

24. The foregoing may be summed up in the following recommendations, which are to be taken in connection with those appended to the "Notes on the Native Lands Act."

1. That the war be brought to an end speedily, and that on terms of cession of land, instead of mere seizure.
2. That until the Natives be represented in the Assembly, no Bill affecting the Natives be brought forward until a draft of it shall have been published in every district which has accepted our system, and a reasonable time given for petitioning the Assembly on the subject.
3. That no Act affecting land under Native tenure, or in any way specially affecting the Natives, be brought into operation until the Royal Assent has been given and duly notified in the Colony.
4. That the Public Works Lands Act, and the Outlying Districts Police Act, be not brought into operation.

I beg, Sir, to submit these suggestions to the consideration of the Government. I also beg that a copy of this letter, together with my letter dated 18th July last, and the accompanying "Notes on the best mode of working the Native Lands Act," may be forwarded to the Right Hon. the Secretary of State for the Colonies.

The Hon. the Native Minister, Wellington.

I have, &c.,

WM. MARTIN.

### Enclosure 3 to No. 31.

Sir WILLIAM MARTIN to the Hon. NATIVE MINISTER.

SIR,—

Auckland, 18th July, 1865.

I have the honor to report to you that the Notes I undertook to prepare on the best mode of working "The Native Lands Act," are now completed and in print. Some copies are forwarded by to-day's mail, the residue will be sent by the next.

In these Notes I have endeavoured to set forth the several parts of the system to be pursued in their ordinary relation to one another, confining myself to questions of a political kind. Therefore I have contented myself with pointing out that for the success of this undertaking we require, first of all, a state of rest and peace, without inquiring how rest and peace are to be attained.

But knowing your desire to bring the Act into operation, and considering the benefits which may be expected to accrue to both races from its success, I have been led to reflect seriously on the way in which the pacification of the country may be effected.

I now beg leave to offer for your consideration a few words on this point as a sort of postscript to the Notes, praying that the paramount importance of the subject may be my excuse. It is my conviction that the course of proceeding devised in 1863, is not the best for the purpose. We ought not to be surprised if it be found that measures adopted in a season of excitement and panic, do not approve themselves now, after a fuller consideration and a longer experience.

The necessities which press upon us at this time are the following—It is necessary to quiet the minds of the Natives, many of whom in different parts of the country, apprehend that the part they have taken may expose them some day to serious consequences, and therefore seem to have no interest in the restoration of peace. Also it is necessary to get rid of the grievous burthens which must continue to be borne by ourselves, so long as we are holding possession of land by mere force, and many of the former occupants are sitting by saying—(as it was expressed at Hanganiki)—"Neither yea nor nay," to our doings. Further it is necessary that the attempt of the Natives to set up a separate and independent Government for themselves be seen to have failed so signally, as to leave no temptation to repeat the experiment.

Now, Sir, to my mind, the only direct and sure mode of reaching all these results is by the way of an open and express cession of land, accompanied on our part by an amnesty, large enough to include at any rate all persons who have committed no offence against us beyond that of bearing arms in the war. A piece of territory being once so ceded no hope or thought of recovering possession of it at some future time will be entertained by the hostile Natives. By the abandonment of a delusive hope their own minds will be so far set at rest. Thenceforward our possession will be undisturbed, and a great and continued outlay, which we must otherwise incur, will become unnecessary.

As to the Maori King and the hostile tribes, the most manifest proof of failure will be such a cession: To have to retire before the large force which we have had in the field against them may not be regarded by themselves or other tribes as a complete defeat, but to be constrained to cede land in the centre of the King's territory, and publicly to cut themselves off from all hope of recovering it would be an undeniable proof of defeat and failure.

I remember how strongly the need of such an amnesty (or "murunga hara," as they call it) was felt, and how the subject was discussed in Waikato, after the cessation of the former hostilities. There is ground for hope that a like feeling may be taken advantage of for granting the land, and that through the intervention of friendly Chiefs, a settlement such as I have here suggested may be brought about for the real interests of all.

I have, &c.,

The Hon. the Native Minister.

WM. MARTIN.

### Sub-Enclosure to Enclosure 3 in No. 31.

*Notes on the best mode of Introducing and Working "The Native Lands Act."*

In compliance with requests made to me by the Honorable the Native Minister and the Honorable the Attorney-General, I have put together the following Notes on the best mode of introducing and Working "The Native Lands Act," so as to render the Act most effective for its purpose, and most conducive in its effects to the peaceable settlement of this Island.