

Court or Trust Commissioner. All reserves wanted by the people or individual Natives could be made, and the worst system that ever existed could, by a dozen clauses in an Act, be made the best. The only successful business transaction ever accomplished by the Government for the Natives was the leasing of the Rotorua Township; yet that was only successful because the Government had treated the tribal owners as a corporate body. Let Parliament change the law, and enable them to act, as they always used to act, tribally. If not, then let Parliament, if it desires to deal consistently with all, say that all shareholders in every joint-stock company shall hold the corporate lands in severalty in undivided interests—let it declare that the corporate property of our towns shall be the property not of the legal entity, the corporation, but of the individual burgesses; and lastly, let it enact that henceforth all the public lands of New Zealand shall not belong to the Crown in trust for the people, but that every man, woman, and child shall be an owner, and no lease, no sale, no contract about one foot of land, owned by companies, or corporations, or Government shall be valid, until all have joined in the transaction, or the land has been subdivided.

A very gross act of cruelty and bad faith as well as folly was perpetrated by us when we compelled the Natives to hold their lands as individuals. The Treaty of Waitangi assured them of "all their rights in their lands." The chief right of all was the right of tribal ownership—but a tribe of five hundred persons is totally different from five hundred distinct and opposing claimants. It is the tribe which owns the land, and it is the tribe which, in justice, ought to have sole power to use it or to deal with it. If we restore this right the Native mind will be at once satisfied. The natural law which guides this subject is as strong as any other law of nature. And just as when we break through the laws of health or the laws of commerce, or the statute law, or the law of public opinion, we encounter difficulty and suffering, so, having broken through the law which nature has made in this matter, we have suffered and we have made others suffer also who had done no wrong. Were the Maoris permitted to pursue their natural system we should soon perceive a great change in their character and *status*. They would make great endowments for schools and compel all their children to be educated; they would encourage settlement and commerce; they would, in all probability, take upon their lands a portion of the cost and burden of the great public works necessary to make those lands of value; they would become profitable customers, large producers and taxpayers of no inconsiderable amount. Rising in self-respect and conscious of responsibility, they would no longer be a cause of anxiety to the State; but, on the contrary, a source of wealth and credit. They would be bound to us by the strongest ties which can bind humanity together.

Nearly all the Native litigation which has burdened the Courts of law and sickened the mind of the public for the last fifteen years has arisen from the dealing of individual Natives with the tribal lands under the Acts of 1865 and 1873. So confused, uncertain, and scandalous were many of the transactions between Europeans and Maoris in the acquisition of lands from the Natives, that the Bill proposed by the late Government for the resumption of the pre-emptive right by the Crown, or for the compulsory agency of the Government in all such dealings has drawn forth a strong expression of approval from most parts of the colony outside those districts whose prosperity depends upon the settlement and disposal of the waste lands of the Natives. But with all deference to the opinions of those who see in the passage of this Bill the only method of healing this particular sickness of the body politic, I venture to urge that the remedy will be well nigh as disastrous as the disease itself. The Government cannot purchase without injuring the Maori as well as the European, and no Maori tribes will consent to hand over the disposal of their lands to bodies, such as Waste Land Boards, over which they would have no control, and with whom they could hold no communication. As to giving their land to the Government for disposal, all their experience in the South Island as well as the North, on the East Coast as well as the West, has turned their minds against that course with a determination that nothing can shake.

There yet, however, as we have seen, remains one plan entirely consistent with Maori ideas, in accordance also with the method of procedure adopted in the earlier dealings between the Government and the Maoris, and one in which we are ourselves accustomed—as members of corporate bodies and joint-stock companies—to deal with property of all descriptions every day. And this, too, I think, is a method which, in the various Acts of the Assembly, the Parliament of New Zealand seems to have been groping for, although without success. This, shortly, is the method of tribal dealing through the instrumentality of committees chosen by the owners of the different blocks of land, around all which dealings such restrictions and safeguards shall be placed as will satisfy justice and prudence.

Under the present system, as well as under the system proposed by the late Government, another grievous wrong is, and would be, done to the Native owners of land. As an adjunct to the possession and ownership of land, the profitable occupation and enjoyment of that land ought to be essential; but, by the laws we have forced upon the Maoris, this, so far as they and their lands are concerned, is impossible. Without organization such as in this paper is recommended, it is vain for the Maoris to hope to utilize their lands: all they can do is to sell or lease them. What other portion of Her Majesty's subjects would be content with laws which impose such manifest burdens and such improper disabilities?

Why should not the Maoris, by committees appointed by themselves, have the power to manage their own estates, just as the properties of companies are managed by directors? Why should not they, as well as all other of the Queen's subjects, be permitted to have sheep stations or cattle stations, or erect stores, or make reserves for schools or charitable or other purposes? What right have we as free men to make laws without their concurrence, which place them at a tremendous disadvantage as compared with ourselves, and deprive them, by an iniquitous and tyrannical series of enactments, of the power to manage their own property for their own happiness, in a manner at once consistent with the genius of their customs and the public good? If the law enabled them to deal with their lands after the ownership has been determined, regarding the tribe as one person; if they were assured by law that no dealings with individual Natives would be henceforward allowed; if they were, also, assured that full power to deal with their