

Hon. C. W. Richmond.

15 Oct. 1860.

962. Will you state the circumstances relating to such difficulty?—I beg to refer to the papers before the Committee.

963. Do you remember the period of this difficulty?—It arose almost immediately on Mr. Fenton's entering on his duties.

964. Then Mr. Fenton subsequently corresponded with the Native Secretary's Department directly?—I am not sure; I think that Mr. Fenton objected to correspond with the Native Secretary. He regarded himself as a judicial officer, and not as a political agent. He therefore objected to the sort of control which the Native Secretary's Department thought it might be necessary to exercise.

965. Will you state the circumstances which led to the withdrawal of Mr. Fenton?—The causes of Mr. Fenton's withdrawal were, first, a fundamental difference of opinion between him and the Native Secretary as to the proper policy to be pursued by the Government in the district. I understand the Native Secretary's opinion to have been that the Chief Potatau should be the Government organ of communication with all the Waikato tribes. Such a notion of course conflicted with any attempt to organize civil institutions in the district. The second cause was His Excellency's belief that Mr. Fenton's course of proceeding in Waikato had alienated the leading Chiefs. His Excellency, I may state, never lost faith in the system, but he thought that Mr. Fenton was not the right person to carry it into effect in Waikato. Possibly Mr. Fenton's personal difference with the head of the Native Department may have contributed to form this opinion in His Excellency's mind.

966. Will you state of your own knowledge how Mr. Fenton conducted his correspondence after this change of arrangement?—My impression is there was very little of it: the change of arrangement dried it up.

967. Do you know whether Mr. Fenton was remonstrated with or received any instructions in reference to the proceedings which it was alleged alienated the Chiefs?—Whilst I was away in the South there was an angry correspondence about some grass seed which, at Mr. Fenton's instance, had been sent to Waikato as a present to some Chiefs there, but without consulting Potatau. I will refer the Committee to the papers on this subject. I cannot refer to any other act of Mr. Fenton's which occasioned remonstrance. It was generally represented that Mr. Fenton neglected the old Chiefs and cultivated the young men only. I have been informed by His Excellency that Potatau and Tamati Ngapora had more than once expressed their determination not to have anything to do with Mr. Fenton.

968. Can you assign dates to those remonstrances of Potatau and Tamati Ngapora?—Not precise dates; I believe they began about November 1857, and continued down to Mr. Fenton's removal. I only speak at second hand of these matters.

969. Will you state the opinions of Ministers and of yourself in particular as to the policy of Mr. Fenton's removal?—I presume the Committee desires to know what were our opinions at the time, and I submit that it will be fair to all parties to leave the Committee to collect them from the papers.

970. *Mr. Heale.*] Do you consider that Mr. Fenton's proceedings were calculated to alienate the old Chiefs?—I think it likely that Potatau and other influential Chiefs of the old school may have been secretly jealous of the new system, but I know of nothing in Mr. Fenton's administration which was specially calculated to provoke that jealousy.

971. Assuming that jealousy to exist, do you think it might have been quietly overcome without withdrawing Mr. Fenton or causing the cessation of his system?—I am disposed to think it might, but I cannot pretend to give a positive opinion. When Potatau had expressed direct disapprobation to His Excellency of the proceedings of Mr. Fenton, there was a great difficulty in continuing him in the district; but, possibly, had the Governor abstained from inviting such an expression of opinion from Potatau, his opposition might have been overcome.

972. I gather from that, that it would have been much more difficult to overcome it after that expression of disapprobation?—Yes, certainly.

973. Are you aware whether any steps were taken to overcome Potatau's objection before that expression to the Governor?—I am not aware. It is obvious the Ministry are entirely helpless in such a case. Their functions are consultative only.

974. Are you aware of any visit of Mr. Fenton to Potatau at Mangere, before that expression to the Governor of his disapprobation to Mr. Fenton's proceedings?—No.

975. *Chairman.*] Will you state to the Committee your present views as to these two courses of policy?—I have no hesitation in saying that I believe it is impossible to govern the Natives on the old system, and I believe in the possibility of introducing the new system without offence to the old Chiefs. It is a matter requiring great tact, and involving some danger. The danger is, in my opinion, infinitely less than that of a do-nothing policy. My present views are what they always have been on the subject.

976. Do you think that by judicious management, the older Chiefs could be brought to co-operate in the introduction of the new system?—I do.

977. Are you aware of any steps taken by the Native Office for conciliating the Natives towards the new system?—Not at the time to which I assume the question points. I think the new system has been fairly introduced by the Native Office in the two Northern districts and in the Bay of Plenty.

978. That system, as I understand it, combines the exercise of Magisterial authority with general instruction: is that the system now pursued in the places you have just mentioned, or is it confined simply to the exercise of Magisterial authority?—I cannot speak with certainty. I myself have repeatedly pointed out to the Magistrates that much more is expected from them than the mere exercise of Magisterial authority.

979. To what office is the correspondence of the Magistrates addressed?—To the Native Secretary's Office.