

by the Government for some three weeks prior to any arrests being made by the Constabulary; and that the removals of ploughmen from settlers' lands without arrest were chiefly made by armed settlers, without any unnecessary violence.

12. Ministers do not think it necessary to criticise, or to attempt to defend, the course taken by the Legislature as regards the measures under which the Maori prisoners were kept in confinement. Ministers will only say that they believe the explanations already given in Parliament and out of it—and especially those contained in a memorandum by the late Native Minister, Mr. Bryce, which, with other papers, was sent to His Excellency on the 24th December last—completely justify the course of the Legislature.

13. Coming to the question of the obstruction to the Government road-works, which led to the arrest of many Natives, His Excellency speaks of a road that was "taken through a fenced field in the occupation of Maoris;" and, in a subsequent paragraph, there is reference to damage done to Native cultivations. There were no growing crops in the field when the road was laid off. Potatoes and other produce were in Native storehouses there, out of the reach of cattle or pigs; and, as matter of fact, pigs and other animals belonging to Natives were, at the time, freely running in the field. The Natives did not attempt to dig, as if preparing for cultivations, until the road through the field had been laid off and partly constructed. Danger of injury to crops or cultivations was, therefore, not the cause of the Natives' opposition to the road. The cause was, that it was necessary they should deny the right of the Government to make a road which Te Whiti had declared would never be made, and which it was of great consequence the Government should complete.

14. The account given in paragraph 43, as to a proposal for fencing-off crops or cultivations, is incomplete. It should be added that Colonel Roberts, in answer to his application on the subject, was directed to comply with the suggestion of the Natives and allow the Constabulary to assist in the work, and that he was ready to do so. The reason why nothing was done was, that the Natives did not return, as they had promised to do for this purpose. Subsequently, Colonel Roberts did fence-off a part of the road, but the fencing was immediately destroyed by the Natives.

15. Ministers cannot agree that the arrest of men in connection with these fences was, in the circumstances, unnecessary. In paragraph 46 of the despatch, they are spoken of as "men whose offence, if a legal offence at all, was, as it was admitted, one of the slightest description." But, in fact, by obstructing the making of the road, they endangered the peace of the Colony: their offence was a continued open resistance to the Government of the country, which, through the merest accident, might have led to a war of races. Nor should it be left unrecorded that, though the number of arrested fencers was large, many Natives who committed the same offence were not arrested, but were simply turned away.

16. The imprisonment to which these Natives have been subjected, has been regarded by the Government not so much as punitive, as calculated to avert a war, the effects of which would have been most disastrous to the Maori race. The results of the Government's action have amply justified it. The prisoners have now been returned to their homes, stating openly their determination to abstain from further interference with the road, and to live in peace with the Government and the Europeans.

17. With respect to the statement in paragraph 53, that no attempt was made to define the localities or limits of lands of loyal Natives, it must be remembered that, as a fact, those Natives had not been interfered with, but remained in occupation. So far as any actual definition of those lands might have been required, it would have formed part of the work of the survey commenced by the late Government, but interrupted by the Natives. The reasons why it was not attempted at an earlier date, sprang from causes for which the Natives themselves were solely responsible.

18. As to paragraph 54 of the despatch, Ministers adhere to the opinion expressed by the late Native Minister, in the memorandum by him which has already been referred to, that the ploughing meant much more than an attempt by the Natives to force upon the Government a consideration of their claims: that it involved a raising of the question whether the Europeans were to be allowed to retain their hold upon the territory of that portion of the colony. Documents appended to the reports of the West Coast Commissioners—the reports of the interview of Te Whiti with Mr. Mackay mentioned above, and many other reports and papers—show that Te Whiti's contention throughout was, that the whole of the land was at his disposal. That the ploughing was only meant to compel attention to grievances, is not consistent with the fact that several offers were made to investigate the matter, but were refused. Even an offer made by Sir George Grey, that all questions should be investigated by a competent tribunal, at the cost of the Government, was put aside by Te Whiti. He and his followers were in actual possession of far more land than they could possibly have got under any claim or any investigation of grievances. While so in possession, they obstructed the formation of roads, the construction of a telegraph, and the erection of a lighthouse—works that were necessary in the interests of the colony. All evidence points to the conclusion that Te Whiti's aim was to establish himself as an independent authority.

19. Ministers regret that His Excellency should have come to the conclusion, stated in paragraph 56, that, in the dispute as to the fences, the Maoris were substantially in the right. Ministers are unable to discover the grounds for such a conclusion. It cannot be doubted that Te Whiti was aware of the readiness of the Government to make ample provision for him and for his followers; there is abundant evidence that he rejected all overtures on the part of the Government, as he has since rejected an invitation from the Governor to meet His Excellency, for the purpose of discussing grievances; and the action as to the fences, taken by his direction, must be regarded as only an additional assertion of his independence of the Government of the colony. Ministers believe it was the imperative duty of the Government to resist such assertion.

20. The account of the position assumed by Te Whiti, of the effect of his influence, and of the motives for his action, appears to Ministers to be incomplete; and, inasmuch as what is omitted is important in any review of the action of the Legislature and the Government, they think the following facts deserve consideration:—In September, 1878, John McLean, cook to a survey party engaged in