

68. At present the natives have generally an objection to the regular survey of a piece of land prior to the sale, as they imagine that the act partakes of the character of ownership, or might, if the negotiation should be broken off, be so implied at a future time.

Wherever this feeling can be overcome the survey should be proceeded with, so as to have been completed if possible before the money is paid.

69. And wherever the natives make reserves within the Flock, they should be set out and surveyed before the completion of the purchase of the surrounding land.

*Note to preceding part of Report, by Mr. Daldy.*

With reference to the proposed mode of alienating land by allowing the Government to act as Agents in the transaction, I have to express my dissent from the opinions urged in this respect against its efficient working by the other members of the Board.

With regard to the 39th paragraph and to the statement "That the principal objection" as regards the natives is the uncertainty of the ultimate price to be received, without which it is not likely that they would be able to agree among themselves. That as to the uncertainty of the ultimate price, I have to observe that by the plan proposed it was intended that the natives should name the upset, or fixed price, and whatever was obtained above that sum at the sale by auction, would be to their advantage.

With regard to paragraph No. 40, I have to observe that the land would be handed over to the Government with the same care as if sold to the Government.

With regard to No. 41, I consider that custom, and a few trials of the system would do away with the objection stated.

With regard to No. 43, the objections are provided for by the natives fixing the first upset price, and lowering it when requisite so as to induce purchasers to buy the whole.

With regard to the 45 paragraph, my view is to treat the native lands just the same as if it were the property of Europeans.

And as regards the paragraphs 46 to 49 inclusive, the same objections apply to the Government purchasing land.

I am of opinion that this system may be worked at the same time as purchasing, and that it would tend to bring the native lands nearest the large European settlements into the market, thereby causing the European population to grow from their centres instead of being detached in all parts of the Country, and cause the Country to be brought into cultivation in a more systematic manner, thereby lessening the expense of public works.

I am convinced it is not possible to bring this system fully into operation at once, but that once commenced it would extend rapidly, and from its full recognition of the natives as British subjects, produce good results on their minds.

When reviewing the extent of the business transactions of the natives, I cannot concur in the opinion that the natives would not understand it.

With reference to paragraph 81, on the prohibition of the sale of spirits.

I have to observe that I do not concur with these views, believing the evils arising from evasion will be as great as those prevented by this law. I believe that the time has arrived when distinctive laws should be abolished and that moral influence is the only hope in this case.

(Signed)

WILLIAM C. DALDY.

MAGISTRATES AND JURORS.

70. The Board is of opinion that it would not be desirable to appoint natives as Resident Magistrates, as they would not carry sufficient weight with their countrymen, and from their ideas of clanship, their decisions would not be impartial. The natives would not respect English law administered by them.

71. The natives themselves would prefer the decisions of a disinterested European Magistrate.

72. They admit the inefficiency of their own laws even to settle their own quarrels, and in any appeal to our laws for this purpose they consider European agents should be employed, so as not to mix up in any way the two systems.

73. There are two kind of influences at work among them, many of the young and intelligent admit the excellence of, and wish for, the introduction of a new order of things.

74. The old people not seeing the advantages of our system so clearly as to be able to carry it out themselves, oppose those who would be preferred to take it up.

75. Their objection being more to the men who are willing and able to introduce the new system, than to the system itself, the difficulty of appointing them as Magistrates is not only their want of impartiality, but a difficulty arises among themselves, if the young and intelligent were invested with this office, they would be met with a feeling of jealousy from the old and influential chiefs, instead of receiving their support, without which, they would be powerless.