

Mr. J. W. MORPETH, Wellington, to Mr. F. E. HAMLIN, Native Interpreter, Napier.

(Telegram.)

Government Buildings, 21st February, 1880.

WITH reference to the Native difficulty in connection with Mr. Harding's land at Waipukurau, I am directed by the Hon. Native Minister to request you will be good enough to ascertain the terms upon which the matter can be settled, and report the result by telegram to this office with as little delay as possible. Papers on the subject were forwarded to Mr. Master not long since, and doubtless are in the Native Office, Napier.

J. W. MORPETH, for Under-Secretary.

Mr. F. E. HAMLIN, Napier, to the UNDER-SECRETARY, Native Department, Wellington.

(Telegram.)

23rd February, 1880.

I HAVE the honor to acknowledge the receipt of your wire No. 122, and in reply to state that, under information received by Major Scully that a breach of the peace was likely to occur, Major Scully and I proceeded to Waipawa, the place of dispute. Will not go into details on arrival: sufficient to say that the Natives argued that the boundary now being taken by Mr. Harding was a new one. That they knew nothing of the various lawsuits that had taken place, either in the Resident Magistrate's or Supreme Courts. That, although Mr. Sheehan had been acting as solicitor for them, they had never been made acquainted with the actual state of affairs with respect to the piece of land in dispute, and that this was the first time they had been made acquainted with the actual position of the case. Mr. Harding urged on his part that he had obtained in the Resident Magistrate's Court judgment, one for removing timber, the other for trespass; and latterly had obtained judgment in the Supreme Court for being lawful owner of the land in question, and that a writ of ejectment had been issued from that Court; but through the interference of Mr. Sheehan, acting for the Natives, who promised that if he would let the matter stand over he would see that the Natives vacated the place in about three months, he (Mr. Harding) allowed the matter to stand over; but, through European influence, he would now follow up the matter at any risk or cost. In the conclusion, Major Scully informed the Natives that, from what he knew or could see, Mr. Harding was the lawful owner of the land, and that he would give them till Monday night to find a lawyer or other person to prove their title to be good and Harding's wrong, or upset any statement made by Mr. Harding relative to the parcel of land; and, in case of their failing to do so, the fencing would be proceeded with, and any person obstructing so as to cause a breach of the peace, he would feel it his duty to take into custody as offenders against the law. Since then I have heard nothing from either side, nor Major Scully, except a verbal report I heard this morning, that the Natives expressed their intention to obstruct the fencing.

Now, relative to the point of suggesting a settlement: at present only see three ways of settling the question. First, that the Government compensate Mr. Harding in cash or otherwise, either by private arrangement, or by valuation of one or more valuers, or by the ordinary rules of arbitration for the value of the land and losses he may have sustained, or any other reasonable claim he may have. Second, that the above failing, that the Natives be offered a reasonable sum as compensation for their houses, &c., and remove off the premises immediately after crops are out of the ground. Third, both the above failing to the ground, I see no other alternative at the present moment than to allow the law to take its course, and that the lawful owner be protected. I have already communicated with Mr. Harding and also with the Natives relative to the instructions forwarded to me, and requested both parties to desist until the matter is finally settled, and will take further proceedings on receiving advices from you.

F. E. HAMLIN, Interpreter to General Government.

Mr. F. E. HAMLIN, Napier, to the UNDER-SECRETARY, Native Department, Wellington.

(Telegram.)

24th February, 1880.

YESTERDAY, through instructions received from you, wired to Mr. Harding as follows: "Having been requested by the Government to see into and recommend some means of bringing about a peaceable settlement of dispute between yourself and the Natives at Waipawa, I have the honor to request that you will be good enough to suspend any further works on the land in dispute till you hear further from me. I am now in communication with the Government on the subject, also with the Natives.—F. E. HAMLIN, Interpreter to General Government."

This morning I was shown the following: "Waipawa, 24th February, 1880.—Inspector of Constabulary, Napier.—Harding's fencers stopped by fifteen unarmed Natives. This morning about one hundred Natives are spread along the line of fence to prevent the erection of it. Mr. Harding demands immediate protection. Instructions requested.—BULLEN, Sergeant." Also the following: "Waipawa, 24th February, 1880.—(Translation.)—Mr. Harding is at work at the fence. We are stopping him. From Matiu Meke."

Will wire to both parties immediately.

F. E. HAMLIN, Interpreter to General Government.

Mr. F. E. HAMLIN, Napier, to the UNDER-SECRETARY, Native Department, Wellington.

(Telegram.)

24th February, 1880.

I do not anticipate any danger from the Waipawa cases, provided Mr. Harding will be reasonable and attend to any request made to him by any Government officer in charge.

F. E. HAMLIN, Interpreter to Government.

Mr. JOHN HARDING, Waipukurau, to the Hon. the NATIVE MINISTER, Wellington.

(Telegram.)

24th February, 1880.

I DEMAND as my right that the writ of ejectment against Waipawa Maoris, held by Napier Sheriff for over two years, be immediately enforced.

JNO. HARDING.