

FURTHER PAPERS RELATIVE TO THE WAITARA.

No. 1.

COPY OF DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE, K.G., TO GOVERNOR SIR GEORGE GREY, K.C.B.

Downing Street,
25th August, 1863.

NEW ZEALAND.
No. 88.

SIR,—

I have the honor to acknowledge your despatch No. 56, of the 27th May, enclosing a Proclamation by which you announced the abandonment of the purchase of the land at the Waitara, which was offered for sale to the Government in 1859, and conditionally accepted by your predecessor.

I thought it my duty to convey to you at once by the last mail my approval of the course which you had then resolved to take; and I now proceed to address you more fully upon the subject, with reference especially to your Despatch, No. 39, of the 24th April, and the communications between yourself and your Ministers which it enclosed.

The facts upon which you mainly ground the important decision at which you have arrived, and which, strange to say, have only now been discovered by your personal enquiries, and by Teira's admissions to the Native Minister (Mr. Dillon Bell) appear to be these:—1. That W. King's residence on the disputed land upon the South bank of the Waitara was not merely, as had been always represented by the sellers, by permission of Teira's father, but in virtue of an arrangement made by all that section of the Ngatiawa Tribe for the sake of defence against the Waikatos. 2. That a large number of Natives, between 200 and 300, were living upon the block at the time when it was offered for sale, whose dwellings and cultivations were destroyed when possession was taken by the Military. 3. That Teira, as he now asserts, never intended to sell the pahs, one of which was in his own occupation, and did intend to except from sale a reserve of 200 acres, although no such reserve was named in the deed of sale, as ought to have been done.

I proceed to explain to you the effect which these statements have produced upon my mind, both with respect to the transactions of 1859-60, and the measure which you have now adopted.

If it be true that a number of families were residing upon and cultivating portions of the land offered for sale (variously estimated at from 10 to 120 acres out of the 980 acres which formed the "Block,") I have no doubt but that Governor Gore Browne and his Ministers, upon discovering the fact, would have carefully reserved and respected such portions, in accordance with the invariable practice of the New Zealand Government, or even have refused to have any further dealings with parties who, like Teira and the other sellers, had been guilty of concealing from the Governor so important a circumstance. If again they had been aware that W. King had established his residence on the South bank of the Waitara in virtue of a general tribal arrangement for purposes of defence, this fact might have formed an important element in their decision, as to whether the purchase could properly and safely be proceeded with. On the whole, I agree with you that your predecessor, if he had been in possession of these facts, would not have committed himself to the purchase, and I am clearly of opinion that he would not have been justified in doing so. The information, indeed, which you now supply converts into a certainty the doubts which I expressed in my Despatch of November 27th, 1860, and upon other occasions as to the prudence of the policy pursued by Governor Browne and his Ministers, with an evident want of sufficient knowledge of the case, as well as of foresight of the consequences, though with fair and upright intentions, while it lessens the serious difficulty of abandoning a publicly declared determination in the face of armed opposition.

I have said so much as to the propriety and prudence of the Waitara purchase. But I must add, on the other hand, that my view of the justice of exerting military force against W. King and his allies remains unchanged. That Chief's conduct, from first to last, still seems to me to have been inconsistent with any degree of submission to the Queen's sovereignty over New Zealand. In February, 1859, before the Waitara question arose, he had given notice to the Governor that he would allow no land to be sold within a district extending forty miles North of the European boundary at Taranaki, an interdict of a rebellious character, to which the reasons now or formerly