

implied by these names. A Maori Council consists of members met at hap-hazard, without commission to consult, and without authority to give effect to their decrees. The term "law" is applied equally to a piece of tattered paper pinned to a post, warning travellers not to cross a maize plantation, and to one of the Ten Commandments; and the King himself, though now carefully secluded from the profane eye, might have been seen, not many months ago, smoking his pipe and digging *humaras* like a common man. The titles are all adopted from the European, with more regard to their dignity than to their fitness; but the shape of the body politic itself,

"If shape it may be called, that shape has none
Distinguishable in member, joint, or limb,"

is totally unlike anything that is to be met with among ourselves. It is only the abortive embryo of a government.

The Maori kingdom is composed of several tribes, distinct and independent; it is a sort of federation. I do not mean to imply that there is any actual treaty of alliance amongst them, or that any native could tell what portion of sovereign power is retained by the tribe and what is ceded to the King; but only that there exists distinct evidence of two separate and sometimes conflicting authorities—the local, which is exercised by the Chiefs and Runanga of the tribe, and the central, which is exercised by the King and his Council at Ngaruawahia.

It will, therefore, conduce to clearness if I separate the accounts of these two separate things, and give, in the first place, a description of the individual tribes united under the Maori King; and in the second, of the King himself. In the former respect this district does not, probably, differ materially from all others in New Zealand; in the latter it is unique.

I. Of the individual Tribes allied under the Maori King.

(1.) Their Government.

Amongst the members of a Maori tribe there is that absolute equality of condition, which is called democracy; and that want of organized government, which is known as anarchy. The traditional power of the chief is gone. It is true there are men like William Thompson and Rewi Maniapoto, who have the title of chief, and whose abilities have gained them respect and influence both in their own tribes and among strangers; but these men are the executors of the will of the people, and not its guides. In all their plans, they have to consider what their tribes will think and say; and when their own opinion differs from that of the multitude, it is the former that has to give way. The democracy is too strong for them, and resistance would cost them their position. The supreme power in the tribes, legislative and judicial, resides in a promiscuous gathering of men, women, and children, held in the public sleeping-house of the village at bed-time; in which certain individuals among the men—not always the wisest or the best—possess a prescriptive right to engross all the talk. This is called a Runanga. The members do not come to a vote; when there is a difference of opinion, one side out-talks the other.

In making laws, the Natives have no idea of any limit to the province of government; their regulations extend to the minutest details of private life; they make laws as to what a man shall, and what a man shall not, be allowed to do on the Sabbath; laws against falsehood, whether slanderous or not; laws to fix the prices as to which pigs, corn, and potatoes shall be sold; laws to fix the payment for which people shall be allowed to carry the mail;—in short, the Runanga is a grievous tyranny, and would be insupportable if it only possessed power to carry its laws into execution. It is not because of the forbearance, but because of the feebleness, of their tribal government that the natives enjoy any share of individual liberty: it is not that they obey laws which respect the rights and liberties of the subject, but that they do not obey any laws at all. The Runangas are tyrannical, but weak; the people, lawless and free. If anything should give the Runangas as at present constituted power to execute their decisions, the Natives might remain equal, but they would find themselves no longer free.

It is well known that these Runangas also exercise judicial authority. There are, indeed, certain persons who are styled "King's Magistrates." I have seen a regular printed Gazette, in which a man named Hapemana is appointed Resident Magistrate of the West by King Matutaera Potatau; but these men are unable to exercise the powers implied by their name. What physical force there is, resides in the members of the Runanga, who carry out the resolutions, when they are carried out at all, by their own right arms. When George Gage, a half-caste, was rescued from custody, it was the Runanga of Kihikihi that first resolved he should be taken, and then came in person and took him. No Natives would carry out the decision of one of the King's Magistrates until they had first themselves enquired into its justice, thus constituting themselves the real judges. The Maori Magistrate acts only as a sort of detective and public prosecutor, and sometimes reasons and expostulates with refractory offenders who will not submit to justice. Nepe, the King's Magistrate at Kopua on the Waipa, reasoned very seriously with a Native who attempted to fire a loaded pistol at a European, and pointed out his fault to him in very strong terms; but his power did not extend any further. It is also very common for the name of Magistrate to be usurped by any of the leading men in a Runanga, without formal appointment. When the Runanga of Maungarangi came down to try a European resident at Kopua for cattle trespass, Epiha Te Iwipau, who is a slave from Wanganui, called himself a Magistrate and acted with all formality as such; so a totally unjustifiable seizure of property was carried out coolly and with all due forms of law and order. But any Native who feels himself strong enough, redresses his wrongs without troubling the Runangas; and such conduct is thought right provided that there be any grounds for seeking