Considering the grievous delay the Natives have been subject to, it is highly important that a final adjustment of these questions should be effected as speedily as possible, in order that the Government may no longer be reproached with overlooking their rights.

The general question of the obligations of the Government on account of unfulfilled promises to those Natives, has been before the House of Representatives the last two Sessions, and their right to consideration admitted; but the chief difficulty hitherto has been to determine the value of these promises; and, with a view to facilitate the settlement of the question, I propose to submit certain propositions for the consideration of the Government.

According to the evidence given by the Hon. Mr. Mantell, on the 27th April, 1872, before the Select Committee of the House of Representatives appointed to inquire into and report upon the unfulfilled promises to the Natives in the Middle Island, the promises concerning the establishment of schools and hospitals, &c., for their benefit, are confined to the Ngaitahu Block, purchased by Mr. Kemp in 1840, for which the sum of £2,000 was paid; but, in completing the settlement of the question, Mr. Mantell was instructed by Lieut.-Governor Eyre to inform the Natives that the money paid them was not the only or principal consideration for the cession of their land, but that certain benefits should be conferred upon them besides, obligations that have never been carried out to the present time—a period of 26 years—excepting in a manner that cannot effect the general question.

The land included within the Ngaitahu Block comprises all that tract of country bounded towards the North by a line drawn from Kaiapoi on the east to Cape Foulwind on the west, on the East and West by the ocean, and on the South by a line drawn from the Nuggets to Milford Haven, exclusive of Bank's Peninsula, supposed then to have been sold to the French, and a block of 400,000 acres in the Province of Otago, purchased in 1844 for the New Edinburgh settlement. The aggregate area of the block may be set down at 20,000,000 acres.

It is evident, from the tenor of the instructions to Mr. Mantell, that the Government of the day looked upon the price paid for the territory comprised in the aforesaid block as a very inadequate one. That point being established, the next thing to ascertain is the value of the said promises; but, as there is no formula upon which a calculation can be based, I would beg to recommend that an average basis should be adopted as the most equitable mode of deciding the question. Should this plan be acquiesced in, it will be easy to calculate what would have been a fair price to have paid the Natives, all circumstances considered, supposing the full amount had been paid to them at the time, and on that being ascertained, the final cost of settling the matter should be borne by the Provinces who have benefited by the acquisition of the territory, in proportionate shares, either in money or land or both, according to the amount determined on as an equitable price, less the sum already paid to the Natives. As a means of arriving at a decision with regard to a sufficient price for the block, the average amount paid by the New Zealand Company for land acquired by them from the Natives in various parts of the colony, together with the price paid by the Government for the purchase of land in the North Island, might afford a comparison.

The first purchase effected by the New Zealand Company in the colony averaged about a halfpenny an acre, but in addition to that one-tenth of the land was to be set apart for the benefit of the vendors. The average rate paid by the Government in the early days of the colony for the acquisition of land was threepence an acre. The price paid by the New Zealand Company for the Otago Block in 1844 was under three-halfpence an acre; and by a Return made to an Order of the House of Representatives in 1861 (E. No. 10), the average price paid by the Government for land in the North Island appears to exceed sixpence an acre.

If it should be decided to pay the Natives a sum of money in final satisfaction of their claims, the amount determined on should be invested in the funds, or else on freehold security, to produce a fund for the purpose of carrying out the original intention; or, if land is appropriated instead, it should be vested in trustees for the same object.

It will probably be urged as an argument in favour of the low price paid for the land compassed within the Ngaitahu Block that a large proportion of it was unoccupied territory, and did not belong to the small and scattered remnant of the Ngaitahu Tribe, who, but for the arrival of the Europeans, might probably have been exterminated by the more powerful tribes from the North Island, who had formerly invaded a portion of the country, but that it became, on the assumption of British supremacy in 1840, the property of the Crown. It is submitted, however, that this view of the question cannot be adduced *ex post facto*, as the right of the Natives to dispose of the land had been previously admitted.

According to Native custom, the Ngaitahu Tribe were the undisputed owners of that portion of the South Island comprised within the Provinces of Canterbury and Otago. Their ancestors, from whom they inherited the soil, conquered the country about 300 years ago from the Ngatimamoe, a powerful tribe who formerly owned the whole of the said territory together with a large portion of the former Province of Nelson.

All who are conversant with the question of Native tenure are aware that the Maoris base their claims to land mainly on the following grounds:—1. Hereditary claims; 2. Lands obtained by conquest; 3. By occupation or possession. Hereditary claims are considered the best. The right to land taken by conquest depended on its being occupied by the conquerors. Mere occupation did not give a valid title; it required to be supported by other claims. It will therefore be perceived that the claims of the Ngaitahu to this territory are good on all three grounds, and that they or their progenitors or those from whom they claimed title had actually had occupation of the land so claimed for a long period of years.

In the instructions from the Colonial Office to Governor Hobson, in 1839, he was enjoined to obtain, by equitable contracts with the Natives, the cession to the Crown of such waste lands as might be required for the occupation of settlers resorting to New Zealand; but care was to be taken, in the acquisition of land from them, not to purchase any territory which they required for their own comfort, safety, or subsistence. Here, therefore, was an admission on the part of the Crown, that the Natives were entitled to dispose of their waste lands as well as those they occupied or enjoyed.

The recognition of the title of the Natives to the sovereignty of their country, and the property in its soil, by the Imperial Government, involved the necessity of obtaining by treaty the right of