

Archdeacon Maunsell.

11 Oct. 1860.

676. You remember his removal?—Yes.

677. Had anything presented itself to your mind to render it desirable he should be removed?—Certainly not.

678. Were you aware of any opposition on the part of the older Chiefs, to Mr. Fenton's proceedings?—I was not.

679. If there had been any such opposition, would it have been likely to come to your knowledge?—In the Lower Waikato certainly.

680. *Hon. Mr. Richmond.*] Do you know Ruihana, of Lower Waikato, and what view he took of it?—I think I should say that Ruihana is a very fiery, impetuous chief. He is about 50 years old. He was friendly at first, but afterwards, a decision having been given against him in the Court, in reference to some horse, he said that he would leave the runangas.

681. Are you aware whether he resisted the decision of the runanga on any occasion?—Yes; the particulars, I think, were these. A young man was charged with stealing pigs from a settler; Waata Kukutai sent down four of his young men as policemen to seize him; Ruihana's people resisted the seizure by struggling, not by fighting; the resistance was effectual. It came to nothing.

682. What part did Ta Kerei, of Watawata, take in the movement?—I know very little of Takerei, and cannot speak of him.

683. Generally speaking, do you consider that the Natives of Lower Waikato were disposed to receive a system administered by a European Magistrate?—If administered by a judicious Magistrate, I think they would all in course of time have fallen in with it.

684. Much then would have depended on the personal qualities of the magistrate?—I think so.

685. Can you speak as to the sentiments of the older Chiefs at Paetai and Rangiriri?—I cannot.

686. Are you aware whether any of Mr. Fenton's adjudications were resisted?—I never heard of any.

687. Were they generally acquiesced in?—They were.

688. Was it in any case necessary to resort to compulsion to enforce the order of the Court?—I never heard of a case.

689. Do you consider that the proceedings of the Magistrate in the district had any tendency to create parties among the natives, and set the natives one against the other?—They were more of a sedative character, I think, than an irritative.

690. Can you state how the proceedings of the Magistrate were looked on by Potatau and his immediate adherents?—Only from report.

691. Was it understood in your district that they were hostile?—I am afraid to say: it was uncertain.

692. Reverting to that resistance of Ruihana to Waata Kukutai's proceedings, do you think that he would so have resisted a regular adjudication, concurred in by an European Magistrate?—I think that unless the steps taken were wonderfully judicious, he would.

693. Do you think then, that the introduction of a compulsory jurisdiction would require great tact and prudence, such as the enforcement of a distress warrant or the levy of a fine?—"Compulsory" may have two meanings, physical force, or moral pressure of the people through the runangas. If physical force is meant, they were certainly not fit for it then, nor are they now. But if pressure through the runangas, I think there would have been few instances of failure.

694. *Chairman.*] Do I understand then, you mean to distinguish between the influence of the European Magistrate, acting in his own authority, and his influence assisted by the runangas?—I mean, of course, acting in concurrence with the assessors.

695. *Hon. Mr. Richmond.*] The moral sense of the people being in favour of the law, you think that would have sufficed?—Generally.

696. Might there not have been a difficulty when a great Chief was concerned?—I think it would be like putting a heavy machine into motion. It is difficult to start at first, but by and by the very momentum itself carries it forward over obstructions.

697. Are you aware that handcuffs were once sent for from Lower Waikato?—It might be so, but I did not hear of it.

698. *Mr. Heale.*] Did you observe that Mr. Fenton's proceedings produced a stronger demarcation of parties in the Waikato?—There was a King party in operation before Mr. Fenton began his proceedings.

699. Then previous to Mr. Fenton's arrival, there was only one party in operation?—There were two parties before he came; one was the Christmas party, issuing in the runanga, and the other the King party, which had its origin at Rotorua.

700. My original question was, did Mr. Fenton's proceedings tend to bring those two parties into more distinct opposition?—I think it is according to the rules of human nature, that when one party makes progress, a feeling of envy and perhaps antagonism should be evoked in the other party.

701. Was the party which went with Mr. Fenton generally one of the younger chiefs, the body I mean, of the people against their old leaders?—It was not.

702. Do you consider that his proceedings tended to irritate any body of chiefs in Upper Waikato?—I do not.

703. I have understood you to say that the irritation of the King party was only the natural result of seeing a contrary party becoming successful?—Certainly, if there was any irritation at all.

704. Do you think that such irritation was extending or likely to increase during the latter part of Mr. Fenton's proceedings?—I have no personal knowledge of any such irritation.

705. Is your knowledge sufficient to enable you to form an opinion whether any irritation was existing which could have a dangerous tendency?—I never heard of it.