

POSTSCRIPT.

1. *Mr. McLean*, 18th March, 1859.—Friends, *Chiefs of Waitara*,—E hoa ma. E nga tangata o Waitara—Ki Wiremu Kingi Witi, Ki a Wiremu Ngawaka, Patukakariki, *Ki nga tangatakatōa o Waitara* * * * to all men of Waitara. Salutations. This is a word of mine to you. That you should make clear your portions of land lying within the block which has been ceded by Te Teira to the Governor.

You know that every man has a right (of doing as he pleases) with his portion [as Taylor also has a right of doing as he pleases with his portion] and no man may interfere to prevent his exercise of this right as respects his portions, for the thought respecting his own is with himself. This is a word of mine, lest you should, without ground (*kau*), interfere with Te Teira's or Te Retimana's portion.

NOTE.—These words are omitted in the translation printed E—No. 4, page 17.

2. *Governor Gore Browne, C.B., to Sir E. B. Lytton*, 29th March, 1859.—The right to sell land belonging to themselves, without interference on the part of the Chiefs (not having a claim to share in it), is fully admitted by Maori custom.

3. *Hon. Mr. Richmond*; Memorandum. E.—No. 1B.—It may be true, as it is alleged, that, where a Tribe has a recognised head, such head has, according to Maori usage, a power, distinct from any right of ownership, of prohibiting the alienation of any part of the lands occupied by members of the Tribe. The question does not, it is repeated, arise in the present case, or it would deserve consideration how far the exercise of such a right is consistent with the stipulations of the Treaty of Waitangi.

4. *Memorial of the Provincial Government and Settlers of Hawke's Bay*, April 25th, 1860.—The exercise of such an authority, with the consequences flowing from it, is incompatible with Her Majesty's sovereignty in this Colony.

5. *Governor Gore Browne to Speaker of Provincial Council of Hawke's Bay*, 6th April, 1860.—It may be satisfactory to the Council to know that the policy in question has been approved by Her Majesty's Government, &c., by Despatch of Duke of Newcastle in answer to Governor Browne's Despatch of 29th March, 1859, quoted above.

No. 6.

THE BISHOP OF NEW ZEALAND TO MR. STAFFORD.

Auckland, 23rd April, 1861.

SIR,—

The present suspension of hostilities, encourages me to resume the subject of our correspondence of September, 1860.

We received with great satisfaction the assurance given in your letter of the 5th of September, "that the Government does recognize to the fullest extent, all lawful rights of the Chief and Tribe, which have been recognized by former Governments, or have ever been understood to exist."

In my answer of the 7th September, I wrote thus :—"I understand the Government to maintain that the rights in question do not exist in the Ngatiawa Tribe in the case of the Waitara."

"On this point we are still at issue, I deny that the Seignorial and Tribal rights of the Ngatiawa to land at the Waitara have ever ceased to exist, or have ever been lawfully annulled."

"If His Excellency and the Responsible Ministers desire to unite all persons in support of the Government, I hope that they will allow this point to be made the subject of a judicial enquiry." (7th September, 1860).

In your reply of the 11th September, you write :—"In requesting that a judicial enquiry may take place, (whatever that may mean), it is of course assumed that your Lordship does not desire that any further enquiry should be made until after the Insurgents shall have been reduced to submit to Her Majesty's Authority."

Some of the "Insurgents" have, as I understand, accepted conditions of peace, and there is now a reasonable hope, that, if wise measures are adopted, not only may all who have taken up arms against the Governor be induced to submit to the authority of the Queen, but also many who are now wavering may be confirmed in their allegiance.

Believing, therefore, as I do, that the main cause of irritation among the Native race generally, is the fear that their Territorial rights as Tribes or communities will be forcibly interfered with, I write again most respectfully to request, that the question of the Territorial right of that community of Natives which resides on the Waitara river may be made the subject of a judicial enquiry.

The following, among many others, are the main reasons which induce me to make this request :

1. Because, if I rightly understand the terms of peace offered to Hapurona and others of the Ngatiawa, it is assumed throughout that Te Teira and others had a right to sell land as individuals, and that the Governor in making war upon William King and his Tribe was "vindicating the Law, and protecting Her Majesty's Native subjects in the exercise of their just rights."