

I have myself acquired from the Natives about thirty million acres, which could not have been worth less than two million sterling. For this the Natives received about £5,000 and the repudiated promises which form the subject of this letter. This sum has long since been repaid to the Treasury by sales and rents of a minute fraction of the sixteen million acres under my management as Commissioner of Crown Lands.

The Natives' proportion of 15 per cent. on all proceeds of land sales, if it have been set apart from those of southern sales, has been misapplied. On this account at least £5,000 seems to have been due in 1854; but barely a tenth of this amount has been allotted to the Ngaitahu, although they have, through my agency, ceded to Her Majesty a far larger extent of land than has ever been or will ever be so ceded by all other tribes together.

I am aware that there exists in the colony an opinion that if this and similar questions can be shelved for a period the Natives will, by their extinction, relieve the Government from the fulfilment of its engagements. But, apart from such aids to extermination as peculiarities in Government may hereafter afford, I rejoice to see no grounds for this opinion. Were such a result probable, or even certain, I cannot perceive the honour or the justice of adopting on such a hope such a mode of evading the honest fulfilment of the terms of a bargain.

While such neglect is shown towards tribes numerically weak, the policy of Government towards those strong enough to be feared is very different. In short, the contemptuous indifference evinced towards the unquestionable rights of those who are powerless is more than counterbalanced by the imbecile timidity which marks the conduct of the authorities toward the powerful. The Ngaitahu and Ngatimamoe are perhaps the only objects of the former policy; and I trust that Her Majesty's Government will take such steps as will relieve me from the painful position of having been the channel of promises which have been, at least, forgotten, and secure my Native clients in the possession of the advantages which have been so long withheld from them.

It is at the request of the chief and subordinate chiefs of the united tribes that I make this application to you, for in the local Government they have long ceased to repose confidence. It is fortunately a subject on which reference to the colony is quite unnecessary. The negotiations have been conducted and concluded by me, to whom also all Ngaitahu questions were invariably referred, and in my absence there is not an officer of the Government competent to give an opinion on matters so vitally affecting the Ngaitahu Tribes.

I have striven to avoid details, but am not unprepared to illustrate what I have said by facts which have come under my own observation. I have not even referred to the purchase of Ngaitahu lands from stronger tribes, nor to many other points connected with the subject of this communication.

I regret that your refusal to grant me an interview should have imposed on me the painful duty of forwarding this communication.

I have, &c.,

WALTER MANTELL,

Commissioner for the Extinguishment of Native Claims.

Her Majesty's Principal Secretary of State, &c.

No. 11.—W. MANTELL, Esq., to Under-Secretary MERIVALE.

SIR,—

London, 31st July, 1856.

With much regret I perceive that you have misconceived the object of the letter which I had the honour to address to you on the 5th ultimo, relative to the claims of the Middle Island tribes.

Desiring no compensation or satisfaction for any injustice to which I may personally have been subjected by Her Majesty's representatives in New Zealand, I should not, did I wish to prefer charges against the local Government, address them to Her Majesty's Principal Secretary of State for the Colonies. But, in requesting your attention to the equitable claims of Natives, it was, I submit, not unnecessary to advert to the conduct of the Government toward them, and to show how small was the prospect that a sufficient remedy could be obtained from that quarter without express instructions from a higher authority. If I have failed to make this clear to you I must, however reluctantly, resume the irksome task of recording the peculiarities of the administration of the late Government of the colony. But if, on the contrary, I have already said more than was necessary to your conviction I beg to withdraw whatever may seem unrequired by the object I have now in view, on the understanding that such withdrawal is not in the least degree to be regarded as an admission of incorrectness in the statements I have made.

1. In answer to the first question, to which a reply was required by the Right Hon. Mr. Secretary Labouchere, I have the honour to inform you that in my written instructions no specific authority is given, and that it was not only unnecessary, but even inexpedient, that such specific authority should have been inserted is, I conceive, sufficiently clear. So long as a feeling of confidence in the Government could be maintained in the Natives' minds without written stipulations of the kind referred to it seemed to me—and I had no reason to believe that my immediate superiors differed from me on the point—that the record in those documents of such class provision for the aboriginal race, and the legal right to it which such record would, when acted upon, confer, might tend to perpetuate a distinction between the races, which, at the time that these purchases of land were made by me, it seemed to be the desire of the Imperial Government to abrogate. Had I myself been justified in entertaining any fear that the Government would fail in fulfilling promises (verbally given on authority; only verbal for reasons which I considered valid) I should not have hesitated to insert them in the text of those deeds of cession which I drew. But Sir George Grey, during whose Government all of my purchases were made, seldom, to the best of my recollection, refused any reasonable request on behalf of these Natives, nor had I ground for believing that his successor would be less just.