

doubt, then, of their willingness to contribute land towards the permanent support of institutions for the purposes above mentioned, provided they have themselves a reasonable share in the working of the system. Care will of course be needed to select for this purpose lands which, by reason of some peculiar advantage of position, may be sure to be in demand for permanent occupation by tenants.

In cases where, from one cause or another, it may prove impracticable to provide a direct endowment in land for the purposes here mentioned, an indirect mode of attaining the same end will be afforded by the system of public sale. A certain percentage on the proceeds of the sale may be retained and invested in the purchase of land to be held as such endowment.

*Administration of Justice.*

9. Thus far I have considered the operation of the new Act as capable of being made instrumental for the purpose of reviving or creating among the Native population a sense of the substantial benefits to be derived from their connection with us. I have been looking chiefly to present difficulties, and the prospect of escaping out of them into a better state of things. But in all our operations it is necessary to look beyond this, and even from the beginning so to direct and shape our proceedings as may most facilitate the establishment of a permanent and legal order of things. Therefore, from the very beginning, we must form to ourselves some distinct conception of that which we desire to establish.

It is quite true that there is no use in attempting to force institutions on people who do not desire them, or to push them on over-rapidly whilst a population is ill prepared for them; but it is exceedingly important to miss no opportunity of introducing them that may offer itself. For this end, then, it is necessary that we shall have considered the whole matter beforehand, and formed our plans for acting when the time comes.

I think it will be admitted by all, that our system ought to be something simple and intelligible in itself, and free from all complication and causes of unnecessary delay. Moreover, that it should be so modified from our own system, and so far adapted to the condition of the Native population as to remove prejudices and obstacles, and to make the transition from the one to the other as easy as possible; lastly, that it should be such as may be combined easily with the general system of the Colony, and ultimately blended therein. If the procedure be tardy or costly, or clogged by a necessity of referring frequently to the Seat of Government, and especially of references backward and forward from one Government office to another,—from one person uninformed and uninterested to another equally so, and back again,—it will most surely fail in its object; it will never come to be valued or respected by either race, and it will never beget a peaceful and contented spirit in the population. To the Maoris resident in the Native districts, the necessity of referring for a settlement of disputes to the Seat of Government, or to the nearest English town where a Judge is to be found, is a very great grievance and evil. When parties come on such an errand, they often hang about the town with wives and children, either at the charge of the Government, in which case they linger on, becoming gradually pauperised; or if at their own charge, incurring debts on a ruinous system of credit. Of course the leading practitioners, whose hands are already full, are not inclined to take business of such a kind. Even if such a man is moved to take it up, all must be done through interpreters, and therefore at an increased cost. And it may after all be found that the ultimate point in dispute is one which is excluded from the jurisdiction of our ordinary Courts. If we wish to commend to the Natives our ways of proceeding, we must clear them of the many difficulties which beset them now. In this respect, the present state of things is more likely to create disaffection than to remove it. Instead of bringing the Natives to our Courts of Justice, we must carry our Courts to them. How, then, is a speedy and efficient administration of justice between the two races, in matters criminal and civil alike, to be established and maintained?

*Native Districts.*

10. In the first place, I assume it as settled, that for this purpose the country is to be divided into districts, in each of which districts a Civil Commissioner is to be placed. It appears essential that the district should be no larger than such as can be effectually supervised by one man, subject only to such amount of control from the Seat of Government as may be absolutely necessary—and even that control exercised as far as possible through the Commissioner himself.

The district of the Civil Commissioner should not be merely a geographical division of the country, but rather its extent and boundaries should be determined by considerations of relationship and inter-communication subsisting between the Native inhabitants. It should comprise tribes or divisions which have a common sentiment and generally act together, already feeling themselves to be naturally one, and which are thereby in a certain degree prepared for union of administration under our system.

In the following remarks it will be desirable to sketch a district fully organized, with all such subordinate officers as may be needed in any case; but I do not mean that we ought at once in every district to seek to set up such complete organization. On the contrary, I should prefer to set it up nowhere, except on the requisition, or at least with the assent, of the population. In a large part of the country, our objects might for some time to come be best advanced by the appointment of a single officer, who should be rather a resident than a magistrate, ready to advise and guide whenever there should be an opening, but claiming no coercive jurisdiction whatever. Such an officer would be the root out of which the full system might grow in due time. I return now to a sketch of the system, as it should be completed and established, whenever the course of time and circumstances may allow. A completely organized district would have for its officers a Civil Commissioner, Resident Magistrates, and Native Magistrates. Out of the number of the Resident Magistrates the more experienced and able would be selected to fill vacant Commissionerships. The several places and functions of these officers should be so clearly defined as to prevent clashing. A multiplication of officers either co-ordinate with one another, or in an ill-defined subordination, is sure to be a source of weakness and inefficiency. Starting, then, from these principles, we shall consider first the relations of the several parts of the proposed system, and next the rules by which the several parts are to be ordered; with a view throughout to the utmost simplicity in the organization of the district, and to its completeness, as far as possible, within itself.