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W. M. CROMPTON,
Speaker.

February 12, 1864.

COPY OF DESPATCH FROM HIS GRACE THE
DUC DE NEWCASTLE, K.G., TO GOVERNOR
SIR GEORGE GREY, K.C.B.

Downing-street,
25th August, 1863.

SIR,—I have the honor to acknowledge your despatch No. 56, of the 27th May, enclosing a Proclamation by which you announced the abandonment of the purchase of the land at the Waitara, which was offered for sale to the Government in 1859, and conditionally accepted by your predecessor.

I thought it my duty to convey to you at once by the last mail my approval of the course which you had then resolved to take; and I now proceed to address you more fully upon the subject, with reference especially to your Despatch, No. 39, of the 24th April, and the communications between yourself and your Ministers which it enclosed.

The facts upon which you mainly ground the important decision at which you have arrived, and which, strange to say, have only now been discovered by your personal enquiries, and by Teira's admissions to the Native Minister (Mr. Dillon Bell) appear to be these:—1. That W. King's residence on the disputed land upon the South bank of the Waitara was not merely, as had been always represented by the sellers, by permission of Teira's father, but in

virtue of an arrangement made by all that section of the Ngatiawa Tribe for the sake of defence against the Waikatos. 2. That a large number of Natives, between 200 and 300, were living upon the block at the time when it was offered for sale, whose dwellings and cultivations were destroyed when possession was taken by the Military. 3. That Teira, as he now asserts, never intended to sell the paha, one of which was in his own occupation, and did intend to except from sale a reserve 200 acres, although no such reserve was named in the deed of sale, as ought to have been done.

I proceed to explain to you the effect which these statements have produced upon my mind, both with respect to the transactions of 1859-60, and the measure which you have now adopted.

If it be true that a number of families were residing upon and cultivating portions of the land offered for sale (variously estimated at from 10 to 120 acres out of the 980 acres which formed the "Block,") I have no doubt but that Governor Gore Browne and his Ministers, upon discovering the fact, would have carefully reserved and respected such portions, in accordance with the invariable practice of the New Zealand Government, or even have refused to have any further dealings with parties who, like Teira and the other sellers, had been guilty of concealing from the Governor so important a circumstance. If again they had been aware that W. King had established his residence on the South bank of the Waitara in virtue of a general tribal arrangement for purposes of defence, this fact might have formed an important element in their decision, as to whether the purchase could properly and safely be proceeded with. On the whole, I agree with you that your predecessor if he had been in possession of these facts, would not

have committed himself to the purchase, and I am clearly of opinion that he would not have been justified in doing so. The information, indeed, which you now supply converts into a certainty the doubts which I expressed in my Despatch of November 27th, 1860, and upon other occasions as to the prudence of the policy pursued by Governor Browne and his Ministers, with an evident want of sufficient knowledge of the case, as well as of foresight of the consequences, though with fair and upright intentions, while it lessens the serious difficulty of abandoning a publicly declared determination in the face of armed opposition.

I have said so much as to the propriety and prudence of the Waitara purchase. But I must add on the other hand, that my view of the justice of exerting military force against W. King and his allies remains unchanged. That chief's conduct from first to last, still seems to me to have been inconsistent with any degree of submission to the Queen's sovereignty over New Zealand. In February, 1859, before the Waitara question arose, he had given notice to the Governor that he would allow no land to be sold within a district extending forty miles north of the European boundary at Taranaki—an interdict of a rebellious character to which the reasons now or formerly alleged against the Waitara sale can, of course, have no application. In the same way at the public meeting where Teira offered the land and during the many months which elapsed before the survey, he gave no reasons for his opposition, he offered no explanations of it, either such as were provided for him by others at the time, or such as might have been drawn from the statements which you have now conveyed to me. In short, he never assumed any attitude towards the Governor, but one of defiance, and, to use the language of Chief Justice Arney, in the Legislative Council, never made "any intelligible claim of right to the land or any other declaration than a declaration of war.

No one can doubt that had he entered into any peaceable and loyal explanations, they would have been attended to, or that, if the Government survey had been allowed to proceed, the paha and cultivations would not have been interfered with, nor anything done by Government officers inconsistent with the notice given by Governor Browne some months before—"that, if any man could prove his claim to any piece of land within the boundary described, such claim would be respected." I dissent, therefore, from the view of the matter conveyed by the language which, in your despatch of the 24th April, you place in the mouth of the natives, viz., "That the people of the Waitara, without having been guilty of any crime, were driven at the point of the sword from villages, houses, and homes, which they had occupied for years," the truth being that W. King and his followers brought these consequences upon themselves by their own conduct, and that the latter, far from being evicted (as it were) for the purpose

of taking possession of the purchased land, themselves, in the consciousness of hostility, abandoned their paha, which were only destroyed after hostile acts had been committed by W. King's party, and military operations had actually commenced. Again, with respect to the assertion which you attribute to the natives, that they fought in the late war simply "for their hearths and homes," and not at all for the maintenance of "tribal right," or the *mana* of the Maori king, or to prohibit the sale of land to the Crown, even by owners desirous to sell, I can only say that the great body of the evidence before me, including that of the ardent and able defenders of W. King, to whom the allegations now made seem to have been unknown, makes it impossible for me to accept them as worthy of credit. I hold, therefore, that no injustice—and it is with the question of justice only that I am now dealing—was either intended or done to W. King and his followers by the employment of military force to carry into effect the survey of the Waitara land, for the purposes of ascertaining how much or how little of it was owned by Teira and the others who joined with him in the sale to the Crown. I also believe that, in the then state of mind of a portion of the New Zealand natives, especially those of Taranaki, collision between them and Government was not to be avoided without great difficulty, rare forbearance, and even tolerance of conduct, which, under ordinary circumstance, would be incompatible with the dignity of the Crown.

These convictions, however, do not prevent me from deeply regretting the evils of the late war, and especially so, if any of the natives are under the impression that it arose out of an act of injustice committed against them by the Government. I heartily share your anxiety to remove, so far as lies in our power, any such belief for the future; and it was with that hope that I at once signified to you my approval of the course you have taken in relinquishing the completion of the Waitara purchase, without further investigation, even though that course goes beyond what I believe strict justice to require, and is exposed to the dangers pointed out by your responsible advisers. Those dangers are, of course, increased by the unfortunate chance by which the massacre of Lieut. Tragett and his men took place before the announcement of the decision which you had already formed. I am, far, however, from blaming you for the delay caused by the discussions between your Ministers and yourself upon so difficult a question, although it would have been better if the re-occupation of the Tataraimaka block and the abandonment of the Waitara, had been effected at one and the same time; and I entirely concur in your opinion that the subsequent outrage committed by the natives to the South, unconnected, apparently, with W. King and the Ngatiawas, is not a sufficient reason for not doing what you had decided ought to be done at the Waitara.

In conclusion, I have only to express my earnest hope that the decided success gained by General Cameron and the troops, together with a firm attitude on your part, supported by your Ministers, will make it impossible for the natives to mistake the nature of a policy dictated by the desire to root out a belief in wrong done, and a suspicion of wrong intended against them, which might form an obstacle in the way of their reconciliation with their European fellow-subjects, and with their Sovereign.

I have, &c.,
NEWCASTLE.

Governor Sir George Grey, K.C.B.

COPY OF DESPATCH FROM HIS GRACE THE
DUKE OF NEWCASTLE, K.G., TO GOVERNOR
SIR GEORGE GREY, K.C.B.

Downing-street,
20th August, 1863.

SIR,—I have the honor to acknowledge the receipt of your Despatches No. 50 and 55 of the 14th and 25th of May last, informing me of some particulars which had only just come to your knowledge, in connection with certain murders which were perpetrated amongst themselves by Natives in the Taranaki District during the Administration of your predecessor, and calling attention to the embarrassing position in which your Government is now placed owing to the general mistrust which is felt by the Natives in consequence of the protection enjoyed by the murderers.

Although it is much to be regretted that these murders should have been committed without the punishment of the offenders, it would, I think, be now impossible to abandon the Natives, including Ihaia, one of the murderers of Katatore, who fought on the side of the Government during the late war.

It is true that Katatore was caught by his enemies unarmed in consequence of a Government order prohibiting Natives from bringing arms into New Plymouth and upon Colonial land; but, on the other hand, Rawiri, whom he killed, was, under the order of the Government, engaged in marking out what he claimed as his own land for sale to the Governor where he was killed, and as Katatore was not meddled with after the deed, it appears to me that it would have been hardly possible to have punished the next consequence of the blood-feud, when Katatore in his turn fell into the hands of the avenger.

I have, &c.,
NEWCASTLE.

Governor Sir George Grey, K.C.B.

MR. WELD'S RESOLUTIONS.

NEW ZEALAND HOUSE OF
REPRESENTATIVES, NOVEMBER 25, 1863.

Mr. WELD moved, pursuant to notice, "That

this House do forthwith resolve itself into a Committee of the whole House to take into consideration the Despatches of His Excellency Sir George Grey on the Waitara question, which have been laid before the House this session, by command of His Excellency."

Seconded by Major RICHARDSON, and agreed to.

The House accordingly resolved itself into Committee.

Mr. WELD: I rise to move the following resolutions:—

"1. That this House, having supported the measures taken by His Excellency the late Governor of New Zealand, to repress the armed interference of W. King of Waitara—because, as set forth in its Resolution of August 16, 1860—in the opinion of the House such measures were 'indispensable for the due maintenance of Her Majesty's authority'—considers, that the renewed and definitive recognition by His Grace the Duke of Newcastle, in his Despatch of August 25, 1863, 'of the justice of exerting military force against W. King and his allies,' has happily rendered it unnecessary for this House to controvert or supplement statements made by His Excellency Sir George Grey, in his despatches on the Waitara question.

"2. That, in the opinion of this House, the good faith of the Crown and the interests of both races of Her Majesty's subjects in this Colony; demand that the chief Teira and his people should be protected from possible illegal aggression; and that in justice to him, and in compliance with the request contained in his petition to this House, the investigation into the title to the Waitara block promised by Governor Gore Browne and by Governor Sir G. Grey should be completed at the earliest practicable period."

Sir, in moving the resolutions which I have just read, it is my purpose to confine myself as strictly as possible, to the reasons which have induced me to adopt this course; and I trust that in doing so, I shall neither forget the respect due to the representative of the Crown, nor that due to ourselves as the representatives of the Colony. I hope Sir, to treat this question in as temperate a manner as possible (hear.) I do not, in entering upon this subject, intend to go into all the details of the vexed questions connected with the Waitara purchase. I am ready to do so; but shall reserve that part of the question until it may have been raised and ventilated by other speakers. These resolutions have appeared to me to be necessary in order that this House may reassert its position, and maintain its self respect. I do not however, think it requisite to enter into any controversy with His Excellency the Governor upon the points upon which unhappily a difference of opinion exists—a course which at the present crisis of affairs it is well that the Duke of Newcastle's despatch has enabled us to avoid; but I do consider that if we sit here without taking any action which may fix the position of the House with respect to these despatches, we shall not only be lowering ourselves, but also

the Colony which we represent. (Hear, hear.) I ask the House to observe, that I commence by quoting the words of our resolution in 1860. The first thing that I want to do, is to define the position that his House took then, at the beginning of the war; and I think that the more necessary, because, any one who reads Sir George Grey's despatches upon this subject, must perceive that that position has been entirely ignored by him. I am perfectly ready to suppose that His Excellency imagines that he is fairly combating the view that we have supported; but in so doing he uses arguments which render it necessary for us to re-affirm what our view and sentiment then really was. Now, I do not ask any hon. gentleman who may have differed from me, and from those who acted with me, in the sessions of 1860 and 1861, to alter the views which he may then have entertained; I merely ask him to join with me in affirming the line that the House then undoubtedly did take. I say about that there can be no dispute—that stands on record in the resolutions—those resolutions of course are conclusive in expressing the feeling of the House, but I may further observe that the late Ministry, in a memorandum dated Taranaki, 30th April, 1863, also brought before His Excellency the Governor the position taken by the Ministry and the House in 1860, in the following words:—

“The Assembly believed in 1860 that the time had come, when dissentient natives ought to be protected by the Queen's Government, from the oppression which was threatened by a rival authority; and that it was to uphold that rival authority at all risks, that the war was joined in by the Waikato tribes, who were disputing—not the validity of Teira's title—but the authority and jurisdiction of the Crown.”

Now, this is exactly the idea embodied in the words “indispensable for the due maintenance of Her Majesty's authority,” which I have again incorporated in these resolutions. (Hear, hear.) But there can be no doubt whatsoever as to what was the intention of the House in 1860. Not an intention to obtain land, not an intention to adjudicate upon disputed titles, but an intention to uphold the authority of the Crown in a matter of jurisdiction; where proof needed beyond that already given, I should find it in the speeches of the then Ministry, who led the house in this matter. I remember my own speeches and those of my colleagues; when the hon. gentleman who now sits next me, (Mr. Stafford) I myself, and Mr. Richmond, who now no longer, I regret to say is amongst us; when all three of us, then representing his Excellency's Government in this House, stated that the question was not a question of title to land, but that though it should unexpectedly happen that Teira might prove to have no valid title to a single acre of land, that still we held, and asked the House to affirm, the principle that the jurisdiction of the Crown should not be disputed by armed force. (Hear, hear.) I remember my own words, which I quoted again upon the occa-

sion of a vote of want of confidence being moved in 1861 by the hon. gentleman opposite (Mr. Fox), words which I uttered on first joining the Stafford ministry, and on the first occasion that I addressed this House as a member of that ministry. I then spoke to this effect:—The question lies in a nutshell; we do not ask any one to say that Teira is the owner of this land. If any other man has a claim, let him come in and prove it, but do not let him come with arms in his hand; let him come in a peaceable manner; let him show his title to any part of the block; he shall have it: But, the Government will not submit to armed dictation, (Hear, hear.) At the same time we referred to the land league of Manawapou, by which death was threatened to any native who should sell land, even though his own, to Europeans; we pointed out Wi Kingi as the representative at Waitara of that league; we pointed out also, that at a great meeting held about that time at Waikato, it had been said, “If the question was simply as to the ownership of Teira's land, the Governor might be in the right, but the Maori king's flag has gone there, that flag now waves over Waitara, and consequently we will not give it up.” This resolution then, correctly expresses the stand taken by the Government in 1860, and adopted by the House. (Hear, hear.) I am not going at this moment to argue as to whether we took that view rightly or wrongly; that is a question, to use his Excellency's phrase, which remains to be tried at the “bar of History.” (Laughter,) by my object is simply to define the line which the House took, and one or two of the grounds upon which rightly or wrongly it did so. That position having been taken, it does appear to me of importance that it should be correctly recognized, and that we should not in despatches of his Excellency be assumed to have advocated a policy upon grounds which we really did not take. (Hear.) Fortunately, as I said before, I am able to express my opinion that owing to the despatch of His Grace the Duke of Newcastle, dated August 25, 1863, it will not be necessary for us to initiate any controversy with his Excellency the Governor; that despatch is such a complete approval of the views supported by this House on the ground of justice, that we are happily relieved from any such necessity which might have been unfortunate in the present crisis of the affairs of the Colony. The Duke seems at once to have unravelled the skein, struck every leading clue; and unfolded it all, in a clear and forcible manner which I cannot but feel it would be alike useless and presumptuous for me, or for any other member of this House to attempt to emulate or to supplement. (Hear, hear.) With one part indeed of his despatch I cannot concur. His Grace disapproves, but disapproves in qualified and guarded language, indeed I may say hypothetically, disputes the wisdom of the policy of Governor Gore Browne and his ministers in the first action taken at Waitara; he guards that disapproval care-

fully, "If it be true," he says of data on which his conclusion is based, and again his opinion on this point is evidently modified in the paragraph in which he alludes to conduct "which under ordinary circumstances would be incompatible with the dignity of the Crown," nevertheless on the whole it may be said that the Duke does not approve of a course of action which has, unfortunately involved, or appeared to involve heavy expenditure on the part of the home Government. I could not indeed hope that the Duke of Newcastle, writing as an English minister, should applaud the wisdom of a policy which must to him appear as the immediate cause of that expense. Now, I have not thought it necessary to allude to this point in the resolutions which I have proposed. I believe that there are in this assembly a considerable number (though as I think, a very decided minority) of members, who hold in that respect views more or less in unison with those of the Duke of Newcastle, and I do not think it advisable that the unanimity which I hope to attain upon the main question, should be endangered by the introduction of a secondary issue. For my own part, I am of the same opinion that I have always been. In my eyes the Waitara war was not only necessary and inevitable, due regard being had to the maintenance of the authority of the Crown, and the rights of the weaker natives; but for that very reason also right in policy, and if the same circumstances were to occur again, I would take the same course again. (Cheers.) I do say, Sir, that difficulties, arose and stood in our way, that no human foresight could have conceived. Who could have supposed that Colonel Gold with a thousand men, soldiers and volunteers, would be foiled, even in the open country by a few hundred natives. It was such misfortunes as these that marred what would have resulted in the greatest possible advantage to both races. Had the forces been in the hands of a man of ordinary capability; I firmly believe that hundreds of thousands, nay millions of pounds; and hundreds, I fear I may say thousands, of lives, would have been saved to England and to the Colony. (Hear, hear.) And that three years ago the relations between the two races might have been put into a position towards which we are now wading through a prodigal expenditure of blood and money. Therefore my opinion of the policy which I then supported, is unchanged by the accident of its success not having fulfilled my first expectations, but as I imagine that there are very few such phenomena to be found in the military world as Colonel Gold, so I believe that it might have been tried again and again and would have succeeded—that the chances were ten to one in favor of its success. (Hear, hear.) Still I cannot hope that any arguments of this House could be expected to alter the opinions formed on this point by His Grace the Duke of Newcastle. Indeed as to matters of opinion, it seems to me that no amount of disputation ever, as a rule, convinces anybody,

(Mr. Fitzgerald, hear, hear,) consequently I should never be so sanguine as to expect to convince my honorable friend the member for Ellesmere. I assure my hon. friend that I fully believe him to be proof against all argument. (Laughter.) As I have said, I think it quite unnecessary to endeavor to pledge the House on the question of the advisability of the Waitara policy, that is a question of the past, and I am perfectly content to leave it open: but it is otherwise with the other part of the subject. It appears, Sir, to me that his Excellency Governor Sir George Grey has been singularly unfortunate, either in those from whom he obtains his information, or in his mode of obtaining it, or in the form of language in which he endeavours to impart his ideas and information when obtained. (Hear, hear.) I cannot but refer to statements which his Excellency has made or is reported to have made during the recess, and which to me are simply astounding. I will instance two cases, I remember one speech at or near Otaki in which His Excellency is reported to have spoken of general opposition received by him from Roman Catholic natives, in terms which would convey the idea that the Catholic natives were leaders of the King movement and of the insurrection; now every hon. member who knows anything whatsoever of the matter is aware that such an impression would be absolutely at variance with the real facts of the case. (Hear, hear, and assent from Mr. Dillon Bell late minister for native affairs.) We know that the chiefs of the insurrection are chiefly Church of England and other non-Roman Catholic natives. (Hear.) Then there was another statement which at the time struck me as an exceedingly remarkable one, and at which indeed the whole Colony stood aghast with surprise, for our attention was particularly drawn to the province of Taranaki and we were open-eyed with anxiety to see what the Governor would do when he arrived there, furnished by the Colonial Assembly with funds, backed by its resolutions, with every power at his disposal that the liberality of the Home Government could bestow, what would he say to those settlers of Taranaki who with unparalleled courage and constancy, had for a period of three years supported without flinching, sufferings difficulties and dangers which might have daunted any less determined or less energetic body of men, even of our own race, still more of any less determined or less energetic race than British Colonists. What did his Excellency say to those men? Why the first thing that we heard was that a deputation from them had waited on the Governor, and we heard too, (with feelings which I almost hesitate to describe, lest I might be led unwittingly to trespass on that respect which we all feel is due to the representative of the Crown) we heard Sir, that his Excellency had absolutely stated to that deputation, representing a body of men whose difficulties had been one of the causes of his mission to this country, that he was not aware of the state of suf-

fering that they were in, (hear hear, Mr. Atkinson, more than that, he said that he "was very much surprised at what we told him") and this was after his Excellency had been about eighteen months in the country. I repeat it was with a very painful feeling that we of the Southern Island heard a statement which did look like a very strong self-condemnation, and one I should hardly expected to have heard from his Excellency's own mouth. (hear hear.) I will not attempt to multiply instances, but I must say that the same fatality which appears to have attended His Excellency's speeches, seems also to have been imported into his despatches. (hear.) I have already dealt with the omission to state the true grounds upon which this House supported the late Governor in his actions at Taranaki, but unfortunately there were also, to use the Duke of Newcastle's words "arguments put into the mouths of the Natives" quite distinct from those which, in my opinion at least, animated the great body of the native race. We see in these despatches nothing about the letters of W. Thompson the leader of the King movement with their aspirations after a distinct National Sovereignty. We hear nothing of the declaration made when Sir George Grey met Wi Kingi's natives, the very natives who formerly occupied land at Waitara and now hold Mataitawa, when Sir G. Grey was distinctly told, as witnesses can prove, "We are not fighting about the land in Waitara," not for 'hearths' and 'homes,' "but to uphold the King's authority against the Queen's authority." I might pursue the subject paragraph by paragraph and page by page, but I do not wish to take up the time of the House unnecessarily, what I have said is sufficient to show that we must not by silence render ourselves liable to misconstruction. I now will proceed to my second resolution, and here I shall only ask hon. gentlemen to observe, that I merely demand on the part of Teira what Governor Gore Browne had promised him, what Governor Sir G. Grey has promised, and what if we are to believe his Excellency's despatches, even semi-hostile natives are in some form or other anxious for; I can, however this may be, see no possible reason why the title should not be investigated—no reason why any hon. gentleman should get up and refuse this investigation which has been called for on all sides, and still less can I for a moment imagine that any hon. gentleman could wish that Teira who had suffered much through his adherence to the "Queen's party" should be allowed to remain unprotected against any kind of illegal aggression. (Hear hear.) I do not at all wish to assume that Teira has rights to the land; the position of the late Governor and those who supported him would not be in the least impugned, could it be proved that Teira had no title to a single acre of the land, though I am as much as ever of opinion that Teira will be shown to have as large and as good a title as I have ever supposed him to have; it is in justice to Teira himself that I press this investigation, not at all in order

to gain any party triumph. I have quoted speeches made in this House, now I will refer to a speech made in another place in 1830 by an hon. gentleman then Attorney General, a member of the Stafford ministry and an exponent in that other place, of the policy of the then Government; that hon. gentleman (now the head of the present government) spoke to this effect;—"I absolutely refuse to go into the question of Teira's title at all, I don't care whether Teira has land or has not land. I only say that the position taken by the government is that of resisting aggression. I will tell the Council that I believe that Teira has a good title, but I say that is not the point at issue." Thus I may fairly affirm that it is not to seek any party triumph that I ask for this investigation, but that justice may be done. As to protection I will say; that it would be a wicked and disgraceful thing, unheard of in any part of the world, (unless possibly in this) that a man depending upon the English crown for support, who has loyally risked his life and property should be thrown into the hands of his enemies. I believe such a course cannot be contemplated by anyone, yet still I ask the House to use all means in their power to prevent the possibility of Teira's being dispossessed of that land without the investigation of claims, which he has always been willing to forego should they be disproved. (Hear, hear.) I will now only repeat that the Resolutions do not pledge the House to any sweeping approval of the particular views of any party in former sessions, but merely state the then action of the House, recognising the fact that the Despatch of His Grace the Duke of Newcastle has happily averted a possible controversy with His Excellency the Governor; and secondly, asking a simple act of justice, sanctioned by two Governors, and demanded by all parties; excepting by that of W. King of Waitara. (Hear.)

Major RICHARDSON seconded the motion, which being carried unanimously, the Resolutions were reported to the House, and ordered to be transmitted to His Excellency the Governor, with a request that they might be forwarded to Her Majesty's Secretary of State for the Colonies.

Government House,

Auckland, 26th October, 1863.

MY LORD DUKE,—I had the honor of receiving on the 22nd instant, your Grace's despatch No. 88 of the 25th of August last; I thought it my duty to communicate it at once to my responsible advisers, and I have accidentally learned that it has by direction of the Colonial Secretary been published and copies of it distributed to some of the members of the General Assembly. This has been done without my having been consulted on the subject, and I have not yet been informed that it was intended to publish it, nor has a printed copy of it been sent to me.

2. I do not mention this in the way of complaint; for I am sure the Colonial Secretary has

done what he thought best for the public service, and that in not mentioning to me what he intended to do, and in not sending to me any copy of the printed paper, he merely forgot to take such steps from the pressure of other important matters upon his mind; but, as the despatch has been published, and I fear that some of the remarks in it might complicate the ultimate settlement of affairs with the natives of this country, and that one remark in it, I have no doubt unintentionally made, reflects unjustly upon myself, I have enclosed a memorandum, upon a few points in it, which, if your Grace thinks fit to read will, I am sure, satisfy you.

That William King gave a reason for his opposition to Te Teira selling a piece of land at the public meeting at which that chief offered it for sale, and on several occasions subsequently.

That the natives used the language which I appear to your Grace to put into their mouths, in my despatch of the 24th of April, on many previous occasions, and that this language of theirs had been transmitted to your Grace, sometimes almost in terms of humble supplication.

That the natives had been informed, not that they were interfering to prevent a survey to ascertain the ownership of land, but to prevent the survey of the Queen's own land, which had been acquired for her Majesty by purchase from Teira, whose title to it had been investigated and found to be good, and was not disputed by any one.

That W. King's letter to the Governor, of February, 1859, cannot be characterised as an interdiction of a rebellious character, but was apparently intended to be a respectful letter.

3. I regret that several misunderstandings connected with the whole of this subject have arisen from the difficulty of the natives making themselves thoroughly understood by foreign authorities, from the figurative nature of their language, from the few persons who understand it well, and from the consequent misinterpretations, omissions, or misprints, which from time to time take place, in even the most important documents. I am well aware how great a disadvantage and difficulty your Grace must labour under from this cause alone.

4. Whilst looking at papers to guide me in writing the enclosed memorandum, in addition to the two important misinterpretations, or omissions, which I have pointed out, I find a translation printed for the purpose of giving information to your Grace and the General Assembly, and which was laid before that body, in which the natives say—I presume from a misprint—that their desire was “to retain possession of the *law* handed down to them from their ancestors and father;” as though they wished to abjure the Queen's laws—whilst, upon reference to the original, I find that what they said was, that “their desire was to retain possession of

the *land* handed down to them by their ancestors and father.”

I have, &c.,
(Signed) G. GREY.

ENCLOSURE TO DESPATCH 139, 26TH OCTOBER, 1863. MEMORANDUM.

In the Secretary of State's despatch No. 88, of the 25th August, 1863, the following remarks are made in reference to the conduct of a chief named William King.

“In the same way at a public meeting where Teira offered the land, and during the many months which elapsed before the survey, he (William King) gave no reasons for his opposition, he afforded no explanation of it, either such as was provided for him by others at the time, or such as might be drawn from the statements which you have now conveyed to me.”

In reference to this point it will be found by an enclosure to Governor Browne's despatch, No. 10, of 25th July, 1860, that in the official account of the meeting of the 25th March, 1859, it is reported that William King gave a reason for his opposition, to the sale of the piece of land, insisting on his own possession of it. In his letter to the Governor of the 25th April, 1859, this chief again gave the Governor the same reason against the sale of the land, saying:—“I will not agree to our resting place being sold, for that resting place belongs to the whole of us.” Again on the 29th November, 1859, this same chief informed Mr. Parris that the reason he would not consent to the sale of the land was, “That the land belonged to Taylor together with all of us.”

Although attention was at first specially called to this point in Sir George Grey's despatch No. 96, of 11th August, 1863, it will be found that the natives in 1860, with almost earnest passion, asserted that William King's answer was such as it now really proves to have been, and that it had been misinterpreted. Their allegations on this point were, at that time, either not attended to, or not believed. But their statement is that William King answered as follows:—

“Yes, his (Teira's) title is good to his own pieces within the boundaries of that land two or three pieces. Our title is equally good to our own pieces, some have one, or two, or three, or four, within that block. William King stated this, but what he said has been misinterpreted by the Land Commissioner of Taranaki, who asserts that William King said the whole of the land was Teira's. It was his determination to take the land by force, and his ignorance of the Maori language, which made him pervert what William King said.”

The question of a sale of this piece of land involved the interest and conduct of many other persons besides William King, and it will be found in various letters transmitted by Governor Browne that the natives invariably alleged the same reasons for opposing the sale of this piece of land which

Teira offered to dispose of, although some of those were only received during the progress of the war; as for instance:—"It was a land of complicated claims, the property of the whole tribe, the site of villages and cultivations, and besides that, William King and his tribe were in occupation of it."

Upon reference to the enclosures to Governor Browne's despatches, it will be found that the natives urged in letters transmitted to the Secretary of State, sometimes in terms of humble supplication, language often identical with that which is stated in the Secretary of State's despatch No. 88, of the 25th August, 1863, to have been put into their mouths, in Sir G. Grey's despatch of the 24th April of the same year.

The following extracts from such native letters will show this:—

"Was it by their permission that our lands, inherited from our ancestors, became our property, which lands have all been taken from us, at the point of the sword?"

"Was it they who gave our ancestors all their cultivated lands," which I have already mentioned, "when they went from Waikanae, which cultivations the soldiers have taken with the edge of the sword?"

"We have portions of the land at Waitara within the boundaries of the land which Teira wrongfully sold to the Governor. This land belongs to us, and to those who were driven off that land, and belonged to the ancestors of us all."

"How can they justify the denial of our claims, or of those who have been forcibly driven from it?"

"In our opinion, Teira's act was a great crime, and nothing can be said in his behalf, which can hide his unjust act."

"Is thieving, indeed then, a legitimate occupation? It has been said to be a wicked one. It must be that only a theft by a Maori is wrong; but when an European commits one, it is a laudable action."

"If that land shall be permanently wrested from them, then this saying will be handed down through all future generations, 'that land was forcibly, and unlawfully, taken away by a Governor appointed by the Queen of England.'

"They say the land all belongs to Teira. No; that land belongs to us all—to orphans and to widows."

"Should we look to the Queen—or to whom? We had always thought that the law afforded protection from wrong! We are, at the present time, wholly at a loss as to what course to adopt."

"Now, we are altogether perplexed; and exclaim, alas! alas! this is a new proceeding on the part of our Queen. The good which used to be associated with the mention of your name, and which caused the Maoris of this island to regard you only as our mother, has been lost. Your name was then sweet to the hearts of your Maori people."

"Your Majesty's name also became strange to this people. Now, for the first time, we have been hunted with evil. Oh! mother; do not listen to fabrications, while are probably being written to you, to the effect that the Maoris are fighting against your sovereignty; it is a fabrication. Understand that this is really a quarrel about land."

"They were loving subjects of yours. Their object was not to trample upon the law; but rather to retain possession of the land which was handed down to them by their ancestors, and father. They did not wish to sell that land. This unwarrantable proceeding has occasioned grief and confusion to all of us, because we know that this system is not yours—this taking away, without cause, of the land of other people, and of the orphan and widow."

"The Queen's sovereignty has been acknowledged long ago. Had it been a fight for supremacy every man in this island would have been up in arms. But in the present case the fighting is confined to the land which is being taken possession of."

They also universally contended, not only that they had committed no crime against the Queen, but that some of them had previously rendered her Majesty valuable services, which they had done.

In regard to the statement made in the Secretary of State's despatch, "that far from William King's followers being evicted, as it were for the purpose of taking possession of the purchased land, they themselves in the consciousness of hostility abandoned their pas." It should be borne in mind that the troops did not take possession of the land until the 5th of March, and on the 22nd of February, the Government had issued a notice to the natives warning them that from that date the law of fighting was about to commence in the district of Taranaki; the Europeans were on the same day informed that active military operations were about to be undertaken against the natives.

This notice, followed by the march of armed troops, ordered to maintain occupation on behalf of the Crown, of a block of land purchased by the Crown, from Te Teira, would probably not make the natives think that in abandoning their villages they did so in the consciousness of hostility. Their own statement is that they were forcibly driven from it.

In the Secretary of State's despatch, No. 88, of the 25th of the August, the following paragraph occurs:

"I hold therefore that no injustice, and it is with justice only that I am dealing, was either intended or done to William King and his followers by the employment of military force to carry into effect the survey of the Waitara land, for the purpose of ascertaining how much or how little of it was owned by Teira and the others who joined with him in the sale to the Crown."

It is presumed that no one will for a moment contend that the Governor intended to do an injustice to the natives, but this much should be said in their defence.

A reference to Governor Browne's despatch, No. 27, of the 22nd March, will clearly show that the military force was sent to the Waitara, not for the purpose of carrying into effect the survey of the Waitara land, for the object of ascertaining how much and how little of it was owned by Teira and others who joined with him in the sale of it. The enclosure to that despatch distinctly explains as follows:—

"Previously to the march of the troops, a manifesto had been published in the Maori language, and widely circulated by special agents amongst all the tribes in the Northern Island."

That manifesto declared as follows:—

"The Governor accepted Te Teira's offer conditionally, on its being shown that he had an undisputed title."

Te Teira's title has been "carefully investigated and found to be good. It is not disputed by any one. The Governor therefore cannot allow William King to interfere with Te Teira in the sale of his own land."

"Payment for the land has been received by Te Teira. It now belongs to the Queen."

"William King has interfered to prevent the survey of the Queen's land, by her own surveyors. This interference will not be permitted."

What the natives are here told appears to be that William King has interfered to prevent the survey of the Queen's land, which had been acquired by purchase from Te Teira, whose title to it had been investigated and found to be good, and was not disputed by any one, not that he interfered to prevent a survey to ascertain the ownership of the land in dispute.

Again, the Secretary of State's despatch, No. 88, of the 25th August, 1863, states:—

"In February, 1859, before the Waitara question arose, he, William King, had given notice to the Governor that he would allow no land to be sold within a district extending forty miles North of the European boundary at Taranaki, an interdict of a rebellious character to which the reasons now, or formerly alleged against the Waitara sale, can of course have no application.

By the treaty of Waitangi, the chiefs and tribes of New Zealand, and the respective families and individuals thereof, were guaranteed 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.

At the date of William King's letter, which is regarded as an interdict of rebellious character, the natives of Taranaki and its neighbourhood were; and had been for some years, engaged in a series

of blood feuds, in which the Government had frequently been earnestly solicited by the natives to interfere, to prevent the loss of life which was going on, but the Government declined to do so. And these feuds had all originated in disputes regarding portions of land which the Government wished to purchase from various native claimants. It was under these circumstances that an assemblage of land-owners had met, and thus a runanga chosen for that year, agreed that they would still decline selling portions of their land within certain limits. Many of these people had previously sold very large tracts of land to the Government, to meet the wishes of the Europeans. Their letter to the Government was written and signed by the chief, William King. It is submitted that the letter itself is a respectful letter; and this unfortunate circumstance has taken place, that in the printed translation of the letter those respectful words at its conclusion are omitted, "My love, is this letter to you." A correct translation of the letter is herewith enclosed, as there is at least one other important omission in the printed translation, which is that which, it is believed, has been always laid before the Government.

The object the natives had in making such an arrangement amongst themselves, as is disclosed in this letter of William King's, is explained in their own language, in another native letter:—

"It was settled so in consequence of your bad system of purchasing land. For we had lost numbers of our people through this same land purchasing. Whenever the Government shall have laid down some equitable system of land purchase, and when calm is once more restored, then the tribes who are for selling will sell their lands under a properly regulated system."

G. GREY.

Auckland, New Zealand,
26th October, 1863.

RESOLUTION PASSED BY THE HOUSE OF REPRESENTATIVES ON FRIDAY, 11TH DECEMBER, 1863.

"That this House, having had under consideration the Governor's message No. 15, with its enclosures, and also his Excellency's despatch to her Majesty's Secretary of State for the Colonies of the 26th October, 1863, with the memorandum enclosed, resolves, That this House did not, by its resolution of the 25th November last, desire to express any opinion as to the accuracy or otherwise of the three statements specified in the enclosure to the Governor's message No. 15, inasmuch as those statements do not appear to affect the question of the justice of exerting military force against William King and his allies; but this House does controvert the statements on the part of the natives as to the cause of the quarrel."

