

Hicton's daughter was also brought forward, which according to report was a similar case to the present one, but for reasons best known to the father was passed over in silence by him, the Natives asked why that case was not noticed, contrasting Mr. Stephenson's conduct with that of Mr. Hicton's, declaring the former to be unnecessarily severe upon them, whilst the latter shewed his good feeling in passing unnoticed what was reported to have taken place. The young man I also found to be well connected, his friends being able to command a large party in his favor. Finding the Natives were so determinately opposed to the youth's imprisonment, I determined to adjourn the case until the 30th, to give time for deliberation, and returned home on the 26th.

I consulted with the Resident Magistrate of Russell as to the best course to be pursued. He agreed with me, that in the present excited state of the colony it would be unwise to take any steps which might lead to a disturbance, and that unless the natives themselves could be persuaded to give up the youth the better plan would be to avail ourselves of the discretionary power granted by the "Native Circuit Courts Amendment Act, 1862," and inflict a fine. On the 29th, in company with the Assessors, I again returned to Mataure, meeting the party on the following morning. We found them increased in numbers, and although expressing a strong determination that the young man should not be sent to prison, were evidently anxious to have the case settled by our accepting a fine. After two days' discussion, seeing no probability of the young man being given up, I agreed to a proposal made by the Assessors, that payment should be accepted; and accordingly a fine of Fifty pounds, (£50) was levied upon the party.

The Assessors engaged with me in this case have conducted themselves exceedingly well, as also Kingi Hori Kira, the Warden of the Hundred, who spoke pointedly to the party upon the subject, but appeared to stand alone as far as the giving up of the young man was concerned. He told me he would seize him if I gave the order, but that such a step would result in blows being given, and might end in a serious disturbance.

You will probably feel surprised that so much time should have elapsed from the date of the assault to the day on which Mr. Stephenson called upon me. I expressed to him my regret at the delay which had occurred, when he informed me that he was himself absent from home at the time; that Mrs. Stephenson, with her daughter, had been to the Taraire and stated the case to Mr. Kidd, that gentleman having taken their depositions and forwarded them to Auckland, without communicating in any way with me. In my letter also to the Assessor of the place, I expressed surprise that he should not have sent me notice of the affair, but he told me he was ignorant of what had taken place, and that, although he had seen Mrs. Stephenson after her return from the Taraire, she never mentioned the case to him; and when, on hearing of the circumstance, he again called to ask how it was she had not named it, she replied it was not a fit subject to be mentioned to Natives, but only to the Queen and the Governor. We were thus kept in ignorance of what had taken place until Mr. Stephenson returned from Auckland, when he lost no time in making known the case.

Although I cannot but feel that the law as applicable to Europeans in this case has not been carried out to its full extent, yet I hope that the notice which has been taken of this sad occurrence, the time devoted to its investigation, the number of Assessors engaged, and the amount of fine imposed are circumstances which, combined together, will tend to shew the Natives that such crime is not looked lightly upon, and cannot be practised by them with impunity. I trust also that, considering the difficulties which have surrounded this case, you will feel convinced that all has been done which could be peaceably accomplished.

I have, &c.,

E. M. WILLIAMS,
Resident Magistrate.

The Civil Commissioner,
Waimate.

No. 4.

MR. KIDD, TARAIRE, TO THE HONORABLE THE COLONIAL SECRETARY.

Enderly, Taraire, Bay of Islands,
28th August, 1863.

SIR,—

A gross outrage having been perpetrated on the person of Emily Stephenson, daughter of Mr. George Stephenson of Waiata, a settler of old standing, residing about five miles distant, by a Maori named Hohepa or Joseph, son of Honi Taotahi of Hikurua, I have been called upon, as a Magistrate, by the mother and daughter to take their informations, which I have felt it my duty to do.

I now enclose these informations to you, placing the matter in your hands for further prosecution in whatever way you may think prudent. I do not consider myself competent to point out any particular course, but I am strongly of opinion that it is absolutely necessary for the security and protection of other families that this Maori should be made amenable to justice.

I feel a great personal interest in this case. I have myself a large family of daughters living isolated without other protection than that of British law, being thoroughly convinced of the futility of individual settlers attempting to obtain redress with their own hands. Such outrages,