

parties. Land being then the property upon which disputes are most frequent, and on which the Native mind is most difficult to be satisfied, civil institutions relating to minor matters might altogether be neglected and allowed to fall into disuse while the land questions were being discussed.

1166. If then the attempt to introduce civil institutions became accidentally entangled with a land question, and involved some alleged land rights, as for instance in the case of the grass seed experiment in the Waikato, would that be likely to create serious obstacles to the success of that attempt?—I conceive that all kinds of property are linked up together; and that tribunals for the decision of questions affecting all kinds of property are necessary. A man would not sow grass seed without the protection of some law of trespass; and there can be no law of trespass without some mode of determining the ownership of land. In the absence of any tribunal to decide upon Native claims to land, the greater class of difficulties and the most fruitful cause of disturbances, must continue to exist. The only appeal among themselves would be to arms; and in the course of the struggle all the civil institutions and other matters would fall to the ground. I might add in a few words that gifts such as grass seed have sometimes been the cause of suspicion, lest the donor (not always the Government) should afterwards put in some claim to a share in the land.

1167. Then do you consider that some tribunal to decide in cases of claims to land among the Natives themselves is an essential part of any plan for introducing Civil institutions among them?—I consider that Civil institutions would be useless if they provided merely for cases of petty larceny, but not for questions of real property, and that the institution of such tribunals ought not to be impeded by the question whether the Natives would be willing to submit to the decisions of the Courts. The Commissioners in their experience in investigating claims arising out of purchases before the colonization of the country (I allude to an official letter of Major Richmond and Colonel Godfrey), showed that the Natives were willing not only to give evidence before such tribunals, but also to accept their decisions.

1168. Do you mean then that the Government ought to constitute authoritatively some tribunal to determine land questions, irrespective of the Natives, willingness to submit to the decisions of such tribunal?—I am speaking of the establishment of Civil institutions generally, which I believe would be defective without tribunals for the decision of questions relating to land: and I believe that the decisions of such a tribunal would be accepted in many cases, and would ultimately prevail in all. Let the tribunal be established as much as possible in conformity with the principle laid down in Mr. Fenton's report, and let the investigation be conducted in the most careful manner; and then trust to the moral effect of the decision to bring about the submission of the parties concerned.

THURSDAY, THE 18TH DAY OF OCTOBER, 1860.

PRESENT:

Mr. Fox.
Mr. Heale,
Mr. King,
Mr. Domett,

Mr. Forsaith,
Mr. Hunter Brown,
Mr. Dillon Bell,
Mr. Williamson,

Mr. Sewell in the Chair.

Hone Wetere called in and examined.

Hone Wetere.

18 Oct. 1860.

1169. *Chairman.*] What is your name, and the name of your tribe?—Hone Wetere, of the Ngatihikairo.

1170. Are you a Native Assessor?—I am.

1171. How long have you been one?—Four years.

1172. Were you engaged in assisting Mr. Fenton at any time?—I know Mr. Fenton, but I did not work with him; I resided at the West.

1173. Do you consider the work of Mr. Fenton to have been a benefit to the people?—Yes, I know of Mr. Fenton's work; the people approved of his work.

1174. Did the people in your district desire to have a Magistrate under the Queen?—Yes, the people of my side waited for Mr. Fenton to go to Kawhia, and when I heard that he had arrived at Teawamutu, at Mr. Morgan's house, I at once went there to see him.

1175. For what purpose?—To follow Mr. Fenton's work.

1176. Do you mean that you desired to have the same work introduced amongst your own people?—When I arrived at Teawamutu our *korero* was the same as at Rangiaowhia. I was told of Mr. Fenton's work there. Taati said to me, "Mr. Fenton's work at Rangiaowhia, Kihikihi, Waipa, and Waikato is very good." When I went to Teawamutu I talked there with Mr. Fenton on the subject of the law. Mr. Fenton said to me, "Be strong to do the work of the law."

1177. When you returned to your people, did you describe to them the nature of the work that Mr. Fenton was doing?—I did.

1178. Did they desire to adopt the English laws?—My tribe desired to have the Pakeha law.

1179. Have your people since joined the King party?—It is only of late they have engaged in that work, because Mr. Fenton had given up going to Waikato.