

61. "In a clear voice His Excellency then read the Treaty in English for the benefit of the European settlers, the terms of the document being as follows :—

TREATY OF WAITANGI

HER MAJESTY VICTORIA, Queen of the United Kingdom of Great Britain and Ireland, regarding with her Royal favour the native chiefs and tribes of New Zealand, and anxious to protect their just rights and property, and to secure to them the enjoyment of peace and good order, has deemed it necessary, in consequence of the great number of Her Majesty's subjects who have already settled in New Zealand, and the rapid extension of emigration both from Europe and Australia, which is still in progress, to constitute and appoint a functionary properly authorised to treat with the aborigines of New Zealand for the recognition of Her Majesty's sovereign authority over the whole or any part of those islands. Her Majesty, therefore, being desirous to establish a settled form of Civil Government, with a view to avert the evil consequences which must result from the absence of the necessary laws and institutions, alike to the native population and to her subjects, has been graciously pleased to empower and to authorise me, William Hobson, a Captain in Her Majesty's Royal Navy, Consul and Lieutenant-Governor over such parts of New Zealand as may be, or hereafter shall be, ceded to Her Majesty, to invite the Confederated and Independent chiefs of New Zealand to concur in the following articles and conditions :

ARTICLE THE FIRST

The chiefs of the Confederation of the United Tribes of New Zealand, and the separate and independent chiefs who have not become members of the Confederation, cede* to Her Majesty the Queen of England, absolutely and without reservation, all the rights and powers of sovereignty which the said Confederation or individual chiefs respectively exercise or possess, or may be supposed to exercise or possess, over their respective territories, as the sole Sovereigns thereof.

* It is important to remember that the process by which New Zealand became a portion of the British Empire was one of cession, and not of annexation, as is so frequently stated.

ARTICLE THE SECOND

Her Majesty the Queen of England confirms and guarantees to the chiefs and tribes of New Zealand, and to the respective families and individuals thereof, the full, exclusive, and undisturbed possession of their lands and estates, forests, fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in their possession. But the chiefs of the United tribes, and the individual chiefs, yield to Her Majesty the exclusive right of pre-emption over such lands as the proprietors thereof may be disposed to alienate, at such prices as may be agreed upon between the respective proprietors and persons appointed by Her Majesty to treat with them on that behalf.

ARTICLE THE THIRD

In consideration thereof, Her Majesty the Queen of England extends to the Natives of New Zealand her Royal protection, and imparts to them all the rights and privileges of British subjects."

62. " ' Captain Hobson spoke briefly but emphatically and with strong feeling,' Mr. Felton Mathew tells us, 'and when he had concluded, he turned to Mr. Henry Williams and invited him to read to the Natives the translation which had been prepared in the Maori language.'

" ' In the midst of profound silence,' Mr. Williams wrote in subsequent years, ' I read the treaty to all assembled. I told all to listen with care ; explaining clause by clause to the chiefs, giving them caution not to be in a hurry, but telling them that we, the missionaries, fully approved of the treaty, that it was an act of love towards them, on the part of the Queen, who desired to secure to them their property, rights, and privileges. That this treaty was a fortress to them against any foreign Power which might desire to take possession of their country, as the French had taken possession of Otaïti.' "

Then follows the Maori translation of the Treaty of Waitangi as printed at the press of the Church Missionary Society, Paihia. This can be taken as read, but Maori scholars of to-day confess their inability to grasp the full implication of the translation, especially that portion of Article 2 referring to Her Majesty's exclusive right of pre-emption. So it must be obvious that the Maoris of that day had at least as great a difficulty in understanding.