

6 FURTHER PAPERS RELATIVE TO NATIVE AFFAIRS.

D.

ative Crown Grants Bill.

D., E., and F. are drafts of three Bills, prepared by my Responsible Advisers, with some observations on them which I have made in preference to attempting to embody my own views in a similar form.

E.

tive Districts Colonization Bill.

G. consists of letters from the Bishop of New Zealand, Dr. Martin (the late Chief Justice) and Mr. Swainson (the late Attorney-General), from Mr. Daldy, Member of the House of Representatives (one of the gentlemen who has taken an active part in agitating for what is called the direct purchase, or enfranchisement of Native lands), together with letters from some others whose opinions you will desire to be acquainted with.

F.

tive Lands Partition Bill.

G—No. 1.

ishop of New Zealand, 25th August, 1859.

G—No. 2.

Dr. Martin, 14th September, 1859.

G—No. 3.

Mr. Swainson, 14th September, 1859.

G—No. 4.

Mr. Daldy, 14th September, 1859.

G—No. 5.

Archdeacon Kissing, 14th September, 1859.

G—No. 6.

Rev. R. Burrows, 4th September, 1859.

G—No. 7.

Rev. Thos. Buddle, 10th September, 1859.

25. In the foregoing details I have not alluded to one of many difficulties attending the management of a Race in a lower state of civilization than the dominant one which is in a certain sense associated with it. I refer to the constant abuse and misrepresentation heaped upon the meritorious Department by which Native Affairs are conducted; in speaking of it, the *post hoc* is too often replaced by the *propter hoc*, and it is not seldom looked upon as an obstacle to be destroyed by fair means or by foul. Among Europeans this sort of language is so prevalent that it has no other effect than that of rendering those most subject to it callous and indifferent to public opinion; but it has a very injurious effect upon the Natives. Ignorant of what the press really is, they lose confidence in those whom it is the undisputed interest of all they should trust and respect, and believe every idle and malicious report circulated among them by disaffected persons. Articles headed "Extinction of the Native Race," coupled with attacks on Sir George Grey and the Native Department, have a most insidious effect. I am well aware that there is no remedy for such an abuse of the freedom of the press, but I allude to it as proving the necessity for a Council formed of men thoroughly known and respected by the Natives, who would be personally indifferent to calumny, and above its influence.

26. Finally I have endeavoured to submit the case to Your Grace in all its aspects, as seen by those who differ from me, as well as by those with whom I agree.

The views and opinions contained both in this Despatch and its enclosures, are those of individuals; but coming events are already casting shadows before them, which it will not be safe to disregard.

In the Northern Island two Races divide the land unequally between them; they will soon be equal in number; the inferior possess millions of acres they cannot use—the superior covet the superfluous waste; and unless means are devised for reconciling the interests of the one with the other, collision attended with calamity to one Race, and annihilation to the other, is inevitable. To prevent this—the controlling power—whether in the hands of a Governor or of a Governor and Council—must be strengthened. One power, viz., that of securing absolutely to the Aboriginal Natives the possession of so much of their property as is necessary for their present and future support, and to prevent their becoming pauperized, must be entrusted to some authority in this country.

27. Assuming that Your Grace will consider further Legislation indispensable, it remains to be determined whether the settlement of the Waste lands of the Aboriginal Natives of New Zealand and the preservation of their rights, are subjects for Imperial or for Colonial Legislation. An Act of the Imperial Parliament would of course be attended with many advantages. It would secure permanence, give confidence, and prevent annual discussion in the local Legislature, which, in Native affairs, is much to be deprecated. This course is strongly recommended by Dr. Martin and Mr. Swainson, and others whose knowledge and experience entitle their opinions to every consideration. If, on the other hand, (after considering the views and opinions of my Responsible Advisers, as contained in their draft Bills and Memoranda) you think it advisable that the subject should be submitted to the General Assembly of New Zealand, I beg you will do me the favor to cause the draft of a Bill containing the points you consider essential to be prepared by the legal advisers of the Crown, and direct me to transmit it to the Assembly by Message, as provided for by the 55th Clause of the Constitution Act.

28. I trust that the data I have supplied will be sufficient to enable Your Grace to judge what ought to be done to prevent the consequences apprehended, and to secure this remarkable Race from the fate which has hitherto befallen all who have obstructed the path of those who, possessing the superiority of high civilization, are hurried on by the desire of aggrandisement and the eager pursuit of wealth.

29. The case is one that presses, and I regret much that it has not been in my power to submit it for the consideration of Her Majesty's Government at an earlier period, but I only received Lord Carnarvon's Despatch No. 34 on July 16th, and it has been impossible to collect the materials which form the enclosures in time for an earlier Mail.

The Assembly will meet for its next session at Wellington on 31st March, 1860, and I ought to be in possession of Your Grace's views as soon after that time as may be possible. I therefore beg the favour of an early answer.

I have, &c.,

(Signed) T. GORE BROWNE.

P.S.—I need scarcely observe that the security of the Imperial Loan must be preserved by the insertion of a Clause in any Bill which may be presented either to the Imperial Parliament or the Colonial Legislature.

(Signed) T. G. B.