Auckland the city, and the outsettlers as far as Otahuhu at least, might be considered as pretty safe within the military lines; while the Northern parts of the Province lie among friendly natives. The whole population of the Province of Hawke's Bay, however, numbering between 2000 and 3000 souls, is scattered over an area of some three millions of acres, on isolated sheep farms, the homesteads on which are generally several miles apart. In the Wairarapa district of the Province of Wellington, are some 2000 souls, being partly on runs or in small farm communities of 200 or 300 souls each; and intermixed with a body of natives several hundreds in number, who can be reinforced by thousands at a few hours notice from Hawke's Bay, Manawatu, Taupo, and other districts. In and about Wanganui, scattered over an area of somewhere about a million acres, are from 2000 to 3000 souls, accessible by large bodies of natives. All these populations have large quantities of live stock, extensive cultivations, farm buildings, mills, and other fixed but destructible property.

The Natives also are much changed within the last seven years. The political agitation already referred to, has done much towards making them forget old feuds, and united them to a great extent in a common cause. They are also much better prepared for war than formerly. In 1857 the restrictions which Sir George Grey imposed on the sale of arms and ammunition were released to an extent which may be said to have thrown the sale open. According to an estimate based on Custom House returns, the Natives expended on arms and ammunition during the succeeding three years a sum approaching, if it did not exceed, fifty thousand pounds. This may seem almost incredible. It is a fact, however, that small parties of Natives have purchased at one time whole tons of powder.

While, therefore, the supplies in the hands of the Natives are insignificant compared with our resources, and insufficient for any lengthened operations, and have been no doubt lessened by the expenditure on the Taranaki war, they are undoubtedly sufficient to carry destruction into all the settlements of this island.

The King party is so organized in the island, that in case of war commencing in Waikato or elsewhere, on the basis of the King movement, but a short time would elapse before concentrated attacks would be made on every district occupied by Europeans. It needly hardly be said what would be the result in the way of destruction of life and property. Governor Browne stated that 20,000 troops would not enable him to do more than protect the centres of population. At least half, probably two-thirds, of the population South of Auckland would be at the mercy of Natives.

As regards the military resources of the colony for aggressive purposes, the Governor will no doubt receive full information from the Lieutenant General. It is sufficient here to state that there are a little over six thousand troops in the colony; of these, one regiment is at Taranaki, four hundred men at Wanganui, four hundred at Hawke's Bay, and three hundred at Wellington. The remainder are concentrated around Auckland.

As regards colonial defences, there are, a militia partially but very insufficiently organized, and a few volunteer corps. These bodies can at best be looked to as a protective force of a character purely local, the existing law not allowing of their "mobilization" to a distance of more than thirty miles. They are very inefficiently supplied with arms and ammunition, and very imperfectly trained, while the organization of the force requires an entire change. A Report of a joint Committee of both Houses of the Legislature is appended, which will throw some light on this subject. The Governor's attention is particularly called to the Resolutions of the House of Representatives referred to in that report, and also to a Memorandum of an interview between Governor Browne and a deputation of Wellington members, on the subject of the defence of that Province, a copy of which is annexed. Session Paper, 1861.

Another point to which the attention of the Governor ought to be directed, is the impossibility of providing places of refuge for the women and children in case of a general war. From 15000 to 20,000 of these would have to be provided with house-room and food, in towns already overcrowded, and no means of making such provision exists without very considerable warning before hand.

The foregoing remarks have reference to our relations with the natives, and the policy towards them in general. There are, however, some special circumstances which will demand Sir George Grey's serious attention.

The present state of the Taranaki settlement is this:—The main body of the troops have (as already stated) been withdrawn. The place is now garrisoned by a single regiment, the principal part of which is stationed in the town or its immediate neighbourhood; a small party being stationed in a blockhouse at the Waitara, on the land which has been the subject of dispute. This place is almost cut off from communication with the town, and is a position of considerable risk in case of war. The militia at Taranaki has been called out, and is on actual service under proclamation of martial law. There is also a small but very effective corps of Volunteers.

Many settlers and their families have left the place. During actual hostilities a large number of women and children were removed to Nelson. But many of them have returned. The ordinary industrial occupations of the settlement have been for the most part abandoned or suspended. The farms are in general left uncultivated, and much of the land is returning to the state of nature, and is being overrun with Scotch thistles, and gorse from the fences. The farm houses and buildings, except close to the town, have been destroyed.

The Ngatiruanui and Taranaki Natives remain in a state of passive insurrectionary sullenness:—refuse submission to the terms proposed—retain possession of large quantities of the settlers, stock carried off during the war—have stopped the mail though carried by natives—and threaten death to all Europeans who venture beyond certain lines, so that no one dare travel beyond a few miles from the Town of New Plymouth on the one side, or Wanganui on the other. The Tataraimaka block, purchased from the Natives, and which has been parcelled out into thriving farms, for the most part under cultivation, may now be said to be practically in the possession of the insurgents. The homesteads of the settlers, their fences and cultivations, have been destroyed: and no settler will incur the risk of going on his own land. In fact, the natives boast that they hold the land by right of conquest.

This state of things cannot, in the opinion of Ministers, be suffered to continue.

As regards the policy to be pursued in reference to the settlement of Taranaki, several courses are open.

1. Matters may be left as they are; in which case the settlement will by degrees dwindle away. Settlers will abandon it, particularly with the temptation of neighbouring gold-fields presented to them. It will become practically a military post, but to be maintained at heavy cost, with no definite object; for the restoration of the settlement under such circumstances would be hopeless.

2. It may be abandoned altogether:—a suggestion which would not, it is imagined, be for a moment entertained. In fact to abandon it, would involve a loss of prestige dangerous to the colony generally.

3. Vigorous measures may be taken to reestablish our position. And this appears to Ministers the true policy. If there must be a war, it is better far that it should be at Taranaki than elsewhere. For whatever mischief could be inflicted on British settlements by a state of war, has been done there. The penalties of war have been already paid. Besides this, the case of the Ngatiruanui and Taranaki Natives is the one which presents the fewest grounds of sympathy with other Natives. They engaged in the quarrel without provocation, and were guilty of gross outrages. Their present attitude is one of such open hostility, as in the eyes of well affected Natives themselves would not merely justify, but demand on our part active measures against them, and retribution for the wrongs done. Added to this, if operations were carried on with a view to open up and establish military communication by roads between Taranaki and Wanganui, such operations would be attended with some facilities, and in the end with great patent advantages.

Ministers are of opinion (so far as they can presume to offer an opinion involving military considerations) that firm and decisive action should be taken in this direction. They believe the effect would be in no long space of time to bring the Ngatiruanuis and Taranakis into submission. The settlement of Taranaki might then, in the end, be re-established on a safer basis, and enabled to recover and extend itself.

It is not improbable that hostile operations in the Taranaki country would draw towards it some portion of the Natives of other districts. Such a possible result would not, in the opinion of Ministers, be a sufficient reason against the course of action which they recommend.

The time and manner of commencing such operations would require distinct consideration. The first object appears to be, as far as possible, to win back the allegiance of the bulk of the Native people, and to place the settlements in an effective position of defence. Ministers do not apprehend any aggressive movements on the part of the Natives as likely to result from the course which they recommend, except against the settlements of New Plymouth and Wanganui.

There appears to Ministers no inconsistency in dealing with the main body of the Natives, the Waikatos in particular, with a gentle and even friendly hand, and endeavouring by all legitimate means to recall and attach them to us; and at the same time assuming a stern and decisive attitude towards the Ngatiruanuis and Taranakis, with a view to compel from them material guarantees for their future good behaviour.

One other topic requires to be brought under Sir George Grey's consideration: namely, the recent gold discoveries as affecting Native policy.

The fact of paying gold-fields existing in New Zealand is now placed beyond a doubt. The auriferous district extends through the Northern and Middle Island from Cape Colville downwards. Already there are signs of a large influx of population, directed at present to the Otago gold-fields, but which will in all probability spread to the Northern Island, particularly in the direction of Coromandel. What may be apprehended is, lest gold-seekers should force themselves into native districts against the will of the native owners, the result of which would probably be a collision between the races, leading to fresh political complications.

It will, in the opinion of Ministers, be the duty of Government to guard against the risk by all means in their power. If the Natives could be prevailed upon to open their country to gold mining enterprise, the political difficulty would be solved, whilst at the same time the material interest of the colony, and of the European and Native races, would be advanced. This subject, however, will scarcely demand much attention at present, unless richer gold-fields shall be discovered in the Northern Island than have hitherto been found.

GOVERNOR AND MINISTERS.

The following Return was appended to the preceding Minute.

A RETURN OF THE QUANTITY AND VALUE OF ARMS AND AMMUNITION IMPORTED AT THE PORT OF AUCKLAND, BETWEEN THE 1ST JANUARY, 1854, AND 25TH SEPTEMBER, 1861, INCLUSIVE.

	ARMS.			POWDER.		SHOT.		PERCUSSION CAPS.			LEAD.		
	No.	Pkgs	£ s. d.	lbs.	Packages.	£ s. d.	cwt. qrs. lbs.	£ s. d.	No.	Pkgs.	£ s. d.	cwt. qrs. lbs.	£ s. d.
1854		21	307 16 0	7680		263 0 0						215 2 0	373 0 0
1855		39	415 12 0	20,525		594 8 4	66 0 0	137 10 0				662 2 0	775 0 0
1856		40	205 10 0	3179		160 10 0	151 3 16	232 0 0				362 0 0	437 0 0
1857	1136	13	2501 0 0	2700	20½ barrels, 16 cases, 267 packages	717 12 0	268 3 0	524 0 0		1 case	5 0 0	822 1 0	1181 15 5
1858	1724		3158 11 0		100 kegs, 88 boxes, 38 barrels, 10½ barrels, 6 cases, 697 packages	1492 0 0	407 2 0	720 0 0		4 pkgs.	28 0 0	505 2 0	769 0 0
1859	1864		4534 0 0	3000	84 kegs, 132 barrels, 742 packages	2229 0 0	385 0 0	547 0 0		17 "	287 0 0	478 3 23	735 0 0
1860	885		2569 0 0	9238		595 0 0	244 0 0	350 0 0		8 "	189 0 0	96 1 12	148 0 0
1861	118		479 0 0	9		1 0 0				216,500 3 "	254 0 0	14 0 0	30 0 0
	5727	113	14,170 9 0	46,331	194 kegs, 170 barrels, 30½ barrels, 22 cases, 1009 packages	6052 10 4	1523 0 16	2510 10 0		216,500 32 pkg. 1 case	763 0 0	3157 0 7	4448 15 5

N. B.—The above Return has been compiled from the Office copies of the Quarterly Returns.

WILLIAM YOUNG,
Collector of Customs.

The accompanying Return is furnished for the purpose of enabling His Excellency to form a

approximate idea of the quantity of arms and ammunition in the hands of the natives. Judging by the very small importation into the Middle Island, where the Native population is insignificant, it may be assumed that nearly the whole of the arms and ammunition imported into the Northern Island would ultimately find their way into the hands of the Natives. And in practice it is known that the Europeans (previously, at all events, to the Taranaki war), have been very little in the habit of buying either arms or ammunition for their own use.

Another object in furnishing this Return is to shew the immense impetus given to the trade in arms and ammunition by the removal of the restrictions imposed by Sir George Grey and released by Governor Browne in 1857. The increase in the years 1857, 8, and 9, as compared with 1854, 5, and 6, is an average of more than 1000 per cent. as tested by the value of the articles; the only safe test, regard being had to the miscellaneous character of the parcels in which they are usually introduced.

The Custom House valuation is not more than half the actual rate at which the articles in question find their way into the hands of the retail purchaser. It is evident, therefore, that since the relaxation of the restrictions in 1857, the Natives have expended not much, if any, less than £50,000 on arms and ammunition.

WILLIAM FOX.

No. 2.

MINUTE BY MINISTERS ON THE MACHINERY OF GOVERNMENT FOR NATIVE PURPOSES IN EXISTENCE AT THE DATE OF SIR GEORGE GREY'S ARRIVAL.

Auckland, 8th October, 1861.

The Constitution Act, which in other respects confers on the colonists the fullest powers of managing all the domestic affairs of the colony, makes three exceptions in reference to matters connected with the Natives.

1st. It gives to the Crown power to define Native districts within which, as between nations, their own laws and customs shall prevail. No such district has hitherto been set apart, and so far this exceptional clause of the Constitution has been inoperative.

2nd. The power of extinguishing the title of the Natives in the waste lands is reserved to the Crown.

3rdly. A Civil List of £7,000 a year is reserved for Native purposes; but the specific appropriation of that amount to particular objects of Native service seems to be within the function of the Assembly.

These being the only points on which any exceptions are made from the powers of self government conferred by the Constitution Act on the Assembly, it seems a reasonable conclusion that the general administration and control of Native affairs, in all other particulars except the three above mentioned are *as far as the Constitution Act is concerned* vested in the Assembly.

As regards the right of legislation on Native affairs, the Assembly has always claimed and exercised it, subject only to the same vetos of the Governor and of Her Majesty as on all other matters. But as regards the executive administration of affairs relating to the Natives, an exception has been made from the practice established in reference to the other departments of Government. It is this.

On the introduction of Responsible Government in all other matters in 1856, Governor Browne made it a *sine qua non* that he should retain in his own hands the administration of Native affairs. The following Memoranda, by which the relations of the Governor towards his Ministers were established, explain the position which he assumed to himself in the matter.

“The view the Governor takes of the relations between himself and his Responsible Advisers is as follows:

“1st. In all matters under the control of the Assembly, the Governor should be guided by the advice of gentlemen responsible to that body, whether it is or is not in accordance with his own opinion on the subject in question.

“2nd. On matters affecting the Queen's prerogative and Imperial interests generally, the Governor will be happy to receive their advice, but when he differs from them in opinion, he will (if they desire it) submit their views to the consideration of Her Majesty's Secretary of State, adhering to his own until an answer is received.

“Among Imperial subjects the Governor includes all dealings with the Native tribes, more especially in the negotiation of purchases of land. He will receive and act on the advice of his Responsible Advisers in reference to the amount of money they may desire to have expended in any one year in the purchase of land, but beyond this he considers himself bound to act on his own responsibility.

“The Governor alone is responsible to Her Majesty for the tranquillity of the Colony, which would be endangered by the ordinary and inevitable change of opinions consequent on a change in his advisers.

“It follows, as a necessary consequence of these views, that the Chief Land Purchase Commissioner and his subordinates must take their orders from the Governor alone.”

There was a strong disinclination among many members of the House of Representatives to concur in the retention by the Governor of the administration of Native affairs: but the desire for Responsible Government in other matters induced them to forgo their objections, and the terms proposed by the Governor were finally accepted by the majority, and have been acted upon ever since.

The result is, that while on all other subjects the Responsible Ministers are the sole advisers of the Governor, and exercise the entire executive functions of the Government, on Native affairs the Governor has, in addition to his Ministers, another adviser, his Native Secretary, who is not a Responsible Minister, nor under the control of Responsible Ministers, but who exercises absolutely (subject only to instructions from the Governor himself) all the executive functions of Government in relation to Native affairs.

The Land Purchase Department, which exists under the reservations in the Constitution Act, is also in the same position. The Governor consults his Responsible Ministers to the limited extent specified in the Memorandum of 1856, but also consults without limitation the Land Purchase Commissioner, who is not a Responsible Minister, but to whom is further intrusted the practical function of negotiating for and effecting the purchase of waste lands.

Sir George Grey will recollect, that during his previous administration the two departments of Native Secretary and Land Purchase Commissioner were kept separate; the former having been filled successively by Mr. Dillon, Captain Symonds, and Major Nugent; the latter only by Mr. McLean, Mr. Mantell, and others.

In 1856 the two departments were amalgamated by the union of the two offices of Native Secretary and Chief Land Purchase Commissioner, in the person of Mr. McLean. A prominent result of this union, of the political function of the Government with its commercial function as land purchaser, has been the creation in the Native mind of a suspicion that all the acts of the Government originate in a desire to get possession of their land. They have learned to look upon the Government as a gigantic land broker, and every attempt made by it either to improve their social condition or to control them by the necessary restriction of law, is supposed to have for its ultimate object the acquisition of territory. This feeling to a great extent lies at the foundation of the unsatisfactory relations at present existing between the Natives and the Government.

The House of Representatives, on two separate occasions in the last two Sessions, unanimously condemned the fusion of the two departments. See *Resolutions Sess. Pap.* 1860, 1861. Mr. McLean in May last was called upon by the Governor to resign the Native Secretaryship, and from that date the two offices may be considered disconnected. It will be some time, however, before the effects of their combination will be effaced from the minds of the Natives.

In the session of the Imperial Parliament of 1860, an attempt was made, without any previous communication with the General Assembly of the Colony, to take from the Responsible Ministers the little power which remained to them in Native affairs under the Memoranda of 1856. This it was proposed to effect by establishing a Native Council of advice, and partly of administration, to act altogether independently of the Responsible Government. The Act, after passing the House of Lords, was however withdrawn by Her Majesty's Government. But when the Assembly received an intimation of its being before Parliament, an attempt was made by them to meet the views of the Home Government to a certain extent, by the creation of a Native Council of advice, but at the same time subordinating all the executive functions of the Government to the Responsible Ministers. The Bill was not very popular either in the House of Representatives or out of doors: but what reconciled many of its somewhat unwilling supporters, was the prospect it held out of getting rid of the independent and irresponsible action of the Native Secretary's Department; which, if it continued to exist at all, would do so in subordination to the Responsible Ministry, and would in fact be converted into that of an Assistant Secretary and clerks of the Native Minister. The Act passed the Assembly, and was reserved for Her Majesty's assent. A despatch received by the last mail states that Her Majesty's assent is withheld till Sir George Grey shall report.

Ministers are bound to state that they regard the existence of the Native Secretary's Department, free as it is from all control on the part of the Responsible Ministry, as a very serious evil. While its existence paralyses all independent and vigorous action on the part of the Ministry, it is itself inefficient and powerless. Receiving no sympathy and little support at the hands of the Assembly or the Responsible Ministry, it neither originates nor can it carry out any persistent or large policy, and it is only capable of obstructing, by mere inertia, the attempt of the Colonial Government to bring its energies to bear on Native interests. Thus, while it is the cause of much evil, it is of no use except as a machinery for recording and interpreting Native letters, and administering the petty details which originate in the casual visits of Natives to the City of Auckland, arranging for their personal interviews with the Governor, providing them with lodgings, or giving them orders for food.

The appropriations from the Revenue for Native purposes during the year ending 30th June, 1862, are as follows:—

On the Civil List—	£	s.	d.
Native Minister	800	0	0
Native Secretary	400	0	0
Native purposes, Governmental	7,000	0	0
By Act in 1858, to continue for 7 years—For Schools	7,000	0	0

Carried forward..... £15,200 0 0

MINUTES BY THE

	Brought forward.....	15,200	0	0
On the Annual Appropriations, 1861-2—Native purposes generally, to be expended by Governor in Council		10,000	0	0
Land Purchase Department reduced, and also to be expended by Governor in Council		5,441	0	0
		<u>£30,641</u>	<u>0</u>	<u>0</u>

Besides which, £33,000 of the English Loan is appropriated for this year for pending land purchases.

WILLIAM FOX.

 No. 3.

MINUTE BY GOVERNOR SIR GEORGE GREY ON THE SUBJECT OF HIS EXCELLENCY'S PLAN OF NATIVE GOVERNMENT.

Auckland, October, 1861.

It is the earnest desire of the Queen that Her subjects in all parts of these Islands should participate in the benefits of law and order, be maintained in the undisturbed possession of their lands, and enjoy a perfect security for life and property: and that, for the attainment of these ends, they should, in as far as practicable, themselves frame and enforce regulations suited to their various requirements, and take an active share in the administration of the government of their own country; so that all may regard with contentment and gratitude a government adapted to their wants, administered by themselves, and in the benefits of which all participate. And inasmuch as, up to this time, large portions of the Northern Island of New Zealand have never been provided with any machinery by which law and order could be maintained, the good and well-disposed be protected, and the violent restrained, it is now intended to create the following machinery to give effect to the laws which have, from time to time, been made for the security and welfare of Her Majesty's subjects, both European and Native.

Division of Native portions of Northern Island.

1. The Native portions of the Northern Island to be divided into, say, twenty Districts, each under a Civil Commissioner, with a Clerk and Interpreter, and a Medical man as district surgeon attached to his District.

Hundreds and Officers of Hundreds.

1. Each District to be divided into about six Hundreds, from the Runangas of each of which will be selected two persons to represent such Hundred in the Runanga of the District, and to act as Assessors or Native Magistrates.

2. The Governor will generally select Native Officers from the candidates whose names may be submitted to him by the Runangas of the Hundreds.

3. In selecting Native Officers the preference will be given to those candidates who have a knowledge of the English language.

4. The two Native Magistrates to receive, the one a salary of £50 per annum, the other a salary of £40 per annum.

5. A Warden or Chief Police Officer will be appointed to each Hundred, with a salary of £30 per annum.

6. Five Constables will be appointed to each Hundred, with a salary of £10 per annum each and a uniform for each year.

Constitution of District Runangas.

1. The District Runanga will consist of the Civil Commissioner, and say twelve members.

2. The Civil Commissioner will preside at all meetings of the Runanga, and will have an original vote and a casting vote.

3. The Commissioner's Clerk will act as Secretary to the Runanga until they choose to elect and pay their own Secretary.

4. The District Runanga will meet at the place the Governor may decide on as the residence of the Civil Commissioner of the District, and at such times as the Governor may appoint.

Powers of District Runangas.

1. The District Runanga shall have the power of drawing up, from time to time, bye-laws, for the purpose of putting in force within their District regulations respecting all matters regarding which the Governor is by "The Native Districts Regulation Act, 1858," empowered to make and put in force regulations within Native Districts: that is to say, upon the following subjects:—

(1.) For the prevention of cattle trespass, and the wandering of cattle at large, and for defining and prescribing the rights, duties, and liabilities in relation to damage done by cattle trespass, and otherwise in relation thereto, of all owners or occupiers of land, persons owning or having charge of cattle, and other persons.

(ii.) For the erection, maintenance, and regulation of public pounds, and for regulating the impounding of cattle, and the levying of pound fees, and of other fees and charges in connection with the impounding of cattle.

(iii.) For the erection and maintenance of party and other boundary fences, (including fences between lands over which the Native title has, and adjacent lands over which it has not, been extinguished) and for defining and prescribing the rights, duties, and liabilities of all owners and occupiers of land, and other persons, in relation to such erection and maintenance, and to the cost thereof, and otherwise in relation thereto.

(iv.) For the branding or marking of cattle, in order to the proof of the ownership thereof, and for the prevention of fraud in relation to the branding or marking of cattle, and for the prevention of larceny of cattle, or of the flesh, hides, or skins thereof.

(v.) For the prevention of contagious and infectious diseases amongst cattle, and for prohibiting or restricting the introduction or removal from place to place of infected cattle, and enforcing the cure, cleansing, or destruction of infected cattle.

(vi.) For preventing the growth and spread of thistles, and other noxious weeds.

(vii.) For ascertaining, prescribing, and providing for the observance and enforcement of the rights, duties, and liabilities, amongst themselves, of tribes, communities, or individuals of the Native Race, in relation to the use, occupation, and receipt of the profits of lands and hereditaments.

(viii.) For the prevention of bush and other fires, and the restraint of persons firing bush, scrub, grass, rubbish, or other materials, to the danger of life or property.

(ix.) For the suppression of the nuisance of dogs wandering at large, and for defining and prescribing the rights, duties, and liabilities of the owners of dogs, and of all other persons, in relation to dogs wandering at large.

(x.) For enforcing the cleansing of houses and other buildings in a dirty and unwholesome state.

(xi.) For the suppression of common nuisances.

(xii.) For providing for the health and personal convenience of the inhabitants of any Native Village, Pa, or assemblage of houses.

(xiii.) For the protection of public property, and the common property of tribes or communities.

(xiv.) For the prevention of drunkenness.

(xv.) For the sale, removal, and disposal of spirituous and fermented liquors, and for restriction or prohibition of such sale, removal and disposal.

(xvi.) For the suppression of injurious Native customs, and for the substitution of remedies and punishments for injuries in cases in which compensation is now sought by means of such customs.

2. The Bye-laws so drawn up shall then be transmitted to the Governor for his approval.

3. Such of them as may be approved by the Governor in Council will be proclaimed by the Governor as having force within the district to which they relate.

4. Such approved Bye-laws may be at any time varied or revoked by the Governor in Council, upon the recommendation of the Runanga.

5. The Runangas will also have the following powers:—

(1.) Of inspecting and reporting on Native Schools aided by Government grants, and of recommending the establishment of additional Schools.

(2.) Of erecting, maintaining, and superintending Gaols.

(3.) Of erecting, maintaining, and inspecting Hospitals.

(4.) The charge, construction, and care of roads in their District, not being main lines of road, proclaimed as such by the Government.

(5.) Of providing for the adjustment of disputed land boundaries, of tribes, of hapus, or of individuals, and for deciding who may be the true owners of any Native lands.

(6.) Of recommending the terms and conditions on which Crown Grants may be issued to tribes, hapus, or individuals.

Native Clergymen and Schoolmasters.

In order that assistance may be afforded to the Civil Commissioners and the Runanga in establishing Schools in their District, and promoting the spread of piety and order, salaries of £50 per annum each will be provided for three Native Clergymen and Schoolmasters in each District, subject to such conditions and regulations as may be agreed on between the Government and the head of the religious body to which such ministers may belong.

Resident Magistrates, Native Assessors' Courts.

1. The Civil Commissioners, Resident Magistrates, and Native Assessors, shall periodically hold Courts within their several Districts, at such convenient times and places as may, from time to time, be appointed by the Governor for that purpose.

2. In order that, as soon as possible, uniformity of decisions may be introduced into the several Resident Magistrates' Courts held in the various Districts into which the Native portions of the Northern Island may be divided, regulations will be made which will provide that, when and so often as any such Court shall sentence any person, upon conviction, to be imprisoned with or without hard labor for any period exceeding one month, or to pay any fine exceeding five pounds,

the Magistrate pronouncing such sentence shall forward to the Registrar of the Supreme Court, not later than one week next after the determination of the case, the record of the proceedings in the case, together with such remarks, if any, as he may desire to append; and such Registrar shall, with all convenient speed, lay the same before one of the Judges of the Court in Chambers for his consideration; and, in case the said proceedings shall appear to such Judge to be in accordance with real and substantial justice, he shall endorse his certificate to that effect upon the said proceedings, which shall then, by the Registrar aforesaid, be returned to the Resident Magistrate from whom the same shall have been transmitted. Provided always, that the execution of any sentence shall not be suspended by the transmission of or obligation to transmit the record aforesaid.

3. If, upon considering the proceedings, it shall appear to the Judge in Chambers that the same are not in accordance with real and substantial justice, or that doubts exist whether or not they are in such accordance, then it shall and may be lawful for such Judge to alter or reverse the sentence of the Resident Magistrate's Court, and to set aside or correct the proceedings thereof, and when it shall appear necessary and proper so to do, to remit such case to the said Resident Magistrate's Court, with such instructions relative to the further proceedings to be had in such case, as to the said Judge may seem fit.

4. In order that accused persons may, as far as possible, be tried in their own Districts, and that instructions in the nature and forms of legal proceedings may be afforded to Native officers and others inhabiting remote Districts, arrangements will as soon as practicable be made, by which the seat of Magistracy of each Civil Commissioner will be made a Circuit Town, at which cases which are of a nature which exceed the jurisdiction of the Civil Commissioners and Resident Magistrates' Courts, will be tried before one of the Judges of the Supreme Court.

Locations of Europeans, in Native Districts.

1. In order to promote the welfare of the two races inhabiting this country, and to lead to a community of interests, and the frequent interchange of friendly offices between them, as well as with the view of fostering the development of the resources of the interior, the Civil Commissioner and Runanga of each District will be authorised to report the size of the farms which farmers would require in that District for the purpose of carrying on their calling, whether agricultural or pastoral, reference being had to the situation and soil of each District.

2. So soon as the boundaries and ownership of any lands in any District have been ascertained and defined, in accordance with the regulations of the Runanga, and have been registered in the Civil Commissioner's office and approved by the Government, the Native owners will be permitted to dispose of any such lands, or part of such lands, not exceeding the extent of one farm, by direct sale to any purchaser who may be approved of by the Government on the recommendation of the Runanga, on such conditions as may be agreed on between the seller and purchaser.

3. Such purchaser will be required to enter into a contract to occupy personally such land for the next three years, not being absent therefrom for more than six weeks in the whole in any one year without the leave of the Government previously obtained, under penalty of a fine not exceeding £100 in each case of absence without leave.

4. At the expiration of three years, the purchaser will receive a Crown Grant for the land, and will then be authorised to sell the land to any other approved purchaser, subject to the same condition of personal occupation upon which he held it. After the expiration of ten years from the original purchase of the land from the Native owner or owners, all stipulations regarding personal occupation of the land, and sale to approved purchasers, will cease.

5. The boundaries and ownership of lands in any District having been ascertained, defined, registered, and approved, the Native owners will be permitted to lease such lands, upon such terms and conditions as may be decided on by the Government after consultation with the Runanga of the District in which the lands may be situated.

Estimate of the probable cost of the proposed plan.

20 Civil Commissioners.....	at £500.....	£10,000
20 Interpreters and Clerks	at 150.....	3,000
20 Surgeons	at 150.....	3,000
120 Members of Runanga.....	at 50.....	6,000
120 Members of Runanga.....	at 40.....	4,800
120 Wardens or Police Officers	at 30.....	3,600
600 Policemen	at 10.....	6,000
Suits of Clothing for Police.....	at 6.....	3,000
60 Native Clergymen and Schoolmasters.....	at 50.....	3,000
20 Civil Commissioners, allowance for house and fencing...	at 100.....	2,000

£49,000

NOTE.—A large part of this expenditure could not be incurred in the first year. The six thousand pounds estimated for buildings would not be an annual charge.

G. GREY.

No. 4.

MINUTE BY MINISTERS IN REFERENCE TO HIS EXCELLENCY'S PLAN.

Auckland, 16th October, 1861.

Ministers have carefully considered the plan suggested by His Excellency Sir George Grey for the government of the Native race in this Colony.

Without committing themselves to an approval of all the details, they beg to express their entire concurrence in the principles embodied in His Excellency's suggestions, and in the general outline of the plan proposed by him.

They also most respectfully tender their advice that no time should be lost in making the Natives fully acquainted with His Excellency's intentions, and in practically introducing the proposed system, among all the tribes which may express their willingness to receive it and to aid in carrying it out.

WILLIAM FOX, Colonial Secretary,
and Acting Native Minister,
READER WOOD, Colonial Treasurer,
HENRY SEWELL, Attorney-General,
THOMAS HENDERSON, M.E.C.,
DANIEL POLLEN, M.E.C.

No. 5.

FURTHER MINUTE BY MINISTERS IN REFERENCE TO HIS EXCELLENCY'S PLAN.

Auckland, 31st October, 1861.

Ministers have very carefully considered the plan which His Excellency has been pleased to submit to them for creating institutions of Government for the Native race. They entirely concur in the object which His Excellency appears to have in view—that of framing a system which, while it may provide for the immediate wants of the Native race, will at the same time be sufficiently flexible and open to meet the requirements of a more advanced stage of society, where a more general intermixture of the two races may have taken place in districts now almost exclusively occupied by Maoris. Viewed as a complete and comprehensive scheme, they have much satisfaction in expressing their general and very cordial concurrence; and, in making the observations which follow, their desire is to suggest only such modifications as may facilitate the practical introduction of the system proposed, or of one which shall be identical in its fundamental principles and leading features.

In framing the plan, His Excellency appears to have looked at the subject from a comprehensive point of view, and with a desire to exhibit a full development of his ideas. Ministers have regarded it in a more local aspect, and with a desire to feel certain that practical effect can, in the existing circumstances of the Colony, be given to what is proposed. They feel that the success of any such plan will depend very much upon its adaptation, in the first instance, to the present condition of the Native race, and upon the prominence in it of such features as may recommend themselves to the ideas and previous experience of that race.

In introducing the system, therefore, it will be desirable, as far as possible, to use the rude Native institutions already existing; to begin by giving to them a recognised standing, and promoting their development and activity. The principal (it may be said the only) organization of domestic government among the Maoris is to be found in the Runangas and Assessors—the former a purely Native institution of great antiquity, the latter an adoption from and partly a creation of our Government. The Runanga as at present constituted appears to be little else than a gathering of the people of a particular village or *hapu*. Let it continue so, with the limitation only imposed that none but adult males take part in its deliberations. [a.] The Runanga itself may make and from time to time keep a Register of those qualified to take part in it. There will here be no disturbance of any existing system. Only a taking, under the recognised shelter of the law, of what now exists as a universal custom, and constitutes the only deliberative and legislative institution of the Maori race.

See Governor's notes appended.

It will bear the same relation to other political machinery to be hereafter added, as the Township in the United States of America bears to the County and State organization; and Ministers suggest the name of Township as the most suitable English term for the community that will be represented by a single Runanga. It will correspond with the division of Hundreds proposed by His Excellency. [b.]

The jurisdiction of the Runanga should, as nearly as may be in each case, be co-extensive with the lands of the *hapu* or *hapus* of which it consists. The Runanga should be em-

powered to make bye-laws in all matters which concern those who live within its jurisdiction, subject to the approval of the Governor in Council. This can in practice be done under the Native Districts Regulation Act, 1858, which authorizes the Governor to make bye-laws and regulations for Native districts; and, in point of fact, such bye-laws will in general be adopted by the Runangas on the suggestion of the European Commissioner of the district. [c.]

See Governor's Notes, appended.

All township officers, such as Assessors, Policemen, Poundkeepers, &c., being Maories, should be elected or recommended by the Runangas, subject to the approval of Her Majesty. All European officers connected with the system should be appointed by Her Majesty. [d.]

Each Runanga should elect one judicial officer, the Assessor. (The term "Assessor" is not approved of: but it has already found its way into the Acts of the Assembly, under which the system will have to be worked, and must for the present at all events be retained.) This officer should act alone in all cases where the Commissioner is not present, subject to the periodical revision at very short dates of that officer. [e.]

When the Commissioner sits on the Bench, the Assessor should sit with him, and take part in the proceedings and adjudications. [f.]

A variable number of townships (regulated by geographical, tribal, and other considerations) should be grouped into districts, over each of which a European Commissioner should preside.

Every District should have a Runanga, consisting of members elected from the township Runangas within its limits [g], and should exercise the same powers as regards all questions arising between the different townships, as the township Runanga would exercise in it. [h.] They would, in fact, be a county organization.

This branch of the machinery would be new to the Natives, and might not at first work so smoothly or intelligibly as the simple machine of the non-representative Runanga. It would however be a necessary part of this system, before any combined action for objects of any magnitude can be so.

Ministers attach much importance to the gradual initiation of the system, by beginning in practice from the bottom, and not from the top, in the manner in which the above suggestions will indicate. It will not only be more intelligible to the Natives, but more simple and easy for those who have it to do. Ministers would hope gradually to work up to all, or nearly all, that His Excellency proposes; but they are convinced that the development of the system must be gradual, and that great care must be exercised in securing a firm foundation. They believe that in the existing Runanga such foundation exists, and therefore it is that they seek to direct His Excellency's attention particularly to that institution, and to the expediency of making it in practice the *point d'appui* to which to attach whatever other machinery of government it may be considered desirable to organize. They feel that they cannot press too strongly on His Excellency's attention the very important principle embodied in this idea. It really means that we are not so much to govern the Natives, as to assist them in governing themselves as an integral part of the Colony. The operation of Sir George Grey's proposed system, if carried out on this basis, will result in the ultimate political and social amalgamation of the two races: for the system is one which will be equally applicable to a mixed as to a separate population; and, as Europeans find their way into the interior, they will gradually participate in working the system of government under which they will be living. [i.]

It is not necessary that Ministers should make any lengthened observations on the points of detail contained in His Excellency's plan; but they will put on record a few observations which have occurred to them.

1. As to the establishment of a medical officer in each district. Ministers do not attach much importance to mere pharmaceutical ministrations among the Natives. [j.] The diseases which exist among them are of a class which chiefly result from bad living and insufficient food—in short, a scrofulous degeneration of constitution, which, if not checked, bids fair, in the opinion of many, to end in the extinction of the race. The exhibition of medicines can do little to remedy such a state of things; and it is doubted by some whether the prescriptions of European medical science do not do more harm than good, while the Maories live as they do. For instance, suppose calomel administered to a Maori who exposes himself to the sudden changes of temperature of the *whare puni*. The best doctors for the Maori race are the cow, the mill, the baker's and butcher's shops [k]; and it is believed that by establishing industrial agricultural schools, and holding out every possible inducement to farming and grazing occupations, much more will be done for the health of the Native race than by any amount of medical administration. The establishment of hospitals in the Native districts might operate beneficially; but, as far as yet tried, the Natives have generally exhibited repugnance to resort to those which have been established, owing to no fault in the institutions, but to superstitions or other prejudices. It cannot be denied, however, that, if really competent medical men could be found who would devote themselves to the improvement of the sanitary condition of the Natives, while combining with that function the ordinary practice of their profession, much good might result. But wherever this is done the Natives ought, if possible, to be induced to pay to some extent for medical attendance. The pauperising of the Native race has been already carried to a most injurious extent by the indiscriminate bestowal of gratuitous aid; and in establishing such a system as that proposed, every attempt must be made to give it a co-operative rather than an eleemosynary character.

2. As regards the sale of land by the Natives, and the terms on which Europeans will be allowed to purchase. The subject of land is a difficult and delicate one in the Colony, both in

relation to the vendor and the purchaser. As regards the former, Sir George Grey is aware how much jealousy exists at the present moment in the minds of the Natives on the subject. There seems to be only one method of removing that feeling, without at the same time absolutely abstaining from all further purchase: and that is to leave the matter substantially in the hands of the Runangas. A title sifted through the investigation of these bodies (whose knowledge on the subject will in all except a comparatively small number of disputed cases be found complete), and made the subject of publicity, may be considered as pretty well ascertained. The process of putting a title on record, and ensuring such publicity, may (Ministers believe) be easily and well effected by the plan formerly proposed by Mr. Fenton, and reduced by him into the form of a Bill which it was intended to introduce into the Assembly, and which will be found in the House of Representatives' papers, 1860, E. No. 6w. In principle, it is analogous to the copyhold system in England: and in case of the Native title in New Zealand is peculiarly applicable, in consequence of the publicity attending every transfer conducted under it. It may be added that it has been already in partial operation, though without enactment of law, in the Kaipara district; where Mr. Fenton introduced it when Resident Magistrate there.

When a title has been so ascertained in any particular case, and the Government satisfied of the fact, it is submitted that the Natives should then be left to hold, sell, lease, or otherwise dispose of their lands in such manner as they might themselves choose. Of course it is contemplated that in this, as in all other matters, the Commissioner, acting under the authority and knowing the ideas of the Government, will suggest, and endeavour to induce the Natives to adopt, such regulations as may lead to the sale and occupation of those lands in the manner most beneficial to both races.

As regards the case of disputed titles among the Natives themselves. Ministers conceive that, when once confidence in our rule shall have been established, no great difficulty will be found in inducing the Natives to refer these to some tribunal, to be hereafter constituted, of a certain number of the great Chiefs of the country, whose decisions, on receiving the ultimate sanction of the Government, may become final.

As to the terms on which Europeans will be allowed to purchase land from the Natives. Ministers think that the restrictions proposed by His Excellency are too rigid, and would to a great extent act as an actual prohibition on European settlement in Native districts, which they are aware Sir George Grey is very desirous to promote, and in the expediency of which they most entirely concur. Ministers are quite alive to the importance of preventing a scramble for Maori lands among speculators, who might only buy to re-sell, and from whose ownership in the meantime no advantage—but, on the other hand, positive injury—might ensue. But the very stringent requirements of personal residence under such severe penalties, is not in accordance with the spirit of the European population of this Colony, and would deter the very class which it is most desirable to encourage. Actual *bonâ fide* occupation for a term of years would probably effect all that His Excellency has in view, and would not be open to the same objection [l].

3. As regards the salaries for clergymen and schoolmasters, Ministers think that Government aid should be limited to the latter. The ecclesiastical question may involve difficulties better avoided. Every exertion should be made to promote schools, and it is believed that towards this object the Natives may be induced generally to contribute. There are instances now of their carrying on very efficient schools of their own, and of their maintaining wholly or in part their ministers of religion. The extension of the normal schools, and particularly those of an agricultural and industrial character, should be also promoted as far as possible, and as the Colony progresses these might prove of the greatest advantage to both races.

4. As regards His Excellency's proposal to submit all sentences of the Assessors involving punishments above a certain amount to the revision of the Supreme Court, Ministers suggest that such a course, at present at all events, is not necessary. The District Commissioner will be a person of personal character sufficiently high to create confidence in the decisions of the Courts which he superintends, and ultimately the Governor in Council has in all cases the power of pardon [m].

5. The proposal to establish regular circuits of the Supreme Court, Ministers submit to be premature; they think that for the present the Supreme Court should be resorted to in the case of homicide alone, in which case Ministers concur in the very great importance of the trial taking place in the district where the offence may have been committed—a proposition which will, no doubt, be fully appreciated by the Native race. The Supreme Court could in such cases be put in motion by Special Commissions. Ultimately, when more complicated relations arise between the Natives and Europeans living together, regular circuits will, no doubt, be desirable [n].

In conclusion, Ministers think that the plan proposed by His Excellency has in it all the elements which are essential to supply the present deficiencies in the machinery of the Government of this Colony, so evident in its bearings on the Maori race.

Ministers have made these observations on His Excellency's plan, not as the result of any difference of opinion on its main features, but with the desire of contributing from their more recent local knowledge and experience, suggestions which may enable His Excellency surely and successfully to carry his ideas into practical operation. They believe that even an instalment of what is proposed by His Excellency, if successfully established, will suffice to reconcile the Maoris to live under one common government with the colonists; while, if the whole plan can be carried into operation, it will so evoke the energies of both races, and afford so vast a scope for enterprise in this island, as will make its material and social growth as remarkable as that of any portion of Her Majesty's dominions.

Notes by His Excellency Sir George Grey on the preceding Minute.

[*a.*] This is quite in accordance with my views. But not to distrust the population too much, I should wish to see the Village Runangas transact their business by their representatives.

[*b.*] I should have preferred the term Hundred. It is already in use here. The Natives will make a strange word out of "Township."

[*c.*] I would confine them to merely municipal subjects; my wish would be, in the larger Runangas, to train a superior class of men with larger views than the members of Runangas would require to have.

[*d.*] I should prefer the names of several candidates for the various offices being for the present submitted to the Governor by the Runanga, and that men of good repute in their several tribes be selected from these. I am anxious, where it is possible to do so, to introduce the proposed measures of mine; and no machinery for voters or elections at present exists.

[*e.*] I should make here some remarks regarding elections, as in the last paragraph.

[*f.*] I quite concur in this.

[*g.*] I should here make the same remarks regarding elections as in the previous paragraphs.

[*h.*] I should prefer at once giving to the larger Runangas the powers I have proposed. I would allow the larger Runangas immediately to assemble under their Commissioners. I believe this having been once done, and a meeting of the larger Runanga taking place every six weeks or two months, the smaller Runangas would come into complete action; and, if the larger Runangas had legislated, would supplement their legislation by making such bye-laws as were necessary to complete the work of the larger Runangas. I would, however, leave a large discretion to the Commissioners regarding the times of assembling the different Runangas.

[*i.*] It is hoped that the proposed institutions are equally well suited for a Native, a mixed, or an European population.

[*j.*] I think that one great object is to establish European centres of civilization in many parts of the Northern Island; I should, therefore, advise the appointment of a medical officer, as much for the sake of the Europeans as of the Natives. I think that no European or Native should receive gratuitous medical aid, except on the recommendation of the Civil Commissioner, after enquiry before the Runanga; except in cases of accident or emergency.

[*k.*] A medical man will help to draw these to the spot.

[*l.*] All I desire on the point of buying lands from the Natives is,—

1st. That no one should be allowed to grasp more land than he can use.

2nd. Occupancy for some years.

3rd. Concurrence of the Runanga to the sale.

I should fear, at present, to go further. The great object is to devise a system which, at this critical time, both Natives and Europeans will gratefully accept.

[*m.*] I still think the plan I proposed is the best, and would materially aid in the establishment of law and order throughout the Colony, and create confidence in the minds of both Europeans and Natives in the administration of justice. It can, however, be left if it is desired, for future consideration, and possibly legislation.

[*n.*] I shall be sorry if my proposal cannot be carried out. If it cannot, I would advise that a promise should be made to the Natives that, in all cases of such magnitude that they cannot be tried in their own Courts, a Judge should be sent to try them in their own District, unless there was some necessity to the contrary from the nature of the case.

Note by Ministers in reference to the preceding Notes.

4th November, 1861.

Ministers have carefully considered His Excellency the Governor's notes on this memorandum. They do not perceive that any difference in principle exists between His Excellency's views and their own; and they are quite prepared to give their most cordial and earnest co-operation in carrying His Excellency's plan into effect, satisfied that it amounts to a sound, comprehensive, and practical system, and that any difference of opinion as to the details of the plan will work themselves clear in the light of experience, as it is put into actual operation.

WILLIAM FOX.

No. 6.

MINUTE BY HIS EXCELLENCY SIR GEORGE GREY ON THE COST OF THE PROPOSED INSTITUTIONS FOR THE GOVERNMENT OF THE NATIVES.

Auckland, November 29th, 1861.

The annual expenditure which it is proposed, at least in great part, to do away with by introducing a complete system for the government of the native population of the Northern Island of New Zealand, is as follows:—

Militia and other local forces	£	48,000
Colonial contribution to cost of troops		35,000
Appropriations for native purposes		26,000

General colonial military charges, say	20,000
British extraordinary expenditure on troops (say)	500,000
	£629,000

—of which the Colonial portion is £129,000.

The expenditure proposed to be incurred for introducing such a system of Government amongst the natives, may be stated at (say) £50,000, when the proposed plan is in full operation; but by that time a considerable part of its cost will be defrayed by local taxation. Ultimately, it should not only defray its own cost by local taxation, but leave a considerable sum in aid of the Revenue, applicable for the Administration of justice, local improvements, or such like charges. Upon the whole I think it may be safely calculated that in about seven years it will defray its own cost, and yield some surplus revenue, besides giving a stimulus to the productive energy and to the development of the resources of the colony, which will largely increase its commerce, trade, and general revenue.

I consider it so essential for the safety of the colony, and for the prevention of the impending general war, that this plan should be brought into operation without further delay, that I will incur, as I have already stated to Ministers, the responsibility of foregoing, on behalf of the Imperial Government, the cost of half the expense of the proposed plan, whatever that may be, from the colonial contribution of £35,000 towards the cost of maintaining British troops this colony, a reduction being made in this sum contributed by the Home Government, as the revenues raised under the proposed plan so increase as to defray a part of the whole expenditure incurred on account of it.

This arrangement appears to be mutually advantageous to the Home Government and to the colony; as being likely to effect a considerable reduction in the enormous expenditure in which each of them would be involved in the case of a general war, which it is hoped that the proposed plan will be one great means of averting.

It must be borne in mind, however, that it cannot be hoped that this plan will, unaided by other means, prove sufficient to avert a general war. Other large expenses must be incurred for this purpose. For instance, after the excitement in which the country has been involved, and which has led the Natives to assume so defiant a tone and to exhibit such confidence in their own strength and power, it will be necessary that a large military force should for some years be maintained in the country: in order that the Natives may see that our adoption of pacific measures does not arise from a sense of weakness, and that we have the means and are prepared to compel those who rebel against our authority, to conduct themselves as orderly and well behaved subjects ought to do.

I also believe that the Government will find it impossible in some parts of this Island, without the presence of an armed military police force, to afford to the out settlers that protection and sense of security which is essential to enable them profitably to occupy their farms; such a force will therefore hereafter probably have to be organized.

It will also, I feel assured, be essentially requisite for the purpose of occupying the Native mind, and of withdrawing many of their enterprising young men from the influence of the more turbulent chiefs, to open up some parts of the country by roads, upon which working parties of troops and natives may be employed as was done at the close of the war of 1846 and 1847: and as a part of this plan, as also with a view to the protection of the out settlements, it will be requisite to occupy the great lines of communication by military posts, on a plan which I will hereafter discuss.

It need hardly be added that the total annual expenditure upon all these objects, which expenditure will last but for a short period of time, will not nearly equal the mere annual interest of the capital which would be sunk without producing any return whatever, in the first year of a general war; which would then probably last for several years, and at the close of which, when the out settlements had been swept away, and the settlers had been ruined, it would still remain necessary to take such measures for the permanent peace of the country, as it is now proposed to take at once.

With regard to the means which should be taken for raising ultimately from local sources the funds which would be required to defray the cost of the proposed system of magistrates and police, I think the following are the principal sources from which such funds should be derived.

1. The fines and fees levied in the several courts of the Civil Commissioners and Resident Magistrates.

2. A local tax to be raised in each Civil Commissioner's district, for Magistrates, Police, Schools, and medical attendance in each district. I would levy this in the form of a house and land tax, which in two or three years, it will be found, there will be no difficulty in inducing the Natives to pay. All those paid by the Government cannot refuse to pay it. It would merely form a small income tax upon their Government salaries. They will soon form an influential part of the community, whose example would be readily followed. The principal chiefs will soon use all their influence in favor of a plan of taxation upon which they will see their own position and income depend. They will judge rightly that an increase of the revenues of their respective districts will not only render secure the incomes they have, but will certainly lead to an increase of these, proportioned to the augmented wealth of their people and districts. It also seems right and just that a people should pay for their own good government, and for the protection of their lives and properties.

3. Wherever the seat of Magistracy of a Civil Commissioner is placed, where consequently the Runanga will sit, the Civil Commissioner, Clergyman, and Medical Officer of the district will reside ; where assizes will be held, where the gaol will be built, and a land registry office will be established ; a small country Town will gradually spring up, where land will in time become of considerable value. At some places such as Tauranga, large seaport towns may ultimately spring up, from such causes as I have above detailed.

I think, therefore, that at every seat of Magistracy of a Civil Commissioner, a town should be laid out, in which sites for public buildings and for the residence of the Civil Commissioner, for hospitals, parks, &c, should be reserved as public lands ; whilst the remainder of the allotments in such town should be disposed of subject to the payment of a perpetual annual quitrent, which should be available in the first instance for the payment of the cost of the proposed plan, and ultimately for the public purposes of the district. By a careful reservation of the public lands in the vicinity of towns, for the purposes such as I have indicated, a very large revenue will be raised ; and to foster this, and to aid in the civilization of the Natives, and the development of the resources of the country, I think that every encouragement should be given to butchers, bakers, blacksmiths, carpenters, and tradesmen of every kind, to settle in these inland towns. I would even, if necessary, upon application from the different Runangas, bring out emigrants of this class from Great Britain, for the express purpose of being located in such of the inland towns as might be agreed upon with the Runangas. I think also the principal chiefs of the district should be allowed, in such towns, to have one or more allotments subject to the payment of an annual quitrent. If such allotments were judiciously selected for them, they would soon take a great interest in the town, and an income might be raised from this source for themselves and their heirs.

4. I think it might be found expedient to require of all persons, who under the new regulations purchase land direct from the Natives, to pay an annual quitrent to the Government for such land, to be applied to the public uses of the district ; and in all cases of the resale of such lands, I would require a transfer-duty of two per cent. on the purchase money as a fee to the Crown ; the proceeds of this tax to be applied in like manner to the public uses of the district. I would also require all persons who leased land from the Natives under the proposed regulations, to pay a fee for the registration of such lease, and also an annual licence fee to the Government in proportion to the extent of land leased, to be applied in like manner for the public uses of the district.

5. I think that the Runangas would soon, if empowered to do so, raise funds for public purposes by local taxation. The Natives are not really a poor people. They can only be said to be so whilst their lands are of no value. If, under the proposed regulations, law and order are introduced throughout the whole country, Europeans flock into the Native districts, and a considerable value is given to the lands of the Natives, they will soon be a people quite able to bear local taxation, and willing to impose it, to give a still increased value to their property.

Before closing this Memorandum, I wish to remark upon a few other points.

The Natives belong almost entirely to the three following Christian bodies : The Church of England, the Church of Rome, or the Wesleyan Methodists. In my belief, nothing would tend more to promote the peace of the country, to civilize the Natives, to lead to the settlement of a large European population amongst them, and to the welfare of that European population when so located in Native districts, than that the country should as rapidly as possible be filled up with European Clergymen. The presence of a European Clergyman and his family in a Native district produces advantages for the Native population which can be only fully estimated by those who have witnessed the results which flow from the residence of a European Clergyman in a Native village.

I would, therefore, earnestly recommend that as the new regulations are introduced, the Natives in all populous places should be encouraged to set apart lands for the endowment and support of Clergymen of the three denominations which I have named. Arrangements should then be made with the head of the particular religious body for securing, with as little delay as possible, the services of a Clergyman for the locality in which such an endowment had been set apart. I feel so strongly the benefits which would result from this plan, that, did it rest with myself, I would pay from public funds part of the cost of the introduction of such Clergymen into the country, and their establishment here when they had arrived, and would share with the Natives, for three or four years, the salary of the Clergyman until the Native contributions, and the produce of the glebe, might reasonably be expected to be sufficient for his proper support.

Again, in selecting persons to introduce the proposed plan for the government of the Natives, I would earnestly recommend that some Military men should, for the present, be employed.

I do not think it will be possible immediately to obtain the services of a sufficient number of qualified civilians to fill the posts of Civil Commissioners and Magistrates. A civilian once put into such a post, however ill-qualified he may prove to be for it, will be very difficult to be got rid of. It therefore appears essential to have time to make well considered choices, and to choose really able men. Energetic men are required for these offices. On my return here, I have been much struck with the increased ability, energy, and independence of the Natives. They now require very able and energetic men to influence them, to shew them where they are wrong, and to lead them to what is right.

The large Military force now stationed here, affords a considerable choice of officers in the prime of life, well educated, energetic, accustomed to command, and, what is of equal importance, accustomed to obey, and to carry out, literally and faithfully, any plan which they are employed to bring into execution. It is also of great importance that the officers of the force serving here,

should acquire, as speedily as possible, a knowledge of the country, of its Native inhabitants, and their customs and language.

The services of a Military man, as he would draw his regimental pay and allowances, can be secured for less than those of a civilian. The appointment of a Military man would be only a temporary one. If he proves unfit for his office, or a better man is found for it, he can forthwith be allowed to return to his regiment. He is more likely to exert himself than a civilian, because a greater reward is held out to him. If he distinguishes himself in the service on which he is employed, there is a great probability that it will lead to his Military promotion, and to his future distinction in his own service.

These several reasons make me earnestly recommend that a good selection of some Military men should be made: and that, as soon as practicable, they should be sent into some of the Native districts to introduce the new regulations, and that they should be accompanied by the most fitting Interpreters that can be found for them. I believe it is a mistake to think that because a man knows the Native language, he is therefore necessarily qualified to be a Magistrate, and virtually Lieutenant Governor of a large Native district. I would rather say, get the ablest men, with the highest mental qualities you can obtain, to rule and lead on in civilization the semi-barbarous population of this country—duties which, to be properly performed, require minds of a high order—and give them the ablest Interpreters you can procure for them. The mere knowledge of the Native language is a very secondary qualification for such important purposes.

G. GREY.

No. 7.

MINUTE BY MINISTERS IN REFERENCE TO HIS EXCELLENCY'S MINUTE No. 6.

Auckland, 6th December, 1861.

Ministers have read and considered His Excellency's Memorandum of the 29th November, 1861, relative to the cost of the proposed institutions for the government of the Natives.

Assuming the annual cost at that stated by His Excellency, and that half of that amount is already provided by the colony for special Native purposes, Ministers consider His Excellency's offer to enable them to provide the other half by appropriating to the Native service the colonial contributions towards the cost of the Imperial troops, as liberal and satisfactory.

It will be necessary, however, to work in with His Excellency's plans the amount already appropriated, partly by civil list and partly by special Act, so as to make it available for the maintenance of the new machinery. This may prove a matter of some financial difficulty; but as it will be some time before the system contemplated by His Excellency can be generally introduced, there will be opportunity gradually to adapt it to the existing arrangements.

Ministers do not shrink from the responsibility of adopting plans involving so large an expenditure. On the contrary they consider that circumstances absolutely require it; and require also that the emergency should be faced at once. It would be idle to attempt the solution of existing difficulties by proposing plans for the social improvement of the natives, dependent on possible votes of the General Assembly. But His Excellency must not misapprehend the extent to which Ministers can pledge the colony in a matter of finance. They can and will recommend to the General Assembly to make the requisite provision for the intended objects, and they can and will stake their own position as Ministers, on the Assembly adopting their recommendation; but they have no constitutional power to bind the Assembly before hand.

WILLIAM FOX.

No. 8.

MINUTE BY MINISTERS IN REFERENCE TO THE GOVERNOR'S PROPOSED VISIT TO WAIKATO.

Auckland, 6th December, 1861.

The Governor being about to visit the Waikato district, Ministers desire respectfully to express to His Excellency their views as to the course of policy to be pursued.

The Natives whom His Excellency will meet are likely to be a very mixed body, different altogether from the Northern Natives whom he lately visited. Many of the Waikatos whom the Governor will meet on this occasion, will have been more or less compromised in the late transactions. Probably there will be men of every shade of opinion amongst them, from extreme partisans of the king movement, to those whose fidelity to British authority has been unshaken.

The first thing in our opinion for the Governor to settle is, *what shall be done*. Will he enforce compliance with Colonel Browne's terms of peace enunciated at Taranaki, at all hazards—by military force if need be? Will he, in fact, march troops into the Waikato unless the king flag is pulled down—unless the Natives will permit roads to be made through their country, and restore the Taranaki plunder? It is our duty as Ministers to offer His Excellency clear and distinct opinions on these points. The responsibility to the Imperial Government will rest with him for the action taken, and to the General Assembly with us for the advice we may give.

For our part, we think that under no circumstances would it be wise in Sir George Grey to undertake a movement into the Waikato to pull down the king flag, suppress the king movement, and enforce Colonel Browne's terms. Equally unwise would it be to hold up *in terrorem* to the Natives a mere pretence of such a plan of operations.

If the king party or their adherents are guilty of outrage upon settlers or their property, wheresoever they may be, whether on Native or European ground, it will be then for the Government to consider the proper means to be taken. In the meantime our position should be that of watchfulness, giving the unfriendly natives clearly to understand that any hostile aggression on their part will lead to sharp and swift measures of retaliation; though we hold it to be in the highest degree unlikely that the Natives, or any section of them, will be guilty of any such hostile aggression. On the question of undertaking military operations in the Waikato country, we have the opinions of Colonel Browne himself, the Military authorities, and the Military Defence Committee of both Houses of Assembly, who are all agreed that it would not be safe to move troops into that district without a large increase of our military force. Sir George Grey can himself judge whether the Home Government is likely to send additional troops, or whether he is prepared to recommend it. We, as Ministers, must say that without additional aid, particularly in the way of protection to the Southern Provinces of this island, no such movement ought to be undertaken. We rest these opinions on grounds of inexpediency in a military point of view. We do not say that on other grounds we should not equally object to such an aggressive movement, as uncalled for, attended with grave risk, costly, and not likely to produce adequate results.

If it be decided not to undertake military operations against the Waikatos, we think it best to let the Natives understand our intentions. We see no good, on the contrary much evil, in keeping up false excitement, irritating the Native mind, rousing undefined alarms, stirring up against us their sentiments of pride and nationality, and probably leading the Government into a position where it may find itself unable to advance with safety or retreat with credit. *Better far, in our opinion, if we do not mean aggressive war, to say so.* If it be said that Government is bound by Colonel Browne's declarations, we hold the present Government free from any such embarrassment. The circumstances are altogether new, and justify a new course of treatment.

What course, then, should be pursued towards the king party, supposing them to persist in their present attitude of sulky independence? In our opinion they should be left as they are,—treated with indifference,—and, as far as may be, regarded as in a state of outlawry. And they should be made to understand that such is the light in which we intend to regard them. We shall find means of distinguishing between friends and enemies, and the Natives will not be slow to find out that their own interests will lie in returning to friendly relations with us.

We have no confident expectation that the king movement will disappear, or the king flag be pulled down, on the occasion of Sir George Grey's visit to the Waikato; and we think that he should be prepared for that contingency. But it would be worse than an absurdity to make such a matter a *casus belli*. To apply to the Natives of New Zealand principles of allegiance and treason drawn from our own jurisprudence, is simply preposterous.

As to enforcing restitution of plunder, or compelling the Natives to allow roads to be made through their country, it may be well to insist on these as conditions for conferring social and political advantages upon them; but very idle to make the non-compliance with such terms a ground of war.

But, at the ensuing meeting at the Waikato, the language of the Governor to the Natives who have taken part in the king movement should, in our opinion, distinctly mark the Governor's disapprobation. The folly of that movement, if regarded as an attempt to establish a distinct nationality, should be pointed out. The absurdity of their endeavour to maintain a separate government, and the mischiefs which they will bring on themselves, and the benefits of which they will deprive themselves, should be shown to them. The opportunity should not be lost of insisting upon such topics. Above all, we must not treat all alike, friends and foes; our old allies and those who are at the best but half friends. The language and tone should be different towards those different classes.

As regards the offer of improved social institutions, it should be made only to those who are friends, or willing to be such; and the Natives should be made to understand that the Governor does not intend to force their adoption. They are in fact a boon of great value, which should be rather granted in answer to earnest solicitations, than volunteered as a new scheme contrived and peremptorily enjoined by the Governor, or pressed on their acceptance. Presented to them in that form, they may be viewed with jealousy and suspicion.

As regards the Ngatiruanuis and Taranakis, we do not think that the Governor, in addressing the Waikatos, should speak on the subject with an uncertain voice. The Natives generally should be told in plain terms, that the Governor means to take such security for the future good behaviour of these Natives, as shall ensure the British settlements, Taranaki in particular, against a repetition of hostile attack. What particular measures he may adopt for that purpose, whether the formation of roads, the establishment of military posts, or the like, will of course rest with His Excellency; but the state of Taranaki demands decisive action, and the intentions of the Government on this point ought to be clearly stated to the Natives: they should be informed that, whatever the Government may determine on that subject will be carried out. Above all, we think it desirable to threaten nothing which we do not mean, and are certain of performing; and what we do mean should be clearly stated.

As regards the financial aspect of the experiment about to be made, Ministers have already addressed His Excellency in another memorandum. They will only add their belief that the

General Assembly will readily vote any reasonable sum for the proposed objects,—say to the extent of the amount indicated by His Excellency,—provided it feels satisfied that such expenditure will compass the object in view: nameiy, the permanent solution of the Native question. But it is right that His Excellency should understand the mind of the Colony and the Assembly on this point. What they want is a permanent, and, if possible, a peaceful adjustment of the question; with reasonable guarantees for the future tranquillity of our settlements, and the undisturbed progress of colonization. They will be ready to purchase these objects at a large price. But they will not be contented with any mere temporary lull of Native disturbances; and Ministers feel bound to add, that the Assembly may possibly hesitate to admit its entire liability for the past management of the Natives or its consequences, including the late war and whatever may be the sequel of events directly flowing from it.

WILLIAM FOX.

No. 9.

NOTIFICATION CIRCULATED AMONG THE NATIVE TRIBES, JUST BEFORE THE GOVERNOR'S VISIT TO WAIKATO, DECEMBER 1861.

These are some of the thoughts of the Governor, of Sir George Grey, towards the Maories at this time.

His desire is, how to arrange things, that there may be good laws made, and those laws be put in force; and how all men, both European and Maori, may be taught to work for the common good of the country in which they live: that they may be a happy people, rich, wise, well instructed, and every year advancing in prosperity.

For it is the desire of the Queen (whose heart was dark when she heard of the troubles in New Zealand), that all her subjects, both Europeans and Maories, in all parts of these islands, should have the benefits of law and order; that the lives and persons of all men should be safe from destruction and injury; and that every man should have for himself and enjoy his own lands, his cattle, his horses, his sheep, his ship, his money, or whatever else belongs to him. And it is the desire of the Queen that all her subjects should help in making the laws by which they are governed, and that from amongst them should be appointed wise and good men as Magistrates, to adjudge in cases of disputed rights and punish the wrong-doer, and to teach the law, how it should be obeyed.

The Europeans in New Zealand, with the help of the Governor, make laws for themselves, and have their own Magistrates; and because they obey those laws, they are rich, they have large houses, great ships, horses, sheep, cattle, corn, and all other good things for the body. They have also Ministers of Religion, Teachers of Schools; Lawyers, to teach the law; Surveyors, to measure every man's land; Doctors, to heal the sick; Carpenters, Blacksmiths, and all those other persons who make good things for the body, and teach good things for the souls and minds of the Europeans. It is because they have made wise and good laws, and because they look up to the Queen as the one head over all Magistrates, and over all the several bodies of which the English people consists.

It is the desire of the Queen, and this also is the thought of Governor Grey and of the Runanga of the Pakehas, that the Maories also should do for themselves as the Europeans do. They know that of late years the Maories have been seeking for law and order. The Englishmen have been more than a thousand years learning how to make laws and to govern themselves well. The Maori has only just begun this work. Besides this, in order to have Magistrates, and Policemen, and other officers, it is necessary to pay them, for the labourer is worthy of his hire; and he who works for the whole body of the people, should be paid by the people; for while he works for them he must, more or less, neglect his own work.

Now the thought of the Governor is how he may help the Maories in the work of making laws, and how he may provide for the payment of the Magistrates and other Officers of Government, till such such time as the Maories shall have become rich and be able to pay all the expenses themselves. In order, then, to provide the machinery of good government among the Maories in these Islands, the Governor desires to see established the following system, whereby good laws may be made, well disposed persons be protected, bad men restrained from violence, and security for life and property be ensured to all.

1. The parts of the Island inhabited by Maories will be marked off into several districts, according to tribes or divisions of tribes, and the convenience of the natural features of the country. To every one of these districts the Governor will send a learned and good European to assist the Maories in the work of making laws and enforcing them; he will be called the Civil Commissioner. There will be a Runanga for that district, which will consist of a certain number of men who will be chosen from the Assessors. The Civil Commissioner will be the President of that Runanga to guide its deliberations, and if the votes are equal on any matter, he will have a casting vote to decide. This Runanga will propose the laws for that district, about the trespass of cattle, about cattle pounds, about fences, about branding cattle, about thistles and weeds, about dogs, about spirits and drunkenness, about putting down bad customs of the old Maori law, like the *Taua*, and about the various things which specially concern the people living in that district. They will also make regulations about schools, about roads, if they wish for them, and about other matters which may promote the public good of that district. And all these laws which the district Runangas may propose will be laid before the Governor, and he will say if they are good or not. If he says they are good, they will become law for all men in that district to which they relate. If he says they are not good, then the Runanga must make some other law which will be better. This is the way with the

laws which the Europeans make in their Runangas, both in New Zealand and in the great Runanga of the Queen in England.

2. Every district will be subdivided into Hundreds, and in each of these there will be Assessors appointed. The men of that district will choose who shall be Assessors, only the Governor will have the word to decide whether the choice is good or not. The Magistrate, with these Assessors, will hold Courts for disputes about debts of money, about cattle trespass, about all breaches of the law in that district. They will decide in all these cases.

3. In every Hundred there will be Policemen, and one Chief Policeman, who will be under the Assessors. These Policemen will summon all persons against whom there are complaints before the Court of the Assessors, and when the Assessors shall have decided, the Policeman will see that the orders of the Assessors are carried out. All fines which shall be paid shall be applied to some public uses. The Commissioner or Magistrate will keep this money till it is required.

4. The Runangas will also be assisted in establishing and maintaining Schools and Teachers; sometimes Europeans, sometimes Maories, will be appointed. The Maories ought to pay part of the salary of the School Teacher, the Governor will pay the rest.

5. Where the Runangas wish to have an European doctor to live among them, the Governor will endeavour to procure one to reside there, and will pay him so much salary as may make him willing to go to that work. The doctor will give medicine to the Maories when they are sick, and will teach them what things are good for the rearing of their children, to make them strong and healthy, and how to prolong the lives of all the Maories by eating good food, by keeping their houses clean, by having proper clothes and other things relating to their health. This will be the business of the doctor. But all those who require the services of the doctor will pay for them, except such as the Runanga may decide to be too poor to do so.

6. About the Lands of the Maories. It will be for the Runangas to decide all disputes about the lands. It will be good that each Runanga should make a Register, in which should be written a statement of all the lands within the district of that Runanga, so that everybody may know, and that there may be no more disputings about land.

This then is what the Governor intends to do, to assist the Maori in the good work of establishing law and order. These are the first things:—the Runangas, the Assessors, the Policemen, the Schools, the Doctors, the Civil Commissioners to assist the Maories to govern themselves, to make good laws, and to protect the weak against the strong. There will be many more things to be planned and to be decided; but about such things the Runangas and the Commissioners will consult. This work will be a work of time, like the growing of a large tree—at first there is the seed, then there is one trunk, then there are branches innumerable, and very many leaves: by and bye, perhaps, there will be fruit also. But the growth of the tree is slow—the branches, the leaves, and fruit did not appear all at once, when the seed was put in the ground: and so will it be with the good laws of the Runanga. This is the seed which the Governor desires to sow:—the Runangas, the Assessors, the Commissioners, and the rest. Bye and bye, perhaps, this seed will grow into a very great tree, which will bear good fruit on all its branches. The Maories, then, must assist in the planting of this tree, in the training of its branches, in cultivating the ground about its roots; and, as the tree grows, the children of the Maori, also, will grow to be a rich, wise, and prosperous people, like the English and those other Nations which long ago began the work of making good laws, and obeying them. This will be the Work of Peace, on which the blessing of Providence will rest,—which will make the storms to pass away from the sky,—and all things will become light between the Maori and the Pakeha; and the heart of the Queen will then be glad when she hears that the two races are living quietly together, as brothers, in the good and prosperous land of New Zealand.
