

Discussion as to the road to Waipa. They complained that they had lost 20 horses by the present bad road. Mr. Fenton is more particularly in possession of the views of the tribe respecting this matter.

An application was made to me by Wetini and others respecting cattle of Pakehas trespassing on Native lands and Native cultivations. They stated that they could get no redress, and were obliged to abandon their cultivations in consequence. It is quite clear that under the Native Circuit Courts Act there is no power to hear such cases until Regulations under the Native Regulations Act are made; and, as no less than three separate complaints of a similar nature have already been made to me in my district, I think it advisable that some general Regulations applicable to all should be framed previous to my next Circuit.

As a proposed law for the approval of the various Runangas, I beg to submit for the consideration of Government my own ideas on the subject. I should propose that an annual fee of Five shillings be paid to the Runanga for cattle over 12 months of age, running on land within the jurisdiction of each Runanga—the Runanga to apportion the amounts to be paid to the respective owners of land. If the owner of cattle refuses to pay such fee, but acknowledges the ownership of the cattle, the amount to be recovered by distraint as for rent; if the ownership of the cattle be denied, then such cattle may be treated as *feræ naturæ* and shot accordingly, the Runanga having an option of allowing cattle to run on their lands on payment of the fee, or otherwise, as they deemed fit. The constant practice of Europeans of running their cattle on Native lands, with or without permission, must be subjected to some control, as the evil is increasing daily, and is a constant source of irritation to both races. I shall be glad to be favored with instructions on this question.

Wm. Nero and Hemi Matene applied to us, and requested us to go to Aotea and hold a Runanga there.

Mr. Fenton replied that there were two reasons why we could not go there; 1st, that our work with Ngatitahinga was not completed, and that we must return to complete it—a Runanga being summoned to meet at Rangikahu for that purpose on the 30th instant; 2nd, that we had received no written application from the tribes there and that they must first apply by letter to the Governor, who would then, in all probability, direct me to go there on my next Circuit.

28th January.

Mr. Armitage was engaged along with Dr. Harsant in hearing a case under the Resident Magistrates Ordinance, between Hakopa (Native) and Kent (a European). Dr. Harsant kept all parties waiting for two hours beyond his own appointment. I regret to have to complain that an insult to myself, and a farther one to Mr. Fenton, who was acting as Counsel in the case, was allowed to pass by without notice. In the absence of any remark from Dr. Harsant, I felt it my duty by a few remarks publicly to vindicate the dignity of the Bench.

JAMES ARMITAGE,
Resident Magistrate.

No. 8.

INSTRUCTIONS TO J. ARMITAGE, ESQ., R. M.

Attorney-General's Office,
Auckland, 24th February, 1862.

SIR,—

With reference to the various communications that have taken place between the Government and yourself on the subject of the arrangements to be made for carrying into effect, within the Lower Waikato, His Excellency Sir George Grey's plan of Native Government, I have now to convey the following instructions for your guidance.

1.—Native Officers.

The list of Magistrates, Wardens, and Kareres, as finally revised by Mr. Fenton and yourself for the four Hundreds of Taupiri, Te Ahau, Whaingaroa, and Kohekohe, has been approved by the Governor, and the names of those officers will presently be published in the *Maori Messenger*.

With regard to the formation of other Hundreds at Tuakau and Pokeno, Aotea, and Kawhia, it appears to the Government that in those cases the Natives of the two first-named places should unite to form one Runanga, and in like manner that only one Runanga should be formed for Aotea and Kawhia.

It will be your business to see the Natives and ascertain their wishes, endeavouring to obtain their assent to the arrangement proposed. When you have reported to the Government, a final decision will be taken; but should you find the Natives willing, you may make provisional arrangements for the constitution of the Runangas at those places.

2.—Regulations of the District.

It is unnecessary to give you detailed written instructions in this matter, after the verbal communications that have taken place between yourself and the Government. It may be desirable, however, to notice a few points. The principal object to be borne in mind is, that whatever Regulations are wanted should be drawn up in as short and plain terms as possible by yourself before submission to the Runanga, in order that the general assent of the Natives affected thereby may be obtained to the Regulations in the exact form which they will come before the Governor, for the final sanction of His Excellency in Council.