

Teira was not entitled to sell the Waitara Block without the consent of Wiremu Kingi and his people. This was acknowledged completely when the purchase was solemnly abandoned by the Governor in his Proclamation of the 11th May, 1863. Mr. Parris, the Land Purchase Commissioner at New Plymouth, had much to do with the purchase from first to last, and it was he who was supposed to have investigated the title to the block. In the circumstances it is difficult to understand how he managed to remain ignorant of the facts in connection with the occupation of the block, which were ascertained without any difficulty by the Governor and the Native Minister in April, 1863.

(b) When martial law was proclaimed in Taranaki, and the Natives informed that military operations were about to be undertaken against them, Wiremu Kingi and his people were not in rebellion against the Queen's sovereignty; and when they were driven from the land, their pas destroyed, their houses set fire to, and their cultivations laid waste they were not rebels, and they had not committed any crime.

(c) The Natives were treated as rebels and war declared against them before they had engaged in rebellion of any kind, and in the circumstances they had no alternative but to fight in their own self-defence. In their eyes the fight was not against the Queen's sovereignty, but a struggle for house and home.

(d) If the abandonment of the Waitara purchase had taken place before the occupation of Tataraimaka, it seems possible that the second Taranaki war would have been avoided. The course which was adopted led the Natives to believe that the Government intended to persist in the great wrong that had been done at Waitara. The armed occupation of Tataraimaka was, in the circumstances, a declaration of war against the Natives, and forced them into the position of rebels. It is to be noted that the Superintendent of the Province of Taranaki had made a recommendation to the Governor and the Native Minister to the effect that the Tataraimaka Block should not be reoccupied until the spring; but this recommendation was disregarded.

14. Both the Taranaki wars ought to be treated, we think, as having arisen out of the Waitara purchase, and judged accordingly. The Government was wrong in declaring war against the Natives for the purpose of establishing the supposed rights of the Crown under that purchase. It was, as Dr. Featherston called it, an unjust and unholy war, and the second war was only a resumption of the original conflict. Although the Natives who took part in the second Taranaki war were engaged in rebellion within the meaning of the New Zealand Settlements Act, 1863, we think that, in the circumstances, they ought not to have been punished by the confiscation of any of their lands.

15. The figures given by Mr. Moverley, of the Land Office, New Plymouth, show that the total area originally confiscated was 1,275,000 acres. Of this, 557,000 acres were purchased from the Natives and paid for by the Government, 256,000 acres were returned to the Natives, thus leaving 462,000 acres as the total area finally confiscated.

16. It is difficult, if not impossible, to arrive at any satisfactory conclusion as to the value of the land at the date of its confiscation, and our recommendation is that the wrong done by the confiscations should be compensated for by making a yearly payment of £5,000, to be applied by a Board for the benefit of the Natives of the tribes whose lands were confiscated.

WAIKATO CONFISCATIONS.

17. We proceed now to consider the confiscations which were made on account of the Waikato war. In dealing with this subject it is necessary to refer shortly to the land leagues and the King movement. The land leagues were formed because the Natives were alarmed by the growing number of the colonists. "They saw their race" said Mr. Reeves ("The Long White Cloud," 3rd ed., p. 197), "becoming the weaker partner. Originating in Taranaki, a league was formed by a number of the tribes against further selling of land. To weld this league together, certain powerful Waikato chiefs determined to have a king. Of them the most celebrated was the son of Hongi's old