

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

(Telegram.)

24th February, 1880.

HAVE just received the following "collect" telegram from Mr. Harding:—"Waipawa, 24th February, 1880.—To H. E. Hamlin, Esq., Native Officer, Napier.—I have been humbugged by the various Governments for the last eight years with 'Wait, wait, and we will get the Natives off,' so will wait no longer, but proceed to get possession at all hazard, and expect police to protect me in getting and keeping possession. Continue fencing to-day.—JOHN HARDING."

F. E. HAMLIN, Interpreter to the General Government.

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

(Telegram.)

Government Buildings, 24th February, 1880.

WITH reference to your three telegrams relative to difficulty with Natives at Waipawa, I am directed by the Hon. the Native Minister to request you will be good enough to see the Natives and Mr. Harding with as little delay as possible, and report to this office the terms on which the matter can be settled. In the meantime Mr. Bryce cannot sanction the using of force to assist Mr. Harding in his fencing operations.

J. W. MORPETH, for Under-Secretary.

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

(Telegram.)

24th February, 1880.

WILL proceed to Waipawa by 7.40 train to-morrow morning. Have sent notice by wire to that effect. I anticipate no difficulty with the Natives, but do with Mr. Harding.

F. E. HAMLIN, Interpreter to General Government.

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

(Telegram.)

26th February, 1880.

RELATIVE to Harding v. Maoris' case at Waipawa, I am not yet in possession of full facts in the case. I visited both parties yesterday. I found the Natives, taking the aspect on the whole, in favourable state. They made several allusions to the past, and the length of time they had been allowed to stay. They also made an allusion to the Oamaru affair. They at last asked for a little time to consult among themselves, which I granted, and further told them that I would like the conclusion of their ideas to be drawn up in writing, and rendered very explicitly. Just before the train was leaving I saw one of their leading chiefs, who said that they expected the decision of the Government would be for them to leave. As soon as I get in full balance on both sides I will tender my report and suggestions.

F. E. HAMLIN, Interpreter to General Government.

Mr. P. A. F. BIRCH, Sheriff, Napier, to the Hon. the MINISTER of JUSTICE, Wellington.

(Telegram.)

26th February, 1880.

RECEIVED letter yesterday from John Harding, Waipukurau, referring to writ of possession issued over two years ago at his suit, requiring me, as Sheriff, immediately to enforce writ, holding me responsible, and threatening me with action for loss caused from this date by his being kept out of his land by the Maoris. Have found copy of telegram sent to you by Mr. Tylee, Sheriff, on 29th January, 1878, requesting your instructions as to attempting to take possession, as it was doubtful if Natives would peaceably relinquish. The position of affairs does not appear to be altered now for the better, and I understand police have been trying to arrange matters. Considerable feeling seems to exist. Natives are not likely to yield. Shall I attempt to take possession under writ. I believe that on last occasion arrangement was come to with your sanction, but can find no trace of such instructions.

PAUL A. F. BIRCH, Sheriff.

Mr. H. RUSSELL to the UNDER-SECRETARY, Native Department.

DEAR SIR,—

Mount Herbert, 7th March, 1880.

This will be delivered to you by Matiu, one of the parties of Tupairu Block, on the Waipawa River, which is in dispute between Harding and the Natives. Matiu is accompanied by Nepia te Aputa, a relative, and resident in the pah on the block, whom you will find a very intelligent Native. Hon. Mr. Wilson, solicitor, Napier, has agreed to appear for the Natives. The case was before Judge Richmond's Commission in 1873, and I brought the matter up before a Committee of the Legislative Council in 1877, on which occasion, as you will see from the Journals of the Council, evidence was taken, especially that of Mr. G. S. Cooper, which satisfied the Committee that injustice had been done to the Natives in altering the original survey, and that consequently a considerable extent of ground had been cut off the Native land, and included in the Crown grant to Mr. Riddiford, which Mr. Harding purchased. I have not the Journals at hand to refer to, but I think the petition was at the instance of Heta Tiki, and I presented it. My recollection of the report is that the Committee recommended the Government to pay Harding a sum not exceeding £300, and to get Harding to convey the land (about thirty acres, I think) back to the Natives.

Harding has always refused to give up an inch, and claims to have the site of the present pa, on which good buildings have been erected. I am lessee of the Tupairu Block, with a reserve to them out of it, including part of the disputed ground, and the pa. There is not the shadow of a doubt that the Natives are in the right as to the alteration of the survey without their consent, and Mr. Cooper's evidence proves this. I believe some of Mr. Riddiford's was included in the Kaimutumu Block, at the Takitaki side of the reserve; but this belongs altogether to different Natives, and the Tupairu grantees receive no benefit from it whatever. Harding maintains that Mr. Sheehan gave him an undertaking that the Natives would clear out within a certain time; but I am sure the Natives never understood or assented to this, and I think Mr. Harding is in error as to the extent of the concession which Mr. Sheehan said the Natives would make. The fact that their petition was before the Council in 1877 shows that they never considered the question settled.