

FURTHER PAPERS

E—No. 9

SEC. I.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION I.

BAY OF ISLANDS.

SECTION I.

BAY OF ISLANDS.

[*Memorandum.*—His Excellency Sir George Grey visited the Bay of Islands in November, 1861, for the purpose of introducing into that district His Excellency's plan of Native Government. The Governor reported the steps which His Excellency had taken at the Bay of Islands, in a Despatch to the Secretary of State dated 6th December, 1861, printed in Sess. Pap. 1862, E. No. 1, Sect. II, p. 42. The Orders in Council of 21st March 1859, which constituted the Mongonui District, were revoked on the 7th December, and the Bay of Islands District appointed instead, including Mongonui. This arrangement was again varied on the 25th January 1862, and the two Districts separated by Orders in Council of that date.]

No. 1.

FIRST REPORT FROM GEORGE CLARKE, ESQ., CIVIL COMMISSIONER.

Waimate, December 30th, 1861.

SIR,—

In accordance with my instructions, and in conformity with the scheme of Native policy sketched by the Government, a copy of which has been furnished me, I proceeded at once to visit the principal Chiefs and Tribes of this District, for the purpose of making myself personally acquainted with them, and of more fully explaining the details of the contemplated plans for the better government of the Native race.

In order to accomplish this object, it appeared to me that the selection of the Chiefs to form the District Runanga to be submitted for the approval of His Excellency, must be the basis upon which I could hope to build with success upon this plan; I, therefore, assisted the different tribes of the district in selecting the most influential and intelligent Chiefs to constitute the future government of the District, with what success the future must unfold. I herewith enclose No. 1, the names of Chiefs and Tribes, together with their places of abode; also, Enclosure No. 2, the names of Kareres.

It was to be expected that some difficulties would be met with in the selection of the Chiefs, arising from jealousy, and a fear that the favoured Chief, supported as he would be by the Government, and made powerful by his large salary and favoured position, should drive other Chiefs of rank into the shade, and thus nullify their hereditary influence in their respective Tribes. In some Tribes the selection had to be made from Chiefs of equal rank, each apparently modest and courteous in naming his neighbour, but hoping to be himself the successful candidate. In these cases I pointed out the usages of Europeans in their choice of members to represent them, both in England and in this country, with which they professed to be satisfied, and generally concluded with "Kei a te Kawana te tikanga." Upon the whole, the Natives are aware that those who are nominated to represent them are Chiefs of the first rank, and are those whose parents ruled in this District indisputably for nearly half a century. With these preliminary remarks, I proceed to give the general plan of the District.

I submit that this be nominated the Bay of Islands District, comprising the territorial claim of the Ngapuhi Tribes, and should be bounded as follows:—South, Wangarei, from thence in a line West to Mangakahia, from thence to Kaihu on the Western Coast, from thence to the South Head of Hokianga, continuing up that river as far as Motu Karaka, from thence to Maungataniwha; from thence in a line North-east to the North Head of Wangaroa; from thence following the line of Coast to Wangarei. These lines will embrace the whole of the Ngapuhi country. I further suggest that this District be divided into three Hundreds for the present, instead of (as proposed in the Government plan) into six, to be supplied with the same number of Native Officers as allowed to a District divided into six Hundreds.

In this proposal I have been guided by the usages of Ngapuhi from time immemorial.

Tai Tokerau, the Eastern Coast from Wangarei to the Heads of Wangaroa, should, perhaps, form two large Hundreds, as they are populous but the Natives a good deal scattered. I propose that the most Southern Hundred, extending from Wangarei to Cape Brett by the Coast line, and including Wangarei, should be called the Hundred of Wangaruru. The Middle Hundred, extending from the South Head of Wangaroa, from thence South, including the Bay of Islands as far as Ruapekapeka, from thence West to Mangakahia on to Kaikohe, from thence North to Okahau, from thence to Upokorau, embracing the whole of Wangaroa to the North Head, should be termed the

Hundred of Waimate; and the Western Hundred, the smallest and most compact, extending along the Western Coast from Kaihu to the South Head of Hokianga in a line forming the Northern part of the District to Wailou, including the whole of Hokianga as far as Otatau, to be called the Hundred of Hokianga.

The divisions as proposed above have from time immemorial been those of the Natives. Hokianga, although keeping up friendly relations with the Bay, has always been independent of them. To have divided the Waimate or Hokianga Hundred in two, would not only have been inconvenient and contrary to Native divisions, but more expensive to the Government in having to supply them with European Magistrates; I have therefore suggested that Hokianga should be kept entire and called the Hundred of Hokianga as above proposed. The same remarks are applicable to the other Hundred, which includes Ngatiwai and other tribes on the coast, whose relations with the Bay of Islands and Hokianga have been generally friendly, yet distinct and independent of both in times of peace, claiming to manage all their own affairs.

The numbers of chiefs proposed to represent these Hundreds have not all been nominated, owing to a proposal made to the Government to form Mongonui into a separate district; which if acceded to will exclude several chiefs living about Mongonui, and lead to the selection of many others for the Runanga living on the coast and about Wangaroa. The present organization proposes that the chiefs forming the District Runanga should be as follows:—

Six for the Waimate Hundred.

Six for the Wangaruru do.

Six for the Hokianga do.

This appears to me to be the most equal, as well as the most natural division of the Native force to be employed in working out the scheme, but it calls for a few remarks. Six members for the Waimate and but three for the Hokianga Hundred may appear disproportionate, but in reality it is not so, for Tamati Waka who is included in the Hundred of Waimate represents Hokianga, so that strictly speaking the Hundred of Hokianga has four representatives, and the Waimate, by far the largest Hundred, but five.

As the chiefs of the District Runanga form the basis of the whole plan of local government, and all the chiefs will have especial duties in the village Runanga and Assessors' courts, I have presumed upon requesting them to nominate to the Government two Kareres each, this they have generally done and have attended to the request, that they should be the most influential and best educated men in their tribes. These Kareres are to be attached to the chiefs, to serve summonses, and in some cases to act as clerks in Assessors' Courts; and as I propose they should attend the chiefs in all their public duties, this will add to their dignity, and as there are some of them who are nominated for the District Runanga who can neither read or write, such arrangement seems essential to work out the plan. I have therefore ventured to recommend this procedure to the chiefs.

In the vicinity of the residence of every chief of the District Runanga, I have recommended that there should be a Village Runanga or Assessors' Court, at which the chief should preside and hold his court; and as every Runanga chief is proposed to have the power of an Assessor, provision will at once be made for the administration of justice and settling their minor squabbles; and there can no longer exist any necessity for settling or rather unsettling the country by their continual "tauas." If in addition to the chiefs of this Runanga, the six Wardens were invested with the power of an Assessor, but very few more Assessors would be needed in the district; and as the supervision of all the courts will be under the District Magistrate, it is to be hoped that the great object of the peace, security and prosperity of the District, will be secured. Such a chaos as is at present existing in this district is indescribable; the "little brief authority" given to Native Assessors has, for want of proper supervision and instruction generally been used for purposes of oppression; so much so, that under the Maori Government thirty years ago I never saw so much injustice and oppression as that which has come under my notice through the abuse of their office.

After the most careful selection of Native Officers from the Assessors' list to fill the different appointments, there remain a large number, especially in the Hundred of the Waimate, unprovided for, and who are really of but very little use for good, but might if dismissed do much mischief. I venture therefore to suggest that they should be retained upon the list with the same amount of salary as heretofore, unless their good conduct warrants promotion; the whole cost to the Government will not exceed one hundred pounds (£100), which sum, if put in comparison with the amount of dissatisfaction their dismissal might create, seems to me of but trifling consideration. Their names and places of abode will be found in Enclosure No. 3, with a few remarks therewith.

Should the above proposed plan or organization of this district, as detailed, meet with the approbation of the Government, I trust that no time will be lost in bringing it immediately into operation. The District Magistrates have been instructed to give effect to the plan so far as Native Assessors' Courts are concerned, and the chiefs and others nominated and sent up for His Excellency's approval are anxiously awaiting the Governor's decision and approbation, in order that they may take their part in carrying out the scheme.

In order to give weight to the Native appointments the Government may think proper to make, I beg leave to propose that a formal circular such as is given to District Magistrates, with the address of the chief to be appointed, together with the seal of the Colony attached to it, should be prepared in the Native language and personally delivered to each by the Civil Commissioner; who should be empowered to call the chiefs and officers of each Hundred together on the occasion, with such of their friends as would like to meet them. This would afford the Commissioner an opportunity of publicly speaking to them, and prove a subject of general interest throughout the Hundred.

A few remarks upon the uniform for the Kareres to be employed may not be out of place. I would suggest that though plain it should not be destitute of ornament, something pleasing to the Maori taste, and distinctive.

Further suggestions to be made for the filling up the different offices occasioned by resignation, dismissal, death, or other causes, will form the subject of another letter, to be submitted when the whole machinery shall be brought into action.

I beg to close the present report by submitting that it appears to me from the whole tenor of Native remarks, that it would be advisable to make the salaries of all the chiefs equal, and that it should be fixed at Forty Pounds (£40) per annum. The expenses attending assembling of the chiefs for their first Runanga might thus partly be met by this arrangement.

I have, &c.,

GEORGE CLARKE,
Civil Commissioner.

The Hon. the Native Minister.

ENCLOSURE 1.—CHIEFS OF THE DISTRICT RUNANGA.

NAMES.	HUNDRED.	OFFICE.	TRIBE.	REMARKS.
Tamaki Waka Nene ...	Waimate ...	Chiefs of District Runanga...	Ngati Hao	This List is incomplete in number of Officers for reasons given in Report, but to be filled up at an early period.
Kingi Wiremu Tareha ...	" ...	" ...	Ngati Rehio	
Wiremu Hau ...	" ...	" ...	Ngati Whiu	
Hemi Marupo ...	" ...	" ...	Ngati Kawa	
Maihi Kawiti ...	Wangaruru ...	" ...	Ngati Hine	
Hira Mure Awa ...	Waimate ...	" ...	Ngati Tautahi	
Rangatira Moetara...	Hokianga ...	" ...	Ngati Korokoro	
Arama Karaka Pi ...	" ...	" ...	Mahurehuro	
Aparahama Taonui .	" ...	" ...	Popoto ...	
Hare Hongi Hika ...	Waimate ...	" ...	Ngapuhi	
Papahurihia ...	Hokianga ...	Wardens ...	Ngati Hau	

2.—LIST OF NATIVE CONSTABLES OR KARERES FOR BAY OF ISLAND DISTRICT.

NAMES.	TO WHOM ATTACHED.	TO WHAT HUNDRED.	REMARKS.
Wiremu te Ahimawiti ...	Rangatira Moetara ...	Hokianga ...	This List is incomplete, but will be filled up from time to time until the number of Constables or Kareres amount to 30,—the amount allowed for the District.
Mihaka ...	" ...	" ...	
Kereama ...	Mr. Clendon...	" ...	
Titore ...	" ...	" ...	
Mata Muruwai ...	Aparahama Taonui ...	" ...	
Wiremu Hopihana...	" ...	" ...	
Hone Mohi Tawoi...	Arama Karaka Pi ...	" ...	
Maihi ...	" ...	" ...	
Hare Matenga Poti ...	Hira Mure Awa ...	Waimate ...	
Hone Peti ...	Wiremu Hau ...	" ...	
Hare Te Heihei ...	Kingi Wiremu Tareha .	" ...	
Tamati Paea ...	" ...	" ...	
Mangonui Kerei ...	Tamati Waka Nene ...	" ...	
Hone Ngahuru ...	" ...	" ...	
Wiremu Katene ...	Civil Commissioner ...	" ...	
Hare Wirikake ...	" ...	" ...	

3.—LIST OF ASSESSORS IN GOVERNMENT PAY UNCONNECTED WITH THE PRESENT SCHEME OF NATIVE OF POLICY, MOST OF THEM UNFIT FOR DUTY.

NAMES.	RESIDENCE.	SALARY.	REMARKS.
Tango Hikuwai ...	Pukewhau ...	£10	From the locality in which some of these Assessors reside, and from age, ignorance, and want of energy and influence in others, their services can be but of very limited worth, yet it would create a great amount of dissatisfaction to dismiss them. Riwhi Hongi and two or three others on the list are exceptions to these remarks.
Hohaia Waikato ...	Kaihihi ...	5	
Tamati Hapimana...	Okaihau ...	6	
Riwhi Hongi ...	Te Ngaere ...	6	
Hira Pure ...	Kaikohe ...	5	
Piripi Korongohi ...	Tautoro ...	6	
Mitai Pene Tau ...	Waitangi ...	5	
Renata Watauga ...	Kawakawa ...	5	
Wariki Kokovae ...	Waikare ...	5	
Mohi Tawai ...	Waima ...	20	
Te Hine Ngarapo ...	Waihou, Hokianga ...	20	

ENCLOSURE 4.—LIST OF UNPAID ASSESSORS ON PROBATION.

NAMES.			RESIDENCE.		
Henare Te Titaha ...	...	...	Te Karetu ...	...	Pension £5.
Wiremu Te Tete ...	...	...	Mokau ...	...	
Parata Puariri ...	...	...	Te Haumi ...	...	
Hare Matenga ...	...	...	Hanotapiri ...	...	
Hare Hakiro ...	...	...	Kaikohe ...	...	
Kou ...	...	...	Ohacawae ...	...	

No. 2.

INSTRUCTIONS TO THE CIVIL COMMISSIONER.

Office of Minister for Native Affairs,
Auckland, January 27, 1862.

SIR,—

With reference to the several letters which have been received from yourself, and Mr. W. B. White of Mongonui, on the subject of the constitution of the Bay of Islands District, I have now the honor to inform you of the decision to which the Government has come, after careful consideration of your joint representations.

Considering the success which has attended Mr. White's labours among the Natives of the Rarawa Tribe at Mongonui, and the valuable services which that officer has been able during many years to render to the Government, they consider the interests of the public service will be best secured by continuing him in the independent management of that part of the country. His Excellency has been accordingly pleased, by Order in Council on the 25th instant, to revoke the previous Orders of 7th December 1861, and to re-constitute the Mongonui District under the Native Acts, within the same boundaries as were originally fixed in 1859.

With regard to the Bay of Islands, an Order in Council of the same date constitutes all the country North of a line from Monganui Bluff on the West Coast to the North Head of Tutukaaka on the East, (with the exception of the Mongonui District above mentioned,) to be one district for the purposes of the Native Districts Regulation Act, and places it under your management as Civil Commissioner. For the purposes of the administration of justice under the Native Circuit Courts Act the District has been divided by Orders in Council into the three Hundreds of Waimate, Hokianga, and Kororareka, according to boundaries which were agreed upon at your interview with the Honorable the Colonial Secretary. These Orders will forthwith be published according to law, and will take effect on the 15th February next.

The Government have had under consideration the list you submitted of Ten Chiefs to be appointed members of the first District Runanga of the Bay of Islands. Relying on your assurance that these Chiefs would be entirely acceptable to the Native population, the Government have felt no difficulty in advising His Excellency to confirm the list; indeed, there are several names included in it of Chiefs who, under any circumstances, would have been asked by Sir George Grey to have taken part in introducing His Excellency's plan of Native Government. So soon as these Chiefs shall decide on holding their first meeting, (a point which is left to you to settle with them,) it will be desirable that you should bring before them the question whether they desire any addition to be made to their number. The Government are now considering a proposal for constituting, by some formal instrument, either District or Village Runangas, as the case may be, and for conferring certain powers upon them in pursuance of the provisions of the Native Districts Regulation Act. The first step will probably be, in every case, the appointment of a certain number of Chiefs by the Governor, as is now proposed by you in the case of the Bay of Islands; but it is not unlikely that the Natives will themselves call for the exercise, under reasonable safe-guards, of the privilege of electing members for themselves. Whatever shall tend to make them take a real and practical interest in working out any plan of self-government, will best approve itself generally to the Governor and to the General Assembly; and in a district inhabited by so loyal a population as the Ngapuhi, the Government would be glad at once to consider with care any desire that might be expressed by the Runanga for an increase of its members under some mode of election by the people themselves.

It is in this spirit that the Governor has been pleased to leave to the Runanga the full nomination to the appointments of Karere, and will also allow the Runanga to nominate the additional Warden subject to His Excellency's confirmation. His Excellency in Council has fixed the number of Kareres for the District at 20, and the Runanga may allot what proportion it shall think best to each of the three Hundreds.

In pursuance of your recommendation, the Governor has also been pleased to confirm the proposed appointment of Mr. Hopkins Clarke as clerk and interpreter to the Civil Commissioner and the Resident Magistrate at Waimate, and of Mr. Webster as clerk and interpreter to the Resident Magistrate at Hokianga. Mr. Barstow, at present Resident Magistrate at Russell, will be requested to undertake the duty of Magistrate for the Hundred of Kororareka.

With regard to other matters, I have now to make the following further observations for your guidance.

1.—Relations between Commissioners and Magistrates.

The questions here involved make it necessary that the subject should be very carefully considered before final instructions are laid down. It is, however, the intention of the Government as early as possible to publish in a circular form such general directions as may guide the several classes of Native officers in their official communications; and these will be sent to you in due course.

2.—Payment of Salaries.

For the present the Sub-Treasurer at Russell will be directed to advance to you such sums as you may require for paying on the 1st of each month the salaries of all officers under your orders. You will render accounts current for such advances in the usual way, and acquaint the Minister for Native Affairs with the requisitions you make on the Sub-Treasurer. Eventually it is intended that the Civil Commissioner shall be the Sub-Treasurer of his district; but the financial arrangements required must be postponed till the Colonial Treasurer's return from the South.

3.—Letters of Appointment to Chiefs.

As I have stated, it is probable the Runanga will be formally constituted by Order in Council or other instruments; meanwhile there is no objection to your signifying his appointment to each Chief at once, in the manner proposed by you.

4. Erection of Buildings.

The Government are so desirous of giving you every support at the outset of your difficult task, that it is with regret they have felt obliged to reduce considerably the amount you propose should be allotted to the erection of buildings. They desire to record their opinion, that the Natives themselves should in each district be called upon to contribute labour and material towards such buildings as may be necessary for the Runanga. In the Waikato country the Natives in several places, put up really commodious buildings without any assistance from the Government, except in supplying doors, windows, &c.; and this example ought to be sedulously inculcated elsewhere. The Government have decided to place at the disposal of the Runanga the sum of £100 towards building an Assembly Room and Court House for the Bay of Islands district; and they trust you will be enabled to obtain from the Natives themselves such contributions of material and labour as will suffice to put up all that is presently required. They desire me to thank you for the liberal manner in which you have offered to convey a piece of land as a site for the proposed buildings; but they would rather leave the matter to be laid before the Runanga. It may be that the latter would prefer some other site than Waimate for a permanent building and the place of meeting; and in this, as in every other practicable case, the Government wish to leave the decision entirely with the Runanga; satisfied that any scheme of government proposed for the acceptance of the Natives, will best recommend itself to them if they shall feel that with it practical powers and the application of funds to public purposes will immediately come into their hands.

5. Authority for trifling charges.

In deference to your recommendation, the Government will authorise you to expend a sum not exceeding £10 in each of the three Hundreds constituted as above-mentioned, on the occasion of meeting the chiefs to inform them of their appointments. But, considering the very large sum which was lately spent in provisions for them, it will be desirable to reduce your disbursement under this head to the smallest possible sum.

6. Clothing for the Kareres.

As the contract has been made for providing the uniforms of the Kareres here, all that will be necessary will be that a rough measurement of the men who may be recommended by the Runanga for that office should be sent up with their names. Directions for this will be enclosed herewith.

7. Date from which Native appointments to be made.

In the case of the ten chiefs whose names are given in your list, their appointments will commence from the 1st January last, as well as that of the Warden. The appointment of the Kareres and any others will date from the time of their nomination by the Runanga.

I have, &c.,

HENRY HALSE,
Acting Native Secretary.

George Clarke, Esq., Civil Commissioner,
Bay of Islands.

REPORTS OF OFFICERS:

No. 3.

REPORT OF THE FIRST MEETING OF THE BAY OF ISLANDS RUNANGA.

Civil Commissioner's Office,
Waimate, March 29th, 1862.

SIR,—

I have the honor to inform you that the District Runanga of the Bay of Islands held its first meeting on the 24th instant at the Waimate, and ended its first Session on the evening of the 28th, after sitting sometimes ten hours a day.

The whole conduct and proceedings of the Runanga will, I hope, be satisfactory to the Government. It has far exceeded my most sanguine expectations.

Copies of Minutes of Meeting, together with papers connected with the whole business of the Runanga, will be forwarded as early as they can be prepared.

I have, &c.,

GEORGE CLARKE,
Civil Commissioner.

The Hon. the Native Minister.

No. 4.

REPORT OF PROCEEDINGS OF BAY OF ISLANDS RUNANGA.

Civil Commissioner's Office,
Waimate, April 5th, 1862.

SIR,—

I herewith enclose to you, for the information of the Government, the following documents, viz.—

Copy of the Minutes of the Bay of Islands District Runanga, with translations, March 25th, 1862, at Waimate.

Copy of the address of the President of the Runanga to the Chiefs of the Runanga, with translation.

Copy of the proposed Standing Orders, for the guidance of the Runanga, with translation.

Copy of the proposed organization of the District, with translation.

The accompanying remarks will explain the principal business to which the enclosures refer.

The proceedings of the first day, namely the 25th, call for a few observations. About 500 Natives were assembled at the Waimate; and at the request of Tamati Waka, and many other Chiefs, who were not members of the Runanga, the day was given to them to discuss the new policy in their own way, as a preliminary for its formal introduction on the morrow. An outline of the speeches, which were taken by a Native reporter, shall be forwarded as soon as they can be collected.

It was gratifying to learn that no objections were raised to any of the appointed members of the Runanga by the assembled Chiefs, and there is every reason to believe, that if there had been an election to-morrow, those Chiefs who have been already approved of by the Government would have been returned by the people, as members of the Runanga, to represent the District. The only complaint I could hear was that the number of representatives was far too small, and when reminded that two more members could be nominated by the Runanga during the Session, their reply was, "that there ought to be ten instead of two," and I apprehended that there would be great difficulty and dissatisfaction upon this point.

On the 26th, accompanied by the magistrates and interpreters of the district, with several English ladies and gentlemen, I met the Chiefs of the Runanga, to open our first Session, in the order as stated in the Minutes.

We greatly felt the want of better accommodation, and though every arrangement was made to provide for the public, we were incommoded for want of room.

As the day was fine, we might have had our meeting in the open air; but I submit that such a step would not only have been inconvenient, but contrary to the expectation of the Chiefs, who had been given to understand that their assembly was to be after the model of English councils; moreover, had the meeting been held outside, we could have had no control over the Chiefs, who would (whether members or not) have made their speeches as they pleased; and would have been as disorderly as they usually are at their own meetings; as it was, we had order and regularity, and a precedent for future Runangas.

The documents enclosed will shew the amount of business done on the first day. The whole was conducted to the satisfaction of myself, the Native chiefs, and English visitors. Motions were made and seconded, as described in the Minutes; the Chiefs having been schooled the night before in the way in which English assemblies are conducted; and by the energetic and persevering exertions of Mr. Williams, the magistrate of this hundred, who assisted them in writing out the motions, they soon became masters of the subjects. The Chiefs who could not write were selected to second the motions, which they did with credit.

On the 27th the real business of the session commenced; the first subjects discussed were standing orders, and the organization of the District. In considering the organization of the

District, some of the members remarked that the subject was too important to be lightly entered upon; I was of the same opinion, and was glad of an opportunity of advising them to pass a resolution to have the papers printed; so as to give the Government time to make such amendments as might be more fitting; or to prepare a more perfect organization to be laid before them at their next meeting, and to have copies of the proposed arrangements printed and placed in their hands, previous to their being called together. This was unanimously agreed to, as shewn in the business of the day.

The next business was the selection of two more Chiefs for the District Runanga; and, as I expected, most of the members had a friend to provide for. The first chief proposed was Wiremu Tana Papahia, a Rarawa chief, living at the North Head of Hokianga, and whose influence extends as far as False Hokianga; a very proper person, and one that I had fixed upon while on my tour to Hokianga in December last. There was unanimity of feeling upon this matter; he was therefore nominated: after which, Tamati Waka pressing forward Ruhe, a chief of Pukenui, and so bent was Waka upon this point that he told the Runanga he would vacate his seat, if there was no other way of getting Ruhe into the House; and though many of the members thought that a more fit person should have been proposed, they gave way to Waka, and nominated Ruhe. I am at a loss what to recommend as the best course to be pursued in this case. Ruhe can do us much mischief, and but little good; but being a friend and relation of Waka's, if not admitted into the Runanga, we shall lose Waka, and much of his influence; and if the Government is unwilling to admit a larger number than twelve, by electing Ruhe we shut out more useful and influential men. The best suggestion I can offer is, that he be admitted as an honorary member, but I fear neither Waka nor himself would be satisfied.

The next Chief was proposed by Marsh Kawiti, named Piripi Korongohi, of Tautoro, a Chief of secondary rank, but over whom Marsh has influence, and claims him as his friend and neighbour. I reminded the Runanga that they had already made up their number to twelve, the original number proposed by the Government; but out of compliment to Marsh, Piripi was unanimously named for the approval of the Government. I could not recommend this Chief, even if the Government were prepared to admit a larger number of members; not being one of the first rank, his influence is very small, and even in a Native point of view, his character does not stand very high.

To prevent future embarrassment, both to the Government and the Chiefs themselves, I would suggest that after having finally determined on the number of chiefs to be admitted to the Runanga, and to be paid by the Government, if members wish any further augmentation of their numbers, the Runanga must find means for paying them; as the Government can only admit them as honorary members. This, I think, would save both Government and chiefs from being continually pestered with applications from their friends. But, before leaving this subject, I am prepared to advise the Government that there should be an addition of at least three more members for this District, making them fifteen in all.

The whole of the coast line from Russell to Tutukaka, being the greatest part of the hundred of Kororareka, is unrepresented in the Runanga by any chief of the hundred; and Marsh Kawiti, though not living within that hundred, but possessing great influence in it, made some just observations in the Runanga upon the subject; he felt, he said, that they, the natives of that hundred, and himself, as their friend, had been greatly neglected. I would therefore propose that three of the principal chiefs of that and the bordering hundred of the Waimate, with one warden, be selected by the people, assisted by Marsh and his friends, and approved of by the Government, to represent that part of the district in the Runanga. This, I think, would give general satisfaction to all the chiefs of the district. I feel confident that no district of the same extent and population could at first be worked with a smaller number of chiefs, with anything like success; gradually, the expenses attending this great policy may be lessened, fewer English magistrates will be required, when the district is well organized, and the Natives better understand their duties.

The papers referring to the payment of the members of the Runanga and other Native officers, were called for and laid before them; and in committee debated upon for hours. Nothing could convince them that they were on an equality, as members of the Runanga, while there was an inequality of salary. The salaries of constables and wardens, they remarked, were equal, and why should not theirs be? They could not comprehend how it was that a constable should be paid more than an assessor? Their decision will be found in the Minutes of the day, and their debates and arguments were often a credit to their understanding.

In revising the list of assessors, they struck off five or six as useless; but with the exception of Tamati Hapimana, whose name was erased as a notorious drunkard, it appears to me that the others should retain their pittance as a pension, being very old men. Mitai Pene Taui was struck off with the rest, having left the district.

I hope, at an early convenience, to supply you with a complete list of assessors in the district, with a few suggestions for the further improvement and efficiency of these officers. The Runanga adjourned at about 11 o'clock, after sitting nearly 19 hours.

On the 28th the Native Chiefs began to show symptoms of uneasiness, and I found it would be impossible to keep them in good humour for business much longer; therefore, at their unanimous request, I agreed to close this, our first session, in the evening, which I did, just before 4 o'clock; first passing several motions respecting our next meeting, determining the place where, and the time when, it should be held.

It will be seen that much more was proposed for the consideration of the Runanga than could have been got through in one session; important subjects have been left untouched. Much time

was taken up in filling up offices, and I was unwilling either to hurry or weary the chiefs of the Runanga. It is only a beginning, but, with the assistance of the Government, I hope to be able to make more comfortable provision for the next meeting, and secure more time for business. In the interim, the chiefs will be much better prepared to understand their duties.

I hope that, upon the whole, this first effort will meet with the approbation of the Government. It has afforded me satisfaction: and too much cannot be said of the respectful and praiseworthy conduct of the chiefs and Natives in general, upon the occasion.

The meeting broke up, with but one cloud to darken our otherwise bright day, and that was an attempt by Native sellers to introduce spirits; but, with the exception of a few unsteady Natives, it was a perfect failure; harmony prevailed, and all returned to their homes much pleased.

I have only one more remark to make, and that is, that if the proceedings of the Runanga meet with the approval of the Government, I suggest that they should be printed, in the shape of a small pamphlet, in English and Maori, and sent to the different chiefs; if published piecemeal in the *Maori Messenger*, I fear they will never be read; a few copies will suffice, and will please the Ngapuhi, and will not interfere with their insertion in the *Messenger*.

The subject for erecting a suitable building for a Runanga house, and its locality, I will resume at another opportunity.

I have, &c.,

GEORGE CLARKE,
Civil Commissioner.

The Honorable the Native Minister.

[MEMORANDUM.]

Civil Commissioner's Office,
April 7th, 1862.

It appeared to me better to send the Native speeches made by the different members of the Runanga in their original form, as they came from the Native reporter himself. They may be depended upon as being perfectly correct, though a good deal condensed, the reporter having been instructed to take down the heads of the speeches, which will be expected to appear either in the *Maori Messenger* or in some other publication. The Ngapuhi chiefs have expressed themselves disappointed by not seeing in print an account of the meeting with His Excellency the Governor in November last at the Waimate, and at Hokianga. They state that everything said and done by the disaffected Natives of Waikato is printed in the Maori paper, but their loyal speeches and conduct have been unnoticed. They hope that this will not be the case with the proceedings of this their first Runanga.

The speeches made by the chiefs out of doors on the first day of their meeting were very satisfactory. One and all urged the adoption of the new policy. The notes were mostly taken in pencil, and would require more time than I can at present command to decipher them; but they will be carefully deposited with the records of the Runanga, and will be forthcoming whenever called for. I should be glad to have the accompanying original speeches returned, to be kept with the other records of the meeting in this office.

I must beg to call the attention of the Government to Maihi's speech. It will be seen that he expresses himself disappointed at not having had an answer from the Government respecting his meeting at the Kawakawa in January last.

GEORGE CLARKE,
Civil Commissioner.

Enclosure in No. 4.

ADDRESS OF THE PRESIDENT TO THE BAY OF ISLANDS DISTRICT RUNANGA.

Friends,—Chiefs of the Runanga, listen to my words. Great is the joy of my heart this day. This is the first District Runanga of New Zealand, which has been convened by the Government. We are assembled at this time in the midst of peace, in order to lay down new and good regulations, that we may dwell together in love.

Friends, I have in remembrance another Maori Runanga called long ago by your fathers, most of whom are dead. It is nearly forty years since that Runanga (took place). I was then listening to the words of the chiefs. Hongi Hika was there, and Kawiti, and Muriwai, and Taonui, and Pi, and many others of the chiefs. The thoughts (or deliberations) of that Runanga were about war, and the destruction of the Ngatiwhatua of Kaipara. I did not know then that I should see a day in the future when I should be required to call you to assemble in peace. Your fathers have passed away, but you their children have met this day in harmony and love. The thoughts of the ancient Runanga were of war and mischief, but the counsels of the present Runanga are to hold fast peace, that we may do that which is right.

What is our object in thus meeting together? Is it to throw down words for the destruction of man? No, we are seeking for a different order of things. Our business at this Runanga is to lay down regulations by which men may live; that the Englishman and the Maori may dwell together in peace; that we may be united as one people, with one code of laws for us all, and one great head, our compassionate (or loving) sovereign Queen Victoria.

It is by the desire of the Governor and his Council, that this assembly has been convened and set up as a Runanga, that we may make regulations by which the law can be carried out by every one in this district.

For many years past you have urged the Government to give you laws like those of the English, that you might be enabled to do that which is right.

You are quite sensible of the errors of some of your Maori usages. One thing which has weakened (or disheartened) you in your labours was the thought, that if you possessed property, some excuse would be found by others whereby you would be robbed of all your gains.

It is on account of this practice that the Maori cannot equal the Englishman, for he possesses no law (which can act) as a guardian to his property.

Many of the thoughts (or opinions expressed) at your Maori Runangas were very excellent, but those good ideas were completely lost for want of unity in the work.

If you did agree on perceiving a good proposition, yet because this regulation was neither made public nor written (nor recorded), it was never carried out, being hidden (or forgotten).

Now all that is done at this Runanga will be written, and, if the Governor and his Council consent, will be printed, so that being a fixed record, men may learn, and thus all of this district will be enabled to fulfil the laws.

Another thing causing difficulties among you has been the want of a leader (for carrying out) these regulations. According to your Maori usages every man was an adjudicator or magistrate, and if any man did evil you did not quietly judge him for his fault, but took *tauas* (or fighting men) to strip his village—thus casting the sin of one man upon many, robbing all, whether orphans, widows, or sick people, distressing all by this system of plunder. It is by this means that the Maori race is kept in poverty. Friends, now will be the time of your prosperity if you carry out the Governor's new scheme which has been given to us, because it is for this Runanga to devise measures (or laws) for the magistrates or assessors to lead in the Courts. It is for the wardens (or guardians) and the heralds (or constables) to preserve peace, so that order may be kept throughout the district.

Perhaps you have not forgotten your loving friend Mr. Marsden? You urged him to give you laws that evil might cease; but he replied that he was a minister, and had other work to do, which was, to teach the laws of God and make known the Gospel.

You also urged your other missionary friends to give you laws, but the answer they returned was the same as Mr. Marsden's. After this you prayed to the British Government to devise laws for you. This was long before the Government arrived in this island; but on account of suspicions and a want of unity among your chiefs, this thing could not be accomplished. Then when the Government came to this island, you looked cautiously, and you had no confidence in the good feelings of the English towards you. Other things which added to the difficulty were the divisions (or wars) among yourselves, and then the desire for British laws ceased.

At this time you are seeking for good regulations, and the Governor and his Council are desirous that you should work together, in order to devise such measures as will enable the Maori people to climb upward in the good path, that our laws may be alike, so that we may become one nation, and that the English and the Maori may dwell together in tranquillity.

This is the reason why this assembly is called together by the Governor and set up to be a Runanga, in order to lay down good laws. Friends, let us labour as one with the Government in this good work, let all our thoughts pull one way and thus throw all our strength together. Let us fulfil that proverb of the English, "A long pull, and a strong pull, and a pull altogether."

How would the plough speed if one ox was yoked in front and the other behind, thus pulling (in opposite directions)?—the plough would stand still upon the ground. What would become of the swiftness of the canoe if some determined to paddle backwards while the rest pulled forwards?—the canoe would lie helpless upon the ocean. Our labour will be in vain and our canoe will float helplessly if our thoughts are not agreed about this great work we have to do. Let us not be gloomy because of our ignorance respecting this new work. The child does not arrive at manhood in one day; nor does a sapling become a large tree within a week. I know that there are many rules in this new work which will not be quite clear to you at first, but let us persevere. It was by perseverance that you learned to read and write. Many things are done easily by you now which were looked upon ignorantly (or as great difficulties) before. You have seen the ordination of Maori clergymen, and your ears have listened to the words of the Gospel preached to you by them. Perhaps hereafter some of you or your children will speak in the English House of Assembly; that is, if you study the English language. You are able (or equal) to do this. You must strive to have your children taught the English language, that they may by that means learn all the good knowledge of the English.

I will now proceed to place before the Runanga an outline of the business of the session.

1. In the first place I shall lay upon the table for your consideration and approval the rules and standing orders for the guidance of the Runanga.

2. The rules by which it is proposed to organize or constitute this district will require the most attentive consideration of the Runanga, for when fully settled and approved of by the Governor and the Runanga, will form the basis of all future proceedings.

I shall bring under the notice of the Runanga the following subjects, namely:—

1. The number of chiefs which are to constitute the District Runanga. Ten have already been appointed by the Governor and Council. Two wardens are required for the Hundreds of Waimate and Kororareka.

2. The Runanga will proceed to nominate the above officers for the approval of the Governor.

3. The Runanga will proceed to nominate 20 Kareies in the following order:—7 for Hundred of Hokianga, 9 for Hundred of Waimate, 4 for Hundred of Kororareka.

Sec. I.

4. The Runanga will consider whether any additional assessors are needed, and if needed will nominate proper persons.

Motions made by the Runanga and seconded upon the following subjects:—

1. That all Tauas shall cease, and all disputes shall be settled by the magistrates and assessors.
2. That no one be allowed to take the law into his own hands, nor be judge in his own case.
3. That the English law be the rule of action and decision.
4. That the Runanga will provide for the settling of disputed boundaries of land.
5. That the Runanga pledges itself to carry out the decisions of the Courts.
6. That the Runanga will use all lawful means for stopping the excessive use of ardent spirits.
7. That the Runanga will decide upon the locality for their future meeting.
8. That the Runanga will determine upon the erection of suitable buildings for its accommodation.

9. As funds will be required beyond the Government grant of £100, that the Runanga consider the way in which they be raised.

10. Provision for schools, school endowments, endowments for religious purposes, medical aid for consideration of members at next meeting.

11. The place and time of next meeting to be determined upon before breaking up. These will form the principal subjects for your consideration this session.

May all our deliberations be guided and directed by the God of all wisdom, without whom nothing is strong, nothing is holy. May He lead and teach us, that we may do that which is pleasing in His sight.

WAIMATE, WEDNESDAY, MARCH 26.

The President opened the proceedings with prayers.

The following chiefs answered to their names:—

Tamati Waka Nene,
Wiremu Hau,
Maihi Paraone Kawiti,
Hemi Marupo,
Arama Karaka Pi,
Hira te Awa,
Aperahama Taonui,
Kingi Wiremu Tareha,
Rangatira Moetara.

The President declared the Runanga to be duly constituted, and proceeded to read the address. Proposed by Arama Karaka Pi, and seconded by Rangatira Moetara:

That the thanks of the Runanga be presented to the President for the address, with a request that the same may be printed.—Agreed to.

Proposed by Maihi Paraone Kawiti, and seconded by Hemi Marupo:

That Mr. Hopkins Clarke and Hare Wirikake, be appointed secretaries for this session of the Runanga.—Agreed to.

Read standing orders, and proposed organization for Bay of Islands District.

Proposed by Wiremu Hau, and seconded by Kingi Wiremu Tareha:

That the standing orders, and proposed organization for the Bay of Islands District, now read, be printed by the Government, and copies forwarded to the members of the Runanga, that they may have the opportunity of duly considering the same before passing them at the next meeting of the Runanga.—Agreed to.

The Runanga then adjourned to Thursday the 27th day of March.

THURSDAY, MARCH 27TH.

Members present at the Runanga:—

Tamati Waka Nene,
Hare Hongi Hika,
Maihi Paraone Kawiti,
Hira Te Awa,
Arama Karaka Pi,
Wiremu Hau,
Aperahama Taonui,
Hemi Marupo,
Rangatira Moetara,
Kingi Wiremu Tareha.

The minutes of the last meeting were read and confirmed.

Proposed by Wiremu Hau, and seconded by Kingi Wiremu Tareha:

That the Runanga go into committee for the purpose of selecting chiefs to make up the number of twelve for the District Runanga, also wardens and kareres for the Hundreds.

Runanga went into committee.

Proposed by Aperahama Taonui, and seconded by Hare Hongi Hika:

That the Committee having taken into consideration the question before them, have agreed that the following names of chiefs shall be added to the ten already appointed, as members of the District Runanga:—

Wiremu Taua,
Ruhe,
Piripi Korongohi.

—That Kingi Hori Hira be nominated as warden for the Hundred of Waimate. That Mangonui Kerei be nominated warden for the Hundred of Kororareka, and the following persons nominated as kareres for the district, viz.,

Maihi Uia,
Tuoro,
Hone Mohi Tawhai,
Te Tane Haretua,
Te Abi Mawhiti,
Hami Wawe,
Mehaka te Pona,
Te Whare Tuhituhi,
Nopera,
Wiremu Pepene,
Mihaka Tirarau,
Te Rangaihi,
Perene Taonui,
Aperahama Hone,
Wiremu Katene,
Manihera Rakau,
Henare Merino,
Rapata,
Wimata,
Pene Kereama,
Hare te Heihei,
Hone Eruera,

—subject to the approval of His Excellency the Governor.

Referred by the Committee to the Runanga.

House resumed. Report of the Committee received.

Proposed by Aperahama Taonui, and seconded by Arama Karaka Pi:

That the President be requested to furnish a list of all the assessors in the District, together with the amount of salary received by each.—Agreed to.

A list of all the assessors in the District was accordingly placed on the table.

Proposed by Hemi Marupo, and seconded by Arama Karaka Pi:

That the Runanga go into committee for the purpose of considering the list of assessors, now produced.—Agreed to.

Runanga went into Committee.

Proposed by Aperahama Taonui, and seconded by Hemi Marupo:

That His Excellency the Governor be requested to erase from the list of assessors the following names:—

Warihi Kokowai,
Hohaia Waikato,
Tamati Hapimana,
Parata Puariri,
Mitai Pene Tau,

—and that the following names be added to the list of assessors:—

Wiremu Kaire,
Rawiri te Tahua,
Wiremu Poa,
Wepiha,

—and that the following assessors who have hitherto acted without pay, may be placed on the paid list:—

Kou,
Tamati Huingariri,
Hare Poti,
Henare te Titaha,
Wiremu Hopihana.

Referred by the committee to the Runanga.

House resumed. Report of the committee received.

The Runanga then adjourned to Friday the 28th day of March.

FRIDAY, MARCH 28TH.

Members present at the Runanga:—Hare Hongi Hika, Hira te Awa, Arama Karaka Pi, Hemi Marupo, Aperahama Taonui, Wiremu Hau, Rangatira Moetara, Kingi Wiremu Tareha.

The minutes of the last meeting were read and confirmed.

Proposed by Arama Karaka, and seconded by Rangatira Moetara :

That the President be requested to state the amount of salaries proposed for the members of the Runanga, and other Native officers connected with the Government in this district.—Agreed to.

A list containing the amount of salaries proposed was accordingly laid upon the table.

Proposed by Ilemi Marupo, and seconded by Aperahama Taonui :

That the Runanga go into committee for the purpose of considering the list now produced.—Agreed to.

Runanga went into committee.

Proposed by Arama Karaka, and seconded by Rangatira Moetara :

That the Committee having taken into consideration the difference in the salaries proposed for the members of the Runanga, are of opinion that all the salaries should be alike, inasmuch as the salaries proposed for the wardens are alike; those for the kareres are also alike. The Committee also desire to record their opinion that His Excellency the Governor be requested to increase the salary of an assessor to £20 (twenty pounds) per annum.

Referred by the Committee to the Runanga.

House resumed. Report of the Committee received.

Proposed by Aperahama Taonui, and seconded by Rangatira Moetara :

That, in the opinion of this Runanga, although the salaries of the assessors commence on the same scale, should the Resident Magistrate of the Hundred at any time wish to recommend an assessor, whose energy and good conduct may have entitled him to an increase of salary, he shall bring the question before the Runanga, who will submit the same for the approval of His Excellency the Governor.—Agreed to.

Proposed by Arama Karaka Pi, and seconded by Kingi Wiremu Tareha:

That this Runanga will exert its influence to put a stop to all Maori tauas, and that all differences and disputes shall be adjusted by the Magistrates and Native assessors.—Agreed to.

Proposed by Arama Karaka Pi, and seconded by Rangatira Moetara :

That the time for the next meeting of the Runanga be fixed for the month of March, 1863; the President to fix the day of the month, and communicate with the members.—Agreed to.

Proposed by Aperahama Taonui, and seconded by Kingi Wiremu Tareha :

That a building for the Runanga be erected at Waimate, on the land offered by G. Clarke, Esq., to the Government.—Agreed to.

Proposed by Aperahama Taonui, and seconded by Kingi Wiremu Tareha :

That some plan be adopted for raising a subscription towards a Runanga building;—the sum thus raised to be added to the £100 granted by the Government.—Agreed to.

Proposed by Aperahama Taonui, and seconded by Hare Hongi Hika :

That, as far as possible, all the proceedings in this district shall be conducted according to English law.—Agreed to.

The chiefs of the Runanga having expressed a wish that the business should be brought to a close, the President, after a short address, dismissed the Runanga.

STANDING ORDERS.

1. In all cases not hereinafter provided, the President shall decide.
2. The sitting days of the Runanga shall be Monday, Tuesday, Wednesday, and Friday, unless otherwise ordered by the Runanga.
3. The President shall take the chair at ten o'clock, unless another hour shall have been appointed.
4. If, at the expiration of half an hour after the hour appointed, there be not six members present to form a quorum, the President shall adjourn the meeting until the hour appointed for the next day.
5. The public shall have free access to these meetings, but at the request of any member, the President shall at any time order strangers to withdraw.
6. After the reading of the prayer appointed for the Runanga, the minutes of the previous meeting shall be read and confirmed.
7. Motions of which previous notice shall have been given, shall be taken into consideration.
8. Notices of motion may be given at any convenient opportunity in the course of the day.
9. Every member shall address the President when speaking.
10. All questions of order shall be decided by the President.
11. The President shall confine each speaker to the subject matter of debate, nor shall it be in order for any member to interrupt the speaker.
12. No member shall be allowed to speak more than once upon the same subject, except when in Committee of the whole House.
13. No subject which shall have been under the consideration of the Runanga, and disposed of, shall be again brought forward during the same session: nor shall notice of motion on any such subject be permitted by the President to be received.
14. No notice shall be taken of any motion unless it be seconded.
15. Notices of motion for the appointment of select committees shall contain the names of the members proposed to serve on such committees.
16. No act, regulation, or by-law, shall be passed by the Runanga, until the following regulations shall have been observed. 1st.—ordered to be read a first time: 2d.—considered in detail, in committee of the whole House.
17. The Runanga shall have power at any time to add to the number of the "Standing Orders."

PROPOSED ORGANIZATION FOR THE ACCEPTANCE OF THE NGAPUHI CHIEFS, AT THEIR FIRST RUNANGA, CONVENED AT WAIMATE, MARCH 27, 1862.

BAY OF ISLANDS DISTRICT.

This district is called the Bay of Islands District, that is to say, all territory lying within a boundary line, commencing at the North Head of False Hokianga or Herekino, running thence in a right line to the summit of Maungataniwha, and thence in a right line to the South Head of Whangaroa harbour, thence by the coast line (including adjacent islands) to the North Head of Tutukaka harbour, thence by a right line to Maunganui Bluff, and thence by the coast line to the commencing point. (See *Maori Messenger*, February 5, 1862.)

This district is subdivided into three Hundreds, to be called, the Hundred of Kororareka, the Hundred of Hokianga, and the Hundred of Waimate.

The District to be constituted in the following order, namely, 1 civil commissioner; 3 magistrates; 12 chiefs for the District Runanga, viz., 4 for the hundred of Hokianga, 2 for the hundred of Kororareka, and 6 for the hundred of Waimate; 3 wardens; and 20 kareres, viz., 4 for the hundred of Kororareka, 6 for the hundred of Hokianga, and 10 for the hundred of Waimate; and should the Runanga at any time wish to make any further additions to the number of kareres or assessors above named, their recommendation to be forwarded for the approval of His Excellency the Governor in Council.

The civil commissioner, and magistrates, shall be appointed by the Governor in Council. The chiefs of the District Runanga shall be elected by the hapus of the respective hundreds, subject to the approval of His Excellency the Governor in Council. The wardens, assessors, and kareres shall be nominated by the District Runanga, subject to the approval of His Excellency the Governor in Council.

The chiefs of the District Runanga shall hold office for the term of four years, at the expiration of which the Governor shall dissolve the Runanga, and the hapus of the respective hundreds shall again elect members, subject to the approval of His Excellency the Governor in Council. The assessors shall hold office for life, or during good conduct, subject to removal only by His Excellency the Governor in Council.

There shall be one meeting of the District Runanga in the year, to be convened by the Civil Commissioner, addressing the chiefs of the hundreds by letter, setting forth the time and place of meeting, it being the pleasure of the Governor in Council that such meeting should take place.

At the close of every meeting, before the Runanga breaks up, it shall be determined when and where the next meeting shall take place.

The Governor in Council may at any time, or on any special occasion, assemble the District Runanga, through the Civil Commissioner, to take into consideration subjects within their jurisdiction.

The chief to be elected for the District Runanga should be of good family, should possess influence among his people, a man of general knowledge; he should be free from debt, and well spoken of by all.

An assessor, also, before whom cases of every kind will be brought for adjudication, should be a man of good knowledge, free from debt, neither a drunkard nor an adulterer, and be well spoken of by all, in order that he may command success in all his undertakings. The same is also applicable to the kareres; if it be their desire to continue in office, they must maintain good conduct.

All persons, from the age of 18 years and upwards, shall be qualified to vote at elections, inasmuch as it is a native custom that all should take an active part in public affairs.

All native elections shall be conducted in the same manner as elections for the Provincial Council and General Assembly.

A census of every hundred in the district shall be taken, from which an electoral roll shall be formed, in order that elections may be quietly and orderly conducted.

All salaries, both of European and native officers, will be paid by the Government through the Civil Commissioner, who is considered to act as the sub-treasurer of the district.

The Native Districts Regulations Act, of 1858, has given powers to some extent, to which may be added the following:—

1. To inspect and report upon schools aided by the Government.
2. To recommend additional schools to be established.
3. The erecting and maintaining of hospitals.
4. The charge and construction of roads.
5. The erecting and maintaining of gaols.
6. The adjustment of all lands in dispute by tribes, hapus, and individuals.
7. To recommend terms and conditions under which crown grants may be issued.
8. Taxation for defraying expenses of Runanga and providing for schools.
9. Recommend and provide endowments for all religious purposes.
10. Recommend the best mode of carrying out the decisions of courts of justice.

Should a vacancy occur in the District Runanga, through death or resignation, the same to be filled up within two months, from the time the president of the Runanga is made acquainted with such death or resignation, in the following manner, viz., by a letter from the commissioner to the resident magistrate of the hundred, requesting him to call together the chiefs of that part of the hundred where the vacancy has occurred, for the purpose of nominating a successor; and in the event of more than one chief being nominated, a poll may be demanded, as in the case of Provincial Council elections, the polling day to be named; an assessor shall act as the returning officer under

the direction of the resident magistrate. The name of the successful candidate shall be made known in the most public manner; a letter shall be written to the President of the Runanga, naming the chief who is returned, when publicity shall be given to the same in the *Maori Messenger*. Should a vacancy occur through death, resignation, or dismissal of an assessor, warden, or karere, such vacancy shall be filled up by the resident magistrate and chief of the hundred, subject to the approval of the Governor and the District Runanga.

The following chiefs have been nominated, and appointed members of the District Runanga by the Governor in Council, viz.,

Tamati Waka Nene,
Maihi Paraone Kawiti,
Hare Hongi Hika,
Arama Karaka Pi,
Rangatira Moetara,
Aperahama Taonui,
Kingi Wiremu Tareha,
Wiremu Hau,
Hira Mure te Awa,
Hemi Marupo.

In every hundred there shall be as many village runangas as there are returned members for the District Runanga.

The chief of the District Runanga shall be the President of the village runanga in which he resides, assisted by the magistrate of the hundred, with the assessors.

The chiefs of the hundred, wishing to form themselves into a Village Runanga, shall, to the number of not less than 3, and not more than 12, signify the same to the resident chief of the District Runanga, and to the magistrate of the hundred, when they shall be nominated to the Governor and Council for approval.

When the chiefs of the village runanga are desirous of calling a meeting to discuss any of the local questions assigned to them for consideration, not less than three of their number shall give notice of the same to their president and the magistrate, who shall consent thereto, signifying their intention of attending, and naming the time and place where they shall meet.

Public notice of the same shall be given, that those residing in the village and its vicinity may have an opportunity of attending.

The chiefs who call the meeting shall provide for the same, as according to native custom, whenever a meeting is called, ample provision is made for those who are expected to attend.

A secretary shall be appointed, who shall take minutes of all proceedings, a copy of which shall be forwarded to the Civil Commissioner for transmission to the Governor.

In every hundred there are many local subjects upon which the village runanga may justly claim to deliberate. The following will come more immediately under their management:—

To decide upon the best fences for the hundreds.

Cattle trespasses.

Erecting pounds.

Endowments for schools and religious establishments.

Erection of schools, court houses, &c.

Settling boundaries of land in the hundred, and referring the same to the District Runanga.

Leasing or selling land.

Providing for the peaceable settlement of families by marriage.

Law of adultery.

Carrying out the decisions of the courts.

FURTHER PAPERS

E—No. 9
Sec. II.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION II.

LOWER WAIKATO.

PRESENTED TO BOTH HOUSES OF ASSEMBLY BY COMMAND OF HIS EXCELLENCY.

SECTION II.

LOWER WAIKATO.

[Memorandum.]

While the Governor was at the Bay of Islands in November, 1861, Mr. Fenton, who had been Resident Magistrate in the Waikato in 1857-8, was requested to visit that district for the purpose of acquainting the Natives with his Excellency's plan of Native Government. Shortly after the Governor's return from his visit to the Ngapuhi Chiefs in the North, Sir George Grey proceeded to the Waikato, accompanied by the Colonial Secretary, having been invited personally to declare his intentions to the tribes of that district. Meetings were held between his Excellency and the Natives, at Kohanga and Taupari on the Lower Waikato, which were attended by a number of Chiefs from the Upper Waikato, representing the adherents of the Maori King party. The speeches of Sir George Grey and the Natives will be found separately printed in Sess. Pap. 1862, E—No. 8.

Mr. Fenton was then charged with the duty of initiating the Governor's plan of Native Government in the Lower Waikato, on the understanding that Mr. James Armitage, a settler who had resided there for several years, was to be afterwards appointed to the district as Resident Magistrate. The personal communications between Sir George Grey and the Chiefs, and the verbal orders given to Mr. Fenton and Mr. Armitage, made it unnecessary to issue written instructions at that time to those officers. Upon the Lower Waikato District being constituted by Orders in Council under the Native Acts of 1853 (see E—No. 6), Mr. Fenton resigned his charge to Mr. Armitage]

No. 1.

FIRST REPORT FROM F. D. FENTON, ESQ.

Auckland, November 13th, 1862.

SIR,—

I hope to be able, on Wednesday, to start again for the Waikato country to assist at the initiation there of the system of government proposed by His Excellency for the Maori people; but before I start I am anxious to receive directions on two points.

The first is speedily stated; namely, am I at once to commence to make the road from Whaingaroa to the Waipa, and if so on what terms?

The second point, to which my most serious reflection has been for some time devoted, I must state more at length; and I beg to premise an apology in case I err in supposing that I am at liberty to make remarks on the policy which I am to institute, instead of at once instituting it. My apology is this, that in the point to which I am about to refer, I do not understand the policy; or if I do understand it, I think that it contains within itself the elements of failure. I write what I am about to write with much reluctance, but I feel that I should be remiss in my duty if I failed to do so. The point to which I allude is the appointment of an officer called a Civil Commissioner.

When you did me the honor to direct my attention to the consideration of the scheme drawn up by the Governor, I observed that only one class of European officers was suggested; and although called there a "Civil Commissioner," I supposed the officer defined to mean simply a Resident Magistrate, or rather a Circuit Magistrate with augmented power. This appeared to me perfectly satisfactory. But when you put into my hands at Kohanga a printed paper explaining at length the new system, and also made me acquainted with the arrangements that had taken place in the North, I perceived that in addition to the European Magistrate there was to be another European Resident Officer superior in rank to the Magistrate and (I presume) to some extent competent to control his action. This appearing to me very objectionable, I awaited with some anxiety His Excellency's explanation of his policy to the Natives, with the desire of ascertaining what were the particular functions of the Civil Commissioner, and how far he would interfere with the inferior machinery, and how such an extraneous idea would be grafted on to the laws of 1853,

under which the system was to be put into legal operation. But I observed that His Excellency made no allusion in his address to the Natives to the functions of the Civil Commissioner, or indeed to the appointment of such an officer at all. I therefore remain in doubt as to what part of the plan is to depend upon the appointment of this officer; and in the apportionment of the usual duties to be performed, as to where the functions of the Resident European Magistrate and the Maori Warden are to end, and those of the Civil Commissioner to begin.

Considering the question therefore as yet open, I beg most respectfully to submit to you the following reasons which, to my mind, are sufficiently strong to negative such an appointment, even if some arguments could be used on the other side, of which I am not aware.

1. The additional expense. On this point I shall not enlarge, because I consider that it would be impertinent in me to make any remarks on a question with which I have no concern, especially when I am unaware from what source the money is to come. But I respectfully state that I believe no policy will succeed which does not command the cordial approbation of both races; and if the funds are to be derived from Colonial revenue, the General Assembly will require proof that the expenditure of so large a sum as £10,000 is of vital importance to the success of the scheme, and I do not think such proof can be found.

2. This body of men, if appointed, will (if I at all understand what they are to be) constitute a new Native Department of vastly increased magnitude. The Protectorate was abolished by Sir George Grey in former years, and the dictatorship of the Native Department has recently faded away; the house has been swept and garnished. It would be a melancholy retrospect five years hence to have to look back upon the re-establishment of a sort of corporation which never did and never will command the confidence of either race. It appears to me that no one should stand between the Magistrate and the Government. The best men available should, I respectfully submit, be appointed to the Magistracy, and there can be no advantage derived from subjecting the superior to the mind of inferior capacity. There will be an antagonism, possibly concealed but more probably expressed, if not in official documents in the *res gestæ* of the district, between the working Magistrate and the supervising and advising Commissioner. And the quick perception of the Natives will soon be aware of this; if dissatisfied with the Magistrate, they will use the Commissioner as a Court of Appeal. If the scheme succeeds there can be no need for *resident* political agents, and if it does not succeed, of course they disappear with the general breakdown. If I understand the grand idea of the plan, it is to supplant negotiation by fixed rule; to destroy the necessity of resorting to diplomacy by deciding matters according to law. The success of the plan therefore involves the destruction of the diplomatist.

3. I cannot discover what the Civil Commissioner will have to do. He will not interfere with litigated matters. The Warden of the village will preside at Village Runangas, guided, of course, by the Resident Magistrate, who will always be present, for the Runangas will be held after each Court. The Resident Magistrate will preside at the District Runanga, or the Runanga composed of the representatives of the tribes of the District. All local matters will be decided by the Village or Hundred Runanga. The pay-bills may be made out by the Resident Magistrate, and the money paid by him or to his order, for the salaries. What then is left? If instructions are needed to the Magistrate, I submit that they should come direct from the Government. If rates are levied upon, or money to be collected from, the people, the Runanga will appoint their own officer, and will make their own appropriation. The local accounts will be kept by the same authority, and the Magistrate will forward them to the Treasury. What, then, are the Commissioner's functions? If he does anything, he must interfere in some of the matters that properly belong to others, for there is nothing left.

4. It is not the theory of English self-government to have a single superior executive officer, although it is part of the French system to have prefects and other organs, emanations from the central authority. The English rule is to have local boards or runangas for highways, cemeteries, gas, waterworks, town improvements, &c., &c., who have their paid surveyors and servants. The exception is in New Zealand, where we have a new idea, a Superintendent; but even he is elected by the people, and it cannot be decidedly predicated that that recent innovation on the English principle has gained much hold on the popular affection, or would be deeply deplored if abolished. On the contrary the Provincial Councils are consonant to the English idea, and are popular.

5. The most powerful objection to the Commissionership is, to my mind, the placing in a district an authority superior to the Magistrate. It is the same error which caused the Land Purchase system to break down. In Sir George Grey's previous proconsulate there was no Native Land Purchase Department, but any officer of the Government ordered by him went into the country to purchase land. I remember that Mr. Ligar used frequently to go: Mr. Gisborne went also on this service. But whoever was the person employed there was no one between him and the Governor. Subsequently a new system arose; a department gradually sprang into existence with a permanent head; and from the moment of the recognized existence of this permanent head, the Natives would conclude no purchase until they had seen the head. When the local officer offered a sum, the Maories wished to see Mr. McLean, whom they knew to be the superior, with the hope of getting better terms, as they generally did. And it was only human nature in him to encourage appeals of this nature. Similarly the Maoris, if dissatisfied with a decision or an action of a Magistrate, will always appeal to the superior authority resident among them. His *dicta* will be quoted to the Magistrate. The Magistrate, if conscientiously disagreeing, and an honest man, will not yield. Then comes collision. If he does yield, his authority is for ever gone. The clerical schoolmasters all agree in, and all alike complain of, the peculiarity in the Maori

character, that the applicant always insists on seeing the head man. He will never be satisfied with an answer from the inferior, be he English schoolmaster or Maori local teacher. And my confidence is great that if a Civil Commissioner is stationed in a district, a Native will never rest satisfied with the decision (I don't mean in judicial matters only) of the Magistrate, but will insist on having the ultimatum from the lips of the Commissioner. And what can compensate for the annihilation of the Magistrate's authority?

6. Moreover, the Maori will only have one confidential adviser. If he trusts the Magistrate, and the Commissioner properly declines all interference, it will be the Magistrate who directs his actions and trains his ideas. If the Commissioner does interfere, and the Maori happens to like him, his actions and conscience will be in the Commissioner's hands, and the Magistrate will be a cypher. Again, if the Commissioner interferes, and is unpopular, the Maori will trust neither of them, for they will destroy each other's power for good.

Much more suggests itself to my mind, in the same train of ideas; but I do not feel that I have any right thus to trespass upon your time and attention. I may add, however, that it does seem to me a false system of argument to have to show cause why a thing should not be done until a *prima facie* case at least has been made out why it should. The dissolution of an injunction is not moved for until it has been previously granted upon an *ex parte* statement and some evidence. And such evidence here I have not had the advantage of hearing.

In conclusion, I will state what I gathered from His Excellency's detailed address to the Hundred Runanga at Kohanga, and the plan drawn from that address; on which I propose to act, unless informed by you that I misunderstood His Excellency's mind.

1. Each great Village or collection of Villages is to have—(1) a Runanga or Council. (2.) Two or more Native Magistrates, the total salaries not to exceed £90. (3.) Six or fewer policemen, at £10 each and uniform, the head of whom will be the old Chief, at a salary of £30, called the Warden, who will also take the chair at the Hundred Council. The Native Magistrate alone, or with the European Magistrate, will carry out the Native Circuit Courts Act 1858. The Runanga will carry out the Native Districts Regulation Act 1858, legislating for all matters local, and confined to the tribe.

2. A number of these Hundreds, varying with the features of the country, the density of the population, and the affinity of tribes, will constitute a District. For this District there will be a District Runanga composed of the Native Assessors and Wardens from each Hundred (already paid officers) presided over by the Resident (or in other words the District) European Magistrate. This Runanga will legislate for matters in which more tribes than one are concerned, for general public works, general tolls for ferries, &c.; and, above all, will enforce by their moral weight decisions of Magistrates which, from the rank of the persons implicated or other causes, might be in danger of being disregarded. This District Council will probably not meet more than once a year, although the Resident Magistrate should have power to summon it at his discretion. The sittings will be held at different Hundreds in each year, so that the honor may be divided.

If I am wrong in this impression, I beg that you will do me the honor to inform me, and also where in the scheme I am to place the Commissioner, if that officer is really to exist.

I will now submit for your consideration, in the briefest manner possible, one or two ideas of my own. I think the rule should be laid down that the Government will recognize no letter or application that has not undergone the following process:—Each letter from an inhabitant of a Hundred should be sent to the chief Assessor, and by him to the Resident Magistrate, and by him to the Government if it is proper that the Government should be acquainted therewith; each officer making in transition such remarks thereon as he thinks fit, for the information of the Government. Thus the authority of the officers will be greatly increased and upheld, their power being constantly felt. Similarly, all answers should go through the same channels, the course being reversed. I should recommend a period of probation before a Native Magistrate is finally appointed. This is a better plan than a subsequent dismissal if appointed and found unworthy: and the Maoris recognize the propriety of such a trial.

For the Lower Waikato District, I would recommend that "the territory inhabited by the people living on the Waikato and its tributaries to the North of Ngaruawahia, and on the coast between the sea and the coast range of mountains from Waikato head to the North shore of Kawhia," should be constituted at once. Only a portion of this will be at present subject to the operation of the system, and will be perfectly manageable by one European Magistrate. As village after village gives in its adhesion, the actual extent of country under operation will increase until it becomes too much for one man to manage, and then it can be divided. I am not aware of any objection to constituting a district of greater extent than can or will allow itself to be worked at once. On the contrary, I think that the plan should gradually, and without forcing or solicitation, be allowed to extend from a number of centres, which may even be insignificant at the commencement.

Permit me to add that if the Civil Commissioners did not exceed two in number—one for the Province of Auckland, and one for the rest of the Island—and their duties were to travel, enquire into the action of the Magistrate, and report to Government, without possessing any authority more direct than that of the Inspector of Maori Schools, I think that their usefulness would be great. Uniformity of action would be probably secured, and much assistance might be given to the local Officers; but the Commissioners would be merely reporting agents of the Government, and would possess no independent powers.

I have, &c.,

FRANCIS DART FENTON.

The Hon. the Colonial Secretary.

REPORTS OF OFFICERS:

No. 2.

SECOND REPORT FROM F. D. FENTON, ESQ.

Auckland, February 7th, 1862.

SIR,—

I purpose to do myself the honor of relating to you, briefly, the result of my recent visit to Waikato, and calling your attention to such events as appear to be worthy of your notice. I have not deemed it necessary to keep a regular journal of my proceedings, as Mr. Armitage, who accompanied me, will furnish you at length with all details of this nature, as he had leisure to prepare them.

The great Waikato district, as you are aware, is now divided into two districts for the purposes of the Native Acts. If these divisions were likely to be permanent, I would call your attention to what I consider an error in the allotment of Kahumatuku, Moerangi, and the villages in the neighbourhood of Taupu, to the Upper Waikato district; but, as the whole country will require redistribution in case and as soon as the scheme of civilization comes into successful operation, I do not consider that the interests of Ngatiwhauroa, the erroneously placed semi-tribe, are of sufficient importance to render new Orders in Council immediately necessary.

Taking, then, the divisions as at present existing, I propose to constitute in the Lower Waikato district seven Hundreds, called (from their principal villages) Paetai, Pungapunga, Tuakau, Taupari, Horea, Whaingaroa, and Aotea. Probably an additional Hundred will ultimately require to be formed between Paetai and Pungapunga, for there is a considerable population there belonging to the great tribe of Ngatipou, and the river Opuatea contains a certain population, Ngatikarewa, a sept also of the same tribe; but these people are so ill-disposed or careless, that I am of opinion that considerable time will elapse before they will entertain our proposals.

The tribes appertaining to each Hundred are as follows:—

Paetai—Te Ngaungau, Ngatihine, and some hapus of Ngatinahuta.

Pungapunga—Ngatipo, and Ngatimaho, and a few Ngatipou.

Tuakau—Ngatipou.

Taupari—Ngatitipa, Ngatikahu, Ngatiwhauroa, and Ngatinariu.

Horea—Ngatitahinga and Tainui.

Whaingaroa—Ngatimahanga.

Aotea—Ngatinaho and Ngatihaua.

Of these, Pungapunga, Taupari, Horea, and Whaingaroa, are already organized; but of the first-named I have no final particulars, as matters have been concluded there by Mr. Armitage since I left the river; and of the others I am unable to furnish complete accounts until that officer's notes arrive.

TAUPARI.

Chief of Police and President:

Salary.

Ruka Taurua, of Manutahi £30

Assessors:

Waata Pihikete Kukutai, Taupari 50

Tamati Temoniu, Taupari 20

Te Putu, Ohotu 20

Police:

Te Iteweti Pauupoahu, Taupari 10

Te Wharerahi, Taupari 10

Takameora, Maraetai 10

Tinipaketa, Tekakenga 10

(I have not these 2 names).

I availed myself in this instance of the permission given me by His Excellency to appoint an additional Assessor, dividing the salary. Te Putu belongs to Ngatikaewa, and lives at the westerly end of the district. His appointment was a political necessity, and is in every way advantageous.

Tinipaketa belongs to Ngatikahu (Ngatipou), who joined this runanga. The Police are fairly distributed through the district.

HOREA.

Chief of Police and President:

At Horea—Hami Whakatari. At Waikawau—Wirihana.

Assessors:

Kepa Te Apa, Te Hore

Tamehana Tanui, Waikawau

Hoeta, Rangikahu

Police:

Te Wetini Mahikai, Horea	£10
Te Wairama, do.	10
Henare Ngatai, Rangikahu	10
Hemi Hapitana, Pukerewa	10

This district extends from Waikato to Whangaroa, and is inhabited solely by one tribe, Ngatitahinga, and the sub-tribe, Tainui. The villages occupy valleys, at average intervals of ten miles. We had many meetings, and the contention between the villages was great, each desiring to have the Officers. I was obliged to consent to the appointment of two Presidents; but I hope that the Governor will disallow the second appointment (Wirihana), and explain to the people that there must be one Tumauiki, and one only. The three Magistrates are placed one at each end of the district, and the third in the middle at Rangikahu. I recommend that they should receive £20 each, at first; if the whole £90 is divided amongst them, their salaries will exceed those of the junior Magistrates of Taupari, and these latter would be dissatisfied. The Police are fairly scattered amongst the villages. The tract of country comprised in this Hundred is admirably adapted for sheep-runs; but if so let, the money would not be at the disposal of the Runanga, but would be simply allotted by it to the several proprietors.

WHAINGAROA.

<i>President, &c.:</i>	<i>Salary.</i>
Hone Pirihi, Whaingaroa	
(nominated by W. Nero).	

Assessors:

Hetarake Nero, Whaingaroa	£40
Hakopa Te Whare Ngiri, Whaingaroa	30

Police:

Hori Pikitia.....	10
Koniria, Ohiaipopoke	10
Te Riru, do.	10
Pita, Waitetuna	10
Mahi, do.	10
Piripi, Whaingaroa	10

I am not clear about the judiciousness of Hakopa's appointment as an Assessor, and advise that the Governor should talk with W. Nero, who is now in town, on the subject. Pirihi, as President, was nominated by W. Nero, and concurred in by the whole tribe. He is an intelligent young man.

Whilst I remember, I will place on record the names of two other men related to this tribe, who live on the Waipa, and who should receive recognition from Government for past services, and be appointed as soon as their districts are recognized:—Mohi Te Rongomau, Hemi Matene, and Te Rewiti. Indeed, I am of opinion that two Hundreds might be organized there at once. If Mr. Gorst went to Watawata, and commenced operations there, I think he would be received well. My impression is, that the Natives do not want a Magistrate or laws at Rangiawhia.

I will now call your attention to a few matters that occur to me as deserving your notice.

William Nero complains loudly of false statements in the newspaper about him and his people. "A Waitetuna Settler" has been in the habit of writing scandalous letters to the *Southern Cross*; the last, and most untrue, accused Nero and his people of shooting cattle. These things are very injurious. Without giving the newspaper an *avertissement*, I think the editors might be requested not to insert any letters of this description, until they had made some inquiries. The letter which especially annoyed Nero was, I believe, the production of Mr. Stewart, M. P. C. Nero also complains of injurious treatment from Capt. Johnstone.

Court-houses. The discussions were on the question whether the Natives should entirely build the Court-houses, or the Government build them, and have the land conveyed. I think £50 advanced to the Natives would complete a wooden house; and I advise this course, the site being ceded by the Natives.

Nero begged me to tell the Governor that he thought peace would not be desirable if concluded without compensation being got from Ngatiruanui.

I promised Tamati Koa Paraone, of Waiparera, Pirongia, that in the event of Mr. Gorst holding a meeting there he would consult with the aforesaid Tamati.

Te Ao o te Rangi desires to have a Union Jack to hoist on his hill. I told him that I would tell the Governor. At present, this flag does not fly on the coast, except at Whaingaroa.

I think that the habits of the Maories have undergone a change. They do not rise early. They are more abandoned in appearance, and they are more idle than formerly.

I gave, after last journey, to the Postmaster at Auckland, a letter from Hapurona of Waikato Heads. Hapurona complains that no notice has been taken of it. It relates to his salary for ferrying the postman over the river.

Apera Kiwi, chief of Tainui, earnestly desires that some arrangement may be made about the ferry at Whaingaroa. He says that he has been writing about it for many years.

I observed great discrepancies in the constitution of the different runangas. At Taupari, the tribe had chosen 15 representatives as a runanga; these voted, but the whole tribe joined in the debate. The Ngatitahinga formed the runanga from the entire village. At Whaingaroa they appointed 7 men, but every adult male was present. As I understand that His Excellency's views differ from my own on the subject of the constitution of the Village Runanga, I did not interfere by giving any positive directions; but suggest that the question should be left for discussion and decision at the District Runanga.

I think power should be taken to enable the Governor in Council to extend the jurisdiction of the Native Courts, over European territories of small extent situated in Native districts, if the inhabitants desire that such a step should be taken. I cannot tell otherwise how matters can be carried on in such localities, especially if there is no Resident Magistrate, or an incompetent one.

Chiefs from Aotea and Kawhia desired me to visit those places. I declined, partly because I feared approaching illness, and partly because they had not written a numerously signed letter to the Government stating their desire.

Three roads were spoken of at Runangas:—

- (1.) Waikato to Whaingaroa along the inland ranges.
- (2.) Whaingaroa to Aotea.
- (3.) Whaingaroa to Waipa.

The Natives might easily be induced to make the first, and are very anxious to make the last two, though I do not think No. 2 is of much importance. No. 3 would be of great political importance, and Ngatimaniapoto declare that they will oppose its construction. An emissary of the turbulent party at Ngauawahia got very severely handled by the Runanga at Whaingaroa. If Nero is determined to make the road, I submit that Government should support him with pecuniary assistance, and should assist him in protecting himself if attacked (which is not probable, to my mind).

Waata Kukutai is desirous of selling a piece of land for an annual charge, near Te Kia. I know no particulars of title, &c.

Tini te Rata Patiti also wishes to sell his claim over land near the same place. I think whatever his rights are, they should be investigated and settled.

I do not know how the Government proposes to remit the cash for salaries, &c., to the Waikato.

I submit that instructions should be issued, at once, about the erection of Court-houses.

In conclusion, I have to assure you that, in my opinion, the district of country from Meremere down to Whaingaroa may now be considered as organized.

It is true that the Natives will still watch narrowly the Governor's proceedings, for every Maori now has, more or less, the feeling of suspicion and distrust which always possesses a weak nature in the presence of a strong one. The greatest error in our past policy, as a policy, was the neglecting to employ Natives in war as well as in peace. Confidence is, to a great extent, re-established throughout the Lower Waikato, and that is a great step; but the conditions of success which existed so largely in 1856, 1857, and 1858, are now wanting. That favourable chance will never happen again in the history of the Maori people.

Permit me to bear my testimony to the competency and zeal of Mr. Armitage. I assure you that the Government may place perfect confidence in the efficiency of that officer.

I have, &c.,

The Honorable the
Native Minister.

F. D. FENTON.

No. 3.

REPORT FROM J. ARMITAGE, ESQ., OF THE NGATITIPA RUNANGA,

Kohanga, 6th January, 1862.

SIR,—

I have the honor to inform you that I arrived here on the 31st ultimo, agreeably to your instructions. As you had not arrived, and the day was too boisterous to allow of any communication with Waiuku, I suggested to Waata Kukutai that the Runanga should be adjourned to Thursday, the 2nd instant, to which he assented.

On the 1st instant, I received a letter from you stating that you were detained in Auckland by sickness, and that you thought Waata had better hold his Runanga without waiting for you.

I communicated this to Waata, and he approved of it, and fixed the 2nd instant for the meeting of the Runanga.

I attended at Taupari on the 2nd instant, but the weather was so unfavourable that no one had assembled, and the Runanga was again adjourned to the following day at 10 a.m.

On attending this appointment, I found the Natives engaged in a preliminary discussion as to Waata's proposed plan of dividing their lands into individual portions. This scheme was supported by Waata, Arama Karaka, and their immediate friends: opposed by Ruka (who had been named President of the Runanga) and his friends. High words ensued between the respective parties; Waata threatening to withdraw altogether from taking any part in their future proceedings. I took upon myself to suggest to the latter, that as the scheme was so violently opposed, it might be judicious to abandon it for the present, and proceed with the other business of the Runanga; to this he assented, and ultimately a reconciliation was effected between him and Ruka. The Runanga then proceeded to the large building at Taupari, and commenced their deliberations; a report of which, together with a copy of the Resolutions passed, is enclosed herein.

I should inform you that before the proceedings commenced I stated to the Runanga that you were detained in Auckland by sickness; that His Excellency had been pleased to appoint me to the office of Resident Magistrate for the Lower Waikato, and that I had been instructed to attend the meeting; but as I had not received my official appointment or any precise instructions from you, I could not take any part in the proceedings farther than being the medium of communication with yourself.

I have also to inform you, that the Natives were very much disappointed at your absence, and that I think it necessary, in order to allay their doubts, that you should come here as soon as your health will permit.

I have, &c.,

JAMES ARMITAGE.

F. D. Fenton, Esq.

Proceedings of the Runanga of Ngatitipa at the first meeting.

Taupari, 1st January, 1862.

Ruka Taurua, President.

Kapene Matenga,
Pumipi Kawara,
Mohi Kotorowera,
Henare Ngahiwi,
Parata Tahua,
Wiremu,
Hori Kukutai,
Honi,
Nooa Te Tawharu,

Pita Maatai,
Te Remi Te Rahurahu,
Te Teira Pomare,
Wetere,
Te Patu,
Rata Patiti,
Tamati,
Hapurona,
Hahapata.

1st. As to a Town:—

Ruka: (President.) There are three large towns, Auckland, Onehunga, and Waiuku, formed by the Pakehas. According to our old customs we used to live in Pahi. Let us now imitate the Pakehas and have a town for ourselves. Let us all cling together, and live in one place (whakakotahitia).

Parata: Recited Ruka's words verbatim. I agree to them. Let there be one town.

Te Teira: Recited as above. I agree that there shall be one town here, but I shall have another smaller one at my place (meaning his cultivation as a "residence.") This will be the large town as the Governor fixed upon it.

Wetere: Recited as above. I agree to a town here, but let there be several; the "Tino Taone" here, but others to grow food—(i.e. not to neglect their cultivations).

Hohapata: Recited as above, and agreed also. If I build a house in the town here, I shall also go and live at my farm, to raise food for myself.

Wiremu: Recited as above. Let there be a town here. I shall live at the town and go to my farm for work; and have thoughts for both.

Te Patu: Recited as above. Let the "Tino nui Taone" be here.

Rata Patiti: Recited as above. I agree to this town, but I shall work at my farm, and when business is to be done, return to the town.

Pita: Recited as above. I agree to it.

Tamati: Recited as above. I think it right that we should have a town like Auckland, because from these proceed all the good things; the "Tikanga" of the Governor, Magistrates, and Runangas. Let there be one town here for Runanga, Magistrate's business, and also for Government work.

Nooa: Recited as above. Let us have one town for business; my cattle and horses are at another place. Let me have a piece of ground for my house, and a small piece to leave my horse in when I visit the town to save me "raru raru" about my horse.

Pomipi: Recited as above. Let there be one town; "he mahinga ma tatou" for the Runanga, and "korero maha," the same as the Pakeha.

Ruihana approved of the town, and then spoke on other subjects.

Mohi highly approved of the town.

Hori: Recited as above, and said the Tikanga, the Ture, Runanga, and so forth, all came from the town. Let us make proper houses with brick chimneys.

Henare, Honi, and Hapurona, each recited as above, and approved of the town.

Ruka: (President.) I agree to Nooa's plan. Let each man have his land as he proposes. Let us have one large town here for the disposal of all business.

REPORTS OF OFFICERS:

[NOTE.—I gathered from this debate, that their intentions were not to make a town in our sense of the word, i.e. for commercial purposes, but for the transaction of all public business connected with the Tribe or its interests.]

2nd. Allotments of land in the proposed Township, for each individual, person, or family:—

Kapene, and Nooa, both agreed to this.

Hori agreed also, and asked what size the allotments were to be.

Honi: Let there be a large piece to each. I have four children to find food for, and want plenty of space.

Kapene also said he wanted a large piece of land.

Ruihana: I understand what you two mean. You want your piece of land to extend up to the mountains, but don't be covetous.

Ruka: (President.) All agree to this.

[NOTE.—The principle of division of lands is here partially recognized. In a subsequent communication I have had with Ruka, he has stated to me that the cause of his objection to Waata's scheme, (see my letter herewith) was simply as to the time when it was brought forward, not to the principle involved, which he approved of. That he thought the Runanga ought first to be established, and general laws for their guidance made. In this view I concur, hence my suggestions to Waata to postpone the matter; but the notes I made of Ruka's speech do not confirm this statement of his, for he then opposed the plan altogether, only agreeing to define the boundaries outside of their lands.]

3rd. Grass farm at Maati:—

Henare: What are we to work the land with? with wood paddles, or what?

Hohapata: Let us have ploughs and bullocks; let the Governor give them.

Pomipi: I agree to the making of this farm, but how are we to do it, and what with?

Waata Kukutai: I agree to your making this farm, but I do not agree to your asking for ploughs, as we have got plenty; but I consent that you should ask for bullocks, as I have only four, and they are not enough.

[NOTE.—This is considered by them as a general application to His Excellency for eight bullocks.]

4th. Farm for growing produce at Matekuahi:—

Very strong objections to this proposal were raised by several, as they stated that one half the land belonged to Archdeacon Maunsell, and they objected to improve his land. I suggested to Waata, that Mr. Maunsell's portion might be fenced off and their operations confined to their own land only, and after a long debate this suggestion was adopted.

[NOTE.—This debate impressed upon me the necessity of the Commissioner making some Rules (Standing Orders) for conducting their proceedings. One person addressed the Runanga no less than six times on this subject, and others were nearly as loquacious.]

5th. Application to His Excellency for grass seed:—

All were agreed upon this; but the estimate of the quantity of seed required varied from twenty to one hundred bags. I therefore suggested to Waata, that no specified quantity should be applied for, but a general application only made; that if the application was granted the acreage of the proposed farm might be ascertained, and the quantity then fixed with certainty. Application for this has been forwarded by letter from Waata to His Excellency. Loud complaints were made about the sorrel and other noxious weeds in the seed generally sold.

6th. As to "Punitanita" (Scotch thistles):—

A long discussion ensued. One party alluded to the spread of this thistle at Taranaki; others spoke of it as being at the Onewhero, (six miles from here,) and also on Mr. Maunsell's station, and expressed their fears lest the land should be covered with it.

Kapene said, I have never seen this man "Punitanita," but have heard he is a very bad man, and so think he ought to be driven out of the land lest his evil deeds ("hara") should spread. Another party also complained of the spread of the dock.

[NOTE.—I suggested this subject to Waata for discussion, and told him that, as their lands were held in common, I thought it would be more advisable to appoint and pay one person to attend to this duty solely, rather than to attempt by penalties to compel Natives to destroy them; for if the latter plan were adopted they would only attend to their cultivations and neglect their waste lands, on the principle that every body's business is no one's.]

7th. Produce destroyed by stock, whether large or small; compensation for same:—

The general argument upon this subject was, that the compensation to be made by the owner of the stock, should be in accordance with the amount of produce destroyed or damaged.

The following head was also submitted for discussion:—

Whether compensation should be given for produce destroyed or damaged in unfenced cultivations.

There was a strong difference of opinion upon this subject; one party alleging that they had made enclosures for their stock, and that if the stock strayed from or broke out of these enclosures on to unfenced cultivations, committing damage, that the owners of such stock should be liable for such

damage; the other party contending that all cultivations must be fenced before compensation for damage could be claimed. The votes of each party were attempted to be taken, without success, and the matter was left in *statu quo*. The Runanga was a complete Babel, only stopped by the arrival of food; another proof of the necessity of Standing Orders.

8th. This is a mere repetition in other words of No. 7, and therefore requires no comment.

9th. To fence the farm at Maati:—

Agreed to without discussion.

10th. Dogs worrying sheep:—

Waata: Suggested that dogs of known vicious propensities should be at once destroyed.

Tamati replied, who is to determine the good or bad character of our dogs? and suggested that the resolution should be as worded in the final Resolution.

All agreed to it. Each member of the Runanga declared how many dogs he possessed, and the purpose for which he kept them, but no one would admit he was the owner of a vicious dog.

11th. To make these resolutions (Ture) binding.

Tamati: I will show my consent to the *ture* in this way. If the policeman comes to fetch me for my "hara" I will not be obstinate and resist him, but go peaceably.

Ruihana with his usual energy stoutly supported the Ture.

Hori: Yes, I agree to the Ture, but let them extend over our own lands only.

Pita and Kapene also spoke very sensibly to the same effect.

The resolutions were then read over and approved of unanimously. They all, except No. 6, emanated from the Natives themselves.

Waata Kukutai then asked the following parties (Ropati, Peri, Te Kanueoro, and Te Wara Pahi,) if they would accept the office of policemen, and they consented. He stated the pay was to be £10 per annum and clothes, and further explained their duties. If they went to arrest a party under a Warrant and he resisted by force, they might use force also ("patu,") or even strike him with impunity in order to compel him to go with them.

Waata informed me that he intended to appoint six policemen and an officer over them (seven altogether). I told him that I thought for the small population of his tribe four would be ample, and suggested he had better defer appointing more until he had received the opinion of the Commissioner on the subject, to which he assented.

Waata also stated to the Runanga, that he agreed with the remarks of Hori on resolution No. 11. He also addressed Wiremu Pairata of Ngatipo, exhorting him to induce his tribe to follow the good example of this Runanga. He added that these laws were to be in force until 1st January, 1863, when fresh laws could be made; and if any matters required their attention they would be called together again.

JAMES ARMITAGE.

Resolutions of the Ngatitipa Runanga at the first meeting.

On the 1st of January, 1862, our Runanga was held for making the eleven laws.

1. We are all willing that our town should be made at Taupari. We all agreed (to it) as a place where the Runanga, that is the whole tribe, might remain permanently, henceforth for ever.

2. It was agreed also by us that it should be divided into pieces, as sites for the houses of each man.

3. We agreed that the land from Maati to Whauwhautahi should be ploughed and sown with grass, as good for sheep, horses, and cattle. We agreed also that the Government should give us eight bullocks, to plough the land with. The ploughs we have ourselves.

4. We, the Runanga, agreed that the farm of Maata, at Te Matekuani, should be worked to grow food for us all, and that it should be divided from the piece belonging to the Rev. Mr. Maunsell which is to be left for him to cultivate, and as a place where he may keep his own property.

5. We agreed that the Governor should give us grass seed for the farm at Maati and Whauwhautaki; but let it be clean seed, do not let there be any noxious weed mixed with it.

6. As to this noxious weed, the Scotch thistle, our Runanga has agreed that it shall be dealt with by a man appointed for the purpose, lest it be left to spoil our land, that is, our farm. We have selected a man to destroy the thistles, and another as an Inspector. The work of the latter will be to look after the one who destroys the thistles and all the other bad weeds. We have also made regulations for these men.

7. As to food destroyed by pigs, horses, sheep, cattle, or goats, we have agreed that it shall be paid. If much is eaten, the payment shall be great; if little, the payment also shall be little.

8. All food destroyed shall have its proper payment. From the time it is sown, from its springing up, up to the time when it flowers, it shall be paid for. The payment shall be large or small according to circumstances.

9. We have agreed that a fence should be made for our farm, which extends from Maati to Whauwhautahi. That it should go to Haronga and thence to Te Wahanga. It is as an obstruction to the beasts which creep upon the earth, sheep, cattle, pigs, horses, goats, and as a defence for crops.

10. The rule for dogs is, that if one eats a sheep, he shall be killed, and £1 paid for the worrying by the dog. If, however, the wool is plucked out only, the dog shall be killed but no payment made.

11. The law shall be sacred, and shall be left to act. The policemen shall go about in the midst under the authority of the law; and the people shall uphold the law and the policemen. This is the work of Ngatitipa at law making.

RUKA, Secretary.

These are the doings of our Runanga, which are sent to you that you may see them, and look at them and rightly consider them, (or choose what is good in them).

From me,

RUKA TAURUA.

No. 4.

FURTHER REPORT BY JAMES ARMITAGE, ESQ., RESPECTING THE NGATITIPA RUNANGA.

SIR,—

Kohanga, 21st January, 1862.

I have the honor to forward you, for his Excellency's consideration, the enclosed Resolutions, with my remarks thereon, of the Runanga of Ngatitipa, held at Taupari on the 20th instant.

I have also the honor to forward you a note, from the Assessor, W. Kukutai, signifying his approval of the same.

I also forward you a letter from the same Runanga, addressed to his Excellency, applying for four oxen, and for a medical man and a blacksmith.

I have, &c.,

The Honorable Native Minister.

JAMES ARMITAGE.

Proceedings of the Runanga of Ngatitipa at the second meeting.

Taupari, 20th January, 1862.

Mr. Fenton: I have come by directions of the Governor to arrange all matters which have been agreed upon between you and the Governor. Mr. Armitage has been appointed the Resident Magistrate for the District. Waata Kukutai is your first Native Magistrate, so Tamati will be the second. Ruka Taurua will be President of the Runanga, and head of the Police. I shall first swear in Mr. Armitage and Waata.

Mr. Fenton then publicly administered the oath of allegiance and oath of office as Justice of the Peace to Mr. Armitage and Waata respectively.

Proceedings of the Runanga then commenced. Discussion ensued as to Te Putu being a Kai Whakawa at the Waikato Heads, on account of the long distance from Taupari. This was agreed to unanimously.

Mr. Fenton observed that, in his opinion, it would be very advisable if the Natives at the Kakenga (some two miles from Taupari, but a different tribe) would join the Taupari Runanga, as otherwise constant differences and disputes would arise between the two tribes. He then asked W. Pirata Taukawe and his tribe (the Ngatikahu) to express their views.

W. Pirata Taukawe: I agree to join the Runanga of Ngatitipa, because it will be a means of putting a stop to all troubles (*rurururu*) and disputes between the two tribes. I approve of the Ture, &c., as a good work.

Te Watene: I agree also, and to the Ture.

Rupene: I agree also; let us have one system for both tribes.

Tini Pakete: I agree to Taukawe's views, as he has expressed them. I have no objection to this work.

Te Aria: I do not agree to the Ture. I will remain outside as a Pakeha Maori.

Waata addressed the Ngatikahu, and explained at length the advantages of the Ture, pointing out the benefits that would accrue to both tribes by having one Runanga to arrange all disputes, &c. about their horses, sheep, cattle, pigs, &c.: and, on the part of Ngatitipa, agreed to have one Runanga for both tribes. He then asked Te Taukawe who he wished to have for a Policeman at the Kahenga, to do duty there, but not elsewhere on other lands beyond the jurisdiction of the Runanga.

Taukawe: It is true what you say; but I have no one to name as Policeman.

Waata: Won't you agree to Tini Pakete?

Taukawe: No, he is not a steady man.

Waata: Don't be afraid of that; if he accepts the office, we will see that he behaves properly.

Tini Pakete was then asked if he would accept the office, and he agreed to do so.

Taukawe: I sanction his appointment.

Discussion then ensued as to Reweti being the head of the Police. Mohi and Ruihana objected to him on the ground that his rank as a Chief would be compromised thereby—it being understood that, in the event of anything happening to Waata, he would succeed the latter as head of the tribe. Waata, by explanations, removed these objections.

The following Policemen were then appointed:—Te Reweti Paui Kuhukuhu, Te Whare Rahi, Tu Kawera, Tini Pakete, Hohua Tamawhare, Kapereira, Kapereira Te Tewe.

They were duly sworn in by Mr. Fenton, in the presence of Mr. Armitage.

The Runanga then proceeded to the discussion of certain proposed Ture, as follows:—

1st. Building for a Court-house, and for the meetings of the Runanga, whether a wooden or *raupo* structure, and whether to be built at once or hereafter.

Noa: I am in favor of a *raupo* building, because I do not know how to build a wooden house—but I understand *raupo* work.

Henare: If I build a *raupo* house it only lasts about a year, and is always out of repair—therefore I prefer a wooden house. As to its being built now or afterwards, I say build the potato-pit when the potatoes are ripe.

Mohi: I say let us have a wooden house, as it will be more durable; also build it when the food is ripe.

Te Teira: As to a wooden house, where is the saw, &c., to come from.

Pita: A *raupo* house is soon destroyed by the wind; therefore I propose a wooden house. Look at our mill how long it has lasted, and yet it is in good condition now.

Hori: I prefer a wooden house; but I think the Queen should pay for the timber and the carpenter to build the house.

Watene: The Queen instructed the Governor to give us this work. Let us ask him to build it for us.

Honi, Pumipi, Wiremu, Wetere, Kapena, all spoke to the same effect.

Rata Patiti: A *whare Maori* is very quickly put up, but it is broken and destroyed almost as soon; a wooden house is better, but I have no money to build it with. If the Queen will pay for it, let us have a wooden house; if she will not, then I agree to a *raupo* house.

Te Taukawe: I agree to a wooden house, but leave the *tikanga* to the Queen.

Mr. Armitage: Both Waata and myself prefer a wooden house: how can we transact our business in such a wretched building as this, with the wind and rain blowing through it? But Mr. Fenton, as representing the Governor, is the party to apply to in this matter. What do you say, Mr. Fenton, will you give us a wooden house or not?

Mr. Fenton: I approve of what you have said, but the Governor must decide. I will convey the views of the Runanga to the Governor, and support them myself.

Waata: I am in favour of a wooden building, and of applying to the Governor to help us to build it.

Ruihana: My ideas are these:—If this work emanated from us, then I would say let it be a *raupo* house; but, as it is the Governor's, let him provide us a wooden house.

Ruka (President) preferred a wooden house for same reasons as above.

2nd. As to a Blacksmith.

Noa: We want a Blacksmith to repair our ploughs, and set our coulter and shears; but let him be stationed at Waiuku, we could not find him enough work here—he would be starved here.

Henare: Let him live at the Awa Karama, so as to save us the cartage to Waiuku.

Te Arui: Let the Blacksmith be an able strong man, not like the old worn-out man formerly at Waiuku.

Te Teira: I only know of one good Blacksmith, his name is Wallace—the rest are no good.

Mohi: Send us a good Blacksmith; Wallace is the man.

Waata: I agree to a Blacksmith. We will not delay, but write at once to the Governor for one. We have a great deal of ploughing to do, and if our shares or coulter are broken it would be a serious matter to have to send them constantly to Auckland for repairs.

3rd. Cows, horses, &c., to be left at the Maati, or removed to another place, so as to let the grass grow.

All agreed to the latter proposal.

A discussion then ensued as to working-bullocks for the farm, and the Runanga agreed that another application should be made to His Excellency for four bullocks. Mr. Fenton pointed out to the Runanga that, if they obtained an absolute gift of bullocks, every Runanga would consider themselves entitled to the same favor, and that the Governor would be unable to meet such demands. They, however, persevered in their application, which has been forwarded to the Honble. Mr. Fox by Mr. Armitage, with his remarks thereon.

A further discussion took place as to arranging working parties of six each to clear the ground, and break up the land, &c., until the farm is completed. It was decided that the tribe should settle this arrangement amongst themselves, and not the Runanga.

4th. As to a Medical Man—whether at Taupari or Waiuku.

Pumipi: Let us send a letter to the Governor to request him to station a Doctor here, an elderly man, not given to women.

Henare gave a long list of all the Maori physical ailments (too numerous to repeat), and cited same as a reason why they should apply to the Governor for a Doctor to be stationed at Taupari at once.

Rata Patiti: I hope the Governor will send us a good Doctor, not like the bad one at —; if he sends us a bad one like him, I will send him back again.

Pita: By all means let us have a Doctor at Taupari. I will not agree to a bad one—one who misconducts himself with women, or one who drinks rum like the Doctor at —; but a good one; if a bad one, I will send him back.

Te Taukawe: I agree to a Doctor, to cure all our ailments. Let him be stationed at Taupari.

5th. A married Maori female, the wife of Te Whare Rahi (Policeman), was brought before Mr. Armitage and Waata Kukutai, charged with the offence of having written a love letter to a young man of another tribe (the letter had been returned by the young man or his tribe), and with refusing to give her husband his marital rights. After a severe examination by Waata as to her motives for the latter, the Magistrates ordered the Police to return her to the care of her husband, and to keep a strict watch on her lest she should leave her husband.

This case suggested to Mr. Armitage the necessity of framing some law to punish, by penalty or otherwise, parties who convey letters or messages in cases similar to this, as it is by means of such

parties that these intrigues are principally promoted. The Ture No. 5 already forwarded was then proposed, discussed, and unanimously agreed to.

Kapene asked Mr. Fenton if any payment was to be given to the members of the Runanga.

Mr. Fenton replied that they would receive no pay from Government,—that the tribe selected and appointed them for their own purposes, and must pay them if they required payment.

JAMES ARMITAGE,
Resident Magistrate.

Note on above Proceedings.

1. I strongly recommend, if funds are available, that this application should be acceded to. A wooden Court House would, in comparison with a raupo building, add to the dignity and importance of the Court, and would also serve as a building for the Runanga meetings. It would also be a mark of sovereignty whenever erected. The land on which it is to be built should be previously ceded by Deed to his Excellency or to the Runanga, in perpetuity.

At present, there will only be two required in Lower Waikato; and from a calculation made by me, I estimate the cost thereof, with proper fittings, at not more than £50 or £60 each.

2 and 3. Require no special remarks.

4. Strong objections were urged by the Runanga against the appointment of an intemperate or incompetent party.

5. This will be a most salutary law, as tending to check immorality. It is by means of third parties that most of the intrigues with females are now carried on; and their enforcement of this law will materially check the operations of such parties. I earnestly urge the approval of this Ture by his Excellency.

JAMES ARMITAGE,
Resident Magistrate, Lower Waikato.

No. 5.

REPORT BY J. ARMITAGE, ESQ., OF THE NGATINAHU AND NGATITIPA RUNANGA.

Proceedings of the Runanga of Ngatitipa and Ngatinaho.

Punga Punga, Waikato,
3rd February, 1862.

Waata Kukutai: My ideas respecting these two places, the Kohi Kohi and Punga Punga, are these, viz., that the people of both should assemble together and form one Runanga—the two places are contiguous to each other in Waikato, and in my opinion should be joined together. I do not propose to nominate any officer, as that is for the Runanga to do, but I think you should have only one Runanga for the two places. At Taupari we include the Kakenga and Waikato Heads in our Runanga; on the coast we also included Horea and Taakau in the Runanga, although the places were divided by distances. However, with you W. Te Wheoro and your people rests the decision (tikanga). I think of the trouble you have had in going to Auckland to arrange matters with the Governor, and therefore I say you might have two “takiwas” (*i.e.*) the two places to form one Runanga.

W. Te Wheoro: It is true what you say, Waata, but I have two difficulties to contend with—one is that Rawiri (head chief of Ngatitipa at Punga Punga) has not expressed his views to me, the other is the arrangement made with the Governor. I considered the latter to be correct and I agreed to it. I agree to two takiwas: I cordially approve of that, but how are the difficulties to be overcome. If Noa, Rawiri or any of Ngatitipa have anything to say let us hear it as this is an assembly to settle all matters. I consult the interests of both tribes, but my own tribe will not alter the arrangement made with the Governor; if you persist in joining us there will be a division between us. Your views are correct, Waata, and I sanction them for myself only.

Three young men of the Ngatitipa successively declared that they agreed for W. Te Wheoro to act for both places.

Ratima: I thought you Ngatitipa had completed your fence (*i.e.* had settled all their matters in the Runanga at Taupari); for that reason I cannot join you. I have heard that you have completed your Runanga, and therefore adhere to the arrangement we have made with the Governor; but if Rawiri had asked me to join him before, I should have consented and agreed to the union of the two takiwas. You have separated yourselves from us and completed your work, the Governor has made an agreement with us, and why should we alter it. It is true you now want to join us, and if you had always expressed the same feeling I should have raised no objection now. When I saw that your work was done I then sought for a work for myself. I determined to join with the Pokeno people. Ihaka had taken them in hand, but I took them out of his hands and got them to consent to join me. I will work with the Pokeno people.

Noa (Ngatitipa): I know what your (Ngatitipa) error is; it is your error not mine. I was always favorable to the Government, and you were not. I have committed no fault. Now you have joined the Government and want to go a different road to us.

Eraihi Mako Mako (Ngatinaho): My former thoughts were these, (described an oblong square Waata being at one end and Noa at the other—also another smaller oblong square alongside the former one with Te Wheoro inside of it). I saw you coincided with Waata, and that was why I did not join you, I therefore leaned to Te Wheoro. If you now like to join our Runanga, well and good. I did not come here to raise differences between us, but to settle them and make things

straight. Our present tikanga is not our making, but the Governor's. The Governor has got hold of us with a rope and we will cling to it.

Rawiri: Your letter has reached me and I agree to it. Let us work on the ture, i.e. our work, also the *aroha* and other good things. I will be a father to you all.

Tipene (Ngatinaho): We did not come here to disagree or cause disturbance, but on the understanding which Ratima has expressed. I am a new man in the Governor's work; let me pursue my earnest desire. You have acted wrongly towards me, I mean Waata (alluding to appointing policemen from Punga Punga at Taupari hereafter explained by Waata). I will not conceal this wrong; we have made an agreement with the Pokeno people, they have consented to Te Wheoro being their Magistrate; and we shall not break this agreement.

Tapene (Ngatitipa): The reason why we want to join you is, that Taupari is such a long way off: we belong to the Ngatitipa tribe, but we live close to you in the middle of Waikato, and why should we be sent such a distance off when we can join you here?

Ratima: The principal objection I have to your joining us in this; I have heard that you have appointed Ropati and Paora as policemen, without consulting us.

Tapene: It is true they were named at Taupiri, because the root of the tribe from which they spring is there. You are one tribe and we another; and so we appointed our own, but for our own tribe only.

Eraihi: I did not come here to cause a division between the two tribes, but to arrange matters. Let us decide the first question.

Noa: When the Missionaries first came amongst us they taught us that there was one God the Father and Saviour of us all; so let us have one "Atua" the Governor. Let us have one Bishop (meaning one head of the Runanga) to superintend us. Don't let us join the Catholics or Wesleyans (meaning to avoid division of the two tribes).

Eraihi (addressing both tribes): Do you all agree to one Runanga? (Ngatitipa all assented. Ngatinaho did not reply, but it was tacitly understood that as one of their tribe had put the question, such query was a signification of their consent.)

W. Te Wheoro: You have all agreed to lay aside differences and join together. I will explain our arrangement with the Governor. He sanctioned two chiefs (ariki) of the Runanga—two kai whakawas, six policemen, and one clerk; the chiefs of the Runanga were to receive £25 each per annum. If you (Ngatitipa) want to select any of these officers from yourselves we will consent; but you were in fault, Waata.

Waata: It is true I was in fault, but I will explain the matter. We appointed our policemen at Taupiri, but left it for Mr. Fenton to approve of them or otherwise. When he came we gave him the list, and then he noticed that two were from the Punga Punga; he said that is wrong, Punga Punga is in Te Wheoro's district, and Rawiri and he must arrange about those two. I then struck out these two names and we selected two others in their place. The members of the Runanga which we had appointed from Punga Punga were also struck out of the Taupari Runanga. Mr. Fenton asked me where Te Wheoro was? I told him he had gone to Auckland. Mr. Fenton asked me who sent him? I replied, the Governor. Mr. Fenton observed there must be some mistake, as the details of these matters had been left by the Governor to him (Mr. F.) to arrange. Mr. Fenton also said that the Punga Punga and the Kohe Kohe should be included in one Runanga, as there were very few people at both places, and they lived contiguous to each other: and it would moreover be very hard to send the Ngatitipa people of Punga Punga to such a distance as Taupari (some 20 miles) when there was a Runanga to be held within a mile of their residence. Mr. Fenton himself struck out Ropati and Paora from my list, and told me when Mr. Armitage and myself went to Punga Punga we were to settle the matter there. I asked him how? He replied in the best way we could. I now leave the matter entirely with you to be settled either way. I do not propose any one either as policeman or as head of the Runanga, so you can appoint whom you think fit. But as to Pokeno, you must leave that out of the question altogether; another arrangement will be made for that place.

Eraihi: The Governor consented that we should appoint two heads (upoko) of the Runanga, two kaiwhakawa and six policemen, and we have done so. We will withdraw one of our *upoko* and you can appoint one in his place for your tribe, we shall retain the other *upoko* for ourselves. I also propose that we should appoint seven policemen, the same as the Ngatitipa.

Waata: I propose that one of your kaiwhakawas should be the upoko of the Runanga, and that the other upoko should be appointed by the Punga Punga people. (A violent thunder storm here occurred which flooded the hut and rendered reporting a matter of great difficulty.) One person proposed separate upoko, kaiwhakawa, and policemen for each tribe; and much confusion ensued on the discussion of this question. As the only means of reconciling the parties I intimated to Waata that it would be advisable to propose one upoko for each tribe, in accordance with Sir George Grey's promise of two upokos, but that there should only be two kaiwhakawa and six policemen for the joint Runanga. Waata concurred with me that this would be the only mode of terminating the difficulty, and he accordingly made the proposal to the Runanga.

Noa was then proposed as upoko for Ngatitipa.

Matu made a long speech full of figurative expressions, tending to shew that as the Governor had promised Ngatinaho two upoko, he would not object to the appointment of one for each tribe, in fact that his promise could be fully relied on &c., &c.

Wiremu and Tipene: Both proposed Rawiri as kaiwhakawa and Noa as upoko; the former proposition was merely a compliment to Ngatitipa.

W. Te Wheoro: Said he was in favor of Tipene as upoko for Ngatinaho, Noa or Rawiri as upoko for Ngatitipa. He explained that they (Ngatinaho) had selected eight persons as members of their Runanga, and proposed that Ngatitipa should select four more from their tribe. He also said that he had asked the Governor for payment for these parties, but His Excellency declined agreeing to such request; and that the tribe had therefore decided to pay them themselves by appropriating a portion of the salaries of the upoko and kaiwhakawa to that purpose. He also proposed Eraihi Mako Mako, as the second kaiwhakawa.

Eraihi: Wished to know if the Runanga intended to appoint a clerk.

Te Wheoro: Stated that he had heard that the Governor had agreed to give Ngatiteata £15 per annum for their Clerk.

Eraihi: Thought that the Runanga ought to pay their own clerk.

Ultimately the following selection of officers was unanimously agreed to.

Upoko of the Runanga for Ngatinaho, Tipene Hori Hareapata.

ditto Ngatitipa, Noa te Tawhara.

1st. Kai-whakawa for both tribes, Wiremu Te Wheoro.

2nd. ditto ditto Eraihi Mako Mako.

Policemen for Ngatinaho.

Ratima te Ahi-whakapo, residing at Wai Eriki.

Te Wirihana te Kepa, ditto

Matana Hira Areawaru, residing at Puke Kawa.

Hetaraka Niti, residing at Takinga Wairua.

Policemen for Ngatitipa.

Paora Tarawhete, residing at the Punga Punga.

Ropati Tira, ditto.

Ko Ngawharau, was appointed clerk for the Runanga.

I would beg to observe that in tacitly allowing Waata to propose one upoko for each tribe, I did so for the reasons above stated; and that had not this proposal been made and acted upon, the Runanga would have come to no results whatever. I am aware that this proposal is an infringement on the instructions I received from Mr. Fenton; but under the peculiar circumstances above stated, and furthermore the alleged promise made by His Excellency of two upoko, I felt I could pursue no other course. I would also most respectfully suggest that, in future, these matters of detail might with advantage be left in the hands of the officer appointed to attend the Runanga. In this case, had not His Excellency's alleged promise been made public, I should have had no difficulty in limiting the Runanga to the appointment of one upoko only; as Ngatitipa afterwards told me that to facilitate matters they were prepared to abandon the question of appointment of upoko for themselves in favour of Ngatinaho: but when the latter relinquished the appointment of one upoko in their favour, it would have been an insult to Ngatinaho if they had not appointed an upoko.

A further consideration also influenced me in this matter, viz., that this is the first step of the introduction of the Ture, &c., into what is termed the King's territory—all Ngatinaho, except Te Wheoro, having been previously Kingites. Their conversion is, from what I have heard, entirely attributable to the personal influence of His Excellency. It appeared to me highly desirable, by a slight concession, to secure their adhesion as a "Taura," for future operations in this district.

W. Te Wheoro: Our proceedings will be submitted by Mr. Armitage to the Governor, and when His Excellency's consent is obtained, then the Runanga will meet to make laws.

[Note.—I objected to their making laws at the Runanga until the question of two upokos was settled.]

Tipene: I have a question to ask, it is this; where is the Runanga to meet in future; at the Punga Punga or at the Kohe Kohe?

Ngati Tipa (all): This is a good place in summer or in fine weather, but it is all flood in winter; look at our house now almost under water.

Rawira: Let the Runanga assemble on dry land at the Kohe Kohe, not on the sea as at Punga Punga.

Te Wheoro: Let the Runanga and whakawa business be transacted at my place, the Kohe Kohe; what is the building to be, raupo or timber?

Rawiri: If I could find sawyers I would have a wooden house; what is the good of a raupo building, it is always out of repair, besides my people are all young men and don't know how to build raupo houses.

Pouaka: I propose that Ngatitipa shall get the logs and make the pit, and Ngatinaho will do the sawing, the Governor to pay for the sawing and building.

Eraihi: Let the Governor pay for the sawing and building, and we will get the logs and build the pit, there are two of our tribe who know how to saw.

I have further to observe that I arrived at the Kohe Kohe early on the morning of Sunday the 2nd February; that in the evening I had a long conversation with Te Wheoro about his arrangement with His Excellency; that he informed me that his tribe would not attend the (then) proposed Runanga at the Punga Punga, on account, as they alleged, of all matters being already arranged between them and His Excellency, but would hold a Runanga at the Kohe Kohe the next day; that I then informed Te Wheoro I had been instructed by Mr. Fenton to arrange all the details of the Runanga at the Punga Punga, such as appointment of officers, &c., in order to submit the same formally to His Excellency for approval or otherwise; that I had no power to depart from or vary my instructions;

and that if they absented themselves from the Punga Punga Runanga the matter must remain in *statu quo* until His Excellency's decision was communicated to me. I strongly urged upon him the necessity of advising his tribe to yield this point; inasmuch as they could at the Punga Punga divulge all their objections, when I could then officially submit them to His Excellency. He at last coincided with my views, and held a Runanga of his tribe the same night to discuss the question of going to Punga Punga or otherwise. In the middle of the night he informed me that they had consented to go to Punga Punga, but with a very bad grace, and that they wanted to see me in the morning before I started for Punga Punga. I deemed it advisable, however, to avoid this proposed interview, as it could lead to no good results; and so started at daylight for the Punga Punga. The results are as above stated.

I have received numerous complaints from Natives respecting wild cattle belonging to Mr. Marshall, a settler residing at Paparumu on the Waikato. I informed the complainants that as soon as the Runanga is legally constituted they can pass laws thereat (subject to His Excellency's approval) to meet the difficulties complained of, and they agreed to wait.

JAS. ARMITAGE.

Resident Magistrate.

No. 6.

REPORT BY J. ARMITAGE, ESQ., OF THE NGATITAHINGA RUNANGA.

Waikato, 21st January, 1862.

Mr. Fenton, accompanied by Mr. Armitage, Waata Kukutai, Tamati Kapene, Ropati, &c., left Kohanga and arrived in the evening at Maraitai, Waikato Heads. Met there Tamihana and a party of his tribe (Ngatitahinga) proceeding to Auckland to see his Excellency on Native affairs; Tamihana agreed to return with us on informing him of the object of our journey. Wm. Spargoe, a European residing on Missionary land at Maraitai, complained of the annoyances he is exposed to on account of his cattle and sheep straying on to Native lands; Natives pounding them without authority. Mr. Fenton promised to investigate the matter.

22nd January.—Started from Maraitai early and arrived at Wai Kauwau on the Coast at noon; were received here with a most profuse entertainment of fish and vegetables, &c.; detained further by speeches.

Tamehana: Welcome, Mr. Fenton, on your journey of inspection (*tiro tiro*) of the Maori tribes on the Sea Coast. Welcome, I say, Mr. Fenton. The Governor asked me to go to town and see him. I went and heard his "tikanga." I approved of it, but said I was only one man and must wait until I consulted the tribe. I do not like the king's work, it is child's play. Let us work the Whakawa, the Ture, Runanga, and other good things of the Governor. But let us go to Te Ao-o-te-Rangi at Rangikahu. Let all the tribe meet there and discuss these matters.

Native (name unknown): I agree to the Ture, &c., for myself; but let all the tribe meet and give their consent, and then we will work in earnest.

Henare: A very sensible speech. Compared the present work of the Ture to the original introduction of Christianity into the Island—at first only a few became converts, but gradually all were converted when they witnessed the good effects arising therefrom—so it will be with the Ture, &c. This was their first meeting, let all assemble at Rangikahu and discuss the matter.

Mr. Fenton: Yes, it is true what you say; you are only a small section of the whole tribe, and are right in consulting them before you give your final adhesion to the Ture, &c. We do not give our "taonga" to one man, but to all when of one mind. We shall proceed on our journey, and if we find that the whole tribe consent then we shall work for you.

The party then proceeded to Puke Rewa, where we were most hospitably received by Kereopa, the head Chief there, and where we remained all night.

23rd January.—Arrived at Rangikaahu to breakfast, where again a most sumptuous feast was prepared for us. Remained all day here. Messengers sent to fetch the absent members of the tribe. In the evening all assembled in a large hut, and speeches were made until midnight; from want of candles, Mr. Armitage was unable to report the speeches. Kareopa made a most eloquent address approving of the Ture and Mr. A. as Magistrate; Tamehana was agreed to as Kai Whakawa, but a general wish was expressed to discuss the matter again at Horea. Te Ao-o-te-Rangi, head chief at Rangikaahu, expressed his feelings of satisfaction at the objects of our journey.

24th January.—After breakfast proceeded on our journey, accompanied by Te Ao, Kereopa, and others, and arrived at Horea, opposite Raglan, in the afternoon—agreed that a Runanga should be held the next day at Horea—crossed the harbor and took up our quarters at Mr. Fuller's.

25th January.—Attended the Runanga at Horea—about 100 assembled.

Apera Kiwi: Welcome, my friend Waata, you and your friend Fenton. I do not salute you as Maoris, but as favored visitors. Come and bring us your good things. I want to hear what Mr. Fenton, the man who brings the lights for the lamps, has to say to us. Come here, I say, and bring us the Ture for Whaingaroa.

Pana: Come here my friend Waata, you and your Pakehas, and bring us your good things. I was at the Governor's meeting at Taupari, and heard what was said there. I have pondered over in my mind what I had heard until now, and now I understand—this is a year to make matters straight; come here my friend, you and the Pakehas, and hear the words of the Kupapa (neutrals); it is the duty of the Kupapa to help you, and therefore I say I gladly receive you. Let Armitage come and visit us and teach us.

Waata: Your salutations of welcome to us are true, because we have come to visit ("tiro tiro") you, but to you is the "tikanga." If you all agree to work, do so, work as a Kupapa ought to do,

and then people will say you are really Kupapa. Let us all work. You are following after good works that they may grow and increase, but look on both sides of the question—remember that as you sow so you will reap—if you are diligent in labor your harvest will be plentiful, but if slothful the reverse. With you rests the decision. If you are desirous to work the good we are bringing you, it is well; if otherwise, how can we help it? Search your thoughts diligently; be of one mind; don't be changeable when once your mind is made up. We have come to you as Kupapas; we have no sinister motives; our desire is to do you good. If you agree with us, it is well; if you don't agree, it is well also, as with you is the "tikanga." We will listen to what you have to say to us.

Tipene: Come here, and sow good seed on your farm here; this will be your farm; you shall not sow it in vain. Our love to you is of long standing; it has not arisen to day, but in times long past. Abundance of fruit springs from the Runanga, the Whakawa, and the Whakapono, they are the means by which the Maori race will be preserved and protected. Sow your good seed as you go on. I don't agree to the Maori to whakawa for himself, because he does not understand it, but the Pakeha. Let the Maori help the latter. Come here and introduce these good things for all tribes.

Pene Hamene: I approve of your coming, and welcome you both on your visit to us. We are Kupapas, and will act like Kupapas, as theirs is a good work.

Te Wetini: Welcome here; this is your second visit; you have been a long time away; you were alone formerly, but now you have brought a friend with you. We welcome you both. Come and introduce laws for us, and teach them to us, that we may understand and live, and do what is just and right. We are in trouble, come and relieve us.

Te Ao-o-te Rangī: Listen to my words, O Tainui. Don't withhold your consent to the Ture, &c. I am not a teacher of these matters, but you have heard Waata's words, and I have also heard Fenton's, and therefore I again repeat don't withhold your consent to the Ture, &c., but let us all accept it and work its good works, so that all shall hear and know we are really Kupapas. To you, my children, this good work is now offered—do not in vain reject it—live and work unitedly at this work—whilst we have an easy task before us let us do it—work also for the future. My thoughts are that Fenton's words are true, and I agree for him to act for us here. The Ture is like Christianity, and like it it will grow and spread and bear good fruit; undertake then this work brought us by Fenton and Waata, and work it openly before them on a true and saving principle. However, my children, those who agree to it let them say so, and those who differ let them say so also; but my advice is for all to agree, and accept and work the Ture. Your father is gone from you, but his words remain, and they are good words; make haste then and disclose your thoughts without concealment. Hold firmly with your hands this tikanga of the Governor—remember if we have no tikanga we are nobody, but with one we shall then be Kupapas.

Kereopa: I have only a few words to say. Let us have one canoe for the whole tribe of Ngatitahinga, and launch it now here. This place Horea is the stern, Rangikaahu is amidships, and the bow is at Maraitai. Let all assent to work this canoe.

Manahi: At the introduction of Christianity I did not oppose it, for I saw the good it effected. Likewise I have the same view with regard to the Ture, &c. I do not oppose, but on the contrary approve of it fully.

Mr. Fenton: We have not heard what all the tribe say. Let us hear whether you agree to the Ture or not.

Wetini: The whole tribe, great and small, agree to it.

Mr. Fenton made a long speech, which I regret a shower of rain prevented me from reporting. He expressed his satisfaction at their accepting the Ture—exhorted them to uphold and support it—cautioning them not to be disappointed if its good effects were not immediately perceptible—illustrating it by a man ascending a mountain, that he must not sit down at the bottom in despair because he could not leap over it, but persevere in climbing up the ascent until the summit was attained.

The approach of night put an end to our proceedings, as they had no suitable building for the meeting; it was agreed that the Runanga should meet on Monday the 27th instant, to elect officers and for other business.

We were unable to attend at Horea on the 27th, having to attend a Runanga of Ngatimaha at Raglan the same day.

29th January.—Mr. Fenton and party returned to Rangikaahu, and staid all night there. A sumptuous feast again awaited us—an immense number of large fresh-water eels weighing from 5 to 20lbs. each, together with vegetables *ad libitum*.

30th January.—The Runanga of all Ngatitahinga again assembled at Rangikaahu. Objections were made previous to the Runanga, that there was only one Runanga at Te Horea for the whole length of the Coast. Mr. Fenton under the peculiar circumstances sanctioned two—one at the Horea and the other to be held at Rangikahu.

Te Ao-o-te Rangī: I have only one word to say, *i.e.*, jealousies must not arise in this work. I shall leave it for the young men to do the work, and we the old people will support them.

Kereopa: Mr. Fenton and Waata commenced their proceedings at Waikauwa. They then came on to Rangikahu and thence to Waingarua. It was then agreed that the whole tribe should meet here and settle all matters, so that the consent of all might be obtained and that all could hear what had been decided upon. Now I say, as we are all met let all here present decide and agree upon this matter.

Waata: My words are addressed to you all. You are all met here, and I will tell you what I have done. Until this my visit to you I have not disclosed my thoughts to you. Now I see that

the good works have engaged your attention and are developing themselves, I will explain my thoughts to you. Let us all work earnestly in this matter, it will be a light to guide us in the dark. It is not degrading work, but for the purpose of elevating and preserving our race. You are two tribes, but the work is the same for both. I think you ought to select one person as head (Upoko) of the Runanga from here to the Waikato Heads. Tamehana is to be the Kaiwhakawa, but the Upoko you have yet to select, and you must all agree upon one man for that office. The Upoko for Horea is already chosen.

Hemi: This work began at Waikawau, and that is what we are met for. They said there, let the tribe assemble at Rangikahu and discuss and decide all matters. There are four winds of Heaven; and they are constantly changing; so with us, we have four settlements, Wai Kauwau, Kawa, Pakerewa, and Rangikahu. The thoughts of men at these places vary like the winds, one has one thought, another a different one, and so on.

Honitana: At Whaingaroa Mr. Wallace is preferred, Mr. Maunsell here (meaning his desire to have one Runanga at Horea and another at Rangikahu). At Wai Kauwau we said we could not agree until the whole tribe had met here. I agree to this work, it will be as feet with us, without which we cannot walk.

Te Wirihana: This discussion is about whakawa, runanga, and policemen. I compare this work to that of a watch to which there are two hands, one for hours and the other minutes, because there are two places, but one work. If all assemble and agree then I agree, but not unless; when all have agreed to the Ture then men are to be selected for each particular duty,—as in a mill, the good flour is sieved from the bad, but all the wheat is ground.

Henare: This is the third Runanga; the first was Mr. Fenton's, the second was Governor Grey's at Taupari, the third is this journey of Fenton and Waata. At Taupari I said to the Governor I would go back to my place and let all the tribe decide about this matter. At Wai Kauwau I was ambitious for this work, and at Horea I agreed to a kaiwhakawa, Upoko, and policemen, but the decision is with the tribe; now they are all here let them decide. I agree to a Runanga from here to Waikato Heads; I also agree to the Upoko and to Policemen, but the people seem divided on this question.

Apera: The whole tribe are now met. You are correct in what you say, Henry; it is true there are a great many assembled, but we are young men, you are the old man. Let there be one Runanga for one end and another for the other end, (i.e., one at Horea from there to Rangikahu, and one at Rangikahu from there to the Waikato Heads). Let us select one man for the stern and another for the bow, but only one canoe; the absent men are like pigs (repeated the simile of the four winds).

Mr. Fenton: Apera's words are true, but all we have got to do now is to select a man to take charge of the bow of our canoe; the stern is already manned by the selection of officers and police. We have now to appoint one Upoko for this Runanga, and four policemen.

Te Rewiti: I agree to a kaiwhakawa, but not to Tamehana. I said we must search for a proper person. Now I heard for the first time that Tamehana is appointed. We said at Wai Kauwau let the tribe meet and choose officers; I think that Te Wirihana ought to be the Upoko here; I think he is best man; the reason I think so is, that he is a wiser man than any of us; if he consents to act I shall have confidence in him; when my belly is full I am satisfied—when it is empty I am hungry.

Waata: I agree to Wirihana as Upoko for this Runanga, but remember, Rewiti, seed after it is planted does not grow or attain maturity in a day; let the seeds have time to grow, and then there will be abundance of food to fill your belly.

Tamehana: I agree to Wirihana as Upoko; I thought of Herewini also, both are alike good men, but you must all express your thoughts. I propose also that Hoeta should be a Kaiwhakawa to assist me.

Te Ao: Referring to Mr. Fenton's words, let all speak and express their thoughts; only five have yet spoken, the others have been silent; those who have once spoken need not speak again, but let your thoughts be correct and do not wander from the subject.

Penehamene: When first asked in Auckland to agree to the Runanga we did not consent; when again asked at Taupari we would not give our consent. Now we are met for the third time I agree to all that has been said, except as to two Kaiwhakawas for this place (i.e., Tamehana and Hoeta); let the Kaiwhakawa be the same as the Runanga, that is one only for each Runanga. Why do we want a kaiwhakawa for each settlement?

Te Kamoau, (an old man): I have listened attentively to your words, they are true; you have all agreed to the Ture, and there is an end of it. I wish to have a kaiwhakawa here; I agree also to Tamehana being a kaiwhakawa for this end of the Coast.

Manahi: Old people cannot travel far; it is a long distance from here to Wai Kauwau; myself and my old woman cannot travel on the same horse (meaning that he wanted to have a kaiwhakawa at Rangikahu as well as at Wai Kauwau).

Te Reu: There are two posts, one at Whaingaroa, and the other at Waikato, i.e., that is from Rangikahu to the Heads. Compared the five settlements to five rooms in a ship, with a lock and key for each (meaning, I presume, a Runanga for each place).

Hona: I think Hoeta ought to be a Kaiwhakawa, along with Tamehana.

Te Wikiriwhi Ropiha: Let there be two policemen here; two at Pakerewa, two at Waikawau, and Magistrates for each place. Approved of and praised the Ture, but thought one Kaiwhakawa would be sufficient, and to fetch him whenever required.

REPORTS OF OFFICERS:

Te Ao: Who is to be the judge of the faults of each place unless there be kai-whakawas and policemen at each? Let there be ten policemen; Wirihana as upoko for here. Where is the kai-whakawa for Rangikahu? These are the difficulties. I shall have no police to seize offenders, and my women will go astray. [The speaker is said to have three wives.] One policeman is not sufficient, but if plenty then they will be strong.

Waata: You say you want two kai-whakawas, Tamehana for Waikauwau, and another for Kawa, and another for Pakerewa; Hoeta for Rangikahu. Why they will have nothing to do. Let the kai-whakawa come here, and decide cases when required; one policeman is sufficient for each place. Let the upoko be where the Runanga is; the kai-whakawa will have the hardest work: the upoko has nothing to do except to preside over the Runanga; I agree to Hoeta being a kai-whakawa along with Tamehana.

Kereopa: I object to Wirihana, but I approve of Henare. Let Ropiha be the upoko here and Hoeta the kai-whakawa. If there is only one policeman at my place (Pukerewa) I will knock him down when he comes to arrest me, but if there are two then I will offer no resistance. I can master one, but I cannot manage two. [N.B.—This was all said in jest.]

Te Ao: I agree to three kai-whakawas, one at Horea, one here, and a third at Waikauwau; Hoeta as kai-whakawa here.

The Runanga then agreed that Hoeta should be the third kai-whakawa.

Waata: If Wirihana is appointed as upoko, I think Ngatipari (the only dissenting or absent portion of the tribe) would agree.

A long discussion then followed about the upoko, some proposing one party, some another, continuing until the parties were exhausted, with of course no result.

Kereopa: I do not want a upoko and a kai-whakawa at Pakerewa. that would be ridiculous.

Hona and Hemi both agreed in favor of Te Wirihana as upoko.

Show of hands was called for; majority in favor of Wirihana.

Hemi: If Henare lived here I would propose him, but he lives with us at Horea.

Waata: Wirihana, do you agree to be the upoko of the Runanga; all have agreed to you.

Wirihana: Part of my family, Ngatipari, have objected to this work, and therefore I cannot answer the question; but if my father (Tikapa) consents, I agree.

Waata: Yes, but these objectors are only a few bush pigs; if you agree they will do so also.

Te Ao said the policemen were to arrest and shackle him (the speaker) if necessary, that he would submit to the upoko and kai-whakawa because he appointed them, and why should he object to their performing their duty.

Reupene now approved of Te Wirihana and withdrew his former objections, and strongly urged Te Wirihana to accept the office.

The Runanga unanimously agreed that Te Wirihana should be the upoko.

Te Wirihana said he would not decide absolutely, but some other thoughts should arise from his people. Let them agree and he had no objection; he also agreed that he would consult with them and then write Mr. Armitage the result.

Te Ao said if Te Wirihana refused the office, Henare should be the upoko.

Hemi Hapitana was selected for the office of policeman at Pakerewa.

Henare Ngatai ditto ditto Rangikahu.

No policeman appointed for Kawa and Wai-kauwau, there is to be one for each place.

Wikiriwi was asked if he would be the secretary of the Runanga, but when he heard there was to be no salary, he rather declined the office.

We then proceeded on our journey to Waikato.

On arriving at Maraitai we were applied to by the Natives there respecting Spargoe's cattle and sheep (see *ante*); they complained of them straying on to their lands, and having to abandon their cultivations in consequence. Mr. Fenton promised that the matter should be referred to the Runanga, and the Natives undertook not to molest Spargoe farther until the meeting of the Runanga.

JAMES ARMITAGE,
Resident Magistrate.

No. 7.

REPORT BY J. ARMITAGE, ESQ., OF THE NGATIMAHANGA RUNANGA.

Proceedings of the Runanga of Ngatimahanga, assembled in W. Nero's house, at Raglan.

Whaingaroa, 27th January, 1862.

The principal Chief of Ngatimahanga also attended. A large flag was flying over the building, with the inscription of "Mahia te Pai" on it.

Mr. Fenton: My friend William Naylor,—I have no word of advice or otherwise to address to you, because you have always been a steady and consistent supporter of the Queen and her Crown. We know what your sentiments are, and therefore we need not waste time in asking you to repeat them. The Runanga will now proceed to appoint the officers.

Hetaraka: All the tribe, at their different places, have been considering who was the most proper person for the head of the Runanga. Honi Pirihi is the person we have selected for that office.

Sixty of us met to select the Upoko; we also chose seven persons as members of the Runanga; we also selected Policemen. We think of having a white man as one Policeman, a good man, and we chose Richard Philp. If you, the Runanga, agree to him, say so; if you object to him, and prefer another, say so.

Hemi Nero: This is a town inhabited by both races, and so we thought it would be best to have a *pakeha* Policeman to assist the Maori Policeman.

Hone Kingi: I object to Philp being a Policeman, unless my *pakeha*, William Wallace, is at the head of the Runanga.

Hemi Nero Hataraka explained that the Governor had already appointed a Magistrate for them—Mr. Armitage—and that Philp was only selected, because of the two races living together in one town. If all the inhabitants were Maoris, then the Policemen would be all Maoris.

A long dispute on this matter.

Hemi Nero said the Rev. Mr. Buddle had written to the Ngatimahanga, and stated that the Governor wished the tribe to select one of Mr. Wallace's sons as a Magistrate—whence the cause of this dispute.

Tamati: Whaingaroa is a town for both races; so let us have a Policeman for each race.

It was then agreed that Philp should be a Policeman, and he accepted the office.

[Note.—R. Philp came to me on the morning of the 29th January, and told me he wished to decline the office of Policeman, for this reason, viz.:—that he was a labouring man, dependent on his labor for his support, and that the Pakehas at Raglan had intimated to him that, if he accepted the office, they would not employ him in his trade (carpenter and boat-builder) any further. On these grounds, I consented to release him from his promise to act.—J. A.]

Hakopa te Whare Ngori was appointed second Assessor, or Kai Whakawa.

The following policemen also appointed:—Whaingaroa, Piripi and Richard Philp; Ohia Popoko, Niria and Te Rira; Waitetuna, Pita and Mohi.

Discussion as to policemen going to Auckland for clothes. Agreed to.

Hataraka asked the Tainui (Horea Natives), Will you consent that we shall have one Court-house for both of us? Will you consent to use Nero's house as we shall do?

Te Ao: I consent.

Kereopa: Whaingaroa is the father of both tribes—therefore I consent that the Whakawa shall be held here.

Apera Kiwi: Let there be one Court-house for both tribes, to be held here. I agree to this.

Heta: No; let each Minister have his own Chapel.

Waata: In cases of importance, let the Whakawa be held here; small or trivial cases can be decided at the different settlements.

Unanimously agreed to as explained by Waata.

1st Ture. As to person carrying letters (or messages) in cases of *puremu* (adultery). Agreed to.

[Note.—This is a similar law to that proposed by Ngatitipa, on which I have already commented [see Report of Runanga of Ngatitipa, of 20th January, 1862]. I would add, if approved of, that the penalty should extend to verbal as well as written communications.]

2nd Ture. As to swearing or cursing, or rather Maori curses.

It was stated that the object of this was as follows:—that if the curse or oath was uttered in jest, no penalty should attach; but, if in earnest, party to be convicted.

I explained to the Runanga that the Ture provided for this offence, the Magistrates having a discretionary power in the matter. I cannot see the utility of any special law on this subject.

3rd Ture. Hasty words spoken in anger between Pakeha and Maori.

Hemi Mateni and others complained very much of the strong words, such as they instanced—"bloody — Maori" being applied frequently by Pakehas to Maories without the slightest provocation,—that, when angry words occurred between Pakeha and Maori, the former almost invariably resorted to violent language and epithets against the Maori. An instance was cited.

Although these complaints are, no doubt, well grounded, yet I think our laws (if enforced) are sufficient to meet such cases; in fact, I consider the prevalence of this practice at Whaingaroa to be more attributable to the extreme laxity of the Resident Magistrate there than to any other cause. This idea is not founded upon any particular case in point, but from personal observation.

4th Ture. As to a medical man.

Several complained of the doctor not visiting them when sick, and objected to him as a doctor for that reason. Mr. Wallace seemed to be generally approved of, on account of his attention to them when sick and the efficacy of his medicine. Capt. Johnstone was named by some as a doctor, while others objected to him.

Some parties proposed to ask the Governor to send them a Blacksmith, Saddler, and a Shoemaker, but no resolution was passed respecting the same.

The above four Ture are applicable to both tribes—Ngatitahinga and Ngatimahanga—and are embodied in the letter from them.

A discussion then took place respecting the interference of the King party with the Ture in this district, and the Runanga declared that such interference would not be allowed, and that if any of this tribe went on to King's land and committed any fault there, they must take the consequences, and *vice versa*.

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.

There are two classes of Regulations which are likely to be required, viz.: first, Local Regulations affecting only the population of the respective Hundreds, and to be settled therefore in the Village Runanga; and, second, General Regulations affecting the population of the whole district, which will have to be settled in the District Runanga. Suggestions for regulations made by the Ngatitipa and other Village Runangas, as reported by you, afford good illustrations of the kind of Local Regulations that would come within the first class at present. General Regulations which would involve the consideration of, perhaps, conflicting interests between the various sections of the Waikato tribes that inhabit the Lower Waikato district, would require not only special care in their preparation, but ample discussion by all concerned, before they are sent up for approval.

3.—*Court Houses.*

The Governor having promised the Ngatitipa and Ngatinaho Runanga that aid should be granted towards the erection of Court Houses at Taupiri and Kohekohe, I have to convey to you authority to incur an expenditure not exceeding £100 (£50 each) on these buildings. The whole sum yet appropriated for Court Houses in the Bay of Islands district being only £100, the question of a further expenditure beyond that sum in your district is reserved till the return of Mr. Fox.

4.—*Grass Seed, &c.*

His Excellency was pleased to promise Waata Kukutai that 50 bushels of grass seed should be procured for the Ngatitipa people. This will be obtained of the best quality that is in Auckland, and sent out to Waiuku at a convenient opportunity; and with regard to the application of the same people for four working oxen, the Government have, also, at His Excellency's desire, agreed to provide them, it being understood that when the ploughing of the Ngatitipa farm is finished, the oxen shall be available for other Native cultivations within your district, to be approved by yourself and the Village Runangas. You are accordingly authorized to purchase four oxen on account of Government, directing the parties concerned to send in their accounts, in the usual form, to the Native Office.

5.—*Appointment of Interpreters.*

Your recommendation of Mr. E. S. Maunsell will be brought before Mr. Fox for his final order, as soon as he returns to Auckland.

6.—*Allowances to the Resident and Native Magistrates.*

The Government understand you in your letter of the 18th February, to request an increase of the fixed commuted allowance of £50 a year for travelling expenses, and 3s. a day for forage, while you are travelling on Circuit. In reply to this, I am to observe that the fixed income of £350 a year was proposed for Resident Magistrates, under Sir George Grey's plan of Native Government, with a view to put an end to the fluctuating and uncertain charges for travelling allowances; and that at present it is intended to adhere to the proposal. With respect to Waata Kukutai, effect will of course be given to His Excellency's promise, that 5s. a day should be allowed for his special journey with you to Aotea and Kawhia.

7.—*Payment of Salaries.*

In order to facilitate the monthly payments by you of all salaries within your district, you are requested to send in, a few days before the end of each month, a total of the monthly Pay Abstract. This sum will then be paid in as proposed by you to your account at the Bank of New Zealand here, as an imprest advance; and at the end of each quarter you will send in an account current showing the total amount so paid into your credit, and the expenditure on the other side vouched by the duly certified abstracts. I am to convey to you the thanks of the Government for having made the private arrangements you speak for paying the salaries on the spot, which will save to the public the risk and cost of sending notes and coin to the district.

In conclusion, I have to convey to you the approval of the Governor and his Advisers for the steps you have already taken under Mr. Fenton's directions for carrying His Excellency's plans into effect, and for the detailed accounts you have supplied of the various Runanga meetings. The Government is aware that you have a difficult task before you in the endeavour to restore confidence among the Natives of Lower Waikato in the good will of their rulers, and to cultivate whatever desire exists for the establishment of Institutions founded on English law. It is fortunate for you that the work which Mr. Fenton originated four years ago has left its impress upon their minds, notwithstanding the trouble which necessarily attended the recent insurrection; and that Mr. Fenton himself was the means of renewing that work where it was interrupted, and of laying the fresh foundation on which you will have to build. The Government cannot give you a better general direction for your future guidance than to make yourself thoroughly acquainted with the principles which guided Mr. Fenton, and to follow in the path which he pointed out in the valuable reports which he contributed at the time; and I can only add the assurance, that in the execution of this task you may rely on the assistance and encouragement of His Excellency's Advisers.

I have, &c.,

HENRY SEWELL.

J. Armitage, Esq., Resident Magistrate,
Lower Waikato.

REPORTS OF OFFICERS:

No. 9.

REPORT BY J. ARMITAGE, ESQ., ON A NATIVE MEETING AT PAETAI.

Taupari, 25th March, 1862.

SIR,—

I have the honor to inform you that the great meeting at Paetai dispersed on the 20th inst., with a peaceable result. The ostensible cause of this meeting was a dispute about an eel and fish pa called Te Reapea, alleged to belong from time immemorial to the late Potatau and now to his son Matutaera, but now claimed by Ngatiwhauroa. The decision arrived at by the meeting was in favor of the former party; the latter tribe were much disappointed at the result, and sent me a message to say they wished me to delay my journey for a day in order that they might be admitted within the pale of the Ture. I consented, and waited at home all day on Friday last accordingly; but it appeared there were ulterior matters to arrange which prevented them from keeping their appointment. On Saturday I started and met them on the river about a mile from my house; they wished me to return and hear what they had to say, but other engagements prevented me from acceding to their request, and I therefore told them they must either await my return from circuit or see the Government on the subject.

Apart from the natural disappointment caused by their failure in substantiating their claim, I believe the Ngatiwhauroa are very desirous to have the benefits of the new institutions extended to them; and I have already written privately to His Excellency on the subject, at least, so far as concerns Takerei Te Rau, who forms part of them though not of the same immediate tribe. They are beyond the present boundaries of my district, and I have nothing further therefore to say than to bring the matter before you. They have threatened to sell to His Excellency a portion of their lands lying near my present residence; should they do so in my absence, I would recommend that the offer be received with very great caution, as I know from my own knowledge there are many conflicting claims on the land in question.

I have the honor to inform you that the officers of the Hundred of the Kohekohe have, with the exception of Tipene Hori Aripata, been duly sworn in and taken the oath of allegiance.

I have the same information to convey to you also respecting the officers of the Hundred of Taupari. If you wish the original oaths of office to be sent to you, you will perhaps instruct me thereon. In accordance with my instructions of the 24th February last, I have purchased four working oxen for the use of the Ngatiipa.

I am requested by W. P. Kukutai to inform you that he has now eight acres of land ready ploughed and tilled for grass seed, and to convey his wishes that twenty of the fifty bushels of grass seed already promised him may be forwarded for his use immediately, as the season is advancing. I am informed that the Ngatimaniapoto tribe on the south side of Kawhia harbour are anxious to accept the Ture, &c.; should I find this to be the case on arriving at Kawhia, and should they invite me to see them, I propose, unless I receive instructions from you to the contrary, to go and hear what they have to communicate to me; but of course I shall make no promise whatever to them connected with this matter.

I have read with pleasure in the *Karere Maori* of the 13th instant, a circular letter addressed to Native Assessors, containing instructions as to their duties; and I would, in connection with this subject, wish to call your attention to the fact that the duties of Native Constables, though perhaps not so important, are still of a very onerous and serious nature, and that it would facilitate the duties of the Resident Magistrate if some plain practical directions were drawn, printed and circulated for the use of the Native Constables. I have just had the opportunity of seeing a copy of the Bill called "The Constabulary Force Act, 1862," and in this proposed Bill I find in Schedule B, some most excellent practical directions, which I think might form the basis of some for Native use.

If this question has not already engaged your attention, I should be very glad on hearing from you to that effect, to submit for your approval some directions, which, in my opinion, are adapted to the altered circumstances of Natives.

I proceed to the Waikato Heads this evening or in the morning, and will communicate with you from time to time as occasion may require.

I have, &c.,

JAMES ARMITAGE, R.M.,
Lower Waikato.

The Hon. H. Sewell, Attorney-General,
Auckland.

No. 10.

EXTRACT FROM REPORT BY J. ARMITAGE, ESQ., AS TO HUNDREDS OF TEAKAU AND TAUPARI.

Hundred of Teakau.

This Hundred extends along the seaboard for forty or fifty miles, the bulk of the population being at each extremity. When Mr. Fenton and myself were on circuit, the Natives were very desirous to have a Runanga for each, North and South. A Warden was nominated for the Southern but not completed for the Northern, and in the latter I find no step whatever has been in consequence taken to carry out the Ture, &c. The person proposed for the latter was Te Wirihana Te Kapa, who would not accept the

office at the time and was therefore omitted. He is now very anxious to serve as Warden. The opposition made by his father to the ferry service arises from this omission. I have felt it my duty for the present to withhold the warrants and payment of salaries, &c., for this (the Northern) Division of the Hundred, but I would strongly recommend that Te Wirihana Tikapa be appointed a Warden for this Hundred at a salary of £20 per annum, and thus remove the difficulties and delays mentioned. The Hundred is too extensive to be under one Runanga, as the people will not go the required distance. I do not propose to divide the Hundred, but merely one Runanga for each extremity for greater convenience and for reasons above stated. I shall be glad to be favored with your instructions herein immediately addressed to me at Raglan.

Hundred of Toupari.

The Runanga of this Hundred applied on the 20th January last (see my Report of that date) for a blacksmith; they inform me there is not one in at Waiuku, and they have therefore no opportunity of getting their ploughshares and coulter, &c., repaired.

They wish me to press upon your notice the great desirability of stationing a blacksmith at Waiuku.

I have, &c.,

The Honorable H. Sewell,
Attorney-General, Auckland.

JAMES ARMITAGE.

No. 11.

REPORT FROM J. ARMITAGE, ESQ., OF THE WHAINGAROA RUNANGA.

Raglan, 1st April, 1862.

SIR,—

I have the honor to inform you that I arrived here on Saturday afternoon, the 29th ulto., and found W. Nero's Runanga in full discussion as to the proposed road to Waipa. I was too late to hear the views of the meeting generally, but Mr. Wallis, who had been present throughout, assured me that the opposition to the road arose from a section of Nero's own tribe, which he thought would be surmounted. I have not yet had time to make further enquiries as to this matter, but will do so before I return. Waikato seems to be neutral in the matter. In the evening of this day I had a long conversation with Hone Wetere of Kawhia, who seems determined to induce his people to accept the Ture, &c.; the prospect of a salary for himself has evidently influenced him in his determination, but with due supervision, I think he will be a very useful public servant. He stated to me that one of the king's flags had been given up to him by Ngatihikairo. I suggested to him that it would be a very graceful act on his part if he were to deliver it to me when his Runanga was assembled at Kawhia, and he partly consented. In any case, I think he intends it to be given up to His Excellency ultimately; perhaps on his own terms. I explained to him at length His Excellency's plans for the social advancement of the Native race, and also the purport of the Native Circuit Courts Act and the Native Districts Regulation Act; both of which he highly approved of. He was much pleased to hear that the fees and fines levied in the District would be appropriated for the benefit of the District, stating that he had paid a good many sums of money to the Native Secretary in Col. Browne's time on this account. Most of the Aotea chiefs were assembled here; they waited on me and informed me that they had agreed to accept the Ture, &c., and already appointed officers, &c., and desired me to settle matters for them here. I declined doing so on the plea that their acceptance of the Ture, &c., ought to be made publicly on their own land, in the presence of the whole tribe, men, women, and children.

This desire of theirs, I believe, has been brought about by the officiousness of some members of the Ngatimahanga, commendable perhaps under the circumstances, but extremely embarrassing to myself.

The tribes on this, the North side of the Aotea Harbour, seem to be divided by local jealousies and tribal differences from the tribes on the South side thereof.

During Sunday I ascertained that the tribes from each side had each elected Kaiwhakawas, Wardens, and Police; in fact separate Runangas for each side; the place of meeting for the Runanga to meet me was another point of difference, each party contending for the honor. I at last intimated to them that there must be only one Runanga, at the most central place, and that if they did not consent to this I should be compelled to proceed to Kawhia without stopping at Aotea.

This threat had the desired result, and on Monday morning they left here with the intention of making preparations for the Runanga to be held near Mr. Skinner's station. It had been agreed that the discussion as to the road should be continued on Monday morning; but on proceeding to the place of meeting, W. Nero informed me that all the principal Chiefs had returned home, that the matter was definitely settled, and that he would communicate with his Excellency on the subject.

Early on Monday morning, I was informed by some of the Tainui people (the Southern portion of the Te Akau Hundred) that the tribe did not intend to work the Runanga; that the Kaiwhakawa, Warden, and Police were the only persons who would accept the institutions, &c.

I immediately sent for the leading chiefs, viz.:—Te Ao-o-te-Rangi, Apera Kiwi, Te Wetini, Kereopa, &c., and enquired the truth or otherwise of this intimation. After much discussion, it appeared that it was only the expression of opinion of a few individuals of the tribe, who were disappointed that they were not to receive payment as members of the Runanga.

I then proceeded to the Court House (W. Nero's house) and swore in all the officers for the Hundred of Whaingaroa; and the like for the Hundred of Te Akau, with the exception of those of the Northern portion thereof, about which I have already written you.

I was subsequently engaged till 10 p.m. in hearing a case of claim for damages for pigs belonging to Kereopa killed by the Ngatimahanga. This has been a grievance of long standing, and my adjudication thereupon seemed to satisfy all parties.

I have also the honor to inform you that Mr. J. C. Johnstone called upon me in reference to a letter he had received from the Assistant Law Officer respecting complaints he had made against W. Nero for abusive and threatening language. He wished to know if I had been a party to an investigation which Mr. Fenton stated he had made, or had been made in this matter. Mr. Johnstone was so impertinent in his remarks about Mr. Fenton that I declined giving him any reply thereto, and he made a note thereof.

I should wish to state that I wrote him some time ago to furnish me with full particulars of his complaints respecting his sheep, which I have been instructed to investigate; he has failed to give me such particulars, referring me to letters written to the Hon. the Colonial Secretary, &c. I therefore told him that I could not proceed in the enquiry without such particulars. Mr. Johnstone also made a complaint to me that W. Nero and his tribe were living on his (Mr. J's.) land, and that he wished me to eject them. I promised to enquire into the matter, which did not satisfy him, and he threatened to take the law into his own hands; I warned him of the consequences, and he again repeated the threat. Partly from his own admission, and from information supplied me by Hetaraka Nero, I am inclined to think that W. Nero is tenant from year to year of the land in question; but I will enquire more fully into the matter on my return.

We are just proceeding to Aotea.

I have, &c.,

J. ARMITAGE, R.M.,
Lower Waikato.

To the Hon. H. Sewell,
Attorney-General, Auckland.

No. 12.

REPORT BY J. ARMITAGE, ESQ., OF FURTHER PROCEEDINGS OF THE RUNANGA OF WHAINGAROA.

Hundred of Whaingaroa.

Raglan, 12th April, 1862.

SIR,—

I have the honor to inform you that I feel much satisfied with the general proceedings of this Runanga, and with the manner in which the Magisterial decisions of myself and the Assessors are attended to.

Hetaraka Nero has applied to me in reference to the expenses of the meeting lately held here about the road from here to Waipa. The amount for food purchased for the occasion is £36 9s., and he wishes to know whether this sum, or any part thereof, will be defrayed out of the sum voted for the road. The meeting was necessary, in order to obtain the consent of the various tribes to the construction of such road.

The Runanga has again applied to me for a doctor to be stationed here. They proposed a Mr. Bishop, a quondam medical student now resident here, but I cannot recommend him to your notice.

I have a point of some difficulty here on which I should wish to be favored with your opinion, or to draw your attention thereto.

It appears to me, by the 1st clause of the Native Circuit Courts Act, that the Crown lands here are exempted from the operation of that Act, though not specially excepted by the Order in Council appointing the Lower Waikato District; and consequently that under that Act I have no power to adjudicate on cases either civil or criminal where the cause of action arose or the offence was committed on such Crown lands.

The two races are living here in close contiguity, and disputes are constantly arising between them which require adjudication. Dr. Harsant, the Resident Magistrate here, has publicly intimated (I am informed) that he will not grant any summonses in Native cases, or between Natives and Europeans. The Natives themselves have so little confidence in his decisions that they will not (since my appointment) apply to him for summonses, and on the other hand they object to my adjudication in cases between them and Europeans without the Assessors act with me. I think their objection a reasonable one. I was recently applied to by a European for a criminal summons against a Native for larceny, committed on Crown lands; I granted it, and heard the case in the Native Court along with the Native Assessors. The Native was convicted, and paid into Court four times the value of the stolen goods, with costs. The tribe were satisfied with the decision because their Assessors concurred therein. Supposing, however, the converse of this case was to occur and the European objected to the Assessors acting with me, or supposing he waived this objection and the Assessors wished to convict and I opposed such conviction and declined doing so, in either case, very great dissatisfaction in the Native mind would then be the result.

European homesteads in Native Districts are provided for by the 4th clause of the Act, but it appears to me that the framers of the Act omitted to provide for the case of a European settlement in the midst of a Native District.

Hetaraka Nero seems to have the confidence of the Europeans here generally, and I think they would make no objection to his acting along with the Resident Magistrate in all cases between European and Native; but I submit it is placing him in a false position to allow him to act only on sufferance. I have to request that you would allow me to be furnished with a copy of the Ordinances and Acts of the Assembly for use in the Court here. I have constant reference to them on account of the adjudication of cases where the two races are concerned, and considerable trouble in obtaining them from Dr. Harsant; they are, moreover, too heavy to carry with me overland. If you comply with my request I should wish them to be forwarded to me here by vessel from Onehunga.

The policemen of the Hundred have not yet received their clothes, though, I believe, measured for them in Auckland. If made, I beg to request that they may be forwarded by vessel direct from Onehunga to the care of Hetaraka Nero. I was requested to attend a Runanga last night about the establishment of a lock-up here, and forward you the report of the speeches thereon. They are interesting only as shewing the ability of the Natives to take part in debates.

General matters.

It has been several times stated publicly during my present circuit that His Excellency had promised at Kohanga and subsequently in Auckland, to pay the members of the various Runangas. As I believe the assertion to be unfounded, I would beg to suggest that a contradiction might be given to it in the "Karere Maori." The circulation of such a statement causes me considerable trouble.

The head of the police in each Hundred have applied to me for some distinguishing badge, and I would recommend that sergeants' stripes be forwarded to me which could be sewed on to the clothes. I should at present only require four such, i. e., for four policemen.

A proclamation offering a reward (in Maori) for the apprehension of sailors has been generally circulated. The Natives allege they are willing to arrest the parties whenever they find them, but they complain of the want of any description of each party by which they could be identified, and wish this to be altered in future.

I have arranged, subject to your approval, to hold quarterly Courts in this part of my district, and the Assessors are quite satisfied with such arrangement. The whole Circuit will occupy a month or five weeks, perhaps more in winter, on account of the difficulties of the roads and bad weather.

Mr. Joseph Graham applied to me respecting a public house license he is anxious to obtain for a new house he has lately erected in the township here. I informed him that I could give him no information as to it, but that I thought, inasmuch as there were two Magistrates in this district, they should have the power (as in the case of Waiuku, Drury, and other out-townships) of deciding upon all applications for licenses. I promised to communicate these views to you. Mr. Henry Fuller, at present, is the only licensed publican here, and I think one public house is sufficient for the requirements of this place.

On my return from Kawhia, I received a very insulting letter from Mr. J. C. Johnstone. As soon as I have completed the investigation I have been instructed by you to make, I will forward you a copy thereof along with my report.

Regulations for the Hundred of Whaingaroa.

The Runanga has handed me a copy of resolutions on which it is desired Regulations may be formed. They refer principally to cattle trespass. On enquiry, I find that the Natives have only a few hundred acres (said to be not exceeding 500) of reserved lands from Raglan to Aotea and from Raglan to the Waitetuna, the residue being Crown lands; say ten miles each way. As such regulations would if sanctioned by the Governor in Council, indirectly if not directly affect these Crown lands, I have declined to assent to them until I had communicated with you. It appears to me too extensive a power to entrust to the owners of these few hundred acres, viz., the right of legislating for the whole lands. I should propose that the Crown lands should be included in this particular Hundred, the whole to form one Runanga, each race to be represented therein according to numbers. I am aware this scheme cannot be carried into effect without further power from the General Assembly, and therefore only introduce the subject to your notice. The scheme would no doubt be an experiment, and I consider this Hundred the most suitable place for testing it, as the Native population have always been renowned for their loyalty. The interests of both races must be the same, but if one race carried a regulation of a partial nature, the Commissioner would always be able to advise the Government of its nature, and it could then be rejected by the Governor in Council.

I have ascertained the views of some of the most intelligent Europeans on this scheme, and they are very favorable to it. The only opposition it would meet with would be from Mr. Johnstone (as I am informed) but that might equally be expected in any plan which did not emanate from himself, or in any plan which tended to equalize the two races. I forward you a copy of these resolutions herewith for your information.

The application for Crown Grants refers only to the Native Reserves before mentioned.

With reference to their application for a medical man, I should inform you that the Rev. Mr. Wallis administers medicine to the Natives gratuitously, and has the confidence of the Natives for his skill therein. If you did not think it worth while to station a doctor here, I should recommend that he be supplied with drugs, and receive a small salary for his services if he would accept it. I do not know his views as to same.

I have, &c.,

The Hon. H. Sewell,
Attorney-General.

JAMES ARMITAGE,
Resident Magistrate.

Proceedings of the Runanga of the Hundred of Whaingaroa.

Whaingaroa, 11th April, 1862.

Hone Pirihi: Some say in reference to the Waipa road, "let the trees be felled, let there be no cutting and no stumping." What is the use of a road unless it is finished; therefore I say let it be well completed, that produce may be brought over here from Waipa.

Wiremu Nero: This road is a matter in which Hone Pirihi can shew his firmness. I do not say let the Maoris make it. No, let the Europeans and Maories make it together; although it should be in Waipa, let the Europeans and Maoris make it together.

Mr. Armitage stopped this discussion, as the object of the Runanga was to decide about the erection of a jail.

Hone Pirihi: I want to speak about a jail. There are few of us here certainly, but there are many days in which what we now say can be communicated to the whole tribe.

Hetataka Nero: We have got laws complete, and we are in a large district, therefore we should have a jail. As to payments for crime, the system does not answer; perhaps the criminal does not pay the money; Auckland is too far off to take prisoners to. I think it would be a saving for Government to let us have a jail, and, by doing so, they would strengthen the hands of justice.

Rawiri: I don't like a jail, lest I or others should be sent there.

Hori Pikitia: I am policeman; I want a jail that my work may have a place of ending.

Pita Toto: The tribe have accepted the laws, and by that acceptance they have consented to a jail. Maoris and Europeans are mixed here, and I therefore wish for a jail; if there is no jail, we policemen have to look after criminals night and day.

Piripi: We grasped the Gospel when it came, and also the law; let us have a jail to complete the law.

Te Rira: I am consenting to the road; if evil arises it will not be my fault. We are a pakcha tribe, therefore I wish for a jail, let us build it at once.

Hetataka: We have others to consult, it is true, besides ourselves; for instance, the people of Aotea, those inland, and those at Horea; but we are the town, and I have seen theft, drunkenness, assaults, and "puremu," unpunished because there is no jail.

Waata Tarahina: We want a jail for those who can't pay or won't pay. When we get a jail we shall see whether the people are sincere or not; my advice is wait till the tribe is more used to the white man's laws. Perhaps the effect of the establishment of a jail would be to send men over to the King party.

Wiremu Nero: The greatest evil in my eyes is fighting. I have lost many relatives, and I have been asked to seek payment for their deaths. The law comes, we accept it. The two last Governors and myself made covenants, and both they and I kept them. I wish for a jail; let the jail laws be mildly carried out at first till the people get used to them. The jail is not to be feared; if a man does not commit crime, it will not harm him. Although we are few, we are the root, not the branch. There is another matter, too, to be considered, who is to be paymaster? Is the Governor to pay for the entire cost of the jail?

Waata: Let the Governor pay for it, it is his affair.

Hori: I say let us swallow the whole of a "ritenga" if we get one. Let us have a jail at once.

Pita Toto: If the jails frightens any of our party away to the king, they will not be worth detaining. What is the use of bringing a man to Court to let him away again without punishment as we do now if he is "pakeke" (obstinate).

Waata Tarahina: I think the tribe ought to be more numerously represented; I don't think the tribe will consent generally.

Hetataka: The affairs of the tribe are in Hone Pirihi's hands (the Warden). If any of ours go to the king, I will fetch them if the Ture is strong enough. One reason why Hone Pirihi should not have influence (whai mana) in this matter is because many of his "runanga" do not belong here to us, but to Waipa.

Wiremu Nero: If the Waipa people consent to a "kai-whakawa," let us go to Waipa to hold "runangas." We are all officers here. The tribe is in Waipa. I wish your district (to Mr. Armitage) to extend to Waipa so as to include all my people. If Mr. Gorst had the whole of this district from Waipa here I should be satisfied. I wish your district extended; I wish to live at Waipa, at the road's end, so as to protect it from the king-party.

Mr. Armitage: I consider that there should be a more numerous attendance for the discussion of this subject, as it is a very important one. There will in all probability be only one jail for the whole district, but the Governor will arrange that and as to the cost of erection.

Resolutions passed by the Runanga of the Hundred of Whaingaroa.

1st. That the road from Whaingaroa to Raglan shall be made; that the trees shall be cut down, the stumps taken out, the sidelings levelled, and the creeks bridged over.

2nd. That Crown Grants ought to be given for our lands in Whaingaroa.

3rd. That the feelings or opinions of the elderly men be in accordance with the views of Government and continue so for ever.

4th. That the lands (before mentioned in Resolution 2) be divided, to each man his share, in order that the land affairs of the tribes may be clear, so as to prevent one man seizing another man's land, and to put a stop to quarrels and fighting.

5th. That the Law be left to settle all land disputes in these tribes, that such disputes may not be settled according to the customs of our ancestors, which customs have been set aside, turned upside down, and thrown beyond the place where lay the laws which have been placed (or accepted by) upon these Tribes.

For the joint Tribes of Ngatimahanga and Ngatihourou,

HONE PIRIHI, Warden.

Further Resolutions.

1. If any Cow, Horse, or Pig should destroy food in any Maori cultivation, and if the Maori or European owner (as the case may be) of such Cattle, &c., shall deny the ownership thereof, he the said owner shall on proof of such ownership pay 2s. 6d. for every offence of every one of such Cattle, &c.

2. The owners of Bush Cattle shall pay £5 for every like offence of every head of Bush Cattle, such Cattle being especially troublesome.

3. All Cows and Horses running on Native fern or bush land shall be charged for each £1 per annum, and the owners shall be responsible for that amount. Sheep and goats shall pay 10s. annually.

4. All Horses, Cows, and Pigs must be turned out at a distance from the cultivations, and the same must be fenced. If any of these beasts come back to the cultivations and break down the fences and eat the crops, there will be two payments to make, one for the fence, another for the crop. The payment will depend upon the goodness (substantiality) of the fence and amount of crop destroyed.

5. That Mr. Bishop be consented to by Governor Grey as a Doctor for Whaingaroa.

6. This Runanga also held a meeting to consider about a jail, and we agreed that one should be built at Whaingaroa. We considered it best that the whole tribe should consent; if they do not, Hone Pirihis Runanga will have the settlement of the matter.

HONE PIRIHI, Warden.

No. 13.

REPORT BY J. ARMITAGE, ESQ., OF THE PROCEEDINGS OF RUNANGAS AT AOTEA AND KAWHIA.

Raglan, 12th April, 1862.

SIR,—

I have the honor to forward you herewith my Report of the speeches and proceedings at the Runangas lately held at Aotea and Kawhia.

I should wish to observe that I have spared no personal exertions in endeavouring to carry out your special instructions of the 24th February last in reference to these two places, and generally as to same.

Though I have failed in establishing any Runanga at Kawhia, yet I trust that failure may not be considered as attributable to myself, but to adverse circumstances over which I could exercise no control.

It is, however, some consolation to me (and I hope also to yourself) to be able to congratulate His Excellency and his Advisers on the fact that the King's Flag has been buried there in my presence.

I have, &c.,

The Hon. H. Sewell,
Attorney-General.

JAS. ARMITAGE.

Proceedings of the Runanga of Native Tribes at Aotea.

Raorao Kauere, April 2nd, 1862.

Wiremu Nero : I thought these laws would be all tied together, (*i e.*, one Runanga for Aotea,) but it seems Ngatitewehi wish to separate them. If they do, they must go to the Governor for a system for themselves. If the Ngatitewehi do not come, we will appoint these men here (the Ngatihaua, on the North side of Aotea).

Hakopa Te Kotuku repeated Wiremu's last words.

Te Wetini Rore (representing the Ngatitewehi) : We wish all to assemble at Rua Kotare (South side of Aotea) ; all the Natives and Mr. Armitage. My people are not yet assembled.

Hetaraka Nero : We have nothing to do with it.

Wetini : Who has, then?

Hetaraka : Mr. Armitage.

Wetini : We want him to go to Rua Kotare.

Mr. Armitage : Where is the answer to my letter?

Wetini : I am the answer.

Mr. Armitage : Are you agreeable to join with the other Aotea tribes in one Runanga?

Wetini : Yes.

Mr. Armitage : Then I consent to go.

Waata Kukutai : Mr. Armitage is not agreeable that there should be, as you wish, two Runangas for Aotea. He thinks there ought to be one for Aotea and another for Kawhia. I agree in his opinion. If you consent to his wishes, he will go to Rua Kotare—not otherwise.

Hone Kingi (Ngatimahanga) : Ngatitewehi is a large tribe ; so is Ngatihaua : therefore there ought to be two Runangas in Aotea. When you (to Mr. Armitage) came to Raglan, you desired the people to consider about having a Runanga for each tribe, on each side of the Harbour. Ngatihaua is Ngatimahanga. We came here to see two Runangas established in Aotea.

W. Nero : I knew the Ngatitewehi would not consent to join with the Ngatihaua, because they were enemies formerly. From Whatawhata to this place the tribes would join. I told you (to Mr. Armitage) and Mr. Fenton not to go to Aotea and Kawhia, because I knew they would not agree.

Mr. Armitage : I am not going there to establish a Runanga without their consent, but shall be guided by what I hear.

Te Manihera Ngarua (Ngatihaua) : Ngatitewehi consider Mr. Armitage ought to go to their place because they have written to him; and they think he would have done so if it had not been for me and Kewene.

Rua Kotare, April 3rd, 1862.

Wiremu Tauria : I am afraid of the evil. Come Governor, come. Now first I see you. I did not go to you to seek anything from you. I follow the Gospel.

Hepata Turingenge : Come, Mr. Armitage, and bring your "taonga" (goods, meaning the law). Bring the "tikanga" (system), my desire. "Haere mai e te manuhiri tuarangi," &c., (song of welcome). I have always walked in a straight path since my birth. I speak my own sentiments. I seek food for my body and soul.

Rawiri Te Keno : We wished for goods in old times, that we might be raised as a people. It matters not whether I die a Maori or a Pakeha. By God's help I am not fruitless.

Te Hapimana Kimihia : Come, and bring your good things with you. I wish to be a friend to the Governor. Make the two laws for us.

Te Wetini Rore : Come Armitage, and bring what I desire. I have always been a man before the face of the Governor. I shall adhere to the Ture and Runanga for the safety of my body (he whakaora i taku tinana). I wish one "Kai-whakawa," one "Upoko Runanga," and one body of Police for this place, and the same for the Makaka (the Ngatihaua's main settlement). I won't conceal my thoughts now.

Te Waka Te Huahou : Come, my brother; here is the breast. We are not numerous, for we have suffered from death, but come notwithstanding. Although we are dogs, still come. The law is my mother. We have been a loyal people. Come and go farther.

Pita Mahu : Come to the men and children of this tribe. I have lived quietly, as I told McLean I would. I have turned neither right nor left. "Blessed are the peace-makers."

Hepata : I have been seven years looking for a "Kai-whakawa." Governor Browne promised us one, and I was glad. Governor Grey said he would send doctors to every place, and "Kai-whakawas" to every tribe. We saw it in the *Karere Maori*. We desired these things. There have been many systems proposed. When Te Hira Kingi (Ngatihaua) was made a "Kai-whakawa," he had no power.

Hetarakā : I am agreeable to have two Magistrates, but let any one dissent who pleases.

Manihera : This tribe is an old enemy of mine. Let them have a separate Runanga.

Hepata : Although this tribe consented to Te Hira as a "Kai-whakawa," still it was no consent. He had no power here.

Waata : (to Ngatitewehi;) If you get a "Kai-whakawa," you will perhaps not listen again. I say you must join with Ngatihaua and have one Runanga for Aotea. You stood separately before;—now you must stand together. Choose the men you wish. Ngatihaua consent to one Runanga. If you have two, there will be different laws and systems for each, and you will quarrel.

W. Nero : Manihera says you are two tribes. I think you are Joseph and Abraham. If you have two Judges, you must only have one Runanga.

Hepata : We have tried the system you recommend, and found it evil. No one applied to Te Hira after he was elevated, although all agreed to elect him.

Hohua Mohaere (Patupo) : The vessel is steered by the captain. Come Armitage, and bring the good; you are the captain.

Hemi Matene (Ngatimahanga) : If the sailors will not do as the captain desires them, things will not work well. (To Ngatitewehi) You know me; I have been to you before. The Ngatihaua belong to us, but they are at a distance from us. The Kawhia "Kai-whakawa" will be a magisterial friend (he tuarua) for this one; will he not?

Kewene Te Haho : No, certainly not.

Hemi Matene : I did not wish for the Governor's money, but I wished my tribe to be peaceable, therefore I agreed to be made a "Kai-whakawa."

Aperahama Kahu. Although you say, let there be only one Runanga, still the waters of Aotea will roll between the two tribes. Wiremu Nero told me to become a Christian and to encourage Europeans, and I have never gone astray.

Mohi (Waipa) : If you have two "Kai-whakawas," will they be joined together?

Wetini : We consent.

Ngatihaua did not speak.

Kewene: I always considered the Runangas would join, even if the "Kai-whakawas" were separated.

Hepata: I agree with you.

Mikahere (a King's man, belonging to Ngatihinetu, at Rangiaohia): Do you (to Mr. Armitage) give the Ngatitewehi a "Kai-whakawa," or not?

Mr. Armitage: Speak on.

Mikahere: I am a King's man. I tell you not to give this tribe the "Ture." They are my relations. I believe you will get all the Natives in New Zealand. When I see you refuse the Ture to this tribe I shall be glad. The Natives of New Zealand accept the Ture for the sake of the Governor's money.

Hemi Matene: If Ngatitewehi do not get a Kai-whakawa, I will be their Kai-whakawa.

Mikahere: I will not consent.

Waata (to Ngatitewehi): Have you been on our side, or on Mikahere's? Many tribes are divided. Mikahere should let you go your own way. Who is the man you choose for a Magistrate?

Hepata: Te Hapimana is the man we choose.

Wetini: And Hepata is the man we choose as Warden. The Policemen chosen were Wetini Rore and Hoeta Ngahuka.

Waata (to Ngatihaua): Ngatitewehi have settled their affairs. Now to settle yours. You have both agreed to one Runanga. Who is to be your Magistrate?

Various members of the Ngatihaua tribe: Te Hira Kingi is our Magistrate, and Kewene Te Haho is our Warden; the Policemen were Kerapa Hemara and Kipi.

Waata (to the Assessors): You are to understand that, if a crime arises on this side the harbour, the Assessor here is to send for his friend from the other side, to sit with him to judge the case; and *vice versa*. It is not just for one Assessor to judge a case; there must be two.

Hepata: Your thoughts are mine.

Te Hira Kingi (to Mr. Armitage): What crimes am I to decide on?

Waata: Theft and fornication or adultery. You know what crimes are. You are to judge them. Murder will not be judged by you. You may decide upon an assault, but not if the man dies. Form your Runanga and make laws for yourselves and the white men living among you.

Mr. Armitage: Listen, my friends. Let the Ture be the means of binding both tribes together in unity. The men you have elected I cannot appoint until the names are submitted to the Governor, but I approve of your work. Set to work and form a Runanga to frame laws. When you have made them, give them to me, and I will show them to the Governor; and, when he consents to them, they will come into force. Build a Court-house for yourselves at once. This Runanga has been well carried out, and is the commencement of a better state of things.

Proposed Officers for the Runanga of Aotea.

Name.	Tribe.	Office.
Hapimana Kimihia	Ngatitewehi	Assessor
Hira Kingi Ratapu	Ngatihaua	Ditto
Hepata Turingenge	Ngatitewehi	Warden
Kewene Te Haho	Ngatihaua	Ditto
Te Wetini Rore	Ngatirangi	Constable
Hoeta Ngahuka	Ngatitewehi	Ditto
Kerapa Hemara	Ngatihaua	Ditto
Kipi	Ditto	Ditto

Aotea Runanga.

30th March.—Had a long conversation this evening with Kukutai, Hone Wetere, of Kawhia, and Hetaraka Nero, as to the wishes of the Aotea and Kawhia Natives, with respect to one Runanga for both places. The two latter represented to me the very strong opposition such a proposal would meet with. Subsequent conversations with the Aotea Natives confirmed this view, and I was compelled to abandon all chance of obtaining the consent of the Natives to unite in one Runanga with the Kawhia people.

31st March.—Discussion with the Aotea Chiefs. Tribes on the North side of Aotea wanted two Magistrates, Upoko and Police for themselves, and the same for tribes on the South side; in fact, separate Runangas. I objected to this, and insisted there should be only one Runanga for both parties: they persisted in their demands, and I was compelled to threaten that I would pass them over and proceed to Kawhia at once. After much trouble, they consented to my terms, though with a bad grace, and left Raglan to make arrangements for my coming.

1st April.—Started early from Raglan, and arrived at the Makaka in the afternoon. Our road lay by Kaoroa, eight miles from Raglan, the residence of Dr. Harsant, R. M. From here to Aotea the road runs through a series of forests, (eight or ten miles,) and is one mass of puddle, owing to the constant traffic upon it. The Makaka is on the North of Aotea, about two miles from the beach.

2nd April.—Complaints made to me about Mr. Charlton's cows destroying the food in the cultivations at the Makaka. Natives stated that there was no wood for fencing, merely ordinary

Native fences, which were constantly broken by the cows. I suggested ditching, and explained that if they accepted the institutions their Runanga would then have power to make laws respecting cattle trespass, and other matters binding on both races in the district, subject to the approval of the Governor. He then enquired how he was to obtain compensation for damage already committed. I replied that the Runanga could not legislate for the past but for the future, and that I would see Mr. Charlton and endeavour to arrange the matter between them; if unable, that he could then apply to me for a summons on my next circuit, and I would adjudicate on the case. Mr. Charlton rents a Government Run for cattle on the sea coast near the Makaka.

The people of this settlement applied to me for one Runanga for them, and a separate one for the tribes on the other side of the harbor. I declined acceding to this request, and insisted on one Runanga for both, but told them to express their views at the meeting to be held at Aotea.

Wrote a letter to the Natives on the South side of Aotea requesting them to meet me at Raorao-kauere, the most central place in the district. Proceeded there in the afternoon, and waited for them. A deputation of them (Te Wetini and Hepata) shortly after arrived, and stated they had come to ask me to go to Rua Kotare, the South side of the harbor. I asked for a reply to my letter; they stated they were the answer. I then enquired of them, if I acceded to their request, were there to be two Tikangas or Runangas for Aotea, or one only. They replied, very decidedly, only one. I then agreed to go.

In the evening the Makaka people, who had accompanied me, sent for me to attend a Runanga as to the proceedings for the following day. Long discussion followed, some being in favour of proceeding to Rua Kotare, others to proceed at once to Kawhia and there hold a meeting of the Aotea Chiefs. No decisive result arrived at, and I left the meeting quite wearied out. Raorao-kauere is the station of Mr. Skinner, a catechist of the Wesleyan Missionary Society, who hospitably entertained me for the night.

3rd April.—Left Mr. Skinner's at daylight, and crossed the harbour to Rue Kotare, W. Nera and a large party of Whaingaroa Natives, also Ngatihaua, from the Mokaka, accompanying me.

Obtained the following particulars of the Aotea Natives from Mr. Skinner:—

At the Makaka, and adjacent on the North side of Aotea.

Name of Tribe.	Estimated present population.
Ngatihaua	90
Ngatinaho and Taranaki.....	20
Ngatiraparapa	20
	130

At the Rua Kotare, and adjacent on the South of Aotea.

Ngatitewehi	140
Ngatiterangi.....	40
Ngatiwawhaki	24
Patupo (King people).....	80
	284

Total estimated population of Aotea 414

Mr. Fenton's Census Return allows the gross numbers to be 338, but Mr. Skinner informs me there has been immigration to Aotea since, and the births have been very numerous there lately.

All day at Rua Kotare, where Runanga held. (See report of speeches). The proceedings were highly satisfactory, and I would recommend that the nomination of officers there made be confirmed. The jealousies between the tribes on each side of the harbour are of ancient date, and though they have for the time waived them, in order to obtain the benefits of the Ture, &c., yet they might at any time be brought into action by any partiality shewn to one or the other. The proposed arrangement appears to have the acquiescence of all parties, and great discrimination has, I think, been shewn in the selection of officers. I intimated to the respective tribes that I did not think the salaries of the Assessors and Wardens would exceed £20 per annum, and they made no objection thereto.

My instructions of date 24th February last state "that only one Runanga should be formed for Aotea and Kawhia." To this arrangement, as before mentioned, the Natives will not consent. Had I urged them to adopt it, I feel assured the Aotea Natives would never have agreed to accept the new institutions.

Taking, however, the Hundreds of Taupiri and Kohekohe as the standard for salaries, there is still sufficient margin left for the salary of an Assessor, Warden, and two Policemen, for the Ngatihikairo, at Kawhia. The salaries at Taupari and Kohekohe are £120 per annum, with £60 a year for six Policemen at each place.

Aotea, by the proposed arrangement of two Assessors and two Wardens, would require £80 per annum, and £40 more for Policemen.

Ngatihikairo could (when the Runanga is established there) then have the balance of £40 for Assessor and Warden, and £20 for two Policemen.

The Aotea Natives were very desirous to have four Policemen for each side of the harbour, and I had considerable difficulty in inducing them to acquiesce in the appointment of two only for each side, and then only upon the assurance that I would submit their wishes on this subject to His Excellency. If the Government think proper to increase the number of Policemen here (for which, however, I see no necessity), I think the number ought not to exceed six altogether, *i. e.*, three for each side. They

repeatedly instanced the case of Whaingaroa, where there was one Runanga for the South side of the harbour, (Nera's tribe, Ngatimahanga,) and another for the North (Ngatitahinga). I explained this by shewing them that, in the latter case, the Runanga extended over a coast line of from 40 to 50 miles, and that there were only two Policemen resident on the North and two on the South of Whaingaroa harbour, the remainder being spread over the district. On the evening of this day I proceeded to a place called Te Ka Kawa, the settlement of the Patupo tribe, Pingareka being the head chief. This tribe are warm adherents of the Maori King; their place is situated at the Aotea terminus of the Portage between Aotea and Kawhia. The old chief strongly expressed his disapprobation of my proceedings; but, with the usual politeness of the Maori race, received me very cordially afterwards. Hohua, a leading chief of this tribe, is a very ardent supporter of the Government, and promised to act as an *ex officio* Policeman, by bringing before the notice of the Assessors any crimes or misdemeanours committed by any members of the tribe. He also spoke to me about the advisability of establishing a ferry at Aotea, and I promised to attend to the matter on my return from Kawhia.

Remained here all night, and early next morning proceeded to Kawhia. (See Kawhia Report for proceedings there).

7th April.—Returned from Kawhia this evening, and held a Runanga at a place called Mata Kowhai, half way between Rua Kotare and Teka Kawa, on the South side of the Aotea harbour.

The subject of the Runanga was the ferry. Ngatiterangi tribe claimed the right of ferry as owners of the usual horse crossing at a place called Tahuri Koutou.

The Patupo tribe also claimed it as owners of the land at the usual foot-passenger crossing at Teka Kawa. No result arrived at, and the Patupo left the Runanga in high dudgeon.

8th April.—Discussion resumed this morning with Ngatiterangi about the ferry. I proposed a scale of ferry charges for their adoption, but they rejected this as a cause of quarrel between the two tribes as to who should be ferryman. I then suggested that there should be a small annual payment by Government for crossing European travellers, their horses and baggage, free of charge, and that the amount should be equally divided between them and the Patupo, as in the Waikato ferry case, each tribe taking the duties of ferryman alternately for six months. They seemed to approve of this, and promised to consider it after my departure, and write me the result.

Crossed the Aotea harbour, and proceeded to the Makaka. Kewene, the proposed Warden there, informed me that his people were willing to build a wooden Court House, and wanted to know whether they should commence sawing timber for the purpose. Advised him to wait until His Excellency's pleasure as to the confirmation, or otherwise, of the Runanga was made known.

At night another Runanga held about the Aotea ferry. I was too fatigued to attend, and instructed W. Kukutai to represent me, and propose the plan before mentioned (division of pay and service between the two tribes) at a sum not exceeding in the whole £20 per annum. If rejected, to decline making any further arrangement at present. The Runanga came to no decision except that they agreed to meet the Ngatitewehi, &c., and discuss the matter with them, the result to be forwarded to me.

With regard to this ferry I am aware that I am acting in the matter without any instructions, but I cannot feel satisfied in allowing such a constant source of irritation to the Native mind to exist without attempting to devise some remedy to allay it; and, in the words of my instructions before quoted, I venture to "rely upon the assistance and encouragement of His Excellency's advisers" in this matter.

In endeavouring to place this ferry, as well as that at Whaingaroa (hereafter to be alluded to), on a proper footing, I find myself much trammelled by the precedent established by Mr. Ha'le at Waikato Heads—the annual amount there fixed being, in my opinion, excessive beyond measure (viz., £50,) for the service required.

At Kawhia I saw Mr. Charlton in reference to the complaints made by the Makaka people against him on account of the damage done to their crops by his cattle, and strongly advised him to try and arrange the matter amicably. He assured me of his willingness to do so, and agreed to meet me and the Natives at the Makaka to-day. As, however, he could not speak Maori himself, he sent Mrs. Charlton, and his agent, Mr. Westmacott, to represent him. A Runanga was held here on this subject, when the following claims for damage were made:—

Te Taneti—Wheat, alleged to be destroyed by Mr. Charlton's cows, and Native horses	£	s.	d.
Rataua—Corn (maize), alleged to be destroyed by Mr. Charlton's cows, and one Native cow	2	10	0
Ratima—2 acres corn destroyed by cows which swam round the fence—alleges that it was destroyed by Charlton's cows only. Has two cows of his own, but did not see them in the fence	5	0	0
Inia—Corn	0	10	0
Makowari—Oats; sowed one kit. One Maori horse got into the fence.....	1	0	0
Manihera—1½ acre wheat destroyed, but makes no claim against Mr. Charlton	0	8	0
Wiremu—1 bushel wheat sown—no crop.....	0	0	0
Corn destroyed	0	10	0
Rakanite Poria—Stack of wheat; four cows in the fence, three Charlton's, one his own; two Maori horses also, but owners paid him. Balance of claim	0	4	0
Corn also destroyed	0	10	0

Carried forward..... £11 2 0

REPORTS OF OFFICERS:

	Brought forward.....	£11	2	0
Roto—Wheat and corn; sowed three kits of wheat; value of same when sown, 4s. 4d.		0	12	0
Neha—Wheat; two bushels sown.....		0	10	0
Te Rehia—Wheat; has no cows of his own.....		0	12	0
Hemi Tuhi—Planted wheat here, though he resides at Whaingaroa. Damage done		1	0	0
		£13	16	0

Tiopira stated that all the crops in the fence were consumed or destroyed; that the Natives possess cows as well as Mr. Charlton, but that he would not take upon himself to say by whose cows these crops were destroyed.

Kewene (the proposed Warden) stated he had two cows running along with Mr. Charlton's, and four horses, and considered he was equally to blame with Mr. Charlton.

Each individual Native enumerated his stock of horses and cattle, and they amounted to 37. Mr. Charlton's cattle were stated to be 140 or 150, and that, in his return to Government, he included the Native stock, and paid for same accordingly, he allowing the Natives the privilege of running their stock and pigs on his run. Finding it impossible to settle these numerous claims in the short time at my disposal (having a cause to be heard at Raglan to-morrow in the Native Circuit Court), I urged both parties to try and settle them amicably, assuring them, however, that I would adjudicate upon them on my next Circuit, if not then settled. Mr. Charlton's agent informed me his instructions were very liberal, and that he had no doubt he should be able to compromise the whole. He remained over the next day for the purpose. I further urged upon them the necessity of making some definite arrangement in the future, in order to prevent such a fearful waste of food; but that, if no such arrangement could be made between the parties, the Runanga must take the matter in hand, and prepare some regulation to meet the case, which, if satisfactory to His Excellency, should become law.

Mr. Charlton seems to be held in very favourable estimation by the Natives, and I am inclined to think the matter may be arranged without recourse to legal proceedings.

I have gone into the details of these claims in order to shew the necessity for, and the great advantage to be derived by, the establishment of the Runanga as a means through regulations of preventing, and affording redress for, such shameful destruction of property. On minute investigation of these several claims, it would no doubt be found that the Natives are as much to blame in the matter as Mr. Charlton. I shall take care, however, that the matter is definitely settled on my next Circuit.

Mr. Skinner showed me a letter he had received from Mr. Halse, enclosing a letter from Hareirei Hori Kerei to Mr. Halse (being an application to Government for pecuniary assistance in consequence of his house being burnt down), and requesting Mr. Skinner to inquire into the case.

I would suggest that all such applications arising in my district should, in future, be referred to me. I propose, in all cases of houses destroyed by fire, to hold inquests, that, if it shall be proved to the satisfaction of the jury that the fire was accidental, pecuniary assistance may be given by private subscriptions, or otherwise, in proportion to the property destroyed. In the present case the amount of goods alleged to be in the house when the fire occurred is grossly exaggerated; and, in addition, private subscriptions far exceeding the value of such goods have been raised.

The Assessors generally approve of my proposed plan. If the Government approve of it, I should suggest that it be published in the *Karere Maori* newspaper, for the information of all tribes.

JAMES ARMITAGE.

Runanga of Ngatihikairo, at Kawhia.

Te Ruauku, April 4th, 1862.

Te Tapihana: How can the tribes (loyal people) give me the "ture" when my hands are stained with blood? How am I to be cleansed?

Rangi Pu: Come to the "ture," and I will carry you on my back.

W. Nero gave offence by referring to his right to Kawhia by conquest.

Te Tapihana desired W. Nero to confine himself to the law, and not to talk about land.

Hakopa Te Kotuku: You are right when you desire land matters be buried, but why did you speak about blood? Is there no water to wash with? Are you the only tribe that shed blood? Did not Ngatihaua shed blood, and have they not gone to Auckland? Water is plentiful, take and wash.

W. Nero explained his meaning in reference to Kawhia, and then said, don't despair because you have shed blood; Christ's blood will cleanse your hands (parable of prodigal son.)

Hone Wetere apologised to the King party for deserting them, and tried to make proselytes.

Te Huirama (King's man): I did not follow you, Hone Wetere, to Kawhia, you fetched me. I see now you intended to deceive me.

Wiremu Taurira: I am a child of the Governor's. There are two things in my heart, love to God and love to man.

Paora Tarapatiki: I have accepted the Gospel. I am undecided as to the law. I am half for it and half against it.

Waata Kukutai: Don't stand between the parties. If you are not decided, you should not speak; it is right to consider over it; I have come to see you all; my words to you are "mahia te pai" (perform good works).

Mikahere complained of Ngatihikairo's joining the Queen.

Hone Wetere: It is true I gathered the tribes under the King. (Long speech to the king-people.) Now tribe and land will go together to the Governor.

Others spoke, complaining of the desertion of Ngatihikairo.

Hone Wetere: I am going to Tokanganui. (An expression which means anything inexhaustible.) Talk all day till night, and to-morrow and next day, and the day after, but it will have no effect, throw your spears and I will turn them aside.

Te Tapihana: To-morrow is my day with Mr. Armitage. I shall go back to Wiremu Nero lest he should continue angry with me.

APRIL 5TH, 1862.

Te Remi (To Pingareka, a very old Chief of the Patu Po:) What although we go to the Governor; come and see us notwithstanding.

Pingareka: The Europeans brought us guns, powder and ball, and other goods; God gave them these things, some for them and some for us. The Governor should send some for us. I am New Zealand. I don't belong to England.

Makuare: You say to stand true to New Zealand. We all love New Zealand.

Aporo: If it be "ngaro" (lost, implying death) let me be "ngaro" in New Zealand not in mid ocean.

Kikikoi: Don't refer to the land; speak to the men; I don't like what you said (to Aporo); cast it aside and listen to Wiremu Nero's or Armitage's words. "Mahia paitia" my friends, the Governor's ideas.

Parama (Waipa): Divide yourselves if you so wish; there is no deceit in me.

Te Tapihana: Who says we did not do what we ought? Peace was made; I agreed; the "ture" comes, I consent; but I am afraid on account of my bloody hand; come, Governor my friend, and work good here. You have heard my speech for to-day, to-morrow and next day; let us finish what we ourselves have to say to one another; I am searching for the spot my tomahawk struck; has it (the spot) been burnt? (referring to the Europeans supposed to have been killed by his tribe at Taranaki; the expression "burnt" means forgiven).

Hemi Matene: Te Tapihana has again referred to his bloody hand; we wish you all to speak your thoughts now; there is no occasion for us to dispute; we came to see and hear you, not to speak; speak your good thoughts and your evil ones.

Hone Wetere: You rightly pitch upon Te Tapihana's speeches; I wrote to Mr. Armitage and to the "tari" to say that our magistrates and warden were chosen. (To Mr. Armitage.) You are unable to reconcile Te Tapihana's speech with my letter to you; I want the "ture," the "ture" is my rottenness; "He pirau nahu te ture." (This expression "rottenness," means a family jewel disinterred when the bones of a deceased person are taken up; as a whole, the sentence implies that the law is to him as a valuable family jewel.) Te Kereihi is my desired magistrate. Wi Hikairo is my warden. I wrote these names in my letter; I had a meeting yesterday to consider about policemen. I am willing to have three or four; Hori Tarau, of Ngatiwaikaha, and Te Pepene of Ngatipare. Two divisions of the tribe are still unrepresented in the police, Ngatingahira is one; (to one of the divisions mentioned,) if you are not willing to assist a policeman, say so. (A man here said the "hapu," or division of the tribe in question was not properly represented, inasmuch as many men were absent.) Punipi of the Matewai is another policeman.

Punipimoke: (To Mr. Armitage and party;) How many parties do you consider spoke to you yesterday?

Hami te Whakatare and others: Two, Te Takihana and you.

Punipimoke here tied up a flax line for a division between the two parties, saying at the same time that he joined neither party in act. Wiremu Nero's party said, "there is no occasion, you are already known." The old chiefs Tikikoi, Wiremu te Ake, and Makuare, the Magistrate, the Warden, Hone Wetere, the Policemen before named, and a few others, sat on the right side of the line, and the tribe on the left; the latter being far the more numerous party—double or perhaps treble.

Hone Wetere: I again turn to Ngatihikairo, (Wiremu Karewa, having been named a Policeman, took his seat among those on the right.)

Hetaraka Nero: Are these (to Hone Wetere) what you meant when you said the law was your rottenness?

Hone Wetere: Yes!

Hetaraka Nero: Is this the tribe you spoke of?

Hone Wetere: Yes. You think I am few, but you mistake. I ascend to the skies; I descend to the depths; many of my people are getting firewood.

Wiremu Nero: That is right; but Te Tapihana's speech is the main thing when he asks how he is to clear himself from the hands of the law. If there was any great evil connected with Te Tapihana, why has the "ture" come here?—why have I come?—why has Kukutai come?—why was the harbour opened? The law will wash his hands. Paora te Ahuru went to Auckland, but was not put in jail. Yours are not the only bloody hands; Kingi, Pumipi, Wetere, and Wiremu te Ake sent for the "ture," and we are here. Will aught evil arise from the "ture"? No! if it is well carried out, no!

Te Tapihana: I went to Taranaki because of Taiaroa and Wi Tako. I went because of Potatau I went to Ngaruawahia. I heard there that the blood of Te Rangitake had been shed. I told them to go and destroy Auckland. I went to Taranaki and saw Wai Koterō. I came back and sat down, and am now sitting. I have not been to see Tamehana, and did not see Potatau after I came back from Taranaki. Remember me because I did as your (to Wiremu Nero) "teina" (younger relation—meaning Potatau) wished. Cleanse my hands. Don't be annoyed, Mr. Armitage, because I said I would kill and eat you last winter. (An allusion to Mr. Armitage's visit to Kawhia, as Solicitor for the Crown, in the gun prosecution case, when Te Tapihana sent a threatening letter to Mr. Armitage.)

Wiremu Nero: Although Te Tapihana's hands are bloody, I do not consider his offence unpardonable. He was only a working man. I asked Potatau if his kingship was right; he said "aau." I told him he might be a "matua" (father), but that his kingship was wrong. He was obstinate. He died soon after. Don't think these laws will do you injury: they are to keep peace, and for every one's good.

Te Tapihana: If Tamehana (Tarapipipi, Ngatihaua,) comes over to the Queen, the pigs and dogs will follow.

Wi Hikairo: Te Tapihana says his hands are stained with blood. I went to Taranaki. Now you have brought the laws for us, and they will clear us. There have been many disagreements (among the King party) "he tikanga rua, he tikanga toru."

Hakopa te Kotuku: I saw Tamehana when he came back. Ngatihaua went to Auckland. Why did you speak of Tamehana as a man whom all will follow? Who is Tamati Ngapora? Who is Hone Kingi? Are you their equal? You are a man of no note. Tamehana made your name heard.

Te Tapihana (to Mr. Armitage): This part is still closed. I sent away the Custom House officer and other white men. I made myself a Custom House officer. I said I would kill Europeans; you for instance. I did not visit you, but I wrote to you, telling you to leave my sacred ground. I had a great mind to burn one vessel here. The river is not open; but, by the acceptance of the laws here, it will become so. I am speaking of the time when I belonged to the King's party. Don't be annoyed. Tell the Governor what I say, lest I should break up some of the vessels coming here.

Hakaraia: I don't say I am the king; Tamehana is the king; I am not the king. Te Huhu stole the king. Tamehana stole the king. I don't agree to king, nor to queen; both have faults. (This man is a near relation of Matutaera.)

Hone Wetere: I shall follow now what I said to Mr. Armitage in Whaingaroa. I asked there for six policemen; Hone Pohepohe and Te Manuare are other two I wished for. What I want now is twelve men for a Runanga, and twelve for a jury.

Hetarakā Nero: I wish to tell this tribe that these laws are not new. When our ancestors accepted the Gospel, they accepted them also. I tell you this because Wetere says the law is "he perau nana," (literally, suppurating from a wound or sore of his).

Wirihana Te Ake: Let us have twelve men for a council and twelve for a jury.

Te Kewene: If a single policeman comes to take me, my tomahawk would soon demolish him; if they are numerous I should be afraid.

Mr. Armitage: Are you consenting? (To the tribe.)

Te Tapihana: No!

Mr. Armitage: Let all speak.

Te Tapihana: I am the mouth. Mr. Armitage: No. Let all express their thoughts.

Hemi Matene: (To those on the right side of the flax line, Hone Wetere's party.) Do you wish for the laws? "Yes, yes, yes!" (To those on the left side, Tapihana's party.) Do you want these laws? "No, no, no!" Whose laws do you want then? "The King's."

Wiremu Te Ake: (To Mr. Armitage.) I will give you the men, but not the land.

Mr. Armitage: I have nothing to do with the land, but the laws only.

Hone Wetere: There is no one in Kawhia but Te Tapihana (spoken sarcastically, meaning that he is the most influential man in the district.) We must (to Wiremu Nero's party) bring these people over (to the Queen) but I want your help. The field cannot be cleared nor the tree felled by one man. Come, therefore, and assist me. I tell you the tree will fall.

Waata: It will not do for half a tribe only to consent. There will be raruraru (confusion) in that case. We came here to have the consent of the whole tribe; let your party choose the Warden (to Hone Wetere) and the other party the Magistrate. Suppose you choose Te Tapihana as a Magistrate. If my speech is not consented to, I have done.

Wiremu Te Ake: Let it be finished here; what is the use of a Magistrate? What is the use of a Runanga. Let Mr. Armitage return from here. (To Te Tapihana.) Do you consent to be made a Magistrate? "No."

Wiremu Nero: I will not stop this good work because Wiremu Te Ake desires it: I asked Hone Papita to accept the laws; he refused; I asked him what his laws would be; he said, "He mate," (evil will result, i.e., a source of evil); I asked him who were to be his Magistrates, and he said Waata Kukutai and myself. Your laws will be "He mate" if you refuse these. If you do not accept them, we will work ours and you work yours, the "ture kai-riwai" (intended to convey the speaker's contempt of laws framed by themselves) Don't think the Europeans are afraid; it is right to keep the land, for the land makes you Chiefs.

Hone Wetere: This is the King's stomach (the Ngatihikairo, meaning the King's mainstay.) You have only to persevere and you will get your goods (i.e., the tribe will join the Queen party.) They are in a stockyard, and cannot get out. Their necks are in the yoke; they are ours.

Wi Hikairo (to Wiremu Nero): What you have said is right; you see this boundary (the flax line); it is by you (implying that Wi Nero's influence had brought over those who desired to possess the ture).

Kawhia, April 7th, 1862.

Te Tapihana and Haurua (interview with Mr Armitage): We do not consider the harbour of Kawhia open because we have had no letter nor seen any notice from the Government; if vessels come in we will smash them.

Haurua said here he did not disguise his feelings; he spoke what he thought without caring whether the Governor was pleased or not; if the Governor wished to fight, he (Haurua) was ready; if it was to be peace, he was satisfied too.

Mr. Armitage: The harbour was not closed by proclamation before, but by withdrawing the Europeans and preventing vessels from coming in; the Europeans have returned, and vessels go to and fro without hindrance. Wiremu Nerō told you by my direction that the harbour was open; what do you want more?

Te Tapihana: It was closed under the fighting Governor; there is a peaceable one now; let him write to us and tell us his intentions; we do not wish any Europeans on this side of the river except Charlton.

Mr. Armitage explained that the Government had not placed any Europeans there; that they themselves (the Natives) had done so.

Mr. Armitage: Will you explain why you lowered the King flag, and the cause of your lamentations over it?

Te Tapihana: We lowered it that it might float close over our heads; it was love to the King.

Mr. Armitage: What do you wish to be done in reference to the harbour?

Te Tapihana: When the Governor writes to us to tell us the harbour is open, we shall be satisfied; then we will write to him and explain our views.

Mr. Armitage: Did you expect me, on behalf of the Governor, to give you any reply to your observations about your bloody hands?

Te Tapihana: I did not speak of my bloody hands in expectation of an answer from the Government, but that you might know the sins of the tribe you proposed to give the Ture to; it is not only my bloody hands I am afraid of; I am afraid because I was mainly instrumental in setting up the King.

Kawhia Runanga.

4th April.—Started early from Te ka Kawa, and proceeded in procession to Kawhia—thirty horsemen, two a-breast, headed by Hira Kingi on foot, carrying the flag “Mahia te pai,” followed by about 100 or 200 on foot, headed by W. Nero. Arrived at the Ruauku, a romantic bay in the Kawhia harbour, where the British Ensign was flying on a staff to welcome our arrival. We marched round the flag; and were then welcomed by the women of the Ngatihikairo, with their usual demonstrations of joy. The men of Ngatihikairo also welcoming us with loud shouts, from a hill on the opposite side of the bay, where the King's flag (a whip and a white streamer) was flying. Ngatiapakura, a tribe from Rangiawhia, but resident here, also greeted us in the same vociferous manner, from another hill; they are King people. The King Natives, from Aotea principally Patapo, shortly after arrived (about forty or fifty men) in procession, and took up their position, on the left side of our encampment—the whole forming three sides of a square, the harbour being the fourth side—the Ngatihikairo (tangata whenua) opposite us.

The usual complimentary salutations passed between our party and Ngatihikairo (see speeches on previous pages.)

Pumipi, a very influential Chief of Ngatihikairo, and master of the schooner “Nebuchadnezzar,” had a long conversation with me, and assured me of the desire of his tribe to accept the new institutions. He stated that the three leading Chiefs, Kikikoi Kingi, Wiremu Te Ake Rauangi, and Te Manuwaitai, wished to have a great Runanga of all the leading Chiefs of this and Waikato District, for the purpose of discussing and deciding upon all matters connected with Native lands, and all great disputes and quarrels arising between them (the Natives) and between them and the Pakehas. I heard nothing further of this proposed plan from any one else. Pumipi is a very energetic man, and deserves great credit for his praiseworthy exertions in endeavouring to induce his tribe to accept the Ture, &c. Had also a long conversation with Hone Wetere; informed him I had heard that he had put away his own married wife and taken another married woman instead, with whom he was now living; he admitted the truth thereof, and I therefore told him I could not consent to his holding any office under the Government as Assessor, &c.

Hepata (the proposed Upoko Runanga for South Aotea) applied to me on behalf of the Runanga for my consent to their removing the Ngateapekura Tribe (before mentioned) from here to Aotea, as the Ngatihikairo were going to drive away or send them back to Rangiawhia. I told him that he must not interfere in the matter. At night a Runanga of my party was held in a secluded place on the hills in reference to Tapihana's words (see speeches), “My hands are stained with blood, how am I to be cleansed?” The result was communicated to me and expressed by W. Nero in his speech on the 5th April. I approved of same, generally excepting as to any murders, “Kohuru,” that might have been committed. My observations on this matter will appear hereafter.

5th April.—The Rev. H. Schnackenburg, Wesleyan missionary of Kawhia, came to see me early this morning; asked him for his estimate of the Native population of this district. It is, however, except as to Ngatihikairo, a very rough estimate.

REPORTS OF OFFICERS:

Ngatihikairo, north side of the Kawhia not exceeding.....	80	
Ngatiapakura ditto	120	200
Ngatimaniapoto, south side of Kawhia, from 400 to.....	500	
Ngatimahuta ditto not exceeding.....	300	800
		<u>1000</u>

N.B. Ngatiapakura took no part in the proceedings and expressed no feeling one way or other as to the Ture, &c.

Mr. Schnackenburg informed me that the Ngatimaniapoto and Ngatimahuta had not been invited by the Ngatihikairo to this meeting, that they did not know of my visit here or would have sent a deputation to see me. He wished to know if I would go and see them if invited; replied that my engagements at Raglan would not permit me, but should be glad to see any of them on Monday morning and would convey to His Excellency any wishes they might express to me. Explained also that if these two tribes wished for the institutions they must meet in Runanga and discuss the matter and send their decision in writing to His Excellency; if unanimous I felt sure that either myself or some other officer of Government would be sent to see them on the subject as His Excellency was desirous of extending these institutions over the whole Island.

Mr. Schnackenburg also informed me that these tribes were much annoyed with the Ngatihikairo for deserting them, as they considered the latter tribe had been the sole cause of their joining the king party.

A procession of about 50 males (chiefly boys and young men) and 50 women and girls of the Patupo and king people of Aotea marched across the bay and proceeded to the opposite hill, walked round the king's flag, which was then lowered half mast high, and then returned.

Ngatihikairo then assembled on the same hill, their women uttering their usual lamentations over a dead body at the foot of the king's flag; and suddenly started up as in affright and ran away to some distance from the flag. The males of this tribe, about 40 in number, in full war costume, with muskets and cartouch boxes, then walked round the flag, retired a little distance and danced the war dance, fired two volleys, first at the flag, and then to the Southward in the Taranaki direction; the whip was then lowered and not hoisted again during the day. The armed party returned to our side of the bay, and the ceremony of throwing the spear was performed by our party; the signification of this latter being that our party welcomed them as having joined us; the armed party then repeated the war dance in front of the Patupo and Aotea king party, their women following suit with horrible grimaces. Speeches between these two parties followed. The ensign and our flag "Mahia te pai" were then hoisted.

When I afterwards found that more than three fourths of the tribe publicly declined to accept the institutions, I felt I had no other alternative than to decline establishing a Runanga here, and accordingly instructed Waata Kukutai to state this. He tried to mollify Tapihana's party by offering them the appointment of Assessor, but of no avail.

I feel quite at a loss to account for the extraordinarily inconsistent conduct of Tapihana and his party; the ceremony before described in reference to the king flag was considered by all our party as a total abandonment of the King; in fact the flag was buried, and they were as much surprised as I was at their refusing the Ture. I can only give two conjectures as to the cause of this conduct.

First, and the most probable one, that Ngatihikairo were concerned in some of the murders of Europeans at Taranaki, and are afraid of the consequences, and of the laws being used as an instrument for their apprehension; they were innocent with respect to the boys first murdered, as they were not at Taranaki then, but have been privately informed that it was some of their tribe who shot a man called Coade on the Taranaki beach, when he was proceeding with provisions to the wreck of the "Sea Gull" vessel. Hone Wetere, when once asked by my informant if it was a certain person, replied, no, it was——.

Tapihana's repeated allusion to his "ringa toto" (bloody hand), and his subsequent visit to me at Mr. Charlton's house, left a very strong impression on my mind that he wished me to give him an indemnity for his acts when at Taranaki. I judged it the most prudent course to abstain from the expression of any opinion thereon, except that the object of the introduction of laws amongst them was to suppress evil and raise the Maori race in the scale of civilization.

I should wish to call the attention of the Government to this question, as it is a very important one, and no doubt will again be raised; and shall be glad to be favoured with instructions thereon.

The information above mentioned about Coade's murder may be only rumour, but I think my informant is a credible party. Supposing it to be incorrect, it may be that Ngatihikairo are afraid of their lawless acts at Taranaki, such as plundering stock of settlers, robbing and burning houses, &c. I understand that they are generally termed Ngatihikairo—a play upon their tribal name Ngatihikairo—or a tribe who absent themselves or run away from cattle and follow the occupation of camp followers, stripping the dead bodies of the vanquished after battle, &c. They certainly do not rank high as warriors in the estimation of the Natives generally.

Secondly, (as many of my party surmised) that Hone Wetere, finding that his immoral life prevents him from holding office as Kaiwhakawa has been acting the part of the dog in the manger, and has by threats or intimidations to Tapihana caused him to reject the Ture at the last moment. Hone Wetere is a very clever energetic man, but with a great want of consistency in his character, and one whom I should be very sorry to place any confidence. I would advise His Excellency and the Government to be very guarded with respect to him.

Another conjecture has been hazarded, but I do not place much reliance upon it; viz., that Tapihana is waiting for the consent of William Tamehana (Thompson) to the Ture; when given he will give in his adherence. The day's proceedings were not concluded until sundown, Hone Wetere giving notice that the discussion would be resumed on Monday morning.

6th April.—Conversation with Hone Wetere; told him I considered he had grossly deceived both the Government and myself in his letters, stating that the tribe had accepted the Ture, &c., and that I should not attend any further Runanga of the tribe, as they had now all rejected the Ture. He stated the tribe had deceived him, and insisted that they had all previously agreed to the Ture. N. B.—Tapihana and party deny this.

7th April.—Went to Poewe to see Mr. Charlton about the Cattle complaints. Tapihana and Haurua (a leading Chief of Tapihana's party) came over here to see me (see speeches). I do not suppose Tapihana to be in earnest in his threat to levy tolls on vessels coming into Kawhia; but to allay his irritation and prevent him from having a ground of complaint I would suggest the advisability of an official communication being made to the tribes of Kawhia that the port is open, not addressed to Tapihana individually, as that would be a recognition of his importance, and he is by no means a Chief of high rank, his standing arises solely from his powers as an orator. Tapihana's account to me of his reason for lowering the flag is evidently not the real one, and therefore I feel assured that my first conjecture is correct, viz., that he is willing to accept the laws if assured they are not to be applied against him for his acts at Taranaki.

Deputation from South of Kawhia came over to have an account of our proceedings, but returned without applying to me on the subject. William Te Ake, Wi Hikairo and Pumipi, sent for me; explained my reason for refusing the Ture was on account of the division in the tribe; that I came to bring peace not trouble (*raru raru*); that they must all agree in one mind, and then I could work for them, but that I should inform His Excellency of the proceedings and leave the ultimate decision to him. They assured me they should persevere in their efforts to obtain the Ture; Hone Wetere afterwards said the same. N. B.—Hone Wetere shewed me a letter from Mr. Smith, late Native Secretary, stating that the Government had £16 in hand of the fees forwarded by Hone Wetere formerly; I beg to recommend that it be retained until a Runanga is formed at Kawhia, as I feel assured this tribe will join us unitedly ere long.

No. 14.

REPORT BY J. ARMITAGE, ESQ., RESPECTING THE NGATIWAHAUROA HAPU.

Resident Magistrate's Office,
Lower Waikato, 24th April, 1862.

SIR,—

I have the honor to inform you that I only returned from Circuit last night.

Hona, on behalf of the Ngatiwhauroa tribe, who are partly in my district and partly in that of Mr. Gorst, has been to see me to-day, and informed me that the tribe object to being included in the latter district, but wish to be in mine altogether. As I purpose going to Auckland next week, in compliance with a private request of the Honorable Mr. Fox, I asked him (Hona) to accompany me, and see you personally on the subject, to which he consented.

I hope to be able to bring my final Circuit Report along with me.

Early in the morning of the 23rd instant, I met a messenger from W. Nero, on the river. He informed me he was the bearer of rather alarming intelligence to the Government, respecting the King-party. I wish to observe that I have heard nothing of it here; and that Matutaera and his friends are about proceeding to a large feast in the Hauraki district.

I have, &c.,

The Honorable
The Attorney-General, Auckland.

JAMES ARMITAGE.

No. 15.

REPORT BY J. ARMITAGE, ESQ., RESPECTING HUNDREDS OF TAUPARI AND KOHEKOHE.

Resident Magistrate's Office,
Lower Waikato, 26th April, 1862.

Taupari Hundred.

SIR,—

I have nothing special to report to you respecting this Hundred. Everything seems progressing favourably; the proceedings in Court are conducted in a most orderly manner. The members of the Runanga refused to assemble unless some payment was given to them, when Ruka, the Warden, promised them, out of his salary, the sum of five shillings (5s.) each per diem for their services; to meet three times a year. This, I understand, satisfied them.

They are very anxious to have the grass seed sent to them.

Kohekohe Hundred.

On arriving here, on the 21st instant, I was informed by the Assessor, Te Wheoro, that during my absence on Circuit, the Taupari policemen came here, to demand a married woman of the

Ngatitipa tribe, who was living in adultery with a Native at the Kohekohe. The tribe at the latter place refused to deliver her up, whereupon Te Wheoro directed his policemen to assist those of Taupari in restoring her to her husband. All opposition then ceased, and the woman was quietly taken away by the Taupari police, and restored to her husband and his friends.

This case affords a very favourable proof of the relinquishment of Native customs, and the substitution of law and order in their stead. According to the Tikanga Maori, one from each party would have seized hold of a hand of the unfortunate woman, their respective adherents holding on to each other, and pulling with all their strength, until one party had possession of the woman, or, as not unfrequently happened, until she died from exhaustion.

It is the more gratifying, from the fact of the proceedings being conducted by themselves without my assistance.

All the officers were present at a Court I held here, on the 22nd instant, except one of the Wardens; and I consequently refused to pay his salary until informed of the cause of his absence.

Nothing has been done as to the other Warden, Tipene, whose temporary suspension I have advised you of.

My Reports of each respective Hundred in my District are so full as not to require me to give you any general summary thereof. In confirmation of the above remarks as to the respect shown to law and order, I would instance a case at Whaingaroa, in which I granted a summons against a Native for larceny. He had absconded, and taken refuge amongst the King's party, at Pirongia, about twenty-five miles distant. The police followed him, apprehended him, and brought him back to Whaingaroa for trial.

In reference to the Paetai people, I have the honor to inform you that they do not evince any disposition whatever, at present, to accept the new institutions. Reihana, who is the leading spirit of the tribes there, has been to see me, and stated that he was himself desirous to have the laws introduced, but wished to have the consent of the King party thereto, and wanted my advice as to how he should act. I declined giving him any advice, and informed him that it was of very little consequence whether they joined us or not; that the institutions were a great boon to them, and must be sought by them before granted, &c., &c.

I have, &c.,

JAMES ARMITAGE.

The Honorable
The Attorney-General, Auckland.

No. 16.

INSTRUCTIONS TO J. ARMITAGE, ESQ., AS CIVIL COMMISSIONER.

Colonial Secretary's Office,
Auckland, 5th May, 1862.

SIR,—

I. I have the honor to acknowledge the second report of the proceedings during your late Circuit in Lower Waikato, Whaingaroa, Aotea, and Raglan. The Government is very much gratified with the success which appears to have attended your operations, and I have much pleasure in expressing the sense which it entertains of the zeal, ability, and discretion with which you have so far performed the duties of your office.

II. Your district being now organized, and in working order, you will receive the appointment of Commissioner, to date from the 1st May, 1862; the salary to be £500 a-year, and £50 for forage and travelling expenses.

III. The various points arising upon your late reports which require action on the part of the Government will be immediately attended to. On some of these you will want to be informed of the decision of the Government.

1. The Aotea sub-district will be considered as complete, and the nominations recommended by you will be immediately gazetted, and warrants forwarded to you as early as possible.

2. A notice will be immediately issued that the Harbour of Kawhia is open to all vessels to come and go.

3. One-half of the cost of food at the Road Runanga at Whaingaroa will be allowed, £18 4s. 0d. This will be paid through you: and you will be so good as to obtain a proper voucher from the Natives who may be entitled to receive it.

4. Arrangements will be made as speedily as possible for the appointment of a Hundred Officer at Whaingaroa, and he will be required to reside in the township.

5. The Government approves of your suggestion that lands held under Crown grant within the limits of a Native district should be included in its jurisdiction. But it will be necessary for the purpose that the Native Districts Act should be amended—which will be proposed to the Assembly in the coming Session.

6. Copies of the Acts and Ordinances shall be immediately provided.

7. The Policemen's clothes are already in possession of Hetaraka, who will return to Raglan in a day or two. The badges will be immediately provided.

8. The proposal of some of the Natives that the village Runangas should be paid cannot be entertained for a moment. The Government has not at its disposal funds sufficient for such a purpose. It should be explained to the Natives that Europeans do not receive pay for sitting in their Runangas, either General, Provincial, or Municipal, whether in the Colony or at home—although such as come

from a great distance, and are put to actual expense, have, in some instances, their bare expenses covered. But the principle universally adopted under the British Constitution is that the Executive officers are paid for their actual work and responsibility; mere deliberative ones are not—a principle applying to all public bodies, from the Houses of Lords and Commons to a parish vestry, from the General Assembly of the Colony to Local Boards. This matter will be put prominently forward in an early number of the "*Maori Messenger*," to which you can call the attention of the Natives in your district.

9. The subjects of your own place of residence, the erection of a gaol, Court-houses, Hospital, and other objects in which the whole district may have a common interest, had better be postponed till the meeting of the general District Runanga.

10. This body, it is thought desirable you should not convene till after the termination of the next Session of the Assembly, when the Government will be in a position to determine with more precision the extent to which it will be able to support your views, and to meet those of the Natives in this matter. You may let them know that it will be summoned immediately after that event. Some moderate allowance for the cost of food will be made on that occasion. At the Bay of Islands, when the gathering was very large, it amounted to about £35.

11. Your intention to hold Presiding Courts is approved.

12. The Government sees no necessity to increase the number of public houses at Whaingaroa. The power of licensing bush houses is at present vested in the Superintendent; that of issuing general licenses, at a higher rate of fee, in the Justices in Petty Session, under the provisions of the Licensing Ordinance.

13. The Government is prepared to sanction the Ferry arrangements suggested, and, as soon as you report the acceptance by parties concerned, will gazette the same.

14. Care will be taken for the future that all correspondence relating to your district shall be forwarded through you, and public notice will be given in the *Gazette* or *Maori Messenger* to that effect.

15. For the present, you will appropriate to such local uses as you may think best any fees in your hands; but you will obtain the sanction of the Runanga, when it meets, to that effect.

16. Arrangements have been made for commencing the road from Whaingaroa to Waipa. For this purpose, Mr. Rogan will start this week, and, if he finds no serious impediment, will at once lay off the line, and take steps for the commencement of the work at the Raglan end. You will be so good as give him any assistance in your power, either by letter or personally when you may be there.

17. The reports of the various meetings forwarded by you will be immediately put in hand for translation and publication. It will save time and the accumulation of work at head-quarters, if on future occasions, when you forward any documents which you think might be published with advantage in the *Maori Messenger*, you will accompany this work with a Maori version—which, I apprehend, your Interpreter could generally find time to do. The Commissioner of the Bay of Islands District, Mr. Clarke, did so recently; and it will enable the Government to provide him with printed reports of the proceedings of his Runanga much more speedily than could otherwise have been done.

I have, &c.,

WILLIAM FOX.

J. Armitage, Esq.,
Civil Commissioner.

No. 17.

REPORT BY J. ARMITAGE, ESQ., OF PROCEEDINGS OF MATUTAERA'S RUNANGA AT KOHEKOHE.

Resident Magistrate's Office,
Lower Waikato, 22nd May, 1862.

SIR,—

I have the honor to inform you that Matutaera's party on returning from a feast at Hauraki, held a Runanga at the Kohekohe, in reference to the proposed Court House there, which by section 3 of my instructions of the 24th February last, was sanctioned by the Government.

They seriously warned Te Wheoro not to build it, and many very serious threats were made as to the course they would pursue in case he persevered.

I have taken much trouble in investigating the whole matter, and have come to the determination that it would be the most advisable course to proceed with the building regardless of these threats.

The owners of the land on which the building is proposed to be erected are consenting parties, and have no connection with the King movement whatever.

I would beg to suggest, however, that the matter should receive the serious attention of my successor in office, as Te Wheoro is rather inclined to treat the subject with a high hand, and I have had considerable difficulty in inducing him to consent to moderate his zeal. This remark will also apply generally to the proceedings in his Hundred, as the King party are very jealous of the footing the new Institutions have gained there, and are anxiously watching for a pretext for a quarrel with Te Wheoro and his tribe.

Great moderation and forbearance must be exercised here, both on the part of Te Wheoro and the Resident Magistrate, for the reasons before stated.

I have, &c.,

JAMES ARMITAGE.

The Honorable
The Attorney General.

REPORTS OF OFFICERS:

No. 18.

REPORT BY J. ARMITAGE ESQ, OF A VISIT TO THE NGATIWHAUROA.

Resident Magistrate's Office,
Lower Waikato, 22nd May, 1862.

SIR,—

I have the honor to inform you that, in accordance with instructions to that effect, received by me from the Honorable the Colonial Secretary, I proceeded up the Kahumatuku to organize the Runanga, &c., for Ngatitohauroa.

On arriving there, I found that Hona, the proposed Assessor, had been suddenly called away to Hauraki, on domestic matters, and that consequently no definite arrangement could be made in his absence.

The tribe are still very desirous to have the new Institutions, and I would beg to suggest that the early attention of my successor in office should be drawn to the matter, as I consider their accession a very desirable object.

I have, &c.,

JAMES ARMITAGE.

The Honorable
the Attorney General.

No. 19.

LETTER OF RESIGNATION FROM J. ARMITAGE, ESQ.

Resident Magistrate's Office,
Lower Waikato, 22nd May, 1862.

SIR,—

I have the honor to request that you will forward to His Excellency the Governor Sir George Grey, K.C.B., my resignation of the office of Resident Magistrate under "The Resident Magistrate's Ordinance," and under "The Native Circuit Courts Act, 1858," and further to request that you will signify to me that I am relieved from all further responsibility in respect of these offices.

There is a Court to be held at the Kohe Kohe on the 18th of June next, which will require the attendance of a Resident Magistrate there, as there are three cases to be heard then between Native and European.

I have also to request your instructions as to papers, &c., in my possession belonging to the Government.

My accounts shall be made out and forwarded to you as soon as possible.

I have, &c.,

JAMES ARMITAGE.

The Honorable
The Attorney General, Auckland.

No. 20.

FURTHER REPORT FROM J. ARMITAGE, ESQ., RESPECTING THE NGATIWHAUROA HAPU.

Resident Magistrate's Office,
Lower Waikato, 4th June, 1862.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 29th ult., requesting me to carry on the duties of my office until His Excellency the Governor has been communicated with, and in reply beg to state that as I believe my retirement from office at the present time would be prejudicial to or otherwise injuriously affect the success of the new institutions in this District, I shall be happy to comply with your request.

The Ngatiwhauroa came to see me last week to enquire the truth or otherwise of my rumoured retirement, and informed me that if correct they should decline accepting the new institutions, as they objected to being placed under Mr. Gorst. I have now sent for Hona, the proposed assessor, who has returned from Hauraki, and will arrange with him for an early meeting to complete the organization of their Runanga.

I have also written to W. Te Wheoro respecting the cases to be heard at the Kohe Kohe on the 18th inst., (as to which I wrote to you on the 22nd May ult.,) and have informed him that I will attend there on that day to hear them. From there I purpose proceeding to Taupiri to hear other cases and to arrange as to the Court House, and thence to the Waikato Heads to see about the Ferry Service there, so that my arrangements for this month are completed. It will be necessary in July to take another circuit to the West Coast, Whaingaroa, Aotea and Kawhia, but of course I shall await your further instructions in the matter before making any arrangements in respect thereof.

I have also the honor to inform you that I have replied to the letter of Hetaraka Nero (forwarded to you on the 26th ult.,) in accordance with my instructions of the 25th of May last. I should recommend that he be supplied with the grass seed he has applied for, viz., two bags.

I have, &c.,

JAMES ARMITAGE.

The Honorable
The Attorney General.

REPORT BY J. ARMITAGE, ESQ., RESPECTING THE KAWHIA NATIVES.

Resident Magistrate's Court,
Lower Waikato, 4th June, 1862.

SIR,—

With reference to the letter addressed to myself, from Hone Wetere of Kawhia, requesting to be informed what decision the Government had come to in respect of the new institutions being granted to his tribe or otherwise, and which letter I forwarded to you on the 26th ultimo, I have the honor to suggest that no definite reply should at present be made to him, but that the Resident Magistrate or Civil Commissioner for this District should be authorised by you on his next circuit to organise a Runanga for the South side of the Kawhia Harbor, if he found that the tribe were still anxious to accept and willing to work the same.

It is evident to me that some portion of the tribe are desirous to introduce law and order amongst them, but whether this is general or not can only be determined by local enquiry; the feeling expressed at the late meeting at Kawhia was not sufficiently conclusive to warrant me in advising you to grant them the Runanga, &c., there; but I think it is in accordance with your policy and that of His Excellency that these desires should be rather encouraged than repressed.

And I would observe that the fact of the lowering and burying the king's flag, as described by me in my report forwarded to you on the 12th April last, entitle them to a favourable consideration at your hands and those of His Excellency.

I should further suggest that the officers to be appointed should not exceed one Assessor, one Upoko, and two Policemen, at the respective salaries named by me in such report; which would bring the whole amount for Aotea and South Kawhia equal to that of the Taupiri Hundred.

I have, &c.,

JAMES ARMITAGE.

The Hon. the Attorney-General.

No. 22.

FURTHER REPORT BY J. ARMITAGE, ESQ., RESPECTING THE NGATIWAHIAUOA PEOPLE.

Resident Magistrate's Office,
Lower Waikato, 5th June, 1862.

SIR,—

I have the honor to inform you that Hona and a deputation of the Ngatiwhauroa waited upon me this morning.

In accordance with the instructions I received when in Auckland, from the Honorable the Colonial Secretary, I agreed to the appointment of the following officers, viz.:—

Native Assessor—Hona te Kotuku.

Warden (Upoko Runanga)—Winitanangapu.

Policemen—Eruatangakainga.

Netana te Amotutu.

These persons are approved by the Runanga of the tribe, and I would recommend them to be appointed.

I should recommend also that Hona be allowed the full salary of £50 per annum. The Assistant Law Officer thought he ought only to receive £30, and I proposed that sum to Hona; he replied, for what reason do you make a distinction between myself and W. Te Wheoro, when our services under Mr. Fenton (in 1857) commenced at the same period, and have continued up to the present time? He further stated that he would have to pay out of his salary £10 a year for a clerk, as he is not by any means a good writer; thus reducing him to the standard salary (£20) of an untried man. In fact he applied for a salary for his clerk in addition to the £50, but I convinced him that such application was unreasonable, and he at once agreed to abandon it.

From what I have seen and know of him I think he will be a very useful public servant, and from the proximity (4 miles) of his residence to Ngaruawahia, will be enabled to keep the Resident Magistrate of this District well informed of the proceedings of the King party.

I should propose that the salary of the Warden be the same as the others on the coast, viz., £20 per annum.

In allowing only one Assessor for this tribe it struck me that we cannot legally form an Assessors' Court, as the 33rd section of the Native Courts Act requires two or more. We have no other Assessor nearer than W. Te Wheoro, who resides nearly 30 miles from Hona, and would not be willing to travel so far to form the Court. Under present circumstances the Ngatiwhauroa would naturally object to an Assessor of another tribe being joined with Hona, as all the tribes in their vicinity are strong Kingites.

In order therefore to form a legal Assessors' Court, there appear to me to be only two courses for your adoption: the 1st, to appoint a second Assessor from the tribe at the salary of £20 per annum; or, the 2nd, to appoint the Warden to be an Assessor also, and perform both duties, giving him an extra £10 a-year (£30 altogether). I am, however, not aware whether the combination of these offices

Sec. II.

might be considered objectionable by His Excellency or yourself. My object in proposing this latter course is to save expense. This tribe muster 91 males, or say 150 altogether of both sexes, and are scattered over a district of from 20 to 25 miles in extent.

They applied to me respecting a second Assessor, but I told them I could only agree to the appointment of one at present, but would communicate with you on the subject. Hona resides at one extremity of their District and W. Ngapu at the other, another reason in favor of the adoption of the second course proposed. Ngapu is also a man I could approve of, and there do not appear to be many eligible persons for the office in the tribe.

They pressed me very much to appoint three policemen, two for Kahumatuku where their largest population is resident, and one for the Kerutu and Wangape near my own residence, where the population is smaller and more scattered. I replied that if the Resident Magistrate for the District found that the duties were too onerous for two policemen, another would be appointed hereafter, but that at present they must limit themselves to two only. I made an appointment to go up to Kahumatuku (next week, on the 12th instant) and swear in the officers before mentioned, so that they may commence their duties at once, and I should recommend that their respective salaries commence from the 1st instant.

I have, &c.,

JAMES ARMITAGE.

The Hon. the Attorney-General.

FURTHER PAPERS

E—No. 9
Sec. III.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE GOVERNMENT.

REPORTS OF OFFICERS.

SECTION III.

UPPER WAIKATO.

SECTION III.

U P P E R W A I K A T O.

[*Memorandum.*—The first official visit of Mr. Gorst to the Natives of the Upper Waikato district was in the capacity of Inspector of Schools. Upon the Governor's return to Auckland from the Bay of Islands, in November 1861, His Excellency determined to send Mr. Gorst to the Upper Waikato as Resident Magistrate, under circumstances mentioned in His Excellency's despatch to the Secretary of State, dated December 1861. (*See Sess Pap.*, 1862, *E No.* 1, *Sec.* 2, *p.* 45.) The Upper Waikato district was thereupon constituted by Orders in Council, under the Native Acts of 1858.

During the Governor's visit to Lower Waikato in December, His Excellency was attended by Mr. Gorst, and the verbal orders then given to that officer by His Excellency made it unnecessary to issue written instructions to him at that time.]

No. 1.

REPORT FROM J. E. GORST, ESQ., R. M., OF PROCEEDINGS OF PATENE AND NGATIMANIAPOTO NATIVES.

Otawhao, February 5th, 1862.

SIR,—

On Friday, the 31st of January, a vague rumour reached me that three bands of the Ngatimaniapoto had set out from the neighbourhood of Hangitikei, one to drive away the Rev. Mr. Snackenburgh from Kawhia, a second to expel Mr. Reid from Waipa, and the third to remove Mr. Morgan and myself from Otawhao.

I went over with Mr. M. Clarke the same day to Kihikihi, to see if any tidings could be obtained of the hostile force. We found a party of Ngatiawas from the Waitara there; they were very sulky and would not talk to us; they professed to know nothing about the arrangements made for the land at Waitara. This was false, as they were returning from a visit to Ngaruawahia. We asked for Rewi, he was not forthcoming; as for our friends from Hangatikei who had come to see us, they knew nothing about them. So finding them hopelessly uncommunicative we wished them good bye and came home, fully convinced that the Hangatikei story was a fabrication.

Next day, however, news came that the hostile army was actually at Rangiawhia, and on Sunday a Chief of Taati's party named Waterhouse came to tell us that the intelligence was but too true. The Ngatimaniapoto soldiers, anxious to kill two birds with the one stone, had gone round by Rangiawhia to arrest a Waikato malefactor, but as the Waikatos were not willing to give him up the two parties were in a fair way of coming to blows. Hearing this, I thought it better not to go near them. Monday was a drenching wet day, and we hoped that either the rain or the intestine quarrel might preserve us.

But yesterday morning, just after breakfast, it being a fine sunny day, there was a report that the enemy was at hand. We all ran out into the road, and saw a short white line bobbing up and down amongst the distant fern, which we at once perceived to be the white caps of one of the royal regiments. In a few minutes they came up, first Rangiawhia men on horseback, who had come down to see the fun, then Patene (the hostile leader, a Ngatimaniapoto Chief of equal rank with Rewi) and his friends, and last—after a long halt on the bridge out of sight, whether to arrange their programme, prime their guns, or put on their breeches, I cannot say—a regiment of thirty men in blue with a red officer, who marched past, counter-marched, halted, faced about, rehearsed a few military exercises, and finally stood at ease exactly opposite to where Mr. Clarke and I were leaning against the fence. It was a ludicrous scene. All Mr. Morgan's school were perched upon the fence; there were many ladies and most of the Europeans from the neighbourhood as spectators, children and babies, horses and Maoris, and the thirty soldiers standing grave and solemn in the midst, the only still object in the picture. After shaking hands with the enemy as they came up, and loitering about for five or ten minutes, as nobody seemed disposed to begin I went away into the house. One of Mr. Morgan's teachers was soon sent in to ask me to come out and talk to them; they also invited Mr. Morgan to come and listen, though they disclaimed all intention of meddling with him; it was I, not he, that was to be driven away. When I got out, a man in the road was reading a written declaration of loyalty to the King, purporting to be signed by 2079 persons. The only phrase we distinctly caught, for he read very badly, was, "the Bishop and Morgan and other false prophets." An adjournment was then proposed to the shade in the Church field, so we sat down on the Church steps; the army was re-formed, reprimanded by the red officer for allowing the boys to poke fun at it, manœuvred through a gap in the hedge into the field, and drawn up with guns and

REPORTS OF OFFICERS:

bayonets a couple of yards before us. Patene came forth in front and made an oration. He dwelt on the wrong committed by the Governor in sending up a Magistrate, when they had passed a resolution that none should be allowed to come; it was no use my saying that I had never judged any Maori, he had seen in the newspapers that the Governor had sent me up to be a Magistrate. I said I was on my own "piece," and he had no right to meddle with me. He said he would not let me stay unless I would consent to become a trader, and sell blankets and tobacco, and give up being a Magistrate. I said that I would pay no attention to the words of one man, we must hear what Matutaera and all Waikato said to this. He replied that he himself was King Matutaera, and that all the Runangas had agreed that we should be driven away; we were worms, baits that Sir George Grey was fishing with, and if we were suffered to remain some of the tribes in Waikato would inevitably be caught. He repeatedly ordered me to go. I positively refused. He then said that this time he had told us quietly to go, but if we persisted in remaining he should soon come back and send us away; he should take Mr. Clarke and me with our goods (he would not hurt either us or our goods) and put us into a canoe and send us away. Mr. Clarke said we should have to be carried down to the river, and we should not help to paddle. He said that was just. Mr. Morgan says without hesitation, from his own knowledge of the man's character, that unless other Natives interfere he will carry out his threat. A Maori in a striped red flannel shirt, said to be Ihaia, an influential Rangiawhia Chief, with a merry good-humoured face, also addressed us and pointed out our errors, but he used no threats of removal and seemed only half in earnest. Our great and unlooked-for obstinacy terminated the proceedings. The soldiers were manœuvred into the road again, and marched away; there was a general rush of the public into the road to see the army march through a puddle that extended across the road, but the red officer deployed into single file in a masterly manner, and the men crept by the hedge side, so the hopes of the public were disappointed.

In the afternoon Taati paid me a visit, to say that his Runanga would not agree to appoint him an Assessor. He said they were afraid lest they should lose their *mana*, and that it was owing to fear that no one ventured to accept the Governor's plans. All the Runangas had agreed that no Magistrate and no additional schoolmasters should be admitted into the district, but he said the violent proceedings of the Ngatimaniapoto were not sanctioned by the rest. I pointed out to him that they had come with arms and threats upon the Queen's land, which on their own principles was wrong. Three or four Waikatos from Kihikihi were also down in the afternoon; they expressed disapproval of Patene's conduct.

This morning I sent Mr. Clarke with a letter to Matutaera at Ngaruawahia, to ask whether he had sanctioned or approved of his men being employed to drive me off his own piece, and to point out that such an act was a violation of peace and a personal insult to Sir George Grey who had placed me there. The Ngatimaniapotos have put themselves so palpably in the wrong even upon Maori principles, that I have some hopes that the Waikatos may be either driven or emboldened to express open disapprobation, and that the hands of those moderate Kingites who desire to accommodate matters with the Government may be thereby strengthened.

I have, &c.,

The Hon. the Colonial Secretary.

J. E. GORST.

P. S.—Since writing the above, Mr. Clarke has returned. He got as far as the Rapa, and there met with Tumuhua and Hoera, who are two leading men from Ngaruawahia. They told him there was no use in his going any further, for Matutaera had gone to the Waipa and all his business was transacted by two councillors—a bystander whispered, by the speakers. Mr. Clarke then produced my letter and gave them an account of what had happened. They said that Matutaera had not sent Patene, and that his conduct was wrong; Mr. Gorst ought to go and tell Thompson about it. Mr. Clarke said that in Ngapuhi such behaviour would be called a *kohuru*, and that we should hold Matutaera responsible for the acts of his soldiers; he also fully explained what we had come up for, and how we should proceed. They said they would themselves come up and enquire into the circumstances, and that my letter (which they read) should be answered by the next mail. After Mr. Clarke had had some food, they called him back and asked him to take a letter for Patene and Rewi, which Tumuhua wrote, ordering them not to molest us any further.

No. 2.

REPORT FROM J. E. GORST ESQ., OF A COMPLAINT BY TAMEHANA TE RANGITUPU.

Otawhao, April 3rd, 1862.

SIR,—

A Native named Tamehana Te Rangitupu came to me yesterday and made a complaint against Dr. Harsant, R.M., and the Native Assessor of Whaingaroa. His story is known in this district, and the credit of our administration of justice is at stake. If the story be true, it is most desirable that those who committed the crime of which he complains should be punished; if false, it is no less important that its falsehood should be at once made public.

Will you please send me immediate instructions as to what steps can be taken to bring on a prompt investigation of the case.

I have, &c.,

Hon. Attorney-General.

J. E. GORST.

Minute by the Colonial Secretary.

Send Mr. Gorst a copy of Hetaraka's letter, of September 18, 1861, and send Dr. Harsant a copy of Tamehana's statement, requesting his report on the same.
April 16, 1862.

W. Fox.

Deposition of Tamehana Te Rangitupu of Kopua, Waipa.

This is about a pig I killed. Wetini and Manahi said it was their pig. They asked me to go and catch pigs. I killed a pig and gave them a part of it, which they took and ate. In the morning they came to ask me what were the pig's ear-marks. I said that one ear was cut off and one was split. Wetini said it was not one of their pigs, but belonged to some one else; afterwards he said it was one of theirs. They went back to their village and held a runanga, and made out that it was their pig and demanded £1 18s. from me as payment. A man came to me for the payment, to which I agreed, saying that when my wheat was ripe I would thrash it and then pay. When my wheat was nearly ripe, Wetini and Manahi tied two of their horses in the middle of my wheat, and broke down my fence and let their cows in; I was not there myself at that time; a man came to tell me that my wheat was eaten up by the horses and cows; I wrote to tell them not to allow their cows and horses to come into my wheat; they would not listen to me, so I went bodily and said if they did not look after their cattle there would be no wheat left to pay for the pig. They did not approve of that. The third time the cattle were taken in the wheat was entirely spoilt. I had forty bushels in my own field and thirty in the field of my grandchild, all this was destroyed; I thought this damage a sufficient payment for the pig. Wheat was then fetching 6s. a bushel; I saved one kit full, about three bushels, which I sold for 18s. After that they demanded payment for the pig; I gave them a canoe. They came a third time and said they would rather have a money payment than either canoe or wheat; I said I should pay no more, because it was not their pig but some one else's. After that I prosecuted my fellow sawyer (a pakeha) before Dr. Harsant for non-payment of wages, and was adjudged £7; and £2 were deducted for some set-off. Wetini, Manahi, and Hetaraka wished to strip me. I was summoned by Heteraka, a Queen's Assessor (that man is a thief) and ordered to pay for the pig. I refused because I had already paid with my wheat and my canoe. They then determined to go and ask the Doctor and Buller (Pura) for the money, but Buller would not give them anything and disapproved of what they had done. Then they went to the Doctor and he said he did not wish to hear anything about it, and that they must not come to take the money from him, but when I and my pakeha friend More got the money then they might take it. More heard this and told the Doctor to be careful what he did, as if he were unjust he would be sure to be turned out because Governor Grey was come; that the Doctor knew they were bad men. The Doctor asked why; More said they had stripped him and other pakehas. Dr. Harsant had £7 4s. 4d. of my money in his hands. More told the Doctor to take the money to his house and that he would send me for it in three days; on the way Dr. Harsant told the other Natives this (I believe he did because on the third day they came to waylay me; I am speaking the truth, I believe he did). On the third day I reached Dr. Harsant's by dinner time; he and some men had gone out of the way to avoid me; the girl, his daughter, went to fetch him. He, Heteraka, Pita, and Piripi came to the house. The Doctor shook hands with me and brought out a desk; he paid me £7 4s. 4d. and took a receipt. Hetaraka told me not to take up my money, he wanted 30s. for the pig and costs. I refused. The Doctor put his hand on Hetaraka and said "let us go out," and turned and told me to stay and get some food before I went. Then they went outside and talked. I took the food, put the money in my pocket, and went out. I let my dog loose and off I ran. The Doctor told them they must not strip me on his land, but must wait till I was out of his sight. I ran as hard as I could; they chased me and caught me in Abraham's field. Pita caught me; he told me to run as hard as I could. I went a few yards and then considered that my place was so far off it was no use to run. Pita was running with me and the other two were behind. Piripi laid hold of me, and then Pita caught me and threw me down. Hetaraka called out from behind, "take our money." Hetaraka caught me by the hair, threw me flat on the ground, and gave me two blows with his fist on the cheek. I said, "Friend, leave off, you will be in the wrong." He said "No I wont." Then the blood began to run from my mouth and ear. Piripi took the money from my left hand breeches pocket. It was in a bag, (the bag was produced). They poured out £3 14s. 4d. Hetaraka said, "We will take the £3 and leave you the 14 shillings and 4 coppers." I got up, put the shillings into the bag, and then cried out "Who cares for that money (*kia ahatia atu ena moni*)? Look out, don't go into the high-roads or into Auckland or I will tell of you, and the Governor will seize you. You have done a very great wrong." The Government had sent Dr. Harsant some guns from Auckland to arm the Queen's Natives, and these Natives had given some of these guns to the kingites. I have only heard this, I don't know how many they gave. I demand compensation for my blood, for the assault, and for what was taken from me. Those men are false to the Government, they are only trying to get money. My tribe is Ngatitiwahi, my land is at Aotea. My mother is from Waipa of Ngatimanipoto and Ngatiraukawa. It happened after Governor Grey came, about a week after. A meeting was held and all the Ngatimahanga and the Europeans condemned the proceedings and the conduct of the Doctor.

REPORTS OF OFFICERS:

Copy of Heteraka's letter above referred to.

Raglan, September 18th, 1861.

FRIEND MR. FENTON,—

Salutations to you. Friend, what I have to say to you is in reference to the trial by me of Tamihana of Kakepuku. That man's offence was pig stealing. The Tainui demanded payment for their pigs for two years, but none was given; he has refused up to the present year. On the 7th September, 1861, Te Wetini, of Tainui, laid the case before me. I issued a summons, and tried the case, and the guilt of that man was proved before the Pakehas and Maoris, who were in our Court House. £2 15s. was demanded, upon which that man danced about in the Court to keep his money. He was left alone, and after a while the money was again demanded, with a like result. There was money of his in the possession of the Doctor, the Magistrate here; it was payment for his work done for the Pakehas. After a time the matter was investigated, and the Doctor caused to be paid into his hand the sum of £4 14s. 4d. It (the sum awarded for the pigs) was again demanded, when the conduct of that man was very bad. I went to the Doctor and asked him for that man's money, but he said that he could not give it to me, that it would not be legal to do so, he could only pay it into that man's hand, and that I must get it from him. I thought there might be a disturbance, and so I said to the Doctor, "Give me £2 15s. of your money to pay that man's, and you recover your money from him." The Doctor said, "There is no law for such an arrangement." I said "No, but give it to me." He said, "No, it would not be right; that I must wait and when I saw him ask him for it, even if it was two years hence." I said "This man has been here for six years, and has never had anything, it is only now that he is possessed of any property, and that is why I continue my demand." The Doctor said, "let him get it into his own hand, and then take it." I said "give me yours (you pay me) and recover it from him." He told me to go to his house, and then I could see the giving of the money into Tamehana's hand. I went, and after waiting two days Tamehana came, and the Doctor gave into his hand £4 14s. 4d. I then demanded mine from Tamehana, but he would not give it; his hands trembled, and his countenance was dark with anger. The Doctor told me not to take away that man's money. I then asked him to give me some of his, but he would not. He told me not to take it by force. I insisted, and he then told me to do it at a distance. I agreed to this, and took away from that man £4. The Doctor was very angry, and said I had made a disturbance at his place.

Friend Mr. Fenton, I have used all my Civil Summons forms, and also the Warrants to seize the goods of those who refuse to pay their debts to the Pakehas. Give them to Hakopa; do not refuse them. All the Pakeha debts are referred to me.

From your loving friend,

To Mr. Fenton,
Auckland.

HETARAKA NERO.

No. 3.

REPORT BY J. E. GORST, ESQ., R.M., OF A NATIVE MEETING AT KAHUMATUKU.

Otawhao, April 9th, 1862.

SIR,—

A small hapu, called Ngatiwhauroa, numbering some 50 or 60 men, has recently renounced its allegiance to King Matutaera. The occasion of its defection was a trial which took place a few weeks ago before a Runanga at Paetai concerning the right to an eel-fishery, claimed by Ngatiwhauroa on one side and the King on the other.

The Ngatiwhauroa lost the case, renounced their allegiance, handed over their king flag to Taati and his soldiers, and wrote a letter to invite me down to their principal place, Kahumatuku.

I have just returned from visiting them. Unfortunately their letter was a week on its way here, so that when I and Mr. Clarke got down the tribe had dispersed, but some of the chief men who remained said that they were empowered to act for the rest.

A meeting was held at Kahumatuku on Monday last; Hona (who was a probationary Assessor under Mr. Fenton) spoke first; he simply announced that they had given up all connection with the King and were anxious for the Governor's plans to be established among them. Mr. Clarke then addressed them; he said that it was no part of the Governor's plan to bribe any of them to give up their king, and they must distinctly understand that money would be given to people for doing work, and in proportion to the amount of work done; and that the Government would be ready to help in schools and other works for the benefit of all, provided the Natives did as much as they could for themselves: they must also be careful to behave with strict justice to those on the other side, and not consider themselves as the enemies but the friends of the Kingites; and all should labour together to convince the other party of the sincerity of our friendship, that one law might be established over the whole district.

Hona and his friends expressed their assent to these principles. In answer to our questions, they told us that the number of their hapu was 50 or 60, scattered over a wide extent of country, reaching to the north into the Lower Waikato District as far as Paetai, and to the south to Whatawhata on the Waipa, and closely intermixed with the Kingites. I said that they must choose one of their number to be their Magistrate: and a discussion followed upon the mode in which law was administered, in the course of which I gave them positive injunctions that in the event of a wrong being committed by one of the other party, they were not to take the law into their hands but to apply to me. They then

asked me to appoint other officers: viz, two heads for the runanga, a second magistrate, five policemen, and there was some mention made of a secretary—in all ten officers for the government of fifty persons. I said that I should do no such thing. They seemed very much disappointed, and complained that I was treating them much less favourably than other tribes had been treated; they particularly instanced Meremere, where, they said, the tribe was a smaller one than their own. They next asked that the carrying of the mail should be given to them instead of the Rangiaowhia Natives, and they offered to take it on horseback instead of by canoe; I said they must make application to Mr. Morgan, who had the management of the mails. Then they asked for a Queen's flag. They were told that the best way to show their zeal for the Queen was by obeying her laws, and that if they did so perhaps at some future time the Governor would give them a flag as a testimony to their loyalty. Lastly they expressed a desire to sell an acre and a half of land to a Mr. Oldfield, a European trader who has been for some time resident at Kahumatuku, and asked what officer of the Government conducted land sales at the present time; I promised to write for information on this subject to the Government.

Mr. Clarke and I had a long private talk with Hona, who appears to be a reasonable and tolerably intelligent man. He said that his tribe was very urgent to have more officers appointed, and was much disappointed by my refusing to do so. He was told that it was absurd to suppose that more than one magistrate was necessary for fifty persons, and that if more were appointed it could only be to bribe them. I gave him a written declaration to the following effect:—

"We, whose names are annexed, are willing to adopt European laws, as laws for our guidance. We have elected Hona Te Kotuku to be our Magistrate, and we will abide by his decisions":—and told him to get all his hapu to sign it, and that he should then be appointed an Assessor, but he would have more work than the government of 50 men. He acknowledged the reasonableness of this and seemed satisfied.

I have, &c.,

J. E. GORST.

The Hon. Attorney-General,
&c., &c., &c.

No. 4.

PART OF THE JOURNAL OF J. E. GORST, ESQ.

Otawhao, May 28th, 1862.

SIR,—

I beg to enclose a portion of my official diary, for the information of Government.

I remain, &c.,

The Hon. the Attorney-General.

J. E. GORST.

Journal.

Monday, May 12th.—I rode over to Kihikihi to visit Patena, the chief who ordered us to quit the district in February last. He has been very ill with a disease something like scurvy; his body was covered with red blotches and his gums were in a state of dreadful ulceration. We had a long talk. He began on the subject of mails, and particularly of the Ahuriri mail, which the Kihikihi Natives have lately stopped. To this proceeding he is strongly opposed, though he himself stopped the Taranaki mail when it was first sent. He gave two reasons:—1., that Potatau had always said the Ahuriri mail was to go; 2, that when mails had been once permitted, it was wrong to stop them: thus it would not be right, he said, to stop the Taranaki mail now. Just so, when I first came into the district he fully intended to send me away, but his attempt was condemned by my friends William Thompson and Tumuhua, and so now nothing would induce him to renew it, though the Runanga of Tamahere had very recently requested him to do so; it was not Thompson who had requested him, but some others. He appeared much affronted at everybody, disposed to grumble, and very communicative. He was determined to lease his lands in spite of all Rewi might say to the contrary. He did not like the way the King movement was being carried on; formerly there were three "kai-whakabaere" for the King—Wetini, Rewi, and Nehemia; now there were ever so many more—bad men, bigamists like Tumuhua; whom he would not acknowledge. All the Kihikihi people had gone down to Hauraki; the people of Coromandel had asked them to come and hold a committee about the gold, and they had gone to do so. He hoped I would not be deceived by any one who came to tell me he was for the Queen; they were only, as he had said before, greedy for our money, and all were determined to oppose the Government.

Tuesday, May 13th.—Mr. Clarke went with some medicine to Patena, but did not get much out of him, as the house was full of other Natives. He fell in, however, with William King, who told him that Rewi and he were going down to Taranaki to cultivate at the Waitara, and that if a shot were fired there the Natives would rise all over the island. Rewi is at present absent at Hauraki.

Wednesday, May 14th.—Hemara paid a visit here to-day. He is one of the Natives whom Dr. Hochstetter took to Europe, and at present acts as commander of the forces to Reihana at Wataroa. He is young, intelligent, soft, and very communicative. He told us in the most innocent manner how his friend William Toetoe is engaged in making powder. Hemara has recently been employed with

Reihana and his soldiers in an expedition to Kawhia, where they nearly came to blows with the Ngatihikairo, whom they nicknamed the *Ngatihikairo*, i.e., "the cowards." He gave us a detailed account of Reihana and his army, from which I imagine that a system of law and order of a very vigorous character is organised at Wataroa. Reihana has an army of 80 drilled men, clothed and equipped partly by the Taranaki mail money and partly by Court fees and fines. The culprits whom Reihana tries are not allowed any time, but have to pay down their money on the spot. When a man has no money, two days are allowed; if the money is not forthcoming on the third day, the fine is increased. When a man is too poor to pay, Reihana levies the amount on his kinsmen. All the proceeds go to the soldiers. This is all very tyrannical, but to me the news of any authority whatever in the district is cheering. Moreover, Reihana has some sense of justice; his soldiers, he says, shall drive away no European Magistrates, nor rescue any Europeans from the Courts of law; he does not say a European Magistrate is a good thing or a bad thing, but he shall let him alone. A short time ago Reihana was applied to by the King to let his soldiers go to Coromandel to take care of the gold. He replied, his soldiers would take care of the King, and that was all; the people of Coromandel might take care of their own gold.

Tamehana Te Rangitupu was here in the afternoon to ask what was to be done in his case against Hetaraka. I handed him over to Mr. Clarke, to whom he expressed very great indignation because Hetaraka was not punished or made to restore the money which he took away.

Monday, May 19th.—I rode with Chittam and his son to Arowhenua to enquire into a sheep case. It appears that Chittam has had sheep running on land of the Ngatiraukawa for some two years; by the advice of the Natives they were put under the charge of a Native shepherd named Rata, which they said would prevent all disputes. Some months ago Rata took about 100 of the sheep off the run to his own village Taupaki, entirely on his own authority. Chittam lately determined to remove the sheep to a run between Maungatautari and Peria, which he has leased from the Ngatihaua. The people of Taupaki seized the opportunity of the sheep being mustered to go to their new run, to carry off the whole of them to Taupaki, where they are detained until the sum of £200 is paid for trespass. We met the Natives in the evening. The ostensible claimants are an old man named Poutunoa, Rata's father, and a slave from Otago named Hohepa, but of course all the Natives are probably accessories. By my advice the old man was asked whose fault it was that the sheep came to Taupaki. It was with great difficulty that an answer was extracted; Hohepa kept breaking in and refusing to let the old man speak, and the old fellow himself evaded the question in every way; among other things he said it was the fault of the sheep's four legs; at last, by dint of asking over and over again, he was brought to confess that it was his son Rata's fault. Next they were asked why no payment had ever been demanded before; they could give no answer. Lastly, they were asked what damage the sheep had done; this question made them very angry; they said it was a very bad question, there was no occasion to allege damage; if the sheep had gone where they had no right to go it was enough to give a claim for compensation. Chittam said they had no right to take the sheep, and they knew as well as he did that they had none, but he would give them £10 to let them go. They replied that they would take nothing less than £200. Not the slightest pretext was shown either for the demand itself or its enormity; they had got the sheep and meant to stick to them. I said nothing myself; there was no use. A Ngatiraukawa chief named Kerei went with us; he behaved very well, told the Taupaki people they were thieves, and offered to give up all his own claim to rent for the run in order to satisfy them if they would let the sheep go.

While I was away to the south, Mr. Clarke rode down to Ngaruawahia to ask how they were getting on in the task of doing justice to the Europeans. From all he could learn they were not going to hurry in the matter, but were rather turning their attention to raising a revenue. Tumuhua informed him that they had settled to lay a tribute on all Europeans within the king district; the northern boundary was at Mangatawhiri and the southern was not yet settled. All Europeans without exception were to pay; those who refused would not be allowed to stay.

Wednesday, May 21st.—I saw Wiremu Toetoe at Mr. Morgan's. He started last week to carry the mail to Auckland. At Ngaruawahia he was stopped and told that Taati had made a law that none but his soldiers should carry the mail, for they had to earn themselves coats and uniforms. Finally the mail was taken from him and given to one of the soldiers. Mr. Clarke asked about this when he was down; they said what did it matter to us who carried the mail? we paid our money and our mail went, and that was all we need concern ourselves about. The Kihikihi natives have already stopped the Ahuriri mail, at least the public conveyance of it; the last went concealed in the Tarawera mail-bag, and the one before that was carried by the Rev. T. Grace's school-boys via Taupo. The Tarawera mail-man received notice last week to come no more. Ngata of Kihikihi says:—"We are much worse than we have ever been before, it is the exhibition of our independence (te whakaputanga o te matou mana)." Toetoe also told me that George Gage was tried by Reihana last year, and that he then claimed exemption from Maori jurisdiction as a European; when he was summoned by me he went down to Kihikihi and said he could not forget his mother and the Maoris must save him from me. He is a legitimate son.

Thursday, May 22nd.—Mr. Clarke and I rode down to Ngaruawahia to try to fetch some chief who might have influence enough to rescue Chittam's sheep out of the hands of the Ngatiraukawa. When we got there, we found that all the king's Runanga had gone to Whaingaroa to a "tangi." There were about forty young soldiers in the place, some doing nothing, and some making paddles. One of them was persuaded to go with a letter to Takerei, who was at a village 5 or 6 miles up the Waipa, and to pledge himself to bring Takerei back with him next morning. We went on to Taupiri.

Friday, May 23rd.—On arriving at Ngaruawahia we found that Tumuhua and some others had returned, having turned back from Whatawhata; Patara and the rest had gone on to Whai-

ngaroa, Takerei was also there waiting for us. A small Runanga was held composed of Honi Papita, Takerei, Tumuhuia, and a few others; as soon as they had heard the stories, Honi and one or two of the others expressed warm indignation and said that some one should go back with us to enquire into the case. Tumuhuia then suggested that it should be left for Rewi; and from what he said I gathered that Rewi had been displeased because the king's Runanga had undertaken the previous cases instead of leaving them to the local authorities. I said that Rewi was not at Kihikihi, but was away at Piako, and that soon the sheep would be all dispersed and lost. Tumuhuia said that if Rewi was not at Kihikihi, Wharetina was, and the whole of them decided that he was the person to whom application must be made. I saw that we had made a mistake in going to the superior tribunal before trying the inferior, but I was not aware that the Runanga of the Ngatimaniapotos had any jurisdiction over the Ngatiraukawa. There was a motion made at first to send us to Honi Tere, a Ngatiraukawa chief living up at Taupo; but it was over-ruled because some one had heard that Honi Tere had gone crazy, a report which I was glad to be able to corroborate. We just touched upon George Gage's affair, but I did not say much about it, except privately to Takerei, not having yet received instructions from the Government. Tumuhuia was himself telling the story about Gage declaring himself a European before Reihana's court.

We had a friendly chat with Tumuhuia afterwards. He was reading the *Maori Messenger* of May 1st. He said he liked us well enough, because we couldn't make Assessors, and could do them no harm; but that Mr. Armitage would not be left in peace much longer; and as for Mr. Law, if he were not afraid of the cold, he would go and drive him away from Taupo at once. He promised us copies of all the King's newspapers, and rummaged in a green box for them, but could only produce a letter of Tamati Ngapora's against drunkenness, and a Gazette appointing a man named Hapemana Resident Magistrate of the West: signed, "Na Kingi Matutaera Potatau."

Monday, May 26th—I rode over with Mr. Clarke and young Chittam to Kihikihi, to make application about the sheep. At our first visit we found that all the members of the Runanga were out looking for cattle; in the evening we went again, and found Wharetini, Herewini, and Hape: these were the men who were concerned in carrying off George Gage. They were very sulky, and would scarcely speak to us at all. They said that Chittam knew the proper persons to apply to; if he came to them for a summons they would grant one, but we had nothing to do with the matter and had better not interfere in it. I said that the wrong was on the Maori side, and if they undertook to settle it I should leave them to do it entirely in their own way, and not trouble myself about it: I would, therefore, leave young Chittam to arrange matters with them, and he would only apply to me again in case they failed to do justice. After that I said a few words about the George Gage affair. They knew about his declaring himself to be a European before Reihana, and they acknowledged that by Maori custom a son belonged to his father's tribe, but they said that long ago he had consented to be a Maori and a subject of the King. Seeing that it was useless to talk to them, I shook hands and wished them good night. They told Mr. Clarke that the Otawhao School sheep would not be allowed to go on to the Punia estate, because the Governor's name is in the deed of gift. There is no likelihood of the Runanga stirring in the sheep case until Rewi returns from the Piako.

No. 5.

GENERAL REPORT, BY J. E. GORST, ESQ., ON THE STATE OF UPPER WAIKATO; JUNE, 1862.

Introduction.

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

1. Their Government.
2. Their Social State.
3. Their Disunion.
4. Their Union.

II. Of the Government of the Maori King.

1. The King's Council.
2. The King's Dominions.
3. The King's Officers.
4. The King's Revenue.
5. Seceders from the King.

III. Of the Chief Difficulty in Native Affairs.

The object of this Report is to give a plain account of the present state of affairs in the Upper Waikato districts, and especially of what is popularly known as the "King movement." It is strictly to the present aspect of this movement that my remarks are limited: of what it has been in past time, I know nothing except from hearsay; and I have not been long enough an observer to pretend to give an opinion as to what it may grow to in the future.

It is necessary to forewarn the reader against understanding the terms used in this description in any precise or literal signification. It would be a serious error to imagine the king, councils, judges, laws, and soldiers, of whom I shall have to treat, to be clothed with the attributes usually

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

redress at all. Europeans are very seldom summoned either by me or by the Runangas; any Native who fancies he has sustained injury from them helps himself to a horse or a cow, and leaves the European to seek his remedy by the slow process of Maori law.

The laws which guide the Runangas in their judgments are those which may approve themselves to the individual conscience of each member. Some quote the Ten Commandments; some, the Levitical law; some, Maori custom; some, English law; some, their own laws. Even a private person may make a law. At a trial before the Runanga of Peria, it was given in evidence that Kepa had made a law that no one should go to his house when he was not himself at home; and "Kepa's law" was accepted throughout the trial as perfectly valid, the only question entertained being whether the defendant was aware of it. There have been some attempts to make a code of laws; I have only seen one—the Ngatihaua code. It had been begun when I came into the district in November last, was completed in April, received the royal assent when the King visited Tamahere, and was to be printed. The laws, which are for the Ngatihaua tribe only, were entirely on the subject of adultery, and consisted of a catalogue of offences, and a declaration of the money-payment to be made for each.

The Runangas do not generally succeed in administering substantial justice. Their equity is disturbed by a great many powerful influences. There is the ignorance and wrong-headedness of individual members, which follows from the Runanga not being a body of men selected for age or wisdom, but a popular tumultuous gathering where the young and ignorant can talk down their elders and betters. There is the natural bias, consequent upon the Runanga as a body, or some of its most influential members, being a party to the cause that is being tried: the principle that no man can be judge in his own cause is not always admitted in either theory or practice; I have heard of William Thompson himself arguing that a man is himself the best judge in his own cause, because he knows most about it. There is a strong prejudice of race where one party is a European; and a still stronger one, or passion, where the King's "mana" or any appearance of yielding to the English Government is involved in the matter at issue: the Runanga of Kihikihi refused to let the school sheep of Otawhao graze upon the school land, because the names of the Queen and Governor are in the deed of grant. Then, if the Runanga succeeds in coming to a just decision, it is by no means certain that it will be carried into effect. There is no police; the Runanga has to execute its decisions with its own hand. When it is known that the losing party will rather fight than yield, this is a dangerous job. A notorious thief, Whakapaukai, has long set even the Runanga of Ngaruawahia at defiance, because it is known that he will shoot any one who molests him. Lastly, the constant vagabondising of all the Maori authorities make even the Runanga's justice at times inaccessible. The fountain of justice is absent at a "tangi" in the Thames, or has transmogrified itself into a war-party and is gone to fight for the Coromandel gold: the plaintiff is put off by the everlasting answer "taihoa," which ends all those cases in which a judgment to be of any use must be speedy. Mr. Chittam had 500 sheep unlawfully seized by the Natives of Taupaki, near Arowhenua; the case was referred to the Runanga of Kihikihi; justice was promised; but the trial was put off till Rewi returns from the Piako, whither he has gone to settle the Coromandel affair, so that in all probability the sheep will be divided and dispersed before the enquiry comes on.

It must not be supposed that the anarchy of one tribe is exactly similar to that of another. In some cases this "Lynch law" is administered with greater justice, or with greater vigour, than in others. Amongst the Ngatihaua tribe, the administration of justice is on the whole very creditable. This is to be attributed to the character and personal influence of William Thompson, and other chiefs by whom he is surrounded and supported. These men are anxious for instruction and information on the subject of law; they study the books of Moses and the code of English laws drawn up by Mr. Fenton; and they delight in discussing the principles of law and arguing cases real and imaginary. I have never heard a complaint of injustice from the Europeans resident in this tribe. The Runanga at Kihikihi is very powerful, but I have not so much faith in its justice. Rewi does not pay as much attention as Thompson to the internal affairs of his own tribe, and the young men are in the Runanga supreme. They are demoralized by the possession of Taranaki plunder, and are violently hostile both to Europeans and to the Government. There is a remarkable system at work at Whataroa far up the Waipa, which I know only by hearsay: it is unique in the appearance of a well-organized military police-force as an instrument of government: Reihana and his Runanga keep a body of 80 drilled soldiers, by whom their decrees are executed. From all the information I have been able to gather, his administration of justice is fair as well as vigorous.

(2.) *Their Social State.*

It will readily be believed that people with such a government as is above described, are in a very low social state: the equality which exists among them is an equality of poverty and barbarism. Where the whole population consists of law-makers, magistrates, and soldiers, none are left to be farmers or stock-keepers, or to practise any other sort of productive industry. Persons long resident in this district inform me that the Natives have steadily grown poorer since the "King movement" commenced. However this may be, the fact and the cause of their present poverty are plain enough. A great many of the European traders have either left the district, or ceased to trade; those who remain are unanimous in declaring that for £100 they took formerly they do not take £10 now. The Natives in this neighbourhood, once the greatest wheat-growing district in the Waikato, are now planting scarcely any wheat; they have sold nearly all their horses and

cattle, and most of their pigs, their houses have fallen into ruin; their clothes are ragged; their mills, ploughs, and threshing-machines are left to go to decay, while the owners are travelling about to "huis" and "tangis," or spending their days in sitting watching a boundary-line that they may pounce upon stray cattle. In the coming winter there will probably be serious scarcity of food. At Peria, in November last, William Thompson and his tribe were living exclusively on fern-root; they are the most generous and hospitable of Natives, but at that time they had not a pig or a potato either for themselves or their guests.

The Natives themselves are quite aware of their increasing poverty, and are eager enough for wealth; but steady productive industry is the only way in which they will not seek it. At Rangiaowhia, a law has been passed to stop all further sale of pigs, potatoes, and corn to Europeans; partly to secure a sufficient supply for themselves during the winter, and partly because it is intended to fix a higher scale of prices, in order to gain more money for that which can be spared. One chief source of supply is the money spent in the overland mail service; they have lately been making a foolish attempt to increase their gains from this source, and have run a serious risk of killing the goose that has laid them these golden eggs. The Ngatihaua demanded a higher rate of pay for carrying the mail from Te Rapa to Tauranga, and the mail has been discontinued. The Kihikihi Natives refused to carry the mail from Otawhao to Whaotu, or to let any one else carry it, unless the payment was raised, so that the public conveyance has been stopped for some weeks. Very recently one of them repented, and asked Mr. Morgan whether, if he wrote, the Chief of the Mails would not let the Ahuriri mail come again. Taati, of Ragiaowhia, made a law that none but King's soldiers should be carriers between Otawhao and Meremere, because they want to earn uniforms; and a civilian carrier, William Toetoe, was stopped and turned back at Ngaruawahia, while a soldier carried on the bag. A very common way of acquiring property is by the appropriation, on slight pretexts, of the property of Europeans. Horses, cows, sheep, and guns, have changed owners in this manner. They are sometimes taken with forms of law, the party alleging injury being commonly the judges. The 500 sheep taken by the Natives of Taupaki were seized because one of the Natives themselves, who was engaged as shepherd, drove 100 of the sheep for his own convenience upon their waste lands; they will not let them go under £200. As there are not more than a dozen natives at Taupaki, the share of each, when the spoil is divided, will be considerable. There is hardly a European in the district who would not leave it if he could take all his property safely away with him; but all have pledges in native hands, and they hold on in hopes of better times, when some part of what has been taken may be recovered. There is a great deal of talk at the present time about leasing lands to the Europeans: short leases only are intended, not such as would make it worth while for the occupier to fence and improve the land. There are many obstacles in the way of this project. In the first place it would be necessary to settle all the old land feuds, and the natives are themselves of opinion that an attempt to do so would break up their alliance. Then before any Europeans could be induced to rent land, an end must be put to the present state of lawlessness; there must be some better security for life and property than can be enjoyed under the Runangas and the King. These objections are so strong, that Rewi and many members of the King's Council have resolved that no land-letting shall be permitted. On the other hand, William Thompson is said to have actually let land to a European, but to have cancelled the agreement when expostulated with by the King.

I have no means of comparing the sanitary condition of the Natives with what it may have been in former days; but there is a frightful amount of scrofulous disease in every village, especially amongst the children; and as long as they persist in sleeping crowded together in leaky and smoky hovels, wearing one filthy garment day and night in the severest weather, living on a meagre diet of potatoes which they diversify by sudden wild feasts of putrid maize, there is no mystery in the causes which are destroying the race. Unhappily, they are spending their remaining strength in resisting the only help which might save them.

The education of their children is now totally neglected; they are left to run about the villages with the dogs and pigs, wild, naked, and dirty. Not only has the number of children in the Mission schools decreased by more than half, but almost all those village schools which gave so much promise a short time ago have come to nothing, and there is no effort and no desire to see them revived. And that there may be no hope of saving the young generation from growing up in ignorance and barbarism, the parents are firmly resolved that they will not accept the assistance of Government or of Europeans in doing that for their children which they will not do themselves. A law has been passed and agreed to by them all, that no fresh European schools or schoolmasters shall be allowed within the King's dominions; to this law even William Thompson himself confesses that he has agreed. His own school at Matamata has dwindled down from sixty children to less than a dozen; and though he regrets its downfall and would himself do anything to restore it, he positively refuses any assistance from the Government. Unless this state of things is very speedily changed, the next generation of Natives will be even worse educated than the present, and as ignorance increases the anarchy of the land will become still more difficult to cure.

(3.) *Their Disunion.*

It must not be supposed that the tribes allied under the Maori King live in perfect union and fellowship; among them, as among all equals, there are jealousies and quarrels.

Their old hereditary land feuds are dormant but not extinct. There is a chronic dispute between Ngatikoroki and Ngatiraukawa about a small extent of waste land beyond Maungatautari, which has

cost more than its entire value in cattle and sheep to those Europeans who have been so unlucky as to rent it. The very land upon which I live, which was sold years ago to the Crown, is the subject of dispute between Porokuru and Rewi, whom weightier considerations now make the dearest friends. None of these cases have been settled by the Maori King, nor could they be without risk of trouble and even bloodshed. There is no regular tribunal and no organised plan for judging inter-tribal disputes. W. Thompson's idea is, that in every case a neutral tribe—not connected by blood with either party—should be chosen as judge. There was a difference last summer between Ngatimahuta and Ngatiwhauroa about the right to an eel-pa at Paetai; the former, who were the more powerful party, chose their blood-relations the Ngatimaniapoto as judges; William Thompson, who is related to the weaker side, protested, and proposed one of the Hauraki tribes as being really neutral; but he was not listened to. He was so angry that he would not go to the meeting at which the trial took place. The settlement of this case cost the King the allegiance of the defeated party.

Besides hereditary feuds, there are many new jealousies which sprung up during the Taranaki war. The bad feeling between Ngatihaua and Ngatimaniapoto has been already mentioned in a previous report. At Kawhia, the Ngatimaniapoto and Ngaiihikairo have been on the point of coming to blows at any time within the last four months. There is a land feud between them of very long standing, but the latter have been further exasperated by the nick-name *Ngatihikairo*, which is bestowed upon them to commemorate their cowardice in the Taranaki war.

There exists great difference of opinion as to the policy which should be pursued by the alliance. As there are no means by which different schemes can be brought into public discussion and unanimity attained, and as one tribe has a very imperfect knowledge of what is going on among others, it is quite possible for two sections of them to be entirely at cross purposes, just as one flank of a line of raw recruits marches on while the other flank wheels and so breaks up the ranks. This is what is now taking place in the matter of leasing lands; and at the attempt to expel the European Magistrate, a remarkable conflict of authorities occurred, in which members of the King's Council disclaimed the acts of a man who was executing their own resolutions. The difference of sentiment existing is an insurmountable obstacle to anything like joint legislation. The King's Council cannot make laws, it can only suggest them to the different tribes, who assent or dissent as they please: for example, in order to check the prevalent habit of cattle-stealing, the Runanga of Ngaruawahia proposed a law in October last, that any man driving cattle out of the district should obtain a pass from officers who were appointed at Peria, Rangiaowhia, Whatawhata, and Ngaruawahia. These passes were to be printed to avoid forgery, and any Native driving cattle without one would be liable to be stopped. The Europeans at Auckland, Ahuriri, Whaingaroa, and other places were to be warned not to purchase cattle from a Native without asking for his pass. This excellent regulation was agreed to by some tribes, but opposed by others; it has therefore never been carried into effect.

(4.) *Their Union.*

With causes of dissolution such as these, it is manifest that alliance among the tribes could not subsist without some very strong bond of union.

There may be other motives which aid in keeping up the alliance, but there is no doubt that the chief of all is dislike and distrust of the English Government. The Maori King is the incarnation of Maori antagonism to our Government. It may seem incredible to those who are conscious only of the most friendly feeling towards the Native race, who are sincerely desirous to raise them from degradation to all the benefits which we mean by the word civilisation, and who are spending time and labour in this task; it may seem incredible that they should be regarded with dislike and utter distrust by almost the whole population of Waikato. But I am daily made painfully conscious of the existence of this feeling, and I should be neglecting my duty to the Government were I to fail in reporting it. Those who are most friendly to me avow that it is not because I am, but in spite of my being, an officer of Government. William Thompson in speaking of English institutions says, "I like your laws, it is your men that I do not like." He has often urged me to give up all connection with Government, and come to live at Peria and teach his school. Rewi Maniapoto offered his friendship if I would be a missionary, or a trader, or anything but a Magistrate. Patene said he would make no attempt to drive me away if I would open a shop to sell tobacco and blankets. Tumuhua told Mr. Clarke and me the other day that his love for us was great, because we could not do anything for the Government; but as soon as we began to make Assessors he would drive us out of the district. The precarious footing on which an officer of the Government stands, is shown by the following letter which Thompson wrote to me from Tamahere on the 10th of last April:—

"There is a story come here, I do not know whether true or false; if it is true, I send you word that you may all go back to town. Listen to this false report:—John Papahewa and Reihana Porutu went to buy themselves powder, and bought four casks; thereupon those men were taken up, and the European, and tried. The European has been put to death, and the Maoris are left in prison; according to the tale of the Maoris, in one month they are to die. That is the report. This is a notice to you, if the story is true, that you may go off in haste to our friend the Governor, that they may be let out, so that we may live in peace under our God; for that law has never yet been publicly known on the Maori side."

Just after this letter had been written, Thompson received certain information that the story was false. Mr. Clarke and I happened to arrive at Tamahere the same evening. Thompson read us the letter himself, and said that it had been intended as a friendly warning lest any mischief should befall us.

In conversation with Natives, I have heard four causes asserted as keeping up this feeling of hostility.

(1.) The first is the chronic cause of Maori disaffection, the land. So much has been said and written on this subject, that it is unnecessary to do more than mention it. Their feeling that all their importance is derived from the possession of land, and that when Government has bought it they will be oppressed and despised, is well known. Then, if resolved to sell, they cannot sell with any satisfaction to themselves. We have taught them they possess a valuable thing which they may either sell or withhold, but they do not know themselves—and they can trust no one to tell them—how much it is worth; thus they are in a feverish uncertainty what price to demand. No man likes to think that he has been taken in, and it is well known that a Native will rather let corn or potatoes rot, than take a price less than what he considers just. Lastly, before selling, they must adjust disputed titles. The land-league holds back all the land, because they cannot sell it without quarrelling amongst themselves.

(2.) The second is the bad passions which the Taranaki war has left behind. There is the triumphant insolence of the victorious Ngatimaniapotos; the hatred and fear with which those in possession of plunder regard those they have injured; the exasperation which the spectacle of poverty and misery, the foretold results of war, has produced in men like Thompson. All the misery which they experience is laid—I do not say justly—at the door of Government; so that the name of Government has come to stink in the nostrils of the Natives, and though the men may be changed, the bad odour of the name cannot be got rid of.

(3.) The third is what they regard as a preparation for military operations on the part of the Government. They cannot believe that peace is to be permanent while a large force of soldiers stays in the country; they know that they themselves are the only enemy against whom the soldiers can have to fight, and so long as these remain, they cannot help feeling distrust and uneasiness. The road from Drury to the river has not been opposed, because they admit the Governor's right to do what he pleases on the Queen's land; but it is not the less regarded universally with dislike and suspicion. W. Thompson says that it can be made for no other purpose than to bring soldiers and great guns upon the Waikato river. In this neighbourhood there is a great deal of talk about a road that is being made at Taranaki, and William King has several times impressed upon Mr. Clarke that in the event of its coming upon Native or disputed land, there will be war. The road from Whaingaroa to the Waipa was regarded as part of the same imaginary scheme of invasion, and is still vehemently opposed as such by the Ngatimaniapoto and Ngatihaua jointly; with what success I do not yet know.

(4.) In the last place, the large sums of money believed by the Natives to be given to the loyal Natives of other districts, are an insuperable bar to the growth of any confidence in this. Natives in all places say openly that we, having failed to conquer them, are now trying to purchase their allegiance to the Queen. Among those who can be bought, the news creates a feverish anxiety to sell themselves at the highest price possible, and jealousy lest any of their neighbours should gain more of the prizes of loyalty than they. Among those who cannot be bought, and this class comprises nearly all the leaders of the King party, the report has produced one strong feeling towards the Government measures—and that is, contempt.

I may be mistaken in the causes to which I attribute the hostility of the Waikato Natives to the Government. Those which I have mentioned have been frequently either expressed or implied in their discourse; but perhaps there may be other and deeper ones concealed. Of the existence of the feeling of hostility, however, there can be no doubt; in spite of all causes of disunion, it has produced an alliance which among the tribes in this district has become latterly, so far as I can judge, closer than it was before the Government operations commenced.

It is this alliance under the Maori King that it now remains for me to describe.

II. *Of the Government of the Maori King.*

(1.) *The King's Council.*

Matutaera Potatau, the young man who is called the Maori King, has very little to do personally with the affairs of state. He is carried about by the Natives to most of their great meetings, but he is kept carefully guarded by a body of drilled soldiers, and does not appear on the outside of his house, at least when Europeans are present. In all the Runangas and at all the meetings for business at which I have been present, both before and since I was an officer of the Government, Matutaera has never been present, nor has, so far as I know, been consulted. On two occasions only have I ever heard of his doing anything himself; one, when Thompson went down to Taranaki, on which occasion he followed him as far as Kihikihi and begged him not to go; the other, when emissaries from Paetai came to tell him that troops had come to the Iia, to whom he said, "Be patient, do not meddle with them; I will come down myself to see what they are doing there, and to take care of my children." Whether this was an original speech or prompted by his councillors, I cannot pretend to say.

The King's business is usually transacted by a Council called the Runanga of Ngaruawahia. There does not appear to be any particular qualification for admission into this Council; all the members of it are Chiefs of high rank, all reside at or near Ngaruawahia, and most of them are relations of the King; but Rewi, Thompson, Reihana, or any great man from the provinces on a visit to Ngaruawahia would sit with the regular members and take part in their deliberations. The names of the regular members are:—

Wi Tarahawaiki,
Honi Papita,
Toma Whakapo,
Patara Tetuhi,
Tumuhuia,

Wi Karamoa,
Nepe Te Ngakau,
Takerei Te Rau,
Nehemia,
Hoera Taonui.

I have heard that Hoera has ceased to be a member; and there may be a few other names.

Of the acuteness and wisdom of these men, I feel bound to speak in the very highest terms. In all questions which I have heard discussed by them, they have argued with calmness and good temper, kept steadily to the point at issue, looked at the question from every side and faced all its difficulties, and have usually come to a just decision. In their strongest opposition, they have never behaved with anything approaching to rudeness. It would be impossible to find a body of men with whom the Government could more advantageously consult upon the subject of laws and regulations for the Natives.

It is true that their wise resolutions are not often carried into practical effect; but this weakness appears to be naturally inherent in all public bodies at the antipodes.

As a legislative body, the Runanga of Ngaruawahia is ready to assent to any laws which may be proposed by the various tribes; it is a mere formal assent in imitation of that given by the Queen to our own laws. As a judicial body, it has no defined jurisdiction; it appears to be resorted to, to settle cases which no one else can.

On the 16th of April last, I made application to William Thompson and the King at Tamahere about certain cases in which wrongs had been done to Europeans, which the local authorities had confessed themselves unable to redress. The matter was by Thompson's advice referred to the King's Council, and I went down according to appointment to Ngaruawahia, gave the Runanga a written account of the several cases, and demanded that restitution should be made. A written answer was given to the following effect:—

"We have come to a resolution as regards the Natives who commit wrongs against the Europeans, 'who steal their property, their horses, and their other property: we have quite made up our minds 'that we will ourselves judge them; it is for us to fix the day and the month for their judgment.'"

Up to the present date, no further steps have been taken. Subsequently application was made to the Runanga in the matter of Chittam's sheep, but Rewi had in the mean time expressed displeasure at their assumption of jurisdiction in such cases, and this case was therefore remanded to Whareitini and the Runanga of Kihikihi, as before mentioned.

The fact is, that any conflict between the local and central authorities is at once settled by the latter quietly giving way. The King's Council has no real power. There is no force at its command by which it can compel obedience, which is only rendered voluntarily when the opinions of the subject happen to coincide with those of the King. The last time I saw Thompson he told me that nobody would gainsay the word of the King's Runanga, and that all the "mana" was with them; but it is not so in practice; even Thompson himself can turn a deaf ear to the King when it suits him to do so; and from the members of the council themselves we have heard complaints of disobedience, of distant tribes turning away their ministers, or letting their lands in spite of all remonstrances. The council is cautious, and wisely reluctant to issue commands, avowing that it has no power to compel obedience.

As an instrument for enforcing law the Council is less effective than even the local runangas. It is of little use that it surpasses others in the wisdom of its decisions, for it is totally powerless to carry them into effect. The authority of the Council is not even universally acknowledged. Patene told me that he had never acknowledged any others than Nehemia, Rewi, and Wetini Taiporutu, and that the men who at present call themselves the Runanga of Ngaruawahia are usurpers. They are as much afraid of resolute malefactors as the local runangas. Whakapaukai, who lives almost within sight of Ngaruawahia, sets the King and Council completely at defiance. Besides this, they have the fear of local magnates before their eyes. Rewi will not like this—Patene will let land if he may not drive the European Magistrate away—Tapihana will go over to the Queen if they take away his second wife. Lastly, they are more addicted to vagabondising over the country than even the local authorities. Since last Christmas they have visited (in the following order) Hangatikei, Kihikihi, Rangiriri, Waipa, Tamahere, Whakatiwai in the Hauraki Gulf, Whaingaroa, and are shortly expected at Rangiaowhia. Anyone who knows where these places are, will understand how very little of their time can be spent at home. In consequence of this it is impossible to get the Council to attend to anything except by continual personal application; everything that is not disagreeably importunate is put off till "tomorrow." I have never received an answer to any letter, though it has often been promised, except when Mr. Clarke or I have staid in the neighbourhood till the answer was written.

(2.) *The King's Dominions.*

The government of the Maori King extends nominally over a very wide extent of country. The northern boundary is fixed at Mangatawhiri, but the southern is indefinite. The tribes of Taupo, Tauranga, Turanga, Ahuriri, Mokau, Taranaki, Wanganui, and Cook's Straits are supposed to have given in their adhesion to the alliance; whether this supposition is true, or whether they have since repudiated the connexion, I have of course no means of judging. The influence of the King in remote districts can scarcely I should suppose be felt. The only communication that takes place during the year is a letter or visit of some of the head men to the King, or from some Waikato chief to the remote districts—no more than would go on if there were no King at all. Since I have been in the district, visits have been paid by Ngatiawas and Ngatiruanuis from Taranaki, by the Taupo chiefs who met the King at Kihikihi, and by a few Ngapuhis from the Bay of Islands; nearly all the Waikatos have been at Hauraki; some went to Ahuriri; and William Thompson, with a large party, was to have visited Turanga, but the Turanga people put him off, saying that their crops had failed.

The fact is, that even at Ngaruawahia itself they know very little in general of passing events. I used to think their ignorance affected, but I believe it is real. Hone Tere, one of the King's chief

supporters at Taupo, went mad in February last; at a meeting at Ngaruawahia, in May, only one member of the Runanga knew of this fact, the rest appeared to hear it then for the first time. The proceedings at a meeting of the rebellious Ngatiwhauroa, held at Kahumatuku, almost within sight of the King's palace, on April 7th, were first known at Ngaruawahia by a *Maori Messenger* published on May 1st, which reached the Maori capital on May 23rd. Letters are a most uncertain way of sending intelligence; any person can write a letter full of all sorts of inventions, and sign some great man's name at the bottom. Letters are also often opened and stopped. A letter from Renata and other chiefs of Hawke's Bay to Thompson, expostulating with him for not agreeing to have the Waitara dispute settled by law, never (to the best of my belief) got further than Kihikihi, where it was discussed in open runanga: at least Thompson told me a fortnight afterwards at Tamahere that he had never received it. On the other hand, they have very early military intelligence. They have been well aware of the progress of the road at Mangatawhiri, and have known much more than I of the affair of the road from Whaingaroa to Waipa. Hapurona's outburst at Taranaki was told here as soon as in Auckland. William King informed Mr. Clarke that they have a messenger at Taranaki to watch the progress of the road there, and that he will instantly bring them news if it comes on Native land.

(3.) *The King's Officers.*

There are men in every tribe who call themselves Officers of the King, but it is merely a title which means that they are not Officers of the Queen. Their power, dignity, and emolument, are all derived from local sources; they have no interests which make them uphold the government of the King as distinguished from the tribal government; they are nothing but local authorities who use the King's name as a badge of their opposition to the English Government. At Tamahere, when I brought forward the entire want of protection to the property of Europeans throughout the King's dominions, William Thompson and Toma proposed that the King should appoint magistrates in every tribe, whose duty it should be to suppress all wrongs done by Maoris to Europeans. I am not sure whether this project has entirely fallen to the ground, but it is evident it never can be carried into effect. The local runangas would give no help to the King's magistrate, until they had examined and satisfied themselves of the justice of his decision; so that they would still be the real judges, and in any collision with them the King's magistrate would have to go to the wall. When face to face with the people he would be as helpless as I am. Besides, the King could give no salary, and could hold out no inducement which would make his magistrate prefer a barren allegiance to him, to falling in with the passions and prejudices of his own kindred and the companions of his every-day life.

There are several large bodies of young men in Waikato and the neighbourhood, who are formed into companies, drilled, armed, and dressed in uniform, in imitation of our regular troops. They call themselves King's soldiers. Soldiering is the latest and most absorbing fashion amongst the Waikatos. It was begun on the return of the fighting men from Taranaki, and has been since steadily on the increase. At first the old men looked coldly upon the movement; some observed, I have been told, that the young men would be spoiled for fighting, and would be only fit to "keep barracks;" especially after it was William Thompson. It had been agreed that each tribe in its turn should furnish a company as a guard of honour to the King; when it came to the turn of Ngatihaua, Thompson would not have anything to do with the plan; he said the Ngatihaua were all ploughmen, they had no soldiers; and he ended by taking his men to Ngaruawahia and ploughing up about seventy acres of land for potatoes. But notwithstanding all the opposition, the institution has made its way. The last time I saw Thompson, he said his objection was withdrawn and he had even serious thoughts of being drilled himself; but I have not yet heard of Ngatihaua being actually embodied. Most of the soldiers are young men of about twenty; they are very neatly dressed, usually in white trousers, blue coats, and white caps with a red cross embroidered in front. I have seen some with very stiff military stocks. Their arms are nothing better than old Brummagem muskets; a few have fowling pieces and rifles taken at Taranaki. I am no judge of drilling, but to my unprofessional eye they perform remarkably well; the various movements are executed by each individual of a large body at precisely the same instant. When we have been staying anywhere with the soldiers, the drill has appeared to be incessant; but I have ridden unexpectedly into Ngaruawahia, and found the sentry boxes empty, or the sentinel sprawling in a most unprofessional attitude, and all his comrades away at play; still this may have been accidental. The discipline is strict, the soldiers silent and well-behaved on parade; they are regularly marched into church to morning and evening prayers, and I have even seen some of them get their ears boxed for misbehaviour, though misconduct in church is very rare. The soldiers grow their own food, and are said to be paid at the rate of 3d. a day. I can give no trustworthy account of the number of these men. There is a body of them at Ngaruawahia, one at Kihikihi, Taati's regiment at Rangiaowhia, Patene's at Moaunui, and Reihana's at Whataroa said to be 80 strong. Hemara, the colonel of Reihana's regiment, gave me accounts of many others at Mokau, Kawhia, and the Upper Waipa; but I have no personal knowledge of any of these. The sources from which their pay is derived are various; Taati and Reihana both receive money from the Government for finding carriers for the inland mails; Taati's soldiers have the monopoly of the mail from Otawhao to Mere-mere, and Reihana's men are paid from the fees and fines inflicted in his Court; so that they have a very strong and obvious interest in the vigorous administration of justice.

These soldiers are not at the command of the King; whether they would always obey their commanding officer or not, I cannot say; but it is certain that their commanding officers are not subject to the Runanga at Ngaruawahia. The King sent to ask Reihana to send his soldiers to Coromandel to take care of the gold; he replied that his soldiers were to take care of the King

and that was all; the Coromandel people might take care of their own gold. I do not believe that the soldiers are strong enough and disciplined enough to act as military police, even if their officers chose to employ them. When some of Patene's soldiers tried to take a man up at Rangiaowhia, the old men took their guns from them and turned them out of doors.

This institution cannot be specially dangerous to the peace of the colony, for if there were to be war, every man, soldier or not, would fight; and so far as it brings the young men into order and discipline it is good for themselves. Of course as the pay fails and the young men tire of it, the whole army is likely to come to an end; but at the present time it is in full vigour, and shows no signs of decay.

(4.) *The King's Revenue.*

That the King's Government is in want of money there is not the slightest doubt. It is a remark constantly made, that we get all our power by our money, and that if they had as much money as we, they would be equally able to carry out their laws. But their reserve on the subject of their expenditure and revenue is so great, and they regard me—who am supposed to have the power of dispensing large sums—with so much suspicion, that on this subject I am very much in the dark. It must therefore be understood that the following remarks are founded on conjecture, and that the facts are inferred from hints dropped when conversing on other subjects, and not derived from direct information. I am not sufficiently in the King's confidence to have seen his account books.

(1.) The chief purpose for which the Runanga at Ngaruawahia professes to require money is for the pay and accoutrements of the drilled soldiers. There is a Ngaruawahia regiment paid directly by them, and I fancy the King gives pay to each of the others during the time that it acts as his body-guard. The local regiments are, as I have above stated, at present paid from local sources; but it is not impossible that the King may design to take them wholly or partially into his pay, if he could only find the funds. There are, besides, officers of the household, constables, and drill sergeants at Ngaruawahia, who must require some pay.

(2.) A printing press has been lately set up, at which royal notices and gazettes are printed, and a three-penny newspaper has been advertised, of which (according to Tumuhua) some numbers have already appeared. This involves some expense, as the produce of the sale of the newspaper is not likely to cover the cost of ink, paper, and other outlay.

(3.) The Runangas have constantly to employ messengers to carry letters and summonses, and I was told by Thompson that these men have to be paid.

(4.) There must be some personal expense for the King himself and the members of his council, though there is little doubt of his being one of the least costly sovereigns in the world.

It is very likely that there are other schemes for the promotion whereof money is required, which may never come to the knowledge of the Government.

The sources from which money is derived for the King's exchequer are as follows:—

(1.) A share of the money taken at ferries is paid to the King. From the ferry at Pukete, where 1s. 6d. is charged for putting a man and horse across, £5 was paid to the King during the past year. There is a notice at Paetai requiring all passers by to pay 1s. a piece to the King.

(2.) The King has a share of the fees and fines taken by the local runangas. I have heard that Reihana, of Whataroa, very lately sent down as much as £10 to the King's treasury.

(3.) Large sums are given as voluntary donations. £300 in sovereigns were brought back by Epiha from the Ahuriri Natives in November last, but this is by far the largest donation that was ever made.

(4.) The Revenue derived from these sources is not very regularly paid; at any rate the Runanga cries out for more. A printed paper was circulated two or three months ago, calling upon the King's subjects to send larger and more regular sums of money, especially from the ferries, and there is no doubt that great anxiety is at this moment felt to devise some means of getting more. Several plans have been proposed.

(5.) There was at one time a talk of putting a tax upon all wheat and potatoes sent down the river beyond Ngaruawahia. Thompson said it was to be the wheat of King's Natives only, that was to be thus taxed. This scheme has been given up as impracticable.

(6.) An attempt was actually made by Reihana and his soldiers to take toll from the ships entering Kawhia harbour in the summer; it was resisted by the Natives living there, who were alive to their own interests, and has failed.

(7.) The favourite project of the day is to levy tribute from all Europeans resident within the King's dominions. Tumuhua is the chief promoter of this scheme, and he says that tribute is to be imposed on all alike, Ministers or Magistrates, residents on Crown lands or not; and that whosoever will not pay will be driven out of the district. Some wish to postpone the measure, on the ground that it is unfair to expect Europeans to contribute until the King's Government can protect them from depredations. In one case, to my own knowledge, the tribute has been exacted. Mr. Oldfield, a trader living at Kahumatuku, which is nominally a loyal village, paid £1 to Tumuhua in April last, under a threat that he would be stripped if he refused. The Natives of Kahumatuku at first promised him protection, but when it came to the point they advised him to pay the money.

(8.) I feel bound to add that I have heard reports that the King receives a share of the salaries paid by Government to Native Assessors, within what he considers his dominions, and that the King's supporters are in this way reconciled to the appointment of Assessors. I do not consider this improbable.

None of the Magistrates or officers of the King, except the soldiers, receive any fixed salaries. One effect of this is that no man has any sense of responsibility for what he does. Everybody undertakes his duties spontaneously, and considers himself at liberty to throw them up whenever it suits him to do so. There is no power that can make officials, any more than other people, do their duty; it is absolute irresponsibility. It is quite impossible to fix the blame of misgovernment or of any public injustice upon any individual, or any definite number of individuals; if the Runanga of Ngaruawahia found itself getting into a mess, the members of it would all quietly withdraw, and the Council would simply cease to exist. As a scheme for dissipating all feeling whatsoever of liability to be called in question for anything that may happen, the "King movement" is inimitable.

(5.) *Seceders from the King.*

In the Maori kingdom, there are numbers of persons highly dissatisfied with the present state of things; many are bold enough to declare their dissatisfaction publicly; and some even go so far as openly to profess loyalty to the Queen. There is great variety in the motives by which such feelings and conduct are prompted. In the first place it is evident that in the conduct of affairs somebody must be continually being affronted. Patene's zeal in carrying out the King's law, especially in the matter of keeping European Magistrates out of the district, met with blame instead of praise, and he is thereby justly offended. There are others whose proposals have been slighted, whose advice has been neglected, or who have got the worst in some internal dispute, who thereupon become seceders. Waitere of Hangatikei has left the King because bigamy is tolerated; Ngatiwhauroa declared itself loyal because it lost the Paetai eels. All the discontented suppose themselves to have a very strong personal interest in declaring themselves upon our side, and that loyalty has a marketable value. Minorities exist in all societies—there are twenty causes which may make a certain set ready to oppose anything whatever which the majority may propose; if others are for the King, they are for the Queen; if others are for war, they are for peace. All such minorities among the Natives are at the present time vehemently loyal; they obtrude their loyalty upon the officers of Government, and cry out for Assessors, Policemen, and Heads of Runangas; some of them go to town and pass themselves off as important men, to try what they can get; Karaka Taniwha's son, the friend and pupil of Whakapaukai, and a boy who would be under the birch in a healthy civilized society, applied to be made an Assessor, declaring that he had been admitted to the presence of the Governor and had been promised that office. They desire in fact to engross to themselves all the advantages and all the salaries that can be given to their districts. It is most imprudent to yield to the demands of such men. They will be loyal from sheer opposition without payment, and to give them all that is to be gained by loyalty at once destroys the hope of converting the majority. Lastly, there are many who are sincerely convinced of the impossibility of attaining by the "King movement" those benefits which they once hoped for. They have tried an experiment, and have the good sense to see that it has failed. I know many men who belong to this class, and I believe their number to be increasing. It is possible that some of them may be influenced partly by the hope of a Government post, but it is only one motive and not the sole motive. Whether this class will ever increase so much as to be able to break up the alliance, it is impossible to say; there is not the slightest prospect of its being able to do so at present.

The King's party is not likely to attempt to prevent by force the secession of any tribe. Even in Waikato some have made their profession of loyalty without calling forth any hostility; of course the distant tribes can do just what they please. But the King's Natives are resolved not to part with the land of the seceders; that is still considered to be under the King's "mana," and any attempt to sell it would be sure to evoke strong hostility. Of course this right would only be asserted in cases where the King's Natives supposed themselves to have the power to enforce it.

III.—*Of the Chief Difficulty in Native affairs.*

It will be readily understood from the above facts, in what the chief danger to the peace of the Colony from the "King movement" lies. The Maori King is kept up by a feeling of distrust and opposition to the English Government; but it is the existence of this distrust, not its manifestation in the form of the Maori King, that is dangerous. Even if the Maori King had never been thought of, the moment that a question arose which brought the interests of one race into prominent antagonism with those of the other, some sort of organization must have been invented to give unity to the Maori side: it is hardly possible that anything could have been invented weaker than the King. As it was, the King, being already in existence, was seized upon for the purpose, and has grown to his present dimensions and formidable aspect subsequently to, and I believe in consequence of, the Taranaki war. This danger is a formidable one, but would not be removed by the destruction of the King, though his being voluntarily abandoned by the Maoris would be a sign that it had ceased to exist. To secure safety, we must cure the disease, not stop its symptoms; we must remove the distrust, not Matutaera. To attempt to restore peace and fellowship to the two races by putting down the King by force, would be as absurd as the conduct of the captain who broke his weather-glass that he might escape the storm.

But there is a danger, which is a very much more serious and permanent source of peril to the Colony than that one the symptom whereof is the Maori King—it is the utter lawlessness and anarchy of the Native population of New Zealand. If the reports which appear in the public

papers, the statements which have reached me from various private sources, or the evidence of my own eyes and ears when in other districts, contain any amount of truth, this lawlessness is not peculiar to the Upper Waikato district. The great mischief of all is not that the Natives choose to be governed by a King instead of by us, but that they are not in any real sense governed at all. As long as individual Maoris can do that which is right in their own eyes, and break the laws of God and man with impunity, so long will peace and prosperity in Native districts be an impossibility.

The great remedy then for the evils of the land is Government: but I mean vigorous Government—I mean authority which is able to protect life and property by *enforcing* obedience to the law. We do not want additional laws—there is the very madness of law-making infesting the country; we do not want Magistrates—they exist in abundance. It is the last link between the sovereign and the subject, it is the police which is defective. If there existed a power which could take up and punish offenders against the 6th and 8th of the Ten Commandments, the sores of the land would be healed. Who will dare to organize and use such a power? The Runangas dare not; the Maori King dares not; the European Magistrate dares not; the paid Assessors and constables dare not. Is there any one who dares? I know as well as anybody that this question is beset with difficulty and danger, but there can be no peace in the Colony till it has been fairly met and fully solved.

It is not possible, at the close of a Report which has been designed throughout as a bare statement of facts, to discuss a question which must involve many general arguments and opinions; even if I felt competent to offer arguments and opinions on such a subject. As a subordinate officer of Government my part is fulfilled when the true Native question has been pointed out. It is, however, within my province to point out how far the organization already existing under the Maori King is available for the purpose of establishing law and order.

I confess that when first sent into the district, ignorant of almost all the facts which have been above detailed, I entertained the hope and expectation that a reconciliation and alliance might be effected between the English Government and the leaders of the King party, and that all the King's officers might be employed in the organization and government of the district. It appears to me now that the fulfilment of this hope was from the first impossible, for two reasons:—

(1.) Because the King subsists entirely upon the feeling of opposition to our Government. It is possible that the King Movement originally may have been a movement for law and order; it has altogether lost that character now. Nothing keeps the alliance together but a feeling of common danger, and as soon as this feeling has passed, which must happen before we regain the confidence of the Natives, the influence of the King and his Runanga will melt away.

(2.) Because the King and his Council have not the slightest power to enforce obedience to the law. As a scheme for creating a Government, the King Movement has failed long ago.

But though alliance with the King is impossible, and if possible useless, still the removal of the King would bring us very little on our way towards the end of Native difficulties. The King's system is an obstacle to good government, so far as it fills the place of a better; but were the former extinct the latter would still have to be constructed.

J. E. GORST.

Otawhao, June 5th, 1862.

FURTHER PAPERS

E—No. 9

SEC. IV.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION IV.

BAY OF PLENTY.

SECTION IV.

BAY OF PLENTY.

No. 1.

PRELIMINARY INSTRUCTIONS TO T. H. SMITH, ESQ.

Attorney-General's Office,
Auckland, 14th December, 1861.

SIR,—

In the absence of Mr. Fox, I beg to communicate to you the following instructions for your guidance.

The Natives of the district of the Bay of Plenty appear from recent accounts to be in an unsettled temper of mind, hanging between submission to the Queen's authority and adherence to the King movement. It is of importance that no time should be lost in tranquillizing their minds, and securing their allegiance to the Government. With this object in view, His Excellency desires that you will be good enough to proceed without delay to the district in question. From your previous acquaintance with it, and the Natives inhabiting it, and your experience in Native affairs, you will have no difficulty in making yourself acquainted with the circumstances of the district, and the temper of the Native mind. You will be good enough to be minute in your enquiries on these points, and report them to the Government with as little delay as possible.

It will be extremely desirable to obtain, if possible, without delay, the assent of the Natives of that district to the introduction of the new Institutions planned by His Excellency for the government of the Native race. With a view to the attainment of this object, you will proceed to Tauranga in the "Caroline," and communicate as soon as possible with the various Native tribes living at that place, at Maketu, Te Awa-a-te-Atua, Whakatane, and the Lake district. You will explain to them the plan proposed by the Government for establishing law and order among them, by means of institutions to be worked by themselves under Government auspices and the supervision of a European Officer.

The general outline of this plan is as follows:—

To establish in convenient districts Resident Magistrates to act in conjunction with Native Assessors, and to put into execution the provisions of the Native Districts Regulation Act and Native Circuit Courts Act, with such other enlarged jurisdiction as the General Assembly may think right to create. The Government contemplate making application to the General Assembly for extending the jurisdiction under these Acts. The concurrence of the Native people in the laws and regulations made for their government will be obtained through the medium of that institution with which they are familiar, the Runanga, now in practical use throughout the Colony. You will explain to the Natives that is the intention of the Government to recognize the Maori Runanga, and to constitute and establish it upon a regular system.

For managing the affairs of these districts as regards inter-tribal questions, it is proposed to establish a District Runanga, to be composed of Resident Magistrates, Chiefs, and Assessors. An Officer, to be termed a Civil Commissioner, and whose functions will be principally of a political nature, will be appointed over the district.

The precise functions of that Officer cannot yet be determined, except so far as relates to his convening and presiding over the District Runanga, and being the general medium of communication with the Government in political matters affecting the district. His Excellency intends to offer you the appointment of Civil Commissioner of a district in the Bay of Plenty.

You are sufficiently familiar with the present state of the law to be enabled to point out to the Natives its various provisions, and the benefits which they will derive from its introduction, particularly as regards the settlement of disputes between themselves respecting land.

His Excellency proposes to appoint Native Assessors to assist in the administration of justice, with constables, and officers of police, who will receive suitable salaries according to the nature of their services, as may be hereafter provided. These salaries will be on a more liberal rate than has been adopted hitherto.

For the imprisonment of criminals, His Excellency proposes to establish places of confinement in convenient localities.

You will further explain to the Natives that it is generally the desire and intention of the Government to aid them in the establishment of schools, hospitals, and other institutions for the social advancement of their race; and you will lose no opportunity of assuring them of the hearty sympathy which His Excellency feels in all which concerns their welfare and progress.

With reference to the manner of introducing the new system into the Bay of Plenty, it is the wish of the Government that you should, after conferring with the Resident Magistrate, and with the Natives inhabiting that part of the country, submit your own opinion and suggestions as to the extent and limits of the district or districts which it may be expedient to constitute, having reference to the circumstances of the various tribes living on the coast and in the interior.

In the event of your finding the Natives willing to accept the proposed institutions, His Excellency authorizes you to assure them that he is prepared at once to introduce it among them, and to make the necessary appointments of salaried officers, with provision for their pay, to commence with the year 1862.

It may be well, if you find convenient opportunity, to point out to them the mischievous consequences which must result from a division of the authority of government within the Colony, and the inevitable conflict of races which must ensue if the so-called King movement is persisted in with a view to establish a separate form of government for the Native race; and how the benefits of law and order may be secured to them in a tenfold degree, by placing themselves under a system which will be administered with perfect equality to both races.

As soon as you have accomplished the objects of your present mission, you will return to Auckland personally to report your proceedings to the Government. During your absence you will be allowed travelling expenses at the rate of 10s. per diem, and forage for a horse at 3s. per diem. You will also consider yourself authorized to incur such reasonable expenses as you may find necessary in seeking to carry out the wishes of the Government, as in defraying expenses of Chiefs or Assessors who may be required to accompany you in your visits to the various Native settlements, to attend meetings, &c.

I have, &c.,

HENRY SEWELL.

T. H. Smith, Esq., Auckland.

No. 2.

FIRST REPORT FROM T. H. SMITH, ESQ., R. M.

Maketu, December 26th, 1861.

SIR,—

I have the honor to report, for the information of the Government, my proceedings under instructions from the Hon. the Attorney-General dated December 14th, directing me to visit the Bay of Plenty for the purpose of ascertaining the circumstances of the district and the temper of the Native mind, and of obtaining the assent of the Natives to the introduction of the new Institutions planned by His Excellency for the government of the Native race.

On the 14th instant, I embarked on the "Caroline" for Tauranga, where I landed on the 16th. Mr. H. Clarke, R. M., was absent on circuit, his return being expected about the 21st.

Soon after landing, I communicated with two of the Tauranga Assessors, and requested them to call a meeting of the people at some convenient place, to furnish me with an opportunity of making known the object of my mission. It was, accordingly, arranged that I should meet the Ngaiterangi on Wednesday the 18th instant, at the site of the new mill near Te Matapihi settlement. On the day named, I proceeded to the place of meeting, accompanied by the Rev. C. Baker, three Native Assessors, and Wirimu Maihi. I found a party of about 150 assembled, who gave us a most cordial reception. After the usual preliminary speeches of welcome, I addressed the meeting, stating that the object of my visit was to offer them the assistance of the Government in establishing law and order among them and generally promoting their social advancement. I explained to them that the Government recognized and sympathized with the efforts made by themselves in this direction, and was anxious to ensure their success by lending its aid to supply what otherwise might be lacking, proper direction and the means of remunerating the services of such officers as it might be found necessary to appoint. I read and explained in detail the document setting forth the plan proposed by His Excellency, to which I requested their attention, assuring them that the Governor was prepared to introduce the system at once if generally assented to. Copies of that document were also distributed.

The replies of the Chiefs, most of whom spoke, differed considerably. Some were for rejecting altogether the overtures of the Government, which they said were merely put forth as a bait to seduce them from their allegiance to the Maori King. Others expressed their appreciation of the good intentions of the Government, but were unwilling to acknowledge the Queen or the Governor as having any authority over them. Others were for maintaining a neutral position between the Government and the Maori King, and accepting the proffered aid. While a few urged the acceptance of the proposed plan without any reservation.

I replied by deprecating any discussion of the Maori King question at that meeting, reminding them that the Governor was probably then in Waikato; that the question was one which would have to be settled between him and Waikato, and that pending such settlement it was idle to discuss the question here; that the Governor gave them credit for a desire to establish law and order among themselves, and proposed to help them, and if they were sincere in their professions they would not reject his help. I proceeded to point out the inconvenience and danger which must attend a separation of the two races under different governments, and concluded by intimating that, as an officer of the Government, I could not listen to a reference to any authority but

that which emanated from the Queen. The conclusion finally adopted by the meeting was that the Governor's proposal should be taken into consideration, and that an answer should be given to me on my return from visiting the other tribes in the Bay of Plenty. The conference lasted six hours, and was conducted with the utmost propriety; the most zealous partizans of the Maori King abstaining from anything like violent or intemperate language. One of the most intelligent among the moderate party, Rawiri Puhirake, expressed his approval of the Governor's plan as having for its object the good of the people, but required as a further proof of the beneficent intentions of the Government, that no more Native territory should be acquired. "Be content," he said, "with what you have. Be it your care to restrain the buyers, we will restrain the sellers; but if land-selling goes on it will bring death." I explained that the proposed system would provide against any questionable transactions with respect to land, as nothing could be done without the knowledge and consent of the Runanga; but that it would not be right to restrict the liberty of any tribe or individual with respect to the disposal of his own property. He replied, "Let the Government be cautious; if land is bought there will be trouble."

As I had observed that a large portion of the Tauranga Natives belonging to Maungatapu were not represented at this meeting, I determined to visit them before leaving Tauranga, and proceeded to Maungatapu accordingly on the 20th by appointment. I was received most cordially by the people who had assembled to meet me, numbering about 100, their Assessor, Maihi Pohepohe, being absent with Mr. Clarke. Three flags were flying from a pole standing in the centre of the pa; the uppermost a white one with the word "Kuini" in one corner, the second white with a blue circle in the centre, the lower one a union jack.

After the preliminary speeches, business was commenced in the same way as at the previous meeting. The replies were somewhat similar in character, but the large majority here were for accepting the proposed plan, and when the question was put to the meeting whether assent should be given the affirmative was carried almost unanimously. Some of the Chiefs, however, took occasion to stipulate as the condition on which their assent was given, that the officers of justice should be Maoris only.

Considering that not less than two-thirds of the Tauranga Natives are professed Maori Kingites, I see no reason for dissatisfaction with the reception the proposal of the Government has met. I have also heard that their subsequent discussions have had favourable results. Any attempt to persuade those who are pledged to the Waikato King party to withdraw from their present position would, I feel satisfied, prove fruitless. Some of them have been to Taranaki; among them a young Chief, Hirini, who was killed at Mahoetahi.

Among the favourable signs which I have had the opportunity of observing, should be mentioned the fact, that a Runanga has been established at Tauranga, to which has been given the name of the "Runanga Tapu," or "Sacred Runanga." Its president is an intelligent young man, who received his education at St. John's College, Auckland, and was for several years the master of a school at Otaki. This Runanga comprises among its members both King's men and Queen's, who have agreed to waive their respective political creeds, and combine together for the purpose of devising a system of rules and regulations founded on the Mosaic code for the exclusive behoof of their own people (Tauranga). Henare assures me that his ultimate object is to bring his Runanga under the auspices of the Government, but that for the present it is essential to the success of his plan that he should stand aloof. He informed me that William Thompson had asked for a copy of their rules, but that he would not comply with the request, lest by doing so he should appear to refer them to him for confirmation or sanction. The rules made by this Runanga are generally respected in Tauranga, and fines for their breach are frequently recovered. There are several other Runangas in Tauranga. Every Assessor has his Runanga, and depends mainly upon it for the support of his authority. I believe that it will be found necessary to recognize in some shape or other these local Runangas; the District Runanga composed of Assessors will not, so far as I can see, be accepted as a substitute. The Natives do not place confidence in the administration of their Assessors alone, and the Runangas act both as an aid and as a check to them.

On the 21st, Mr. Clarke returned from his circuit. After communicating with him on the subject of my instructions and hearing his report on the state of the district, which appeared to be favourable, I arranged to proceed to Maketu on the 23rd, where he was to join me in a few days, and then accompany me inland. I accordingly started for this place on the day named, and the day following had a most satisfactory meeting with the Natives resident here. Their expressions of loyalty and willingness to accept the Governor's plan were most emphatic. Runangas are here also in full operation, and nothing is to be done without them. Acting upon my instructions to recognize the Maori Runanga, I have induced the people here to consent to nominate one Runanga for this place, to which may be entrusted the making of such arrangements as may be necessary to carry out His Excellency's plans.

I leave this on Monday, the 30th instant, for the Lake District, having been requested to postpone my visit to the Ngatipikiao, of Te Rotoiti, until that date.

The Honorable the Minister for Native Affairs,
&c., &c., &c.

I have, &c.,
T. H. SMITH.

No. 3.

REPORT FROM H. T. CLARKE ESQ., R.M.

Having arranged to leave Tauranga on the 20th of this month (November) I had sent a circular letter to the Assessors and Chiefs residing at the different Pas and Kaingas along the coast informing them of the day on which I hoped to arrive at each place.

November 27th.—Left for Maketu accompanied by Maihi Pohepohe, acting Assessor at Maungatapu, and my own man. When I arrived at Maketu I found that Winiata Pekamu Tohi had left for Rotorua. Found a note for me explaining the cause of his absence. It appears that there is much excitement still at Rotorua on account of the "king's flag" introduced by Kaingarara. Tohi is gone to try and induce the Tutanekai hapu, of Ohinemutu, one of the most haughty sections of Te Arawa, to leave the matter entirely in the hands of the Governor.

Just before I left Tauranga to-day I received by the mail two letters from the Native office: one requesting me to assist Winiata Tohi to form a "Runanga";—and the other conveying the Ministers' approval of my suggestion that £750 should be laid out on the road between Maketu and Rotorua. With respect to the former of these letters, it does not seem to me sufficiently explicit as to the nature of the Runanga proposed. I suppose it is intended to embrace the whole of Te Arawa tribes, and upon this supposition I have acted. From frequent conversations with the more intelligent men, their own idea is (and I am inclined to favour it), that a Runanga be formed of delegates from all the tribes of Te Arawa—that each tribe be allowed to send three or four men, to be elected by themselves, and submitted for the Governor's approval; and that this Runanga devise and promote measures for the welfare of the tribe generally, and take cognizance of all great matters involving the peace and harmony of its members. Knowing as I do the manner in which natives carry out verbal instructions, and from what I know of Tohi, I expect he will at once act upon the Governor's suggestions and select from his own hapu the members for the proposed Runanga. This would at once create a difficulty; a preponderance of Tutanekai element would not be relished by the other hapus, and would defeat the object desired to be gained. I have accordingly written a circular letter to all the principal Arawa hapus (not excepting the Ngatirangiwehi) informing them that the Governor had approved of their having a Runanga, and that on my return from Te Kaha I should meet them with the intention of carrying out the Governor's instructions. No cases brought before the Court.

28th.—Started for Te Awa-a-te-Atua; Rota Rangihoro, one of the Maketu Assessors, accompanied me. Rota is a staunch and I believe a good principled man, but he is so slow and inactive that it is a great bar to his usefulness; this is the first trip he has taken with me. Met Te Makarini Petera and others. Makarini told me that there were no cases to bring before me, that they had had no matters which required my decision, that the cases which had occurred were of so simple a nature, that they had disposed of them themselves; he said this apologetically, thinking that I would be disappointed. I told him that I was glad to hear it, and that it was a good proof of the orderly and peaceable disposition of his people; that I was sure the Governor would be gratified.

Te Makarini informs me that Raharuhi, the probationary Assessor residing at the Umuhika, 12 miles up the river, is in some trouble with his people (Te Tawera). They had in one or two instances had recourse to their old custom of *taua*, and had refused to recognize Raharuhi's authority. Raharuhi had, I understand, threatened to leave them. I have written to Raharuhi, as I have not time to visit him, and have recommended him to remain with his people—not to be discouraged at a few failures, as it is very recently these people acknowledged law at all—to try and induce his people to come back to the Aramarama. I also wrote to the people to the same effect, warning them against reviving their old customs, as they might one day repent it.

Makarini asked me whether I had laid before the Government their request that the introduction of spirits be prohibited in their district. I told him that I had done so, in common with the desire expressed by other chiefs resident in the Bay of Plenty; that I thought the Government were waiting for a general application from them, so that they could feel satisfied it was the work of the majority of the people. He stated that they had written, but had never received a reply. He was disappointed. These people have greatly changed for the better; during the Taranaki war there were symptoms of restlessness and a desire to annoy the settlers, but this has given place to a more kindly feeling. The settlers express themselves satisfied.

29th.—Left for Whakatane, and arrived about 3 o'clock p.m. Wepeha Poono (Apunui's son) was about leaving for Ohiroa to settle a dispute about some pigs. He told me that my arrival was very opportune, as there was a quarrel at the Ngatipukeko Pas (Kopeopeo and Pupuaruhe), which he feared would become serious. This disturbance had arisen out of two cases of alleged adultery. I proceeded up the river immediately, but was informed on my arrival that the Runanga were in a fair way of settling the difficulty.

30th.—The Runanga came to see me this morning upon these cases of adultery. They handed me a paper containing their decision, and asked me if I thought their decision unjust, or the damages they had awarded too heavy. On looking over the papers handed to me, I found that they had awarded £100 in one case and £30 in the other. I asked the reason for this difference. They explained that in the first case, the guilty party (Te Uwhi) was a notoriously bad character; that he had for a native considerable property, and the use he put it to was to get his tribe into trouble; that they wished to impoverish him, so as to take out of his hands the power of doing harm. After some argument they cut it down to £30, the minimum as laid down in Sir William Martin's rules. But they further insisted upon the offender leaving the place. This I told them could not be done as he was living on his own property. They might try what persuasion would do. This man, Te Uwhi or Haraki, is one of the most intriguing and treacherous characters I almost ever knew; he seems to be never happier than when he has succeeded in setting his neighbours by the ears; he had a great deal to do with initiating the late disastrous quarrel between the Ngatipukeko and Ngatiawa, and some years before that he brought about a war between the Ngatiawa, which resulted in the loss of many lives. The facility with which he changes sides astonishes even his own people, and leads them to distrust his most solemn protestations. This may be seen by the answer of the Ngatiawa to a letter from the Runanga of Ngatipukeko, acquainting them of their determination to send him away; "yes," they said, "send him away, but don't send him to us."

Hohaia and Kapareere, two of the leading men of the Ngatipukeko and principal of the Runanga, stated that the principal source of their trouble arises from the supply of spirits which this man, Te Uwhi, obtains from the European vessels visiting Whakatane; that it was managed in such a way that it was impossible to get information so as to prosecute. It was under the influence of spirits this man generally committed his outrages. In the case above referred to it was clearly so. I told them that the Governor had prohibited the sending of spirits along the East Coast as far as Ohiwa, and that I believed it would be extended if it were the general wish of the people. I told them that I had done what I could in the matter, and had recommended that it should be stopped along the coast as far as Tauranga. "Well, they said, if it is left till the principal men consent it will never be done, as they are the very men who encourage the evil to the cost of the unoffending tribes."

December 2nd.—I returned to Whakatane, and found the Natives assembling to meet us. In the evening had a meeting—the subject, a proposition made by the "Whanau o Opanui" and Ngaitai tribes, to the Bishop of Waiapu, to give over the whole block of disputed land (extending six miles) about which they fought about four years ago, and which still remains unsettled, to be held in trust by him. The condition is that the land is to be abandoned by both parties. Kawakura, the principal speaker, strongly objects to this arrangement for two reasons: first, both parties were required to abandon a level piece of cultivated land (a desideratum in that part of the country), and secondly (the more weighty with the objector), by giving up this piece of land, he would relinquish the only piece of land he had any claim to. They represented that even under the proposed plan it would be a fruitful source of quarrel. He proposed as an amendment that both parties might be induced to give up the piece of land lying between the two pas; this would answer all the purpose, and satisfy their own prejudices of cultivating the land upon which the blood of their friends had been spilt. I am inclined to think, with Kawakura, the piece of land lying between the two pas—about three-quarters of a mile distant apart, is a swamp and the loss of it would be very little felt by either party. I promised to talk to the Tumapahore Natives, and advocate the plan proposed by Kawakura.

3rd.—Started for Opotiki. Was detained four hours at Ohiwa. The want of a ferry across this place is very much felt; it is the greatest drawback in the whole route along the coast. There are only two states of tide when horses can be crossed with safety, and added to this inconvenience travellers are often kept here a whole day for want of a canoe. It would be a great boon to both Natives and Europeans if the Government would make some provision for establishing a ferry across this place. Arrived at Opotiki about 3 o'clock, p.m. Poihipi, the Assessor, was absent. A deputation of Natives, headed by Timoti, the principal Native teacher in connexion with the Church Mission Society, a man of some influence, came to levy charges against Poihipi. First, they accused him of appropriating the money of the Runanga to his own use; secondly, that he was addicted to drunkenness. I explained to him, that let Poihipi be ever so much to blame, it would be unfair to condemn him unheard or even offer an opinion as to the correctness of the statements he had advanced. I told Timoti I could not wait now, but that when I returned from the Kaha I would hear the case. Wrote to Poihipi appointing the 18th. From what I can gather, the Wakatohea are in a better state now with regard to themselves than they have been since I have been appointed to the district. Perhaps it is that their Runanga is divided and the one part is a check upon the other. I have been making enquiries as to what passed during the visit of the Waikato. The only information I can gather is that they held secret meetings, no person being present but those who could be depended upon; any one who was supposed to favor the other side of the question was carefully excluded; what passed at these meetings has not transpired. The Natives have within the last two or three months been making a great number of cartouch boxes, but for what purpose these warlike preparations are being made it is impossible to say. It is generally supposed that these people hold a larger quantity of gunpowder than any other tribe in New Zealand.

4th.—Started for Temapahore; arrived about 4 o'clock, p.m. Natives absent at their cultivations, with the exception of a few who remained at home to receive us. They are very late with their kumara planting this season, from what cause I do not know; perhaps it is that they are unsettled on account of the uncertainty of their future proceedings with regard to Temapahore. In the evening the people began to assemble. William King, the young man proposed by the people to be appointed Assessor (*vide* last report of visit to the Kaha) came to me accompanied by the Runanga of the place, to give me an oral account of all that had transpired since my last visit, and to ask my approval or dissent; but the cases were of such a clear and simple nature, that there could be only one common sense conclusion. Their greatest trouble seems to be with "Te Whanau o Opanui;" although they carry on to all appearance a friendly intercourse, there is an under current of ill-blood felt by both parties arising out of their late disastrous quarrel. I, as I promised Kawakura, spoke of the proposition made to the Bishop of Waiapu respecting the piece of land they are now occupying. Wiremu Kingi said it was his own opinion, but that other of his people thought differently, that as they were not able to agree upon a better settlement, if they gave up the piece of land between the two pas the desired object would be attained. I should be very sorry if the Ngaitai, one of the most orderly and interesting tribes in the Bay of Plenty, were obliged to leave their large cultivations here and occupy Torere, a much more contracted situation; but they are unfortunately placed between two powerful neighbours, the Whakatohea on the one side and the "Whanau o Opanui" on the other, who watch every opportunity of making encroachments.

5th.—Walked to Pakoriri—"Te Whanau o Opanui" Pa. Found Ngatawa (the probationary Assessor), Paora, and others waiting for me. Ngatawa is very active and seems to have considerable influence with his tribe. He, as Wiremu Kingi had done, gave me an oral report of all his proceedings. I provided him with a blank book and told him that the more satisfactory way would be, for the future, to keep records of all cases brought before him. He asked my advice with respect to fees and

finer. The traders, he explained, for the most part supply goods in exchange for Native produce—consequently they have very little money in circulation amongst them; and he had been in the habit of receiving articles of wearing apparel in lieu of cash; that he had accumulated a quantity of these. Part of these he had disposed of in obtaining material for a Court House, which would have been erected before this had the question between themselves and the Ngaitai been settled. I approved of this appropriation, and recommended him to dispose of the rest for whatever they would fetch, and in future to take such produce as could easily be convertible into money; for I felt sure the traders, if the case were properly represented to them, would give cash for this.

I introduced the subject of the proposal which had originated with them respecting the adjustment of the dispute between themselves and the Ngaitai, also Kawakura's amendment. Ngatawa said that he considered Kawakura himself to blame for the present uncertain state of things; that if Kawakura had acted according to his promise the case would have been settled. But as he remained at Whakatane instead of occupying his own property, he could not blame them for making the best arrangement they could to put an end to a difficulty which might at any time involve the two tribes in war.

These land disputes are the most difficult questions to settle; the final adjustment of them would be an incalculable boon to the country. If the Natives could be induced to give up all their lands into the hands of a Runanga composed of English Magistrates and independent chiefs, to be by them enquired into and definite boundaries decided upon, much would be done towards settling the country. But so wary are the Natives, that the question of inter-tribal boundary is seldom raised unless it is to annoy their neighbours. In fact it is looked upon in this district as almost equivalent to a declaration of war. In nineteen cases out of twenty it will be found that the tribal boundaries are disputed, and in the cases of hapus and individuals it will be found the same.

I think the "Whanau o Opanui" are changed for the better; they are not so noisy as they were when I visited them last. Ngatawa (with a little guiding) will, I think, make a good Assessor, but he has much to contend against; the Whakatohea have solicited him to resume his old profession of "Tohunga ta Moko," and have offered him a large sum to go over and "ta" some of his people, but he has steadily refused, saying that he is not now his own master. Returned in the evening to the Ngaitai pa.

6th.—Started early for Omairo. I had intended waiting till low water, so as to relieve our poor foot-sore horses, but as the weather was threatening, indeed raining, I was obliged to start on account of the Motu (Maraenui River), which is only just crossable at the best of times. After a six miles cruel ride over shingle and boulders we crossed the Motu, but the weather had by this time cleared up. At Whitianga we stayed a couple of hours to hold an open air Court. The case was this: 3 whaling party of Natives had paid 20s. as rent for a few yards square of rock, on which try-works had been erected. This money was claimed by two parties. Ngatawa seeing a disposition to use violence, very properly stepped in and took possession of the money, telling them that as soon as they had settled the question of proprietorship the party who had proved his claim should receive the money, but this they had never done satisfactorily. Ngatawa said that he had formed his own opinion from what he had previously known of the case, but wished to refer it to me and the Assessors accompanying me, in order that his people should not suspect him of partiality. After hearing the case it was decided that the money should be equally divided between the contending parties, as they both seemed to have a claim. This matter settled, we left for Omairo in the afternoon; arrived in the evening. The distance between Omairo and Whitianga is not great, but the road is fearfully bad, entirely from want of opening the road. Ngatawa proposed a very good plan for getting this work done, viz., to require men who were not able to pay fines to do certain portions of it. But Ngatawa informed me that the Natives were so extremely jealous about road making, that I had better not name it, but let it emanate from themselves.

7th.—I have been indisposed to day; renewed my cold from riding in the wet yesterday morning. Natives of this place assembled to ask about the state of things at Waikato, &c. Vague rumours reach them occasionally of bloody battles, always resulting in the deaths of thousands of troops; and so credulous are they that many of them believe these absurd stories; they were astonished when I told them that there had been no fighting since I visited them last, and that as far as I could see there was no likelihood of any fresh disturbance; that the Governor was anxious that peace and good feeling should be again restored between the two races inhabiting these Islands.

Here, as at other places, the Natives are very inquisitive as to our *tihanga*, and are anxious to obtain information. There is an evident desire amongst the intelligent young men to assimilate to our customs. The great drawback is the prejudice of the old men to what they look upon as innovation; but as these are going off fast, I hope a more satisfactory state of things will be established. The Runanga of this place, as well as at Te Kaha and Raukokore, was set on foot by Rue Rota Waitoa, there being no tribunal to settle their differences and disputes. These Runangas take cognizance of all misdemeanors which take place in their own immediate neighbourhood; they have managed pretty well here, but there is one tendency which seems almost insuperable from these Runangas, and I believe it is universally the case; that of entertaining the most frivolous questions. A word used in the heat of passion, a simple untruth, an obscene or offensive expression, are all visited and punished. They acknowledge Ngatawa as their Assessor, and in all cases of difficulty apply to him.

8th, Sunday.—Rain all day.

9th, Monday.—The river between this and Pariokura is so flooded we cannot cross our horses. We remain here till to-morrow. Hamiora Reweti (one of the returned slaves from the Ngapuhi) is a very sterling man, he is anxious to establish a school for the young men and children of his place, but he cannot get on for want of slates and books. I recommend that a supply of these be sent.

10th.—Left for Te Kaha. River still high and rapid; crossed with difficulty. Arrived at Te Kaha at 2 o'clock; the road dreadful. Matenga and Hamiora, the principal men of this place, were out at their cultivations, others fishing; they did not expect us so soon. In the evening they assembled to bid us welcome. After the usual speeches and songs, they wished to know about the Governor and his plans. I told them that I had very lately returned from Auckland, where I had seen the Governor,—that I knew the Governor had no desire to fight,—that he came here to settle matters of dispute quietly,—that, if he did fight, it would be from necessity: the Natives must take the initiative. I cautioned them against receiving any reports circulated either by Europeans or Natives, or any messages sent by other tribes, and said the Government had no object in concealing any of its intentions. There are men who travel about and invent stories as they go, which are retailed at each *kainga* for no other purpose than to obtain good entertainment. This has been the case in more than one instance. One man from Te Awa-a-te-atua came to Opotiki and represented that he was a messenger from Waikato; he was entertained handsomely, and returned home with some presents. The Wakatohea afterwards enquired of the Waikato whether they had received the letters sent by their messenger Reihana; they answered, we don't know any such man. Upon further enquiry they found that they had been gulled.

11th.—Matenga, the principal Native teacher of this place—my host—told me that they were busy with their cultivations, and asked whether I would mind their going on with their work. I told them that they were all aware of the purport of my visit, and that I was ready to listen to any cases they might wish to bring before me, and that if they wished to leave their *korero* for the evening I had no objection. This evening a rather curious case was brought before us for adjudication; the subject of dispute was, the rightful inheritor of a *tike* (green stone ornament). I could not pretend to go into all the intricacies of the case, so that I in a great measure left it with the Assessors who accompanied me. At 10 o'clock the case was adjourned for further evidence.

12th.—Indisposed; hardly able to keep up. In the evening heard the adjourned case of the *tike*. It appeared that it was a family dispute, both branches having possessed it alternately. To prevent further trouble, it was decided that the one party should purchase the others' right, so that it might descend in one line only.

13th.—The weather wet. Had a meeting with the Natives and Europeans resident at Te Kaha, who do not appear to live on the best of terms. The great cause of this bad feeling is the outstanding debts; in fact this is the difficulty along the coast between Europeans and Natives. Traders have let their goods out, and often pressed them upon the Natives, in consideration of their standing crops, to such an extent sometimes that it requires nearly the whole of the following year's crop also to clear off the debt. Other Europeans, in the face of all this, have stepped in and offered an advanced price, and have generally obtained what has virtually been sold, to the great loss of the other party. These dishonorable acts on the part of the Europeans have tended greatly to injure the Natives. They believe now that they have been the victims of the traders, and are determined to look after their own interests by combining to ask an exorbitant price for their produce, at the same time fully acknowledging their debts. The argument they use is, "you ask us what price you please for your goods, and we take them; we ask you a high price for our produce, and you ought to take it." I blame the Europeans for this state of things; their anxiety to monopolize the trade has overcome the dictates of common prudence. This was the purport of the meeting. The result is, that the Natives have promised to clear off their debts as fast as possible. I told the Natives that they complained of these Pakehas, but the consequence of these combinations would be that they would injure themselves. These Pakehas would leave, and others would not take their places because their bad name would have gone forth to the world. Suppose that such a state of things should be brought about, what would the consequence be? they and their children would have to be clothed in the garments of their ancestors. I gave as an instance the Ngapuhi; "They in their blindness thought that the Pakehas were a great evil; they destroyed Kororareka; Pakehas left the place, and what is the consequence of all this? Why, they are crying to the Governor to give them Pakehas; they are crying to the Governor for a town: they have seen the evil and they repent it; so it will be with you." With respect to their combination, I told them I thought they had committed a mistake; they should have combined to prevent their own people from taking goods on trust, rather than prevent them from paying their just debts to Europeans. On the other hand, I told the Europeans that they were suffering from their own recklessness, that instead of the traders meeting and settling amongst themselves what would be a fair and equitable price for Native produce, each one studied his own selfish ends without regard to others, in fact gave a premium for dishonesty.

14th.—Very wet. Indisposed, so that I was obliged to remain in bed all day.

15th, Sunday.—Fine warm day.

16th.—Retraced our steps to-day. In crossing the river between Pareokara and Omairi, my horse was swept down some distance by the fresh, which has not yet subsided. Stopped at Omairi two hours to dry clothes; at one o'clock p.m. started for Whitianga. Found a number of the Natives from Pakoriri awaiting our arrival; they reported Motu unfordable: I have to remain in consequence. In the evening was sent for to a meeting: the request made then was rather a strange one, and shows the mistaken idea they have of a Magistrate's powers and duties. They applied to me to fix the price of European trade, and the price that ought to be given for Native produce. They were surprised when I told them that I could not interfere in the matter,—that the European could ask what price he pleased for his goods, and it was optional with the Natives

whether they took them or not. Their idea has been that the Magistrate's power was absolute, and that Europeans were obliged to obey. I explained the duties of a Magistrate.

Another question put to me was, how it came about that spirits were not allowed to be landed along the coast, and at whose instigation. I told them at their own, and that I had strongly recommended it; however much they might regret it now, they would thank the Governor for it hereafter, or, at least, their wives and children would. The amount of money thrown away in spirits would now go to provide them with clothes and other necessaries. This was argued very good temperedly. The Natives were young men belonging to a whaling party.

17th.—Waited till low water, so as to take Motu at its lowest state; crossed, with some difficulty, at the expense of a good wetting; current very strong. This is a dangerous river to cross, on account of the boulders in the bed of the river. Stopped at Tunapahore for the night.

18th.—Left early for Opotiki, as this is the day appointed for meeting Poihipi and his objectors. Arrived at one o'clock p.m.; found the Natives assembled; at two o'clock held the enquiry. Called upon Timoti to make his statement; but, to my surprise, he tried to make light of it and explain matters away. Seeing this, and an evident reluctance on his part to come forward and state boldly before Poihipi what he had on a previous occasion told me, I took the matter out of his hands, and related all that had passed. I told Poihipi that the charges brought against him were just: that he had appropriated the money of the Runanga; and further, that he had been guilty of drunkenness. The first charge Poihipi went into thoroughly, and unanswerably explained; the second, he said, was true,—he had on one occasion been intoxicated, and had nearly lost his life through it. After hearing all that had to be said upon the subject, I told Poihipi that if he, by his example, encouraged such immoral and disorderly practices amongst his people, he certainly was not a fit person to be an Assessor: that he had now to choose between two courses, either to give up his Assessorship, or to give up his intemperance; that it depended upon his answer what the nature of my report would be to the Governor. He stated that since his accident he had not touched spirits, and that he would refrain from it for the future.

I have heard that Poihipi and his party were rather insolent to the Bishop of Waiapu on his late visit to Opotiki. I asked whether it was correct. They answered that it was; but that it was not intended for the Bishop, but for the Ngatiporou Chiefs who accompanied him. It appears that Mokena, as well as the other Chiefs with him, strongly deprecated the use of *wai piro*, and recommended the Wakatohea to give it up. In the warmth of argument, it was said that he had used (what was distorted into) an offensive expression. The Wakatohea answered haughtily, that they would not discontinue on his advice; but that, if they discontinued it at all, it must be of their own free will and pleasure. I believe that most of the speakers were under the influence of drink at the time. It was on his return from this meeting, that Poihipi met with the accident before referred to, giving him a practical illustration of one of the evils of drinking. (Poihipi fell from his horse and was dragged some distance, and had it not been for the timely assistance of his companion, he would inevitably have been killed.) From what I can gather, the dislike and opposition of Timoti and party arises more from Poihipi having lately joined the Roman Catholic Church than any other cause. I should be sorry if Poihipi were dismissed, as he is a shrewd and persevering man; still, if he persists in a course opposed to the very principles of social order, I should feel it my duty to recommend that he be removed from his office.

19th.—Left Opotiki at 2 a.m., on account of the tide. Crossed Ohiwa at 8; arrived at Whakatane in the afternoon; Natives all absent, except Apanui and another old man. Left Whakatane at 2 p.m., and arrived at Te-awa-a-te-atua at 6; horses quite knocked up. There I heard that Mr. Smith had arrived in Tauranga, the bearer of the Governor's new system.

20th.—Proceeded to Maketu; weather very wet; arrived at 5 o'clock, p.m.

21st.—Reached Tauranga early. All quiet.

HENRY T. CLARKE,
Resident Magistrate.

No. . 4

SECOND REPORT FROM T. H. SMITH, ESQ., R. M.

Tauranga, January 25th, 1862.

SIR,—

I have the honor to report, for the information of the Government, the result of my visit to Maketu and the Lake District, and the preliminary arrangements made for introducing the new system of Government for the Natives.

On the 23rd ultimo, I left this place for Maketu, where I was joined on the 27th by Mr. H. Clarke, Resident Magistrate. I found the Chiefs and people at Maketu very favourably disposed towards the Government. A meeting was held the day after my arrival, at which upwards of one hundred and fifty persons were present. The principal Chiefs spoke, welcoming me as an old friend returning to them the bearer of precious treasure, professing steady loyalty and attachment to the Queen and the Government, and a desire to accept the Governor's advice and assistance in establishing Institutions among them by which they might secure the benefits of law and order, and dwell in peace among themselves and with the Europeans. I explained the plan proposed by His Excellency, which appeared to be generally acceptable. On the question, however, of including in one district other tribes besides those of the Arawa, I found the old Chiefs, both here and at other places, disposed to object. I was advised by them to confine myself to the Arawa, at all events for the present, on the ground that the success of the scheme would be endangered by associating with

these tribes others who might be partially or wholly disaffected. I pointed out the advantage of having representatives of different tribes in the District Runanga, which would possess a jurisdiction in cases of dispute about land; this was admitted. I found also, both here and generally throughout the district, that the proposed constitution of the District Runanga did not appear to meet the wishes of the Natives, the same exceptions being invariably taken to it whenever the question was discussed. There is reason to fear that a Runanga consisting only of men chosen from among the Assessors would not possess the confidence of the people, who would not consider themselves properly represented in an Assembly so constituted. As, however, in the instructions under which I was acting, I found the District Runanga described as composed of "Resident Magistrates, Chiefs and Assessors," I met the objection by explaining what I conceived to be the intention of the Government, and suggested that under the head of "Chiefs," persons might be selected by the tribes or local Runangas to represent them in the District Runanga. With reference to local Runangas, I pointed out that no provision for their constitution appeared in the scheme as set forth in the Government document; yet, as I understood it to be the wish of the Government that the Maori Runangas should be recognised, I was prepared, subject to the Governor's approval, to sanction the appointment of Runangas in the principal Native settlements or localities. I saw no objection to appointing one Runanga for Maketu, its members to be chosen by the residents irrespectively of tribal distinctions, if all would unite in nominating a limited number of intelligent men to compose such a Runanga. This proposal was agreed to, and a Runanga was accordingly appointed for Maketu, consisting of thirteen members; the old Chiefs pledging themselves to give it their full support, and to transfer to it whatever "mana" or authority they possessed over their respective tribes or hapus. Among the favourable indications observed by me in communicating with the Natives throughout the district occupied by the Arawa, the existence of a good understanding between the old Chiefs and the younger and more intelligent leading men on the subject of establishing institutions for the government of the people struck me as contrasting with the state of things formerly prevailing. There appears now to be a disposition on both sides to act in concert. The old men appreciate the superior knowledge and intelligence of the younger Chiefs, who, on their part, seek rather to enlist the authority of the former on their side, than to subvert or ignore it. In appointing several of the Runangas, it was stipulated that the old Chiefs should be considered honorary members, allowed to be present at but not required to take part in the deliberations. At Maketu, as at most of the other places, the question of pay for the members was strongly urged, on the ground that the Runanga really did the work which the Assessors received pay for doing. I pointed out that the Runangas had hitherto very improperly usurped the functions of the Magistrate, and that this abuse must be put a stop to for the future; that the function of the Runanga was to devise rules for the guidance of the Magistrate, but that the administration of the law, the adjudication in cases of dispute, pertained solely to him. As, however, under the law which it was proposed to bring into operation, the Magistrate might in certain cases be assisted by a jury, the Runanga, or certain of its members, might assist the Magistrate in that capacity as required. The Runanga might also act as a local board for managing the public business of the community, making arrangements for carrying on public works, such as making roads, building schools or court houses, &c.; all questions affecting the community should be referred to the Runanga, which should also consider and put into shape any proposed regulations for submission to the District Runanga. With reference to the question of pay, I endeavoured to show that it would be unreasonable to expect the Government to do more than make some provision for defraying incidental expenses; this I was prepared to recommend, and promised to bring the matter under the notice of the Government; I reminded them that the Pakeha Runanga was not paid, and that if every member of a Maori Runanga were to receive a salary, the funds would be exhausted and there would be nothing left for paying the Assessors and other officers. This kind of reply was generally sufficient. At Maketu, it was decided that the Runanga should enter upon the exercise of its functions at once, leaving the question of remuneration or provision for expenses to be decided by the Government. A Chairman and Secretary were appointed forthwith, the duties of these officers being duly explained, and rules for the conduct of business suggested. The Runanga was then invited to consider what appointments would be necessary under the heads of Assessors and Police for Maketu and its neighbourhood, extending to Kenana on the Kaituna river, and to Otamarakau on the coast. It was decided that the two Assessors already appointed would be sufficient under that head, and that a chief Police officer with three or four subordinates would be required. Persons suitable for these offices were to be selected by the Runanga at its next meeting, and their names submitted for approval.

On Monday, December 30th, I proceeded inland to Te Rotoiti, a distance of about twenty-five miles, accompanied by Mr. Clarke, two Native Assessors, and several Native Chiefs, to meet the Ngatipikiao; who had assembled at Pukeko, where a large flour mill is in course of erection by that tribe. We found upwards of two hundred collected. The result of two days' discussion, in which the Natives themselves took the principal part, was the unanimous assent of the Chiefs and people to the adoption of the new system. Some of the old Chiefs spoke with much feeling, referring to the loss of the flower of the tribe in feuds which might have been prevented under a better system. They welcomed me as returning to offer again a boon which they had once slighted, but which they were now eager to receive; appealing to me whether they had ever before, as a united people, made similar professions, or consented to give up their old Maori customs or to acknowledge the authority of the Government or the Queen's laws. A Runanga was appointed for Te Rotoiti and Okataina, uniting the various hapus of the Ngatipikiao with the Ngatitarawhai. Assessors and officers of police were also nominated. Reference was made to the land ceded by this tribe to the Government in 1850 as an endowment for a hospital, and the hope expressed that the hospital would yet be built on the land, and a medical man appointed.

From Te Rotoiti I proceeded on the 2nd instant to Te Ngae, on the Rotorua lake, where the Ngatienukukopako and Ngatirangiteaorere were awaiting us. Here we met with a specially warm reception, old and young turning out to shout and wave a welcome, the old men among the foremost. I had expected to meet the Ngatirangiwehewhi (the tribe which has received the Waikato flag) at this place, but the wind prevented the few who came from arriving in time to take any part in the proceedings. I therefore proposed to pay them a visit at their own settlement, leaving them to appoint a day. One day sufficed to make the necessary arrangements at Te Ngae: very little explanation was required, as the various questions had been already discussed, and persons selected for the Runanga and other offices. There were several matters which they proposed to bring under the notice of the Governor, when honoured with a visit by His Excellency. Among these were, the promise of a hospital given in 1850, their wish to have a gaol built, the survey and registration of their lands, and assistance in building a church and a house for the Runanga. The proposal that they should unite with the other tribes on the Rotorua lake to appoint one Runanga was agreed to, and a unanimous assent given to the introduction of the new system. About one hundred and fifty persons were present.

From Te Ngae, I proceeded on the 3rd instant to Ohinemutu, to meet the Tutanekai and other tribes. Here also we were received with special demonstrations, and most hospitably entertained, between two and three hundred Natives being assembled. The old Chiefs Ngahuruhuru and Haere Haka made excellent speeches, professing attachment to the Government, and willingness, if need be, to fight the battle of the Pakeha against all New Zealand. Henceforth the Arawa was to be one with the Pakeha. The "mana Maori" was henceforth abjured, and submission to the Queen's laws was to be the rule for the future. In figurative language the old Chief Haka bade adieu to the "mana" of his ancestors, which he now laid at the feet of the Governor; adding that he did so, trusting in the wisdom and skill of the Government to direct matters so that the advantages of their connection with the Pakeha might be perceived by all Chiefs and people. "Take care," said he, "that you do not give me cause to repent my present concession. I am a man, let me be treated as a man; do not trifle with me. If I surrender to you the direction of my affairs, take care that you guide me aright, or if you lead me astray I will have done with you and return to my old 'mana.'" The Waikato flag was also referred to. As the Governor had said "Leave the matter to me," they had consented to do so, but were waiting anxiously to see what steps would be taken by His Excellency. They would not be content to let the flag remain. I explained the Governor's views on the subject of the Waikato King and flag as declared to Waikato by His Excellency on the occasion of his late visit, and expressed my hope that the Arawa tribes, laying aside their tribal differences and jealousies, would combine in earnest to work the new institutions; as I believed if this were done the flag would cause very little trouble, and those who brought it might be left to take it back whence it came of their own accord. Several days were occupied in discussing the Governor's plans, and the question of appointing one Runanga for Rotorua, but without arriving at a satisfactory conclusion. The Tutanekai, the most influential of the Arawa tribes, acting upon what they understood to be the directions of His Excellency given to their Assessor Winiata Tohi, viz., to appoint a Runanga for themselves, had already made their arrangements. A Runanga had been selected, composed exclusively of men of their own tribe residing at Ohinemutu and Maketu. A President and Secretary had also been appointed, who, they expected, were to be paid handsome salaries by the Government. A Council house was to be built for this Runanga. They further required that a certain number of the old Chiefs should be liberally pensioned by the Government, and placed upon a footing of equality with European gentlemen of independent means, in consideration of their resigning their "mana" as Chiefs in favor of the new system; also, that they should be excepted from the restrictions on the sale of spirits, arms, and ammunition, on the ground that if they became one with the Pakeha and submitted to the Queen's laws they should be subject to no restriction to which the Pakeha was not subject. They had expected to see the Governor, to whom they wished to submit their plans and proposals; and were unwilling to modify them so as to fall in with the arrangements suggested by me. After discussing the question of pay for the Runanga, which was declared to be a *sine qua non*, finding that I could give no promise beyond that of submitting the question to the Government, it was decided to wait until His Excellency should visit Rotorua, when they would be able to submit the whole of their plans to him. They objected to be associated with the other tribes of the Arawa, who had left them to deal single handed with the matter of the flag, after pledging themselves to combine and compel the Ngatirangiwehewhi to give up the point. Finding it impossible then to effect any satisfactory arrangement, I left the Tutanekai to consider the matter, and proceeded to Tarawera on the 8th inst. On the following day I had a satisfactory meeting with the Tuhourangi, who readily assented to the new plans and expressed willingness to unite with the Ngatirangitiki (between whom and themselves there has been no good feeling since the Rotomahana feud in 1854) in forming a Runanga for Tarawera. After concluding the necessary explanations and arrangements with the Tuhourangi, I crossed the lake to Te Tapahoro, the principal settlement of the Ngatirangitiki; with whom I spent two days, and eventually succeeded in inducing them to unite with Tuhourangi under the new system. An Assessor was nominated by them, also a chief policeman and subordinate, and a day was fixed to meet the Tuhourangi to arrange terms upon which they might work together. The meeting accordingly took place at Te Wairoa on the 14th, and terminated very satisfactorily. A Runanga composed of persons selected from both tribes was appointed, and Assessors and officers of Police nominated. In bringing these two tribes together I exceeded my expectation, and have every reason to feel satisfied with the result of my visit to Tarawera.

The Ngatirangitiki are very anxious to obtain the assistance of the Governor in opening up a line of road along the edge of the lake, between Te Tapahoro and Te Wairoa. I would strongly

recommend that the request of the Tarawera Runanga, contained in the enclosed letter on this subject, receive the favorable consideration of the Government. The proposed road would form part of the present mail route between Tarawera and Opotiki. The mailman has now to cross the lake, which can be done only with a fair wind or in comparatively calm weather: so that without a road overland frequent delays will occur. The distance is about ten miles. A good bridle-path might be made at a very moderate expense. It would communicate with the road between Tarawera and Rotorua, and by that with the Rotorua and Maketu road, now about to be improved at the Government expense.

Hearing that the inland road between Tarawera and Te Awa-a-te-Atua was in a bad state, I decided to visit the Ngatiawa residing there and at Whakatane, by way of the coast. I therefore prepared to return to Maketu, intending to go on from that place to Tauranga, where I hoped to find letters, not having received any communication from the Government since I left Auckland. While still at Tarawera, I received an intimation from Ohinemutu, that the Tutanekai had been deliberating on the subject of my communications with them, and were anxious that I should visit them again; which I accordingly did, and after a little further discussion received their assent to the arrangements proposed by me. They wished, however, to reserve the points previously discussed for reference to His Excellency when he should pay Rotorua his promised visit, but ceased to insist upon them as conditions upon which they were willing to accept the new system. They agreed to have one Runanga for Rotorua, in which all the tribes resident there should be represented; and promised to name a certain number of their tribe as members after communicating with the Maketu section of the tribe, whom they blamed for entering into a new arrangement without first bringing the matter before their own Runanga, now to be superseded.

Before leaving Rotorua, I purposed visiting the Ngairangiwehi, a section of which, the Ngatikeru, are favorably disposed. I was, however, anxious to prevent, if possible, any division of the tribe; and proposed to go to Puhirua, the residence of Kaingarara (who brought the Waikato flag into the district), for the purpose of inviting the whole tribe to join with their neighbours in accepting the new system. Circumstances had, however, arisen during my absence at Tarawera which led me to consider it more prudent to defer my visit for a time; and news having just arrived that Wi King, their Assessor, and another Chief, were then at Taupo on their way home after a long absence in the South, I decided to postpone my visit until my return from Whakatane. I accordingly wrote to Wi King, also to Kaingarara and to the whole tribe, intimating my wish to visit them; forwa ding copies of the printed document containing the proposed plan of government, and requesting that a time and place might be appointed for me to meet them and explain matters more fully.

Leaving final arrangements until my return, I left Rotorua on the 17th, and arrived at this place on the 18th instant. At Maketu, I learnt that the Awa-a-te-Atua and Whakatane Natives had assembled, and waited for me some time; but were then dispersing, in consequence of being obliged to attend to the wheat harvest. A large party of them have just arrived here, where they have wheat cultivations; among them several of their principal chiefs. I shall lose no time in communicating with the latter, and endeavour to appoint a time for meeting their people at their own places; but I fear it will be impossible to assemble them until after the harvest is over, in which case a journey down the coast at the present time would be useless. From what I have been able to gather, I have every reason to believe that these people (the Ngatiawa) will readily accept the new system.

It will be necessary for me to visit Rotorua again before returning to Auckland, for the purpose of completing arrangements, in which I hope to include the Ngairangiwehi.

This brief sketch of my visit to the Arawa tribes will, I trust, enable the Government to form some opinion as to the state of the Native mind in a very important district, and to judge how far a suitable field is to be formed here for a trial of the new system of Native government.

With reference to the Tauranga people, I find it hopeless to think of getting any business done until after harvest, as they cannot be got together. I have, however, communicated with most of the principal men, excepting Hone Tupaea, who has just returned from Hauraki, and whom I shall make a point of seeing before leaving this. I learn from them that there is small probability of getting any unanimous reply to the proposal of the Government. At the same time, almost all the men of any rank or importance in the Ngaiterangi tribe profess to be with the Government, and are desirous that the new system should be introduced at once. The Ngaiterangi living on the East side of the harbour are for the most part well affected; so also the Mangatapu people. These would together form a respectable party, and their acceptance of the Government institutions would, I think, be a sufficient warrant for including Tauranga in a district to be worked under the new system. By placing the boundary at Te Wairoa, the most disaffected portion of the Tauranga people—those connected with the Ngatihaua—would be excluded, but might at some future time be associated with the Thames tribes in a separate district. Mr. Clarke concurs in the opinion that, taking all circumstances into consideration, it will be advisable to include Tauranga in any Native district which may be now constituted in this part of the Bay of Plenty.

I enclose herewith a description of boundaries of a district which Mr. Clarke and I think might be proclaimed at once, should the Government consider it expedient to do so. We are of opinion that the tribes occupying the coast between Ohiwa and the newly constituted Waiapu district, will be more conveniently provided for by the constitution of a separate district for them than by including all in one. Those tribes who will be included in the proposed district—viz., the Ngaiterangi, the Arawas, and the Ngatiawa—may, it is hoped, be willing to work together; but it is questionable whether those south of Ohiwa would do so, if included in the same district.

As I hope shortly to communicate personally with the Government on the subject of the arrangements for bringing the new system into operation, it will not be necessary for me to do more

REPORTS OF OFFICERS:

at present than state what has been done, and briefly to sketch the plan I have to recommend, after consultation with Mr. Clarke, to whom I am indebted for the most valuable assistance, and in whose judgment I place the greatest confidence.

The enclosed Schedule will show the arrangements already made with reference to the appointment of Assessors, Officers of Police, and local Runangas.

We are of opinion that two European Magistrates will be sufficient to direct the administration of justice in the proposed district: one to visit the settlements on the coast, the other to take charge of those inland and to reside at Rotorua. For the present, we recommend a uniform rate of pay for the Assessors, and consider £30 per annum a sufficient salary. For the chief officer of Police—one to be appointed at each settlement where an Assessor resides—£24 per annum; and, for the subordinates, £12. We also recommend that both classes should be provided with a suit of clothes each, in addition to pay; the dress of the superior to have some distinguishing mark or badge. We are of opinion that the local Runanga for each principal settlement or subdivision of a district should be recognised, and provision made to defray the expenses of its members. We recommend that not less than £50 per annum be paid to the chairman of each local Runanga, to be expended as the Runanga itself may direct in defraying incidental expenses, &c. Some provision for defraying expenses attending the meetings of the District Runanga will also be required, and assistance in building Court-houses which may be used also for the Runanga meetings.

The Honble. the Native Minister,
Auckland.

I have, &c.,

THOS. H. SMITH.

No. 5.

REPORT FROM H. T. CLARKE, R. M., ESQ.

Tauranga, January 29th, 1862.

SIR,—

I have the honor to forward for the information of the Government, copies of two letters received yesterday by the Tauranga Natives, (one from Hoera, of Ngaruawahia, and the other from Wiremu Tamihana, of Peria), expressing their dissatisfaction with the operations of the Troops at Mangatawhiri.

It is generally understood by the Natives of this place, that resistance to the Troops is intended, and that the enclosed letters are sent to awaken the sympathies of the Tribes along the Coast, and draw from them such an expression of opinion as will commit them to render assistance in the event of hostilities breaking out.

Two of the Tauranga "hapus" have already answered the letters: the Ngatihangarau, of Wairoa, recommending immediate action against the Troops: the Ngatihoko, of Maungatapu, expressing attachment to the Queen, and refusing to interfere in Waikato affairs.

I have, &c.,

H. T. CLARKE, R. M.

The Native Secretary,
Auckland.

[Translations.]

Ngaruawahia, January 22nd, 1862.

To Rangiaowhia, to Maungatautari, Maungokawa, Tamahere, and Peria.

O Friends,—Do you all hearken. The soldiers have crossed the other side of the river, that is to say, of Mangatawhiri continuing on to Maramarua. The General and his soldiers have come to this place, [i. e., crossed over the boundary line]. Do you all hearken, New Zealand has gone: therefore we have said, let your sentiments be quickly made known to us. New Zealand has been taken by the Governor, [i. e., the lands held by the Maori].

Do you send letters to all places. This is our only letter to you all.

HOERA.

Tamahere, January 25th, 1862.

Go forth this letter to Tauranga te Rangataua.

O Friends,—Do you hearken. Waikato's letter has reached us regarding the course of action [tikanga] of the soldiers who have crossed over Mangatawhiri. Te Ia is the place that Waikato proposed for the termination of the road, and now it has been extended to [the lands belonging to] the Maori. The suggestions of Waikato have been disregarded [kua he]. The Waikatos are only now weeping.

And, now, be quick in sending this letter to all places of the South, that [the people] may speedily know. There will be another letter sent on to you all. This is the only word I have to say to you all. Be cautious and vigilant.

TAMIHANA WAHAROA.

BAY OF PLENTY.

LIST OF NATIVE OFFICERS RECOMMENDED BY THE CIVIL COMMISSIONER, JANUARY, 1862.

Name of Sub-District.	Names of Assessors.	Residence.	Names of Police.	Names of Members of Local Runanga.	Tribe or Hapu to which belonging.
1. Tauranga	Wiremu Patene Hamiora Tu Maihi Pohopohe Maihi Hongimata Harawira	Opoutea Matapihi Maungatapu Uruminga Otumoetai Motuhua	Not nominated	Not nominated	
2. Maketu	Pekamu Tohi Te Ururangi Rota Rangihoro	Maketu	Not nominated	Kori Karaka, (President) Rotohiko Haupapa, (Secretary) Akuhata Ngarepo Taupo Te Hura Te Ropihia Puchu Rewi Tereanukoo Tamati Kereihi Hori Te Raroa Wiremu Kepa Rawiti Hamahona Rota Taimona Retireti Tapihana	Rangiwewehi Tutanekai Do. Rangiwewehi Ngatipikiao Tutanekai Ngatipikiao Do. Do. Do. Rangiwewehi Tutanekai
3. Rototiti and Okataina	Rewiri Mannariki Watarauhe Tamaroa Anaha Te Rahue	Komuhumu Mourea Okataina	Rewiri Kerape (chief police) Iraia te Ranganui Utiku Paora } Subs. Behari Te Waro } Haimona Te Raihare (chief police) Te Irirua } Subs. Te Oraora }	Te Mapu, (President) Kipa Te Rongatapi, (Secretary) Wiremu Matene Ruta Ranapia Te Hina Ratapu Taranui Wiremu Hoete Te Pahau Te Poihipi Te Rakataha Te Tahana Toatana	Ngatipikiao Do. Do. Do. Do. Do. Do. Do.

BAY OF PLENTY—(continued.)

Name of Sub-Districts.	Names of Assessors.	Residence.	Names of Police.	Names of Members of Local Runanga.	Tribe or Hapu to which belonging.
				Te Hira Hikanui Te Aho Aho Wetere Tuohana Henare Teiamai Manuera Whareauahi Taranui Heretaunga	Ngatipikiao Do. Do. Ngatitarawhai Do. Do. Do.
4. Rotorua	Iioani Takurua	Te Ngae	Kereopa Te Hore, (chief police) Te Whakaruru } Subs. Te Matiu } Not yet nominated Not yet nominated	Wiremu Matenga Tamati Hapimana Amarama Te Awa Te Kapa Ngawhau Heme Enoka (Members not yet nominated for Ngatirange- wewehi) (Members not yet nominated for Tutanekei)	Rangi Te Aorere Nenukukopako Rangi Te Aorere Nenukukopako Rangi Te Aorere
Puhirua	Te Katene	Puhirua			
Chinemutu	Paoa Te Amohau	Ohinemutu			
5. Tarawera and	Parakai Tararua	Te Wairoa	Kihirini Tuahu (chief police) Maiti Kakauparaoa } Sub. Papahuahua } Poi, (chief police) Te Tina, (subs.)	Moko Niu-arangi, (President) Wiremu Ke Te Uruki, (Secretary) Perewara Te Haukopa Te Wiremu Te Kohika Wikiriwhia Tananga Komene Nga Takiairi Hamiora Kourarauhe Te Mutu Keori Pireka Te Rangiaikawhiria Niheta Te Katipo Werariko Mehaka	Rangitae Tuhourangi Do. Do. Do. Do. Do. Do. Rangitae Do. Do. Do. Do.
Rototozaki	Matina Te Rakato	Rotokakahi			
Tapahora	Tanira Kahukore	Tapahoro			

No. 6.

FURTHER INSTRUCTIONS TO T. H. SMITH, ESQ., CIVIL COMMISSIONER.

Office of Minister for Native Affairs,
Auckland, March 3rd, 1862.

SIR,—

His Excellency the Governor having been pleased to appoint you to be Civil Commissioner for the Bay of Plenty District, this day constituted under the "Native Districts Regulation Act" and "Native Circuit Courts Act," I have to convey to you the following instructions for your guidance.

His Excellency's Government have perused with interest the Report received from you under date 25th January, detailing the steps which were taken by you in pursuance of my instructions of the 14th December last; and are glad to recognize the prudence and good judgment with which, so far as their information enable them to judge, you executed the duty you were sent to the Bay of Plenty to undertake.

In the course of the communications that have taken place since your return, between His Excellency and yourself, as well as with members of the Government, you will have learnt the progress that has been made in introducing Sir George Grey's plan of Native Government into several districts, and also the opinion of the Government on the proposals made by you for the organization of the District confided to your management. It will be unnecessary, therefore, that I should enter into any great detail in conveying to you the decisions at which the Government has arrived.

I observe that it is proposed there shall be 24 Assessors, 16 Wardens or chief Kareres, and 29 Kareres, to include all the settlements both inland and on the coast. Though this number of officers will cause the total expenditure incurred on account of your district to exceed the proportion that would in strictness be appropriated to it under Sir George Grey's plan, His Excellency has, under the circumstances so fully detailed by you, decided not to disturb the arrangements which you provisionally made; and you are accordingly authorized to complete the organization of your District in the manner you propose. In one particular, however, that of the salaries, it is necessary to make an unimportant alteration. The Governor has no objection to giving effect to the proposal that the salary of the Assessors should be uniform in amount: and in fixing it at the £30 proposed by yourself, His Excellency trusts the Natives will see his desire to deal liberally with them on this point. But the Wardens' or Chief Kareres' salary has been fixed at £20 a year; and the Kareres' pay, as in all the districts, is £10 per annum, with clothing. The salaries of the Native officers throughout the district will, in accordance with my directions of 14th December, commence from the 1st January last.

The Government has had under consideration the probable necessity that will arise for the appointment of a second Resident Magistrate, in addition to Mr. Henry Clarke, to reside somewhere at Rotorua. Should you, indeed, consider it immediately requisite, the Government is prepared to give effect at once to your recommendation: but I need not point out to you that, except where European settlement may cause collision of race and therefore necessitate the more constant supervision of an English officer, the great object to be kept in view is to minimise the expenditure on European officials, so as to allow as large a portion as possible of the total amount that may be available for the Native service, to be distributed among Natives. For the present it seems likely that you would yourself be able to hold Circuit Courts as a Resident Magistrate, in the Rotorua country; and under the circumstances of the excess over other Districts in the expenditure proposed by you, it is hoped that the appointment of another Magistrate may be saved during the present year.

With regard to your proposition of a certain sum (£50 per annum) being appropriated to defray the expenses of the Village Runangas already or to be constituted in your district, I have to observe that it is not yet established that it would be advisable to make any payment whatever to a Runanga, whether directly by way of salary or indirectly as now suggested.

There exists in the minds of many who have paid attention to the subject of institutions for Native government, insuperable objections to any such payment; and so far as at present advised, His Excellency's Government are inclined to give weight to those objections. The thing to be desired is to induce the Natives at once to take a practical interest in free self-government, and accustom themselves to the exercise of political duties. It may be that the best form of constituting the Village Runanga will be to make every adult male resident within the limit of its authority a member of it, as has been done in the Lower Waikato; and although I am aware that objections exist on the part of Natives in some districts to this form, it is not certain that these should be encouraged. If it were decided that members of the Village Runanga should be paid (or divide among themselves a certain sum by way of expenses), the tendency might be both to limit the number of members and to confine the right of membership to Chiefs: whereas if it were known that no payment would be made, the tendency might be towards having all adult males as members. It is impossible at this early stage of the experiment now making, to determine which of these two tendencies would be the best: but it is necessary now to keep on the safe side, and avoid committing the Government, even in one case, to a course which would immediately be claimed as a precedent by other Village Runangas, and presently occasion an expenditure of £1000 a year, to be probably extended at last to £4000 or £5000 a year which would be infinitely better spent in other ways. You will take care to explain to the Natives that in rejecting this demand for the provision of expenses, the Government is swayed by considerations not merely of economy but of their own good in the long run.

A similar objection exists to the grant of money for building Court Houses. The Natives *must* be taught to understand, that in offering them a plan of government and the means of carrying it out among themselves, it is not intended to buy their allegiance at the cost of a slothful neglect of their own duties. If there be any truth in the desire so often expressed by many of them for some kind of law and order, they will recognize their own liability to contribute directly towards the introduction of the proposed institutions. In no way could they more readily do this now than by building (as was done in Mr. Fenton's time at Waikato) neat *raupo* houses for Court Houses and Runanga meetings. In every case in which under your directions they will come forward with this work, the Government will supply plain doors and windows, and any carpentering work which you may judge absolutely necessary. But for the present, at least, the contribution from general funds for Court Houses must be limited, as in the case of the Bay of Islands District, to a grant of £100 for the District Runanga House.

On the subject of schools, His Excellency's Government are of opinion that the present wants of the district immediately round Tauranga are met by the Institution under the care of the Rev. Charles Baker. But at Rotorua, they would desire immediate steps to be taken for the establishment of a primary school; and you are authorized to expend £100 on a building and books for the purpose, and to promise £100 as the first year's salary to a competent schoolmaster. In this case also, the Natives ought to be found not only ready but anxious to contribute some of the labour that will be requisite for the building, materials for the roof, and so forth.

His Excellency would have been glad if he could have provided, at the present time, assistance towards the two mills of which you have spoken. But the large demands upon the funds at the command of the Government, and the appropriation already made towards the Rotorua and Maketu Road, imperatively require that the strictest economy should be pursued: and it will not be possible to make any advances for the mill, until the estimates for the Native Service shall have been settled by the Assembly. But the Government hope that a plan will be devised whereby funds will be forthcoming for the efficient promotion of all works which shall so directly tend to improve agriculture among the Natives; and you may assure those immediately interested that, if enabled to do so, the Governor will not fail to consider their application favourably. His Excellency wishes me to add, however, that in one point he would be ready to a moderate extent to provide funds at once—that is, for the purpose of erecting some kind of hospital at Rotorua. His Excellency thinks that the Natives should be engaged, without delay, in putting up a cheap hospital consisting of a series of *raupo* huts, and that the medical officer of the district should reside there. The warm springs at that place possess peculiar medicinal properties: and the earnestness and sincerity of the Government would be well shown by giving the natives the benefit of medical aid in so populous a locality, and so highly favoured by nature. You are accordingly requested to take steps as early as possible for promoting this object, reporting the probable cost of such buildings; in the meanwhile enquiries will be made with a view to appoint a competent medical man to the situation. You are further requested to enquire into the probable cost of making the bridle road which the Rangitiki people have referred to, between Tapaporo and Wairoa, on the postal line between Tarawera and Opotiki; and if Mr. Henry Clarke's services can be made available for that purpose, you will request him to inspect the line, and assist you with his advice as to the contemplated improvement.

I take this opportunity of referring to one point on which it is desirable that you should have full explanations with the Natives. The Regulations to be put in force under the Native Districts Regulation Act need not, and often will not, be applicable to the whole area of a District. They may either be General Regulations applicable to the whole, or Local Regulations applicable only to a portion. Thus it is intended that the General or District Runanga shall frame Regulations on matters affecting the whole Native population of the District; while the Village Runangas shall frame Regulations applicable to each particular group of settlements. It is hoped that by this means the practice of self-government will be brought home to all the inhabitants, in the way that will best provide for their local requirements, and avoid the jealousies that might otherwise interfere with the proper action of the District Runanga.

On every other point the Government would think it almost superfluous to give detailed instructions to a person of your experience in Native affairs; indeed it must be remembered that the present action is tentative, and that the Government do not pretend to have framed a perfect plan. In the end, they believe that the endeavour now making to give practical effect to the Native Acts of 1858 will lead to a good system of institutions, resting on the free assent of the Native people themselves, and fitting them gradually for a larger share in the government of the country. Whatever is now proposed should be flexible, and not too much should be attempted at once. The Government consider that you have already made good progress in the work entrusted to you, and confidently leave the prosecution of it in your hands.

I have, &c.,

Thomas H. Smith, Esq.,
Civil Commissioner, Bay of Plenty.

HENRY SEWELL.

No. 7.

THIRD REPORT FROM T. H. SMITH, ESQ., CIVIL COMMISSIONER.

Maketu, April 8th, 1862.

SIR,—

I have the honor to report for the information of the Government my arrival at this place on the 28th ultimo.

I have also to report that on the 2nd instant I attended a meeting of the Tauranga Natives at Maungatapu, to receive their formal answer to the proposals previously made to them with reference to the introduction of the new system of government.

The meeting was well attended, and the various tribes and hapus appeared to be fairly represented. The question of pay for the members of a local Runanga was made the principal subject of discussion, and I was requested to state what provision would be made by the Government for this object. I explained fully the grounds upon which the Government objected to such payments, and combated the numerous arguments brought forward in support of the demand, so far successfully that most of the speakers acknowledged that they had been fairly answered. The meeting, however, appeared unwilling to alter the course already resolved upon by the majority, including nearly the whole of Ngaiterangi, that they would not have an unpaid Runanga, and that if neither pay nor allowance could be promised no Runanga should be nominated. After patiently hearing all I had to say on the subject, the above resolution was formally announced as the present decision of the Ngaiterangi, coupled, however, with the assurance that they were not the less desirous to have the Queen's law administered among them. They also desired to have Assessors and Kareres appointed and paid by the Government.

The Ngatihe of Maungatapu expressed their willingness to nominate members for a Runanga without reference to the pay question; but, unless they are joined by the Ngaiterangi, a Runanga cannot be constituted that would represent Tauranga.

I enclose a list of the Assessors, Wardens, and Kareres nominated at this meeting, and beg to recommend that the appointments be made accordingly. The appointment of a Runanga for Tauranga must, for the present, be postponed.

On the 4th instant I attended a meeting of the Maketu Runanga, when the question of pay or allowance for expenses was brought forward. Much dissatisfaction was expressed at the present decision of the Government on this point. At the suggestion of William Marsh (who, though not a member, has recently taken an active part in the proceedings of the Runanga), it was resolved to address the Government directly on the subject. A letter has accordingly been written, which will be forwarded by this opportunity. This course has been adopted contrary to my advice, but I have hesitated to press my objection, feeling that nothing short of a direct appeal to the Government will satisfy the people. I am glad to find, however, that the Runanga here does not, as in the case of Tauranga, insist on its demand as the condition of continuing to exercise its functions.

On the question here raised, I have reason to believe that similar views will be taken by all the local Runangas, and that there will be considerable difficulty in getting them to work unless they are met, to some extent, by the Government. I believe that an allowance of £50 per annum to each would be found sufficient, and, if granted even as a temporary arrangement only, it would have a good effect in smoothing away difficulties attending the initiation of the new system. Under the conviction that this matter is one of importance, as likely to affect the success of the whole scheme of Native self-government in this district, I feel it my duty to submit the question of provision for the Runangas for re-consideration by His Excellency's Government.

I have, &c.,

THOS. H. SMITH,

Civil Commissioner.

The Hon. the Minister for Native Affairs,
Auckland.

Enclosure in No. 7.

LIST OF NATIVE OFFICERS NOMINATED FOR TAURANGA.

ASSESSORS.

Maihi Pohepohe, of Maungatapu.
Hamiora Tu, of Te Matapihi.
Wiremu Patene, of Opoueta.
Maihi Hongimate, of Otumoetai.
Te Kuka, of Motuhua.
Te Kahakoti, of Paihau.

WARDENS, OR CHIEF KARERES.

Tawaewae, of Maungatapu.
Hamiora Tangiawa, of Opoueta.
Rawiri Taukawe, of Motuhua.

KARERES.

Ihaka Te Reiwhati	} Maungataui and Paihau.
Whati	
Hone Kiki	

REPORTS OF OFFICERS:

KARERES.

Wiremu Te Matewai }
Ihaka Nga Kaho } Te Matapihi.

Pikaka Tamumu, Opoutea.
Te Moananui, Motuhua.

THOS. H. SMITH,
Civil Commissioner.

April 8th, 1862.

No. 8.

FURTHER REPORT FROM T. H. SMITH, ESQ., CIVIL COMMISSIONER.

Maketu, Bay of Plenty,
May 28th, 1862.

SIR,—

I have the honor to report for the information of His Excellency's Government, my return from a visit to the Ngatiawa tribes residing in the eastern portion of this district, on the Awa-o-te-Atua, Rangitaiki, and Whakatane rivers, and to submit for approval the arrangements made by me for bringing these tribes under Sir George Grey's plan of Native government.

On Tuesday, the 13th instant, I proceeded to Te Awa-o-te-Atua, by appointment, to meet the three principal tribes residing at the various settlements on that river, the Ngatirangihorihori, Ngatihikakino and Te Tawera. I was accompanied by the principal Chief of the whole district, Rangitukehu (who had just returned from a visit to Auckland), two Native Assessors from this place, the Chairman of the Tarawera Runanga, and other Native Chiefs. A meeting was held on the following day, the proceedings being opened by one of my Assessors, who in an excellent speech set forth the advantage of accepting the offer of the Government to assist them in establishing law and order among them; reminding them that the *pakeha* found them cannibals, and that to his religion they owed what improvement had taken place in their condition. He combated the notion that in inviting them to accept the new system the ulterior object of the Governor was to get hold of their land; showing that it was the Government which had interposed its authority to put a stop to the indiscriminate alienation of their lands, by making a law to prohibit Europeans from buying Native land, which law was still in force; the Government therefore was their best security against being dispossessed of their land. To it, not to the Maori King, which was an invention of yesterday, did they owe it that so much of the land was still theirs. He protested against listening to the Waikato fiction about making the land sacred, by covering it with their flag and repudiating the Queen's authority;—that was the way to lose their land; the Queen's flag was a much more secure protection.

Several Chiefs spoke in reply. Some were in favor of trying the new system, others raised various objections to thus identifying themselves with the Government, lest the consequences of such a step, not now apparent, might realize the suspicions referred to; there was no necessity to commit themselves; having Christianity for their law, and God in Heaven for their protector, why should they look further. I then addressed the meeting at some length, answering in detail the various objections, and pointing out that the Governor was not pressing upon them the adoption of any new system of laws and regulations, the operation of which might be matter of doubt or suspicion. The Governor's proposal was to aid them in all and every undertaking having for its object the improvement of their condition and advancement in civilization. They had themselves started the Runanga system, and the Governor offered to help them by giving his authority to their Runangas, showing them how to conduct their proceedings, confirming laws and regulations proposed by them, and finding money to pay Magistrates, Assessors, and other officers appointed to administer those laws. Neither was the proffered aid restricted to the work of legislating and administering justice; but in establishing schools, hospitals, &c., in making roads, and, in short, in every really beneficial work which they might desire to undertake, the Governor offered to lend them a helping hand. I referred to the late critical state of the country, when a war of races seemed impending, the consequences of which would have been misery and bloodshed on both sides, and destruction to the Maori should the struggle have been prolonged; while the root of the whole quarrel lay in the fact that the Maori had not yet light enough to recognise a friend in the *Pakeha*, but was groping in the dark and mistook his friend for his enemy. The Governor's wish was that the whole island should be light, and he was therefore willing to help all who sought light, and to promote every thing that would tend to enlighten and elevate the Maori people. With reference to the land, there was no proposal to interfere with it in any way. The Runanga would deal with all land questions, and from the Runanga, who would represent the whole people, must emanate all regulations affecting territory in the district.

Te Hura, the principal Chief of the Ngatihouhiri, now stepped forward and said that he was quite satisfied to accept the Governor's system; he saw nothing in it to excite suspicion, and should it hereafter appear that they had been deceived, he could as easily renounce his connection with the Government as he now entered into it, and would not scruple to do so. Meanwhile he was willing that the thing should be tried.

I then stated that what I had to propose was, that the tribes then present should consider whether they were willing to unite with the other sections of the Ngatiawa in forming one local Runanga for

the whole; and if so, that two or more representatives should be nominated by each; also that two Assessors should be nominated, one for Te Awa-o-te-Atua, and one for Te Umuniika, the principal settlement of the Tawera tribe; also, a chief Karere, and a suitable number of subordinates. After some further deliberation and speeches, candidates for the appointments of Assessor and chief Karere were proposed. Sticks were set up to represent these, and all present were invited to come forward in turn and indicate their choice. Tellers were appointed to count the votes for each candidate. The majority of those present thus gave their votes, and the candidates who had the greatest number were declared to be the persons selected for their respective offices. The question of nominating members for the Runanga was postponed for further consideration, and the meeting broke up, the proceedings having occupied about four hours. A further discussion took place in the evening, and on the following day I was informed that the proposal to form one Runanga had been agreed to, and a list of members to represent the tribes present was given to me. Kareres for the two Assessors were also named.

From Te Awa-o-te-Atua we proceeded on the 16th instant to the Rangitiki, to meet the Patutahi and Te Pahipoto tribes, accompanied by the new Assessors. The meeting took place at Kokohinau, the residence of the Chief Rangitukehu; on the 19th instant, about a hundred Natives were present. Tiopira, the teacher and leading man in the place, took a principal part in the proceedings, which were similar to those at Te Awa-o-te-Atua. Objections were brought forward, and answered, and the meeting proceeded to elect an Assessor and a chief Karere in the same way as before described. Two Assessors were proposed, one for each tribe; but on my stating that I was not prepared to recommend more than one appointment for that locality, it was arranged that one should be nominated as an Assessor, and the other as a chief Karere. I observed that the party unfavourable to the introduction of the new system, apparently more numerous here than at Te Awa-o-te-Atua, seemed less disposed to come forward openly with their objections, though urged to do so by those who took the other side of the question. Many of them were merely silent spectators of the proceedings. This may have arisen from unwillingness to oppose their Chief Rangitukehu, who took a very decided stand on the Government side. The dissentients were for the most part residents at Te Tēko, who came to the meeting after having sent a written refusal to an invitation to do so. The result of the meeting was regarded by the party favorable to the Government as a triumph.

From Kokohinau, I proceeded on the 20th to Whakatane, where a meeting was held the following day. A large proportion of the tribe was absent. Owing to the failure of a proposed arrangement to assemble all the Ngatiawa at one meeting, which had disconcerted their plans, they were not then prepared for my visit. Several of the Chiefs were however present, and spoke; some of them in terms similar to what we had before heard, indicating extreme suspicion of the intentions of the Government. One of them, Kawakura, spoke somewhat to this effect: "Why does the Governor send to me? Is it because I am a bad man, or that he has heard that I am an ally of the Maori King? I have not joined the King, but have steadily refused to do so in spite of repeated solicitations. I stand between the King and the Queen, quietly watching both. I do not understand the Pakeha; first he brought us Christianity, then guns to destroy each other with; then came the Government and the law and the Magistrates; then Runangas. Now it is a new thing, and by and bye it will be some other new thing. We are bewildered with all these things, and think we had better be let alone. We know that Christianity has done us good, and we are content with that. Does the Governor think to occupy our attention with these new things, while he is contriving plans to get hold of our land?" Another Chief said, "They were afraid of the Pakeha; his system was like his plough, first came the wheel which went smoothly along over the ground, behind it was the coulter which divided the soil, and this was followed by the share which turned it over." After several speeches on both sides, in the course of which the arguments of objectors were fully answered, the young Chief Wepiha Apanui, a man of superior intelligence and civilized manner, came forward. He welcomed us to his settlement, expressing regret that so many of his people were absent, which prevented any satisfactory answer being then given to the Governor's proposal. He admitted that a great deal of suspicion of the Government was abroad, but said that much of what we had heard should be taken rather as a specimen of what was current among the people, than as expressing the real sentiments of the speakers; still it was well that every objection should be stated openly, so as to give an opportunity of answering it. For himself, he had his own opinion on these subjects, and would have stated his views fully had all his people been present. As it was he should wait their return, and then have the question freely discussed, after which he would communicate with me. In the evening he, with a few other Chiefs, came to converse on the subject of the day's discussion; and expressed his willingness to accept an Assessor's appointment should his people wish it, or a seat in the Runanga, his preference being for the latter. The names of two other members for the Runanga were also proposed, subject to confirmation by the tribe at their next meeting.

From Whakatane I proceeded on the 22nd to Kopeopeo, a settlement of the Ngaitona on the Whakatane river; but found most of the people absent in the bush, preparing timber for their mill. Their principal Chief Heremaia Mokai, hearing of our arrival, left the working party in the bush and came in to see us in the evening. He stated that his people, hearing of our being in the neighbourhood, had waited some days for us at the settlement, but were so busy that he did not think it possible to get them together again. He gave me to understand that although he believed his tribe would eventually unite with those who had accepted the new system, yet there was a disposition to hold aloof for the present. They were suspicious, and would pause before committing themselves. They thought we might rest satisfied, for the present at least, with the success we had met with among the Ngatiawa. The net had been cast, all the large and most of the smaller fish had been secured: if two or three of the latter escaped being caught, we ought not to complain, as it was unreasonable to expect to take all at the first cast of the net. I explained to Heremaia and a few

other Chiefs present the views of the Government, and pointed out that by accepting the offer to assist them in establishing law and order among themselves they would be the parties benefited, and that their failing to appreciate the gift did not lessen its value. I suggested that as the other tribes had consented that a Runanga should be constituted to frame laws for the whole district, it was desirable that every tribe should be represented in that Runanga; and that my object in visiting them was to invite them to nominate some of their intelligent men as members. The Runanga would certainly be formed, and they had only to consider whether they would have a voice in it or not. If they hesitated to join us now, the door would still remain open for them to do so at a future time after further consideration. Heremaia listened attentively to all I said, and in reply assured me that the matter would not be allowed to drop, and that he had little doubt that the tribe would come into the new system after a time.

I was much struck with the signs of industry and good management which distinguish this tribe, the Ngaitonu. An air of neatness and order pervaded their settlement, strongly contrasting with the appearance of most Native pas. Numerous stacks of wheat carefully fenced from cattle, with long rows of neatly constructed store-houses filled with kumera and potatoes, seemed to indicate both the industry and prosperity of the community. The Chiefs whom I met were fine handsome men. Altogether I was impressed with a very favourable opinion of this tribe.

Having completed a circuit of this portion of my district, and communicated with all the tribes, I returned to Maketu on the 23rd instant.

The result of my visit to the Ngatiawa tribes has more than equalled my expectation. The principal Chiefs, with a large majority of the people, are pledged to the adoption of the new system; and although there is less profession of loyalty or attachment to the Government than among the Arawa people, yet it did not appear to me that the Waikato King movement had obtained any important footing among these tribes. I learnt that an attempt had been made to hoist the Waikato flag at one of the settlements on the Rangitaika, but that it had been immediately put down. Indeed some of the Chiefs taunted their brother Chiefs of the Arawa who accompanied me, with the fact that the King's flag had been hoisted at Rotorua, and that it had been suffered to remain; the reply to which was that the Governor had desired the matter to be left to him, which had been done, otherwise it would not have been tolerated.

I have the honor to enclose herewith a Schedule showing the names of the persons nominated as members of Runanga, Assessors, Wardens and Kareres respectively, and beg to recommend that the appointments be made in accordance therewith. Two more Assessors will be required for the Ngatiawa, one at Whakatane and one for the Ngaitonu settlements, also a Warden and three or four Kareres; but these appointments must be postponed until the people at those places are prepared to select men to fill them. In the case of Whakatane, there will, I believe, be but little delay. The Runanga is also incomplete, but it has been decided that the members already nominated shall meet at an early date to make the necessary preliminary arrangements for commencing business.

I have much pleasure in here acknowledging the valuable assistance rendered me during my late visit by the Native Assessors Winiata and Rota Rangihoro, who accompanied me from this place, and exerted themselves with much ability and earnestness in meeting the arguments of objectors and explaining the working of the new system.

I have, &c,

The Hon. the Minister for Native Affairs,
Auckland.

THOMAS H. SMITH,
Civil Commissioner.

*LIST of Native Officers nominated by the Ngatiawa Tribes as members of the local
Runanga, Assessors, Wardens and Kareres.*

MEMBERS OF RUNANGA.	TRIBE.
Hunia Tunu of Te Umuhika	Te Tawera.
Paora Patu “	
Te Watene Te Apakura “	
Petera Rangitakina of Te Awa-o-te-Atua	Ngatirangihouhiri and Ngatihikakino.
Te Kanapai Moungarangi “	
Hoani Tohora “	
Kaperiere Rangitakina “	
Tiopira Hukiki of Rangitaiki	Te Pahipoto and Patutatahi.
Te Taneti Te Hinurewa “	
Hohepa Te Manaha “	
Hoani Poururu of Whakatane	Ngatiawa.
Wepiha Apanui “	
Pauro Heipoti “	
_____	Pupuaruhe, &c. Ngaitonu.

ASSESSORS.

Te Hura of Te Awa-o-te-Atua.
 Raharuhi of Te Umuhika.
 Wiremu Te Whataapapa of Rangitaiki.
 _____ of Whakatane.
 _____ of Pupuaruhe or Kopeopeo.

WARDENS.

Te Makarini Te Uhiniko of Te Awa-o-te-Atua.
 Hoani Matenga Paruhi of Rangitaiki.
 _____ of Whakatane.

KARERES.

Te Meihana Te Tawa } of Te Awa-o-te-Atua.
 Utiku Te Rangi }
 Te Wetini Te Amamako }
 Eruera Whaikorero } Te Unuhika, &c.,
 Topia Te Mai }
 Tomo _____ } of Rangitaiki.
 Oke _____ }
 _____ }
 _____ } of Whakatane.
 _____ }

May 28th, 1862.

THOMAS H. SMITH,
 Civil Commissioner.

No. 9.

REPORT FROM C. HUNTER BROWN, ESQ., OF AN OFFICIAL VISIT TO THE UREWERA TRIBES.

Auckland, June, 1862.

The country to which the following Report refers, may be divided, topographically, into sections:—

1. The Upper Valley of the Rangitaiki.
2. The Valley of the Whakatane.
3. The Coast from Ohiwa to Te Kaha.

1. The Rangitaiki. This river rises in the high wooded hills which divide the Taupo basin from the country draining into Hawke's Bay. Its principal branches unite into one river about 21 miles N. E. of Lake Tarawera. It is here a clear rapid stream, about 50 yards broad, and from knee to girth deep, flowing over large shingle. The river flows round the S. E. side of Mount Edgecumbe, and joins the Awa-o-te-Atua (which issues from Lake Tarawera), a few miles from the sea. A little above the confluence, the Rangitaiki is connected with the mouth of the Whakatane by a very tortuous little river called the Orini, which twists along between the sand-hills and the coast-swamps, nearly parallel to the coast. The Rangitaiki valley thus communicates with two small ports, Matata and Whakatane, either capable of admitting small craft of from 20 to 30 tons. They are both dangerous ports.

Canoes ascend the Rangitaiki as far as Otipa, abreast of Mount Edgecumbe. There is, however, a dangerous rapid between Kupenga and Otipa; when a laden canoe is descending, some of the hands usually get out; three hands and a skilful pilot being generally the best complement for shooting that dangerous rapid.

I am informed by the Natives that a dray-road might be made from Otipa into the Upper Valley of the Rangitaiki, at Taoroa, at the expense of a little cutting.

The general character of the Upper Rangitaiki Valley is a succession of large flats, with steep downs varying much in height on one side, and high partially-wooded hills on the other. The flats are thinly covered with fern and grass, the proportion of grass greatly increasing towards the head of the river. The flats and hollows amongst the downs are thinly grassed, much tussock and a good deal of stunted fern being mixed with the useful grasses. The downs are of worse quality; less grass, more fern, and dwarf manuka. Near the source of the Rangitaiki proper, between Taupo and Tarawera-whenua, the quality of the feed somewhat improves.

A few miles back from the left bank of the Rangitaiki, these downs pass into a long, dry, gently-sloping upland, stretching nearly to Taupo Lake. It is called Kaingaroa, and is claimed partly by the Taupo Natives, and partly by the Urewera. As it is uninhabited, I did not visit this table-land; its yellow colour, as seen from the distance, shows that it is covered chiefly with grass. A chief of Tarawera, called Moko-nui-a-rangi, who was travelling with me in this neighbourhood, repeatedly remarked, as we crossed the flats amongst the downs, "That is just like

Kaingaroa." If so, Kaingaroa must be very poor country; its characteristics, a very light soil with a surface like frosted mortar, and a subsoil of pumice-gravel; the soil is mostly coated with moss, and carries a thin growth of tussock, stunted fern, and in amongst these a small proportion of fine sweet grasses, on which doubtless sheep would thrive if they had run enough. That country, however, from its elevation must be very cold.

The Whirinaki branch of the Rangitaiki flows chiefly through forest; but there is a large patch of open country above Ahikereru, where a succession of thinly-grassed terraces skirting the right bank of the river for eight or ten miles, might afford feed for a few thousand sheep.

The country between the two branches consists of high, steep hills, covered with fern or forest. I observed a good deal of fine timber, but not of the largest size; chiefly rimu, matai, and totara, with a little kahikatea.

The character of soil in this district is chiefly a thin coat of very light loam, generally coated with moss, and sprinkled with pumice-sand and small pumice-gravel, and underlaid by pumice-gravel. On the left bank of the Rangitaiki the top soil is almost dust, and off the track a horse sinks fetlock deep; so porous is this soil and subsoil, that even at the bottoms of large gullies no sign of the action of running water will be perceived, and the bottom is perfectly dry. In the bush on the hills the soil becomes a brown loam of much more promising character, but in the bush the ground is generally too steep and broken for agricultural purposes. Indeed, except for the sake of two or three runs of decidedly inferior character, the Upper Rangitaiki is not adapted for the occupation of English settlers.

The present track into the Whirinaki valley crosses some severe hills; a pack-horse ought not to carry more than half-a-load (100 lbs.) on such a track. The Natives report "cliffs and bad places," and I might add, heavy forest, as reasons for not having made the track follow the course of the stream. I observed no facilities for a good road to Ahikereru.

2. The Valley of the Whakatane. I entered this valley at Oputao by crossing the block of very high forest-covered hills, some fifteen miles in breadth, which divide the Whirinaki at Ahikereru, from the Whakatane at Oputao. These hills are of the most severe description and the track very badly cleared, so that it is impossible to ride, although Maoris do sometimes drag horses through. The descent into the Whakatane valley is down an almost precipitous hill-side, falling, I should think, 1500 feet to the little river, here about 20 yards broad and barely knee-deep. The timber on these hills is of moderate size, chiefly taua and rimu.

From Oputao down to Tunanui, a distance of 35 miles according to the Bishop of New Zealand's pedometer, the valley of the Whakatane preserves the general character of a mere mountain gorge; a deep, narrow, forest valley, in which the river for the most part flows out of sight in a deep trench or cleft. It receives two or three tributaries of similar character, of which the principal is the Waikare.

From the head of the river down to the confluence of the Waikare, the country is called by the Natives Ruatahuna. Sometimes strips of terrace intervene between the edge of the river cleft and the great hills; these are mostly covered with a growth of very fine koromiko, marking old clearings, but for the most part the valley is entirely choked up with immense steep, wooded hills. In the forest taua and rimu prevail, and at considerable heights black birch. The prevailing character of soil is a brown loam of fair quality; no pumice.

From Tunanui to Ruatoki, about 12 miles by the Bishop of New Zealand's pedometer, the valley changes in character from a mountain-gorge to a hill-gorge, and the river-bed expands from a mere cleft into a wide shingle-bed, nearly filling the bottom of the valley. The hills are covered with wood. At Tunanui canoe navigation is supposed to begin, but from the frequent shallowness and extreme rapidity of the current, it must be very ticklish work. The canoes can only be poled up.

At Ruatoki, the river emerges into a pleasant vale several miles in breadth, and of fair average quality of soil; growth, fern mixed with grass. The river then enters a short gorge between hills of moderate height, still preserving its broad shingle-bed; and then for several miles, before entering the sea, skirts on the left bank the vast swamps extending from Whakatane to Matata, on the right bank a narrow alluvial flat extending to the foot of the hills.

Five or six miles below Ruatoki, the Whakatane receives its principal tributary the Waimana, a small stream which a little above the confluence traverses a pretty little open vale, two or three miles broad and five or six miles long, and of fair average quality of soil. The country of the Urewera extends no lower down the Whakatane than the mouth of the Waimana.

This little valley and the valley of the Whakatane up to Ruatoki, would be valuable acquisitions for English settlers; farther up the valley would be almost useless, except to lumberers.

Another district belonging to the Urewera, is that of Waikare-moana. This lake lies at the S. E. side of the high, rugged, forest-covered range, which closes in the valley of the Whakatane above Oputao. I did not visit it, as the S. E. wind prevailing at the time of my journey rendered it impossible to cross the lake to the inhabited shore; and the Maoris say that the cliffs and bush, the depth of the bays, and the absence of all track, make it impossible to walk round the lake. According to the account of the Maoris, the central sheet of this lake is not large; but large, long bays diverge from it, and penetrate deep into the mountains. The track over the mountain from Oputao is of the most severe description, even for men on foot, and brings the traveller down to a deserted kainga on the shore of the lake. He must have with him a "tangata-whenua" (native of the district), who scrambles along over a bluff or two till he reaches a point whence a signal-fire is visible to the Natives at a kainga on the opposite shore. If there are Natives at this kainga, and they see the fire, and think that the lake is not too rough, they bring over a canoe to the travellers.

But as the lake is very subject to squalls, which quickly knock up a sea dangerous to canoes, the Natives are very cautious about crossing. In a S. Easter they all say that a canoe cannot cross. The Whakatane men say that if they want to visit Waikare-moana, they generally wait till a party comes thence, and return with them! The lake population is very small (Native estimate 80 men); their natural outlet for trade is down the valley of the Wairoa to Hawke's Bay. The Natives report a dreadful winter climate, and so much snow and ice that the lake people send away their horses down the Wairoa valley to winter.

To return to the Whakatane. The canoe navigation from Ruatoki downwards is reckoned fair. It involves, however, a good deal of poling; and good paddling navigation can only exist for a very few miles up from the mouth of the river at Whakatane.

There would be no difficulty and small expense in making a practicable dray-track from Whakatane up to Ruatoki, or even up to Tunanui. But, above that point, the great height, steepness, and jumbled-up character of the hills, and the continuous forest, would make it very difficult to get even a good bridle-track. The Maoris do drag horses along the present track, but it is impossible to ride; indeed, the tract is villainously bad, even for the North Island of New Zealand—even in the estimation of the Maoris themselves, who often amused themselves with giving animated descriptions of its badness. They have a local proverb, "Ruatahuna piki-piki maunga," signifying, "Ruatahuna, for ever climbing mountains," as we might say. The traveller does, indeed, encounter every variety of badness, as he toils over these tremendous hills; where a net work of slippery roots seldom allows his feet fairly to touch ground, and where from time to time he must provokingly check his ascent to cross yawning gully. Often with back bent low, he must thread the dirty overgrown bed of a steep little water course; or, still with back bent, sidle along the muddy slope of a steep hill, through a little tunnel in the koromiko copse; or, straightening his back with a sigh of relief as he emerges on the open shingle-bed, find that he has to ford and ford again and again the cold rapid stream, slipping and splashing over weed-covered stones. The indolent endurance of such atrocious tracks by the Natives of the district is a continual source of astonishment to the traveller, especially as they own a good many horses now, and many of the most annoying and dangerous places might be made good by a few hours' work with axe or tomahawk or spade, as the case may be.

3rd. The coast country from Ohiwa to Te Kaha.

The traveller sees comparatively little of this country, the track lying along the beach or within half a mile of it. At Opotiki, a fine alluvial flat spreads out for four or five miles in breadth and depth, between the sea and high, steep, wooded hills. Most of this is cultivated by the Natives; and, as I am informed, exhausted by constant cropping. Seven to eight miles beyond Opotiki, the sands end and the country changes considerably in character; that is, the high wooded hills either come down to the sea, or leave but a narrow belt of terrace intervening between their steep sides and the low sea cliffs. There is, indeed, a greater breadth of level land at Te Kaha, where a broad low point runs out nearly two miles into the sea. These terraces, generally of light dry soil, are for the most part under cultivation. Fine maize and kumara are grown, but the wheat has much degenerated from over-cropping. Potatoes are very little grown along the coast. The Maoris use light American ploughs, with one horse (jibbers very common), both for scratching the soil a couple of inches deep to put in the crop, and also for ploughing up the kumara when ripe. A woman may often be seen ploughing and a man driving; and, perhaps in the next cultivation, a party squatting down, scratching up the kumara with a stick and their hands, in the old fashion. A good deal of taro is also grown along the coast; and, both here and in the Werawera country, every kainga has its little crop of tobacco, and "torori" (native grown and half-dried tobacco) has almost entirely superseded foreign tobacco, and nearly put a stop to that eternal begging for tobacco which used to annoy the traveller ten or twelve years ago; however, begging for matches has taken its place.

The country in the interior appears to be a mass of wooded hills and mountains, and I did not hear of any kaingas or cultivations in the interior.

From Whakatane to Te Kaha, the present track varies very much in character. From Whakatane to Opape, about eight miles East of Opotiki, it lies chiefly along hard sands; the interruptions being three miles of hill at Whakatane, ascent from Whakatane very steep. The entrance to Ohiwa a very long swim, practicable only at or near slack water in nearly calm weather; and the turn into Opotiki involving three deep fords or swimming places, according to the state of the tide. There is often a great delay in getting a canoe at Opotiki, and still more at Ohiwa, and the Natives are very disobliging and extortionate.

From Opape to Te Kaha the track becomes exceedingly bad; it passes either over heavy beach, or large shingle, with now and then a respite of cultivated terrace; or else over steep hills through bush where it is extremely dangerous, and all but impassable to horses, not from the natural features of the hills but from the ruinous state of the track. When nearly level it is worn into a line of small mud pits by the constant footfalls of horses, each stepping in the tracks of the one before him; when hilly, the chaotic ruin of the track surpasses anything I have ever seen even in New Zealand. Across the two first hills after leaving the Opotiki sands, the track is now worn into a deep narrow zigzag clay trench, whose bottom is a series of irregular steps from two to three feet deep, and the top of the step a mud hole one or two feet deep: large roots project into and cross this trench in the most embarrassing manner; supplejacks lie about in profusion or dangle in front of the horses' eyes; and accustomed as our Maori nags are to every sort of bad travelling they shewed the greatest fear of this horrible track, and we had great trouble to force them to it. The only formidable natural obstacle to a fair bridle track is the Motu, a broad shingle bed river issuing from the wooded mountains, a couple of miles west of Whitianga. When low it is not a difficult

ford, but a slight fresh renders it impassable from its great rapidity and large shingle, and it is often impassable for days in perfectly fine S.E. weather from rain having fallen in the interior.

Travelling along this coast depends much on the tide; some of the fords and some of the beaches being practically impassable near high water. The Natives are desirous of having the road improved and a mail established in continuation of that to Opotiki. The heavy beaches must prevent for many years the attainment of a good horse track; but it might be very much improved and the traveller made more independent of tide. A better line might be laid out for crossing Whakatane hill; ferries might be established at Ohiwa and Opotiki, especially at Ohiwa Heads. In illustration of the delay this plan occasions, I quote a page of my journal:—

Near the Heads a Maori met us on the beach who offered to put us across and had a canoe all ready, as he said. Arrived at the Heads at low water, and calm. Maori went for his canoe, was away nearly an hour, and returned with a very small leaky affair (a *kopapa*). Meantime a south-west breeze had sprung up and kicked up a bubble of a sea; the swim is fully a quarter of a mile long, and the canoe had to make three trips, one for each horse, and one for the saddles. When I crossed (so also for Mr. Fulloon) I had to hold my horse's rope with one hand, and bail out for dear life with a pannikin which luckily we had with us. Even then the canoe was half full between leak and spray before we got across, and but for that pannikin we could not have crossed. In this way that quarter of a mile of water cost us two hours' delay, although we arrived under the most favourable circumstances.

Te Kepa, an influential Chief of Ngatiawa, is willing to give a site for a ferryman's hut on the north-west head of Ohiwa. Other necessary improvements would be two or three posts to mark the way to the ford, and the position of the ford over the Waihou, a stream impassable on the beach at high tide but fordable a couple of miles higher up.

A different line may be laid out and cleared at least twelve feet wide, for crossing the three hills between Opape and Tunapahu and that between Whitianga and Omaio: also, one or two short spaces of fresh track cleared on this side of Whitianga to avoid a very bad bit of rock on leaving the beach, and also the present line of mud pits. At present a small horse rests his belly on the ground while his hind legs sound one mud-pit and his forelegs the next one! In descending the hill between Whitianga and Omaio the saddle has to be taken off a small horse, because the track has been worn into such a deep narrow trench in the soft sandstone that if not taken off the sides of the track will rub it off.

These improvements involving only labour and no materials, ought not to be very expensive. The bush requiring to be cleared is light bush. I see no remedy attainable at moderate expense for the Motu; owing to the width of the shifting shingle bed it is not fit for a ferry and would be exceedingly expensive to bridge.

In speaking of the people, their social condition and political temper, it will be more convenient to keep to the divisions of the tribes.

The Urewera claim the Upper Rangitaiki valley, nearly the whole of the Whakatane valley, the Waikaremoana basin, and part of Kaingaroa. Starting from the confluence of the Waimana and Whakatane, their boundary runs along the wooded range bounding the Waimana valley to its junction with a high range at the back of Poverty Bay over the Tauhou mountain, includes Papune and Waikare lakes, and joins the boundary of the Taupo Natives on the Kaingaroa plain. Starting again from the Whakatane river westerly, it strikes off to Waiohau on the Rangitaiki, up that river to Taoroa and out on to Kaingaroa. Speaking of the boundary on this side, Mokonui-a-rangi of Tapahoro, Tarawera lake, Chief of the Ngatirangitihi, observed that there would be some difficulty in fixing the boundary between Ngatirangitihi and the Ngatimanawa hapu of the Uremera, because the two tribes were so closely connected; illustrating his remark by dovetailing together the fingers of his two hands.

The above description may appear vague, but failing a map, or a visit to every part of the boundary, and in the present suspicious frame of mind of the Natives, it is as much as I thought it well to ask for.

The Maori estimates of the population of this Urewera country are as follows. The estimate in each division is that of the local Chief.

Te Whaiti (head of Rangitaiki)	100 men
Waikaremoana	80
Ruatahuna	400
Ruatoki (90 men and women) say	50
Waimana	90
	720 men

By "men" I understand men who can be mustered to fight.

My own impression is that this must be very considerably in excess. I am told by a Missionary that Maoris habitually over estimate the numerical strength of their tribe. Also Bishop Selwyn's detailed census in 1851 gives only 126 for the total population. They are not likely to have increased many, if any, since that time. I did indeed observe a larger proportion of children here than on the coast; but on the other hand Pairau, the Chief at Oputao at the head of the valley (having once consented to the introduction of the new policy), was urgent that a Doctor should be sent, speaking of the recent great mortality amongst the children, and saying: "make haste, that a *morehu* (remnant) may be preserved." I made no detailed inquiries as to population; conceiving that the explanation and recommendation of the Governor's new policy, and the ascertainment of the political temper of the people, were the main objects of this expedition, and that these would

be seriously impeded by more minute questions amongst a people always jealous of inquiries into their numerical strength, and whose minds are now full of suspicion and distrust of the Pakeha and sore from fancied injuries. Nor could personal observation do much in the absence of inquiry. At almost every kainga I came to, I found the people or a considerable part of them away; away to Hawke's Bay to work for the Pakeha and get money; to the coast to trade, or visit friends; to the woods to get birds; or to distant cultivations. I had then to wait a day till such of them as were within reach could be summoned to hear the Governor's message; and in most instances I secured the principal Chief. Their kaingas and whares afford but a vague criterion, as one man may have more than one kainga; but the extreme smallness of their kaingas is very remarkable, except at Ahikereru, seldom exceeding seven or eight whares; and Ahikereru, returned in the census of 1851 at 132 souls, we found absolutely empty, although after a day's delay we contrived to get about 40 men and women mustered.

In social condition the Urewera are somewhat backward, as might be expected from their local position with no port, no roads, and no resident Pakeha except a respectable trader at Ruatoki. There is a perceptible difference between those who live in the open country of Waimana, Ruatoki and Rangitaiki, and those who live in the wooded mountains of Ruatahuna. The former plough their land, have sledges and drays and grow a little wheat, and have generally a steel mill at the kainga, and are dressed nearly up to the average Maori style. The latter have a few horses and a very few head of cattle, but no ploughs or wheat. At the wildest kainga you see the unfailing iron pot, and almost always an iron kettle; but camp ovens, pails, pannikins, knives, forks, spoons, and plates, of which a few specimens are generally to be found in a coast kainga, are well nigh unknown in Ruatahuna. Soap appears to be quite unknown, judging by their appearance. The children generally run about naked; and blankets and roundabouts, shirts and trowsers, are much scarcer than amongst the coast tribes; here you may still see both men and women clad solely in one or two *kokas* (shaggy flax mats). Saddles are almost unknown, and I have seen a young hero come galloping up to the kainga in very showy style with a slip of flax knotted round his horse's lower jaw for sole caparison of his steed, and a dirty sheet knotted on the left shoulder for himself. A little pig-trading with Whakatane and Opotiki is almost the only way they have found to get European goods. Pigeon and kaka-killing has become quite a branch of industry in Ruatahuna. The former are killed in two ways, either by spearing or by setting a *waka*, i.e., trough of water in a tree in the forest; after the pigeons have become accustomed to drink from this *waka* snares are set in a row so as to hang over it, and the pigeons going to drink as usual, stick their heads in, get caught and strangled. So intensely stupid is this bird that even when a row of the dead bodies of his kind leaves but a single gap where a bird can come to drink, to that gap he goes! The kaka is killed with the help of a decoy bird. The man concealed under some branches makes his decoy scream; down comes a kaka and pitches on the slanting stick at the bottom of which is the decoy, and sidles down closer and closer till the concealed Maori can knock him over. We were a little too early in the season to witness this sport (?) or partake of its fruits. But in the month of June the Maoris kill immense numbers of birds in this way, pot them down in their own fat, and sometimes sell these *huahuas* for perfectly astounding quantities of blankets, axes, pots, &c., to Natives whose open country debars them from such luxury. In every kainga we came to, we saw two or three or more decoy-kakas fast to stands, each in front of his owner's hut.

As an instance of the hold which their old superstitions still have on this people, it was curious to see what a lion they made of one of my men who came from Muriwhenua, near the Reinga, near North Cape. This always got wind, and every evening little Paoriui might be seen squatted in the midst of a group of admiring hearers, scratching plans on the ground and setting up bits of stick, the better to describe the "Rerengawairua" (departing point of spirits), and describing the different appearances of spirits, young and old, Maori and Pakeha.

The following story shows the hold which their old feuds still have upon them. Above thirty years ago, a Maori Chief of the Rangihouwhiri (part of the Ngatiawa living at Matata) named Te Tai, was murdered by an Urewera Chief now living. Some time ago some correspondence took place about the murder, and the Urewera said that if the Rangihouwhiri wanted satisfaction for this murder, "they had better come and take it." This murder had been in revenge for two or three Urewera Chiefs who had been killed by the Rangihouwhiri. Very recently, Wepiha (Chief of Whakatane) and his relations wished to find a wife for a cousin of theirs called Karanema, and proposed for the niece of Te Hura, the Chief of the Rangihouwhiri. Te Hura refused, casting in Wepiha's teeth the murder of his papa, Te Tai, by the Urewera, and demanded instead that Wepiha and Karamea, who are closely connected by blood with the Urewera, should be killed as "utu" for Te Tai. This word found favour with the Rangihouwhiri, and thereupon Wepiha wrote a letter to all the men of Urewera to ask if they were willing that this should be so. I was present when this letter was read aloud to a public meeting at Ruatoki. Naturally enough some rather excited speeches followed; they agreed to go down to fight the Rangihouwhiri. Afterwards, in consequence of speeches from Mr. Fulloon, who is related to Wepiha, they agreed only to send word to Wepiha that they would go and fight the Rangihouwhiri, as "words did not kill." And Wepiha's letter was to be forwarded to all the men of the Urewera. I afterwards learnt that Wepiha, having first satisfied himself that the Rangihouwhiri had been well frightened by this threat, wrote to his friends not to come, and probably Karanema will get the girl.

During the time I was travelling on the coast, a young Chief of Rangitaiki, Paora Kingi, married a girl, Maori fashion, and lived with her for a week; her relatives came to visit her, and under pretence of speaking to her apart, carried her away with them. However, I afterwards learnt that the girl managed some time afterwards to escape and rejoin her husband. It is to be hoped that the new Runangas, if established amongst the Natives, will induce them to abstain from

meddling with marriage in this manner ; indeed, I learn that the Runanga Tapu of Tauranga, which is a purely Native Runanga acknowledging no connection with Government, at its last session in the month of May, passed a resolution that marriage should be free.

Such Church Service as is still kept up amongst the Urewera by their Native Teachers, has degenerated, I fear, into a mere farce ; so at least it appears to an Englishman, though I will not presume to say authoritatively that a Maori may find it impossible to express feelings of penitence, praise, supplication and thanksgiving, at the rate of a hundred miles an hour—that is to say, in such a furious gabble as can scarcely be recognised as human articulation. This applies both to Church of England and Roman Catholics, which latter are numerous in proportion in the lower part of the valley and in Waimana. I fear that the Roman Catholic Priests, intentionally or unintentionally, have done the Natives much harm in a political sense. It is especially from the Roman Catholic Natives that we heard such taunts and objections as these :—“In the beginning you brought me ‘the faith (Whakapono). I received it blindly. I have since seen the wrong (he) of it ; now you ‘bring me another law, I am going to be more cautious. Yours is a land-taking man-destroying ‘Church. The French are a nice people ; they don’t take land ! You have deserted the faith, ‘and set up the Queen as your God !’ &c.

I think that the present political disposition of the Urewera may be summed up as intense suspicion and distrust of the Pakeha ; soreness for the past wrongs of their race as they conceive them to be ; and hesitation and doubt as to the Maori “King” ; in the minds of some a decided hankering to support him. Even when they could no longer refuse the praise of “pai” and “tika” (“good” and “fair”) to the Governor’s new system, they still dreaded something behind, still feared a trap, and could, generally speaking, only be brought to such modified consent as “Bring your ‘new ‘ture’ and let us see it closely,” illustrated by handling a stick ; “if we approve, well and “good ; if not, we drop it,” and other expressions to that effect. At the same time, some of the most influential and thoughtful Chiefs got beyond that point, as shewn by accompanying us for a stage or two to speak on our side at the public meeting, or by writing letters and promising to use their influence on men whom we had not been able to see. Such are Pairau of Oputao, Te Manihera of Tatahoata, Himiona of Waikare, Mohi of Maungapohatu, and Anania of Waimana.

I now proceed to report more in detail, for your information the opinions of each place at which I propounded the new policy (to use a shorter word for the Governor’s “new institutions.”) At the end of this report will be found a very brief summary of what I conceive to be the temper of each place as regards this subject.

In the Te Whaiti district, I spoke at two places, Taowa and Ahikerene ; hearing from the Natives that there were only four men at Raorao and two at Horomanga, I did not visit those places.

At Taoroa, a small kainga of perhaps twenty scattered whares, the Chief Takurua and many of his men were away at Hawke’s Bay working for the Pakeha. After waiting a day, some five-and-twenty men and women of the place mustered ; the talk here was long and stormy. Mokonuairangi, Chief of the neighbouring Ngatirangitahi, was with us, and spoke gallantly on our side, evincing a degree of candour, and of enlightened apprehension of the real designs of the Pakeha, very rare indeed amongst Maoris. Hot “King” speeches met us at first, but about the middle of the evening, Erueti, the principal speaker, suddenly veered round and declared himself neutral. Eruka, the son of the Chief, also declared himself and his people neutral, and determined to watch both “ritengas” (systems), King and Queen, and join that which worked best.

In their speeches great soreness and distrust were shewn ; going back, as they invariably do, to the coming of the first “law” (the law of God or the Gospel.) Erueti asserted that the Missionaries’ work was all a plot planned beforehand to pave the way for the acquisition of land ; that the Missionaries told the Maoris to look to Heaven, and then, whilst they were looking to Heaven, stole away the land from them ! One man asked point blank, “What is there under all this ? I am looking for the ‘whewhe’ (boil or inflammation) under this !”

Erueti compared their King to Jesus Christ. He made it out by saying that the Jews killed our Lord because He made Himself greater than David and Solomon and Nebuchadnezzar and Cæsar, and that we Pakehas hated (or were jealous of) their King for a similar reason ; but that they had found their King in the law, the law of the Old Testament, and that he was appointed according to “na” (the law). When this Biblical scholar was reminded that the Jews took their first King contrary to the will of God, he was reduced to simple iteration.

They shewed great soreness at the prohibition of powder, and at the contemptuous inhospitality of Pakehas towards Maoris.

After my leaving the whare, Mr. Fulloon, my interpreter, remarked, “Although you are ‘obstinate in remaining neutral, the day will come when you will lay hold on these things !” They said, “True, oh son ! and that will be the end of it ; this is mere by-play, we shall come to that ‘bye and bye (apopo).”

At Ahikereru, where about forty men and women assembled, the old objections and some new ones were brought forward. “I shall stick to the King,” said one man, “because the Bible says ‘No ‘man having put his hand to the plough and looking back is fit for the Kingdom of God.” One man declared that he meant to stick to the King because he “whakatapu” (makes sacred) their land ; another “because he is the Maori King.” Herein are seen the strength of the opposition to us, and of their adherence to the King ; fear for their land, fear for their nationality, fear “lest they should be made slaves to the Queen.”

One speaker, a teacher, declared that he would have no law at all but love. “The Bible” said he, “taught him that that was enough. Whom do you come from ?” said he, “from the Governor ? Ah ! that is enough ! Had you come from the Bishop, it would have been all right ! Why did the missionaries

tell us nothing of all this? Why did not they tell us of another law to follow? Why was not Mr. Spencer (missionary at Tarawera) sent to preach this law to us? He is not far off!" This man also brought up the reproach of pakeha inhospitality, and of buying their land from them for an old song in the days of their ignorance &c. "You urge these things on us that we may come under the Queen! Then away goes our land, and we become slaves to the Queen! The Queen comes coaxing (whakapitipati) us with money that she may get the 'mana' of the land." One man sang a sarcastic song signifying that he did not admire the women who came after him, a song immediately chanted in head-splitting chorus by the whole meeting. "We're all staunch Kingites here," said one peremptory gentleman, "and so are all the Urewera ahead of you! What do you come bothering here for? Go back! go back from here on Monday!" The Taranaki war was also brought up as a reason for thorough distrust of our having anything to do with their affairs.

Moko-nui-a-rangi spoke out manfully on our side, and with an enlightened humility as to the relative position of Pakeha and Maori quite surprising; "Work!" said he, "go and work. Work is the remedy for us."

The upshot of this korero was a division of the assembly called for by themselves, when only six men avowed themselves Queenites, of whom Hamiora, Chief and teacher, was not one, he indeed had spoken on the King's side; yet next day, Sunday, Hamiora said to me that he knew that all the hard talking last night was simply for the sake of opposition. "Kia mate a ururoa te tangata, (a man should die game; *lit* "like a shark") said Mr. Fulton, quoting a Maori proverb. "Just that," said Hamiora.

Hamiora also requested to have the "Karere Maori" sent him, and in his conversation seemed to take it for granted that this new "ture" (law) would be established.

Having spoken thus fully on the character of talk with which we were met in Tewhaiti, I will more briefly mention that of other places, as there was a great similarity in general style. Taunts on the land-stealing and fighting propensities of the pakeha, and on the deceitfulness of the old missionaries, formed the staple of the discourse of the opposition.

Grave debate might well arise on the constant Maori practice of proving or illustrating their positions from Scripture. That a passage from the Bible really apt to the matter under discussion ought to settle every dispute, few Christians will deny. But these Maoris shew an irreverent familiarity in appropriating, generally in misappropriating, the words of Scripture which is perfectly shocking. Many of them seem to use the Bible in the same cool business-like way in which a pakeha might refer to an encyclopedia or *gradus ad parnassum*, and, as a natural consequence frequently betray their entire mis-comprehension of it.

In the Ruatahuna I held small meetings at the following little kaingas (all the Ruatahuna kaingas are little):—at Oputas, Tatahoata, Tahora, Tuapuku (Maruteane being quite empty) and Waikare.

Oputao is a very small place at the head of the Whakatane, but Pairau, the Chief there, is a man of note. He is a very vivacious energetic old gentleman, quite of the old school, and greeted us with some violent language for the King and against the Governor. In the evening, after a long talk, he declared his intention of remaining neutral and watching the course of events. Afterwards, however, he came on with us and spoke gallantly on our side at the next two places. As an instance of their undefined fears of the Government, I may mention that a day or two afterwards, and after having energetically seconded me in two public meetings, old Pairau asked me anxiously, whether if any harm came to him and his people through the new tikangas (regulations) he would be able to send me a letter?

Tatahoata.—Pairau had preceded us a day to this place (while I was waiting for the chance of a calm day for Waikauoana) and probably prepared the minds of the people, for the conversation was more satisfactory than hitherto; less parade of opposition, no king-talk. They said that they would receive a Commissioner, watch his work, and withdraw from him if they disapproved. These poor people are sadly puzzled by the amount of vice and crime and fighting which, somehow, they have seen to exist in a Christian community. An Englishman grows up to this as a matter of course, and accepts almost without thinking the existence of much sin as an inevitable concomitant of human life even in a Christian community. But a Maori will gravely argue "The Missionary came and I believed his law. His law tells us not to be angry, not to strike, not to *puremu*; how is it that you come to me with another law?"

Te Manihira, their Chief, approved personally and came on with us to the next kainga, and spoke as our own colleague there; he said however that he must wait for a general meeting of the Urewera, before he could decide whether he could accept a Commissioner or not.

We had a second talk at this place in consequence of the arrival of a party of about twenty, from Maungapohatu, including Mohi, chief man at that place. This Mohi made rather a frantic speech, taunting us with coming to take land. We had all the old objections and fears over again. Finally they appeared to be talked out of opposition, up to the "wait and look on" point; however, Mohi did better than that, for he came on with us as far as Waimana and exerted himself on our behalf.

Tahora; Chief Te Whenuanui.—A very small place. Unusually quiet and apparently convincing talk. Te Whenuanui approved and expressed his great desire for a mail. At leaving on Monday morning I asked Te Whenuanui his answer to Governor. With a puzzled, musing expression, he gave me a figurative evasive answer. Mr. Fulloon staid a few minutes after I had started, and then poor Te Whenuanui opened his heart. It seems that his conscience was stinging him for having gone too far on Saturday night in pledging himself to acceptance of the new law, *he* who had pledged his faith and allegiance to the Vicar-General. Fortunately, Mr. Fulloon tells

me, he was able to remove these difficulties by describing the thorough equality before the law of Protestant and Roman Catholic, and that his hearty co-operation in the new system would no whit compromise his staunchness as a Romanist.

At Tahora, Te Manihera took Mr. Fulloon aside, and asked him what he conceived to be the state of mind of the people whom he had seen. "Assent," said Mr. F. boldly. "Yes, but what else?" "Why, acceptance, as when you take hold of a thing and turn it about, uncertain as yet whether you will keep it or drop it." "Just that," said Manihera.

Tuapuku; Chief Kawana.—Here our chief work was to appease their Roman Catholic fears, and to explain some of the dreadful cock-and-bull stories which they had got hold of, such as that we armed our clergy and made them fight at Taranaki, &c., &c. In conclusion they expressed their determination to receive the new things, but with exceeding caution, ready to let go in a moment if they found them hurt.

Sad confusion exists in the minds of some of the most thinking men in this valley, between the "ture," as they call the Gospel or law of God, and the "ture," as they also call the law of man. They appear greatly to fear lest by the second we should be meaning to undermine the first. It is a pity that in general conversation they should use "ture" for either almost indiscriminately.

Waikare; Chief and Roman Catholic Teacher, Himiona.—A tolerably large kainga on the Waikare, a tributary of Whakatane. A shorter and more satisfactory talk here than at previous places. Himiona, a fine intelligent looking young Chief, held by the Natives to be the cleverest and most influential man of Whakatane, accepted with unusual heartiness, and promised to write letters to all the Urewera kaingas to urge them to accept, and talked of having a general meeting of the Urewera by and bye to give a more forcible assent. He spoke with great weariness of his work in the purely Native Runanga. Himiona used a curious simile in giving his approval—one which illustrates their jealous frame of mind. He approved, he said, because he should have the legs as well as the seat of the chair on which it was proposed to place him. If he were to have the seat, but the Pakeha two of the legs, then indeed he should not approve, because who knows how soon he should be capsized? I said nothing, but I have thought since that if the Maoris are to have the seat and its legs, we Pakehas shall have the very floor on which the seat rests—money. Take away that and I fear that he and his chair too would very soon drop out of sight.

Ruatoki.—This is a large and very scattered kainga, at the head of the vale of Whakatane and close to the wooded gorge. Here we spoke to a muster of some 30 men. My explanations and recommendations were very well received, and the policy swallowed whole, so to say. Some one remarking that as we had come in at the back of the *whare* (*i. e.*, at the head of the river), and the men at the back of the *whare* had made no opposition, why, they, sitting in the front, had nothing to do but to let us pass on. A good deal, however, was said about caution. Here we first began to hear about the trade-prices grievance, so fertile a topic farther on. Here ensued the fiery speaking on Wepiha's letter.

Waimana.—A scattered kainga, a few miles up the tributary stream of the same name. We had a very small meeting here, most of the men being away; but the old Chief Pihopa, and his son Anania, a fine intelligent man, who now takes the lead in the *hapu*, were present. Anania accepted more heartily than any one in Urewera, unless it be Himiona, and pressed for the speedy establishment of a Pakeha, *i. e.*, Commissioner; that is to say, he told me to tell the Governor not to be like the *titi*, which hatches its young on Maungapohatu and then flies out to sea, and leaves them for days together. I think that these details justify the general summary of Urewera public opinion, which I gave above. Pairau, of Oputao, promised to forward our letters and printed papers to the men of Waikari-moana. Both Pairau and Himiona, of Waikari, wrote to them and engaged to gain their consent; which, indeed, as they said, was certain to follow that of the tribe at large. I did not visit this Lake district, for reasons given before.

The condition of the Coast tribes from Ohiwa to Te Kaha, is in some respects better than that of the Urewera; having more ready communication with Auckland, all European goods are more plentiful amongst them; they dress better, have more horses, ploughs, sledges, and even drays at Opotiki; they have more tools and utensils; each place has several fine large canoes, perhaps two or three whale-boats, and Opotiki has three or four schooners owned by Maoris, besides two or three more unseaworthy for want of repairs. Whaling stations have once existed on this coast, and the Maoris still man a few boats every year. Last year Te Kaha turned out two boats, but got no whales. Altogether five whales were killed on this coast last winter. At Opotiki two or three Pakeha traders are resident; at Tunapahore, one; at Whitianga, two; at Omaio, one (half-caste); at Te Kaha, two. All along this coast, and also at Ruatoki and Waimana, the Maoris are long and loud in their complaints of the white man's trade. This is *the* grievance of the tribe; say they—Let the Governor send us a trader to buy dear and sell cheap; then indeed for the first time will we believe in his love for us! In fact, the difference between coast prices and Auckland prices is to these poor people an insoluble problem, and though you set the solution plainly before them they won't believe it. This want of faith, and possibly certain shortcomings on the part of individual traders, have driven them apparently to revenge themselves in their own way: at least, all along the coast the traders complain long and loud of the growing insolence and dishonesty of the Maori—especially of a resolute avoidance to pay their debts, which amounts virtually to repudiation. Throughout both the interior and the coast the prohibition of arms and ammunition has been the subject of long and reiterated remonstrance, but especially on the coast the Maoris are very sore about this privation. Earnest have been their assertions of their single-hearted desire to sit still in peace and quietness, and of their innocence of Pakeha blood—plaintive their petitions to be allowed a little powder "to shoot birds for their children and for

their sick !” But my interpreter, Mr. Fulloon, put an almost ludicrously sudden stop to these outpourings at Ohiwa, by reminding them of certain plans for aiding in an attack on Auckland, had the fighting of last year broken out also in the North; and at places farther East, by reminding them of a projected “kutikuti,” *i.e.*, cutting off or killing all the Pakehas on that coast, which was once discussed at Wangaparua, near East Cape.

On this South coast of the Bay of Plenty there is, I think, a very unusual proportion of fine men, with quite Caucasian features—large high noses, moderate lips, light brown complexions, and often with a respectable fringe of whiskers and beards—men, indeed, who, but for the tattoo, might be taken for Turks. Yet children are few—certainly fewer than amongst the Urewera.

The Whakatohea occupy the coast from Ohiwa to a point called Tirohanga, about half way between Opotiki Heads and Opape—that is, to a hill with some Rata trees on it, about half way along the sand-beach South-East of Opotiki. (*Vote sketch map at the end of this Report.*) At Opotiki, the Whakatohea capital so to say, the Maoris bear a specially bad character for insolence, extortion, inhospitality, “puremu,” repudiation of debts, and insolent distrust of everything Pakeha. Here is the focus of “King” agitation; here the purely Native Runanga may be seen in its most rampant state, and is, I firmly believe, worse for the Maoris than the old “tauu” (plundering party), as accustoming them to injustice under the name of law. Both Pakeha and Maori tell of cases against evidence, of severe penalty for trifling offence, of penalties neatly fitted to the circumstances of the offender rather than to the circumstances of the offence, and of similar abuses of law. Lest this should be deemed mere vague abuse, I add instances. Te Teira, of Ohiwa, told me that a man has been fined £5 for calling another a “taurekareka” (slave). Rev. Mr. Clarke told me of a man having been fined £10, because his pigs had rooted in a “tapu” spot; his wife, indignant at this victimization of her husband, rated the judges soundly, told them they were “runanga-pirau” (runanga-rotten), and was fined £2. A respectable old settler of Opotiki told me that the Maoris came into his courtyard on one occasion and “aggravated” him till he swore at them; the Runanga fined him his gold watch. The Maori wife of this old man, though professing disapproval of the reviving fashion of tattoo, in a moment of weakness gave a young niece or cousin £1 to help her to pay the expense (£1 10s.) of getting tattooed,—the Runanga heard of it and sentenced the husband to a fine of £5. This he refused to pay, and he declared to me he would let the Runanga plunder his store first. Extravagantly heavy penalties for *crim. con.* with women of notoriously bad character is another weakness of their Runanga. While I was at Opotiki, one Whakatautari, a very great man (especially in his own estimation) was tried for this offence with such a woman—pleaded guilty, and offered 15 horses, two pieces of land, a canoe, a gun, and a “mere pounamu” (green-stone hatchet), to the husband as damages. The husband referred this surprising offer to the Runanga to award him what they thought fair; they said 12 horses; but Whakatautari refused to receive back any part of his self-imposed damages. As the man appeared no whit abashed or penitent, I naturally asked Mr. Fulloon, and also a Missionary, for some probable explanation of Whakatautari’s conduct. Neither believed in the heavy penalty’s being an effect of penitence. Two motives were suggested: one, that a Maori chief prides himself on munificently paying for his “he” (wrong doing); another, that Whakatautari knows of, or reckons on, some offence of the other party, which will enable him (Whakatautari) in his turn to get inflicted on him a swingeing penalty. The frequent meetings of Runangas and Komitis to try cases of “puremu,” the unblushing minuteness with which Maoris relate such cases; the number of women present to hear them tried; and the long open discussions of the trial afterwards in their mixed evening gatherings, must have the most unwholesome effect on their small societies. Bad in any society, all this must evidently be supremely bad when the village population live so much in public, so constantly together, as do the Maoris.

A Runanga from Opotiki some time ago went up the Whakatane to try to effect the establishment there of a Runanga like itself, but met, I was told, with no success.

As an instance of their impudent attempts to bully the Pakeha, take the following:—

While I was at Ohiwa, a letter was brought to me with a message that it came from Te Kaha; it was addressed to the Governor, or to whomsoever it may be, at Ohiwa (“Kia Kawana, ki a wai ranei”), and its contents being interpreted are as follows:—

May 12.

Go, O my letter, to the Governor, or to whoever it may be! If you are the Governor, you must go back! If you are a Magistrate, you must go back! If you are a postman from the Governor, you must go back! If you persist in coming here, you shall pay £100 penalty!

From the Komiti, from the whole tribe.

—Afterwards, when I came to Te Kaha, the men of that place indignantly repudiated this insolent production, and one of them wrote to Puhipi to remonstrate about it.

When I came to Opotiki, I found that Puhipi had entirely neglected a letter which I had written, requesting him to call the people together to hear the Governor’s message; and Puhipi himself, having first made a most transparent attempt to evade us altogether, when he did meet us, began by saying “Did you not receive a letter forbidding you to come here?” The answer was of course the remark that, firstly, a letter without date or signature was worthless, and, secondly, the denial of the right of any man to stop us. This unpromising opening to a public talk was followed by violent speeches, from Puhipi, Whakatautari, and others—some twenty may have been present—against the Governor and the Pakeha generally, repudiating the Treaty of Waitangi, (although it bears five Whakatohea signatures, as it happens,) saying that the whole country must yet fight the Pakeha, claiming all the

Whakatohea men as kingites, &c., &c., &c. Puhipi evinced great soreness at so much land having passed into the hands of the Pakeha, and at the stoppage of powder and grog; he asserted absolute disbelief in Sir George Grey's sayings, and refused to have anything to do with his plans as long as he remained in the country; and said that the Maoris' only remedy was to get all their land back again from the Pakeha. In spite of such an unpromising opinion, we—or I should rather say Mr. Fulloon—in the course of the day brought round Puhipi and Te Hira, the two principal men, to consent to inquire into this new policy and to promise a decided answer on my return, and to approve of the whole plan as the thing required to place them on an equality with the Pakeha. I may here remark, that I have found one of the most telling arguments in favour of the policy, to be that the Maoris will be the principal workers of it; that the Europeans' share in working it will be to point out the way, and to save the Maoris from making mistakes and from losing time in trying plans which have been tried by us already and found to be bad. Puhipi said that they (the Opotiki men) would be glad to hear that Thompson had been to Auckland and dined at Government House, then they would know that everything had been settled. Mr. Fulloon said that that was also the Governor's desire, and that Puhipi had better go and persuade Thompson to do so. Puhipi answered that he would not go in person, but that his letter should go; and declared that he and all his people were neither for the King nor the Governor, but that he would stand with his arms open ready to receive "nga mea pono, nga mea tika" (the true and just things). Should the Governor strike him or go against him, he would draw in his arms; and the same if the King struck him.

On my return through Opotiki, Puhipi reported that, during our absence, he had called together four meetings in different quarters of the place, and that they all agreed to receive the new "tikangas," and that they will build four "whare-whakawas" (court-houses) by the spring: and pleaded hard that he must be allowed some grog. He also wrote to the Governor.

Puhipi has thus in some measure redeemed the conduct above related, so ill-befitting an Assessor; but I am still very doubtful of his sincerity as an ally. I fear that one of the strongest motives for the fair speeches with which he concluded our interview, is the desire to recover his too well-beloved grog.

I have reported at such length on Opotiki, as I consider it the place where it is most difficult to form any reliable opinion as to the real temper of the people.

Ohiwa.—I had previously held a small meeting of the Whakatohea at Punawai, on Ohiwa harbour. About 20 men were present. They talked at first in a somewhat similar strain to those of Opotiki, but less violently; finally they admitted that the new tikangas were very good, but said that they should follow the lead of the Opotiki men. So said also Te Teira, for himself and the men of the little "kainga" of Onekawa, Ohiwa heads.

I think that a judicious Commissioner, well acquainted with Maori character, might succeed in carrying out the Governor's plans at Opotiki; but he would certainly meet with much opposition, much hollow support, and at Opotiki more than at most places a single false step might ruin the experiment.

Ngaitai.—The next set of Natives along the coast are the Ngaitais, claiming the coast from the Whakatohea at Tirohanga (see sketch map) to a point between the two Pas of Tunapahore and Pakoriri. Both these boundaries are disputed. Their Chief, Wiremu Kingi, estimates their numbers at 100 men and women. Their chief place, Tunapahore, is a fenced pa, at the edge of the beach, within long rifle shot of Pakoriri, the fenced pa of the Whapauapanui rival "hapu," with whom the Ngaitais have an unsettled dispute as to their common boundary. Some years ago they fought on this subject, but, Maori-like, without deciding it. We made the usual explanations, and were met with the usual difficulties, but temperately stated. They appeared very sore on the prohibition of powder, and rather bewildered that Christianity has not made them the happy people, free from crime, which they seem once to have thought that it would do; also that the Christian people who brought them the Gospel should have found occasion to fight with them so often. They said a little about promises to the "King" party, and why did we not aid W. Thompson? also shewed an honorable distrust of so much money, lest it should be a bribe. But there was not that tone of bitter hostility to the Pakeha and the Queen so remarkable at Opotiki, and they approved very frankly of the scheme. Wiremu Kingi, their chief, and also principal speaker, compared the policy to a net, which, if pulled on one side only, lets the fish easily escape; and applied his simile by exhorting us to pull our net so as not to let that very big fish, W. Thompson, escape us.

Tunapahore Maoris are a very fine set of fellows, and very hospitable to travellers. Their Chief, Wi Kingi, is a quiet gentlemanly young fellow, and apparently a sensible man. His "whare" had far more civilized means and appliances than usual, and he was a perfect model of hospitality.

Ngaitawarere and Whanauapanui.—These cognate tribes are the next Natives eastward along the coast. They are estimated by Ngatawa—a Chief and Native Assessor of the former—at 400 men. They occupy the country from Tunapahore to the east side of Tikirau, or Cape Runaway, with an ill-defined boundary between them at Te Kaha (see sketch-map). From the east side of Cape Runaway, their boundary, striking inland, passes to the north-west of Ikurangi, which belongs to Ngatiporou.

Ngatawa said that the chief difficulties of his place were debts and the high prices of traders. He also complained that they had been much harrassed by reports from the rival parties of "King" and "Queen" Maoris. He was evidently anxious in his mind till he had it explained to him that the Maori Kaiwhakawas were to be really colleagues, and not merely subordinates of the Pakeha Magistrate. In the evening assembly, my explanations were well received, and their objections temperately stated. They asked for time to decide. On my return through their pa, they gave a decided assent. Ngatawa also wrote to the Governor by me. He seems to be a very busy, energetic man, fit for an Assessor. His head is very full of the great trade grievance. Poor fellows—they can't for the life of them understand how the Governor can stop powder and grog, and not cheapen trade!

At Whitianga, another small Whanauapanui "kainga," where some five-and-twenty men mustered to hear us, a speech of welcome to the Queen was made; and Tipata, their Chief, complained good-humouredly of having been overlooked at the time of the Kohimarama Conference—or Tiriti (Treaty), as they call it—and also of the Governor having never been to see him. But the staple talk here too was about the trade and gunpowder grievances. On asking Tipata for his answer to the Governor, he said "E whakaae ana ahau (I agree); thank you" (*sic*).

One jocular Native, called Watarawi, who had made some amusing "King" speeches, and clever sarcastic attacks on the Pakeha, guarded us against supposing that all the people were Queenites, lest, on Kingites afterwards turning up amongst them, we should accuse them of having deceived us on this night.

Tipata sent a message to the Governor to come and see them next summer; then Tipata would muster all his Runangas, and "spear" the Governor, on account of the embargo on powder and grog, and then the Governor would see who were Kingites and who Queenites.

Omaio.—The talk here was as nearly as possible a repetition of that at the last place. Instead of the usual "King" speeches, we here heard only ridicule of the King as of an absurd personage, who had got nothing to give them, and yet wanted them to go to Waikato, and get shot in fighting the Pakeha for his sake.

Te Kaha.—Talk of a very similar character to that at the two last places, but briefer, the objections fewer and more feebly urged. One man demanded why we came burdening them with a new law so soon after we had given them the first, *i.e.*, the Law of God? "Why did we not wait till they were perfect in the first?" This was in singular contrast to the sarcastic song with which we were so often greeted in the Urewera, "Where were you at the beginning?" meaning, as subsequent talking shewed, "Why did you not sooner bring us these things which you say will do us so much good?" One man warned us that the Runanga was divided between King and Queen. Another admitted that this, our purely Native Runangas, had mana (authority) only over their own members—an important admission.

The Chief Matenga was away, but from seventy to eighty mustered, some of them from kaingas beyond Te Kaha; they accepted almost too readily; I mean, in a wholesale way, which suggested the mortifying idea that they didn't really care much about it. They went with much greater zest into traveller's tales (*korero tangata haere*)—listening eagerly to Mr. Fulloon's account of our reception at different places, and to the true version of the extraordinary tales which gain currency amongst them, such as that the Governor had just gone with five thousand soldiers to take possession of Coromandel; that Prince Albert was really killed in battle with the French, but that we will not admit it, &c.

In the course of the evening's conversation these men repudiated Mr. Baker as their Magistrate, and claimed Mr. H. Clarke, of whom they spoke in high praise. They also repudiate the present district boundary, and claim to be made one district from Tikirau (Cape Runaway) to Whakapaukorero, the Ngatiawa boundary, a little north of the Awa-o-te-Atua at Matata (*v. sketch map*). I have no doubt that, looking to tribal affinities, the coast from Whakapaukorero to Tikirau should form the boundary of one district which should include the whole of the Ngatiawa, Urewera, Whakatohea, Ngaitai, Whanauapanui, and Ngaitawarere. Large as this piece of country is, and difficult to travel, I think it might be efficiently worked by one Commissioner stationed at Ruatoki, and two Magistrates stationed one at Whakatane for the Urewera and Ngatiawa and one at Opotiki for the coast from Ohiwa to Tikirau.

The Ngaitai would probably form a discordant element; it might be requisite at first to allow them a separate Runanga; and, if so, this might, I think, be presided over by the Commissioner in sessions separate from those of the large general Runanga, embracing Te Urewera, Ngatiawa, Whakatohea, Te Whanauapanui, and Ngaitawarere. I think, eventually, when its boundary disputes were once settled, that this little Ngaitai community might be induced to coalesce with the larger in working one general Runanga.

The objection to including the Ngatiawa with the Arawa, as is done by the present arrangement, is that old feuds and old jealousies divide those two peoples; they have no ties from past history or present interests; whereas Ngaitawarere, the Whanauapanui, and Ngatiawa, are linked together by intermarriage and a common ancestry who emigrated in the same canoe. Also that the small bit of Ngatiawa country thus forced into uncongenial union with the Arawa contains the very man of greatest weight and strongest influence with the Natives of the coast from Opape to Tikirau, and also with the Urewera, and that is Wepiha of Whakatane. Whether these are sufficient reasons for altering a boundary once proclaimed is for the consideration of Government. The boundary of Te Kaha Point, splitting a pa into two, and dividing two friendly hapus in order to unite one of them with another tribe (the Ngatiporou) whom they do not acknowledge as friends or kin, does certainly appear to call for revision.

Whatever Commissioner or Magistrate is appointed to have charge of the Urewera country should be a stout pedestrian, as the walking is of the most severe description, and it will probably be impossible for years to come to ride over that region of mountain and forest. He should also be allowed a canoe and boat-shed at Waikaremoana, so as to be independent of signal-fires to the opposite shore. It is also exceedingly desirable that the Commissioner should have a good knowledge of the Maori language, of its whakataukis, waiatas, and traditions; a knowledge of these would often enable him to win over an antagonist on whom reasoning, *pur et simple*, would fall powerless; without it, I do not think that the Natives would open their minds freely to him about their puzzles, wrongs, and schemes; I think that they would go more and more to the Commissioner's interpreter, who if a man of any ability, would gradually, and almost even in his own despite, slide into that position of counsellor and guide which the Commissioner was sent expressly to fill.

I am sorry to say that during this tour, I have heard from all Pakehas resident among the Maories, inland or on the coast, young or old, lay or clerical, Protestant or Roman Catholic, but one account of the behaviour of the Maoris of the present day. That is, that it has sadly deteriorated within the last few years; some add, since the Taranaki war. Some say that formerly they were civil and honest, pleasant and obliging. All agree that of late there has been a markedly increasing frequency of insolence, bullying, theft, tricks of trade, assumption of superiority over the Pakeha, and carelessness and slovenliness in public worship. In most of these kaingas, I was told, they will not use the prayer for the Queen. I myself saw half the Litany suddenly skipped over on coming to the prayer for the Queen in the Sunday's Service at Tunapahore; nor was the prayer for the Queen read in the Morning Service on Sunday at Tahora in the Urewera. Of the meddlesome and unjust proceedings of the Maori Runanga I have already spoken. When men who are simply making a living out of the Maoris whom they appear to dislike and despise, and men who are devoting their whole lives to teach and help spiritually and temporally the newly-converted race whom they strive to love, agree in such testimony as this, it is difficult to doubt its truth. My own experience, as far as a mere traveller's experience goes, certainly confirms the opinion of a change for the worse since I first became acquainted with Maoris twelve years ago. I may add that a very distinct impression has been produced on my mind, that much of the soreness and distrust of the Pakeha evinced by these particular tribes proceeds from the long course of comparative neglect which they have experienced. The Missionary and the Magistrate have been almost entirely strangers to them; with traders and whalers many of them are familiar enough; and, without wishing to speak ill of classes in general or of individuals in particular, it will, I think, be generally granted that such a one-sided experience is not calculated to give them the best possible data on which to form a fair opinion of that strange people into whose hands they see, with deep misgivings, that the wealth and maia of the land are rapidly passing.

Before concluding this report, I have much pleasure in expressing my deep sense of Mr. Fulloon's services. His thorough familiarity with Maori idiom, the ease with which he mastered the most far-fetched similes and frequently turned such weapons against the inventor of them to his utter discomfiture; the readiness with which, armed with an old Maori proverb, he knocked down defences which would probably have proved impervious to the keenest edge of Pakeha argument; rendered his assistance quite invaluable to me. I have found him not merely a good interpreter, but a most efficient colleague, and whatever good results may follow from this expedition, Mr. Fulloon may assuredly take to himself the satisfaction of having mainly contributed to them.

I append a summary of what I conceive to be the state of mind as to accepting the new policy, o the people of the different kaingas which I visited.

C. HUNTER BROWN.

APPENDIX.

SUMMARY OF LOCAL PUBLIC OPINION.

Taoroa: Hesitation; avowed neutrality, accompanied by avowed expectation that their neutrality and watching will end in coming over to the Queen.

Ahikereru: Same; more professed adhesion to King. Hamiora, chief and teacher, thinks well of the "tikangas," and evidently expected them to be carried out.

Oputao: Consent and co-operation of Pairau, the chief. Indifference of rest.

Tatahoata: Consent, but with reserve and distrust. Consent and co-operation of Te Manihera, chief and teacher.

Tahora: Same; approval of the chief Te Whenuanui, accompanied, I think, by some lingering distrust.

Tuapuku: Chief, Kawana. Intention to receive the new things, but with exceeding caution; ready to drop them at the first symptom of treachery.

Waikare-whenua: Assent; co-operation of Himiona, chief and R. Catholic teacher.

Ruatoki: Assent; Te Matenga, chief, decidedly.

Waimana: Assent; chief Anania cordially so.

Ohiwa: Chief Ohiwa; approval; consent left to depend on men of Opotiki.

Opotiki: Assent; Puhipi and Te Hira approve; the former took an active part in persuading the people. I am more doubtful of the reality of the consent of Opotiki than of any other place.

Tunapahore: Chief Wiremu Kingi.

Pakoriri: Chief Ngatawa.

Whitianga: Chief Tipata.

Omaio: Chief Te Matenga absent.

Te Kaha: Chief Hamiora absent. All approve and consent languidly, but are very full of two grievances, traders' high prices and the prohibition of powder. Ngatawa from Pakoriri came on with us and helped us; Wi Kingi is decidedly on our side. Less parade of supporting the Maori King at these places; at Te Kaha he was ridiculed. Te Kaha consented to the new policy with apparent heartiness.

FURTHER PAPERS

E—No. 9

Sec. V.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION V.

EAST CAPE.

PRESENTED TO BOTH HOUSES OF ASSEMBLY BY COMMAND OF HIS EXCELLENCY.

SECTION V.

E A S T C A P E.

No. 1.

INSTRUCTIONS TO W. BAKER, ESQ., RESIDENT MAGISTRATE.

Native Secretary's Office,
Auckland, November 8th, 1861.

SIR,—

With reference to your recent appointment under the Resident Magistrates' Courts Ordinance Sess. VII No. 16, I am directed to transmit to you the following instructions.

The district assigned to you for the present is that of the East Cape, comprising the settlements, of the Ngatiporou tribes, and extending from Te Kaha on the North to Whangara on the South; and if necessary it will be extended hereafter down to the Nuhaka river below Table Cape.

It is the wish of the Government that you should ultimately take up your residence at Rangitukia, as the most central point in the district; from which you will be required to visit the various settlements, making frequent periodical circuits for the purpose of holding courts, directing the proceedings of the Native Assessors, and exercising a general supervision over the affairs of the district.

The salary at present attached to your appointment is £250 per annum, to commence from the 22nd September ultimo. You will also be entitled to draw travelling allowance at the rate of 10s. per diem while on circuit. Your passage to the East Cape will be paid by the Government, and a sum of £25 will be granted to you towards meeting expenses of removal from Auckland.

I am directed to request that you will avail yourself of the first opportunity which may occur after receipt hereof to proceed to the East Cape, and make a preliminary circuit of your district for the purpose of communicating with the Chiefs and Assessors: explaining that the object of the Government in acceding to the request of the Ngatiporou tribe, that an European Magistrate should be sent to reside in their district, is to place within their reach those advantages which attend a regular administration of justice, and to aid them in establishing among themselves a system of local self-government under European supervision adapted to their condition and circumstances. You will endeavour to acquaint yourself thoroughly with the feelings and wants of the Natives in the district, in order that you may be able to report fully for the information of the Government upon the best mode of introducing such a system with special reference to the character and requirements of the Ngatiporou tribes. The views of the Government on this subject will be more fully communicated to you for your guidance at an early period. Meanwhile their general scope may be thus far indicated. It is intended to take advantage of the system of Runangas now in operation in most Native districts, and by properly constituting these and investing them with specific functions and authority, to place them on such a footing as will make them efficient instruments in the hands of the Government for establishing and maintaining law and order, and improving the social condition of the Native Race.

You will hold courts where necessary under the Resident Magistrates Courts Ordinance, and take every opportunity of instructing the Native Assessors in the duties of their office. I enclose a list in the margin, of Assessors already appointed in the East Cape District. It will be your duty to recommend to the Government such other appointments as you may consider necessary, specifying in each case the residence, limits of proposed jurisdiction, proposed rate of pay, and other particulars relating to the persons selected for that office, who should be men of influence and intelligence.

Mokena Kohere
Popata Kauri
Hamoira Tamanuitera

The Government will be willing to appropriate for purposes of public utility within the district any fees or fines received there by you. This appropriation will be made in each case upon your suggestion in concurrence with the respective Assessors, and it will be your duty to keep proper accounts and vouchers of such expenditure.

You are especially desired to furnish, for information of the Government, detailed and frequent reports of your proceedings, and of the general state of your district. I am also directed to request that you will keep a journal during your present visit, noting therein all matters of importance, and that you will transmit a copy thereof to this office.

As it is considered desirable that the permanent residence of the European Magistrate should be upon land belonging to the Government, I have to request that you will ascertain upon what

terms a suitable site for a homestead can be obtained from the Native owners at Rangitukia. You will then report to the Government, and await further instructions before concluding any arrangement with the Natives. The Government will not object to a liberal payment, if necessary, for an eligible site of moderate extent.

In conclusion, I have to convey to you the best wishes of the Government for the discharge of the important duties which devolve upon you, and in carrying out a work for which your past experience in the Native branch of the public service, together with your previous connection with the Natives of the East Cape, seem to point you out as specially fitted.

It is a work in which a really zealous officer has singular opportunities of distinguishing himself by success, and by setting himself resolutely to overcome whatever may cause disappointment at first. It is only by constant devotion to the high duty of teaching the Native race the advantages of submission to law, that real progress will be made. The Government expect and require such devotion at the hands of every officer they shall appoint to this duty: and if they see that it is willingly and cheerfully given in your case, you may depend on their support in your future career.

I have, &c.,

THOMAS H. SMITH,

Acting Native Secretary.

No. 2.

FIRST REPORT FROM W. B. BAKER, ESQ., R.M.

Auckland, January 3rd, 1862.

SIR,—

I have the honor to report, as briefly as possible, the result of my visit to the East Cape District, and the present state of the Natives occupying the territory lying between Te Kaha on the North, and Whangara on the South.

Immediately upon my arrival, on the 25th November last, I proceeded to Rangitukia, the *mua upoko* (metropolis) of the Ngatiporou, where I received a most cordial welcome. The majority of the adult population having assembled on that evening, I explained to them the object of my visit, and the intentions and wishes of the Government regarding them. They assured me that they appreciated the paternal interest in their welfare which the Government evinced towards them; and in the most emphatic manner expressed their desire to "live under the shadow of the Queen."

On the following morning, I commenced a tour through all the villages of Waiapu, and along the banks of the river bearing that name, travelling by easy stages in order to afford ample time for the people to declare their sentiments. At every kainga a Runanga was assembled to welcome the Ture, and to hear my message.

Returning from Upper Waiapu I next visited the northern part of the District, and met the natives at Te Kawakawa, where I found the same eagerness for the introduction of law and order. Te Ihairaira Houkamau, a chief of the first rank, and possessing great influence, was about to proceed northwards as far as Te Kaha and Opotiki, "to preach the law," as he expressed himself.

I then turned southwards, and passed through all the villages of the Ngatiporou, Te Urungawera, and Titangahaiti. I found the latter tribe far behind the others in every respect, and somewhat inclined to favour the King Movement. This I learned from the Ngatiporou Assessors who accompanied me. The Titangahaiti appeared to be quite willing to receive and accept British law, but they did not manifest the same desire for its introduction as the tribes occupying the northern part of the District.

For more detailed particulars relative to the kaingas visited, I beg to refer you to my journal, extracts from which will be furnished as soon as possible.

Having distributed freely among the Natives copies of the two Acts passed during the session of 1858 of the General Assembly, "The Native Districts' Regulation Act," and "The Native Circuit Courts' Act," and carefully explained the nature and working of them to the more intelligent young men, who availed themselves of every opportunity to converse with me on such matters, I am decidedly of opinion that from Patangata (the northern part of Hick's Bay) to Tarainga (the south head of Tokomaru) those Acts may be brought into operation. Of the Apanui country (north of Patangata) and the Titangahaiti country (south of Tarainga) I cannot speak so positively; I think, however, that the whole may safely be included in one general district.

Of the Native Assessors, Te Mokena Kohere, Hamiora Tamanuitera, and Popata Te Kauri, the two former have exerted themselves to the best of their ability to maintain order and to administer justice. Te Popata, though a man of great influence, has not taken any part in the movement which has excited so much attention among the Ngatiporou. I shall report more fully upon the subject in a separate communication. The Runanga system is now very general. Almost every village has its own, in which everything, from far country news to domestic life, is freely discussed. As at present constituted they are productive of much evil, but I feel assured that under careful and judicious supervision they may be made instrumental to a large degree in amelioration of the moral and social condition of the Native race.

The greatest suspicion and jealousy exist in the minds of the Natives as to the design of the Europeans (I can hardly say of the Government) upon their lands. They frequently stated in their speeches that they would rather die than part with any of their territory; but they are perfectly willing

to lease portions of it for a term of years, even through Agents or Trustees appointed by the Government if that was deemed necessary.

A site for the residence of the Magistrate has, however, been set apart by the Ngatiporou. This, as will be seen by the accompanying letter, is a free gift to the Crown. I found it necessary to exercise the greatest caution in dealing with them on this matter, as any attempt to negotiate for the purchase of a site would have roused their suspicions, and entirely frustrated the wishes of the Government.

So far as I can judge from recollection of the number of Natives ten years ago, I calculate that during the period from 1857 to 1861 the population of the East Cape has decreased by one-half. The English traders with whom I have conversed on the subject all think that the proportion I have given is below the mark. It is pleasing to find that the Ngatiporou are anxious that their children should have the benefit of a better style of education than has hitherto been afforded them. They are willing to co-operate with the Government in any measures that may be adopted in order to enable the rising generation to acquire a knowledge of the English language. One of their most influential chiefs thus expressed himself at a Runanga on this subject—"Let the Maori tongue die with my generation, as the taste of the fern-root and the mamaku will be lost with the old men who are now passing away. Let the tongues which have tasted of English food only utter the language of the great nation." This suggestion was warmly supported. A fine piece of land (they say 1000 acres) has been set apart as a school site.

Since the reduction of the Missionary body in the Diocese of Waiapu the Natives have been deprived of medical attention, and several instances of death by poisoning have been the result of their attempts to administer relief. Numbers have been carried off by epidemics which readily yield to the prescriptions of a skilful physician.

The want of a general overseer of agricultural and mechanical works is seriously felt. They have a large number of ploughs, &c., which being of very inferior quality are soon out of order, and the disheartened owners must either lay the article aside as useless, or perform a three days' journey to Tauranga to get it repaired. This almost any handy European could do in a few minutes; and I feel convinced that this incentive to the extension of agricultural operations would be productive of much good.

Before concluding this brief and imperfectly sketched outline, I feel it to be my duty to draw the attention of the Government to the Tauranga and Table Cape Districts, especially as the temper of the natives in the former materially affects the disposition of those residing at Nawa and its neighbourhood. They are, at least, so far disaffected as to be engaged in preparations for the reception of a deputation from Waikato. Vessels are to be sent to Tauranga during the early part of next month, to meet the Ngatimaniapoto chiefs and convey them to Tauranga. I think it would be most decidedly a failure to attempt to bring the two Acts into operation in those districts, but at the same time I consider that it will be highly impolitic to let them entirely alone.

I have, &c.,

WILLIAM B. BAKER,
Resident Magistrate, E.C.

The Native Secretary,
&c., &c., &c.

[Mr. Baker brought this Report to Auckland, and received his further instructions verbally.]

No. 3.

REPORTS OF PROPOSED CESSION OF A PIECE OF LAND FOR RESIDENT MAGISTRATE'S RESIDENCE.

Auckland, January 9th, 1862.

SIR,—

The Natives of the Waiapu District having offered to cede a piece of land (estimated to contain from 15 to 20 acres) to the Crown, as the site for the residence of the Magistrate, I have the honor to request that I may be informed what steps are to be taken in order to the execution of the necessary deed of cession.

The Natives of Tokomaru offered a site for the same purpose during my recent visit, or rather, I should say, expressed their willingness to do so in case any difficulty was experienced at Waiapu in procuring one.

Under these circumstances, and anticipating the location at some future time of a Magistrate within the Tokomaru District, I would suggest that their present disposition should be availed of, especially as from my long and personal acquaintance with them I am sanguine of success in this matter.

I have, &c.,

WILLIAM B. BAKER, R. M.

The Native Secretary,
&c., &c.

January 15th, 1862.

In my General Report of the 3rd instant, I stated the particulars connected with the offer of a site for a Magistrate's residence, viz.:—

That the Natives positively declined to sell an acre of land.

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That they offered to give from 12 to 20 acres for this purpose.

A letter, signed by thirty-two of the principal Chiefs residing between Rangitukia and Whangara offering this land, was enclosed.

The land offered is situated near the pa of Rangitukia, on the banks of the Marahea, a stream of considerable volume which bounds it on the north; on the east, or front, lies the trunk road intended to lead up the valley; the southern boundary is a line running from the fence of Hohepa te Rore's wheat-field (and at a right angle to the main road) towards Te Mapara; the back boundary, a small stream.

The soil is of excellent quality, and perfectly level. There is not a tree upon it, except a few young manuka.

I append hereto the original, with translation of the Maori letter referred. I feel it to be my duty again to state that the Ngatiporou are extremely jealous of any attempt to acquire (by purchase or deed of gift) any portion of their land. Even though they had themselves opened the question, I found it necessary to be extremely cautious; the very word "whenua" used by an agent of the Government, seemed sufficient to arouse suspicion and distrust.

Other sites were named, but objected to by me on account of their distance from the pa at Rangitukia.

In a letter, dated as far back as the latter end of 1860, the Ngatiporou offered a site at Te Kawakawa (Karakatuwhero). As my instructions directed me to locate myself at Waiapu, I made no enquiries about this land; but I was informed that it is very well situated, fertile, and possesses the advantage of being near Hick's Bay, from which place there are more frequent opportunities of communicating with Auckland than from any other on the coast.

I respectfully request to be informed, in order that I may give a definite answer to the Natives,—

Whether the offer of the land at Rangitukia is accepted: or,

Whether an extension of the boundaries of that piece will be necessary: or,

Whether negotiations should be opened with them for a fresh site of greater extent, near Rangitukia: or

Whether, in the event of failure at Waiapu, a site is to be acquired elsewhere: or,

Whether the offer of Karakatuwhero will be accepted, and the Magistrate's location be removed to Te Kawakawa.

May I also be informed whether a site is to be obtained at Tokomaru.

WILLIAM B. BAKER.

Rangitukia, Waiapu,
December 20th, 1861.

O Sire, our loving Parent, we greet you.

The Magistrate has come hither to our village. We have saluted (*lit.*, sighed towards) the law, that it may be a loving parent to benefit the children, the old women, the old men, the orphans, and the poor.

A certain portion of our land has been ceded to us for him, that is, upon your name.

We rejoice over this great boon which has come amongst us, namely, the Law of the Queen, which is to arrange the portions of our land that they may be right; for our roads, that they may be made straight; and for all good works, also, that they may be performed (introduced) among us, lest the root of bitterness spring up, and the many be confused.

His Excellency Sir George Grey, K.C.B.,
&c., &c., &c.

From me, RAWIRI RANGIKATIA,
(and 31 others.)

No. 4.

REPORT OF LANDING OF GUNPOWDER AT THE EAST CAPE.

District of Waiapu.

Resident Magistrate's Office,
Rangitukia, 17th February, 1862.

SIR,—

I have the honor to report that upon my arrival at Waiapu, I received information that a whaler (supposed to be American) touched at the East Cape for supplies, and amongst other articles landed six casks of gunpowder, which were distributed as follows:—

At Pouretua..... Two.
“ Howera Three.
“ Omaruhou One.

Other vessels are expected to call off the coast during the next two or three months, the masters of which are very likely to offer gunpowder and spirits in barter for the Native produce required by them.

I think it extremely desirable that means should be adopted to prevent the recurrence of such an offence, particularly in a district where the effective working of British law would be seriously impeded by an open defiance of its authority, by persons over whom it is supposed by the Natives to have an irresistible influence.

Under these circumstances, I beg to recommend that the gun-boat "Caroline" should either cruise in the vicinity of the East Cape, or visit it at short intervals, in order to afford an opportunity of carrying the law into effect. From the fact of there being no harbour, the class of vessels referred to lie off and on, rarely coming to anchor, thereby precluding the possibility of communicating with them except through the medium of their own boats.

I have, &c.,

The Hon. the Attorney-General,
&c., &c.

WILLIAM B. BAKER, R.M.

No. 5.

REPORT OF MEETING OF RUNANGA AT WAIOMATATINI.

District of Waipu.

Resident Magistrate's Office,
Rangitukia, 17th February, 1862.

SIR,—

I have the honor to inform you that on Tuesday, the 11th instant, I attended a Runanga at Waiomatatini (a small village about five miles up the Waipua valley) which had been convened by certain Natives who had manifested a decidedly disaffected spirit during my recent absence from the district.

It will be seen upon reference to my letter of the 4th ultimo, my journal and report and that I have already informed the Government of the fact that Te Popata Kauri, one of the Assessors appointed four years ago, was said to have a decided leaning to the Maori King movement, and that, notwithstanding this, I had for the reasons therein stated, paid to him the sum of £10 (ten pounds) authorized by his Excellency the Governor as a gratuity for his past services.

On the day following the date of my embarkation to return to Auckland, much dissatisfaction was expressed by some of the Natives at this money having been given to Popata, on the ground that Te Popata's services had not been worthy of such an acknowledgment. Others again raised the suspicions of the wavering to the highest pitch, by averring that the money was a bait intended to bribe Te Popata to acquiesce in the sale or surrender of their land. Unfortunately Te Popata was induced to assert that such was the real object of the gratuity, and the money was sent back to Te Mokena, who represented the "taha Kawana" or loyal side.

Finding that such was the state of affairs, I lost no time in going to visit Te Popata and his party, by whom I was civilly received, and invited to attend a Runanga which was to be held on the following day. Very little was said by either of us relative to the subject in hand, as I wished it to be freely and publicly discussed, knowing how deep an impression the charge of bribery had made upon the minds of the people. I took occasion however to remind Te Popata of the circumstances under which I had given him the money, and how carefully I had explained to him that it was a reward for services rendered or supposed to have been rendered, in his capacity as Native Assessor.

On the following day, February 11th, I proceeded to Waiomatatini, accompanied by Te Mokena Kohere, principal Assessor, the Reverend Rota Waiota, and the Rev. Raniera Rawhia, the latter of whom, from his rank as Chief of that part of Waipua, and the influence attached to his sacred office, was of much service in allaying the excitement and suspicions to which the insinuation of "tango whenua" (signing or taking of land) had given rise. His residence for some time at St. Stephen's near Auckland, and the knowledge thereby acquired by him of the usages of the Pakeha, enabled him to point out the absurdity of their proceedings, and the groundlessness of their suspicions.

In reply to the speakers who represented the "taha maori" (Native side), I assured the meeting that the Government had no desire to interfere with their lands any more than to suggest such measures and regulations as should best conduce to the settlement of the frequent disputes arising out of their ill-defined Maori tenure; that the Government, acting on the principle that "the labourer is worthy of his hire," had directed me to pay Te Popata for his services as an Assessor, an office which they well knew he had held for four years; that I indignantly and positively denied the charge of any attempt to bribe Te Popata, either as a private individual or a servant of the Government, and pointed out to them that their jealousy of each other, and groundless suspicions as to the intentions of the Government, were the root of all the excitement and disaffection throughout the country.

I am happy to be able to report that with one or two exceptions the people seemed perfectly satisfied, and that the money which was the alleged cause of the disaffection was received when tendered to them by the Rev. Raniera Rawhia, in whose hands I had placed it. I have since received a message from them to the effect that they had "huri mai" (returned) to their allegiance to the Queen, and had given up the idea of placing themselves under the direction of the Waikato King-party.

The prime mover in this agitation is a young man named Hori Te Aunoanoa (nicknamed Whékana, from his noisy bombastic manner.) He has been for some time past acting as Te Popata's deputy, and as such has made a great demonstration of carrying out the law according to his own idea of its principles and mode of operation. Indignant that Te Popata should have received the reward of his (Hori's) services, and feeling his inability to cope with him as a private individual, he raised

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the party-cry of "tango whenua", and succeeded in beguiling a considerable number of persons by his specious arguments. He now expresses great contrition for his folly and offence, and wishes to be placed on the roll of Assessors or Wardens. I cannot however recommend that this should be done at present, especially as there is a very strong feeling against it on the part of the well-disposed Natives, with whom he is by no means a favorite; and the notice taken of him might induce others to attempt to gain a place and name by a similar course of agitation and misconduct.

I have, &c.,

The Native Secretary.

WILLIAM B. BAKER,
Resident Magistrate, E. C.

No. 6.

EXTRACT FROM REPORT ON GRANT OF SITE FOR MAGISTRATE'S RESIDENCE.

Resident Magistrate's Office,
Rangitukia, 27th February, 1862.

Before leaving Auckland, I addressed the Native Secretary on the subject of the site offered by the Natives for the residence of the Magistrate, and also regarding the expense of erecting a house thereupon.

I have as yet received no written reply thereto, but learned from the Minutes of the Government, that the piece of land named was considered to be too small for the purpose, and that I was to be instructed to treat with the Natives for an extension of the boundaries.

Finding that during my absence from the District a difficulty had arisen with regard to the first offer, and that prompt measures were necessary in order to secure a fitting site, I at once closed with the offer of the Ngatipiritai tribe, who by a Deed of Gift dated the 22nd instant (a copy of which I enclose) ceded to the Crown a valuable piece of land, estimated to contain from one hundred to one hundred and twenty acres. It possesses the advantages of nearness to the sea, easy access to an inexhaustible supply of firewood and fencing, convenient to the Natives, and a fertile soil.

The offer was made and the whole transaction arranged in a manner which is highly commendable. I did not hear a dissentient voice, and, indeed, heard nothing whatever about it until the Natives came to invite me to walk round the boundaries. I have this day taken possession in the name of the Queen, and marked off a portion to be cleared and fenced immediately.

I have, &c.,

The Hon. the Attorney-General,
&c., &c., &c.

WILLIAM B. BAKER,
Resident Magistrate, E. C.

Enclosure in No. 6.

COPY OF DEED OF CESSION.

No. 7.

REPORT OF CESSION OF 700 ACRES AS SITE FOR A SCHOOL.

District of Waiapu.

Resident Magistrate's Office,
Rangitukia, 27th February, 1862.

SIR,—

I have the honor to inform you that on the 22nd instant I perambulated the boundaries of a block of land situated at Mamiti (Upper Waiapu) estimated to contain 700 acres, which the Natives offer to cede as the site for a school in which their children may be taught the English language.

The land is of superior quality, for the most part perfectly level, and situated within natural boundaries. Timber for building and fencing can be procured with great facility, but firewood is rather scarce. It can, however, be obtained in any quantity during the period of the river-freshes.

The site has been for some time past set apart for school purposes, and one or more of the Church Missionary body has been to look at it, but no agreement has been entered into nor possession taken of it. The Natives failing to secure the object of their wishes, and acting on the proposal made in Sir George Grey's policy published in the "Maori Messenger," now urge the acceptance by the Government of the site, and express their willingness to assist in the maintenance of the school there.

I feel that it will be unnecessary for me to say anything in support of so laudable a proceeding, and trust that I may be authorized to procure the execution of a Deed of Gift, and to enter upon preliminary arrangements with as little delay as possible.

I have, &c.,

The Hon. the Attorney-General,
&c., &c., &c.

WILLIAM B. BAKER,
Resident Magistrate.

No. 8.

REPORT OF NOMINATION OF OFFICERS BY THE RUNANGAS.

District of Waiapu.

Resident Magistrate's Office,
Rangitukia, 19th February, 1862.

SIR,—

I have the honor to inform you that at a Runanga held this day, which was numerously attended, and at which representatives from all the principal villages within the Hundreds of Waiapu and Wharepunga were present, the following persons were elected to serve as Karere:—

Hundred of Waiapu.

Wi Takoko, of Tikitiki,
Hamana Tuahine, of Kakarihi,
Hori Te Aunoanoa, of Waiomatani,
Te Weiha, of Rangitukia,
Rihara Paipa, of Te Horo,
Arapeta Haenga, of Ti

Hundred of Wharepunga.

Paratene Pahau, of Roporua,
Rapata Wahawaha, of Whariponga,
Kereama Te Wera, of Orangitauria.

I enclose herewith copies of the letters addressed to them on their appointment. It will be seen that I fixed on the 1st instant as the date of appointment. This was done for two reasons—1st, that with one or two exceptions, they had already been engaged in duties similar to those which now devolve upon them; and, 2ndly, because the amount per mensem is so small as to render it expedient to make the most of it at the commencement.

The only person to whose name opposition was manifested was Hori Te Aunoanoa, of whose misconduct I have reported fully under date 18th inst. After a long discussion, it was finally resolved that, as he was really an energetic and persevering individual, and as such calculated to become very useful, a fair trial should be given him, especially as he would be in a subordinate position, and as the rejection of their choice might aggravate the disaffected party and tend to widen a breach which it is the object of all the most sensible Natives in the district to heal.

I transmit herewith the measurements necessary for the fit of their uniforms, with a sketch of the manner in which they have been taken, and beg to request that they may be furnished at the earliest convenient date.

I leave for Te Kawakawa to-morrow morning, in order to make the necessary arrangements for the election of Karere for that Hundred; the elections for the Hundreds of Tokomaru and Nawa (District of Tokomaru) will take place on my return from Turanga, and those for the Hundred of Te Kaha as early as possible.

I have, &c.,

The Native Secretary,
&c., &c.

WILLIAM B. BAKER,
Resident Magistrate.

District of Tokomaru.

Resident Magistrate's Office,
Rangitukia, March 25th, 1862.

SIR,—

I have the honor to report that the following karere have been elected within the District of Tokomaru:—

For the Hundred of Uaroa.

Hepeta Miromiro—Paremata.
Tamati Paku—Anaura.

For the Hundred of Tokomaru.

Epimiha Pahau—Tuatini.
Hemi Kaipere—Te Ariuru.

For the reasons stated in my letter No. 15 of the 19th ultimo (addressed to the Native Secretary), these karere will draw their pay from the 1st day of March.

Up to this time the conduct of the Kareres has been such as, with one or two exceptions, to augur favourably for the success of the policy under which they have been appointed. They are zealous, active, respected by the people, and readily obey my instructions.

I find, however, that considerable jealousy exists among the different hapus of which the large tribes in the two districts are composed, relative to the persons elected to this office. They look upon it as an honor to be represented by one of their own hapu, and evince great dislike to the exercise of the duties of karere within their boundary by a member of a distinct hapu. The only objection they make to the system is that there are not enough Kareres for the requirements of the people.

In this opinion they are supported by the Assessors, and especially by Mokena Kohere, the principal Assessor, who urges the increase of their number on the ground that "ma te tini o nga pou

ka u ai te taiepa" (the stability of the fence depends upon the number of its posts). I feel that it will only be necessary for me to remind the Government of the extent of coast line within which the four kareres I have named will have to exercise their functions—namely, two ordinary days' journey—in order to shew that there is need for the appointment of an additional number.

The Hundred of Uawa is divided into the following hapu:—

Ngatirahe—Whangara, Waitotara, Pototakina, Puatai, &c.

Ngatipatuwhare—Uawa, Paremata, Wangaheia, &c.

Ngatiwhakamara—Uawa, Te Karaka, Waikirikiri, &c.

Ngaitarore—Paerau, Te Kapuni, Kaiana, Marau, &c.

Ngatira—Anaura, Rangeiahu, Waipare, Omanuku, &c.

Each of these hapu expects to have at least one karere, and would much prefer two. Of the two already appointed one is a member of Ngatipatuwhare, the other of Ngatira.

In the Hundred of Tokomaru, the Natives have not so readily fallen into the scheme as they might have done. This, however, is not to be wondered at when it is remembered that they are left almost entirely to themselves even in religious matters, and are considered in a certain degree to be without the pale of Christianity. I do not think therefore it is necessary to increase the number of kareres in this Hundred for the present.

In conclusion, I beg to express my decided opinion that the expense involved by the appointment of extra kareres (say at least four more, making a total of six for the Hundred of Uawa) will be trifling compared with the present advantage of securing the co-operation of the mass of the people, by enlisting their sympathies with the individuals thus bound to the Government service, in carrying out the measures which have been devised for the public good.

I have, &c.,

WILLIAM B. BAKER,
Resident Magistrate.

District of Tokomaru.

Resident Magistrate's Office,
Rangitukia, 26th March, 1862.

SIR,—

I have the honor to recommend that Karauria Pahura, of the Titangahauiti tribe, be appointed to the office of Assessor for the Hundred of Uawa, District of Tokomaru.

Karauria is a man of high rank, being regarded by the Natives as the successor of Te Kaniatakirau in the locality where he resides. He had for some years been leading an irregular life; but having been baptized, married, and recognized as a Chief of importance, he has for some time past conducted himself with great propriety.

His importance is fully acknowledged by the disaffected party on Waikato and Turanga, and they have long tried to gain him over to their side. He has however firmly resisted their importunities, and professed his determination to uphold the law within his territories.

I have, &c.,

WILLIAM B. BAKER,
Resident Magistrate.

No. 9.

REPORT OF VISIT TO THE NATIVES OF TE KAWAKAWA.

District of Waipapu.

The Parsonage, Te Kawakawa,
April 10, 1862.

SIR,—

I have the honor to inform you that I have this evening returned from visiting the Kaingau and Natives within the Hundred of Te Kaha; and as the "Dolphin" is lying windbound in Hicks' Bay, a few miles to the north of Te Kawakawa, I cannot let the opportunity pass, trusting that excessive fatigue from exposure in an open boat during a tempestuous run of between forty and fifty miles, may be received as an excuse for brevity.

I reached Te Kawakawa on Thursday the 3rd instant, spent the next day with the Natives settling various matters of dispute, &c., and finding that all the leading men had started for Pakoiri in the Bay of Plenty, the scene of dispute and fighting between Te Whanau Apanui and Ngatai, started on the following day (5th) for Te Kaha.

In consequence of the flooded state of the rivers, the weather for some past having been unusually wet, it was impossible to proceed by land; one river alone, the Waikohu, has to be crossed and re-crossed more than a hundred times. This may appear almost incredible, but I am assured by a respectable European who took the trouble to count the crossings that he forded it one hundred and fifty-five times, using a notched stick to keep tally. In several places at the best of times the horses have to swim with their riders on their backs. I was therefore compelled either to procure a whale-boat, or to give up the idea of visiting Te Kaha till next spring, my recent visit to Turanga to inspect the school having made the season of my visit later than it should have been. This was an unpleasant alternative, the whole coast line being open to the ocean and the distance considerable (45 miles).

Finding that the Ngatiporou Runanga (headed by Ihairaira Te Koukaman, a chief of the highest rank and influence) was encamped at Orete, we landed there, and spent Sunday with the people of that place. They seemed well disposed, but were too much engaged in entertaining their visitors to pay much attention to business matters.

At daylight on Monday morning we started again, in company with the Ngatiporou Runanga, who had been accommodated with boats and canoes; landed at Pakaoa, where much time was spent in speechifying and feasting, after which we proceeded as far as Te Oneroa. There we were detained two days by bad weather, a furious gale having set in which made it necessary that we should leave our boats and journey by land; my party arrived at Te Kaha an hour or two before the Runanga. We were received very coolly, and some surprise was expressed that a Magistrate should go so far to visit them. The Kaha Natives have been previously disappointed at the non-fulfilment by the Committee of the Church Missionary Society of an oft-repeated promise that they should have a clergyman stationed there; this has made them doubt the sincerity of any professions of regard for their welfare that may be made by Europeans. I trust, however, shortly to convince them of the falsity of this opinion, and their confidence once being gained, they will doubtless soon be as willing as the rest of the people of this District to avail themselves of Government control and direction.

The country is extremely beautiful, and fertile to a proverb, and the weather milder than in the vicinity of the East Cape. This has saved them from the loss which has been sustained throughout the whole of the District South of them. The Natives, however, are greatly in debt to the European traders, who have scattered trade among them in the most reckless and culpable manner, and now press the Natives for payment at a time when the price of produce is unprecedentedly low. The result of this attempt to make up for the extravagance of years of plenty at a time of scarcity and an unremunerative price, is, that a bitter feeling has arisen between the traders and the Natives, such as has not hitherto manifested itself. The former complain of the dishonesty and rascality, as they term it, of the Natives, and torment the Magistrate with applications for summonses, &c., endeavouring to make British law the tool of their own folly and rashness. The Natives, on the other hand, regard the Pakeha as an usurious exactor. They have no idea, or will not entertain it, of interest on money, and content themselves with promises to pay at some future or more convenient season. It will readily be seen that this state of things must be productive of much harm, alike to the morals and temper of the Natives.

In compliance with the earnest solicitation of the Ngatiporou Runanga as well as the Whanau Apanui, I had promised to accompany them to Pakoiri, it being their intention and object to attempt a mediation between the disputants at that place. Finding however, that Mr. H. Clarke, within whose bounds it is situated, would not be there, fearful of appearing to intrude upon another person's sphere of duty, and my health having suffered severely from constant travelling since my arrival at the East Cape, I returned from Te Kaha as above stated.

Having thus completed the visitation of all the villages within the Districts of Waipau and Tokomaru, it is my intention to devote myself to those matters of official correspondence and routine which have unavoidably been thrown into arrears by my absence from home.

While I am not prepared to say that the state of the Districts under my charge is such as I could desire, or hope that they will attain to, it nevertheless gives me pleasure to be able to report that there is an appearance, almost amounting to a certainty, of success. The Assessors, Wardens, and Kareres are working well and harmoniously, and though far from being efficient, their docility at present is such as to afford me much encouragement in the work of fitting them for their duties.

The next great step to be taken is the organization and control of the Runanga. At the present time, I am quite in the dark as to the measures which have been or may be adopted by the Government with reference to them. As at present constituted, they are, in my opinion, worse than useless; the voice of the Runanga is used to checkmate any movement that may not at first sight be popular with or suit the convenience of the rising generation, youths of from fifteen to twenty years of age, whose arrogance is a source of great annoyance to the older and more sensible portion of the community. These pert young fellows plume themselves upon being the representatives of the present age, "th young Maori of the Native race," and comport themselves accordingly. I have frequently to remind them, that the first Commandment having reference to the duty of man to man of the code which is the basis of British law, is that which enjoins obedience and respect to their parents and chiefs.

I have, &c.,

WILLIAM B. BAKER.

The Hon. the Attorney General,
&c., &c., &c.

No. 10.

REPORT OF LETTER FROM NATIVES OF TE NAWA.

District of Tokomaru.

Resident Magistrate's Office,
Rangitukia, 29th April, 1862.

SIR,—

I have the honor to forward herewith an address by the Natives of the Hundred of Nawa, expressive of their loyalty, and their desire to see Sir George Grey's policy introduced among them.

I have, &c.,

The Honorable the Attorney General.

WILLIAM B. BAKER,
Resident Magistrate.

Nawa, March 18th, 1862.

FRIEND THE GOVERNOR,—

I salute you. Your minister whom you have sent hither to preach good tidings to us has come hither. He has proclaimed your laws and your policy, and they have been accepted in the presence of all the people.

WIREMU PAKI PAREKARANGA.

FRIEND THE GOVERNOR,—

This is my word to you. There are two things of which I approve, my duty towards God, and my duty towards the Queen. The message ends. A song—

Come hither O Governor, let us recline together,
Let me spread beneath thee the garment of Hine;
We await the approach of the good from without
From the headlands of England, the land of the Queen.

KARAURIA PAHURA.

FRIEND THE GOVERNOR,—

I have approved of your measures and I will enter beneath the shadow of the Queen.

HAMIORA KUHUKUHU.

FRIEND THE GOVERNOR,—

I will enter into your laws.

ERU TE WHANA.

FRIEND THE GOVERNOR,—

I assent to your words. There are two things which I see therein, my duty towards God and my duty towards man.

WATENE RANGI.

FRIEND THE GOVERNOR,—

I salute you. This is my word to you, indeed I have no other word but that. Spoken by Pararuhi. Seconded by me, Te Hemara. I do not approve of the Maori King, but of Religion and the laws of the Queen. Supported by Hamiora Wiremu Karo.

FRIEND THE GOVERNOR,—

We salute you, the man sent hither by God to lay down plans for the guidance of things in this world. Since your coming to this Island, you have taught us the good things which shall cause men to increase upon the earth. You have also sent a person hither to preach that system to us. When we heard of it we embraced it; our acceptance was this, we have been by Mr. Baker the Magistrate, to be a loving friend to him for ever, and to enquire into the causes of confusion which befall the men of this place. Now this is our word to you. Do you be a support for us, you on earth, God in Heaven, although our bodies are widely separated, let our thoughts be ever near each other. May God preserve you for the future.

If you see that these words are good, do you cause them to be printed in order that they may be made known to all our Maori friends.

FROM THE RUNANGA.

FURTHER PAPERS

E—No. 9
Sec. VI.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION VI.

HAWKE'S BAY.

PRESENTED BY COMMAND TO BOTH HOUSES OF THE GENERAL ASSEMBLY.

SECTION VI.

HAWKE'S BAY.

No. 1.

INSTRUCTIONS TO LIEUT.-COLONEL RUSSELL, CIVIL COMMISSIONER.

Office of Minister for Native Affairs,
Auckland, March 3rd, 1862.

SIR,—

His Excellency the Governor having been pleased to appoint you to be Civil Commissioner for the District of Ahuriri, this day constituted by Order in Council, I have to convey to you the following instructions for your guidance.

Enclosure 1.—Minute by Mr. Dillon Bell, 16th Nov., 1861.

Your own acquaintance, as a settler of the Province of Hawke's Bay, with the peculiar circumstances which have affected the relations between the Natives and the settlers in that Province for the last two or three years, relieves me from the necessity of explaining in detail the difficulties in the way of introducing any system that should alike be acceptable to both races and prevent the recurrence of evils which at one time seriously threatened the peace of the settlement. You are aware that one of His Excellency's Ministers has recently visited the Province of Hawke's Bay, and taken the first steps towards bringing into operation there the plan of Native Government instituted by Sir George Grey. It is the prosecution of that task which the Governor now confides to you.

Enclosure 2.—Minute by Hon. Crosbie Ward, 16th Dec., 1861.

Enclosure 3.—Report by Hon. Crosbie Ward to the Governor, 23rd Jan., 1862.

Enclosure 4.—Suggestions for the Civil Commissioner, 18th Jan., 1862.

Enclosure 5.—Papers relating to proposed regulations, July 1839.

In order that you may be placed fully in possession of what has already been done, I enclose herewith copies of five papers, as noted in the margin, to which your attention is directed. In particular I have to request your careful perusal of the suggestions made by Mr. Crosbie Ward for the guidance of the officer who might be appointed Civil Commissioner of the District—not that His Excellency's Government desire to fetter your discretion, or would be unwilling to adopt any modifications which you should point out as desirable, but because those suggestions convey generally the views of the Government as to the way in which Sir George Grey's plan should be introduced at Napier, and because it is desirable to disturb as little as possible any arrangements which have already been made. I desire, however, to add a few observations of a general character.

I need hardly refer you to the outline of the Governor's plan, which has been extensively circulated both in English and Maori, and with which it is presumed you have already made yourself well acquainted. You will have observed that the proposal is based upon the recognition of the Native Runanga as the instrument through which the Natives may practically receive the benefit of self-government, under English guidance and the sanction of English law. The Government does not pretend to have framed a perfect scheme; it has contented itself for the present with the endeavour to give effect to those laws which the General Assembly has already passed, relying on the ultimate development of such elementary institutions as can now be planted, into a good system resting on the free assent of the Native people themselves, and preparing them, by teaching them the first steps in political life, to take hereafter that full and equal share in the government of the country which the theory of the Constitution already gives to them as well as to Her Majesty's subjects of the European race.

The laws to which I have referred were intended to provide, first, for the political organization of the Natives, and secondly for the administration of justice among them. Thus the Native Districts Regulation Act enables the Governor, with the assent of the Natives, to put into force regulations for every purpose with respect to which it would be prudent to make laws without the intervention of the Colonial Legislature: while the Native Circuit Courts Act confers large powers upon Courts comprising European Magistrates and Native Assessors, for carrying into effect both the general law and any special Regulations made by the Governor.

I enclose you copies of these Acts, which have been carefully translated into Maori. The 7th sub-section of the 2nd clause of the Native Districts Regulation Act is one which may be used with success to put an end to the disputes which have led to what is called the "Grass-money Question," and to establish a system under which both races may exchange the constant and open violation of the law which has long been going on, for a recognized occupation of Native lands, under conditions securing to the Natives their just right to the profits of their own lands, and to the settlers the use of fertile tracts which have not been acquired for the Crown. It is probable that to this subject

REPORTS OF OFFICERS:

the attention not only of yourself but of all the inhabitants of the Province will be first directed; and, as being under the present circumstances of Hawke's Bay the most important one, it will be convenient to take it as an example of how the Governor's plan may be practically worked.

The Regulations to be put in force under the Native Districts Regulation Act need not and often will not be applicable to the whole area of a district. They may either be General Regulations applicable to the whole, or Local Regulations applicable only to a portion. Thus it is intended that the General or District Runanga, over which the Civil Commissioner will preside, and which will consist of Resident Magistrates, Native Assessors, and such other members as may be appointed or elected, shall frame regulations on matters of general interest affecting the whole Native population of the District: while the Village Runangas, presided over by the Resident Magistrates under the general direction of the Commissioner, and consisting either of the whole number of adult males or of a selection from them (as may variously be desired in different districts), shall frame Regulations on matters affecting only themselves and their property. Applying this to the circumstances of Hawke's Bay, it may be very desirable and even necessary that the principles on which the occupation of Native land shall lawfully take place at all, should be declared in a General Regulation applicable throughout the District: while it may be equally desirable, having regard to the difference both in ownership and value, that different rules should locally exist, at the recommendation of the Village Runangas, for the occupation of the agricultural plains of Ngaruroro and of the pastoral country of Porangahau or the fern ridges of the Mohaka. In like manner, on other subjects for which the Act provides that Regulations may be made, similar variations may occur between local regulations; but it will readily occur to you that it is best to aim at uniformity wherever the circumstances will permit.

You will observe that Mr. Crosbie Ward has proposed to divide your district into three parts;—viz., to the north, Wairoa and all the country beyond the Mohaka block; to the south, Waipukurau with Rua Taniwha and Porangahau; and the Ahuriri Plains in the middle. For the purposes of the Native Districts Regulation Act, accordingly, the whole Province of Hawke's Bay will remain one district; for the purposes of the new Circuit Courts Act it has been divided into three, to be called the Hundred of Waipukurau, the Hundred of Ngaruroro, and the Hundred of Wairoa. In the Hundred of Ngaruroro, Mr. Ward has proposed that there should be six Assessors, and in the Hundred of Waipukurau ten Assessors: he has not proposed any number for the Wairoa Hundred, because he did not visit that part of the country, but His Excellency's Government consider that four Assessors will be sufficient there. In each of the Hundreds, a Village Runanga is to be constituted, of which the Assessors will be the first members, in addition to the Warden or Chief Karere, who is to be nominated by the Runanga for the Governor's approval; the other members being either all the adult males, or, if that should not be desired by the Natives themselves, a certain number to be selected from them. For the whole District, 20 Kareres are to be appointed by the Runanga subject to the Governor's confirmation; and you will determine, in conjunction with the Village Runanga, how these 20 Kareres are to be distributed in the three Hundreds, having regard to the Native population in each.

The salaries of all the Assessors in the Bay of Plenty District have been fixed at the uniform rate of £30 per annum. In other districts the salaries vary from £20 to £30, rising in a few special cases to £50 for chiefs of high rank and influence. It is not the Governor's wish to force any particular system on the Natives in all the Districts. His Excellency is willing to meet their own views in each District as far as he reasonably can. Assuming the total number of Native Assessors for the whole District to be 20, you are authorized to settle with these Chiefs either for a uniform salary of £30 per annum, or for such a variation of salaries as shall not in any case be more than £50 nor less than £20, nor exceed in the whole the total to which uniform salaries of £30 would amount. The Wardens in each Hundred will receive £20 a year, and the Kareres a uniform pay of £10 a year each, with their clothing. All these salaries are to be paid monthly by you, according to pay lists whereof forms will be supplied.

With regard to European Magistrates, it is the wish of the Government ultimately to station one in each of the three Hundreds. For the present, however, it has been deemed sufficient to appoint Mr. George Sisson Cooper Resident Magistrate of the Waipukurau and Ngaruroro Hundreds; and you are requested to take steps on your arrival at Napier for submitting to the Governor the name of a qualified person as Magistrate for the Wairoa, where there is reason to believe his services are much required.

In conclusion, I have to invite you freely to communicate with the Government on any subject on which you may desire further information and guidance. His Excellency is well aware of the difficulties with which you will have to contend, but he confides—not for the first time—in your self-reliance and prudent judgment to overcome them in the long run. No other part of New Zealand resembles Hawke's Bay in the characteristic feature of the most valuable, level, and fertile land being still retained by the Natives, in the very midst of a growing European population which naturally longs to be allowed to put that land to its proper use of agriculture. Nowhere is the truth more apparent, that institutions of Government for the Natives can be successful only on the condition of securing the co-operation of the colonists and the mutual good-will of the two races. The Government is satisfied to confide this work in the Province of Hawke's Bay to an officer who has served Her Majesty with credit, is well known to the Natives as a good friend in former days, and possesses the feelings and interests of an actual settler.

I have, &c.,

HENRY SEWELL.

Lieut.-Colonel Russell,
Civil Commissioner, Napier.

Enclosure 1 in No. 1.

MINUTE BY MR. DILLON BELL RESPECTING THE HAWKE'S BAY GRASS-MONEY.

[For Ministers.]

November 16th, 1861.

The letters received from the Resident Magistrate at Napier (61-532, 61-563) respecting informations and complaints against Natives for levying grass money, require early attention.

I apprehend the state of the law is as follows:—

By the Cattle Trespass Ordinance of 1846, damages to the extent of £20 could be recovered for trespass on substantially fenced land, except where Natives were concerned, when Justices might assess damages though the land were unfenced. This Ordinance was repealed within the Province of Wellington by the Impounding Act of the Provincial Council, Sess. 3 No. 8 (1856), which made other provision on the subject of cattle trespass. By this Act, however, it was provided that the Superintendent might proclaim Pastoral Districts in which the Act (or any Section of it) should not be in operation. The Superintendent, on the 14th April 1856, proclaimed the whole of the Wairarapa and Hawke's Bay country to be Pastoral Districts, except the townships of Napier, Featherston, Greytown, and Masterton; and declared that Sections 2, 4, 6, 7, 8, 11, 12, and 13, of the Act should not apply there. I do not find that any other Proclamation has since been made, or that the Act has been amended or repealed.

It appears, therefore, that the only law of Cattle Trespass in force in the Napier Country Districts is to be found in Sections 3, 5, 9, 10, 14, 15, 16, and 17 of the Act. Those Sections are as follows:—

- § 3. Any person occupying land over which cattle shall trespass, may, without impounding the cattle, summon the owner before a Justice of the Peace, who may award special compensation.
- § 5. Protects persons driving cattle on a highway, if the cattle accidentally trespass on unfenced land.
- § 9. Owners of trespassing cattle may not enter without permission upon land in the occupation of any other person to seek and drive away such cattle, under a penalty of 5s. to £5, unless such cattle shall be milch cows, or be seen actually trespassing on cropped land, or land laid down to grass and substantially fenced; but if permission be asked and refused a Justice of the Peace may give authority, such authority not to relieve owner of trespassing cattle from damages for any injury done.
- § 10. Persons driving cattle belonging to any other person from land in the occupation of the latter, to pay a penalty of 5s. for great and 1s. for small cattle, besides damages for loss of time to party seeking redress.
- § 14. Relates to entire animals.
- § 15. Gives power to Superintendent to proclaim Districts in which Act not to apply.
- § 16. Interpretation of words "cattle," &c.
- § 17. Penalties and damages may be recovered summarily: damages to be paid to the person on whose land trespass committed, and penalties to the Treasury.

The Resident Magistrate reports several cases of "grass-money":—

1. Torr's case. The Petane Natives (8 miles from Napier) forcibly seized 4 working bullocks and other cattle; the Resident Magistrate sent them a letter, which they disregarded; issued a summons, which was torn up; Natives said their side of the river was for the Maori Whakawa. Torr paid the demand of the runanga.

2. Alley's case. Natives of Pawhakaairi seized 6 or 7 cattle; Alley offered £20; the Resident Magistrate applied to A. Alexander, J. P., but matter not arranged up to 7th October.

3. Stevens and Elwin's case. Natives of Petane, on the 28th October, forcibly took 17 head of cattle, demanding £15 for grass money.

4. "Several other instances," not described by the Resident Magistrate.

The Resident Magistrate says that the prominent circumstances in the cases are these:—

- There are 40 or 50 small land-holders;
- Close to their small holdings a large extent of Maori grass land;
- No fencing or natural boundaries;
- Actual dependence on the Maori pasturage for feed;
- No attempt, or only a mere pretence, to prevent cattle straying;
- The wish of the settlers to get the feed for nothing;
- The determination of the Natives to put their own price on the grass, and to enforce their demands.

And he warns the Government that violence on the part of the Natives, if their demands are resisted, will end in collision, and that "the present state of things cannot go on much longer without serious and perhaps deplorable events."

It may be added, that the Hawke's Bay newspapers have been full, for some time, of articles and letters on this subject.

A public meeting of the Hawke's Bay settlers was held at the end of October, to prepare a Memorial to the Governor. This Memorial (dated 2nd November 1861, received 20th November) represents that "unless His Excellency steps in between the settlers and the Natives collision will ensue; that the law as between Native and European, is a dead letter; that there is no tribunal before which disputes between Europeans and Natives can be taken with any hope of a satisfactory result;

"that the Natives may have reason to consider themselves aggrieved in matters relating to cattle grazing on their land, but that the settlers protest against the Natives taking the settlement of such cases into their own hands."

The *Hawke's Bay Herald*, one of the Napier newspapers, says (28th October): "The trespass complained of is an inevitable consequence of the advance of colonization; and all the 'informations' and 'judgments' would utterly fail in arresting it. The offence is committed by the whole community—run-holders, small farmers, butchers, milkmen, and, indeed, every man who owns a horse or a cow; for the moment an animal finds itself at liberty, it forthwith repairs to the rich pastures of the neighbouring plains." The *Hawke's Bay Times*, which takes a strong view of the illegality of the course taken by the Natives, lays the blame on the numerous instances of illegal renting of Maori land; refers to an article in the *Herald*, of last May, which "noted a rise of 4s. a head in the value of sheep, consequent on the great extent of grazing country recently leased from the Natives;" and says that "while we condemn the Maoris for defying the law, we must not forget that they were not the first to do this: while we blame the Magistrates for allowing Maori passions to run riot over law and order, we must blame them still more for permitting the law, in the first instance, to be violated by the squatter."

The District Land Purchase Commissioner, Mr. Cooper, in his Report of 7th October, is of opinion that the Natives have just grounds of complaint. "They go to the Resident Magistrate, but as the depasturing of cattle on Maori land is contrary to the provisions of the Native Land Purchase Ordinance, they cannot get judgment. They come to me, but I can do nothing but write a private note to the cattle-owner to move his cattle and pay a fair recompense; the settler treats my message with contempt, knowing me to be powerless to act."

I agree with Mr. Cooper that the Natives have just ground for complaint as they cannot get redress; but I cannot concur with him if he thinks redress is not to be had. If I am right as to the Impounding Act, there is nothing to prevent Mr. Cooper himself, as a Justice of the Peace, assessing and awarding special compensation to the Natives whose land may be trespassed upon: nor do I see how the Native Land Purchase Ordinance prevents the Resident Magistrate from entertaining the cases, which, indeed, he was evidently ready to do, since he issued a summons.

It is vain, however, to preach obedience to the law to the Natives, in the cases of grass money and cattle trespass, while the Native Land Purchase Ordinance is openly violated by both races. The "grass money question" is one which will require special treatment. Mr. McLean and I agree that it is hardly possible to settle it in the present state of the law and the facts as regards the occupation of Maori lands. In the meanwhile, however, in the special cases raised by the Resident Magistrate's letter, where the settlers have undoubtedly suffered injury on their side and demand the protection of our Courts, I cannot help thinking that with care and judgment on the part of the local authorities, the evils threatened might have been prevented by using the 5th section of the Impounding Act.

There may be good legal reasons arising out of the state of the Native title which would make it inexpedient to apply that section; but if so, what is intended by the Magistrate's summons? It is a position impossible for any Government to hold, that the law shall give the settler redress for illegal and violent exaction of damages for trespass on Native land, but that if the Native claims the protection of the law against such trespass he can get none because the land is held under Native title.

For the future, the proper course would be to create a District under the Native Districts Regulation Act 1858, at Napier, and make regulations accordingly. A good agent might get regulations assented to by both races. But this will not settle what (if anything) has to be done in the cases now reported by the Resident Magistrate.

F. DILLON BELL,

Minute by His Excellency the Governor.

November 16th.

I have read this Minute with very great interest. I think that some officer should be specially sent down at once, to close the outstanding cases, and to explain to the Natives the nature of the regulations it is proposed to have established to deal with such cases for the future.

G. GREY.

Enclosure 2 in No. 1.

MINUTE BY THE HON. C. WARD RELATIVE TO HAWKE'S BAY GRASS MONEY.

16th December, 1861.

Mr. Bell's Minute of 16th November describes the facts of the case, of which the leading points appear to be:—

1. Constant and unavoidable trespass by the settlers' cattle upon Native lands.
2. A law, which Natives are unwilling to submit to, and Magistrates to administer.
3. Successful attempts on the part of the Natives to obtain redress by force for injuries sustained through trespass.

It would seem, at first sight, that the remedy for this state of anarchy lies simply in providing for the effective administration of the law which is shewn to exist at present and to contain provisions applicable to the cases under report.

There are, however, two difficulties in the way of a simple settlement of this kind. One on the part of the Natives, the other on that of the settlers.

The temper of the Native mind appears to be such, that it would be useless to attempt to enforce submission to purely English-made law administered in purely English Courts. To provide for the effective administration among the Natives of a law of cattle trespass, whether as it at present exists, or in any other shape, it may be necessary, first, that the enactment of the law should spring from their own desire; and, secondly, that its administration should be, at least, participated in by themselves.

It is highly probable that a majority of the Natives of the Hawke's Bay district would be quite ready to agree that a Native district, under the "Districts Regulation" and "Circuit Courts" Acts, should be constituted there; would turn their minds without delay or hesitation to the consideration of cattle trespass regulations; would agree to regulations harmonious with the existing law, or with which the latter might readily be harmonized, so that a law similar in effect should exist throughout the Province; and, finally, would consent that the regulations so made and approved by the Governor should be administered by a Resident Magistrate and Native Assessors.

This would, probably, be the first work undertaken; but the other advantages and privileges to be conferred would form additional inducements to the constitution of the district, and the regulation of other important matters would readily follow upon that of cattle trespass.

But there is a second great difficulty which presents itself, on the part of the European settlers. The enactment and effective administration of a cattle trespass law would not, in this case, have that effect which all laws ought to have: it will not prevent the commission of the offence.

The inducement of good and plentiful feed for cattle appears to be so great, that trespass would be restrained by no law. Even were a moral obligation and a penalty combined found to be cogent upon the cattle owner, the same restraint could not be imposed upon the cattle.

In all probability the best devised trespass law would only do one of three things:—either become a dead letter; or lead to general excitement and violence; or produce a compromise between the trespasser and the trespasser, equivalent to a license to depasture.

It is impossible to ignore the fact, that the last is the result to which circumstances are tending; it is a result, indeed, which in some cases has been long ago arrived at. It seems also to be that which not only common prudence but broad political considerations would point out as the most desirable result.

Hitherto, every case in which a peaceable settlement of the question at issue between the Natives and the settlers has been practically arrived at, has been a violation of the law. [Native Land Purchase Ordinance, 1846, section 1, clause 2.]

The benefits presumed to be derivable from this law cease to exist in any district where as much land as the Natives are likely to sell to the Government has been bought from them. The restrictions imposed by the law then begin to be severely felt; both by the settlers, who desire to turn the wild land to its natural use; and by the Natives, who are precluded from employing their property to advantage, acquiring an income thereby, and thenceforward taking many steps in civilization. This condition of things appears to have come about in Hawke's Bay.

The Ordinance, in the clause above quoted, imposes a penalty upon any person using or occupying, without a license from "the Government," land not granted by the Crown; and from this liability even the Natives themselves do not appear to be exempt.

The Resident Magistrate (or Civil Commissioner, as the case might be) specially appointed for the Native district might be entrusted, in conjunction with the Native Assessors, with the power of licensing persons to depasture cattle on lands within the district. They would act as agents at once for the property of the Natives and for the power of the Crown. They would register the licensees. An action for trespass over lands within the district would lie before the same Court, under the regulations of the district, against any unlicensed person. The licenses would be issued subject to fees and conditions to be determined on by the Runanga, in the same manner as other regulations.

The Natives might possibly be induced to appropriate, through the Runanga, the produce of the fees, or a portion of them, for the expenses of their government, for roads, for schools, for religious purposes, for hospitals, or for any other public requirement of the district.

I recommend that any Officer specially sent down, as suggested by His Excellency, to close the outstanding cases and to explain the nature of the regulations proposed to be established, should suggest the above method of dealing with the subject for the future, should endeavour to obtain the assent of the Natives thereto, and should report without delay for further action.

It would be necessary further to obtain the assent of the European population and legislature, so far as regards any alterations in the law of cattle trespass which may be required; and to induce them to abandon the hope of any further purchases by Government from the Natives within the district, through the present machinery of land purchase.

CROSBIE WARD.

REPORTS OF OFFICERS:

Enclosure 3 in No. 1.

REPORT BY THE HON. CROSBIE WARD TO THE GOVERNOR.

Auckland, 23rd January, 1862.

SIR,—

I have the honor to inform Your Excellency of my proceedings during a visit to the Province of Hawke's Bay, and to communicate the general results.

In consequence of information received by the Government during the months of October and November last, I proceeded in H. M. S. "Fawn," Commander Cator, to Napier, where I arrived on the 22nd ultimo.

During the first few days after my arrival, I visited the farm settlements in the European districts, in order to ascertain with precision the circumstances which were reported as causing serious difficulties between the Native and European population of the Province.

I found that in several districts the lands occupied as farms by the European settlers bordered immediately upon Native territory. As the natural boundaries were not impassable for cattle or horses, the stock belonging to Europeans were in the habit of crossing from one side to the other. In almost all cases into which I enquired the settlers recognised it as an advantage to them that the Native lands should be open as pasture lands for their cattle. In some cases an agreement had been entered into for the running of cattle; in some, after the lapse of a considerable time, the settler paid the Native owners a moderate sum of money in lieu of damages for trespass; but in others, no payment of any kind being tendered, a sum had been demanded by the Natives and refused by the settler. The last class of cases had given rise to the disputes known as the "grass money difficulty," a difficulty which became serious from the following causes.

The Natives had, about two years ago, brought before the Resident Magistrate's Court at Napier a claim for damages committed by the cattle of a settler upon their lands; part of the claim being for the destruction of some wheat, another part for continued trespass upon their unfenced land. The Court allowed the former claim, but dismissed the latter; and it was generally understood that the Magistrates would not give damages for trespass upon unfenced Native land in any case.

The Natives, thus finding themselves without a remedy at law for the continued occupation of their lands, determined in all cases where their demands were not complied with to enforce them in their own fashion. At Petane, about seven miles from Napier, they erected a stockyard, and several times drove off the cattle of the Europeans and detained them in the yard until the sum demanded should be paid. In some cases the demands were extortionate; but I learn that when the Chiefs of the district (there being no Natives of rank at Petane) came to hear of the circumstances, they caused some claims to be considerably reduced. On my visit to Petane, I found that all these cases of dispute had been settled, and the cattle seized restored upon payment of some sum of money in each case. There were, however, some outstanding claims upon which the Natives might at any time take action.

In another district, on the banks of the stream called Tutae-kuri (Meeanee), there remained unsettled one case of a very serious character. This was the case of the Shirleys, father and son. Their cattle, averaging thirty head, had been running constantly on the adjoining Native land for a period of at least five years. The owners of the land demanded a sum of £30 in compensation. Shirley refused to pay the amount; then offered smaller sums; then agreed to pay a certain amount which the Natives agreed to accept. Just at this time Shirley advertised his cattle to be sold by auction, and brought them into the yard for that purpose. The Natives, having reason, as it appears, to place no confidence in Shirley, would not permit the cattle to be sold, and removed them by force from the yard. The Native Chiefs in the vicinity strongly discouraged this action when at first proposed, and restrained those more immediately concerned from attempting it, until it was shown to them that in no other way was the money claimed likely to be recovered. They then withdrew their opposition, but at the same time abandoned on their own behalf any claim upon the cattle. At the time of my visit, the matter was still in the same state: the cattle had been held by the Natives (the principal person concerned being Paora Kaiwhata) for thirteen weeks; Shirley was suffering severe loss from the detention of his stock, among which were many milking cows; but he refused to pay the demand of thirty pounds, for which at any time the cattle would have been restored.

It is necessary to remark here that on the one hand the Natives had reason to believe that damages for trespass on their lands could not be recovered at law; and on the other hand, Shirley knew that the temper of the Natives had become such that a Summons or Warrant issued from the Resident Magistrate's Court against the Natives who had committed the act of violence upon him would be of no effect, but would be destroyed contemptuously, and disregarded.

Under these circumstances, after endeavouring to obtain an amicable settlement of the difficulty, I determined to set an example in the district by bringing the whole case before the Resident Magistrate's Court. Before, however, this could be accomplished there was much to be done. It was necessary to make sure that the claim made by the Natives came within the law; and secondly, it was necessary to induce the Natives to undo their illegal act, to return the cattle which they had seized, and to submit to the law.

I was enabled to point out to the Resident Magistrate of Napier the fact, theretofore overlooked, that a portion (a few clauses only) of the Wellington Provincial Impounding Act, which exactly met the case in point, was in force within the Province. This was sufficient.

In the meantime I had caused to be printed and circulated among all the principal men of the Ngatikahungunu tribe resident in the Province, copies of Your Excellency's general address to the Natives, together with a letter from myself announcing the purport of my visit. I then received

several of the Chiefs of the immediate vicinity who came to call upon me, and I visited each of them in return. I found them perfectly willing to accept the proposals which were made to them, and they displayed a high degree of intelligence in discussing the various points, which gave me great confidence in dealing with them.

Having fully informed them of the course which Your Excellency proposed to take, I told them, one by one, that in adopting the system proposed they would ultimately obtain the management of their own lands; but that in the first instance they must settle all disputes among themselves, concerning ownership and boundaries, and they must submit themselves to the law both for the repression of crime and for the administration of justice between man and man. Before entering into any negotiation with them, I said that Shirley's case must be settled, as I should not entertain any proposals from them for the acceptance of a system of government until they should have undone the violent act of which they had been guilty; and I offered to show them how to obtain justice by legal steps upon their restoring all the cattle which they had taken from Shirley. As these remonstrances and promises were made to the Chiefs of the district, Tareha, Renata, Karaitiana, and Karauria, I left it to them to take the proper steps with Paora Kaiwhata, the Native particularly interested. They assented readily to my offer, and I left for the interior, informing them that when Shirley's case was settled I should be prepared to meet them in public to receive their answer to Your Excellency's address.

Before leaving I communicated to the Magistrates my views, and obtained their consent to sit on a day named, along with Native Assessors, at a place in the neighbourhood of the Shirleys' farm, to go into the whole case. I arranged also that, upon the restoration of the cattle, summonses should be granted to the Native Kaiwhata, on his application, against the two Shirleys, under the Wellington Impounding Act.

I then proceeded to the Te Aute, Waipukurau, and Porangahau districts, and either visited personally or communicated with all the villages in this part of the Province. Everywhere I was received cordially, and had the pleasure of ascertaining that Your Excellency's proposals had been carefully considered with a highly favourable result.

Certain difficulties of the "grass money" order I placed in a way to settlement by process of law. None of them were of a pressing or important character, with one exception, which involved many important considerations.

A settler named Mason had agreed with a party of Natives to occupy at a certain rent a small block of land in the neighbourhood of his run. He had paid rent for some years, when the Chief Te Hapuku, on behalf of some of his followers and himself, claimed an ownership in the same land, and demanded from Mason a fresh payment to himself of the whole amount which Mason had from first to last paid the other party. Mason resisted this claim. Te Hapuku seized some of the sheep, but afterwards negligently allowed them to stray back again. Shortly afterwards, no settlement being come to, Te Hapuku went on Mason's run, mustered all the sheep, and drove off about 2,400 head, leaving not more than 300 in Mason's hands. I learned also that Te Hapuku had expressed his determination to shear the sheep and so to pay himself.

On visiting Te Hapuku I expressed my anger and sorrow at the illegal act which he, a professed friend of the Europeans, had committed. I told him that his proper course was to settle his disputes with the other Natives; that if he did so and proved his ownership, the Governor would by and by permit him to let the land to Europeans and would secure the payment of his rent by law; but that on land in dispute no European would be permitted to settle, and therefore no rent would accrue to him. I showed him that the rest of the Natives were prepared to accept your Excellency's proposals, and that he, if he did not follow their example, would be excluded from the benefits which the others would derive therefrom. After hearing patiently all that he had got to say, I left him with an intimation that on a future day I should see him again and learn his determination.

I then, fearing very much that Te Hapuku would prove a difficult man to deal with and be an obstacle to the ready acceptance of any general scheme, proceeded carefully to take such measures with the leading natives of the district as were in my opinion best calculated to detach them from Te Hapuku and to cause them to join those who desired order and good government. This was by no means difficult. I found all eager to join in the movement. When I announced my intention of holding a general meeting in the neighbourhood of Napier (Pa Whakaauro) the Chiefs at Te Aute at once promised to attend: but those at Waipukurau, Porangahau, Rua Taniwha, and Waimarama, being distant, and at the time engaged in sheep-shearing for the Europeans, could not attend at the Pa Whakaauro, but desired that a meeting should be held at a place central for themselves. This I conditionally promised to do; but time not permitting it I afterwards wrote to ask them to await the arrival of the Civil Commissioner.

When approaching Te Hapuku's pah (Pokawa) on my return, I met him coming to see me. He informed me, in a very surly manner, that he had been about to shear the sheep, but that after my visit to him he had stopped the building of the yard which was being constructed for the purpose, and that he was permitting the sheep to stray home again. He gave me to understand further that he would permit those who claimed the land to meet together and settle their claims without his interference. This was quite enough. I knew that the claimants on both sides were ready to adopt this course, and that Te Hapuku's arbitrary interference had been the chief obstacle to a settlement of the dispute.

A few days afterwards I learned that in one particular Te Hapuku had been better than his word and had not only permitted Mason's sheep to go back, but had himself sent them back by his men. Some of the sheep were, however, still missing.

I considered that this result was most important. I took care to follow it up as far as possible by inducing the opposing claimants to take actual steps for settling the claim amicably, and this they

promised to do. Should Te Hapuku's present good intentions be frustrated, however, I fear that much mischief may be the result. I may say that his act has been founded on his own sense of propriety after hearing my arguments; and has received the inducement of no promises whatever from me.

I then returned to town, found that the preliminary steps in Shirley's case had been taken, and arranged for the sitting of the Court on a certain day, Tuesday, the 14th instant. Captain Curling, the Resident Magistrate, Mr. G. S. Cooper, a Maori linguist, and Mr. J. Anderson, a Justice resident in Shirley's neighbourhood, sat to hear the case. I appointed Tareha, Renata, and Karaitiana, the three leading Chiefs, to be the Assessors. This was in fact merely complimentary and a matter of policy, as the appointment in no way affected the constitution of the court. I had no scruples arising from their interest in the case, being satisfied of their independence from the fact already mentioned, that, on violence being used, they had abandoned their own claims in the matter.

A cross action was brought by Shirley against Kaiwhata for damages sustained in the forcible removal and detention by the latter of the cattle belonging to the Shirleys.

The Bench, after carefully hearing both the case of Paora Kaiwhata against Shirley and that of Shirley against Kaiwhata, gave judgment in the former for thirty pounds, the amount claimed, and dismissed the latter. The reason for not allowing Shirley damages for the trespass committed by the Natives was partly that Shirley had brought the punishment on himself by his own obstinacy, and partly that the Natives had no other resource open to them but to impound the cattle. This referred to the fact that by the previously accepted construction of the law any action brought by the Natives to recover damages for trespass on unfenced land would have been dismissed by the Court.

During the action, evidence was taken to shew that Shirley had suffered absolute loss by the deprivation of his dairy stock to the extent of £54 in fourteen weeks.

I felt that, the impotence of the law having been declared to be a prime reason for the loss which Shirley sustained, and a reason also why he could not recover the amount of damage done to him from those who committed it, justice required that the Government should give compensation. I therefore caused the sum of thirty pounds to be paid to Shirley on this account, and permitted him to suffer the remainder of his actual loss as a penalty for his own obstinacy as defined by the judgment of the Court. I took care also that the Natives received the amount of damages awarded them; and both parties were satisfied.

I was now satisfied that the only true solution of the question of "grass-money" was to arrange for the legal occupation of Native lands; and the means of doing so at once presented themselves. It was only necessary to introduce by means of the District Runanga, when formed, a system of depasturing licenses adapted to the two forms of settlement in Hawke's Bay, the sheep-farming and the agricultural. This, however, will ultimately not be sufficient for the requirements of the two races. Nothing short of actual permanent settlement for agricultural purposes will gratify the desire of the Natives for utilizing their property or the anxiety of the European population for using it. I found many schemes matured among the Native Chiefs for leasing the Ahuriri plains to farmers; and I am strongly of opinion that a method may be found for practically effecting this object without fear of any bad results. Upon the plains referred to in particular Native title is in a very well-defined state, and all parties among them are ready to submit their boundaries and their claims for the sanction of the Runanga. I recommend as one important step that maps be furnished to them, and that the services of a surveyor be supplied. A record of boundaries on a map and a registration of titles in a book would quickly cause the ownership of lands to be so well ascertained and so entirely admitted amongst themselves that a grant from the Crown might issue in any form which might be thought proper, say in that of a grant to certain Chiefs and others in trust for the whole. Upon such a basis as this, the existing law being at the same time modified, agricultural occupation might proceed in safety.

I have ascertained that the Natives generally are perfectly willing to place the control of their lands in the hands of the Runanga, the profits only being guaranteed to the rightful claimants; and I recommend this course as more useful for the objects of the Government, more rapid, and more beneficial in its results to all parties, than any immediate attempt to individualize title, or to break up the lands of the tribe amongst its members.

Having come to these conclusions, and knowing how important it was that the irritation before existing between the two races in Hawke's Bay upon the land question should be allayed, I had no hesitation in communicating my views with great freedom. I have had to regret, however, the frankness which I used.

The European settlers who are not yet possessed of land, and all who are desirous of introducing population into the country, are most anxious to obtain possession in some way of the lands still held by the Natives on the Ahuriri plains. As soon as it was known that the Government was willing to sanction some kind of occupation, there was a general rush to obtain possession at once, without any regard to the system which might be found most advisable or the restrictions which might in the first instance be imposed of necessity. I fear that much difficulty will be experienced both from those who attempt to deal individually with the Natives and to secure thereby large possessions for themselves, and also from those who in a more thoughtful manner are organizing themselves to anticipate and outbid the private speculators. My only course under these circumstances was to point out to those who were capable of understanding an argument how their proposed action would defeat the undertaking of the Government, and with it their own aims; while I used every reason with the Natives to induce them to refrain from disposing in any way

or promising to dispose of their lands until the Runanga should meet and a system be in operation. I am able to say that the Natives quite understood the force of my arguments and agreed to my suggestions, but I am unable to say how long they may withstand the urgent demands of the Europeans.

Having settled all outstanding difficulties and obtained a full insight into the circumstances of the country, I, as the last act of my visit, summoned the Natives to a general meeting at the Pa Whakaairo, about eight miles from Napier. All the leading men of the neighbourhood, those from Te Aute, and representatives from Porangahau and other places, were present. The Chiefs Renata and Tareha, who reside at the pah, received me and those with me with liberal hospitality. At the meeting I was first asked to explain the intentions of the Government with respect to the Maori King and to the disputed block of land at Waitara. I explained these matters fully, and they expressed their full consent in both cases. I then enlarged upon your Excellency's proposals for their government, shewing the advantages which they would gain and the corresponding liabilities which they would lie under in accepting the offer. Their answer was plain. They would willingly accept the plan proposed; indeed they were most anxious to see it at work, having hoped for something of the kind for at least two years; but they made one reservation. They had certain land-purchase disputes yet unsettled, disputes of the same kind with that which commenced the war at Taranaki. They had been in expectation since that war began that the Governor would use similar means to settle the disputes with them; that is, would employ force. The plan now proposed for settling the Waitara dispute was a very good one; they only wished that before attempting to introduce a system which must be carried out amicably that the land-purchase disputes between themselves and the Government should first be settled by the same means. To this most reasonable request I expressed my full assent.

I now most earnestly recommend that immediate steps be taken to carry on the work which has been begun, and which could not have been commenced but upon the assurance that it would be proceeded with.

I have detailed certain minor facts and suggestions in a separate paper for the information of the Civil Commissioner in whose hands the administration of Native affairs in Hawke's Bay may for the future be placed.

I have, &c.,

CROSBIE WARD.

His Excellency Sir George Grey,
&c., &c., &c.

Enclosure 4 in No. 1.

SUGGESTIONS BY THE HON. C. WARD FOR THE GUIDANCE OF THE CIVIL COMMISSIONER.

Napier, 18th January, 1862.

I desire to record, for the benefit of the Civil Commissioner who may be appointed to take charge of the Native District of Hawke's Bay, some facts and suggestions which appear to me of great importance.

The Natives, at a meeting held at Pa Whakaairo, on the 16th instant, where were present all the principal men of this part of the district, with representatives from Te Aute and Porangahau, declared their willingness to accept the Governor's proposals for their better government; but stipulated that, first of all, every disputed question of boundary between the European and Native lands should be investigated and settled. I conceive this course to be not only just, but highly politic; and therefore point it out as the first step to be taken on entering upon the management of Native affairs in the district. In making the investigation it will be unnecessary for the Commissioner, at least if he have been in no way mixed up with land purchase operations, to associate any body with himself in the investigation. The Natives will be fully satisfied with the authority which he will represent, and will only ask that their claims may be fully heard and justly judged. A few cases of doubted boundary exist in this district, which the Natives consider of great importance; so great, indeed, as to regard them as probable causes for war, equally with the block sold by Teira, at the Waitara in Taranaki. They express a fear that their claim to these lands may be disregarded by the Government, whom they accuse of having bought them carelessly from men who had no sufficient right to sell. I have no doubt that in all such cases ample evidence can be adduced to satisfy, one way or other, even an Englishman unacquainted beforehand with Native tenure.

The next step of importance to be taken is the settlement of land disputes amongst themselves. This is comparatively an easy work, being complicated only in cases where a chief protects and supports each party of claimants; here mutual jealousy springs up to render mutual dealings difficult. The course which has hitherto proved successful is to induce the chiefs on each side to withdraw, and to permit the minor claimants themselves to meet and ascertain and settle their conflicting claims, which they will generally do with much facility. The course of the Government in these cases will be very simple; its mere announcement has proved very successful already with Te Hapuku. The Government should permit the pastoral occupation of all lands, where there is no dispute about title, as soon as the system proposed is in operation: but they should not permit any occupation of disputed lands. This refusal will be of importance, and will be practicable when all other questions are settled and law is introduced. It will have the effect of rendering all disputed land profitless to either party; the inducement to quarrel will be withdrawn, and an inducement to settle the quarrel substituted, that the profit of the land may be forthcoming.

I have urged the Natives to begin at once to settle all their land disputes, and to ascertain exactly mutual boundaries, in order that, when the Runanga meets, the land may be marked off upon the map, and the names of its rightful claimants registered in a book. I have promised that a map will be supplied, and that a surveyor shall assist to lay off and delineate the subdivisions, under the authority of the Runanga, whose decision upon a claim shall be final. I may here remark, that I look upon any attempt at individualization of title, at the present time, as not only hopeless, but impolitic. I trust that the Natives will be content to deal with their lands as a whole as much as possible. That is, that the ownership of a certain block will be vested formally in a certain division of the tribe; that all minor arrangements respecting its management will be transacted by the lesser Runanga of that division; and that all such divisions will permit the great Runanga of the district to keep under its control all matters of importance respecting all the lands. I trust that this system will result beneficially in the Runanga giving the right of occupation of certain holdings to individual Natives, and thus establishing a tenure by custom and consent which may afterwards be changed into fee simple.

Another matter which will have to be carefully attended to from the beginning, prior to the full working of the new system, is the administration of the law between Europeans and Natives. We have established the fact (in Shirley's case) that cases of cattle trespass, which have been the origin of much trouble, can be settled by an appeal to law. I have pointed out to the Natives that any similar cases, and all debt cases, can be heard before the Resident Magistrate in Napier, at any time; and no doubt many will be so heard. These, however, will be all Maori *v.* European. I fear that an action for debt by a settler against a native will not be so readily brought before the Court, nor the judgment of the Court so readily submitted to. Having the duty of introducing law where law has not hitherto existed, one must not be discouraged too much at the difficulties which arise in its absence; but rather use these very difficulties as means towards accomplishing the desired end. For instance, the troubles which have arisen from the grass money difficulty have had much effect in preparing both sides to accept a system which promises to remove them. I have little doubt that, with prudent and quiet management, the exercise of personal influence, and a proper action through the leading men of the tribe, an action for debt against a Native might be now brought safely, heard, adjudged, and judgment executed. I recommend that this step be taken as early as is consistent with safety: but a break down in it would seriously prejudice the whole negotiation. I regret to say that the Natives are deeply indebted to the settlers, as a rule; and that the fact is, that the Maories presume upon their independence of law and defy its administration. This state of feeling has grown up, I am persuaded, from sheer neglect on the part of the Government; it must now be taken as a fact, and the root of the evil removed; the symptoms cannot be touched but with the greatest care. I have clearly impressed upon the Natives, publicly and privately, that the acceptance of the new system will entail complete submission to the law. They acknowledge "it is good." I earnestly recommend that, whatever course may be found practicable so long as there are only English laws and English courts to deal with, as soon as a law of their own can be administered through Courts in which their own Assessors sit, the utmost firmness be exhibited from the very first. The proper administration of this part of the law will form, perhaps, the only criterion of success in the eyes of the Europeans.

The next matter to be dealt with before the initiation of the system, is the illegitimate leasing of lands; and this I look upon as question charged with difficulty. Greedy Europeans will endeavour to induce the Natives to grant them blocks of land, trusting to the double assurance that the Government cannot take any steps now to prevent them, and will not attempt to induce the Natives to abandon any contract once made. It will be of little consequence if even the whole country outside the Ahuriri Plains is so leased; but if any portion of the plains be so taken up, very serious damage will be done. I have done all in my power to prevent the occurrence of such an event. The Natives have promised me, unhesitatingly, that they will not proceed to deal with these lands until the Runanga has met. I have also warned all Europeans. Nevertheless I fear much mischief will be done, if not in the actual allotment of extensive lands, at least in the excitement of the Native mind by those who press them with bargains. I have been able to devise no plan for defeating these greedy speculators, without encountering the whole body of those who have illegal leases all over the country: but as no tenure can be recognized, even under license, but that of depasturing, I should be inclined, on finding any man in actual occupation, by fencing or otherwise, upon the plain, to proceed at once against him under the Land Purchase Ordinance, having first consulted the Natives about it. I should add here, that the Natives undertake to be ready to furnish a list of all engagements with Europeans, to the Runanga. I have further impressed upon the Natives the importance of letting no disturbance arise, from questions of grass money or otherwise, prior to the initiation of the new system, after which, I have told them, their own law will protect their property. This they have agreed to.

I now come to sketch the system itself in the shape which I conceive best adapted to the circumstances of the country; and I will then proceed to suggest the first steps to be taken under it.

The Province, as a whole, may form conveniently one great Native district, all the Natives within it being of the Ngatikahungunu tribe. This district may be roughly divided into three parts, with separate geographical conditions. Wairoa, to the North—all the country beyond the purchased Mohaka block. Waipukurau, including Porangahau and Rua Taniwha, to the South. And the Ahuriri plains in the middle. These divisions are not of much importance, except as showing the three head quarters where Resident Magistrates should be posted, and where meetings of Natives may most conveniently be gathered. For the working of the new system the Natives already understand that one great Runanga will meet on the Ahuriri plains. This Runanga will consist of the Commissioner and of Assessors, two of the latter being chosen by themselves, subject to the Governor's approval, from each of the following groups of pahs.

AHURIRI.				WAIPUKURAU, &c.				WAIROA.
SUB-DISTRICTS AND PAHS.			NO. OF ASSESSORS.	SUB-DISTRICTS AND PAHS.			NO. OF ASSESSORS.	Not yet visited.
Waipureku	-	-	2	Te Aute	-	-	2	
Matahiwi	-	-		Pokawa	-	-		
Karamu	-	-		Patangata	-	-		
Pa Whakaauro	-	-	2	Waimarama-	-	-	2	
Pa Kowai	-	-		Pourerere	-	-		
Omarunui	-	-						
Petane	-	-	2	Waipawa	-	-	2	
Tongoio	-	-		Waipukurau	-	-		
Arapawanui	-	-						
			2	Porangahau-	-	-	2	
				Eparaima	-	-		
			2	Rua Taniwha	-	-	2	
				Takapau	-	-		
				Tiko Kino	-	-		

Those paha which are named are already announced as having the right to elect two Assessors for each group. They would also have a Village Runanga of their own, and would hold separate ownership of their own lands respectively. I have not been able to visit Wairoa, not considering that my time would be well spent in so doing; but I have written to the people there, saying that they will have a visit from the Commissioner. The Natives of that part of the district are numerous; but hitherto no difficulties have occurred between them and the Europeans.

As to the time of holding the first general Runanga, I would suggest that advantage be taken of the great *tangi* for Moananui, which takes place at the end of February and beginning of March, at which all the principal people, from all parts of the district, will be present. By that time the Assessors may be chosen and confirmed.

When the Runanga meets, the first business will be the land. I trust that all disputes will have been settled both with Europeans and among themselves. If so, the first duty will be the record of title to the *hapus*, and the enrolment of the owners in the registers. Next will come the disposition of the land. This I recommend should be kept in the hands of the Runanga; but exercised according to the wish, so far as may be, of the owners. In the first place, an attempt might be judiciously made to reserve a portion of all income from land for general purposes, to be appropriated by the Runanga. I think this would be agreed to almost unanimously. The remainder would be divided among the claimants, according to the proportions shown by the registry.

It seems to me that the natural disposal of the land would be to deal with all the northern and all the southern land as run districts. Frame a short series of regulations granting a moderate term of tenure of a simply pastoral character. Licenses to be issued by, and money paid to, a *Board or Court*, say the Resident Magistrate's Court of the district, who should account to the Runanga. These licenses should give no title to the land, and should not preclude the owners from selling the land at any time they chose. The rate of rent should be high: I think not less, at least for *good* runs, than 2d. per acre. The system should embrace all runs already let. Certainly, the Natives should not be taught to break their agreements; but reserving the *land* for the *man*, I am of opinion that it would be both just and politic to bring his rent *up* or *down*, as the case may be, to the standard, if the Runanga are willing to do so. For many reasons I would work for this end. Further, in all cases where an arrangement has been made contrary to the law, I would compel the applicant for a license to pay a fine to the Crown of some fixed amount, as a recognition of his breach of the law. It would stand in lieu of revenue to the Province. I would deal very hardly, so far as possible, with any who had made their arrangements at a late period, calculating on the Government ratifying their agreements.

As regards the plain country, I would deal with that in quite another way. It is absolutely necessary that some legal arrangements should be made by which the settlers' cattle may run on the Native land. One sees, also, the great advantage, not to say need, of using this land for agricultural purposes sooner or later. The European population in the vicinity of the town is greedily eyeing these fat lands, and is most urgent to turn them to profitable account.

At present, there is no power to do more than license persons to occupy lands for pasturage. I recommend, therefore, that a special system be adopted for this particular part of the country. I suggest a division into four parts, to be called "commons," "*komona*," namely, Waipureku common, Pakowai common, Petane common, and one on the upper (south-west) portion of the plain, to be called by any convenient name. Give the Court the power of issuing licenses to cattle owners to run so many head on any one of these commons, say at 10s. per head per annum, for the first-named three, and 5s. for the fourth. Compel all cattle to be branded. Have a law for fencing and trespass. Keep a policeman on each common to look after the cattle. Treat all unbranded stock, and those beyond the licensed number belonging to each owner, as trespassers, and let the

Court give damages for their trespass. The lower plains would then be used for dairy cattle, working bullocks, butchers' stock in immediate use, and so on. The back plain would be used for store stock, young stock, and all those not wanted from day to day. This arrangement would meet all difficulties for the present.

It is quite clear that the plains must be brought into use for agricultural purposes by some not very tardy process. I see no reason why the process should not be very rapid. Most of the land title is well ascertained, and can be readily certified by the Runanga. This would enable to be given a good leasehold title for all purposes, while sales might be effected under it by a machinery which would only involve a formal and very safe act of the Crown in conveying the title. I have impressed upon the Natives the absolute necessity of recording all title before the Runanga, and they are quite alive to its advantages.

I may remark that the plains are over estimated by the European settlers. I doubt very much whether, reserving land occupied by the Natives, much more than 20,000 acres remains of really available country. The Natives are willing enough to deal with this land in a way which will not alienate it, and they would be willing even to sell small portions. I should suggest a scheme of this kind. Both on the Pakowai and on the Waipureku portions of the plain, good sites for villages might be formed, say 300 acres each. Surround these with about 5000 acres of arable land, laid off in 100 acre sections. Sell the first, and lease the second, granting the right of common pasturage outside of all. I am sure that the Natives would fall in readily with this plan, or one like it. I see no reason why titles should not be confirmed, surveys made, scheme in operation, and land occupied within nine months from the present time. Yet, undue haste, or any attempt to remove from the hands of the Natives the management of their own lands, would, I conceive, be seriously detrimental to the ultimate success of any scheme either for occupying the land or for governing its owners. The land is at once the cause of troubles which must be settled; it is the inducement to the Natives to submit to the law; and it is the engine for schooling them in a system of self-government, by teaching them to manage their own property.

The Natives will become comparatively rich when their lands are turned to the best account. I think that an endeavour should be made from the first to have set apart from all receipts a certain portion for general purposes—for expenses of government, roads, bridges, schools, surveys, &c. To some extent this is already done by the Runangas already in existence: for instance, at Waimarama, under the superintendence of the estimable chief Harawira.

All grass money questions are already virtually disposed of. Shirley's case has been settled by law, and forms a precedent for all others which may arise. All a Native has to do, if he cannot get paid for trespass committed, is to summon the offender to Court. A case by the Natives against a Mr. Hill is now pending. Another case, of old standing, by Natives in the Porangahau district against Captain Newman, is also awaiting settlement, and must follow the same course sooner or later, for the two parties will not come to terms.

A bad case occurred in the forcible removal of the sheep of a Mr. Mason, by the chief Te Hapuku, who claimed rent from him for land for which he had already paid rent to another party of claimants. Mason suffered, of course, from the consequences of his own illegal act in dealing with Natives at all. Nevertheless, I deemed it right to remonstrate against so flagrant a breach of order. Hapuku, on my remonstrance, returned the sheep, and agreed to permit the claimants on his side to meet the claimants on the other to settle the ownership. Nothing has yet been done, and it will be necessary to see that something is done, lest Hapuku, who is not to be depended on, should commit a fresh offence. I may mention, that I told Hapuku that the Government would not permit the occupation of land about which there is a dispute among rival claimants. I held in reserve a threat to stop his pension, not wishing to use it except in cases of emergency. In my opinion, it would be very well to induce Hapuku to take his part in working out the new system, and to give him due weight if he does so. But if not, he should be left outside and disregarded, until he should begin to feel his isolation from the rest of his race, when the hand of welcome should be offered him again. Still, I fear that he will be a thorn in the side of those who wish to establish good government among the Natives of this Province.

Among the conditions which I stated to the Natives at the late meeting, and of which they approved, was this, that no obstacle should be placed to the formation of any road or bridge through the country. As to ferries, if the Governor wanted some land for the ferryman's house and garden, he should either buy it or lease it; but nothing should be payable for the working of the ferry, inasmuch as that was only part of the road.

In conclusion, I assured the Natives that the Government would investigate carefully the Waitara claims, and do full justice to those who proved the rightful owners; that they would not make war on the king, but treat him with contempt, and let his throne fall to pieces. In both these intentions the meeting of which I have spoken fully concurred.

CROSBIE WARD.

Sub-Enclosure in Enclosure No. 4.

ADDRESS TO THE NAPIER NATIVES ON THE INTRODUCTION OF THE NEW SYSTEM.

Napier, 24th December, 1861.

CHIEFS OF NGATIKAHUNGUNU,—

Salutations. Do you listen to the words of the Governor—of Sir George Grey, concerning the work of making laws by the Maories, that they may manage their own affairs and

become rich, wise, and well instructed, and every year advancing in prosperity, and that peace and goodwill may exist among all the Queen's subjects, both European and Maori, in New Zealand. These words of the Governor I send to you printed, so that all men may read them.

The Governor has sent me from Auckland, to carry to you his thoughts, and the thoughts of the Runanga of the Europeans; to settle all disputes between Maories and Europeans, and to do all things which may be useful to help the Maories in preparing to make laws for themselves.

This is my word concerning the lands: the lands of the Maories are their own property; and it is well that they should improve them, and make use of them, and enjoy the profits of them without hindrance. But it is not well that the lands of the tribe should be dealt with in a great many different ways, or that anything should be done secretly. Let the Runanga of each district propose regulations concerning pasture. Then the Governor will declare that that shall be the law for that district, and every body will know it. Then every European who wishes to depasture sheep or cattle on Maori land will receive a license, and pay fees, according to the regulations of the Runanga, and the money will be the property of the Maories.

Concerning the trespass of cattle: let the Runanga propose regulations for impounding cattle which stray, and fix damages for trespass. Then the Governor, if he approves, will declare that that is the law of the district; and any European whose cattle may be found depasturing on Maori land, without a license, will be brought before the Court of the Magistrate and Assessors of the District, and will be compelled to pay damages according to law. Also, concerning other laws which the Runanga may desire: they will be made in the same way.

Friends, do you listen carefully to these words, and consider how the Maories of this district may best prepare for the work of making laws for themselves, so that the troubles of this land may cease.

Friends, when I think that this letter has arrived, and that you have had time to consider the matter, I will go to your villages, so that we may talk over the matter peaceably.

CROSBIE WARD.

Napier, December 26th, 1861.

Enclosure 5 in No. 1.

PAPERS RELATING TO REGULATIONS PROPOSED IN 1859, BY MR. MCLEAN.

DRAFT OF PROPOSED REGULATIONS.

WHEREAS serious difficulties have arisen between the European settlers and the aboriginal inhabitants of certain districts of the Province of Hawke's Bay hereinafter defined, owing to the trespass of cattle the property of such settlers upon Native lands; and whereas from the absence of fencing materials and the difficulty in many cases of keeping such cattle on the land purchased by such settlers or the Crown lands leased by them, it has been found impossible to prevent such trespass; it is deemed advisable to enact the following regulations for the maintenance of peace and good order between the two races, with intent solely to preserve the same. The abuse thereof to be liable to the penalties hereinafter enumerated.

Definition of Districts above referred to.

The portions of the Province of Hawke's Bay to be proclaimed Native Districts as aforesaid, shall comprise all the lands over which the Native title is not now, or shall not be during the continuance of these regulations, extinguished within the following boundaries, viz.:—

1. Bounded on the North by the Tutae-kuri river, on the East by the waters of Hawke's Bay, on the South and South West by the Tukituki river from its mouth to Ngawhakatatara, thence by the Kaitaitai range to its termination, thence by the Awanui river to Ngaruroro, thence by the Ngaruroro to the Ruahine range, and on the West by the Ruahine.

2. Bounded on the West by the Eastern boundary of the Ahuriri block, on the North by the Mohaka river, on the East by the Waikau river, and on the South by the waters of Hawke's Bay.

Regulations.

1. In all cases of cattle the property of European settlers, habitually trespassing on any lands within the aforesaid boundaries over which the Native title has not been extinguished, where due notice has been received from the owner or owners of such lands that such trespass cannot be permitted except on the following terms,—there shall be paid by the owner of the said cattle a rate of sixpence per head for all great cattle, and one shilling per head for all small cattle for every year during which such trespass may take place. This rate shall apply to cattle above six months old.

2. The above rates shall be payable yearly in advance, and shall be paid to the Resident Magistrate or such person as he may depute to receive the same in the month of _____ in every year; the Resident Magistrate or his deputy to pay the same over to the Native owners of the land in such manner as the Resident Magistrate, after consultation with the aboriginal Chiefs, shall decide.

3. These regulations shall apply to stock belonging to or in charge of European settlers located upon Crown lands within or immediately adjoining the districts hereinbefore described, and to no other.

4. Nothing in these regulations contained shall be held to debar any person from any claim he may have for special damages in respect to trespass of cattle on lands substantially fenced, or for crops destroyed, or for fences broken.

5. In all cases where the rates imposed by these regulations are allowed to remain unpaid for a period of three months, the Resident Magistrate shall have power, after notice duly given, to distrain for the same.

6. The Interpreter to the Resident Magistrate's Court, assisted by two of the principal Chiefs to be chosen from among the aboriginal Natives, shall, in the month of _____ in each year, make a return to the Resident Magistrate of all settlers whose stock shall trespass on Native lands within the meaning of these regulations, with the number and description of cattle the property of each. The Resident Magistrate shall publish the said lists in the local newspapers in English and Maori, with a notice appended to the effect that all objections to the same will be heard and determined by him in the month of _____ following.

7. In the month of _____ in each year, the Resident Magistrate, assisted by two or more Native Assessors, shall hear and determine all cases of objections to such lists, and the lists finally settled and signed by the Resident Magistrate and Assessors shall be published in the local newspapers, such publication being considered sufficient notice to the stock-owners to pay their assessments as above provided.

8. The word "owner" shall be held to mean also the person in whose charge any cattle may be, or who may be for the time being responsible for the same. The term "great cattle" shall include horses, mules, asses, bulls, oxen, cows, heifers, steers, and the young of the same above six months old. The term "small cattle" shall include sheep, goats, and swine, and the young of the same above six months old. The term "European settlers" shall be held to mean settlers in the *bonâ fide* and lawful occupation of Crown lands within or immediately adjoining the districts hereinbefore described.

9. Persons driving stock through any of the districts hereinbefore described, who may be detained by the flooding of rivers or other sufficient cause for any number of days not exceeding seven, shall not be liable to any demand for trespass.

10. Any person or persons taking undue advantage of these regulations shall be liable, after one month's notice from the Resident Magistrate, to be obliged to withdraw his cattle, or in default thereof to pay a penalty not exceeding twenty pounds and not less than five pounds, the same to be recovered in a summary manner.

11. These regulations to be in force as long as the Native owners are willing to permit the occupation of their lands as aforesaid; six months' notice prior to the expiration of each year to be given by them in writing to the Resident Magistrate, when they wish parties depasturing stock to remove such stock from their lands.

12. No arrangements between the Natives and the Europeans shall be recognized under these regulations where any sum is paid in excess of assessments hereinbefore determined; and any person or persons making such arrangements shall be subject to prosecution under 1st clause of the Native Land Purchase Ordinance, Session 7, No. 19.

13. All claims of the Natives for past trespass, such as are referred to above, may be heard by the Resident Magistrate, assisted by one or more Justices of the Peace and one or more Native Assessors, and compensation awarded by them.

14. No appeal shall lie in these cases from the Resident Magistrate's decision, but in all cases where the penalty awarded exceeds £10, the Resident Magistrate shall forward such proceedings to the Governor for decision.

15. These regulations to come into operation on and after 1st January, 1860.

SIR,—

Napier, June 23rd, 1859.

I have the honor to forward herewith a set of Regulations, drawn up by myself in conjunction with some of the settlers of this district; in order to prevent, as far as possible, disputes arising between the two races from the trespass of cattle, the property of European settlers on Crown lands in this Province, upon the adjoining Native lands. I have the honor to request that you will be good enough to lay these Regulations before his Excellency's Government, with a view to their being brought into operation, under the "Native Districts Act." I forward also a copy of a letter, addressed by me to the Superintendent, asking his opinion upon the subject; and, though I have yet received no written reply, he has, in conjunction with other settlers and Natives consulted by me, verbally signified his entire approbation.

I have, &c.,

Thomas Henry Smith, Esq.,
Assistant Native Secretary.

DONALD McLEAN,
Chief Commissioner.

SIR,—

Port Napier, June 21st, 1859.

I beg to submit for your Honor's perusal a draft of Regulations, in reference to trespass on Native lands, in the hope that you will be good enough to offer any suggestions you may think

proper in reference to them. It is necessary to be most careful in legalising the occupation of Native lands, but the rates charged for trespass, in this instance, are so small, compared with what the Natives have been in the habit of exacting, that I do not suppose these Regulations would operate against land purchases. It is evident that some regulations must be enacted, in order to preserve friendly relations between both races; and, as it is impossible altogether to preclude trespass, I see no other alternative than that of meeting the peculiar circumstances of this district by having such a code of Regulations as are now suggested, subject of course to improvement and revision, submitted to the Governor for his assent, under the "Native Districts Regulation Act." I shall be happy, at your convenience, to have the benefit of your opinion on the subject.

I have, &c.,

DONALD McLEAN.

His Honor the Superintendent,
Napier.

Superintendent's Office,
Napier, June 28th, 1859.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 21st instant, with draft of proposed regulations for legalizing the depasturing of sheep and cattle on Native lands. A careful consideration of the whole subject, and reference to the Native Land Purchase Ordinance and the Native Districts Regulation Act, have completely dissipated the favorable impressions I entertained at first of the proposed regulations when verbally mentioned by you to me. As I am much pressed for time in consequence of my intended departure in the steamer for Wellington, I can only now briefly state my impression in regard of them, and am sorry time does not permit me to make more extended remarks.

REMARKS.

If these regulations did interfere with the Native Land Ordinance, it would only be in regard to the limited districts described and not to the general operation of that law.

The Native Land Purchase Ordinance still remains in force even within these districts, to prevent the leasing of their lands.

The present state of affairs operates much more seriously against the sale to Government.

This is provided against in the proposed regulations, though there no doubt would be difficulty in providing legal proof.

How to prevent it? The object is to legalize the present state of things, under regulations which give the Natives the legal remedy they now want, and to prevent their resorting to extreme measures to recover damages.

This is certainly a strong argument, but the case is provided for in the 10th clause of the proposed regulations. Perhaps it might be advisable to make that clause more stringent, and to increase the penalties.

At present the Natives have simply no redress at all by applying to the Resident Magistrate. If they will not sell with the regulations (which remains to be seen) they certainly will not without, and meantime the peace of the settlement and the safety of the settlers' stock is endangered.

1. In my mind it appears very doubtful that it was ever contemplated by the 1st section of clause 2 of the Native Districts Act to give power to the Governor to legalize the depasturing of sheep or cattle on Native lands. I think it refers strictly to *trespass*, and not the depasturing of cattle or regular occupation of land as contemplated by the 11th clause of the proposed regulations, and which would require six months' notice to be given by the Natives, before it could be terminated, although it might be called *habitual* trespassing.

2. These regulations would be a virtual repeal of the 2nd section of the 1st clause of the Native Land Purchase Ordinance, and if once passed it would be impossible to obtain a conviction under the Ordinance.

3. I believe that under them the Native Land Purchase Ordinance might be set at defiance, that it would be impossible to define the "undue advantage" mentioned in clause 10, and that there would soon be many cases of persons having small freeholds or homesteads on the boundaries of Native land, fully occupying the latter, entirely against the spirit of all the fundamental principles which have hitherto guided the Government in dealing with this matter, and most seriously operating against the future acquirement by the Government of such lands; as it would be most easy, whilst paying the rates fixed by the Government, to give gratuities to the Natives besides, that would in fact amount to such a rent as altogether to prevent the Natives from thinking of selling the land in future.

4. I quite agree that it is desirable to provide for occasional trespass on Native lands, such as occurs also between one European settler and another; but I think there can be no justification for habitual trespassing, or more properly constant occupation to be determined only at six months' notice, unless the Government are prepared to repeal a portion of the Land Purchase Ordinance, and to lessen, to a minimum extent, their chance of purchasing those districts still held by the Natives. For I have no hesitation in saying that under any regulations, such as are proposed, there will not be an acre of Native land that will not be fully stocked before twelve months had passed; and when it is remembered that in very many cases in this Province, run-holders have been obliged to expend several thousand pounds in purchasing their runs, it will be a matter of calculation with some whose intended runs are yet unpurchased, whether it would not be better to pay the Natives several hundred pounds a year even in the shape of rent, presents, or gratuities, and so encourage them to retain the land, than to have to pay perhaps a far larger sum as interest in case the Government acquired the land and that they were obliged to buy a considerable part at 10s. per acre. For the above reasons I am unable, now that I have carefully considered the matter, to conceive that any good would be effected by legalizing the permanent occupation of Native lands; and I think even with regard to occasional trespass, it is a matter for grave consideration whether any better remedies can be proposed than the Natives at present have by application to the Resident Magistrate, unless perhaps that it might be well to join with him one or two Native Assessors in trying any trespass cases on Native lands; but I am strongly of opinion, that any rules tending to encourage habitual trespass or constant occupation would be attended in a very short time with the worst possible results.

I have, &c.,

T. H. FITZGERALD.
Superintendent.

D. McLean, Esq.

Napier, July 1st, 1859.

SIR,—

With reference to the draft of regulations transmitted to you for the consideration of His Excellency's Government on the 23rd instant, I have now to transmit the copy of a letter from His Honor the Superintendent, urging certain objections to these regulations. These objections had been fully considered when the draft regulations were being framed, and while I admit fully the force of some of them, I am unable to see how they are to be met, or how the peace of this district is to be preserved, unless some regulations are passed to guide the Magistrates' decisions in cases of trespass. Will you have the goodness to lay His Honor's letter, with my marginal remarks thereon, before His Excellency's Government for their information.

I have, &c.,

DONALD McLEAN,
Chief Commissioner.

The Assistant Native Secretary, Auckland.

[NOTE.—*No Report had been received from the Civil Commissioner of Hawke's Bay District up to the time of this paper going to press.*]

No. 2.

REPORT FROM LIEUTENANT-COLONEL RUSSELL, CIVIL COMMISSIONER.

Civil Commissioner's Office,
Napier, 9th June, 1862.

SIR,—

I have the honor to report my proceedings as Civil Commissioner up to this date.

I left Auckland on the 18th March, and arrived at Napier on the 1st April.

The gunboat having taken shelter under Table Cape, I landed and visited the Native settlements of Wangawai and Nukutaurua. I explained to the Natives the proposed institutions, but met with small encouragement. I believe this arose in some measure from the fear which had been impressed on them that debts which are brought against them to the extent of £400 by one European, of £500 by another, and of £700 by a third—would have to be paid up, now that law and order were to be established. I believe that such claims extend all over the Province, and that Ten thousand pounds would not cover them. My present Interpreter, Mr. Edward Hamlyn, estimates his claims alone at £ 000.

On my arrival at Napier, I met the Chief Renata, of Pawhakaairo, and told him that in accordance with the promise which Mr. Crosbie Ward and Mr. Fox had made him, that a Civil Commissioner should be appointed, I had been named for that purpose; and, having been to Auckland to consult with His Excellency the Governor and his Ministers, had now returned to introduce the new institutions.

He evinced no pleasure at the information, but rather a wish to avoid the subject, in which line of conduct he has subsequently persevered.

I addressed letters to all the principal Chiefs, stating the order in which I would visit them; and also sent the Interpreter to Pa Whakaairo to let them know on what day I would be there.

I proceeded accordingly, accompanied by Mr. Locke, to Pa Karamu (Karaitiana's Pa), and found him, to my surprise, about to start for the Manawatu to hold a Runanga about a land dispute amongst themselves. I urged him to delay his departure for one day, and to accompany me to Pa Whakaairo, to discuss the Governor's plans with Tareha and Renata. He declined doing so, but remained about half an hour, during which I explained the proposed system; to which he gave no assent, but said by the time I had visited the other portions of the Province he should have returned from Manawatu, and we could then have a meeting to discuss the matter.

I went on to Pa Whakaairo, where I passed the night, and talked at great length with Tareha, Paura, Kaiwata, Karaire, and others. Renata was present, but said little. Their tone was unsatisfactory; they declined proceeding further in the matter at present,—urged the unsettled state of the Waitara question,—their own disputed land purchases,—their desire to talk with the Governor "face to face," &c., &c., &c.

Finding I could make no progress with the new institutions, I tried to engage them in friendly conversation about their schools, medical men, &c.; but found them on all subjects captious, and determined to see no good in anything that had been done, or was purposed to be done, for them.

The next day, Mr. Locke was taken aside by Renata, who explained to him that he was not unfavourable to the Governor's views, but that, after I had returned from the Wairoa, and Karaitiana from the Manawatu, they would hold a meeting for the further discussion of the question.

I left them with the strong impression that they were watching events, and had no immediate intention of adopting the new institutions, though they were content to deal in generalities concerning them as long as they were at a distance. I see nothing yet of a contrary tendency, though every disposition has been shewn to settle their disputed land sales, and they have since seen the Governor face to face.

I proceeded to visit every part of the Province south of Napier, and was able to settle some disputes; but, with the grand subject I made no progress, the Natives asking generally what the Pa Whakaairo people said, and being apparently resolved to follow their lead.

At Havelock I met the Chief Hapuka, much incensed about a sum of money which had been paid to Renata on account of a sheep run occupied by a Mr. Mason, and which he stated to be in opposition to a promise made by Mr. Crosbie Ward that no future payment should be made to either party until it was decided who were the proper owners.

On my visiting Mr. Chambers who was acting for Mr. Mason, he said he had so paid the money to Renata, but that it was to be held "in trust," and that Renata was an honorable man who would produce it whenever the dispute was settled.

Renata subsequently denied having received the money "in trust" (though it seems he signed a paper both in Maori and English to that effect), but stated that, though he signed the paper, he distinctly said that he did not receive the money in trust but would hand it over to whomsoever it should be decided to belong by a Runanga of their own people. He had accordingly paid it to the man on whose account Hapuka claimed it, and I am told he thereby detached an adherent from Hapuka and secured him to himself.

Hapuka now insisted upon a similar payment being made to him, but I could only promise that I would not recognize what had been done, but would still hold to the promise made him that the money should be paid to whomsoever the General Runanga pronounced it to be due. He was

very angry and left Mr. Chambers' late at night, giving me to understand that I need not call at his Pah the next day, as he should leave it, and should take such steps about the land in question as he thought fit.

I called at his Pah next day in passing notwithstanding, and found he was not there.

During the next fortnight I visited every place of importance South of Napier, and have requested the Resident Magistrate of the District to do so monthly. I then returned to Napier, where I met His Excellency the Governor and also Mr. Donald McLean.

Having when commencing my journey heard that Mr. McLean was in the Province for the purpose of settling any outstanding land purchase disputes, I wrote offering to meet and co-operate with him in their adjustment. We did not however meet until my return to Napier, when we proceeded to take such steps as he will no doubt have made you acquainted with. Other claims await his return, and I feel assured I shall best meet the wishes of the Government by doing all in my power to assist him in settling them.

As soon as circumstances permitted, I started again to visit the Native settlement lying North of Napier, as far as the boundary of the Province near Table Cape.

I found this District little known and much neglected. Its population is said to be more than equal to that of the two other Districts together. At Waikari (but one long day's journey from Napier) the Natives told me they had never seen a Clergyman for four years. The conduct of some of the Europeans who have located themselves in the Mohaka and Wairoa Districts, would almost lead one to suppose that they were the barbarous, and the Maoris the more civilized, people—scenes of drunkenness and outrage are described in which men have taken part whose education and position should have led to a very different line of conduct, and which bring the moderation and forbearance of the Natives into very strong contrast. Those evils have now been greatly lessened by the Natives, who have interdicted the introduction of spirits to their own side of the Mohaka where there is no European land, whilst on the Wairoa which is altogether Native land they have excluded spirits altogether, and have even had recourse to the strong measure of suppressing a public-house licensed by the Provincial Government, upon the plea that as it stood upon Native land they were justified in so doing. They told me they are aware that spirits are still smuggled into the river by Europeans, but so long as it is confined to themselves and not made an annoyance to the Natives, they shut their eyes to the breach of Maori law.

Several Europeans are located upon the banks of the Mohaka, on land purchased from Government, who take no part in the excesses of which I have spoken, but are anxious they should cease. I have addressed letters to the two Magistrates who live there, begging their co-operation in bringing about a better state of things, and I have desired the Magistrate who visits the district this month (pending the appointment of a Resident Magistrate) to report to me upon the subject.

There are also about thirty adult Europeans living on the banks of the Wairoa; they generally occupy three or four acres of Native land each, upon which they have built their houses, paying a ground rent of £1 an acre; many of them have formed Maori connexions, and have half-caste families; they employ themselves in trading with the Natives, with whom they seem to live on good terms, in sawing timber, splitting posts and rails, &c., and many of them appear very decent men, and pay a good deal of attention to the bringing up of their children. There are two schoolmasters here, to whom I will allude in a separate paper.

There is a large amount of good agricultural land on the Wairoa, and a considerable amount of grain might be raised there; but it is generally in a very neglected state, but partially cultivated by the Natives, who are said to have patches of such cultivation for thirty miles up the river. They seem, however, determined to retain it in their own hands, and as the number of children here is in much larger proportion than I have generally met with in New Zealand, I think it not improbable that in a few years they may require it all.

I found no Europeans living north of the Wairoa, until I reached Waikokopu, near the rock of the Mahia Peninsula, though there is a fair extent of cultivable land lying between the coast and the nearest range of hills. From Waikokopu, however, a few Europeans occupy the small bays of the peninsula, where whaling stations of some importance once existed but have now nearly all died out. The principal Native kaingas are at Wakaki, Nuhaka, Mahia, Wangawaie and Nukutaurua, but there are some others both inland and on the peninsula which I did not see. It will be an essential part of the Resident Magistrate's duty to make himself acquainted with the more remote parts of his district, and if he be fitted for his office I conceive his influence and example will be of great value to both Natives and Europeans.

The political aspect of the northern division of the Province appeared to me more satisfactory than that of the southern; the Natives more loyal, straightforward, and anxious to receive European law, though it will deprive them of power which they have hitherto used without control, but not without discretion.

Their interference with the Europeans living amongst them has been sometimes beneficial, occasionally vexatious, but rarely oppressive.

Thus their suppression of the grog nuisance has been beneficial, whilst their occasionally extorting 3s. or 4s. for ferrying a traveller across a stream has been vexatious. An instance also was mentioned to me by a sheep farmer who occupies Native land, where they stopped him for travelling on a Sunday, and detained him till the next day, but fed and lodged him well, and charged him nothing but 5s. for his horse's corn; but being told by some one in authority that they had done wrong, they followed him 20 miles to return him the 5s. The only acts of oppression named to me were two, in one of which, a woman under exclusion from the kainga having taken refuge in the house of a settler on European land, they looted his house, but subsequently

returned most of the things; in the second case they crossed the Mohaka, and killed five pigs belonging to an European upon his own freehold. They had paid him liberally for one of them, and upon the case being brought before me consented to pay £3 each for the other four.

But if Europeans have had but little to complain of Maori justice, a case was mentioned to me at Mahia which shews that it is sharp and prompt amongst themselves upon occasion.

An old couple being encumbered with a sick man who seemed likely to linger for a long time, killed and buried him—suspicion being aroused, the facts were elicited from the woman, whereupon they tied the man who committed the act, dug his grave, shot and buried him within two hours. This occurred within the last two years in the immediate neighbourhood of the Europeans, and was incidentally mentioned to me from the circumstance of my having been discussing the new institutions with the executioner.

The information which I gave them as to the Governor's plans gave them great satisfaction. The intimation that he saw, on his return to New Zealand, that their progress in civilization entitled him to call upon them to bear a part of the burthen of their own government and no longer to throw it all upon the pakehas, seemed greatly to please them. I had carefully enquired as to the influence and character of the Chiefs whom I desired as Assessors, and they generally concurred in my selection; in only two cases did they demur to it—in that of Paura Perepu of Mohaka, whom they stated to be the greatest man upon the Coast by birth and whom they were unwilling to lose even temporarily from amongst them; and secondly in the case of Hotena Tongihairi of Hukutaurua upon some similar ground; but I believe in both cases their real objection was that they thought younger men of greater intellect would do better.

I found but one man of any note calling himself a King's man, Henry Te Apatari of Wairoa, known as "the bottle of smoke"; he has some influence and a few followers, and might be troublesome if left in opposition, but will I think be quite disarmed by making him an Assessor, with of course due precautions.

I believe the new Institutions might be safely introduced in the Wairoa District, as far as its people alone are concerned, as soon as I have established there a careful, active, and judicious Resident Magistrate. Very much depends upon the selection of those officers, and I think, as a rule, it would be better that they had not previously been mixed up with Native matters. I have named Mr. Samuel Locke for the Wairoa District, being about the best qualified of any who have offered their services, and as he is a single man of active habits, has some knowledge of the language, and will have no other occupation to interfere with his moving about the country, I hope he may do well.

In the meantime, as he (Mr. Locke) is not yet a Justice of the Peace, I have induced Captain Russell to visit the District this month as a Magistrate accompanied by my Interpreter, as I promised them they should be visited by a Magistrate once a month until one was appointed to live amongst them.

I was glad to obtain the services of Captain Russell, as he is so intimately acquainted with my own views, and I think his judgment and discretion quite to be relied on. There is, I understand from him, a case of murder which has occurred at the Wairoa since I was there myself, amongst the Natives themselves, and I have no doubt he will do all that is possible in the matter. I will report more fully upon it when he returns.

The Natives pressed me to hold the first General Runanga at Napier as soon as I could return from the General Assembly, which I hoped would be in August. I suggested some more central point upon the Plains, but they stated they had been treated with so much incivility by Renata and the Pahwhakaairo Natives (when they visited them shortly after the Tangi for Moana-nui) because they would not join the King movement, that they would not meet at any place belonging to them.

I am not aware whether or not there is any truth in this statement, but as it is stated to have occurred after Pa Whakaairo had been visited by Mr. Crosbie Ward and by Mr. Fox, I thought it remarkable.

Upon my return to Napier, I took an opportunity of mentioning to Renata, that having visited the Wairoa district and arranged matters there, I was now ready to meet them, as they had proposed to arrange them here. He immediately walked away without reply.

I have since visited Pa Whakaairo at their request, (accompanied by Mr. Webber, Provincial Engineer, and Mr. Locke,) to inspect the site for a water mill which they state the Government has promised to assist them to build, (but about which I have no information); and I took a favourable opportunity of referring to the subject, but they again evaded it, and I now feel constrained to give it up for the present. This I should care little for, but for the following reasons.

1st. Until the General Runanga sits we are practically living without law, for notwithstanding the promises made to Mr. Ward and Mr. Fox that the seizure of cattle and such other acts should cease, they have not ceased. But no law can be enforced against the Natives without great risk, until the General Runanga assumes that responsibility, and consequently it is not easy to enforce it against the Europeans.

2nd. The sitting of the General Runanga should precede that of the District or (so called) Village Runanga, so as to form a basis for their proceedings; consequently those who are willing to carry out the New Institutions are paralyzed by those who will not co-operate with them to constitute the General Runanga.

One of my most anxious objects has been to convince the Natives that their plan of seizing horses, cattle, sheep, and even bullocks, when on a journey, will inevitably lead to bloodshed if persevered in; as it is not to be expected that Europeans accustomed to live under and obey the law themselves, will much longer submit to have their property thus lawlessly assailed, but will oppose force by force. Yet at this moment there are 40 head of Mr. W. Cooper's cattle in the hands of Paraone, of Te Aute,

notwithstanding my having personally explained those things to him on my first visit, and subsequently by letter when this seizure was reported to me.

Mr. Cooper, Resident Magistrate, is now endeavouring to arrange the matter, but I have pointed out to him that it is better to mediate than adjudicate, seeing that it is but one-sided justice to convict and fine the European for trespass if we have no power to convict and fine the Natives for unlawful seizure in direct opposition to the Magistrate.

For these reasons, I have been anxious, by the assembly of all the chief men of the Province in General Runanga, to make such laws for the Governor's approval as are most urgently required, and to appoint the Native Police for their due execution where Natives are concerned; so as to pledge those Chiefs, as it were, to the support of the law, or at least to provide that in case of its failure, contempt should fall rather upon them than upon the Government.

There are other subjects which I should wish to refer to, such as modifications which it will be my duty to propose in my present instructions—details as to the establishment of schools, medical assistance to the Natives, &c.; but this report has already reached such a length that I beg to defer doing so for the present, and will only add that I consider:—

1st. The Chiefs at Pa Whakaairo evince no present desire for the introduction of the new Institutions.

2nd. That their political importance is somewhat over-rated in this Province, and that they possess but little influence North of Napier.

3rd. That I fear it may become necessary to proceed without them in the Wairoa District, but that to do so it will be necessary to modify the proposed system of Village Runangas, as it will be difficult to carry out that idea in one Village Runanga when the District extends over more than a hundred miles of the most impracticable country, and the population exceeds a thousand souls.

4th. That this had better not be attempted at present, but stand over until I have had an opportunity of consulting with Ministers, at the approaching meeting of the General Assembly.

In conclusion, I beg to say that I believe the desire and intention of the Natives of the Province generally, is peace, but that before giving up their present position they wish to extract all they can from the Government.

The Hon. the Minister for Native Affairs,
&c., &c., &c.

I have, &c.,
A. H. RUSSELL,
Civil Commissioner,

FURTHER PAPERS

E—No. 9
Sec. VII.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION VII.

MONGONUI.

PRESENTED TO BOTH HOUSES OF ASSEMBLY BY COMMAND OF HIS EXCELLENCY.

SECTION VII.

M O N G O N U I.

No. 1.

REPORT FROM GEORGE CLARKE, ESQ., CIVIL COMMISSIONER.

Mongonui, December 14th, 1861.

SIR,—

I embrace every opportunity of keeping you informed of my proceedings while passing through my district; and I hope I may be excused if somewhat informal in my communications.

I am now in the vicinity of Mongonui and Kaitaia, and with Mr. White, the Magistrate of the district, have fully communicated on all subjects connected with the Native policy about being introduced into this district.

Fully concurring as that gentleman does with the whole scheme, and cordially approving as he does of the efforts about being made for the good of the Natives, it cannot be concealed that he is regretting the apparent want of courtesy in not making him at an earlier period acquainted with the changes proposed to be introduced into this district, and affording him an opportunity of placing before the Government the altered position, and its inconveniences in relation to himself.

I hope it may not be considered that I am out of place in stating that it is due to Mr. White to say that he is not only an old well tried energetic servant of the Government, but has the full confidence and esteem of the Natives in his district; and their general orderly and respectful conduct has called forth my unqualified approbation. It cannot, therefore, be a matter of surprise that the changes which place him in a subordinate situation in the district which owes so much to his unwearied exertions, should be felt as a degradation, and appear to him as unjust and neglectful.

Conscious that the Government could have no such intentions, but on the contrary highly appreciated the services of that officer, I told him that I was prepared to submit to the Government in order to remove such a feeling, that one of two ways should be adopted to relieve him from his embarrassment, and secure his invaluable services to the Government and to the European and Native population of the district.

The first plan which occurred to me was, that Mr. White should be promoted by appointing him Civil Commissioner to one of the districts about being formed, which he is in every respect well qualified to support and conduct.

Should this be found inconvenient or opposed to the arrangements of the Government, then I would submit that the Rarawa tribe, who are more isolated than the other tribes in the Hundreds of Hokianga and Waimate, should be formed into a small district, in which Mr. White should be promoted to the office of Civil Commissioner; the district extending from the north head of Wangarua to the North Cape, from thence by the Western Coast to the Heads of Hokianga, from thence to Waihou or Motu-karaka, from thence to Mangataniwa, from thence to the Heads of Wangaroa.

This would make a compact though small district, would need no further assistance than of one Magistrate, which is even now necessary from the increasing European population, remove every difficulty, and secure the services of Mr. White in a district he has reduced to order, and in which he has necessarily incurred heavy expenses in forming his homestead.

Should the Government be pleased to accede to this proposal, I would submit that the Bay of Islands district should extend as far south as Wangarei, the full extent of Ngapuhi territory south.

Should Mr. White be removed to another district, it would be the labour of years to gain for another officer the position he holds in the confidence and esteem of the Natives of this place; but if promoted as above proposed, there would be a cordial co-operation, and arrangements might be made with Mr. White for training young men for the future work in Native service.

These proposals have made no alteration in my plans in the complete organization of this district, which plans I hope to have complete to be laid before the Government by the end of the year.

I have, &c.,

The Hon. the Native Minister,
Auckland.

GEORGE CLARKE,
Civil Commissioner.

REPORTS OF OFFICERS:

No. 2.

REPORT FROM W. B. WHITE, ESQ., RESIDENT MAGISTRATE.

Resident Magistrate's Office,
Mongonui, December 12th, 1861.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 28th inst., informing me of Mr. Clarke's appointment as Civil Commissioner, and of my duties in connexion with the system of Native Government to be carried out for the future.

In the letter which I had the honor to address to you on the receipt of Mr. Clarke's note informing me of his appointment, I proposed a separation of the district. One of the grounds for making this request was, that the Rarawa tribe were a distinct and separate people. Mr. Clarke, who is now with me, fully agrees with me in the opinion that this separation would be advisable, and much to the benefit of the Natives; and further, the same proposition had been made by the Hokianga branch of the Rarawa. He will, therefore, also recommend this separation. I think there is no point of difference between Mr. Clarke and myself in the manner of carrying out His Excellency's wishes, and of thorough unanimity in His Excellency's views; but I trust that I shall not be considered as wanting in proper respect, if I should fail in strict official etiquette in expressing how deeply hurt and disappointed I feel at the position I am placed in. I feel that no greater censure could have been passed on me; for any gentleman who may be appointed to-morrow a Resident Magistrate is placed in the same position as I am at this moment, after seventeen years active service, more than thirteen years of which I have had the sole charge of a district in which I am now called upon to consider myself a subordinate; at a time, too, when I had every reason to believe I had given entire satisfaction to the Government, and when I had begun to feel satisfied that, after years of toil and anxiety, and with very little expense or trouble to the Government, the people of this district were more quiet and orderly and amenable to law than any other of the tribes of New Zealand. I was about to propose that I should be allowed to avail myself of the benefit of the Superannuation Act, thinking perhaps the Government considered I belonged to that class of officers mentioned, I think, by Mr. Stafford, who, though not able to obtain a medical certificate, were not able to satisfactorily perform the duties of Government. But Mr. Clarke (whose kind and cordial conduct I most thankfully acknowledge) has suggested for the consideration of the Government a separation of the district, not differing materially from that which I proposed before. If Mr. Clarke's suggestions should be approved, an officer would be required for the people from Herekino to Hokianga Head and neighbourhood, and I am quite sure, from what I have now heard from Mr. Clarke, that we could work together for the benefit of the people in our respective districts. I trust it will not be forgotten that the European population is increasing rapidly in this district, of course much increasing my duties, as well as the responsibility of my position.

In the mean time I have strictly obeyed the instructions conveyed to me in your letter of the 28th ultimo, which reached me yesterday, by giving Mr. Clarke every information required; but I trust that I may be shortly relieved from the position in which I am placed. I must again claim the patience and indulgence of the Government if I have too warmly expressed myself in this or my former letter: the subject is one upon which I feel warmly, and it may perhaps be considered that I have written hastily.

The Native Minister,
Auckland.

I have, &c.,
W. B. WHITE,
Resident Magistrate.

No. 3.

INSTRUCTIONS TO W. B. WHITE., ESQ.

Native Office,
Auckland, January 31st, 1862.

SIR,—

With reference to the various letters that have been received from yourself and from Mr. George Clarke on the subject of the constitution of the Bay of Islands District, I have to acquaint you that upon full consideration of the circumstances, His Excellency the Governor in Council has been pleased to decide that you should be continued in the independent management of the Mongonui district. An Order in Council has accordingly been issued, revoking the Orders of 7th December, 1861, and reconstituting the district of Mongonui, under the Native Act of 1858, according to the original boundaries of 1859.

It will therefore devolve upon you now, to lose no time in taking the necessary steps for bringing into operation among the Rarawa people the plan of Native Government proposed by Governor Sir George Grey. It appears from your letters that the communications which have already taken place between Mr. Clarke and yourself have put you completely in possession of the details of that plan; and I need not, therefore, in this letter, enter into particulars on the subject, or do more than direct your attention to one or two points, and invite you freely and fully to write for instructions or advice on any point where you may be in doubt. I enclose you, in

the meanwhile, the copy of a letter I have just addressed to Mr. Clarke, as Civil Commissioner for the Bay, which will generally indicate the views of His Excellency's Government on several matters which in your own district will require your immediate attention; and I also enclose you a few copies of the Address recently issued to the Natives, and published in the "Messenger."

With regard to the constitution of the Runanga for the Mongonui District, it will be necessary in the first place that you should visit the various Native settlements, and invite them to concur with you in recommending certain Chiefs to be members of it, and also in selecting those who are to be appointed Magistrates and Wardens. It is intended by the Governor in all cases to leave the appointment of Kareres to the Runanga itself when established.

With regard to the appointment of Native Magistrates, the Government will wait to hear from you before taking any steps. In your letter of December 30th, calling attention to a previous letter of yours dated 21st January 1861, with a list of Assessors and their payment, you request that if the proposal then made by you is approved the sum of £145 may be sent up to you. But the proposal you made in January 1861 may not be the one which now, with the renewed responsibility thrown upon you by the separation of your district from that of the Bay of Islands, you would wish to make for the future. You are aware that the Governor intends to grant salaries of £30, £40, and even £50 to the principal Native Magistrates. In the Bay of Islands District as just reconstituted, the Governor has sanctioned the payment of salaries at those rates to ten Chiefs, but in your district a less number would no doubt be sufficient. It is not intended to interfere with the payment of the small salaries paid (up to 1860) to any Chiefs who may not now be selected for the superior position Sir George Grey wishes to confer upon the best and most reliable men only: and in this view you may not think it right still to recommend sums of £10 a year being paid to so many.

The Government have had much pleasure in marking, by the steps which are now communicated to you, their appreciation of the long and valuable services which you have rendered, and their confidence in your co-operating heartily with the Governor in his desire to establish institutions for the government of the Natives.

I am, &c.,

HENRY HASLE,
Acting Native Secretary.

W. B. White, Esq., Mongonui.

No. 4.

REPORT FROM W. B. WHITE, ESQ., RESIDENT MAGISTRATE.

Resident Magistrate's Office,
Mongonui, February 20, 1862.

SIR,—

I have the honor to acknowledge the receipt of your letter of February 4th, 1862, informing me of the reconstruction of the Mongonui District, which His Excellency has been kind enough to place in my charge. I shall lose no time in placing myself in communication with the Natives of the District, with a view to the inauguration of His Excellency's plan. The communications I have had with Mr. G. Clarke, the Civil Commissioner of the Bay of Islands, were principally of an oral character; I am therefore not well prepared as to the details of the system, but as soon as I return from visiting the Natives, I shall request such information as may be needed. In the meantime I should be glad to be informed, at as early a date as possible, if His Excellency will sanction the appointment of seven Chiefs for the District Runanga, and three Wardens, fourteen Kareres. The distribution of these Officers would be thus:—For the District Runanga, North Cape, 1; Ahipara, 1; Kaitia, 1; Mangatete or Parapara, 1; Waikainga, 1; Kohumaru, Waihau, and Mongonui, 1; Wangaroa, 1. Wardens—Ahipara, 1; Mongonui, 1; Wangaroa, 1.

Of course these Officers would be the best men to be found. Any of the present Assessors who may not be appointed to superior positions will of course retain their present pay. Should new ones be required to administer the law, must they serve without pay?

With regard to your remarks on my application for £145, I think you are labouring under a misapprehension: the sum required is for payment of salaries for the year 1861, for duties performed. I have forwarded the copy of the list which accompanied my letter of 21st January, 1861, by which it will be seen the salaries paid in 1860 and proposed for 1861. The last proposal, I was informed verbally, had been approved. In my letter of 30th December, I asked for an addition of five pounds each to two of the Assessors' salaries for zealous conduct; and struck off two others, one dead, the other for not having performed any duty. I feel somewhat embarrassed in meeting the Assessors without having it in my power to pay them the past year's salary; it has been well earned, and I think ought not to be made contingent upon any new arrangement. I know perfectly well that most of the Assessors are put to considerable expense, and look forward to their salary with certainty. I trust the Government will enable me to pay this sum with as little delay as possible, or I fear it will induce them to look coldly upon the new arrangements. I urge this strongly, as I consider it would be breaking faith with them not to pay them for the past year's services.*

* This was done.

I have, &c.,

The Native Secretary,
Auckland.

W. B. WHITE,
Resident Magistrate.

REPORTS OF OFFICERS: MONGONUI.

No. 5.

REPORT FROM W. B. WHITE, ESQ., RESIDENT MAGISTRATE.

Resident Magistrate's Office,
Mongonui, April 14th, 1862.

SIR,—

I have the honor to inform you that I have visited the settlements in this District, for the purpose of selecting the Chiefs for officers of the Runanga. I have called upon the Natives to elect their Chiefs in preference to nominating them, believing that they would feel more satisfied, and that I should be more certain of the support of the people. The result has been generally that the men of the greatest influence have been selected. As I informed you in my letter of February 20th last, I considered that we could not begin with less than seven Chiefs to the Runanga, three Wardens, and fourteen Kareres.

Their names are—

Chiefs of Runanga.

Paraone,
Puhipi Te Repi,
Hohepa Poutama,
Karaka Te Karau,
Tipene Te Taha,
Pororua Warikauri,
Paora Putete Ururoa.

Wardens.

Waka Rangaaunu,
Reihana Kiriwi,
Heremaia Te Ara.

Kareres.

Raharuhi,
Makarini,
Hohaia,
Hatacre,
Ihaia,
Tamehana,
Ruteni,
Rehana Te Hulu,
Timoti Popata,
Mohi,
Hemi Rihari,
And three not yet named.

I would beg to urge that these appointments date from the commencement of the year, as all have been actively engaged in the work of the Government; and that they should be paid quarterly.

I have incurred the following expenses in collecting the people, to which I have the honor to request His Excellency's approval,—large numbers of Natives assembled at Kaitaia, Ahipara, and Mongonui, making it necessary that I should provide in part for them; though the Chiefs provided the principal part of the provisions; expenses incurred, (£11) eleven pounds.

I have, &c.,

W. B. WHITE.

The Native Secretary, Auckland.

RELATIVE TO

GOVERNOR SIR GEORGE GREY'S PLAN OF NATIVE
GOVERNMENT.

REPORTS OF OFFICERS.

SECTION VIII.

T A U P O.

SECTION VIII.

T A U P O.

No. 1.

REPORT FROM GEORGE LAW, ESQ.

Otawhao, February 13th, 1862.

SIR,—

I have the honor to report, for the information of His Excellency's Government, that, acting upon the authority of an official letter from the Honorable the Colonial Secretary, dated Auckland, 13th January 1862, I proceeded to Taupo for the purpose of ascertaining the views of the Natives of that District with regard to the settlement of a European Magistrate amongst them, and generally to learn their views in reference to the institutions proposed to be introduced by His Excellency's Government.

January 22nd.—Left Otawhao. Arrived at Aratitaha.

January 23rd.—Arrived at the Waotu.

January 24th.—Arrived at the Whakamaru.

January 25th.—Arrived at Waimahana and Taha Pahaka. The Natives inhabiting this District form a portion of Ngatiraukawa, a very powerful tribe inhabiting the country extending from Maungatautari to the west side of Taupo. A portion of this Tribe is at present residing at Kapiti.

This tribe is composed entirely of King's Natives, with perhaps a few individual exceptions. I arrived at Taha Takaroa on Saturday afternoon, and fortunately finding the Natives at food, took the opportunity while they were all assembled of explaining to them the policy of the Government. I first read to them His Excellency's Circular addressed to the Natives, enlarging upon and explaining each paragraph as I proceeded. Upon concluding my remarks, I enquired whether they understood what I had just stated to them, and if they had any questions to ask me. I told them not to be in too great haste to answer me, to consider well what I had told them, so that their word when it was spoken should not be a "kupu noa." They replied that they understood what I had stated, and would give me their reply in the evening. When we met together in the evening, the Chief told me that they had thought over what I had told them, and that the word of the Governor was good. He asked me whether the Circular was quite true, and was to be relied on. In reply, I said that they might implicitly rely on the word of the Governor, whose greatest wish was to raise the Maoris from their present ignoble position, and bring them on a more equal footing with their fellow subjects the Europeans, and that he wished to effect this by the introduction of European laws and manners, instead of the old Maori usages.

As a proof of the truth of His Excellency's intentions, I told them that if they wished, I should stay with them as their Magistrate, to assist them in making laws, and establishing some of the good things spoken of in His Excellency's Circular. They immediately consented to this, and pressed me to take up my residence amongst them. I eventually consented to take up my residence amongst these people, as Tango Tango offers many advantages, such as wood, water, wheat, &c., which are not combined at any other place, besides the comparative shortness of the road for the purpose of carrying in supplies.

January 26th, Sunday.—At Pakataharoa.

January 27th, Monday.—When on the point of departure Te Matewaia (the Chief of this portion of Ngatiraukawa) again requested me to give him an assurance of the truth of my statement of Saturday; I complied with his request, and he appeared quite satisfied. I proceeded to Oruanui, where I found several of the leading men of this and the adjoining Native villages. They are all Queen's Natives, and gave me a very kind reception. When I told them the object of my visit they were very much pleased. These Natives before the breaking out of hostilities at Taranaki were engaged making a road (upon their own land) upon the mail line between Otawhao and Ahuriri, and are exceedingly anxious to recommence operations. They gave me a very pressing invitation to choose a *kainga*, and seemed disappointed when I told them that I could not do so, as the distance would be so great to bring in supplies. I proceeded on the same day to Papuwaiharuru: This *kainga* is the residence of Te Poihipi, the principal Chief of this (the north) end of Taupo, and is inhabited by Queen's Natives. The sentiments of Te Poihipi are so well known and have been so lately brought under the notice of His Excellency's Government, that I will not enlarge farther, but simply state that the invitation which I received at Oruanui was here repeated, and accompanied with many personal good wishes. I was obliged to return a similar answer.

January 28th, Tuesday.—Left Tapuwaiharuru, and proceeding along the east side of Taupo, calling at the different villages, and, where I found people, explained the object of my journey. I was sorry to find that the majority of the Natives of this portion of the Lake were at Ahuriri, engaged in making roads for the Provincial Government of Hawke's Bay; but from my personal knowledge of these Natives, (with all of whom I am on terms of intimacy, and judging from the success obtained in other quarters) I have very little doubt as to the result of a conference with them. Those with whom I had an opportunity of speaking were quite favourable to the introduction of law and order. Arrived at Korohe January 29th (Wednesday). Passed through the villages of Tongariro and Toka, making an appointment to meet the Natives on Friday and Saturday. Arrived at Pukawa January 30th (Thursday). Talking with Te Heu Heu the greater part of the day. I found that he had been informed that I was appointed as a Magistrate for Te Poihipi. This information produced a very bad effect upon his mind, as there is an old feud and existing jealousy between the rival chiefs, and nothing could have been more calculated to arouse his jealousy and consequent opposition. I told him that a magistrate would not be for him, or for Te Poihipi, but for the whole body of the people, and that I did not intend to take up my residence at Tapuwaiharuru. After a lengthened conversation, he admitted that what His Excellency proposed was for the good of the Maori people; but still his mind is so filled with distrust, that it has assumed the aspect of a positive disease, and, shrewd and sensible as he is upon all other points, whenever he talks about the Government he works himself into such a state of frenzy that he can scarcely be held accountable for what he says. The great difficulty with which I had to contend was this feeling of distrust; and I must confess that, as far as Te Heu Heu is concerned, I was not successful. However, I do not expect any active opposition from him, and hope he may very soon change his opinion. Personally, he was exceedingly kind: said he should be glad to see His Excellency, but would not invite him to Taupo; and we parted excellent friends.

January 31st, Friday.—Proceeded to Toaanu and had a most satisfactory conversation with the principal Natives. Both Roman Catholics and Protestants unite in approving of the introduction of law and order, and putting an end to the present confusion arising from each little village having different laws from those of its neighbour. Here also I was offered a place of residence. This is the most populous village on Taupo; it is situated at the extreme south end of the lake. The inhabitants are principally Roman Catholics, and all King's Natives.

February 1st, Saturday.—Proceeded to Tongariro.

February 2nd, Sunday.—At Tongariro.

February 3rd, Monday.—Had a satisfactory meeting with the Tongariro Natives this morning. I think I was successful in dispelling the doubt expressed by some of the old men here. I was asked by an old man why His Excellency did not give them these good things when he was there before, and he ended his speech with the following expression:—"If these things had been granted before, there would not have been a King Native in Taupo." However, he continued, "we believe that the Governor means well, and we accept it as such, and if we could hear him tell us all these things we would be quite light." One other point was, that Native Magistrates had been appointed, but that the salaries had not been paid, a circumstance which I assured them would not happen again. Same day came on to Tapuwaiharuru to meet the mail on its way to Auckland, and found that it had passed on Saturday, two days before its time, and was thus prevented writing to Auckland.

February 4th, Tuesday.—Arrived at Opepe on my way to Tarawera.

February 5th, Wednesday.—When within a short distance of Tarawera, I learned that the Natives had gone to Ahuriri to purchase flour, &c. Tarawera seems to me to belong to the Ahuriri district. It is more than forty miles distant from Taupo, the intervening country between Opepe and Tarawera is uninhabited. Same night returned to Opepe.

February 6th, Thursday.—From Opepe to Oruanui. Natives very anxious to re-commence the the road.

February 7th, Friday.—To Tahataharoa, arranged to go to the Papa to-morrow, accompanied by one of the principal men.

February 8th, Saturday.—Arrived at the Papa; this is the Kainga of Hone Teri te Paerata, the most influential native of this part of New Zealand. He has been chosen by Ngatiwhakawa and Ngatituharetea as their representative in all communications between them and Europeans. I considered it better to postpone my visit to this Native until I saw how the popular feeling was inclined. I informed him that Taupo had consented to receive me, explained the wishes of his Excellency's Government, and used every argument which I thought would have a favourable effect upon his mind, without seeming too anxious to obtain his assistance. He said that although not strictly belonging to Taupo, he yet represented the Natives of Taupo as well as his own people. He had no objection to my coming amongst them, but I must not begin active operations amongst his people until he had seen the Governor and heard from his lips the truth of what I had stated. He seemed very much pleased when I informed him that the Honourable the Colonial Secretary would probably pay him a visit.

February 9th, Sunday.—At the Papa.

February 10th, Monday.—Returned with Te Matewaia for the purpose of selecting a kainga; made choice of a place called Po Tango Tango, belonging to Te Matewaia. Arranged for a house to be built immediately, and promised to return if possible in a month; came on to Taha Taha Roa, and Waimahaua. There is a land dispute here involving an extensive range of country. The Natives have referred the case to me for adjudication. The other side are Queen's Natives, belonging to Wai-rewarewa near Taupo; this proves in a substantial manner the reality of their sentiments. Came on to Whakamaru.

February 11th.—To Aratitaha.

February 12th.—Arrived at Otawhao. The only difficulty I had to overcome was the unfortunate feeling of distrust, to which I have referred more than once, and which has taken possession to so large an extent of the minds of the Maoris of this part of New Zealand. I cannot say that I have combated successfully with this feeling, yet I think it has been shaken to such an extent as to lead me to hope that the time is not far distant when they will look upon His Excellency's Government with love and respect; in fact, with very different feelings to that which they at present entertain. They have been so accustomed to connect Government proceedings with the absorption of their land, that when they hear the one mentioned they immediately connect it with the other. They cannot yet conceive that the Government can do all those good things without an equivalent; but, when they see that the Government mean to act fairly and equitably by them, my opinion is that such a re-action will take place in the feelings of the Natives as will make ample amends for their former distrust. This will be a work of time and patience. I think the very fact of their present backwardness is favorable than otherwise, as it gives proof of an honesty of purpose, which is more easily to be dealt with than if they pretended to do all that was wished for, while, after all, it was mere pretence.

And the point which I wish to touch upon is that of the payment of Native Assessors. Some difficulty has been made about the payment of Native Assessors—some would like to be paid, others would not. My impression is that it might be better to leave this to the Assessors themselves—those who wish for a salary might have one; those who do not need have no salary. I mention this in passing, as I should like to be informed whether my idea is correct or not.

Since my return I have seen Te Poihipi, who, although disappointed at my non-approval of his kainga as a place of residence, agreed with me in the policy which directed me in my choice.

In conclusion, I may state in a few words the results of my visit to Taupo. The Natives have assented to the principle which it was my duty to enforce, viz., the necessity of introducing law and order amongst the aboriginal tribes. They have set apart a residence, and are about to erect a house for a Magistrate; bring in his necessary supplies; and lastly, have referred a most important case to him for adjudication. This I look upon as a most important point gained.

I think I have now stated everything of importance which occurs to me as having taken place during my visit, and have now only to congratulate His Excellency's Government upon the success which has attended this the first enunciation of its policy to the Natives of Taupo.

I have, &c.,

GEORGE LAW.

J. E. Gorst, Esq., R. M., Tomo.

No. 2.

INSTRUCTIONS TO GEORGE LAW, ESQ.

Native Secretary's Office,
Auckland, March 26th, 1862.

SIR,—

His Excellency having been pleased to appoint you Resident Magistrate and Civil Commissioner for the Taupo District, I am, by His Excellency's direction, to give you the following instructions for your guidance.

You are aware of the plan of Institutions proposed to be introduced by Sir George Grey for the Government of the Natives, and the steps already taken for that object. As a part of such plan, it is intended to divide the country into Districts, in which the Native Districts Regulation Act, 1858, and the Native Circuit Courts Act, 1858, will be brought into operation. The country about and in your neighbourhood of Taupo, will be formed into such a District, of which His Excellency proposes that you should undertake the charge.

Your functions will be,

1st. As a Justice of the Peace and Resident Magistrate under the Resident Magistrates Ordinance.

2nd. As Judge under the Native Circuit Courts Act.

3rd. As Civil Commissioner under the Native Districts Regulation Act.

As regards your duties as a Magistrate and Judge, it will be unnecessary for me to do more than touch upon them. They are defined by law, and I have only to suggest that you should carefully study the duties imposed upon you in those capacities, and that you should administer the powers vested in you in a temperate and judicious manner, especially so far as they affect the Native race, who are yet imperfectly acquainted with our laws and social institutions.

The specific powers vested in you as a Magistrate and Judge are of a limited kind, and it may be that circumstances may occur within your District in which you may find your strict legal powers insufficient to meet particular exigencies.

Should such be the case, I cannot but impress on you two principles which should govern your course of action.

First, to adhere as strictly as you can to prescribed rules of law.

Secondly, and principally, I desire to impress on you the importance of inspiring the Natives with respect for, and confidence in, the law itself. With that view you should never allow them to suppose that the law is too weak, or imperfect, to meet the requirements of justice.

If, in enforcing this principle, it should at any time appear to you necessary somewhat to exceed the strict limits of your legal jurisdiction, you may rely on the support and protection of the

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Government in all which you may do in the exercise of a sound judgment and reasonable discretion.

It will be the object of Government to obtain from the General Assembly such enlarged powers as may seem adapted to the special requirements of the present habits and social condition of the Natives.

In the discharge of your Magisterial duties you will bear in mind that the Government are anxious not merely to establish amongst the Natives a system of law and settled institutions, but also to teach and habituate the Natives themselves to take part in the work of their own Government. You will, therefore, as far as possible, get them to act with you as Assessors and Jurymen. You will, in fact, consider yourself not only as an administrator, but as a teacher of the law.

As a Civil Commissioner, it will be your special duty to ascertain the assent of the Natives in their Runangas to the Regulations to be introduced under the Native District Regulation Act. In bringing this Act into operation, the Government looks to the machinery of the Runanga as a primary Institution for accustoming the Natives to the work of self-government. I direct your attention to the Order in Council of the 7th day of March, 1862, relating to the constitution of the Runanga. His Excellency will be obliged by your furnishing him, at the earliest opportunity, with your views as to the formation of Runangas in your District, the mode in which they should be constituted, and other particulars relating to them which may be useful for His Excellency's guidance.

In accordance with your suggestions, His Excellency will be prepared to appoint, on your recommendation, three Natives as Assessors, and four Natives as Kareres.

The salaries of these Officers will be as follows:—Assessors £30 each, Kareres £10 each, with one suit of clothing. Their pay will commence from such period as you may recommend.

A Court-house or Court-houses will be required for your District. As regards these the Natives must be taught to understand that in offering them Institutions of Government it is not intended to buy their allegiance, or to encourage them in neglect of their own duties. If there be truth in the desire expressed by them for law and order, they will recognize their liability to contribute themselves towards the introduction of these Institutions. In no way could they more readily do this than by building, or assisting in the building, of Court-houses, Prisons, Schools, and other buildings required for their common purposes. In every case in which under your direction they will come forward to do or assist in works of this kind, the Government will supply plain doors and windows, ironmongery, and any carpentering work which you may judge necessary.

His Excellency is anxious that immediate steps be taken for the establishment of a primary School. You are authorized to expend a sum not exceeding £150 on building, books, furniture, &c., for this purpose; and to engage (on the part of His Excellency) to provide a competent Schoolmaster for one year at least. But the Natives must be made to understand that in establishing Schools, and like Institutions, the Government is not prepared to do more than commence the work. It must be maintained and carried on mainly through their active co-operation, and (as their improving circumstances may supply means) at their own cost. They must at once contribute labor to the erection of buildings, and supplies of food for the support of the Master and Scholars.

It will be, also, desirable to impress on them the duty of setting apart land for the endowment of these Institutions.

I need scarcely impress on you the importance of conciliating, as far as possible, the leading Chiefs, and, to unite them with you on all matters affecting the interests of their people, inviting their confidence, and assuring them of the anxious desire felt by the Government to promote the welfare of the Native people, and their advancement in civilization; so that, by degrees, to bring within their reach the same social advantages that are enjoyed by their Pakeha fellow-subjects. You will especially take every opportunity of imparting to the Native Assessors instruction in the duties of their office, and directing them in the proper discharge of the same.

I am further to request that you will furnish from time to time for the information of His Excellency the Governor, detailed reports of your proceedings, transmitting the same through the Attorney-General's Office.

George Law, Esq., R.M.,
Taupo.

I have, &c.,

HENRY HALSE,
Acting Native Secretary.

No. 3.

REPORT FROM GEORGE LAW, ESQ., CIVIL COMMISSIONER.

Oruanui, April 25th, 1862.

SIR,—

I have the honor to report, for the information of His Excellency's Government, that I arrived here after a tedious and protracted passage of three weeks to the Matata, having been driven back twice to Tauranga, from whence I proceeded overland to Matata, and found the vessel a total wreck. I fortunately lost nothing, and coming on, arrived here last night.

I received a very cordial reception from my Natives, and found my house in a very forward state; however, it will not be finished within a month, the material having to be carried a considerable distance.

It will be in the recollection of the Government that I had previously fixed upon Potangotango as my residence, but it was thought Oruanui would be better adapted for that purpose. The people of that tribe (a branch of the Ngatiraukawa), incited by jealousy at my change of residence, spread a variety of false reports, the principal of which was that I had induced the Oruanui Natives to dispose of a portion of their land to the Queen for a money payment. They took good care that the report should be extensively circulated, and among others applied to Rewi, to place an interdict upon my proceedings and request the Oruanui Natives to send me back again. Rewi very properly replied that he could not interfere, and that they had better write of themselves, that he did not believe that I had paid money for the land, and wound up by reminding them there were Magistrates in Waikato; however if money had been paid for the land, then he might interfere. Foiled in that quarter, they be-took themselves to Ngatiterangita, the tribe inhabiting the South-east side of Taupo, and who had just returned from road-making at Ahuriri with their pockets well lined with the detested money of the pakeha; here they were more successful, and on the 15th of April instant, sixteen men of that tribe arrived at Tapuwaiharuru (the village of Te Poihipi) to demand an explanation, at the same time threatening to burn my house. At first the meeting was a very stormy one, neither party adhering strictly to the matter at issue, but incorporating by degrees a great deal of extraneous matter in the shape of old grievances, and at one time I am given to understand that a pacific solution seemed most unlikely to take place. However, as dinner time approached both parties cooled down a little, and the gift of land having been explained, they expressed themselves satisfied, and returned to Motutere next morning. Their "mutunga" was "we do not object to your Kai-whakawa or to his tikanga so much, our only fear is that he may introduce land purchase—if such is not the case, and we see good arise from his work, we will be with you." The Natives of Pototira came as far as Motutere and went back again. I cannot say whether Te Heu Heu had anything to do with it or not, I rather think not; but as I intend going to these people this week and giving them an opportunity of asking me any questions as to our intentions, and also of explaining matters to them, I shall be able to give more definite information by next mail. Thus the matter rests. I have stated everything as it happened, without exaggeration or concealment. There was no doubt a great deal of bad feeling shewn, and our friends were so irritated at being thus interfered with upon their own ground, and at the manner in which the whole affair was conducted, that their line of argument did not tend to allay that feeling; as they threatened reprisals and said that if anything was done to my house Mr. Grace should suffer in like manner.

I protested against this on my arrival, and told my Natives that they had erred in mixing Mr. Grace's name with this matter, as he had nothing to do with it, and that it could only cause bad feeling and be productive of serious injury to the cause which we have at heart. They promised to be more careful in future, and said that as I was not present I could not be made responsible for anything that was said.

I do not regret that this affair has happened. It has been the means of trying what sort of material our Natives are composed of; and I am happy to say that they have stood the trial well. They have committed themselves thoroughly, there can be no going back now, and there is an amount of enthusiasm existing amongst them which I take care to take advantage of. Thursday (1st May) is the day fixed upon for the selection of Magistrates, after which I proceed to Te Whaiti to try a case of manslaughter.

Monday 28th. I kept my letter open in case anything new should have occurred in the interval. I saw Mr. Grace on Saturday upon his way to Auckland. He brings no news, and has advised Te Heu Heu to write to His Excellency if there is anything to dissatisfy him.

One of the Natives who came in the "burning party" came here this morning. He is an old friend of mine and came to me for a pipe. I gave him a lecture first and his pipe afterwards with which to digest it; he was very friendly. I gave him a number of circulars for his people, and he seemed well pleased when I told him that I should visit them.

I am happy to state that the Natives at the South end of Taupo had nothing to do with the visit of Ngatiterangita.

I beg to recommend that a letter should be sent to the Native Chiefs named in the margin thanking them for this early proof of their loyalty.

I have, &c.,

GEORGE LAW, R. M.

The Hon. Attorney-General,
Auckland.

Te Poihipi, Te Kairangi,
Ngupari, Hikarapui,
Petaera, Wharerahi, Te
Rawiti, Te Kume.

No. 4.

REPORT FROM GEORGE LAW, ESQ.

Oruanui, 28th April, 1862.

SIR,—

I have the honor to inform you that I have been requested by the Natives to proceed to Te Whaiti for the purpose of trying a woman accused of manslaughter.

I find upon referring to my instructions, and to my conversation with you upon a case nearly in point, that I have received very great latitude; but I question very much whether I can deal with such a serious case as this; I must of course be guided very much by circumstances. A question, however, occurs to me—Should I commit for trial? Must the women and witnesses be sent to

Auckland, or is there any probability of an interior circuit being made by a superior Judge? The distance from here to Auckland is at least 200 miles, and the expenses of witnesses, &c., would be very great.

I have fixed the 15th of May for the trial.

The Hon. the Attorney-General,
Auckland.

I have, &c.,

GEORGE LAW, R.M.

No. 5.

REPORT FROM GEORGE LAW, ESQ.

Auckland, 25th May, 1862.

SIR,—

In continuation of my last report, I have the honor to inform the Government, that our meeting for the selection of Native Assessors took place at Oruanui upon Thursday the 1st instant, and was one of the most satisfactory description.

The *hapus* present were Ngatiruangarangi (Te Poihipi), Ngatitepake (Petaera), Ngatirawhito (Ihakara), Ngatitahu (Paoraparata).

The unanimity of feeling displayed was most gratifying; I made a short address to each Assessor as he was brought forward to me, and required of each tribe a formal and public proof of their assent to, and willingness to abide by, the decision of their respective Magistrates. The answer in each instance was given by a heart stirring "Ae," which I will not readily forget. Te Poihipi then commenced a song, and being joined in by the whole assemblage it produced a most stirring effect. The meeting then broke up, and the people returned to their several villages.

When Ngatitahu was asked whether they had selected an Assessor, they requested a little more time to think the matter over, as several of their most influential men were absent. This was cheerfully conceded, with the remark that we did not wish to push matters, and that their assent would be considered of more value if given after mature reflection rather than upon a sudden impulse to be afterwards regretted. I may as well mention in this place, to avoid repetition, that upon visiting these Natives on my way to Auckland, I found that they had consulted together, and had agreed to accept our institutions in their entirety. They are at present selecting an Assessor, whose name I shall submit to His Excellency for approval.

I have thus completed the organisation of this portion of my extensive district, extending from Rotomahanga to Taupo, and Westward to the borders of Ngatiraukawa. But this is not all; an impression has been made upon this tribe, which is the stronghold of the King party in Taupo; I sent Hohepa and Ngapari to explain the vexed question about the land, which they did in such a masterly manner as not only created confidence, but paved the way for the concession which followed. I think I have stated in a previous report that Hona Tera Te Paerati is the representative of the King party in Taupo, and we have concluded a treaty by which he has consented that I shall have jurisdiction over any of his people who may commit themselves with our Natives, and that we should jointly try any of our people who should injure the King party; at the same time deprecating the idea of any division of parties, as all should soon be one under the law. By keeping this idea in their minds, it will make that unanimity of action which we so much desire more attainable. This understanding is to be in operation until His Excellency shall find it convenient to visit Taupo, when a general explanation is to take place. "We are waiting for the day of the Governor; if our words are good to him and his words are acceptable to us, then, 'kei kona tatou katoa, puta noa, puta noa' (we shall all join).

I have since received a letter from the very party who spread the false reports, requesting permission to join the Waha Taonga (carrying my goods), and urging me to make haste and bring Mrs. Law and my family. They are also finishing the house for me at Potangotango which had been stopped. Such is the present feeling, and I am of opinion that with, prudence and perseverance, the establishment of confidence with the Natives of this district will be an accomplished fact. This will no doubt take time, but the worst is now over, and I do not fear for the result. Of course this is very much dependent upon the state of matters outside, as any degree of excitement or dissatisfaction there has a corresponding effect with us.

I tried a case on my way through, and although the defendant was not satisfied, and offered me part of the penalty, he ultimately paid up. It will take some time before the old men understand our forms. It is so hard for them to sit silent like so many common fellows, where they used to take such a prominent part.

I have not organised my Runanga, as I could not trust them in my absence. They are agitating for payment, and from what I have seen of the working of other Runangas, and the encroaching spirit of the Natives, where they are not watched and directed by a European head, I came to the above resolution, which I do not now regret.

The Hon. the Attorney-General,
Auckland.

I have, &c.,

GEORGE LAW.

SECTION IX.

WELLINGTON WEST COAST DISTRICT.

REPORT FROM WALTER L. BULLER, ESQ., R.M.

Wellington, June 25th, 1862.

SIR,

I HAVE the honor to report, for the information of his Excellency's Government, that I have completed my first circuit of the Wellington West Coast District, and with, upon the whole, satisfactory results.

The circuit occupied a fortnight. The weather was most inclement and the rivers flooded, but I succeeded in keeping all my appointments. I visited all the principal villages along the coast (making a round of 260 miles), held sittings under the "Resident Magistrates Courts Ordinance" at the various European settlements, and addressed, in all, thirteen Native meetings.

I was everywhere well received: by the ultra-Kingites with respect,—by the moderate party and neutrals with cordiality,—by the loyal Natives with every demonstration of good feeling.

I do not wish to appear over sanguine, but having fairly felt the pulse of my district I shall go into my work full of hope as to ultimate success.

The number of the so-called Kingites is as large as ever, but there are not wanting indications that the *spirit* of Kingism is on the decline, and consequently we have reason to hope that, under judicious management, the party will gradually die out.

As this has been merely a preliminary or experimental circuit, it is needless that I should trouble the Government with any detailed account of my proceedings. I shall, therefore, only notice briefly the state of feeling among the Natives in each of the principal settlements I visited, and conclude with some practical suggestions as to how far, and in what way, the proposed institutions of Native Government may be safely introduced into this district.

I shall notice the settlements in the order they were visited.

1. Otaki: Population about 380.

Here the Natives are about equally divided. The line of demarcation is distinct and the feeling strong on both sides. This is evidenced by the absence of "neutrals," the zeal displayed by the one party on behalf of the flag "Tainui," and the eagerness of the other for the immediate establishment of the proposed institutions.

I held my first meeting here on the 29th ultimo. The attendance was (considering the weather) very fair, and the Kingites well represented. Wi Hapi Te Whakarawhe, the recognised head of the King party at Otaki, was present, and made a sensible and very moderate speech. In substance, he said:—"Your words are good, very good. Your proposed plan of Native Government is clear, very clear. It may bear fruit, or it may not. Had you come with angry words for my King, then I should have turned away. You speak the words of kindness and I listen. You say my work has not borne good fruit. Very well; now commence your work. If yours proves to be better, we may come over and join you. Meanwhile, we will sit quietly by, looking on. But don't provoke us with your summonses or your warrants, or there will be trouble."

This indicates a right feeling. Fair promises will not bring them over—conviction may.

The District Treasurer (Heremia Te Tuere) has lately decamped with the "Royal Exchequer" (about £16)! This has somewhat weakened public confidence in the leaders of the party, and is a circumstance in our favor.

An adjourned meeting took place on the 7th instant. The attendance was full (but few Kingites present,) and the discussion spirited. After explaining at some length the nature of the institutions offered them, I invited a free expression of opinion from any present. Thirty Natives

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addressed the meeting, all of them strongly in favor of the immediate establishment of Native Courts at Otaki, and the organization of the Runanga under the "Native Districts Regulation Act."

The general opinion among the loyal Natives (and in it I fully concur,) is, that when these institutions are in full operation and the advantages of better government begin to develop themselves, the Kingites will gradually be won over, and will by degrees incorporate themselves with us. Coercive measures would be at once fatal to any success. We must, step by step, regain their confidence,—taking care in the meanwhile to avert, as far as possible, a collision of parties,—give them really to feel that we are offering them, instead of empty Kingism, substantial and permanent advantages,—the "substance for the shadow," as they themselves express it,—and their ultimate return to loyalty and obedience is almost certain.

2. *Manawatu: Population about 600.*

The Villages are so far apart, and the people so scattered, that it is difficult to arrive at even an approximate estimate of the Maori population on the Manawatu River. Several hundred have lately migrated to Waikato and to Napier, and a few to Taranaki. The present population may be safely stated at not less than 600.

I held meetings at Moutoa and at Te Maire. The proposed plan of Government was well received at both places. A number of the loyal Natives agreed to put up at once a commodious *raupo* Court House, provided the Government will contribute plain doors, windows, and iron-mongery.

The bulk of the population on this river are either professed Kingites or "Kupapa" (waverers), but the loyal Natives confidently trust to the successful working of the new machinery as a sure means of reclaiming them.

3. *Rangitikei: Population about 400.*

The earnestness manifested by the Ngatiapa people at Parewanui (Rangitikei) on behalf of the new system was very cheering.

Before reaching the settlement I was met by a cordial letter of welcome. On my arrival I found the Natives already assembled. I spent several hours there and met them again by appointment on the following evening.

As a proof that Kingism is on the wane in this District I may mention the case of Hamuera and his cattle, full particulars of which I have given in another report (June 24th).

Hunia Te Hakeke having made a public confession of his folly in joining the King party, and of his anxiety to be considered, for the present, strictly neutral, I put his sincerity to the test by insisting upon immediate restitution of the cattle seized under a judgment of the King's Runanga. Hunia ultimately yielded, and Nepia Taratoa, with the other chiefs concerned in the seizure, gave their consent.

The cattle are to be restored to Hamuera, or their value paid, and the original case upon which the seizure was made will be brought before me judicially at the next sittings of the Resident Magistrate's Court, and my decision accepted by the Kingites as final.

It is obvious that a very important point has been gained. Practically, the leaders of the King's Runanga have ignored the authority of that tribunal, and have virtually surrendered themselves to British law. In this light it is viewed by the Natives themselves.

Nepia Taratoa (who is now permanently located at Matahiwi, (Rangitikei),) was very friendly. He listened with evident interest to the explanations I had to offer, and spoke to the following effect:—

"Governor Grey is my friend of former years. His words are good. He left New Zealand and darkness over-spread the people. My heart too was growing dark. But now the light shines again. I am resting between the parties. I shall not hastily consent. Commence your work and if it bear fruit I may join you."

The Ngatiapa readily consented to put up a large *raupo* Court House, subject to the usual assistance from Government; and have offered to make over to the Crown a few acres of land for a Magistrate's residence, if required.

4. *Turakina: Population about 100.*

The people here (a section of the Ngatiapa,) are unanimous and impatient for the introduction of the new system. They have already built a small Court House.

5. *Porotavhau: Population about 200.*

This is the recognised head-quarters of the King party. Their two principal Runanga houses are here; one of them is 38 feet by 23 feet, and is elaborately finished with carving and painting.

Te Hoia, the head chief, received us with feasting and every expression of good will. I may note that he expressed a strong hope that Sir George Grey would again visit the West Coast, and promised that all Ngatihua shall unite to do His Excellency honor. He frankly admitted that he and all his people had given in their adhesion to the Maori King, but at the same time expressed much satisfaction with the new "tikanga."

6. Ohau : Population about 70.

The inhabitants of this and the neighbouring settlement (Waikawa) are ultra-kingites. Somewhat to my surprise I met with a good reception, and my proposal for a general meeting was cheerfully accepted.

Accordingly, on the 7th inst., they assembled from both settlements in the Runanga house at Ohau. They gave me a patient and attentive hearing, but met me, in reply, with a distinct and determined refusal. I fear there is little chance of influencing these natives except through Waikato. They are fully committed to the King movement, and cannot or will not draw back. But to shew that there is, after all, an under-current of good feeling and no real disaffection to the Pakeha at work, I may notice the following amusing proposal, made in all seriousness by their leading chief (Rawiri Raparuru):—

“Friend, Buller,—We welcome you, but not the words you bring. We are willing to have you but not the laws you offer us. Listen: our Runanga have deliberated long and this is their unanimous word. If you will renounce the ‘mana’ of the Queen and the ‘mana’ of the Governor, then we will receive you. You shall be our magistrate, our father, and the head of our Runanga. We will support you—all Waikato will support you!!”

7. Waikanae : Population about 200.

Here too the King party is predominant. Our meeting took place on the 9th. Wi Tako was present and listened eagerly to my explanations.

He replied in a long speech, stating fully the circumstances which led him to join the Waikato movement. He professed full confidence in the present Governor, strong friendship for the Pakeha, and the utmost satisfaction with the proposed institutions. But he frankly stated that he had given his word to Waikato and could not honorably draw back:—

“If Waikato will consent to these plans it will be good—very good. Waikato is the fountain—I am one of the streams. You may go on with your work here, stepping over the stream. Let the Governor dry up the fountain and the streams will vanish. Let the Governor be earnest in persuading Waikato to adopt these plans. Your words are pleasant—very pleasant to my ears. I shall sit quietly by—I shall not interfere with your work. Let the Governor keep softening the heart of Waikato. Tell the Governor Wi Tako has no thoughts at present—he is looking on. Listen not to the sayings at Ohau and Waikawa. They joined the King as it were yesterday: I commenced the work. Governor Grey has returned, and my heart is light. I am only waiting for Waikato.”

With these facts before us, it is obviously desirable that no time be lost in introducing the new system among our own natives in this district.

I confidently hope that as these institutions become better understood and appreciated, and—as the Maories express it—“bear fruit,” the other party will gradually be absorbed and ere long cease to exist as an obstructive agency.

I trust we may even look forward to the fine building at Porotawhao ultimately becoming our own Court House, and a place of meeting for the District Runanga.

For giving effect to the above suggestions I have the honor to recommend:—

1st. That the Government will assist in the erection of Court Houses at Manawatu and at Rangitikei by contributing plain doors, windows and any carpentering work that may be absolutely necessary.

2nd. That officers be at once appointed under the “Native Circuits Courts Act” and “Districts Regulation Act,” 1858, and apportioned (provisionally) to the several settlements as follows:—

	Assessors.	Wardens.	Kareres.
Otaki.....	3	2	6
Manawatu	2	1	4
Rangitikei.....	3	2	6
Turakina	2	1	4
Waikanae	1	0	2
	11	6	22

The expenditure on Salaries would be:—

11 Assessors at £30	£330
6 Wardens at £20	120
22 Kareres at £10	220
	£670

It will be necessary hereafter somewhat to augment the number of officers, but I am anxious, if possible, to leave room for appointments from among the King party as they may join our ranks. I do not mean that we should bribe them, or offer to buy their allegiance, but they would naturally claim to be represented in this way, and if the list were already full, there would, I apprehend, be some difficulty.

6 REPORTS OF OFFICERS: WELLINGTON WEST COAST DIST.

It will not I think be necessary to make any further appointments for Rangitikei or for Turakina. The mass of the people there are loyal, and the number proposed will, I trust, be found sufficient.

(And) 3rd. That Assessors appointed under "the Resident Magistrates Courts Ordinance" be re-appointed under the "Native Circuit Courts Act," except in cases where this would be repugnant to the majority of the Natives.

The subject of payment to Jurors (under the "Native Circuit Courts Act") was mooted both at Manawatu and Rangitikei, and I promised the Natives to bring the subject under the notice of the Government.

I cannot, however, recommend any payment of this kind unless His Excellency would be inclined to make this a part of the uniform system; for if conceded here, it would immediately be claimed as a precedent in other districts.

It is the general desire that the Village Runanga shall consist of *all* the adult males resident within the limits of its authority; and I am myself of opinion that, under the present circumstances of the district, this would be the best mode of constituting it.

The Rangitikei Natives are very urgent that I should fix my abode among them, and have petitioned His Excellency on the subject; but I have determined on stationing myself, for the present at least, at Te Awahou (Manawatu), as this possesses the advantage of central position with easy access to all parts of the Circuit. It commands the whole of the river—is only eight miles from Porotawhao (the head-quarters of the King party)—is midway between Otaki and Waikanae on the one side, and Rangitikei and Turakina on the other—and is equidistant from the extremities of my district, Paekakariki and Wangaehu.

I think my Circuit may be better worked from this point than any other. A few months' experience will enable me to determine this.

WALTER BULLER, R.M.

The Hon.

The Minister for Native Affairs,
&c., &c., &c.