

34. And that no distinction should be made between those children born in wedlock, or, otherwise up to the present time, but, after a certain date, to be decided on, no children, not born in wedlock, should be entrusted to this privilege.

PRE-EMPTIVE RIGHT TO OLD SETTLERS.

35. There is still another class of persons—the old settlers,—to make provision for whom falls rather within the scope of the Regulations framed for the sale of land to the Europeans, but who occupy a position and influence among the natives which may be usefully employed in assisting in extinguishing the native titles over tracts of land not required by the natives. They have, in many instances, improved land and built houses under a native title; and wherever they are found to co-operate with the Government, they should have secured to them their homesteads at a fixed price.

36. Circumstanced as the Government has been, with insufficient land to meet the requirements of the colonists, it is not surprising that various suggestions have been made for acquiring it more rapidly and extensively than has hitherto been done.

WAIVER OF THE CROWN'S RIGHT OF PRE-EMPTION.

37. With reference to the mode by means of the waiver of the Crown's right of Pre-emption in favor of individual Europeans, which was carried out under Governor Fitz Roy, without any difficulties having arisen therefrom, as regards the natives over whose land it was carried into effect. It would appear from these circumstances, and from the relief which, at the time; it afforded to the settlers who found themselves within such circumscribed limits, it has still some advocates, both European and Native, in the vicinity of Auckland where it was alone tried; but it is generally condemned as a mode of colonization, on the ground that it gives the present body of settlers an unfair advantage over new comers; and even among the present settlers themselves, those who are acquainted with the natives and their language, would monopolise the land to the exclusion of others. Under the present circumstances of the Colony, the subject is not likely to be revived; but it has been necessary to allude to it, in order to consider one very important statement put forward by its advocates in support of the system. They argue that the natives are discontented at the Crown retaining the right of pre-emption. In reply, the Board would state that the contrary has been found to be the case. The natives generally, with the exception of a few, in the locality named, view the right of pre-emption as a law applying to restrain the Europeans and in a favorable light, as a protection to themselves against the too general and indiscriminate sale of their lands, as well as a means of preventing confusion and disputes.

PROPOSED PLAN FOR THE ALIENATION OF NATIVE LAND.

38. Referring to the plan which has been suggested to his Excellency and submitted to the Board for consideration, by which it is proposed that the Government should act in the capacity of agent for the Natives, sell their land, and give them the whole of the nett proceeds, after deducting the necessary expenses of investigating title and paying for the surveys, &c.

39. As regards the Natives, the principal objection is the uncertainty of the ultimate price to be received, without which it is not likely they would be able to agree among themselves, or to come to any decision to sell, and of giving up the land, when so agreed, into the hands of the Government to be disposed in the manner proposed.

40. If they should overcome this first difficulty, another would arise with regard to the distribution of the proceeds, and those who felt aggrieved by the amount offered to them by their friends would claim their portion of land, although it might have been sold to some European. For, although it might be greatly in excess of what was usually received under former methods, it would probably not satisfy the cupidity which such a system would be likely to excite.

41. Involving as it does the necessity of a complete surrender and extinguishment of the Native title before the receipt of the consideration or price, it would be contrary to all Native custom, and would not therefore be generally popular.

42. Its principal objects appear to be, to insure a rapid and extensive sale of land for the purposes of colonization, by means of the high price the Natives would receive, and at the same time remove any suspicion on the Native mind as to the purity of the intentions of the Government, in wishing to acquire their lands, and relieve the Government from providing money for purchases.

43. The prejudices to be combated, in order to get the natives to accede to the plan, would not probably, be met by the deferred and uncertain, though higher payments, while the expenses