

would accept the surrender of the Ngaiterangi. During the adjournment I was instructed by the then Ministers, Messrs. Whitaker and Fox, to meet the Natives, and suggest to them the desirableness of giving up some specific block of land. I accordingly did so; but so many difficulties presented themselves that the idea was abandoned, and the Ngaiterangi signified their intention of adhering to their first determination of surrendering all their lands to the Governor. (You will find a record of this in your office). The loyal Ngaiterangi chiefs afterwards became parties to this arrangement. (You will also find a record of this in your office).

At the adjourned meeting His Excellency the Governor accepted the surrender of the Ngaiterangi upon their terms; but in consideration of their honorable conduct during the war, and their kindness to our wounded who were left in their hands, he would restore to them three-fourths of their land, retaining one-fourth as a punishment for their rebellion. This is the exact position in which the case stood at the close of the meeting with His Excellency the Governor.

It was afterwards proposed that the confiscated land should be taken out between the Rivers Wairoa on the west and Waimapu on the east. To this the Natives, after a little reflection, strongly objected. They stated, with justice, that if such an arrangement were carried out the punishment would fall heavily upon some, while others, although equally implicated in the rebellion, would not lose an inch of land, instancing the Ngatike, Ngatikoko, Ngatimateika, and some other hapus.

All the lands to the north of Te Puna the Natives agreed to sell to the Government at the rate of three shillings per acre, and soon after a deposit of £1000 was paid upon it. The Natives were distinctly promised that a military settlement should be formed at Te Puna. This promise was made at the earnest request of the Natives themselves, as they stated they were in great dread of the Thames Natives, who would most probably take advantage of the weakened and disarmed condition of the Ngaiterangi to revive their old land quarrels. By this arrangement of having an interposing armed European force, they hoped to be protected against their enemies. All this took place during the visit of His Excellency in August, 1864. To carry out the Governor's terms in their integrity, it was necessary that a survey of the whole district should be made. Surveys were accordingly commenced, but difficulties soon arose. The Natives who had never surrendered began to threaten the surveyors, and even Wiremu Tamihana wrote two letters warning Mr. Heale against proceeding with the survey of Tauranga lands. (*Vide* reports 14th November, 1864, and 20th April, 1865). The operations of the surveyors after this was principally confined to lands immediately about the military posts.

The whole question was then allowed to remain in abeyance. European settlers were every day making matters more complicated by paying large deposits on these lands to Natives who had been implicated in the rebellion. (*Vide* report 23rd August, D. 79).

In the latter part of March, 1866, His Excellency the Governor again visited Tauranga with the object of definitely settling the perplexed question. At this time I was unavoidably absent in Auckland, attending the trials of the Natives implicated in the Opotiki and Whakatane murders. I applied to the Judge, through the Crown Solicitor, to be allowed to come down to Tauranga, but he was not pleased to accede to my request. That I should have been absent from Tauranga on this important occasion, is a circumstance I have since much regretted.

The Ngaiterangi met His Excellency the Governor and Mr. Whitaker on the 26th March. The Governor declared his intention of taking out of the Tauranga District a block of land containing 50,000 acres, that being one-fourth of the estimated area of this district. The Natives in their discussion of the matter showed a very different spirit to that manifested in 1864, and it was not until His Excellency told the Natives that he would resort to extreme measures if they would not comply that they succumbed and agreed to give up 50,000 acres. It was also agreed that the land should be taken from a line either on the Waimapu or on some other point to be fixed by myself (*vide* arbitration bonds attached), and the 50,000 acres were to be taken from that line towards Te Puna (*vide* copy of Mr. Whitaker's instructions to me, also attached). I have been given to understand that some persons who were present at the meeting, and who ought to be good authorities, have asserted that the Governor fixed the Waimapu as the boundary on the one side, and the Wairoa the boundary on the other. It is not a difficult matter to show that the statements above alluded to are wholly erroneous.

1. The boundary line of the confiscated block to the eastward was not fixed on the day of meeting (26th March), but on the 1st of May (*vide* letter to General Government Agent, 1st May, D. 176 attached.) The Waimapu is not the boundary line the whole way. The confiscated block includes about 1,000 acres to the eastward of Waimapu.

2. That the Wairoa was not fixed as the boundary line to the westward may be seen:—

(1.) By the memorandum of instructions handed me by Mr. Whitaker.

(2.) By the accompanying copy of letter from Mr. Mair, who acted as the Governor's interpreter on the occasion.

(3.) By far the most satisfactory evidence to my mind, by the unanimous testimony of the chiefs who had been recognized both at the surrender in 1864 and the final meeting in 1866 as the spokesmen and leaders of the Ngaiterangi tribe. The parties, after all, most interested in ignoring the arrangement made with His Excellency.

It is to be deeply regretted that such erroneous assertions should have been made as their tendency could only be to mislead; and if known by the Natives, breed discontent in their minds. Who can tell how much of the evils under which this district is now suffering may be attributed to this cause?

After His Excellency's visit the surveyors recommenced their work. It was decided that the quantity of land lying between the eastern boundary (already satisfactorily settled) and the Wairoa River should be first ascertained. But the surveyors, on what has since been called the "Undisputed Confiscated Land," were not allowed to proceed with their work undisturbed (*vide* reports 26th June, 1866, D. 202, and 13th July, D. 210). These interruptions chiefly emanated from unsundered Natives. In the course of time it was reported to me by the district surveyor that there would be a deficiency of from 15,000 to 20,000 acres in the block between the Wairoa and the eastern boundary line. Orders were then given to the surveyors to cross the Wairoa. The work went on rapidly.