

That, in the month of December, 1863, the General Assembly of New Zealand passed a law authorizing the Governor, whenever he was satisfied that any Maori tribe or hapu had been engaged in war against the Government since the 1st day of January, 1863, to declare and fix the boundaries of districts within which the lands of such tribe or hapu were situated, and then to set apart any of such lands as sites for settlement; and, by the said law, every site so set apart was to become the property of the Government, freed from the title of the Native owners of the same.

But it was by that law provided that compensation should be made for the taking of such lands to any of the Native owners who had not been engaged or concerned in the war for which the same had been confiscated.

Now, we find that the Government, purporting to act under the provisions of that law, and of other laws passed by the General Assembly in connection therewith, have created districts in various parts of the North Island of New Zealand, and claim to hold the lands of the Maori people within those districts, on the alleged ground that the said lands have been lawfully confiscated by reason that the owners thereof had been engaged in wars against the Government since the 1st day of January, 1863.

We know that the right of the Government to confiscate those lands, and to retain the same, has long been disputed by the Maori owners thereof, but that no proceedings have ever been taken in any Court of law to test the validity of the Acts of the General Assembly under which they have been taken, or of the proceedings of the Government under those Acts, or the right of the Government to retain any portions of the lands so taken which have not been set apart as sites for settlement.

We, therefore, having been appointed to inquire into these things, have been advised that the proper course for the Maori people who object to them is, to commence proceedings in the Supreme Court of New Zealand, in order that the following questions may be heard and determined by law:—

1. Whether the Acts of the General Assembly authorizing the confiscation of the Maori lands are valid Acts or not?

2. Whether those Acts, if valid, authorized the Government to confiscate any of the Maori lands by reason of wars which happened after the 3rd day of December, 1863?

3. Whether those Acts, if valid, authorize the Government to retain any of the lands within the proclaimed districts, which had not been specifically set apart as sites for settlement before the 3rd day of December, 1867?

4. Whether the proceedings of the Government, under those Acts, have been regular and proper, so as to bind the Native owners of the lands taken?

5. Whether, if those Acts be valid, proper compensation has been made to those who had not been engaged or concerned in the wars?

These are the principal questions which we have been advised by our lawyers to bring before the Supreme Court; but there are many others in connection therewith which will also have to be decided, and all such questions will be duly raised in the interests of the Maori people.

We have also been advised that, if we are not satisfied with the decision of the Supreme Court upon any of these questions, we shall be entitled to appeal to the great Court of the Queen in England, by which the case will then be fully heard and decided.

Now, in order that these things may be properly done, we, the Committee, call upon you to assure the Government that you will not commit any deed of violence, or attempt to assert your claims to those lands by force, and that you will leave your rights to be settled by the law and not by the sword. And we will urge upon the Government, on the other hand, not to proceed with the surveys or to deal with the disputed lands until the law has decided the questions we raise in respect of the same.

And we further make known to you that, acting in the belief that it is your wish that these things should be peaceably done, we intend at once to take steps for bringing all questions touching your claims to the confiscated lands before the Supreme Court.

From the Committee.

Hori Kerei Taiaroa, M.L.C., President.
Wi Parata Te Kakakura, Secretary.
Wi Tako Ngatata, M.L.C.
Mokena Kohere, M.L.C.
Henare Tomoana, M.H.R.

Hori Karaka Tawiti, M.H.R.
Ihaia Tainui, M.H.R.
Maihi Paraone Kawiti.
Keepa Te Rangihwinui, Major, N.Z. Militia.
Peeti Te Aweawe.

MR. SIEVWRIGHT has been called upon by the Audit Office to account for the £300. He has not yet done so, and no reply has been received to my last communication to him. The letters are appended for information of the Hon. the Native Minister.—JAMES EDWARD FITZGERALD.—11/11/79.

Seen. I shall be glad to hear result when arrived at.—JOHN BRYCE.—11/11/79.

Referred to the Controller.—T. W. LEWIS.—12/11/79.

MEMORANDUM for MR. SIEVWRIGHT.

THE Controller and Auditor-General finds that the sum of £300 was paid by the Treasury to Mr. Sievwright on the 2nd of August, as part costs for legal advice to the Natives as to their lands on the West Coast. Mr. Sievwright is requested to send to the Audit Office the account of the expenditure of these moneys.—JAMES EDWARD FITZGERALD, Controller and Auditor-General.—3rd November, 1879.

MEMORANDUM for the CONTROLLER and AUDITOR-GENERAL.

IN reply to Mr. FitzGerald's memorandum of the 3rd instant, W. Sievwright begs to refer to correspondence he has recently had with the Native Office on the subject.—W. SIEVWRIGHT.—Wellington, 4th November, 1879.