

# NATIVE AFFAIRS.

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## DESPATCHES

FROM THE SECRETARY OF STATE AND THE GOVERNOR OF  
NEW ZEALAND.

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SECTION I.—DESPATCHES FROM GOVERNOR SIR GEORGE GREY, K.C.B.

SECTION II.—DESPATCHES FROM HIS GRACE THE DUKE OF NEWCASTLE, K.G.

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PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY HIS  
EXCELLENCY'S COMMAND.

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AUCKLAND.

1863.



# DESPATCHES

FROM

GOVERNOR SIR GEORGE GREY, K.C.B.,

TO

THE SECRETARY OF STATE.

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No. 1.

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

No. 101.

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Wellington, New Zealand, October 10th, 1862.

MY LORD DUKE,—

In your Grace's Despatch, No. 53, of the 26th May, instructions on one point have been, I think, given in error, and yet from which serious consequences may arise ; I should therefore wish that, if possible, they may be re-considered.

2. Your Grace states, " You propose that Military men should be employed as Commissioners in the Native districts, continuing while so employed to receive Imperial pay and allowances," and your Grace then adds :—

" I doubt whether under present Military Regulations, an officer can be detached from his regiment to serve as Commissioner in a Native district ; but in case this should prove practicable, Her Majesty's Government can only assent to such an arrangement, on the understanding that the whole pay of the officer shall be defrayed by the Colony."

3. I can assure your Grace that in making the proposal I did, I had not the most remote intention of attempting to entail any charge upon the Home Government to save the colony expense. But a serious crisis has arisen here, which now appears again daily increasing, my great hope of meeting this, is to be able to detach, rapidly, into the several districts, able, energetic young men, who can rally our friends round them, and hold our enemies in check. I can only get such men from the regiments here. Ever since I have been in the service of the Empire such an arrangement has been allowed, and there is no regulation to prevent it. The officers so employed learn the Native language, gain a knowledge of Native customs and of the country, and attach many friends to them. They thus in the event of war breaking out, become most valuable officers. The Colony pays them, as well as the Imperial Government, and they require this additional pay to meet heavy expenses, and to compensate them for continual hardships and dangers ; but if their Imperial pay is taken from them, I fear they will not like to enter upon a service which they will regard simply as a Colonial service, and which will be in their view devoid of its chief honor and emolument.

4. I assure your Grace that a most serious crisis is impending here, and that I require all the aid and support, physical and moral, that can be given me.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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No. 2.

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

Government House, Auckland,  
24th November, 1862.

No. 115

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MY LORD DUKE,—

Your Grace will, I trust, pardon me for calling your attention to your despatch No. 53, of the 26th May last, which, with other papers, was presented to both Houses of Parliament, by command of Her Majesty, in the month of August last.

2. In it your Grace replies to my despatch No. 38, of the 6th December, 1861, and from some mistake attributes to me propositions which were not only never made by me, but which are in some respects contrary to those I did make. I should consider this a matter with which I need not trouble your Grace, were it not for the terms in which your despatch is written, and from the fact that the propositions alleged to have emanated from myself, have been largely commented on in England.

3. I will allude first to two of the principal propositions attributed to me. Your Grace states in one paragraph of your despatch as follows :—"You propose the maintenance for some years of a large military force, (1), partly as a standing exhibition of strength and determination, (2), partly in order to afford to the out-settlers that protection and sense of security which is essential to enable them profitably to occupy their farms."

4. Generally, upon this I would remark, that I am not responsible for a single soldier being in New Zealand. I found a rebellion raging here, which I was sent to quell, and a large force in the country, and it was your Grace's instructions to me, which were embodied in the first portion of the paragraph of your despatch to which I have alluded, and not a proposition of mine. These instructions were given to me as follows, on the 5th June, 1861, "I wish to impress upon you my conviction that in deciding upon those conditions (of peace), it will be your duty, while avoiding all unnecessary severity towards men who can scarcely be looked upon as subjects in rebellion, to take care that neither your own mission nor the cessation of hostilities when it arrives, shall carry with it, in the eyes of the Natives, any appearance of weakness or alarm. It would be better, even to prolong the war with all its evils, than to end it without producing in the Native mind such a conviction of our strength, as may render peace not temporary and precarious, but well grounded and lasting."

5. I soon reported to Your Grace (despatch No. 35, of the 30th November, 1861), that the disaffected Natives laughed the idea of a peace to scorn. I also showed (despatch No. 8, of the 26th October, 1861), the ruinous consequences that must follow from the prolongation of a war, for which we were then quite unprepared, and still, notwithstanding all our exertions, are yet very insufficiently prepared, and I determined on taking the far less expensive and disastrous course which I adopted. I feel sure your Grace will admit, under these circumstances, I do not deserve to be virtually publicly reprimanded for making the comparatively unexpensive recommendation I did, for giving effect to your Grace's instructions. Dropping the consideration of the questions whether a war was necessary in the first instance or not, and whether such a large force ought ever to have been in the country, both which questions would probably be disputed, I feel sure that it will be almost unanimously admitted, that in the state in which I found New Zealand, either the prolongation of the war or the course I adopted were necessary to save the lives of probably thousands of Her Majesty's subjects.

6. Your Grace secondly says that I proposed the "maintenance for some years of a large military force, partly in order to afford to the out-settlers that protection and sense of security which is essential to enable them profitably to occupy their farms." A reperusal of my despatch will show your Grace that my proposal, with a view of speedily bringing about a reduction of the British force in this country, and of relieving the Imperial Government from expenditure, was, that the local Government should organize an armed Military Police Force, to afford to the out-settlers that protection and sense of security which is essential to enable them profitably to occupy their farms. To this, my Ministers, with the greatest generosity, replied as follows :—"They can and will, recommend to the General Assembly, to make the requisite provision for the intended objects ; they can and will stake their own position as Ministers, on the Assembly adopting their recommendations, but they have no constitutional power to bind the Assembly beforehand." The General Assembly has since passed the necessary measures to enable me to organize such a force as I proposed. In these respects I am satisfied that we have done our duty to your Grace and to Great Britain, to the best of our ability, and that your Grace's despatch was written under a mistake.

7. I think that other recommendations of mine have been also misunderstood ; for instance, I am stated to have led the local Government to expect that £25,000 per annum would be virtually supplied by the Imperial Government, to establish a machinery for the government and improvement of the Natives. My own rendering of my recommendation would have been a different one, although I may perhaps take too friendly a view of my intentions, but I should have said that, whereas the Colony, from its own revenue, paid over to the Imperial Government a sum of £35,000 per annum, to be applied for the pacification of the country and the consequent reduction of the military expenditure, I conceived that these ends might be better, and much more speedily, attained, by spending the amount of £25,000 of the above sum of Colonial money, in a manner different to that in which it was appropriated when I arrived here, and I believe that the justice of my opinion in this respect is now generally acquiesced in.

8. Again, I am stated to have suggested, that roads should be made by the troops (still supported it is presumed at the expense of the Imperial Treasury) in conjunction with Natives, and, that I proposed, that military men should be employed as Commissioners in the Native Districts, continuing while so employed, to receive Imperial pay and allowances.

9. Your Grace will, I am sure, upon reconsideration, see that these statements must, as they actually have done, have created very erroneous opinions regarding my propositions in the minds of all those not thoroughly acquainted with the state of affairs in New Zealand.

10. Regarding the construction of roads, I beg your Grace to remember, that when I assumed the Government, large districts of the country were in a state of *quasi* rebellion, that there was a large military force in it which had been sent here by your Grace, which in a war of many months had achieved but little ; that your instructions rendered it then, and still render it, highly probable that it may be necessary to prolong the war ; that the troops could not safely enter on operations,

which the Natives had been warned would be undertaken against them, without proper roads for the purpose were constructed ; that it was essential to bring large bodies of Natives to act with us, so that it might be decidedly seen that, in the prevailing disturbances, the good and loyal of all races were united in common efforts to put down the turbulent, so that it was not a war of races.

11. A consideration of these points will, I think, show that the construction by the troops and Natives, of the roads necessary to enable a military force to move and be supplied with safety, was a wise and necessary measure, and that in getting the Colony to pay the working pay of the officers and men employed on such roads, and all extra expenses beyond ordinary pay and allowances incurred in their construction, I accomplished all that could have been reasonably expected of me.

12. In the same manner, on the subject of employing, as Commissioners in Native Districts, officers who still received Imperial pay and allowances, I have been quite misunderstood by your Grace.

13. I have already explained in another despatch, No. 101, of the 10th October, that my main object in this was to train officers for any disturbances that might take place, by giving them a knowledge of the country, of the Native language, and of the Natives, on all which subjects they were generally uninformed. So little did the Colony desire in this respect to profit by Imperial money, that, although it might have gained a small annual sum on each salary, which I pointed out to my responsible advisers, I could only prevail on them, amongst all the Commissioners they appointed, to employ one military man, and since I have had a new ministry, I have induced them to employ another military officer.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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### No. 3.

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

Government House, Auckland,  
27th November, 1862.

No. 117.

MY LORD DUKE,—

I have the honor to acknowledge the receipt of your Grace's Despatch, No. 78, of the 26th of August last, conveying to me a further severe reprimand in consequence of some letters addressed by Lieutenant-General Cameron to the War Department.

2. I have the honor to request that your Grace may see fit to permit me to be furnished with copies of those letters, and that you will support an officer serving directly under your Grace, by insisting upon my being for the future supplied with copies of any letters sent to the Secretary of State for War, which may in any way reflect upon the proceedings of myself or of my responsible advisers.

3. In my Despatch No. 81, of the 24th of July last, I furnished such a report upon the system of local defence for this colony as your Grace has now called for. I know nothing that I can add to that report, or anything more that I can do for the good of Her Majesty's service here, than I have done. I have acted to the best of my judgment and ability ; I have preserved Her Majesty's possessions in peace and renewed prosperity, which now seems daily increasing. Great reductions have been made in the expenditure, which had been carried on here when I arrived ; and I can only regret that it should still be thought necessary by Her Majesty's Government, to censure myself and those acting under me, so severely, and so frequently. I can only hope that the train of events, which have taken place since those Despatches were written by Her Majesty's Government, may in some degree have modified their opinions regarding my Government.

4. I am sure that the true measures to be taken in this country, are, to encourage the settlement of a large European population in it, to aid in every manner in opening it up by roads, in the development of its resources, and the union of the several races inhabiting it ; making the existing disturbances not a question of race, but of the turbulent against the loyal and well disposed of all races. Any attempt to force the European population to take up arms generally against such a race as the Natives are, will drive the greater part of the European population out of the country ; will set the whole of one race against the whole of the other race, and bring on an immediate war of which the end cannot be foreseen. By the measures now in progress, things are likely to settle down certainly and surely. I trust, therefore, that Her Majesty's Government, will still upon consideration, see reason to think that I could not have acted better than I have done, under all circumstances, for the good of the Queen's service.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Printed with "Military  
Defence Papers."

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

Auckland, New Zealand,  
December 6th, 1862.

MY LORD DUKE,—

I regret to state that since I transmitted to your Grace, on the 4th instant, a favourable report from Colonel Russell, on the state of the Ahuriri or Hawke's Bay district, a letter, a copy of which is herewith enclosed, has been received from that officer, given an account of a rather serious disturbance which has taken place in his neighbourhood.

2. I take this opportunity of transmitting to your Grace, copies of two letters which I have just received from the Lower Waikato, showing that that country is still in an unsettled state. I still hope that these difficulties may all be got over; but as I have not the means of moving rapidly from place to place, my chances of satisfactorily arranging the affairs of this country are very much diminished.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 4.

Civil Commissioners' Office, Napier,  
27th November, 1862.

SIR,—

I have the honor to report for the information of His Excellency the Governor that:—

It was reported to me this day, by H. McGreevy, Policeman at Waipukurau (Clive), that a Native named Mita, living in that locality, had stolen a pair of trousers from the store of a Mr. Boddington, and, having been taken by him in the act, was given in charge by him to the Policeman, who lodged him in the Lock-up at Clive, intending to bring him this morning before the Resident Magistrate here (Captain Curling). This occurred about three o'clock in the afternoon, and about nine o'clock, p.m., several Natives proceeded to the house of Mr. Edward Hamlyn, my interpreter, who lives at Clive, to demand the release of Mita, and insisted upon his (Mr. Hamlyn's) accompanying them to the house of J. B. Ferguson, J.P., for that purpose.

Mr. Ferguson remonstrated with them to no purpose.

They proceeded, to the number of six or eight persons, to the Lock-up, removed the Policeman by force, broken open the lock, notwithstanding the remonstrances of the Magistrate and the resistance of the Policeman, and released the prisoner.

On this report being made to me, I addressed the letter to Karaitiana, herewith enclosed. He had last night written to Mr. Hamlyn, demanding the release of the prisoner.

Mr. Hamlyn was on his way to deliver my letter to Karaitiana, when he met him, accompanied by Renata, Wirihana, and another, on his way in to Napier. They have since been with me, and show the strongest disinclination to submit to the law. I have insisted upon the man in question being brought before the Resident Magistrate, and the Lock-up being placed in its former state. I may obtain this, though they have not yet assented to it, but further concession I have no hope of.

Nevertheless, I do not think they want to do more than insist on sole jurisdiction over their own people, as they offer to judge this case and all others, committed by Maoris against Europeans, themselves. They strongly repudiate any wish for war, though it is evident a perseverance in their present course must lead to it.

I have, &c.,

A. H. RUSSELL,  
Civil Commissioner.

P.S.—I have requested the Superintendent and Donald McLean, Esq., to decline the transaction of any business with these people until they have delivered up the man, and have little doubt that this combined action upon the part of Government officers will produce the desired effect. Karaitiana has lately returned from the Waikato; I have had no conversation yet with him on the subject, but I hear he states that his assertions were in favor of the Government, and had great effect.

A.H.R.

Mr. E. Hamlyn's recollection of Karaitiana's letter. The original shall be forwarded if it can be got from Clive in time.

A.H.R.

FRIEND EDWARDS,—

There is one of our number taken by the Pakehas into the "whare-herehere" (jail), this is a "mahi pohehe" (foolish work); there is no policeman who has the power to take a Maori in charge. You know that our law is that we shall try our own criminals. Let that go at once.

From KARAITIANA.

This is a "mahi pohehe" (foolish work).

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Civil Commissioner's Office, Napier,  
27th November, 1862.

FRIEND KARAITIANA,—

It has been reported to me to-day that a Native, named Mita, stole a pair of trousers yesterday from Mr. Boddington, at Clive. That he was given in charge to the policeman, in order that he might be brought before the Resident Magistrate (Captain Curling).

That several of your friends, named Paraone, Henare, Manina, Kingita, &c., demanded his release, which not being complied with, they broke open the lock-up by violence, and took him away.

This is a great offence.

I write to you as the chief of these men, to request you to restore Mita to the custody of the law, and to cause those foolish men to make amends for the evil they have committed.

From your friend,

A. H. RUSSELL,  
Civil Commissioner.

### Enclosure 2 to No. 4.

Te Keretu, December 2nd, 1862.

TO GOVERNOR GREY,—

Father, salutations to you in the things that are good. Friend, this is my word to you. Wi Te Rauroha has been here, to Waikato, to tell what passed between you two. That you had said that your two steamers were going into Waikato; and after he had done, the (men of) Waikato then considered as to what they should do, with reference to your words. These are their principal words. It will not be well for the steamers to come into Waikato: for there is evil in it. It will not be well for the road to cross Maungatawhiri: if it crosses there is evil in it (there will be evil).

Friend, do you hearken. If you are determined upon what you say, that is, about the steamer and the road, Waikato will rush into war. By what I can hear at the Runangas of Waikato, they are very obstinate. I spoke to them, but they did not listen. These were my words—"It is proper that we should consider the Governor's policy, for he knows how to consider (for our benefit). The Runanga then said—Do not listen to him, because that man is a Queenite. I did not say anything more, my mind is quite confused.

What is now to be done? Friend, the thought now remains with you. If you are determined upon it, write to your men, to me only.

From your loving friend,

WIRITANA,  
Assessor.

### Enclosure 3 to No. 4.

Te Kohekohe, December 4th, 1862.

FRIEND MR. BELL,—

Salutations to you. Hearken to the word of the Maoris in regard to the steamers (intended) for Waikato. They are waiting. They say that if the steamer enters the Waikato, they will come at once and attack her. Their going to Kapiti is stopped; they are staying to wait for the steamer. In my opinion they will go to (attack) the Pakehas at the Ia, at Pokeno, and all along the road. Another thing they say is—that if the steamer comes they will come and spoil me and my work. My idea is this. Stop goods (or, supplies) from reaching them first; by-and-bye the steamer, when they hoist the flag in my district then let her come, that I may have a word to say to them. They say also that when my houses are built, they will bring the flags, I will then have a pretext and have men for our work, lest they should perhaps trouble other men. The matter, however, rests with the Governor and you, if you approve of my word, well and good; or if you adhere to your own, well and good. If you wish me to come, write to me, for Te Wharepu wishes to come to Auckland.

I quite approve of interdicting goods. Make known my thoughts to my father, Governor Grey.

Enough from your friend,

WI TE WHEORO.

### No. 5.

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

Government House,

Auckland, 18th December, 1862.

No. 130.

MY LORD DUKE,—

Very serious questions may arise in this Colony on the subject of attempting to carry roads through lands over which the Native Title has not been extinguished, as I fear, however necessary such roads might be for the safety and welfare of Her Majesty's subjects, that the Natives may in some instances resist their construction by force of arms.

2. The opinion of the Colonial Attorney-General was therefore taken on the question of the right of the Government to construct such roads where they were absolutely required.

3. Under the present constitution of this Colony, and the existing mode of managing Native affairs, the Home Government is much interested in this question. I have therefore thought it my duty to enclose for your Grace's information, a copy of the opinion of the Colonial Attorney-General,

in order that such instructions in relation thereto, may be issued for my guidance, as your Grace may judge to be necessary and expedient.

I have &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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### Enclosure to No. 5.

The opinion of the Attorney-General is requested on the following point:—

What legal right the Government has to make roads through lands over which the Native Title has not been extinguished? Can they take possession of the land actually required for the road, with complete legal right so to do?

This question is put in general terms; but the position of the Government on this point with reference to the block of Native Land at Taranaki, lying between the Omata and Tataraimaka Blocks is the particular object to be ascertained at the present moment.

Also, what legal right the Government has to take similar land for permanent military positions, or other purposes of defence?

ALFRED DOMETT.

22nd November, 1862.

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### OPINION OF THE ATTORNEY-GENERAL.

These questions cannot be answered by reference to ordinary rules of Law. Land over which the Native Title is not extinguished, cannot be dealt with as Waste Lands of the Crown or Private Lands, with a view to the formation of Roads or the maintenance of Military positions. In Great Britain, as in all civilized countries, there are special laws providing for these exigencies of Government. In this Colony, provision is made for the same objects in the various General and Provincial Laws and Regulations relating to Waste Lands, and in local Acts relating to Highways, &c. But these Laws and Regulations do not affect Land over which the Native Title is not extinguished. By the Treaty of Waitangi the Crown guaranteed to the Natives their territorial possessions; the Natives on their part ceding to the Crown the Sovereignty. The power of the General Assembly, under the Constitution Act to legislate in respect of the Waste Lands does not arise, until the land has been ceded to the Crown by the Natives.

But, in my opinion, the right of passage through a country, and *ex necessitate*, the right of using and constructing all the ordinary means of passage, such as Roads, Bridges, &c., is an essential condition of Sovereignty. It belongs to and is exercised in fact by all Sovereign Powers. Property is held by private persons subject to this and other conditions of a like kind. It is a power constantly exercised by our own Legislatures which, for this purpose, are the Sovereign Power.

But as regards Native Lands, (until they become subject to the power of the General Assembly by cession to the Crown,) the Crown is in my opinion the sole Sovereign Power. And whether we consider, (as is sometimes done) the lands of the Natives as properly *lands of the Crown*, subject to the occupational right of the Natives, or as Lands over which the Natives hold *private Property rights*, by a kind of allodial tenure; in either point of view, the Crown as *Sovereign*, by virtue of what is termed its *Eminent Domain*, has in my opinion the right of making roads through such lands, in order to enable it to exercise its functions of Sovereignty.

It is scarcely necessary to consider the question of possible damage to private property. The Government, of course, only proposes to carry roads through uncultivated Land. If a possible case of damage should arise, it will be one for compensation.

The same principle, in my opinion, governs the question as to land required for purposes of Military protection or defence.

I do not find any express authority on these questions, which are out of ordinary course, but see

Vattel Book 1. cap: 20 Sec: 112 et seq:

Book 2. cap: 9 Sec: 180.

Book 3. cap: 10 Sec: 183, 184.

HENRY SEWELL.

November 22nd, 1862.

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### No. 6.

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

No. 5.

Government House,  
Auckland, 6th February, 1863.

MY LORD DUKE,—

Upon the 31st of December last, Despatch, No. 132, I reported to your Grace that I had received information that a plot had been formed by some of the Natives of the Waikato District for the destruction of the European out-settlers. Subsequently the Government received two letters, one from the North of this Island, the other from Port Nicholson, its extreme South point, both dated the 13th December, stating that information had been received at each of those places, of this plot, which was a very general one and had extensive ramifications. The act that was to cause the breaking out of this plot was the entrance of a steamer into the Waikato river.



2. I thought it my duty to proceed up the Waikato River, and ascertain the state of matters for myself. I therefore started for the Waikato on the 1st of January. The events of my journey are described in sufficient detail in the report I have the honor to enclose, which is taken from one of the local newspapers. There is, however, one omission of importance in this account. The Natives generally had at one time agreed at a meeting I held on the Waikato with them, that the so-called Maori King should be the head of a Native council, and that like the heads of the other Native councils he should send me the laws his council made, for my assent. But they subsequently withdrew from this arrangement, on the general plea that a grievous wrong had been done to them in the attempt that was made to take the land at the Waitara, that they had in vain sought for some redress for this wrong, and that they would therefore not again come under the authority of the Queen.

3. The general impression left on my mind is, that the King party are daily becoming weaker, and more reasonable, but that any untoward event may again rouse them into activity, and array a large party of the Native population against us.

4. I can only hope that the prudence of the Government, and the ability and energy evinced by the military and civil authorities, may prevent such a crisis from taking place. I can assure your Grace that all Her Majesty's servants in this country are earnestly exerting themselves to bring about a peaceful solution of the difficulties prevailing here, and I still hope their efforts will be successful.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

### Enclosure to No. 6.

#### EXTRACT FROM "NEW ZEALANDER."

On New-year's day, at 7.30 a.m., His Excellency left Auckland on a tour through the Waikato district, arriving at Drury at 11.30, where he waited to refresh and bait the horses 1½ hours. During his stay here, two Native Chiefs, Wiremu Te Wheoro and Noah Tawharu—both Native Assessors—who were on their way to Auckland—joined the Governor's party, and returned to Maungatawhiri; arriving there at 5.30 p.m. all encamped for the night, the Native Chiefs sending messengers to prepare a canoe and paddles to take His Excellency up the Waikato River on the following day. Accordingly by daylight next morning a large canoe, with a crew of 20 natives, most of whom were chiefs, had arrived, and amongst them more than one supporter of the King movement. After paddling the whole day, His Excellency landed at Paetai at 11.30 p.m. Several of the principal men of the place roused by the singing of the men paddling in the canoe, had assembled on the bank of the river, and gave the Governor a most genuine welcome. By the time the tents were pitched, all the people of the settlement had turned out and welcomed Sir George Grey with the most unfeigned affection—expressing their surprise at seeing "their father" so unexpectedly, and alone. By midnight the Governor retired to his tent, and at seven next morning nearly 200 of the Natives had assembled to speak to the Governor, amongst them were the old Chiefs Kanawa and Wharepu. Now these two men have been thorough Kingites, main pillars of the Maori King movement. At this interview the whole assembly stood up, taking off their hats, and when the Governor told them in answer to their question, that all his intentions were for their good, they welcomed His Excellency as "their Father; the countenance of their father Potatau; their friend the Governor";—saying that had he not left the country all this King movement had never been dreamt of. They welcomed him now, they said, as "their old friend," and wished as he had come to visit them he should go on and see the Chiefs at all the other settlements. While the meeting was going on they prepared horses to take and escort the Governor overland to Taupiri.

On leaving Paetai the whole of the Natives gave His Excellency three hearty cheers. Arriving at Taupiri early in the day, the Governor pushed on, unattended, to Ngaruawahia, the central stronghold of the King movement, where Old Potatau is buried,—where the King flag was first hoisted. Having walked round the settlement, visited the grave of Potatau, and looked at the flagstaff, Sir George was at last recognised by the chiefs and people, who were so overjoyed at seeing him that they collected round him in a body, weeping for very joy, addressing him the while as their friend, father, protector of the people. After a considerable time thus spent His Excellency thanked them for the cordial and affectionate reception they had given him, and returned to Taupiri. The Chiefs of Ngaruawahia immediately posted off messengers (of their own accord) to all the principal Chiefs in the district, informing them of the Governor's presence in Waikato. Most of those living at a great distance inland, did not arrive until Wednesday evening, but in the meantime his Excellency was visited by many of the Ngaruawahia Chiefs, among whom was Matutaera's sister and his eldest son, Hori Grey, who was born shortly after the Governor left New Zealand, and named after Sir G. by Potatau, his grandfather. At one of her interviews the sister of the Maori King expressed herself thus: "Had I been the Governor, and thus taken the Kingites by surprise, I should have completed my victory by pulling the halyards from the flagstaff to the ground and oversetting the sentry box; that in my opinion would be a final overthrow of the King movement."

His Excellency having learnt that the chiefs had arrived at Ngaruawahia on Wednesday evening, sent word that they should come on to Taupiri if they wanted to see him. Accordingly on Thursday morning all the chiefs who had heard of His Excellency's visit, headed by Thompson, came on to Taupiri, where, squatting themselves down on the ground in a body, they waited the Governor's appearance. As his Excellency approached, the whole assembly stood up, took off their hats, and exclaimed, "Welcome our old friend! Welcome the Governor! Welcome our father, the friend of Potatau! Welcome parent of the people!" When within 50 yards of the body of the people, Thompson ran out to meet and shake hands with the Governor, bidding him welcome to Waikato to see all the people, his children.

Having escorted his Excellency to the chair prepared for him, the whole sat down, and the meeting opened. During the meeting the natives expressed strong objections to the steamer being sent on their

river. His Excellency assured them that nothing but good would result from a steamer being placed on the river, and told them that if they would at once take this step for themselves he would not send one, but that he would not on any account permit the people to be deprived of the advantages to be derived from such a movement, and he showed them how extensively useful it would be to all the people.

With respect to the King movement, the natives said that hitherto they had employed all their energies to establish the institution, and had no time to devote to the making of laws; that, now the thing had obtained a position among the people, they would elect from amongst their chiefs those who were most learned, to frame rules and laws for the good government of the people; these laws will be handed by Matutaera to the Governor for his sanction, and, if assented to by the Governor, they should become law.

The Governor replied, that so far as he understood their King movement, as they were now conducting it, nothing but evil would result. That if they would send a deputation of their principal chiefs to Auckland to give a full and minute explanation of it to him and his ministers, he would then be in a position to give them a definite answer. As it was now growing late, and the Governor was suffering from a severe attack of indisposition, the result of over-exertion and exposure to night air in his journey up the river,—the meeting closed, with three hearty cheers from Thompson and the people for the Governor. They then proceeded to Ngaruawahia, where a meeting was held, at which they resolved that his Excellency should be invited to go through the whole district; that each chief should conduct and entertain the Governor while at his settlement.

During the night his Excellency became much worse; he was advised to go back to Auckland until his health would again permit him to undertake a journey. When half way down the river, the canoe was overtaken by a man on horseback galloping along the bank carrying letters from Thompson and all the people, urging him if his health would permit him, to come and visit the people throughout the whole district; but as his Excellency's illness had increased so much as to make his return to town necessary, he proceeded on his way to Auckland, and arrived here on the evening of Saturday last.

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No. 7.

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

No. 6.

Government House, Auckland,  
6th February, 1863.

MY LORD DUKE,—

I have the honor to transmit for your Grace's information the Copy of a Report from Mr. Parris, stating that in his belief the Natives of Taranaki will now offer no opposition to our again re-occupying the Tataraimaka block of land, which upon my arrival in the Colony, I found they claimed to have taken from us, and to hold in right of conquest.

2. At the same time I enclose another letter from Mr. Parris showing that the Native Tribes in the Ngatiruanui country, still hold their district closed; not only against Europeans, but against Natives who hold office under the Queen. I have, however, every hope that they will shortly abstain from such foolish and vexatious proceedings.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 7.

New Plymouth, February 3rd, 1863.

SIR,—

By this mail, a Memorial will be forwarded to His Excellency the Governor for transmission to the Imperial Government, giving a description of the state of this Province, &c., &c.;—the merits of which it is not my intention to remark upon, neither do I for a moment suppose it will influence His Excellency Sir George Grey, to alter his plans for the solution of the extremely difficult question which he has in hand; but having heard of His Excellency's illness, which might defer his visit to this place, I am induced to submit the following opinion respecting the re-occupation of Tataraimaka, the only place settlers are prevented working at present.

Since my official report (dated 31st December last) of the assembling of the Southern Natives, I have been carefully enquiring into the matter, and find that although the Ngatiruanuis made a move, it was not ostensibly for the purpose of opposing the occupation of Tataraimaka, but rather on account of their chief, Tamati Hone Oraukawa, being in the Taranaki District, and to support the Taranakis in case the troops advanced upon them.

I am credibly informed that Tamati Hone Oraukawa (the leading chief of the Ngatiruanuis) told the Warea Natives that if they interfered with the re-occupation of Tataraimaka, that he should turn his back upon them. (Ka huri au taku tuara ki a koutou.) Many other influential men of the Taranaki tribes have declared their entire disapproval of any interference with the occupation of the block. I have, therefore, the honor to state that I am of opinion that Tataraimaka might be taken possession of without a renewal of hostilities if carefully managed, by stationing not less than (100) one hundred troops there. When the troops had secured their position, a house (or some small ones, easily removed to the homesteads when established by the settlers,) could be erected near the Stockade for the accommodation of the male portion of the settlers of the block, (the expense of which could be deducted from their compensation,) who could work on their farms by day and be under the protection of the Stockade by night, until a more satisfactory understanding was arrived at with the disaffected Natives.

I am of opinion that the above arrangement could be carried out without reinforcements from

Auckland, which might lead the Natives to suppose that something more than the occupation of Tataraimaka was intended. In the event of His Excellency deciding upon taking possession of the block before he himself or any member of his Government visits the settlement, I should deem it my duty (with the approval of the Government) to go myself with the troops and remain with them on the block for a time.

I should also require authority to engage some assistance for a short time; Mr. W. Carrington having been removed from my control and transferred to his brother, the Engineering Surveyor.

Trusting, sir, you will pardon me for venturing to give an opinion on a question of such importance.

I have, &c.,

ROBERT PARRIS.

P.S.—Should I see occasion to alter my opinion I will communicate the same by first mail.

R. P.

The Hon. the Native Minister, Auckland.

### Enclosure 2 to No. 7.

New Plymouth,  
February 2nd, 1863.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 13th ultimo respecting the sum of money advanced by me to Pehimana Manakore, and to report for the information of the Government that Henare Te Reo arrived last week from Wanganui overland, and reports that Pehimana Manakore was in the Ngatiruanui district, a prisoner, when he came through. That the Kingites had refused to allow him to pass for less than Fifty pounds, being a Magistrate of the Queen's Government.

Henare Te Reo went from this to Wanganui about three months ago, and was himself made a prisoner for refusing to pay the sum of Two pounds, a charge imposed upon him being a Queen's native. On payment of the amount he was liberated and allowed to proceed to Wanganui.

I have, &c., &c.

ROBERT PARRIS,  
Assistant Native Secretary.

The Native Secretary, Auckland.

### No. 8.

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

Government House,  
Auckland, 6th February, 1863.

MY LORD DUKE,—

I have the honor to transmit for your Grace's information copies of three letters I have had forwarded to me from Native chiefs to whom these letters had been transmitted, with the view of inducing them to join in plots against the Government.

These letters curiously illustrate two points :—1st. That we have enemies in the country actively engaged in forming plots. 2nd. That we have many friends who will not only refrain from joining in such plots, but will reveal them to us; and that these persons are in many instances those whom the hostile natives had counted upon finding sure friends and allies.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

### Enclosure 1 to No. 8.

Warea, Taranaki,  
November 3rd, 1862.

O FRIENDS,—Salutations to you residing yonder on a portion of our island left by our ancestors to us. Sufficient of that.

Now O friends look at that sketch (of the land) those are the places which are in dispute between the Governor and myself, for the Governor has proclaimed that the weapon shall decide as to who is in the right, as to who shall have the land, Maoris or Europeans. The Governor said, "O Maoris it will be by your weapon that you obtain possession of the land, and by the edge of my sword I shall take possession of the land." Yes, it is well that the Maori should see his *Mereparaoa* lifted up, and the Governor receive a blow from it. You will see (by the enclosed paper) the places which have been taken by my hands. They are held and will not be given up to the Governor. They will be lands held in possession by us for ever. Sufficient of that. Now you will see that those lands (or you will observe that the lands) a sketch of which you have seen, will bring about the destruction of the Europeans throughout the country. Sufficient of that.

Now O friends, do you give heed to my sentence respecting New Zealand, including all its places. If I discover that at the Ngatikahungunu's place or elsewhere, at Ngatiporou's place, or elsewhere at Whangaparaoa, or elsewhere at Whakatohea's, or elsewhere at the Ngatiawas place or Tauranga, if I shall discover that any one of these places shall be floating on to the sea (*i.e.*, if Maori land be taken possession of by the Government) I will tie the rope to my own neck and one end will be tied to Tara-

naki; that is the post to which it (the Maori people) will be tied, and I (the Taranakis and their allies,) shall hang myself then, so that my blood may be shed for New Zealand, and my beard may fall off for New Zealand—that I may waste away for New Zealand (or that I may become motionless for New Zealand) (*i.e.*, I will defend the cause of the Maori race even though the whole race should be destroyed.) Sufficient of that, you will look or examine the map enclosed, and determine what are its claims, or the principle involved therein. Sufficient the conclusion.

KUKUTAI TE HIRA.  
TIPENE NGATAIRAKANUI.  
ERUERA TE WHITI.

Commencing at Tauranga including all that coast line—to the runangas to all the runangas of that coast line, extending to all your boundaries.

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Enclosure 2 to No. 8.

Taranaki, Warea,  
December 7th, 1862.

To Tauranga, to Rawiri Kingi Puherake, to Tarakiteawa, to Paipari, to all of you throughout all your boundaries.

FRIENDS,—Salutations to you residing yonder in that side of our island. Salutations O loving friends. Now do you hearken. The Europeans are urging to get (re-occupy) *possession* of Tataraimaka. If the Europeans persist in coming beyond Okurukuru, then that will be the day upon which I shall give up New Zealand, (*i.e.*, I will fight for New Zealand to the death) I will hang myself on that day (*i.e.*, I will die in self-defence.)

Hearken now, the runangas have on two occasions sent men to prevent the roads of the Europeans being made, but they do not heed, they persist (in making the road) on to Okurukuru. Sufficient of that. Now O friends, look and hearken. Let your ears turn this way (*i.e.*, be attentive) for the day of myself and the Europeans is at hand, (*i.e.*, the struggle between the Maori and Pakeha is at hand.) Sufficient of that.

O Friend Rawiri, you all call upon the letter addressed to Hoera, that you may see its contents, and the map (sketch) of the lands in dispute between the Governor and myself. Let these letters be forwarded quickly to all places that you may all quickly learn the result. Enough of that.

O Friends do you hearken, take great care of that letter, that it may reach in safety this place and that—all parts of this our island, throughout all its places.—Enough, the conclusion.

KUKUTAI TE HIRA.  
NGATAIRAKANUI TIPINE.

Commencing at Tauranga to

TE MUTU,  
PUPAEA.

To Maketu to

TE PUEHU,  
PARAONE PAHAU.

To Teawaoteatua to

TEKEHU, at Whakatane.  
TE PONO, at Ohiwa.  
HENUI, at Opotiki.  
to PAORA TAKAHI.  
to PAORA TE UA.  
to TE HAE.  
to TE PAURINI TUANUI.  
to HOERA.  
to POIHUPI.

To the Ngatai

to PENE, that is to say to all those places throughout their boundaries.

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Enclosure 3 to No. 8.

Pakau, January 13, 1863.

To Moihi,  
Paora,  
Hori,  
Potaea Te Katipa,  
Tipene Te Tahua,  
Erueti,  
Ihaia,  
Ahipene,  
Rapata,  
Te Warihi,  
Hori Apihai,  
Matena Te Raketona.

That is to all of you. May you live for ever! May God protect you!

MY FRIENDS,—Hearken to our words. We will never allow the Steamer to enter Waikato. Never, Never. This is a fixed resolve of the whole people to its utmost bounds. Friends, come here to shore. This is the shore, this is the shore. The legacy of our ancestors. New Zealand.

This is a Ngeri.

What is that mountain that stands out there?  
 It is Waikato.  
 Come nearer, gather together  
 Close up to my front with an embrace.  
 Aha firmly, firmly clasp.  
 Your brother is creeping into the embraces of his wife.  
 Aha! Aha! Hold fast! O Ruaimoko.  
 Fast, firmly, firmly, firmly fast! Aha!  
 Waikato in the South, who art listening;  
 I will follow the setting sun, let me.  
 There will be union in my cause. Hoe!  
 The land will drift away like chaff. O my heart!  
 Aha! Here is the task for thee and me.  
 I will prevent, I will prevent Waikato!  
 This my Karaka that has become golden in its season.  
 Close it up. Au! Au!  
 Let it open out. Au! Au!  
 That the Governor may go forth to the world's end with his evils.  
 Yea! Yea! and now close, close up!  
 And now shut up.  
 If he still persists. Ha!  
 Then open wide  
 What is there for the teeth to bite.  
 A jagged rock, it is a rock, a jagged rock,  
 Standing yonder.  
 Bite it with your teeth, Hau!  
 The anguish will be short, Hau!  
 Beware it will waste you.  
 That space beyond 'tis mine!  
 E!  
 See now my children. Here is the canoe.  
 It is done.

From KARAKA,  
 PENE (TE WHAREPU),  
 KIHĪ (RINI),  
 MURU,  
 WAIKATO,  
 RANIERA,  
 HONE KINGI.

That is from the great Runanga of Waikato, to the Runanga of Ngatitcata, at Waiuku.

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### No. 9.

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

No. 16.

Government House, Auckland,  
 14th February, 1863.

MY LORD DUKE,—

Adverting to my despatch No. 9, of the 6th inst., in which I forwarded copies of circular letters in which the most violent language had been used, which letters had been given up to the Government by the chiefs to whom they had been addressed, I have now the honor to forward the copy of another letter of the same character from the Taranaki District, which has been given up by some of the chiefs of Tauranga. The determined language of this letter will show your Grace what violent feelings of hostility some of the chiefs still entertain against the British Government.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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### Enclosure to No. 9.

The place where lie the laws of our King, who is dominant here at Taranaki.  
 Keukeuapa, Ika, a Maui.

December 8th, 1862.

Notification to our relatives residing there on that portion of ours (our island), and engaged in extending the powerful influence of our king (*mana kaha*.)

To Tapaea and all his runanga throughout all his boundaries. Friends the tribe, listen to what we have to say. Formerly, in the days of King Potatau, we were trying to comprehend the various wills of our adversaries. Let us not forget, lest our forgetfulness bring death upon us. Friends, let us sedulously endeavour to extend the *mana kaha* of this island; we must not let our king be abased; we must exalt him over us, lest the salt water should adhere to our island, and our adversaries gain possession of it through our neglect. Enough upon that.

You are aware that a long time has elapsed since we elected King Matutaera, and hence we say that his *mana kaha* will not be broken. Let our king have scope for his strength, let him not be kept down by our politicians. Friends, let our hearts now be watchful. Enough upon that.

Friends, the people. This is a word on the subject of the news that has reached us, namely, that the steamer has entered the Waikato. Friends, if this is a fact about the steamer, fire upon her at once; do not hesitate, the time for hesitation passed when the sword was first raised; let there be no considering now. Listen, if the Governor and his steamer are seen here they will be attacked at once; there are two places that we are looking to, Waireka and Tataraimaka, i.e., if Waireka and Tataraimaka are forcibly taken possession of by the Governor's orders, an attack will at once be made upon the Pakehas. If we see that the Governor takes forcible possession of Waireka and Tataraimaka, we will slay him at once. Let no disapprobation be expressed, the days for disapproval (of such things) have long since passed. If you take up arms there, we shall take up arms here. If the steamer enters Waikato, let there be no delay, lest the result should be unsatisfactory to us. They are trying us to see how foolish we are. Enough. If she comes here, let there be no such forgetfulness on the part of this island; therefore we say if the steamer enters Waikato, fire upon and demolish her utterly, let her not escape. The only things left for us are the sword and peace; but it is not well that peace should come first, rather it is better that the sword should be first, and then there would be a good basis for peace. This word has been confirmed by the resolute runanga of King Matutaera Potatau, sitting here at Taranaki.

From HEMI TEHU,  
ERUETI TE WHITI,  
HAMI NIKAU,  
POHARAMA WHAKATEKE,  
APERAHAMA KUKUTAI,  
HONE MUTU,

And from all the runanga sitting here at Taranaki.

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No. 10.

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

No. 21.

Government House, Auckland,  
February 24th, 1863.

MY LORD DUKE,—

Upon the 18th of December last (Despatch No. 130) I enclosed for your Grace's information and instructions, the copy of an opinion from the Colonial Attorney-General, to the effect that the Government had a right to make roads through, and establish posts, on lands, still the property of the Natives, and to which their title had never been extinguished.

2. Since the date of my despatch to which I am referring, Mr. Whitaker has been re-appointed to the office of Attorney General, in the place of Mr. Sewell, who gave the opinion I previously transmitted to Your Grace.

3. My Responsible Advisers, in consequence of a letter from the Assistant Law Officer, a copy of which I have the honor to enclose, again referred this question to Mr. Whitaker, the new Attorney-General, whose opinion a copy of which is also enclosed, is, that when New Zealand was ceded to the Crown of England, all the rights and powers of sovereignty which the ceding parties then exercised, or possessed, or might be supposed to exercise or possess over their territories, were ceded to Her Majesty; and that it appears that a right of Roads through those territories, and of constructing the necessary conveniences for the exercise of that right, as well as a right of constructing works necessary for military defence, are essential and necessary incidents to the Sovereignty, and were therefore ceded to Her Majesty.

4. I have thought it right to report for Your Grace's information that this second opinion has been given on this most important subject, and thus to keep you fully advised of all that transpired in relation to it.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 10.

Auckland, November 28th, 1862.

SIR,—

Having reflected upon the opinion of the Attorney-General, on the case submitted by the Honorable the Colonial Secretary, as to the right of the Government to make a road from New Plymouth to the Tataraimaka block, without the consent of the Aboriginal owners of the intervening land, I cannot avoid the conclusion that that opinion is erroneous in law, and I take the liberty of laying before you the reasoning which has caused me to arrive at this conclusion.

As the Attorney-General has left Auckland for a time, and very serious consequences would in my judgment be the result of acting upon the opinion to which I have referred, I have the honor, with great submission, to request that you will inform Mr. Domett or Mr. Bell, that at least reasonable doubts may be entertained as to the correctness of that opinion, so that the former may be advised, if Ministers

should so think fit, not to take steps in the matter until the Attorney-General shall return to Auckland, when the question can be reconsidered by him and the Government.

I have, &c.,  
FRANCIS D. FENTON,  
Assistant Law Officer.

The Under-Secretary.

#### RIGHT OF GOVERNMENT TO TAKE LANDS IN NEW ZEALAND COMPULSORILY FROM ABORIGINAL NATIVES.

I am at a loss to conceive any reason why this should be deemed a question for the investigation and determination of which the ordinary laws or powers of making laws are not sufficient. It would, in my judgment, be contrary to all the principles on which the constitution and jurisprudence of the empire are founded, if it were necessary now to say that there is no authority or provision by which the relations of the Government to a British subject in respect to his rights of property can be ascertained and determined.

In fact, it would seem to be an axiom, that in any organised state, power must reside somewhere to remedy every private wrong and remove every public inconvenience under the ordinary operation of law; or if a particular case arises, for which no previous provision has been made, power to provide the desideratum by making a new law.

The question, as I take it, to be now considered in the case submitted is, Where is this power now existing, and how and by whom must it be exercised?

I presume that by the word "Government" used in this case, Mr. Domett means the Governor or Executive Government of the colony. It will be well, however, to regard the question as applying to the Legislative as well as to the Administrative authorities.

The views of the Imperial Parliament and of the Crown appear to have constantly varied with respect to the nature and extent of the rights or interests possessed by the Aborigines in the wild land of New Zealand. At first the Maoris were regarded by the Crown as an independent and organised state, capable of forming a treaty; and a treaty was formed with them on the 16th February, 1840, by which they obtained "all the rights and privileges of British subjects," and a confirmation and guarantee of "the full, exclusive and undisturbed possession of the lands and estates, forests, fisheries, and other properties which they collectively or individually possessed, so long as they wished and desired to retain the same in their possession;" and they yielded to the Crown right of pre-emption "over such lands as they *might be disposed to alienate*," and ceded as well "all the rights and powers of sovereignty possessed by themselves over their respective territories as sole sovereigns thereof."

The question as to the nature of the rights of the Chiefs or the amount of territory over which they extended was not dealt with in this compact. Although there is no doubt that the conditions laid down by Vattel and other writers on International Law were not fulfilled in the Treaty of Waitangi, yet as it has been acted upon for many years as of sufficient validity, and constitutes in fact the only foundation on which the English sovereignty in the Northern Island has been built up and is now sustained, it must be accepted as a valid treaty, forming part of the law. Although I think that attempts (such as occupied the commencement of a recent pamphlet) to assign to the Maori tenure of land fixed attributes known to the English law, as now existing, are useless for all practical purposes, and indeed are mischievous as being apt to mislead persons not intimately acquainted with the subject; yet it certainly is necessary to enquire what is the interpretation that has been, and is put, by the Crown on this treaty, as affecting its own territorial rights and those of the Natives.

The Charter of 1840, erecting the colony of New Zealand, empowers the Governor to make and execute in Her Majesty's name and on her behalf, under the Public Seal of the Colony, grants of waste lands to her belonging within the same, "and provides that those 'Letters Patent' should not affect the "rights of any Aboriginal Natives of the colony to the actual occupation or enjoyment in their own "persons of any lands now actually occupied or enjoyed by such Natives."

The idea here seems to have been that the Governor might grant all lands except those *actually* occupied by Natives, and in accordance with this view he was instructed by the Crown in the same year "to cause a survey to be made of *all the land* within the colony, and to divide and apportion the *whole* of the said colony into counties." And Her Majesty declared "it to be her will and pleasure that all the waste and uncleared lands within the Colony belonging to and vested in Her Majesty, which should remain (after making certain reserves), should be sold and disposed of." At this time, then, all the waste lands were held to be in the Crown, with the exception of such land as might be reserved for the uses and in manner specified, and such lands as were actually used by Natives.

The Royal instructions of 1846, direct that such parts of the island of New Zealand as were or should be owned or lawfully occupied *by persons of European birth or origin*, should be divided into Municipal Districts, and with reference to "waste lands of the Crown," provide, that charts of the New Zealand islands should be prepared, and especially charts of all those parts "of the said islands over which either the Aboriginal Natives or the settlers of European birth and origin had established any valid titles whether of property or of occupancy," and natives, either as tribes or as individuals, claiming a proprietary or possessory title, were to send in claims and have them registered, and all lands not so claimed or registered should be considered as vested in Her Majesty, and as constituting her Demesne Lands in right of her Crown within the New Zealand islands, and finally, all doubt is removed by the provision that no Native claim should be recognised except for land occupied or used "*by means of labour expended thereon.*"

The character attached by the English authorities to the Wild Lands of the Colony up to this period seems to resemble very much that of the folcland or public land of the Saxons; and the above instructions appear to have provided for the conversion of this folcland into bocland or land of inheritance, the resemblance being continued in the process. All lands not appropriated were to be considered as Demesne Lands of the Crown, or Crown Lands (for the two phrases appear to mean the same thing.) Allen in his Inquiry into the Royal Prerogative on this subject says, "From these appropriations of the "public lands to the King as representative of the State, the word folcland fell into disuse, and gave place

"to the term of Terra Regis or Crown Land. Antiquaries inattentive to this change of language, have "bewildered themselves among copy-holds and commons in search of the folcland of their ancestors."

The view thus taken by the Imperial Government of the respective rights of the Crown and of the Aboriginal subjects in the territory of the Colony, is clear and distinct; but it was objected to by the Natives, and was never carried into practice, and in fact could not have been, in a peaceful manner.

By the 10 and 11 Vic. c. 112 the several provisions relating to the settlement of the Waste Lands of the Crown contained in the 13th chapter of the said Instructions (of 1846) except such as relate to the registration of titles to land, the means of ascertaining the Demesne Lands of the Crown, the claims of the Aboriginal inhabitants to land, and the restrictions on the conveyance of lands belonging to Natives, unless to Her Majesty, were suspended in New Munster.

The proceeds of land sales were, amongst other things, to be applied in and about the compensation to be made to the Aboriginal inhabitants of New Zealand for the purchase or satisfaction of their claims, rights, or interests in the said demesne lands.

The additional instructions of 1850 speak of Crown lands to be settled by Pensioners and by Aboriginal Inhabitants. Further additional instructions of 1850 direct an account to be kept of the proceeds of land sales and the expenses of management of the demesne of Her Majesty in right of Her Crown.

14 and 15 Vic. chap. 84, empowers Her Majesty to make or to authorize the Governor to make, regulations for the disposal of the demesne lands of the Crown in Wellington, New Plymouth, and Nelson.

It thus appears that a gradual change took place in the interpretation put by the English Authorities on the territorial rights of the Aborigines between the years 1846 and 1851, and the Constitution Act clearly contemplates the practical exclusion of land in which the Native interest is still unextinguished, from the category of "Waste Lands." Thus, from being considered as the demesne lands of Her Majesty in right of her Crown, subject or not to a certain payment to be made, the unoccupied territory of the Colony in the hands of the Aborigines has come to be regarded as their distinct and admitted property, but inalienable to any person other than the Crown—presenting another curious point of resemblance to the folcland of the Saxons. An interest in land of this nature must be considered of a high character, although not cognizable by an English Court of Law in such a way as to confer a valid title to the Elective franchise as averred by the Law Officers of the Crown in England. An interest in land may be, and in this case is, valuable, although unknown to the ordinary law of England, and in fact all that can be said on this subject may be summed in this: that if the Crown having entered into a treaty to acknowledge and protect this interest, whatever be its exact character, finds the existing law does not enable it to carry out its treaty and guarantee, it is absolutely necessary that the requisite power should be conferred by Legislation, so that the Crown may fulfil its obligations.

Having then a valuable interest in land required for an undertaking greatly beneficial to the public at large, can the Natives be deprived of their interest in such land without their consent, *i.e.*, can the land be compulsorily taken, and if so by what authority?

The consideration for the cession of Sovereignty by the Maoris was expressed in two items, although the first is, in law, included in the second. 1. The guarantee of the territorial rights. 2. Their admission in the Empire as British subjects with all their "rights and privileges." These rights are succinctly stated by Blackstone as "the right of personal security, the right of personal liberty and the right of private property;" because, as there is no other known method of compulsion or of abridging man's natural free will but by an infringement or diminution of one or other of these important rights, the preservation of these inviolable, may justly be said to include the preservation of our civil immunities in their largest and most extensive sense. The right of private property being one of the rights which the Maoris now hold under the sanction and guarantee of the law of England, can clearly neither generally nor in a specific case be diminished or interfered with by any other authority than that which has the power of dispensing with or altering the law, that is, the Sovereign power of the Empire. But this Sovereign authority is competent to destroy a private interest when public necessity requires such a step to be taken. "By the right called *dominium eminens* (which is a part of the Sovereign authority and one of the *jura magistratis*) the State has a power over all property within it in cases of necessity and where such power is required for the public welfare; but where, in the exercise of this power, private property is taken or injured, compensation must be made by the State or otherwise." (Bowyer Pub: Land.) "It, (the Imperial Parliament) has Sovereign and uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, revising and expounding of laws concerning matters of all possible denominations, ecclesiastical or temporal, Civil, Military, Maritime, or Criminal; this being the place where that absolute despotic power, which must in all Governments reside somewhere, is entrusted by the constitution of these Kingdoms. All mischiefs and grievances, operations and remedies that transcend the ordinary course of the laws, are within reach of this extraordinary tribunal. . . . It can in short do everything that is not naturally impossible; and therefore some have not scrupled to call its power, by a figure rather too bold, the omnipotence of Parliament." Bl. 1. 175.

The power of legislating for a dependency acquired by conquest or cession is to a certain extent, and only until provision is made for the constitution of a Local Legislature, vested in the Crown; but from the time that a Local Legislature is established, this power of the Crown ceases, and cannot be revived. (Clarke, Chitty, &c.)

Whilst then legislation is necessary before this extraordinary power can be exercised, the Crown is shut out by the many Charters and Acts of Parliament which have been made during the time that this Colony formed part of New South Wales, and since 1840 and ultimately, and most conclusively by the Constitution Act. As a distinct power, therefore, the Crown will only appear in this enquiry, in its Executive character, and the case will now appear thus:—The Crown or its delegate being unable to exercise the power suggested by its own authority, it follows that the interposition of the Imperial Parliament or its delegate is required to create the necessary power.

It will be simpler to treat the matter in the first place, as between the Crown and the Parliament of the Empire, and afterwards to enquire whether they, or either of them, have delegated such authority to any person or body in the Colony, as may enable such person or body to exercise the required function.

The principal of English law is clear, that a subject may not be dispossessed of his land (including in that term any and every interest in land) except by operation of the law, or under the authority of an Act of Parliament specially made.

"Even for the general good of the whole community, no unnecessary violation of the rights of "property is in any instance allowed by our law. If a new road, for example, is to be made through the "ground of a private person, in a case where it would be extremely beneficial to the public, the Legisla-



"ture never permits itself to do this without consent of the owner of the land, or at least without securing to him complete indemnification. In vain may it be urged that the good of the individual ought to yield to that of the community. The true principle applicable to all such cases, is one to which we have had occasion already to refer, and which is constantly borne in view by the English law, that the private interest of the individual is never to be sacrificed to a greater extent than is necessary to secure a public object of sufficient importance. The public, therefore, is considered in all such transactions, as an individual treating with an individual, for an exchange. All that the Legislature does is to oblige the owner to alienate his possession for a reasonable price; and even this is an exertion of power which the Legislature indulges with caution, and which *nothing but the Legislature can perform*." And this principle is very clearly laid down by Bowyer, in his "Universal Public Law," page 230 :—

"With regard to interference with the rights of property by the State for the public advantage, as in the case of roads, canals, and railways, and other public works, it would seem that when this involves a permanent alienation of private property secured by the municipal law, without the consent of the owner, it ought to emanate from the authority of the legislative power; but the actual administration of this function is executive." Authorities on this head could be multiplied, but the rule of law is so well known, and is so largely brought into actual operation, that no citizen of England can be ignorant of it. I am aware that a different rule has been, to a certain extent, followed in some of the North American Colonies. For instance, the Indian title to land has never been extinguished in Canada, and the Crown retaining certain reserves for the Indians has always insisted upon the right to occupy the lands at its discretion, and to grant the lands. (See the answer of the Right Honorable E. Ellice, M.P., to question 6,001, before the Select Committee of the House of Commons on the Hudson's Bay Company, printed 1857.) But this exception does not affect the argument, for it must be observed that there never was a treaty between the Crown and the Aborigines in that dependency. The Crown did not grant the right of a citizenship, nor guarantee the quiet enjoyment of interests in land, existing at the time of its becoming paramount, but gained the country by conquest from the French.

The rule, therefore, being clear that in the case submitted, the authority compulsorily to take the land required for a public work, must emanate from the Supreme Legislature, and that no interest in such land can be extinguished against the consent of the owner thereof, without such authority, whether such owner be a person of Aboriginal origin or of European descent, and whether his interest be a perfect fee or a lesser interest unknown to the common law of the country, and that the Supreme Legislature, in what Sir Edward Coke calls its omnipotence, can delegate its authority to a subordinate Government, it only remains to enquire whether it has done so; or, in other words, has the General Assembly received power from the Supreme Parliament to make laws affecting lands not yet surrendered by the Natives to the Crown.

I need not enter into the question as to whether the Crown or its local delegate, the Governor, has any authority to take compulsory possession of lands in the Colony, for I am not aware that such a power is asserted by any one as having emanated from the Sovereign Parliament, and as we have seen, it can emanate from no other source. Neither can there be any pretence for asserting that the power of taking lands, urgently required for works of public necessity, from the Maoris, as barbarians, and occupying a country taken by right of discovery, is a prerogative of the Crown; for the exercise of such a power would in this case be in derogation of the honor of the Crown and in contravention of its own promises, contained in the treaty, and "the honor of the king is to be preferred to his profit," and "*Rex non potest fallere*." Moreover, if such a prerogative existed, it would not vest in the Governor, who is simply the highest subject in the colony, and not a viceroy in any other than a social sense, and only has such powers as are expressly given to him by lawful authority.

It only remains then to enquire, whether the necessary authority has been bestowed by the Imperial Parliament upon the legislature of the Colony. The general rule governing the legislative authority of the Colonial Parliament is well defined by Lewis (Gov. Dep.):—"The subordinate Government of an English dependency, consisting of the Crown and a body of persons in the dependency, is competent to make any law which is not inconsistent with some Act of Parliament, or some recognised rule of common (or unwritten) law binding the dependency."

"It is, however, generally true, that a legal and confirmed Act of the Assembly has the same operation and force in the Colonies than an Act of Parliament has here." (Chitty on Prerog. : 37.)

The Constitution Act (15 & 16 Vic.) after providing that the House of Representatives shall "be chosen by the votes of the inhabitants of New Zealand possessing certain qualifications, but without distinction of race," enacts (sec. 53) that it "shall be competent to the General Assembly (except and subject as hereinafter mentioned) to make laws for the peace, order, and good government of New Zealand, provided that no such laws be repugnant to the law of England." The exceptions are (sec. 54) with respect to Appropriation Bills, and (sec. 61) the levying duties on articles required for Her Majesty's Forces, or the imposing duties, &c., at variance with treaties made by Her Majesty. The term "Waste Lands of the Crown" in this Act is clearly confined to unappropriated lands vested in Her Majesty over which the Native title has been extinguished. Thus sec. 62 (since repealed or altered by the General Assembly) provides for the disposal of Waste Lands of the Crown and payment out of the proceeds "for the purchase of land from aboriginal Natives or the release or extinguishment of their rights in any land." Parliament, by this phraseology, seems undecided whether to regard the Crown and the Native as buyer and seller of a perfect estate in land, or the Crown as the chief owner negotiating for the buying out of a lesser interest, and has used alternative language adapted to either case. Sec. 72 empowers the Governor to make laws for regulating the sales, &c., of the Waste Lands of the Crown in New Zealand, and of all lands wherein the title of Natives shall be extinguished, and all such other lands as are described as demesne lands of the Crown in 10 & 11 Vic., c. 112 (Supra). Sec. 73 provides that it shall not be lawful for any person other than Her Majesty to purchase or in any wise to acquire or accept from the Aboriginal Natives land of or belonging to, or used or occupied by them in common, as tribes or communities, or to accept any release or extinguishment of the rights of such Aboriginal Natives in any such land as aforesaid. Phraseology signifying doubt as to the nature of the aboriginal interest in land is used here also, as in sec. 62; but in both places the interest is recognised to be valuable, and in this latter section the word "conveyance" is used, a word generally applied to transfers of the greatest estate in land known to the law. (This word is similarly applied in the "Native Reserves Act, 1856.") In this Act, which may be termed the Charter of the New Zealand Constitution, we find no restriction placed on the power of the General Assembly to affect Native lands by legislation, provided that the pre-emptive right of Her Majesty be not infringed. Of necessity, then, this power, under the general rule of law before stated, was included in the general delegation of legis-

lative functions. If, however, any doubt could exist that Parliament contemplated the exercise of such a power by the General Assembly, it must be removed by reference to the nature and extent of the functions given to the Provincial Legislatures, and the manner in which the gift is made. Thus sec. 18 empowers the Superintendent, with the advice and consent of the Provincial Council, "to make and ordain all such laws and ordinances (except and subject as hereinafter mentioned) as may be required for the peace, order, and good government" of the Province, provided that the same be not repugnant to the law of England. The empowering words are precisely the same as those used with reference to the General Assembly. But amongst the subjects upon which the Provincial Legislatures are forbidden to legislate, is "land of the Crown, or lands to which the title of the Aboriginal Native owners has never been extinguished." "*Expressio unius est exclusio alterius et e converso.*"

Nothing can more unquestionably demonstrate the mind of the Imperial Parliament that the power to legislate for Native lands was included in the words "to make laws for the peace, order, and good government," &c., than that it thought it necessary thus specially to except such a power by express words. "*Argumentum a simili valet in lege.*" (Co. Lith.) No such reservation having been made with respect to the General Assembly, the power has undoubtedly passed to that body, and must be exercised by them before the Executive Government of the Colony can legally take compulsory possession of any person's land, or, without consent, interrupt any person in his enjoyment or occupation of land. *Id possumus quod de jure possumus.*

The question of an easement or right of way over Native lands is different, and of greater obscurity; but I do not understand that this is raised.

FRAS. D. FENTON,  
Assistant Law Officer.

November 28th, 1862.

### Enclosure 2 to No. 10.

#### OPINION OF THE ATTORNEY-GENERAL.

In my opinion the Crown has a legal right to use land, over which the Native title has not been extinguished, for the purpose of making roads and for military defence.

In order to arrive at a correct conclusion on the point, it appears to me to be essential to determine what is the nature of the native tenure of land, and in relation thereto, what are the relative positions of the Crown and Aborigines.

From the year 1840 to the present time I am not aware of an instance in which either the Crown or Legislature, Imperial or Colonial, has recognised a title in the Aborigines cognisable in a Court of Law. But, on the contrary, it has throughout been assumed both on the part of the Crown and by the Legislatures, and in some instances distinctly declared that Native lands are in law Demesne Lands of the Crown. The Ordinance of the Legislative Council of New Zealand (Sess. I., No. 2, 1841) which declares and enacts that all unappropriated lands within the colony, subject to the rightful and necessary occupation and use thereof by the Aborigines, are, and remain Crown or Demesne Lands, especially may be referred to.

Assuming then the land over which the Native title has not been extinguished to be Crown lands, subject to the above mentioned qualification, it follows of course that the Crown has a right in law, so long as there is no interference with the *rightful and necessary occupation and use thereof by the Aborigines*, to use the land for the above purposes.

It may be objected that this would be contrary to the Treaty of Waitangi.

To this I answer that a positive enactment of the Legislature would prevail over the terms of the treaty if there were any conflict, but, without discussing the precise meaning of the second article, it appears to me that such is not the case.

Under the first article all the rights and powers of sovereignty which the ceding parties then exercised or possessed, or may be supposed to exercise or possess over their territories, were ceded to Her Majesty; and it appears to me that a right of road through those territories, and of constructing the necessary conveniences for the exercise of that right, as well as a right of constructing works necessary for Military defence, are essential and necessary incidents to the Sovereignty, and were therefore ceded to Her Majesty.

FREDERICK WHITAKER.

21st February, 1863.

### No. 11.

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

Taranaki, New Zealand,  
30th March, 1863.

No. 32.

MY LORD DUKE,—

I have the honor to transmit herewith copies of papers detailing the facts of a recent outrage which has been committed by the Natives at Kohekohe, on the lower part of the Waikato river, as well as copies of the letters which show the steps the Government have taken in regard to this matter.

I need not at present trouble your Grace with any statement in relation to this outrage, but I have thought it desirable you should see the enclosed papers which throw much light on the present state of the country, and which relate to an affair from which it is probable that some trouble may hereafter arise.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

## Enclosure 1 to No. 11.

Te Kohekohe, March 11th, 1863.

FRIEND, MR. HALSE,—

Salutations to you. I have a word to you. Do you hearken; trouble has reached me from the Maori King party. On the 9th instant, a party of 200 from Waikato, came here and told me to send my timber back to Te Ia, and to go myself, also, or they would take the timber away. I told them that I could not leave off nor take them to Te Ia. They said that trouble was in it, trouble for the whole tribe. I said, leave mine (my business) with me, and do you keep yours. They said, leave the land with the King, and so argued on both sides until night. On Tuesday morning, the 10th instant, the talking again commenced—and they ordered the carpenters to return to the Ia. I strenuously opposed that. They then came forward and threw the timber into the water that it might drift down (the river). The 'ope' were engaged in throwing the timber into the water, and the resident natives taking it on land again. Men and women were engaged in landing the timber, but the other side were all men. After they had been jostling one another for some time, they were very much lacerated by the timber, both the resident natives and the 'ope.' They were wounded, some on the neck, some on the thighs, some on the legs, and other parts of the body; the blood was running freely on the ground. In the morning they again came and demanded that the timber should be taken back to Te Ia. Both sides were determined. The 'ope' then said that they would come again in a much stronger force, for all the tribes will join them. I said to them it is well, do you keep yours and I will keep mine. I am willing to die for mine. The 'ope' then went back to their homes, and in a few days (these to come) they will again return. The result will be bad. But the word will be with you and the Governor as to what is to be done, that is, if in time. But it rests with God. The originators of that 'ope' were Ihaka (Te Tihi) and Mohi, and they passed on the word to Waikato, to Kihī (rini), to Waikato, to Murupaenga, to Te Wharepu, and Te Huirama. But haste with instructions from the Governor.

Sufficient from your friend,

WĪ TE WHEORO.

## Enclosure 2 to No. 11.

FRIEND, WĪ,—

Salutations. I received your letter last evening.

This is the word; the land on which the house is to stand is yours, and the thought is with you. If you wish to have a house built on your *piece*, it is not right that any person should prevent you. If you wished to build a house on another person's piece, you would be wrong; but with your own, you can do as you please. If the carpenters like to build the house upon your piece, it is well; let them do so, and if any foolish people interfere and drive them away, they will commit a wrong, and must abide the consequences. My word to you is this. Do nothing except in self-defence, lest the foolish people should say that you commenced the evil. Be stout-hearted.

The Governor is at Taranaki with Mr. Domett and Mr. Bell. Your letter will be sent to them. They will be pleased to hear of your courage, and that of your people, in resisting the unwarrantable interference of the hostile party. The Government will assist those who support law and order, and will punish, as the law directs, those people who trample upon it.

From your friend,

H. HALSE.

Wiremu Te Wheoro, Te Kohekohe.

## Enclosure 3 to No. 11.

FRIEND, MATUTAERA,—

Salutations. The Governor has received a letter from William Te Wheoro, complaining of a party of about two hundred men having come down to his place to attack him, and throw into the river a quantity of timber which had been sent up for the school, and other buildings that are to be put up by him at the Kohekohe. The Governor understands that these men said they were acting under your authority, and the Governor desires me to repeat to you, if this really be the case, the warnings he has often sent you of the consequences of allowing these evil things to be done in your name. What right has a party to come down and destroy the property of Te Wheoro, living peaceably on his own land? Do you believe it is possible for the good to prevail if these robberies and evil-doings are allowed? Only the other day, you and your runanga published a declaration full of peaceful words and good thoughts, and the Governor wrote to you expressing his satisfaction at the work. But the ink was hardly dry, when letters came down with news of this business at the Kohekohe. While here at Taranaki, where so many expected war, the Governor is carrying on his work in peace, no man disturbing him, and is quietly sitting upon his own land, which was sold to him in the days that the sun shone; suddenly he hears that at Waikato, where we all expected nothing but quiet, a disturbance has taken place. Wherefore, the Governor says, Beware; and calls upon you to exercise your influence as his friend, to prevent this disturbance from being repeated.

From your friend,

F. D. BELL.

Taranaki, 17th March, 1863.

Enclosure 4 to No. 11.

Taranaki, March 17, 1863.

FRIENDS,—

Greetings to you.

This is my word to you. I have heard of your lawless and unauthorised proceedings in going to Te Kohekohe, and there attempting by force to obstruct Te Wheoro in the good work which he is there carrying on upon his own land. O friends, I was very much grieved on hearing of this bad deed of yours. If you had any proper objection to the erection of the house at Te Kohekohe, you should have laid that objection in a proper manner before the Governor or before his Magistrates.

But instead of doing this you, it appears, went and attempted to stop the work of Te Wheoro by force. This was very wrong on your part. Let this evil work of yours cease, or punishment of the law will overtake you, and any others who do evil.

This is my word to you: Use not violence, but quietly investigate all matters.

This is all, &c. &c.,

F. D. BELL.

To Kihirini, Waikato, Murupaenga, and Te Wharepu.

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Enclosure 5 to No. 11.

Taranaki, 17th March, 1863.

FRIENDS, IHAKA AND MOHI,—

The Governor has received intelligence of what took place at Te Kohekohe at Wi Te Wheoro's place, and the disturbance that ensued. It is certainly known by us that it was your message and the words which you used that brought the disturbance down upon our friends at Te Kohekohe. If you sent this message that there was "mate" in the buildings which William Te Wheoro is putting up, why did not you tell me so before. You knew well, for you, and Wheoro, and I have talked together about it, that Wheoro and the Governor had agreed together about these buildings, and that he had a right to put them up on his own piece, which he had always refused to give up to the name which has been set up at Waikato. Now, therefore, I write to you to tell you, and Mohi, and Ahipene, to undo this evil work. Let it be seen that you write letters yourselves to the chiefs of Waikato to say that this disturbance must not be repeated; rather let the place lie in quiet till the Governor returns to Auckland from this peaceful work of his here which no man is interrupting—that is, the work of sitting down on his own land. If you refuse to write these letters, then I shall know what to think about your professions of friendship to our side. Your message did the harm. Let your message restore the place to quiet, and prevent further trouble. Write quickly.

From your friend,

F. D. BELL.

To Ihaka and Mohi Pukaki.

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Enclosure 6 to No. 11.

REPORT OF A DISTURBANCE AT THE KOHEKOHE.

On Sunday, the 8th March, messengers were sent off from Pokeno to Rangiriri by Mohi and Ihaka, (these men enjoy the confidence of the Government and salaries of £25 and £50 per annum respectively). The names of the messengers were Eraia Te Ao and Tamati Te Rangi, of Pokeno. In passing the Kohekohe they saw Puteruhi, the owner of the land on which the police station is to be built, and called out to him—"you and your father are to be killed;" Puteruhi asked "what for?" they replied "for the timber which has been sawn for the building at the Kohekohe; we are a post from Ihaka and Mohi." "Are they joining in this matter?" "Yes; when Ihaka and Mohi rowed past they saw the timber, and they said they thought it was just for a small building—by no means, it is death for the nation."

So the messengers rowed on in the middle of the night, and arrived at Rangiriri and found all the men assembled there in bed, and they put forth their message—"We have come from Ihaka and Mohi about the timber at the Kohekohe, they saw that death for our nation is at hand." Thereupon all Waikato agreed to go down to the Kohekohe and take back the timber to the Ia; in the same night their messengers, Heteraka Muru and Mata Herewini, were sent off to the Kohekohe to inform the men that an army was coming. When it was near daybreak they arrived and found the people of the Kohekohe asleep. They roused them up and said—"In the morning an army will arrive here, it is Mohi and Ihaka's business; this is their message—"Death for the nation is at hand." For some time past the intention of building this house has been quite forgotten by Waikato; it is by Mohi and Ihaka that we have now been reminded; this is what Waikato is coming for." And William Te Wheoro and his people replied to those messengers—"We will not consent, we will not give up wealth that has been put into this our house."

In the early dawn Heteraka Muru demanded that the timber should be taken back to the Ia, but the people said—"We cannot send back our wife with whom we have slept."

After this the army arrived—Ngatipo, Ngatitapa, Ngatihini, Ngaungau, Ngatimahuta, Ngateata, with their guns.

Puteruhi rose and said: "Welcome my fathers, my brethren, my people. Here is my new wife that I have married. I will never yield, let me die upon my property."

Kihirini: "Here I am come; my infants, my grandchild, let the timber and the workmen be taken back to the Ia, to the Governor's place. This is my place, the King's. For what you have got is death to the nation."

William Te Wheoro: "Welcome my ancestors, welcome my fathers; my wife shall not be sent back, the wife that has lain in my bosom—property that I have fetched, to the house of another man. I shall

keep my wealth, wealth for me, and wealth for thee; this wealth is not for me only, but for us both; if you do not take it, it is well, leave it for me alone."

Kihirini: "I say abandon your wife, she is an adulteress, I will not have her left here. I am afraid lest I shall die."

William: "No, for I have not yet found out her sin nor her adultery. Should I see her adultery, it is for me to say whether I will abandon or keep her. At present I will not consent that my wealth shall be sent back."

Tamati Ngapora (pensioner of £50 per annum): "Listen my infant, it is death to the nation. The nation has seen that this is death, therefore it is death."

William: "I have not yet seen that it is death, let me see and search out my wrong. At present I will not send back my wealth."

Ahipene (an assessor, salary £25 per annum): "Listen my infants and my brethren, yield to the wishes of the nation. The nation considers it death, therefore it is death. I too, I entirely agree in opinion with the nation. The 'mana' of the Governor is not upon the timber, nor upon you; it is better for me to go back and quietly try the feeling of my side, and I will put forth a saying for the Europeans—'Render unto Caesar the things that are Caesar's, and unto God the things that are Gods.'"

William: "Listen, Ahipene. We are ourselves, and we have a work of our own; you are speaking as if you were on the other side, when you say you will try the feelings of your side. Yes, go and work your work and let me work mine. Speak to the Europeans, what of that? What do I care? You say render unto Caesar the things that are Caesar's, I will never consent to it."

Hori Tauroa (an assessor of the Government): "The meaning of Ahipene's remark on the saying about Caesar is—that what is Isaac's is to go to Isaac, and not to Waikato. However my infant, yield to the nation."

Eraihia Makomako (an assessor of the Kohekohe), addressing Kihirini: "Kihi, do you mean that we are to go to the Ia?"

Kihirini: "Yes."

Eraihia: "And this timber?"

Kihirini: "Yes."

Eraihia: "Whose place is that?"

Kihirini: "The Governor's."

Eraihia: "Why! are we banished by you to the Governor's place?"

Kihirini: "Yes, to the Governor's place."

Eraihia: "Then set fire to my house; do it at once, if it is left till to-morrow, I shall stay on here."

Neri: "Listen, my infant and my brother, you are the offspring of Tapane. Come back my child to the foundation of your elder brother (i.e., the king). This work has been worked for you both; come now return. Send back the timber, you will not be well pleased at the payment for the Governor's wealth, presently your land will go as payment; that is why I said do not build the house here, for I knew the land would go."

William: "Friend Neri. I have never sold land yet—never. You ask what is to be the payment for the Governor's property. I and my work are the payment. You say the Governor's money will have to be paid for in land. Will Ngaruawahia go as payment for the Governor's property that you took up with you to Ngaruawahia?"

Neri: "That's another matter."

William: "This is also property."

Karaipi Te Kuri (chief of Pokeno), urges that the timber be sent back.

William: "I shall never agree unless you give up Pokeno to me, and then I will agree. As it is, work your own work on your own place, this is my place for me to work my work upon."

Hika (Wharepu's brother): "Listen, my grandchild, say the word that the timber is to be taken to the Ia or that it is to be left here—do not conceal your design. The nation has seen that this is death. Therefore now return to the foundation of your elder brother. This work has been worked for you both."

William: "My father, I am living here in New Zealand. You have a work and I have a work. I have never thought your work a right one, though you have rejected this wealth, as wealth, for years."

Maihi Rori (an 'upoko runanga' of the Government): "Listen, my babe, my brother, yield to the nation. The nation has seen it is death, leave it as the nation has seen it."

This was the end of the speaking, and Tamati Ngapora, Ngatiteata, and the assessors and 'upoko runangas' of the Government went away.

On the following morning, the army prepared to throw the timber into the river, but as the people of the Kohekohe were on the alert, the attempt was not actually made until the evening. Eight men and twelve women were engaged in pulling out the timber as fast as it was thrown in. A great deal of blood was drawn by the sharp edges of the scantling. At last the army was tired and gave up the attempt. Only six pieces were floated away, and all have been recovered.

On Wednesday, after a good deal of threatening and quarrelling, the hostile party retired, promising another visit at an early date.

Waata Kukutai has written to say that Ngatitipa will come up to the Kohekohe and take William Te Wheoro's part. He refuses to allow the timber to be taken away, and is bent on a desperate resistance.

J. E. GORST.

March 17th, 1863.

### Enclosure 7 to No. 11.

March 19th, 1863.

FRIEND MR. HALSE,—

Salutations to you. I have a word to say to you. I have received letters from Waikato to say that the house has been raised at the Kohekohe; it was raised on the Thursday; and the party threaten to burn it down. I am now thinking about something to protect me, for I am troubled about these assaults, having nothing with which to defend myself. I therefore urge you on the subject. As the Governor has expressed himself regarding the unwarrantable doings of the Maoris, I don't know what acts the Maoris may commit, good or evil, and therefore it is that I ask you something wherewith

to protect myself. Do you apply to Mr. Wood or to the General. When this disturbance is over, I will return what is given to me. Apply quickly, and write to me. Enough.

From your friend,  
Wi Te Wheoro.

To Mr. Halse, Auckland.

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Enclosure 8 to No. 11.

Te Kohekohe, March 21st, 1863.

SIR,—

Upon my arrival here this evening, I found a large party of Natives from up the river assembled here, for the purpose of taking the timber back to Te Ia, with the carpenters.

The "ope," composed of the following chiefs and their followers, viz.:—Te Kihirini, Pakeahau, Te Huirama Tuno, Karaka Te Taniwha, Tarahawaike, Takerei Te Rau, Te Katea Taharape, Taneti Paeturi, Hone Kingi Te Paki, and Wiremu Hoete Te Kumete, of Kawhia—in all about one hundred, all armed. Takerei arrived here on Thursday, the 19th, and stopped the carpenters from working; and on the following day (yesterday) the remainder arrived. Soon after they landed they commenced taking the timber down to the river, and built a raft. They worked until late last night, and commenced again this morning. They have now nearly the whole of the timber rafted, except a small quantity which they have used to build a "break" for shelter. They are to take the rafts down on Monday morning, after they have a "Tatu Ngarahu."

Te Wheoro arrived here from town late last night. He protested against their taking the timber away, and warned them of the danger they were incurring. They answered, "It is well, if the Governor takes this matter up after our talk respecting it."

Shortly after my arrival, a report got about that trading had been stopped, to commence on Monday; that soldiers were to be stationed at Te Ia, and along the South road to Auckland, to prevent all natives from going into Town. Wi Te Kumete declared that as the pakeha had commenced with the "puru"; he would also "puru" Waikato, declaring that mailmen and travellers shall not be allowed to pass up and down. All the Pakehas in Waikato, and the Queen's Natives, shall not be allowed to come down the river. Two or three others followed in the same strain, when Te Kumete said that enough had been said, for all that had been said was the thought of every man. Te Wheoro then explained to them that the report had originated from his having advised the storekeeper not to trade with the "taua" on Monday, as it was a "huinga a ope." It was evidently unsatisfactory, for they made no reply. I am also informed that they will not allow me to proceed on my journey; at any rate I shall attempt it to-morrow forenoon.

I hear that the "taua" has declared that as soon as they have landed the timber at Te Ia, they are going to Otawhao to bring Mr. Gorst and the buildings down the river. The "taua" manifest a very hostile state of feeling, and consequently talk in the war strain, and use very defiant language.

I am taking the liberty of sending this to the officer commanding the Queen's Redoubt, to have it sent by express. Te Wheoro will be in town on Monday; he is anxious that Mr. Bell should return to Auckland, as he says this affair has passed out of his hands.

I have, &c.,  
JAMES FULLOON,  
Clerk, Native Office.

P.S.—I hear that the "ope" will be under the safeguard of the Rev. Heta Tarawhiti, when they raft the timber down to-morrow, under a flag of truce. They requested, through Mr. Ashwell, that there should be no soldiers about the landing place. I do not know whether they are going to take their arms, or not.

H. Halse, Esq., J.P., Auckland.

J. F.  
March 22nd, 1863.

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Enclosure 9 to No. 11.

Native Office,  
Auckland, March 23rd, 1863.

FRIEND, WAATA KUKUTAI,—

Salutations. The Governor has heard of the good conduct about the trouble that has just happened at Kohekohe. The Governor's attention having been drawn to your frequent faithful services, and to your constant efforts to preserve the peace of the country, has directed that you shall receive an increase of one hundred a-year to your salary; the increase to date from the first of January last. The Governor thanks you for your good behaviour on this occasion, and you will see by this increase to your salary that he will reward those Chiefs who support him.

F. D. BELL.

*Letter of same tenor and date to Wi Te Wheoro.*

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Enclosure 10 to No. 11.

ACCOUNT OF MY JOURNEY TO NGABUAWAHIA.

I left Auckland on the 17th March, 1863, at six o'clock, and arrived at Drury. On the morning of the 18th, I went on as far as Mr. Selby's, where I found Mr. Halse, Mr. Gorst, and Wiremu Te Wheoro.

Wi Te Wheoro came to me, and said, a hostile party from Waikato will arrive to-morrow (or are coming down to-morrow). I asked for what purposes? Wi said, on account of my timber at the Kohekohe. That is all. I went on from thence, and Mr. Halse and Wi Wheoro came on to town. I reached Rangiriri at four o'clock, and there I found the party (ope) staying. The chiefs that I knew were Te Kihirini and Tipene; they pressed me to stay, and hear what was said. Tipene said to me, where are you going? I said, I am going to Ngaruawahia. What to do? To take the Governor's letters. They said again, letters to whom? I said, to Te Paea, to Patara, to Tuta, and to Taati Te Waru.

I then questioned them as to where their party was going; they replied, that the party was going to Te Kohekohe, to send Wiremu Te Wheoro's timber back to Maungatawhiri. They said, Now that you have come, we will cease to talk about the men we were to send to ascertain whether or not Wiremu Te Wheoro would yield. This party will remain, and if Wi Te Wheoro is hard, we shall go and send the timber back to Maungatawhiri, because this piece of land does not belong to the Pakeha; it belongs to the Maoris only. Maungatawhiri is the Pakeha boundary. It is the intention of this party (ope) to proceed to the Kohekohe, seize the timber, and convey it to Maungatawhiri; and on our return, we will take Wiremu Te Wheoro, and take him back with us. Enough, I said to them. Wiremu Te Wheoro has gone to the Town (to Auckland). The party expressed disappointment at this, and spoke thus:—It is well, Wiremu Te Wheoro heard that the party was coming down, and yet he goes to Town. This was all that was said by the party in regard to Wiremu Te Wheoro's timber.

They spoke on another subject about some waipiro (spirits) belonging to some Pakeha, which this party had seized. The quantity taken was fifteen gallons; it was still lying there. I asked them what they intended to do with the waipiro. Tipene replied, send it back to Maungatawhiri, or to the Town.

This was all the talk we had.

I started from Rangiriri at five o'clock, and reached Heta Tarawhiti's place, above Paetai. He told me what opinions (or advice) he had given to the party; for on the first day, when Heta went to them, they told him that it was their intention to burn the timber. Heta, therefore, said to them, do not waste the timber; but if you approve, let it be, and wait for the Governor: but they would not listen. The Rev. Mr. Ashwell arrived during the night, and our conversation was about this.

I started from there on the morning of the 19th, and went right on to Ngaruawahia, and delivered the letters to Patara and Te Paea. I heard no "korero" there—only what Patara and Te Paea had said in their letter to the Governor. It was this:—"There is trouble since you left, on account of Wiremu Te Wheoro's timber." This was all.

On the 20th I left Ngaruawahia. When I reached Rangiriri, I found that the party had left and gone to Horahora; and when I reached Meremere, the canoes of the party had landed at Te Kohekohe, and the timber had been put into the water.

I came on as far as Mr. Selby's, and slept there, and on the following day continued my journey. I came away on the 21st. On the road I overtook some men, and asked them where they had come from. They replied, from Waikato; we slept at Maungatawhiri. I asked, did you see the party that came down to the Kohekohe. They said, we did. They have brought away Wiremu Te Wheoro's timber to Maungatawhiri; it was floated down this morning. I asked if Wiremu Te Wheoro had arrived (at his place). They said, "yes!" last night. I then asked them what his thoughts were. They said, Oh! nothing (*i.e.*, he does not know what to think.)

MITAI PENE TAU.

### Enclosure 11 to No. 11.

I started for Waikato on the 23rd March at 6 a.m. and arrived at Papakura at 11, where I procured another horse to enable me to pursue my journey. I reached Mr. Selby's at 1 o'clock, and dined and fed my horse there. Mr. Selby told me that the timber would not be brought down to the Ia that day. I said, never mind, I shall go on and see whether it has been brought down or not; I then went on and found that it had been landed; two hundred and seventy Waikatos were engaged in throwing the timber on shore. As soon as they saw me they called me, and I went and stood in the midst of them. Takerei Te Rau called out and said, "It is good that you should come and see your property lying here." This was all that was said by Takerei.

I then told them the Governor's words, that the Waikatos were not to suppose that he had gone to make war at Taranaki, he had merely gone to make the road, and that was the cause of my being sent back to communicate with the Waikatos. As soon as I arrived in Auckland, news came of the disturbance you had created on account of the timber, and I was sent on to talk with you. Had I found you at the Kohekohe I should have advised you to let the timber remain quietly at the Kohekohe until the arrival of the Governor, who would decide with respect to it. As it is I have nothing to say to you or to the army, for I have myself seen the timber brought to the Ia.

This was all said,—after a time they replied, and Hetaraka Muru stood up and said, Welcome Hobbs,—come and see your property lying here. Hearken—the Governor and you say that Tataraimaka is your boundary, and I say that the Ia here is my boundary; this belongs to the Queen, and therefore it is that I have sent back your property to the Ia, on to the Queen's land. Listen. On this we are determined. If any other Maori chief attempts to take this timber back to the Kohekohe, I shall go and bring it down again to the Ia. If your pakeha friends attempt to take back this timber, I shall send it back again to the Ia. This is the fixed resolve of Waikato, and of the whole tribe, throughout all its boundaries. Let the termination be at the Ia; cease to disturb us. When this is finished I shall erect a post as my boundary.

John Hobbs: Where is it to stand?

Hetaraka: On the bank of this river.

John Hobbs: Let it stand in the middle of the river.

Hetaraka: No! But on shore.

John Hobbs: This side of the river is mine, and that side is yours, let the post stand in the middle.

Hetaraka: Let us go across to the old chiefs and hear what is said.

John Hobbs: I have nothing to say to the Colonels, Majors, and officers of your army. Had I

found you at the Kohokohe, I should have gone and talked to the chiefs of the army. I intend now to return, and to-morrow I am going back to Taranaki.

They said: It is right.

I started to return at 2 p.m. and arrived in Auckland at 11 p.m.

JOHN HOBBS.

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No. 12.

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

No. 37.

Taranaki, New Zealand,

April 6th, 1863.

MY LORD DUKE,—

Your Grace will remember that after a war with the Natives had been for some time carried on here, and this Province had, with the exception of the Town, been almost ruined, the terms of a treaty were dictated by the Government, and the troops were removed to Auckland, with the exception of the small number required for the Defence of this Town, and to hold two small blockhouses near the Waitara river.

2. In the meantime the Waikato tribes, whose territory commences about forty miles from Auckland, were required to comply with certain conditions, and were given to understand that if they did not accept them, an expedition would be undertaken into their country to punish them, and with this object a considerable Military force was collected about seven miles from Auckland on the Waikato side. The tribes inhabiting the district abutting on that river, were excessively incensed at this, they would not comply with the conditions which had been named, and prepared themselves for war, and a general conspiracy was formed amongst the Native Tribes for a simultaneous attack on all the European settlements the moment that we attempted to attack the Waikato country.

3. Whilst these events were taking place a Commissioner, Mr. Rogan, was sent down to carry out the terms of the treaty which had been dictated to the Natives at Taranaki. They laughed at these terms, and desired him to quit their country, or he might lose his life.

4. Things were in this state when I arrived in New Zealand; I soon found that from the dense forests, and impassable swamps which intervened between Auckland and the country inhabited by the Waikato tribes, and from the want of Roads or other means of communication, it was impossible to commence operations against them with any hopes of success. On the contrary, they had become so confident in their own strength and resources, and were so encouraged and emboldened by the events of the recent war, that the question was, how we could protect the country round Auckland from the attack they might, at any moment, make on it, and which they were certain to make if we began a war at Taranaki or in any other part of the North Island.

5. If I had, under these circumstances, commenced to agitate any questions with the Natives of the Province of Taranaki, we should have been resisted; a general war would have taken place, and not one of the European settlements in New Zealand being in a state of preparation for such a war, one or more of them must have been involved in the same sad ruin as had already befallen the unfortunate Province of Taranaki.

6. The only proper proceedings appeared therefore to me, to be to take no measures which could irritate the Native people or justify them in commencing a general war, and yet, as the Waikato Tribes were evidently the head and front of this great and general conspiracy against us, gradually and surely to take measures, which would not only place the settlement of Auckland in a state of fair security against them, but would place us in a position which would enable us with just hopes of success to strike a blow at them if they deserved punishment, and at the same time so to threaten them, that if we ever required to take measures against the Natives elsewhere, they would hardly venture to detach any considerable force to aid such people, when a force capable of readily invading their territories lay at their own doors. When this end was gained I could hope to speak to the people of Taranaki, with confidence that I should be listened to, and that the measures I might think it necessary to take for the future security of the settlers here would be acquiesced in, at least without resistance, if not cheerfully. A part of this plan of proceedings, was to act with the strictest justice and generosity towards the Natives, to give them no just cause of complaint, and to show clearly by our acts, that the object aimed at, was the peace and security of the country, not future war against the Natives if it could possibly be avoided.

7. I have in other Despatches detailed to your Grace how, with a view of attaining these ends, Lieutenant-General Cameron, at my request, was with great energy pushing on, with all the means at his disposal, a military road through the forests and swamps which lay between Auckland and the Waikato river, and how our outposts were gradually being established in strength on the Banks of the river at a point which nearly cut it in half, and gave us a great command over it, and how arrangements had been made for placing an armed steamer upon it, which would enable us, if unhappily such a course became necessary, to undertake operations with facility and fair prospect of success.

8. The two principle Native questions to be settled at Taranaki were, to re-occupy two Blocks of territory, the Omata Block and the Tataraimaka Block, distant respectively about seven miles and twelve miles south-west of New Plymouth, from which the settlers, after many years peaceful occupation of them, had been driven by the Natives in the late war, and which they had not since been able to



occupy in safety. The latter of these two blocks, several Natives told me was claimed as a conquest which had been taken at the edge of the sword, and although I only ridiculed such a pretension I think if they had been strong enough to try to make it good they would have done so. The enclosed plan will show your Grace, the position of the two Blocks of Land I am alluding to.

9. Finding, at the end of February, that the Road to the Waikato would be completed in a few days, and all the arrangements in regard to that river would be almost brought to a conclusion, I wrote on the 27th of that month the enclosed letters to Captain Sullivan, asking for a passage to Taranaki, and embarked on the 2nd of March for that place accompanied by the Lieutenant-General, the Colonial Secretary, and Native Minister.

10. We reached New Plymouth on the 4th of March, and all things proving favourable for the purpose, the Lieutenant-General at my request marched from that place with a force of sufficient strength, under the command of Colonel Warre of the 57th Regiment, on the 12th of March, for the Omata block, which we occupied not only without any opposition from the Natives, but with signs of good will on the part of many of them. The Lieutenant-General immediately had a strong redoubt constructed at Poutoko, in which two hundred men are now quartered.

11. In order that the very imperfect communication we had with the town might be completed, I wrote upon the 11th of March a letter, a copy of which is enclosed, to the Lieut.-General, requesting that the troops might be employed in constructing the road between the redoubt and New Plymouth, at the cost of the colony.

12. It being clear that additional force would be necessary to enable us to undertake with safety the next step, viz., the occupation of Tataraimaka block, I wrote the enclosed letter to Capt. Sullivan, requesting him to return to Manukau and bring back reinforcements, and as a cavalry force was necessary in this country, for the rapid and successful completion of the undertaking on which we had entered, I arranged with the Lieutenant-General, that if he would as a temporary arrangement, until we could provide a mounted force of our own, convert Captain Mercer's troop of the Royal Artillery into a mounted corps, the Colony would bear the cost of their new equipments, which we had ready, and the other expenses consequent on this change of Artillery into Cavalry. The General at once went back to Auckland with Captain Sullivan to carry out these arrangements, and returned here in the "Airedale," on the 28th of March, with a most efficient cavalry force, and the "Airedale" again reached this place on the 1st instant with the remainder of this force under Captain Mercer; our cavalry force was thus completed to 100 men.

13. On the 30th of March, Captain Sullivan, who had reached this place on that day, again returned to Manukau for a further reinforcement of two hundred infantry, and with great expedition was back at New Plymouth with this force, on the 3rd of April.

14. Upon the morning of the 4th we marched for the Tataraimaka block. We not only met with no opposition from the Natives, but some chiefs who had been hostile to us, came to our boundary on this side of the block, and received us with loud cries of welcome.

15. On Easter Sunday we remained quietly on the block. This morning early, the Lieutenant-General commenced the construction of a strong redoubt, and when I left the place the Natives formerly hostile to us were about to bring in large quantities of potatoes, &c., for sale.

16. Your Grace will, I am sure, be gratified at the happy turn events appear at present to be taking. For this, under Providence, we are greatly indebted to the energy and ability of Lieutenant-General Cameron, and of Capt. Sullivan, R.N.; Lieut.-General Cameron's standing is so high, that of him I need say nothing more, but Captain Sullivan has on this occasion conducted the service with such unwearied zeal, and has rendered me such very important assistance, that I should feel much obliged to your Grace, if you would bring these circumstances under the special notice of the Lords Commissioners of the Admiralty.

I have, &c.,

G. GREY

His Grace the Duke of Newcastle, K.G.

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### Enclosure 1 to No. 12.

[PLAN OF OMATA AND TATARAIMAKA.]

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### Enclosure 2 to No. 12.

SIR GEORGE GREY, K.C.B., TO CAPTAIN SULLIVAN, R.N.

Government House,  
Auckland, 27th February, 1863.

SIR,—

I have the honor to request that you would be so good as to afford myself and the persons named in the margin, a passage on board Her Majesty's Ship "Harrier" under your command, from the Manukau to Taranaki; which place it is necessary I should visit with as little delay as possible.

I have, &c.

G. GREY.

W. Seed, P. S.  
Capt. Bulkeley, A.D.C.  
Lieut. Bates, Interpreter  
One Servant,  
Two Natives.

Captain Sullivan, H.M. Ship "Harrier."

Enclosure 3 to No. 12.

SIR GEORGE GREY, K.C.B., TO CAPTAIN SULLIVAN, R.N.

Government House,  
Auckland, 27th February, 1863.

SIR,—

Adverting to my letter to you of this day's date, in which I applied to you for passages, for myself and suite, I have now the honor to inform you that it is essential that the Colonial Secretary, the Honorable Alfred Domett, and the Minister for Native Affairs, the Honorable Mr. Bell, should also proceed to Taranaki on the public service. I should therefore be much obliged to you if you could at the same time grant passages to these gentlemen in the Ship under your command.

I have, &c.,

G. GREY.

Captain Sullivan, R.N., Senior Naval Officer.

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Enclosure 4 to No 12.

SIR GEORGE GREY, K.C.B., TO THE HONORABLE LIEUTENANT-GENERAL CAMERON, C.B.

Taranaki, March 11th, 1863.

SIR,—

It being of great importance for the future security of this settlement that the Southern road from the Town of New Plymouth now in process of construction, should with as little delay as possible be completed as far as the boundary of our land at Poutoko, I have the honor to request that you will permit the Troops to be at once employed in completing that portion of this road which lies between Omata and Poutoko.

I have, &c.,

G. GREY.

The Honorable Lieut.-General Cameron, C.B.

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Enclosure 5 to No. 12.

SIR GEORGE GREY, K.C.B., TO CAPTAIN SULLIVAN, R.N.

Taranaki, 15th March, 1863.

SIR,—

I have the honor to acquaint you that a series of movements have been entered on here, for the purpose of enabling the Settlers to occupy their lands in the Southern District of this Settlement, which will render it necessary that a reinforcement should reach this place from Auckland with as little delay as possible; in fact, so much has been undertaken on the reliance of the speedy arrival of a reinforcement, that not an hour should be lost in attaining this expected aid.

I have the honor therefore to request, that you will under the circumstances, aid us by conveying the Lieut.-General and his Staff to Manukau, and by, if possible, giving a passage to a reinforcement of two hundred men, returning to this place with them, with as little delay as possible.

I have, &c.,

G. GREY.

Captain Sullivan, R.N., Commanding  
H.M.S. "Harrier," Senior Naval Officer.

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No. 13.

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

Tarauaki, April 26th, 1863.

No. 40.

MY LORD DUKE,—

I have the honor to state that two days after my arrival here, I was shown by the Colonial Secretary a memorial addressed by some of the inhabitants of this Province to Her Majesty. I had not before seen or read that memorial, nor did I until that time know anything of its contents.

2. Two points in it appeared to me to require particular notice; the one, a statement that I had been forbidden by the Natives to make roads on land the property of the Crown, a statement which, in as far as I am concerned, was not correct. The other, was a statement regarding the wreck of a vessel named the "Lord Worsley."

3. The memorial was left in the hands of my Responsible Advisers, in order that a report might be made on these two points, and I have not since seen it.

4. I am anxious that your Grace should be acquainted with these facts, lest you should think I had delayed the transmission of this memorial.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

No. 14.

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

Taranaki, May 5, 1863.

No. 41.

MY LORD DUKE,—

I have the honor to transmit for your Grace's information the copy of a note from the Native Minister of the 28th of April, telling me that he had heard from a native named Patara that three ambuscades had been planted by the Natives upon the previous day (Monday the 27th of April,) on the road between Poutoko and Tataraimaka, and that Tamati One, a Ngatiruanui Chief, when he heard of it, sent down and ordered the men forming the ambuscades to go home.

2. In this note was enclosed a letter from another Native Chief, informing Mr. Bell that ambushes had been planted to capture the General or myself, that they had not meant to capture Europeans of no great rank, but only the chief men, so that they might gain renown.

3. On the morning of the 29th of April, I received a memorandum from the Assistant Native Secretary stating that the Native Patara, alluded to by Mr. Bell, reported that the ambuscades had been planted for the purpose of murdering any European they might see passing, and that the Ngatiruanui Chief Tamati One was not aware of the plot until after the ambuscades were planted, on hearing of which he sent immediately and ordered them to retire, which they did.

4. I was in New Plymouth when Patara gave the information alluded to by the Assistant Native Secretary, but the man was not brought to me that I might hear so important a story from him, if true; nor was the alleged intention of the ambushes to murder, mentioned to me until Tuesday night. This made me think lightly of the matter. On the Wednesday morning when the written report reached me, I had enquiries made amongst the Natives. The result of these was that the Natives asserted that the Natives by whom these ambushes were laid, had on Sunday, the 26th, heard the soldiers at Tataraimaka discharging their rifles in volleys, and had seen the smoke of two fires, apparently signal fires near the Town; that they supposed that the Troops were firing on the Natives, and therefore planted these ambuscades to capture or kill passers by out of revenge; and that when the mistake was discovered, they were at once withdrawn.

5. Upon enquiries it appeared that the soldiers had as usual discharged their rifles to re-load them, and that the fires alluded to had been lighted. These circumstances, this difference between the Native stories, the fact of no one having been fired at, and hurt, and the small number of men said to have formed these ambuscades, and their having retired, if ever planted, by the order of their chief, made me doubt the truth of the story. I also believed that the Natives would not fire the first shot and bring on a war, for they have a superstitious feeling against doing so. We also had travelled the road which led from one piece of our own land to another in perfect security for a month, and the only message I had ever received from them regarding the road, which reached me on the 21st April, distinctly intimated that although they did not wish a regular road to be constructed across their land at present, still, that when matters were finally settled with me there would no longer be any objection to road making. I thought this letter of so favourable a character that in compliance with their wish, all attempts at improving the road over their land were suspended, in the hope that the other arrangements which were going on would close the matter in a few days, and that we could then make the road as we pleased. I was thus led into a degree of confidence which I ought not to have indulged, and I thought that small escorts with a good look out would be sufficient protection for travellers. The sad event which has since taken place has shown that even if in the case now reported, the Natives had no intention of committing deliberate murder, they are quite capable of doing so, as well as of firing the first shot with the intention of bringing on a war.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

Enclosure 1 to No. 14.

Taranaki, April 28th, 1863.

DEAR SIR GEORGE GREY,—

Three ambuscades were planted yesterday on the road to Tatara. Patara has just given me particulars of them, which Mr. Parris is to write down at once. Tamati One sent down and desired the

ambuscading men to go home. Patara went up last night and complained of the 'ritenga kohuru' being adopted.

I enclose you a letter I have just got from Ropata.

I have, &c.,

F. D. BELL.

Te Poutoko, April 27th, 1863.

O FRIEND MR. BELL,—

Greetings to you. On my arrival here, Te Penaha, the younger brother of Haimona, had come in. On his arrival he was questioned as to the cause of the report which had been heard in the morning; on this he explained his opinion to us;—the reason of it was that ambushes had been planted to capture the Governor, the General, and Mr. Parris, even to seize the chief men. The ambushes were thus planted,—at the Kahakaha was one, on the far side of the Oakura was another, at Wairau was another, and at Tataraimaka another; but they did not mean to catch nameless pakehas, but to capture you, the chief men, so that they might gain renown.

These are the words.

This is all, from your friend,

ROPATA NGARONGOMATE.

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Enclosure 2 to No. 14.

FOR THE NATIVE MINISTER.

Patara came into town to-day from Kaitake, and reports that early yesterday morning, Monday, the 27th instant, three ambuscades were planted between Te Poutoko and Tataraimaka by the Warea and Upper Taranaki Natives, for the purpose of murdering any Europeans they might see passing. The first ambuscade was planted at Te Kahakaha, fifteen men; the second at Wairau, twenty men; the third at Oao, twenty men.

The plot was proposed by Totaia, a Native Teacher of Waitino, and responded to by Aperahama Te Reke, the Warea chief.

There were only two Ngatiruanui Natives with the party who composed the ambuscades; all the others were Taranaki Natives of the following hapus:—Patukai, Upokomutu, Ngatituhekerangi, Titai.

Tamati Hone was not aware of the plot until after the ambuscades were planted, on hearing of which, he sent immediately and ordered them to retire to the ranges, which they did.

ROBERT PARRIS,

Assistant Native Secretary

New Plymouth, April 28th, 1863.

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Enclosure 3 to No. 14.

Fort St. George, Tataraimaka,

Tuesday, 21st April, 1863.

DEAR PARRIS,—

Two Natives called upon me late this evening, (the one I believe to be Hairana, a relative of Porikapa); both were much excited, and desired me to inform you that if anything further was done to the road at the crossing at Tapuae river, a number of Natives (400) would assemble there at once and obstruct the road. They said also that when matters are finally settled with His Excellency, there would be no longer any objection to road making.

Yours, &c.,

THOMAS GOOD.

R. Parris, Esq.

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No. 15.

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

No. 44.

Taranaki, May 9, 1863.

MY LORD DUKE,—

From other despatches which I have sent home by this mail, Your Grace will learn that a very serious state of things has arisen in the Northern Island of New Zealand, and that there is great reason to apprehend that a general rising of the native population may shortly take place, for the purpose of making a simultaneous attack upon the several centres of European population with a view to the total expulsion of the white race from this Island.

2. I am quite satisfied that such a plot has been formed by a large number of influential natives, as also that they are now busily engaged in trying to carry it into effect. I still hope that they will fail in conducting it on such a large scale as they propose, but I believe the danger to be of a very serious and alarming kind, which may lead to a vast destruction of life and property.

3. To meet this danger the promptest measures must be taken, and my Responsible Advisers

concur in opinion with me, that the force in this country in addition to the Regiment now coming out, the 2nd Battalion 18th Regiment, will require without delay to be increased by about three thousand men.

4. It has been found from a long experience that there are parts of this country in which European troops carry on a war with difficulty, being neither fitted by previous training, equipment, or habits of subsistence, for a warfare of the nature of that in which they are necessarily engaged, and it has been the general opinion of officers who have served in India that Sikhs would be better qualified than any other troops to perform the military duties required in New Zealand.

5. I represented this to my Responsible Advisers, and they have authorized me to apply to Your Grace in order, in the present most serious state of affairs, that one European Regiment and two Regiments of Sikhs should be sent from India to New Zealand with as little delay as possible.

6. My Responsible Advisers think that the pay of the Sikhs should be doubled, and they undertake certainly to defray the increased rate of pay, which will thus be given, stating further that they think this object of such great importance, that they undertake to propose to the House of Assembly at its next meeting, that the Colony should bear the cost of the whole pay of the Sikhs.

7. I can assure Your Grace that I think that the reinforcements asked for should be sent as promptly as possible, for much will depend upon the despatch with which they reach this Island.

I have the honor to be, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 15.

(Printed with E. No. 2, pages 20, 21.)

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Enclosure 2 to No 15.

MEMORANDUM FOR THE GOVERNOR.

In answer to the question put by his Excellency respecting the intention of Ministers as to the pay of the Sikh Regiments, Ministers beg to inform his Excellency that their intention as expressed in the Minute of the 5th inst., was simply to undertake that the colony would double the Indian pay of the proposed regiments—namely, that it would contribute the increase only of such pay.

Ministers have at their command no funds voted by the House of Representatives for military purposes. By an understanding with the House embodied in the third of the resolutions on the management of native affairs, Ministers were expressly bound not to involve the colony in any expenses for military purposes in excess of the sums voted. This obligation was so deliberately imposed upon them by the House that they feel it incumbent upon them not to disregard it.

The half-pay of the above regiments Ministers proposed to provide out of the Taranaki Reinstatement Fund. This fund with the other expenses chargeable upon it, would not be sufficient for the whole of their pay.

The object proposed is one, however, of such great importance, and Ministers so cordially approve of it, that if his Excellency thinks it cannot otherwise be carried into effect, they will undertake to propose to the House at its next session, that the colony should bear the cost of the whole of the Sikh pay.

ALFRED DOMETT.

May 9th, 1863.

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No. 16.

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

Taranaki, 9th May, 1863.

No. 45.

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MY LORD DUKE,—

I have the honor to transmit to your Grace, the copies of letters received in the margin, showing the belief entertained by different persons, that a general rising of the Native people is contemplated, if a war takes place at Taranaki, which event I fear cannot be now avoided. I am unable, by this mail, to have copies made of as many letters as I could desire.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 16.

Te Awamutu, April 16th, 1863.

O FRIEND, GOVERNOR GREY,—

Greetings to you. Here am I having arrived here Waikato—namely, at Ngaruawahia. I have indeed seen this King here. He is well disposed; but as to his people, they are very badly disposed: for as to Ngatimaniapoto, Taranaki, Ngatiruanui, Ngarauru, Whanganui, Ngatiraukawa; these tribes are only disposed to evil. Thompson alone is consenting to the words of you two together with his tribe and Ngatihaua.

O Friend, have a care to yourself; do not go forth to any distance to carry on your work of talking of justice, lest you be shot; because exceedingly great has been the anger of the Island towards you, on account of your having said that you would dig round it on all sides, and so the King movement would fall of itself. Waitara also and Tataraimaka: these are the causes why the tribes here have become really angry with you. Consider also that you only escaped but narrowly, when you came up here to Ngaruawahia, and that was because there was no number of people there.

O Friend, this works of the tribes here have returned to the devices of Satan. I constantly hear it, as you may judge from this song of theirs, "What is the name of the mountain which stands there?" &c., and other songs. The feelings of Waikato are firmly fixed on these predictions of the priests. According to these predictions, you will depart—that is to say, you will be dead. Therefore it is that I tell you to be on your guard regarding yourself. Leave your Europeans at Tataraimaka, and do you return yourself to Auckland; if you remain, you will fall into the hands of the Maoris. My word to you is true. See now you have not been quick in providing me the\* garment I spoke to you about. With you is the saddle for my horse. On my arrival in Waikato, very great indeed had been the evil practised towards your white men, living here at the Awamutu. This was the reason that I did not go to Auckland. I felt dark (sorrowful); there was no light which could have been a reason for my going there. See now! great is the evil disposition towards you; do not say this is nonsense; no, it is an exceedingly true word from me to you. However, do not you stretch out your hand against the Maoris; let the one foe killed by you be Tataraimaka:† If you seek to kill a man, you will get the worst of it; and with the scattered remains of your people, be driven away, even to England.

O Friend, be on your guard regarding what I have told you. Do not tell it to any one; do not tell it to your Maori friends.

From me, from your loving Friend,

FROM HAFUKU IKANUIOTEMOANA.

\* The writer here alludes to the Governor having given a fur cloak to the Chief Te Heu Heu, and to his having told the Governor that he had foreseen in a dream that some serious disasters would happen, if the Governor did not give him a similar cloak to that given to Te Heu Heu.

† The writer here means to say that the Natives will not object to the Governor's re-occupying Tataraimaka, that being his own land; but, if he proceeds to commit any action of injustice, or to attempt to seize any of those accused of murder or plundering in the late war, a general rising has been arranged to take place on the part of the Natives throughout the Island.

Enclosure 2 to No. 16.

Otawhao, April 15th, 1863.

MY DEAR MR. HALSE,—

As I am uncertain whether Mr. Bell is in Auckland or not, I think it advisable to tell you what I have heard this evening since our return from Ngaruawahia. I believe you can rely on the correctness of the statement, as I have heard it from two independent sources. A Native karere has arrived from Taranaki, with a circular letter from the Runangas of Taranaki, Ngatiruanui, Waitotara, and Mataitawa, addressed to Rewi Maniapoto, Ngatihaua, Ngaruawahia, and Lower Waikato, informing them that the Governor had resumed possession of Tataraimaka, and had built a stockade there; that the Natives had built one pa, and were engaged throwing up earthworks (parepare) in order to dispute the right to that land; that some of the chiefs wished to commence the attack at once, but others objected; whereupon it was resolved to refer the question to Waikato, whether the taha Maori should begin the war, or whether it should be left to the taha Pakeha; that in case of war, the Whanganui Natives were to attack the Town of Whanganui, and the Ngatikahuhunu and the Ngatiawa the town of Wellington. Some of the Ngatimaniapoto tribe, from Kihikihi, started to-day with their arms and ammunition; but whether they were going at once to Taranaki, or only to attend a large gathering of the tribe which is being held at Hangatiki, is more than I know.

This much only is certain: that if any fighting takes place at Taranaki, Rewi and his people have resolved to take part in it; Rewi told this to Fulloon on Saturday. Some of the Europeans having Native wives have been warned to stand aloof from the Government, lest they bring trouble upon themselves, and great uneasiness and apprehension prevails, amongst the Europeans living amongst the Natives in the neighbourhood. Mr. Gorst will, no doubt, give the Government full particulars of all that has taken place here and at Ngaruawahia; I will not, therefore, touch upon any of those matters, further than to say that I believe I may be able to keep my ground here for a time at least, if the Governor thinks it desirable. The press and all the other property will be brought back by the Ngaruawahia men most likely this week, but at latest on Monday. I think some of them are coming up for that purpose.

Many thanks for forwarding the letters.

I have, &c.,

ARTHUR G. PURCHAS.

H. Halse, Esq.

Enclosure 3 to No. 16.

Te Awamutu, April 16, 1863.

SIR,—

A copy of a letter from Taranaki which arrived yesterday at Kihikihi, was just put into my hands this morning by Hohaia. As I understand the Rev. A. Purchas has sent you a copy of this letter with comments thereon, I need not say more on this subject.

Te Hapuku visited the Awamutu to-day. He had a long conversation with the Rev. A. Purchas and Mr. Fulloon, after which he wrote a letter to his Excellency the Governor. The substance of the conversation and the letter have also been communicated by Mr. Purchas.

Wharetini of Kihikihi visited me this evening, and conversed with me for some time in Mr. Fulloon's presence. He had come to ask why no person had been sent to fetch the printing press from Kihikihi. Rewi and all the others had gone to Hangatiki, and he had staid behind to deliver up the press to our messenger, whom he had been expecting every day. I said I did not think it right to send for it, but that those who took it away should return it. He said it had been given up by Rewi to Thompson without consulting the other Ngatimaniapotos, that these had subsequently objected, but Rewi and he would not go back from their word pledged to Thompson, and he was very anxious that I should fetch it while it was in his power to give it up to me. Porokoru last Saturday evening proposed that the press should not be returned, and the Ngatimaniapotos of Hangatiki also wished to keep it, so I had better send for it before it was too late. I said I appreciated the goodness of his intentions in telling me all this, but I had never asked for the press or for payment for damages, and I would not fetch it. He said he and Rewi had not agreed to the proceedings of the "taua" (war party). When they were on their way to the Awamutu they had said "Kia pai te mahi," and the disobedience of the "taua" was the hold Rewi had over them if he should be blamed for returning the press. When Thompson came to Kihikihi he himself had stood out for the restoration of the press, but not for payment of damages which had been done not by Rewi but by the "taua." I replied that I would consider the matter, and give my final answer in the morning.

He added that the Governor having given me permission to go, they had debated whether Mr. Purchas should be allowed to remain—the decision was that he should not. Reihana said that when Mr. Gorst was gone he should come down to see if any broken bottles were left behind at the Awamutu and sweep them away.

When Wharetini went Mr. Fulloon followed him out. Wharetini asked if he had heard news from Taranaki. A messenger had come from Taranaki to Hangatiki and returned the same day. Mr. Fulloon asked what answer had been sent. He said, "Me ki ki tona taringa me patu te pakeha," (whisper in his ear to smite the pakehas). He added, "Hei konei" (farewell), and away he went. Wharetini said that the "ritenga" for my going was left with the Maori King, and they would not come again with an armed party. I place no reliance on this pledge, contradicted as it is by the words of Reihana. Ti Ori Ori has just arrived here, having been requested by a messenger from Te Paea to meet her at this place.

I am making every preparation for removing the whole of this establishment as soon as possible. If any important news is received from the South, I ought to be made acquainted with it without delay.

I am, &c.,

J. E. GORST.

The Honble. the Native Minister, Auckland.

Mataitawa, Part of Taranaki,

April 8th, 1863.

To W. Kingi, to Rewi Maniapoto, to Te Waru, to Porokuru, to Hoani Papita, and to their districts (lit. boundaries).

Friends, fathers, salutations to you in the grace of God and in the authority of our King. Enough of that.

This is also a word. On the 4th day of April the Governor went to Tataraimaka with his soldiers; his barrack has been erected, and stands at Tataraimaka. The thought of these tribes is waiting for the word from you and from the "runangas" of the island. Enough of that.

This is also a word. These five tribes, the Atiawa, Taranaki, Ngatiruanui, Ngarauru, and Whanganui, have taken up quarters at Tataraimaka. The red earth has dried on the surface. The work of the tribe is the gun; in a short time it will be firing constantly. Enough of that.

This is another word. William, what is your mind regarding your tribes who are unsettled here? Friend if it were merely a canoe of wood\* we should know how to act, but for a canoe of men where should we search?

It is ended.

From HARE TE PAIA,  
IHAIA TE WHAREPA,  
HOANI KOINAKI,  
WIKITOA TAMATANINIHI.

From the "Runanga" of Mataitawa.

\* A wooden canoe, if broken, can easily be repaired; but lost men cannot be replaced.

Enclosure 4 to No. 16.

Auckland, April 23rd, 1863.

SIR,—

On Friday, April 17th, the Printing press and Mail box were fetched from Kihikihi. The Printing press was very little damaged, one of the cast iron legs had been snapped, and the Natives said that some of the young men had helped themselves to type out of the cases to keep as curiosities.

Te Paea and Patara arrived in the evening, and we had a very long conversation with them. Patara began by referring to a letter of Mr. Morgan's which they had seen in a book among other letters of Missionaries, some of which have been printed in the *Hokioi*. This letter stated that a war at Taranaki would be the signal for a general rising throughout the island. Patara said that this was true, and the object of their coming was to warn us, and advise our immediate departure from the District. They did not seem to have any doubt that war would break out at Taranaki after the message Rewi had sent down, they said Rewi had gone to Hangatiki to prepare to lead Ngatimaniapoto down. Te Paea had sent to recall him, but there was no reason to think he would pay more attention to her, than he had

formerly done to Potatau. Patara said that the coming war would not be like former ones; the young men of the present day would not attend to the words of their chiefs, but would rob and murder as they pleased. No one had authority over them; not even Rewi: they obeyed him so long as his commands pleased them, but he had no power to restrain them from evil. The King had no power at all. We told Patara he was talking like the "*Pikohoi*." He laughed and said it was very true. They said they had come out of kindness to us, to urge us to leave at once. We had seen how Rewi treated us in time of peace, and we might judge what he would do in time of war, or rather, what the Ngatimaniapotos of Hangatiki would do. It was intimated in very plain language, that if a shot was fired at Taranaki all Europeans within reach would be murdered. I asked to whom their warning applied; Te Paea said to all, settlers and missionaries as well as Government officers; she said Maoris did not care now to send their children to the mission schools, and they thought they could read prayers and preach as well as the missionaries themselves. A good deal of discussion took place as to the mode of removing the property; Te Paea was anxious to get everything off as soon as possible, and promised to get the Rangiawhia carts to come and help us. They begged that we would not stay on from day to day waiting till bad news came from Taranaki; it would be too late to go then. Ti Ori Ori was present during the talk, and I understand William Thompson was in the neighbourhood, but kept in the back ground. Te Paea has asked to have the Awamutu station given into her hands by Porokuru, and has asked Hohaia to remain in it. He is the Native teacher whom I had asked to take charge if we had all to leave the place. She says any property left in it will be safe at present, and if times become very bad she will have it sent down the river. I have made arrangements for all the Europeans in Government employment to leave the Awamutu at once.

I have, &c.

J. E. GORST.

Patara informed us that the "*Hokioi*" is suppressed.

The Honorable, the Native Minister, Auckland.

### Enclosure 5 to No. 16.

Te Awamutu, April 15th, 1863.

MY DEAR MR. HALSE,—

Affairs are assuming a curious appearance up here. It is quite apparent that the Ngatimaniapoto and Lower Waikato are doing and will do their best to provoke hostilities; but the Ngaruawahia and Ngatihaua people are afraid of a war. When I was at Hui Te Rangiora on Saturday, William King told me, as a fact, that there will be war, and a great war. The Ngatiruanui have been told off into two parties. Ruahine was to wage war at Taranaki, and Ngahoe at Whanganui, in conjunction with the Waitotara people and the Ngarauru; Ngatiraukawa, Ngatiawa, and Ngatikahuhunu were to carry war into Wellington; the Ngatimaniapoto of course will go to Taranaki, and if William King can manage it, he will rouse Waikato and the neighbouring tribes to attack Auckland. Of course the Government can take this for what it is worth; still it will be well to be on our guard, lest it might be true.

A messenger arrived here from Kapiti, reporting that a large quantity of arms and ammunition have been seized from the Atiawa on the Middle Island, which was being brought over to Taranaki. I also overheard William King telling Rewi that Tamati Pininona of Massacre Bay, has twenty double barreled guns in his possession for him. It will be as well to let Mr. J. Mackay know this.

The Ngatimaniapoto are now having a meeting at Hangatiki,—the people are attending with arms.

Te Hapuku was here this evening, having just returned from Ngaruawahia. He is thoroughly disgusted with the doings and sayings of Waikato; he intended coming on to Auckland, but owing to what he has heard he has altered his mind, but will come to Auckland directly he gets to Napier. He is coming here to-morrow morning to write a letter to His Excellency. He told me it would be advisable for the Governor not to come into Waikato again. *Kei Kohurutia e Waikato.*

It was decided at Ngaruawahia to-day that a conference should be held during next summer; two persons are to attend from every tribe in New Zealand, for the purpose of framing laws, of course if everything goes on smoothly. It is a grand scheme for the Natives. I find that the thing has been mooted for some time past. You will find other news in the reports and other sources.

I have, &c.,

JAMES FULLOON.

H. Halse, Esq.

### Enclosure 6 to No. 16.

Ngaruawahia, April 27th, 1863.

TO TAMATI,—

Salutations to you and your younger brethren, and also to the tribe. Probably the evil tidings of the doings of the Ngatimaniapoto in violently expelling Mr. Gorst, and trampling on the word of the king, have reached you. The present time is a time of darkness; it is impossible to guide matters aright. The Ngatihaua lead on a straight road; but the tribes that do that which is right are called "*Queenites*" by the Ngatimaniapoto, and of those tribes that do wrong it is said they belong to the King. The present state of affairs is very trying. Potatau's words are altogether set at naught, and the word of any inferior man is by them considered right. They say that by their plans the king will be established. They have not kept one of Potatau's words, nor of this second king's. They say to the Pakehas residing amongst them, whether ministers or settlers, that if they acknowledge the sovereignty of the king they will be allowed to remain, but that whoever is under the "*mana*" of the Queen will be expelled, although the land he lives on may be his own. This ends. Mr. Morgan and Mr. Reid have gone quietly back to Auckland, in consequence of the unchieflike conduct of the tribe. This ends.



The Ngatimaniapoto have gone to occupy Waitara, with Hikaka, Te Kaokao, and many Ngatimaniapoto chiefs; they have gone to drive away the soldiers who have charge of Waitara. Those at Tataraimaka may not perhaps commit any evil; those at Waitara will be the first to do evil (*i.e.*, to commence hostilities.) This ends. Rewi has written to the Urewera to ask them to let him have the Ia; that is, to give it up to him to do as he wishes (*i.e.*, to consent to his attacking it). We said, He must be a great priest who will uncover the incantations which have been laid at that place. Pekehawari (a god) has been laid there. Let them (the Pakehas) first overleap them.

Te Paea and I were at Kihikihi. This ends.

FROM WIREMU PATARA TE MATOHA.

### Enclosure 7 to No. 16.

Otawhao, April 25th, 1863.

SIR,—

Up to a late hour yesterday, I intended leaving this place to-day; but in consequence of information received last night, I have decided on remaining at least a few hours longer. I have also kept Mr. James Fulloon, whose services have been of great value to us in this time of trouble and difficulty.

I think you have been informed that an armed party of Ngatimaniapoto, left for Taranaki on the 18th. The original intention was that a large body of men should go; but it was at last resolved, after much discussion, that a part of their fighting men should go to Taranaki, and that the rest should be employed elsewhere. Therefore, only about two hundred men went under the leadership of Takerei, of Mokau, Tikaokao, Hikaka, and Te Kaharoa; their destination is Waitara, and not Tataraimaka, the meeting having decided that they would not attack the troops at the latter place, but endeavour to drive out all they found at Waitara. W. Kingi Te Rangitake is, I believe, still at Kihikihi, or in the neighbourhood of that place. He talks of returning to Waitara, and says, if he goes back, there will be plenty of fighting.

A great discussion has been going on at Kihikihi, between Rewi and his followers; together with Reihana on the one side, and Te Paea Potatau and Patara, of Ngaruawahia, on the other. Rewi's side are urgent for an immediate descent upon the Ia (with a view, as I am told, not of attacking the troops, but of making a raid against the settlers); while Te Paea and Patara strenuously oppose the plan. I do not know whether the question is settled or not; but I think it desirable to give you the earliest information in my power of the existence of the project. There appears to be every reason to believe that, if Te Paea and Patara succeed in dissuading Rewi and Reihana from trying to carry out their plan, an attack will be made upon Raglan. I have heard this positively stated by two or three persons, but do not feel sure about it; as regards the project of sending an *ope* (party) down the river, it is certain that it was the subject of warm discussion up to a late hour yesterday. If Rewi should not succeed in silencing the opposition of Te Paea and Patara, I believe I shall have an immediate notice, upon which I shall either ride into Auckland as quickly as possible, or send off a special messenger at once. If, on the other hand, I should find that an attack is to be made upon Raglan, I will use every effort to send word to Major McGregor.

W. Thompson and Ti Ori Ori have expressed their entire disapprobation of the proceedings of Rewi and his people, and I believe will prevent Ngatihaua taking any part in the conflict, which appears to be impending. I would beg to suggest that it is highly desirable that the present disinclination to war on the part of those Chiefs and their people, should be encouraged as much as possible. From all I can gather, it would not be a very difficult matter just at this moment to detach Ngatihaua, and a considerable part of Ngatiapakura, from those violent men, who according to openly expressed opinion of the more thoughtful of their neighbours, are bringing ruin and destruction on their people. The Potatau family are also deeply mortified at what has been done and said by Rewi and his companions. Te Paea assures me that she has stayed with her brother against her will, and that if the violent men carry the day in their discussions, she will at once quit Waikato, and return to Mangare. Nor should I in any degree be surprised if Matutaera were to follow her example. His own near relatives have admitted to me, in private conversation, that he has no power to restrain the violent men who profess to be his subjects; and the Ngatiapakura people in this immediate neighbourhood do not hesitate to say that they now see that their King is no good, because he has no power to prevent lawless proceedings.

All the Europeans in this district have been warned by their Native friends to leave, or else that they will be compelled to put themselves openly under the protection of the King, and to pay tribute. I regret to be obliged to say that it is likely that some of the white men will take the latter course. They say they have only the choice of two evils, becoming either rebels or beggars.

I would beg to suggest that all the Europeans in these districts should be officially warned of the danger they must incur by remaining amongst the Natives, in the event of war recommencing, and further would venture to urge the great desirableness of the Government obtaining possession of the lands at present owned by Europeans here and there in this district, and would especially instance the property of Mr. Heather.

I have, &c.,

ARTHUR G. PURCHAS.

The Honorable the Native Minister.

### Enclosure 8 to No. 16.

Auckland, May 2, 1863.

SIR,—

In my last letter from Otawhao I informed you of the state of affairs in that neighbourhood up to the time of writing; I will now continue the account to the present date.

Patara and Te Paea remained near Otawhao until Saturday, April 25th, when they returned to

## SECTION I.

Ngaruawahia. On their way they spent some hours with me at Otawhao. They had both visited Kihikihi, and had a long talk with Rewi about his proceedings, during which they strongly expressed their disapprobation of the violent conduct of Ngatimaniapoto. Rewi urged them to assent to his proposal that Maungatawhiri should be handed over to him to do what he liked with, but they stoutly refused and came away with the belief that Rewi had given up all thought of doing anything in that quarter. In this I afterwards found that they were mistaken. Te Paea told Rewi that the land and premises at Te Awamutu and Te Tomo, as well as the church at the former place, had been entrusted to her, to be safely kept against all intruders until more peaceable times, when they would be re-occupied by the Pakeha. This annoyed Rewi very much, as he and his people had set their hearts on taking possession of the place for themselves. Rewi, however, promised to respect Te Paea's pledge, but he could not bind Reihana, who is, I believe, the head of that portion of Ngatimaniapoto; and I think it still not unlikely that the threat of either occupying or destroying the school premises may yet be carried out. There is no doubt that Te Paea exerted herself to the utmost in endeavouring to restrain the turbulence of Rewi and his people, and I believe her efforts have not been altogether unsuccessful, although the whole of the Potatau family are greatly disgusted at the turn affairs have taken, and particularly at the open defiance of the authority of Matutaera evinced by men who, according to Maori custom, ought to have been his most obedient supporters. I may take this opportunity of stating that several of the immediate relatives of Matutaera, including Te Paea and Patara, admitted to me, without reserve, that their cherished hopes had been grievously disappointed, and that their so-called king had no power to restrain men who were doing evil in his name. It appears to be impossible that the king party should hold together much longer. Te Paea told me that her residence in Waikato was in great measure against her will; that it was a "noho herehere;" that Potatau, her father, had told her to remain at Mangere as long as she lived, and that in consequence of her obedience to his commands she was not even present at his death. She had been almost forced to stay amongst them by the unsettled state of the people, and if she found she could no longer do any good amongst them, and that they continued to disregard her father's dying words to them—"Live in peace with the Pakeha"—she had made up her mind to leave Waikato and return to Mangere.

On Sunday night (April 26th) Hohaia Ngahiwi came back from Kihikihi, and told me that he had had an interview with Rewi and others of the chiefs, and found that they had not given up their desire to have Te Ia handed over to them. They had resolved to go down to Ngaruawahia to urge three things, viz.,—first, that they should have charge of Maungatawhiri; secondly, that Matutaera should go to Hangatiki to reside (which would place him completely under the power of Ngatimaniapoto); and thirdly, that all half-caste children in the district should be seized. (The last of these proposals, I am sorry to say, was partly carried out without asking for anybody's consent, for a few hours before I left the Awamutu, two poor girls—one about seventeen or eighteen, and the other about ten years old—were carried off from the house of one of the men employed at the school. The elder of the two girls was carried off by main force from the house of a settler at Mangere last year, and had come to the Awamutu in the hope of escaping to Auckland.)

Hohaia also told me that although Rewi assented to Te Paea's proposal that he (Hohaia) should be her representative in taking care of the Awamutu, their idea of taking possession of it did not appear to be abandoned, as they talked of coming to plough up the fields next week.

On the following morning (April 27), having taken every precaution in my power for the safety of the school premises, I left the place and started for Auckland in company with Mr. Fulloon, and two of the men who had been employed at the school. We spent the night at Ngaruawahia. Matutaera was absent visiting the lower part of the river. We had much conversation with Te Paea, Patara, and Neri, all of whom sorrowfully admitted the failure of the movement, from which they had hoped great things. In the course of conversation, Patara said that he was the originator of the idea of sending the Kohekohe timber back to the Ia; but that he never expected that any violence would have been used. The notion that the buildings were intended for a barrack for soldiers had been generally believed, and that was the reason why the people were afraid of it. Patara also made a proposal which I think it my duty to report, although of course I gave him no ground whatever to think that it would be assented to. His proposal was to this effect: that he and some of the Waikato chiefs should go to Taranaki, and ask the Governor to agree to the following things:—

- (1.) That the Governor should purchase Tataraimaka from the settlers, and leave it unoccupied for a fixed period, say three or four years.
- (2.) That Waitara should also remain unoccupied for the same period.
- (3.) That all Government Officers and other Europeans should be removed from Native districts for the same length of time.
- (4.) That during this final period of probation the Maoris should be entirely left to themselves; and if at the end of the time they should remain unwilling to submit to the law, the Governor should declare a "paeroa," or general war, which would settle the question forever.

Patara's idea in making the above proposals seemed to be, that before the expiration of the time fixed, the Natives throughout the country would be thoroughly miserable, for want of the comforts and help they have hitherto enjoyed, that they would be glad to submit to anything in order to recover them. I do not think it my duty to offer any remarks upon Patara's scheme.

On the following morning Te Paea accompanied me down the river. At Kahumatuku Hona expressed great anxiety lest the proceedings of Ngatimaniapoto should lead to war, and begged me to ask the Governor to set apart a place where he and all who did not wish to fight might sit quietly until the war should end. He suggested the land belonging to Ngatitipa, in the lower Waikato, as a good place for this purpose. Some of the Ngatiapakura would also be glad to avail themselves of an asylum in the event of war.

At Matuterata we found Matutaera, who appeared to be greatly vexed at the proceedings of Maniapoto. He had not heard of their later doings until we arrived. He was particularly offended with their conduct in driving away the ministers and schools, with their talk about the Ia, and with their wish to take him up to Hangatiki. After we left, Te Paea told me that Matutaera meant to make one effort more to bring Ngatimaniapoto back to their senses, and if he did not succeed, then "heoi ano" (enough.)

Ngatihaua were summoned by their own chiefs to assemble this week at Pake-rimu to consider what should be done with Rewi and his followers.

Matutaera's object in returning quickly up the river was to endeavour to stop Mr. Morgan and Mr.

Reid, and to persuade them to return. He would also try to revive his father's words, which had been trampled on, although it was very evident that he hardly hoped to succeed.

I was shown a letter from Patara to Tamati Ngapora which gives a very clear view of what the Matutaera party think of Rewi's conduct. I append a copy.

I have, &c.,

ARTHUR G. PURCHAS.

P. S.—I beg to bring under the notice of the Government the very efficient services rendered by Mr. James Fulloon during the proceedings to which I have referred in my letter. A. G. P.

The Honorable the Native Minister, Auckland.

### Enclosure 9 to No. 16.

Te Kauri, April 27, 1863.

To the loving friend—to Mr. Parris. Greetings to you who are living in that troubled abode of yours at Taranaki; this is my word to you, which I now impart to you while there still is light. Friend, here am I at Te Kauri hearing of the arrangements made by you and the Governor, I have heard the Governor's word in which he says that he is living at Waimahuru, at these days even at Tawhitiapawa. Friend Parris,—this was your word which you wrote to me at the time of the fight at Pukerangiora, that I should go inland. I paid all obedience to your word, I did not march against you. Listen now to me, the first (bloodshed) was Hone Heke's, the second was at Wairau, the third was at the Hutt, the fourth was at the Whanganui, the fifth was at Waitara and that now coming will be the sixth. Now if there is a rising, then, indeed, will the lizards of Tahaia move with life, even in the days that are coming; the word will not be kept concealed from you.

But let us respect the song.

“O Friends, listen to the word  
Which will be heard afar;  
What though our numbers are few,  
Let our fame be great;  
There is no more unrestrained  
Love for my Brother, to say to him,  
'It is well with thee,' for the anger  
Of Tukino is brooding behind the hills:  
Let me then stand at the boundary post  
Called Tataraimaka, Ah! How then may  
I conceal and hide my love? Ah let me  
Still sigh for my spouse the loved one of my heart.”

These are my words O friend, to you.

This is all,

From KARAUTI HIKAKA.

### No. 17.

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

Taranaki, May 10th, 1863.

MY LORD DUKE,—

I have the honor to state that on taking possession of the Tataraimaka block of land, I found it was distant about ten or eleven miles to the South of New Plymouth, that the remaining portion of our own land in that direction terminated about six miles from New Plymouth, and that there was thus an intervening block of the width of about four or five miles between the land forming the New Plymouth block and the Tataraimaka block. This latter block of land was thus wholly surrounded by Natives who could not be at all depended on. The nearest European settlement to Tataraimaka on its southern side is Whanganui, distant one hundred and twenty miles. The whole intervening country is occupied by hostile Natives.

2. On consulting the Lieut.-General, I found that the number of men required for the protection of this block, and to be left in so isolated a position, was two hundred; the estimated annual cost of each man, all charges taken into account, the military authorities inform me is £90. The yearly cost therefore of protecting the Tataraimaka block will be about £18,000.

3. Again, it appeared on enquiry that this block contains only four thousand acres of land, and that the number of owners of it is not more than twenty, each of whom will have to be protected at the cost of nearly £1000 a-year.

4. I thought it therefore better for the local Government to buy the land for the reasons set forth in the enclosed letter from the Colonial Secretary, and to plant there a military settlement which could protect itself as well as the southern boundary of the settlement.

5. Your Grace will however see from the enclosed correspondence that the local authorities would not agree to this arrangement, and the Provincial Council has rejected the bill submitted to it. Since this decision has been come to by the Government, two officers and seven men have been murdered on the land which intervenes between this settlement and Tataraimaka, and if that block is to be maintained, we shall be compelled, at all events for a considerable time, to keep a force here to furnish escorts for carrying supplies, &c., to Tataraimaka.

I have, &c.,

His Grace the Duke of Newcastle, K.G.

G. GREY.

No. 46.

Enclosure 1 to No. 17.

THE COLONIAL SECRETARY TO THE SUPERINTENDENT OF TARANAKI.

SIR,—

New Plymouth, 16th April, 1863.

It is considered by the Government as essential to any scheme for the satisfactory reinstatement of the settlement of Taranaki, that the Tataraimaka Block should be occupied in future by a body of settlers able to maintain their position, and thus to give great additional security to the inhabitants of the rest of the Province.

The present owners of land in that block do not, as your Honor is aware, number more than twenty, several of whom it is probable would not in any case reside there. It is obvious that so small a body of men, separated from the other districts belonging to Europeans, by a tract of land owned by disaffected Natives, would require for their protection a Military Force disproportioned to the results being obtained, and which, in the event of any considerable reduction of the Troops kept in the Colony, would either have to be maintained there at the expense of more settled portions of the country equally requiring protection, or being proportionately reduced, would cease to afford the security the settlers require.

If, on the other hand, a strong Military Settlement were placed on the Block, these difficulties would be avoided; while a powerful Advance Guard would be provided for the protection of the Southern Boundary of the settled districts, which it is hoped would furnish, in connection with other measures of a similar kind, a material guarantee for the future peace and security of the whole settlement of Taranaki.

To enable such a measure to be carried into effect, the Government must obtain possession of the Block in question. For this purpose an Act of the Provincial Council would be necessary, similar in its provisions to the other Acts which have lately been passed for obtaining lands for public purposes.

I have, therefore, to invite your Honor to lay a Bill before Council, with as little delay as possible, to authorise the General Government to take the whole of the land in the Tataraimaka Block, or any portion it might deem sufficient for the objects it has in view, at a fair price per acre. Should this be done, a settlement will at once be established there, to consist of a body of soldiers, accustomed to the country, and particularly acquainted with this Province, who are now entitled and waiting their discharge, and who would obtain the lands upon a kind of Military tenure, and on other conditions hereafter to be specified.

It must of course be understood that the Government does not pledge itself to effect this purchase, if the sum ultimately found requisite should exceed the amount Government may think proper to devote thereto.

I have, &c.,

His Honor the Superintendent, Taranaki.

ALFRED DOMETT.

Enclosure 2 to No. 17.

SUPERINTENDENT OF TARANAKI TO THE COLONIAL SECRETARY.

Superintendent's Office, New Plymouth,

SIR,—

21st April, 1863.

I have the honor to acknowledge the receipt of your letter of the 16th instant, acquainting me with the views of the Government in regard to the future occupation of the Tataraimaka District, and inviting me to lay a Bill before the Provincial Council to authorise the General Government to take the whole of the land, or any portion they may deem sufficient for the object of forming a settlement of discharged soldiers there.

I shall, upon your request, lose no time in submitting a Bill of the nature referred to for the consideration of the Council, at the same time I must state that I am unable to give the measure my support. First, as the position of Tataraimaka is by no means more isolated than that of other settled districts of this island, it appears to me evident that the special proposition of dispossessing the land owners of Tataraimaka, merges itself in the more general one, whether it is necessary or desirable to withdraw the ordinary settlers from all lands similarly situated; and being thus but one instance of the application of a principle most important to the whole colony, I think that it would be much wiser in the Provincial Council to decline to legislate upon the subject, even if that body should be disposed to assent to the principle involved.

Again, if it be desirable to remove the Tataraimaka land owners, I cannot but feel that they are fully entitled to receive from the Government the market value in times of peace of the land in the possession of which the Government are unable, it seems, to protect them; and I, therefore, do not feel myself justified in assisting in any attempt at coercion, until it is shown that they either refuse to sell by arbitration, or ask a price for their land greater than it would be worth if it could be occupied in security.

In conclusion, I would state that if it is the opinion of the Government that the settlement can only be protected at this date by a chain of military posts of the magnitude proposed, then the question, affecting as it does every settlement in the North Island, seems to me one for the immediate consideration of the Colonial Parliament.

I have, &c.,

The Honorable the Colonial Secretary, New Plymouth,

CHARLES BROWN,  
Superintendent.

No. 18.

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

No. 47.

Taranaki, May 10th, 1863.

MY LORD DUKE,—

I have the honor herewith to transmit to Your Grace the proceedings of the Coroner's inquest held upon the bodies of the Officers and men who were so barbarously murdered on the 4th instant, as I reported shortly to Your Grace in my despatch No. 42, of the 8th instant.

I have, &c.,

His Grace the Duke of Newcastle, K.G.

G. GREY.

DISTRICT OF TARANAKI,  
COLONY OF NEW ZEALAND,  
To wit.

## PROCEEDINGS OF CORONER'S INQUEST.

INFORMATION of witnesses taken and acknowledged on behalf of our Sovereign Lady the Queen, touching the deaths of Thomas Heathcote Tragett, Lieutenant; William Astell Hope, Staff Assistant Surgeon; Samuel Ellers, Color-Sergeant; Samuel Hill, Sergeant; John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy, Privates; all of Her Majesty's 57th Regiment of Foot, now stationed at New Plymouth, in the said Province of Taranaki, at the Military Hospital in the Town of New Plymouth, and by adjournment at the Provincial Council Chamber, Mount Elliott, on the 5th day of May, the 7th, 8th, and 9th days of May, one thousand eight hundred and sixty-three, and in the twenty-sixth year of the reign of our Sovereign Lady the Queen Victoria, before Josiah Flight, Esquire, Justice of the Peace, Coroner in and for the District of Taranaki aforesaid, at an Inquest held on view of the bodies of Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy.

This deponent, James Hill, on his Oath said: I am Hospital Sergeant. I attended the Jury to view the bodies in this Hospital. I recognize each of them. They are the bodies of Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy.

By Mr. Fenton (who appeared on behalf of the Crown)—I was personally acquainted with each of them. Mr. Tragett was a Lieutenant in the 57th regiment, William Astell Hope was Staff Assistant Surgeon, Samuel Ellers was Color-Sergeant in the 57th regiment, Samuel Hill was a Sergeant in the same regiment; the rest were all Privates in the 57th regiment. I have seen the bodies and have examined them, they all bore marks of wounds and mutilation. Most of the wounds were gunshot, also spear wounds and tomahawk wounds; most of them are fearfully mutilated. I removed the bodies from the cart to the dead house, where they were laid.

J. HILL,  
JOSIAH FLIGHT, Coroner.

This deponent, William Alexander McKinnon, on his Oath saith: I am Surgeon of the 57th regiment. I have examined the bodies of Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy. I examined them last night when the bodies arrived, and also this morning. Staff Assistant Surgeon Hope had a gunshot wound through right shoulder, penetrating both lungs as far back on left side, near the spine, where ball remains under the skin; tomahawk cut over left side of head, and deep spear wound through face and upper jaw. Lieut. Tragett, wound through right side of chest, bullets found under body this morning, gunshot wound through left thigh; no other wound. Sergeant Samuel Hill, gunshot wound through right side of abdomen, both arms smashed by bullets, ball through head, the integuments of right side all burnt by powder, the muzzle of gun must have been held close to the part; head tomahawked and speared as well. Color-Sergeant Samuel Ellers, shot through head and speared through abdomen. Private Edward Kelly, shot through both thighs and abdomen; head gashed, completely open in front and behind by tomahawk, another deep tomahawk cut across left hand at wrist. Private Bartholomew McCarthy, shot through right hip, two tomahawk cuts over forehead, back of right side of head speared. Private John Flinn, shot through right arm, same side of chest, and through left forearm and thigh, and gunshot wound of right side of head, penetrating brain, musket must have been held close to head. Private William Banks, shot through right knee and left thigh, four terrible tomahawk cuts through back and right side of head; index finger of right hand all but severed, as also middle one, by tomahawk; the man has evidently raised his hand to protect his head. I produce two bullets taken from the bodies. I should say the bullets were from muskets, both from the appearance of the wounds as well as the balls produced; most certainly the wounds I have named were the cause of death in each case. A sword might have produced some such wound, but I think it improbable, they appear to have been made by some thick edged instrument; they were gaping wounds. One of the wounds was of a triangular shape, as from a spear or the long handle of a tomahawk. I should say from the appearance of the wounds they were decidedly made by a tomahawk. The balls produced are quite different to those used by the regiment. The tomahawk wounds were most likely the cause of death, excepting in the case of two, who were not so much mutilated. I first saw the bodies in the cart, about a mile from the scene of the murder, and afterwards at Poutoko. Each of the persons received more than one gunshot wound. I am perfectly convinced that some of the men were not killed by the gunshot wounds, but that death was ultimately produced by being tomahawked. From the appearance of the bodies, some of the gunshot wounds must have been inflicted from a very short distance; one man had his head and neck burnt with gunpowder. Two of the fingers of one of the privates were nearly cut off, as he raised his hand in self-defence. Dr. Hope was stripped to his shirt, and Mr. Tragett to his shirt and trousers; all medals and decorations were stripped from the Privates and Non-Commissioned Officers who wore the same.

By Mr. Fenton:—Dr. Hope was coming to see me with reference to making arrangements with Assistant Surgeon Davis of the 57th Regt. at Whanganui to affect an exchange from the staff back in the the Regiment. I call it entirely a private affair; he was also coming in to consult me with reference to the health of the Troops at Tataraimaka during the winter. I consider that a military duty. He was stationed at Tataraimaka, it was part of his duty to come in or send by letter to consult me periodically. I have seen him on such subjects; he sometimes came in with sword, but generally in plain clothes. I don't know whether he was armed on this occasion. I saw the bodies about a mile from the scene. I know nothing about the stripping of the bodies. I met them in a cart coming to the Town. I did not then look at the bodies, they must have been dead only a few hours; this was on the 4th of May. They must have been alive on the day I saw them. All the privates and non-commissioned officers had their clothes on when I first saw the bodies in the dead house, the ordinary uniform, red coats, not knapsacks, some had their haversacks, no belts, arms or ammunition, no forage caps. The body of Dr. Hope was stripped to his shirt. Lieutenant Tragett had his shirt, trousers, collar, and necktie on.

By the Coroner:—I saw the bodies in the cart at half-past two or three o'clock.

WM. ALEX. MACKINNON, Surgeon, 57th Regt.  
JOSIAH FLIGHT, Coroner.

*By the Coroner*—Sergeant Hill recalled :—The men all wore medals, that is the privates and non-commissioned officers. They had no medals, they had been stripped off the coats, stripped off as by force. There were no rings on the fingers. I am aware my brother and Color-Sergeant Ellers were in the habit of wearing rings. Dr. Hope was in the habit of wearing rings. There was none on him when his body was brought in.

J. HILL,  
JOSIAH FLIGHT, Coroner.

This Deponent, William Burtenshaw, on his Oath, saith :—I am a corporal in the Commissariat Transport Corps. I know Sergeant Ellers perfectly well, and private Kelly. I was in charge of the Commissariat Transport Carts yesterday, there were two Carts from Poutoko to Tataraimaka. I had four drivers. I am not in charge of the escort but of the carts and drivers. I was on the beach near the river (Oakura), about a mile over the river when I saw an escort of soldiers coming towards me, and two mounted men. I could not say whether they were officers or not they were about eight hundred yards from me when I saw them. I heard a volley fired from the bush. I saw the splash of the balls in the water. The shots came from higher ground than our men were, from inland, and I saw the splash of the balls in the water; immediately afterwards I saw two soldiers lying dead or wounded on the beach. I ordered my drays to turn again towards home and I and my party retired leaving the two drays and twelve bullocks on the beach. There were six bullocks to each dray; six bullocks and a dray were left and six bullocks and a dray were taken by the Natives and one load. One dray was found on the beach when we went back, and I was told the Natives had taken the other. It was about three hours after we left the drays till we returned to where we left them. The dray that was taken contained five bags of flour, a sack of potatoes, and some small cases containing spirits, three oilskin coats belonging to myself and the two drivers. The load in the other cart was beer and ginger beer for the canteen and sundry other articles. I could not say whether the escort we met were armed. We were armed, the drivers loaded their arms on the beach after we heard the firing. We did not fire. I saw on the beach one native who fired at me. I saw no other natives. I saw other natives on the beach, I suppose from eighty to a hundred, that was before the one fired on me. My party did not fire a shot our ammunition was spoiled in crossing the river. No gun had been fired before the volley I have spoken of. I heard more firing, a good firing was kept up for about ten minutes by natives. I saw a native hold up a kind of flag, and I was fired at after that. I saw a native fire from behind a grey horse at me; the horse was coming towards town, a ball passed between me and another corporal. I started from Poutoko at eight o'clock, the escort consisted of four soldiers and a corporal, also myself and four drivers, making ten in all. I did not see any Maoris about the bodies of the soldiers lying on the beach. The shots did not come from the cliff. I meant by bush, fern, or small brushwood. I was acting under general instructions, they were to take charge of the drays, contents, cattle, and men, and to take arms and accoutrements. We did not load our arms till we heard the firing as it is dangerous to carry loaded arms in the cart. I had received no particular caution that day or previously. It is only recently that the carts had an escort. I was warned by Major Logan never to come to Tataraimaka without an escort. It was about six days ago that I received this caution or order. The horse I saw was saddled but without a rider. I suppose the escort was intended to defend us from attacks from Natives. We had no official notice that an attack might be expected. The natives followed us back to the river. After they fired at us they had a kind of red dress. We did not fire as we retired. Our ammunition was spoiled on crossing the river going back. I have been stationed at Poutoko about three weeks. I have seen through an opera glass the native stockade on the ridge to the left front of the Poutoko Redoubt. I sent back four drivers from the Redoubt to the carts, and they returned home with the bodies. They are all now at Poutoko. They all crossed the river with me and have reported themselves since.

*By Mr. Fenton* :—The only road is on the beach where the sea flows over above or below high water mark, according to the state of the tide. After the volley was given I saw two men with red coats and belts on lying on the beach. I had seen them before the escort was meeting us, where I saw them there is a bend in the land. That is where the escort was when I heard the volley. I told Corporal Stene of the 57th regt. that something was up. He said the other escort was discharging their pieces. I then ran to the right down on the sand towards the water, and I saw two soldiers lying on the beach apparently dead or wounded. The firing was still going on. I saw no more soldiers. I then retired. I saw natives up in the scrub on the land off the sand, about a hundred or a hundred and fifty yards from the two soldiers. The soldiers were on what we consider to be the road.

*By the Jury* :—I could not say if the attacked escort returned the fire. I am sure the two men were not lying on the beach before the firing. I was forty or fifty yards from the native when he fired at me. There was no act of hostility whatever committed by me or my party towards the natives before I was fired on, nor did we return the fire or fire a shot. I am sure it was a native who fired at me.

WM. BURTENSHAW, Corporal, C.T.C.  
JOSIAH FLIGHT, Coroner.

Charles Mansfield Clark, on his Oath, saith as follows :—I am Adjutant of the 57th regt. I produce a telegram which was received at Poutoko at half-past eight on the morning of the 7th of May, which contains the statement of one of the escort, which left Tataraimaka on the 4th of May.

Robert Parris, on his Oath, saith as follows :—I am Assistant Native Secretary. I know nothing myself of the death of the parties before mentioned. I was at Poutoko pa on Monday, the 27th of April. As I was leaving town I saw Mr. Fleming, who accompanied or followed me so far as I remember to Poutoko. On arriving at the redoubt he asked me whether it was safe for him to proceed to Tataraimaka. I told him from a report I had heard the previous day I was afraid it was not safe. I don't remember that I cautioned any other person that day. I have answered on my Oath. The report that I alluded to was that the natives had threatened to do something, but what I could not exactly say. They had threatened to commence hostilities. To native reports a good deal of uncertainty always attaches, but at the moment in question I considered it my duty to go to the district on account of that report. I went of my own accord. I was not requested to do so. On account of the reports I had heard I could not at all tell what was likely to take place. I thought it possible that hostilities might commence that day as it had been threatened. From reports I had received I could not tell how they would commence. It was quite possible that they might commence hostilities by murdering Mr. Fleming. I did think the natives might commence hostilities by murdering Mr. Fleming if he went on to Tataraimaka. Whilst I was at the Poutoko looking towards the beach opposite the Wairau in

company with Captain Greaves, we saw some one riding on horseback along the beach coming towards the Poutoko, which proved to be William Newland. When he arrived at the Poutoko I asked him if he had seen any natives. He replied, "Yes, I saw five or six at Wairau." I asked him if they had interfered with him or said anything to him. He replied they said "Tenakoe," that was all. I don't remember any further conversation with William Newland on the day in question, or further seeing him. I don't remember making any remark to him of the danger he had escaped on the day in question. A day or two afterwards I said to William Newland in the town, "I think you had a very narrow escape of your life; we have heard that ambuscades had been planted early in the morning, and that they had retired to the ranges a short time before you came up." When I used the word "we," I spoke of persons generally in the town. It is my duty to state to the Jury that I am directed by the Government not to answer any questions respecting any communications with the Government.

*By Mr. Gledhill:*—Do you know whether the authorities had been informed of the intention of the Natives to murder any persons passing to Tataraimaka?—I decline to answer that question. I was not aware, directly or indirectly, on the morning in question, whether there were ambuscades lying. Taranaki and Ngatiruanui Natives have been in arms against the Government during the last war. I don't know that terms of peace have been offered to these Natives, and that they have accepted them. I am not aware that any other terms have been offered to them but those offered by Governor Gore Browne himself. I am not aware that they were accepted. I am not aware that any proclamation of peace has been made since the outbreak in 1860.

*By Mr. A. S. Atkinson:*—Did you communicate to any Member of His Excellency's Government the information upon which you thought it your duty to go down to the Poutoko on the 27th April, cautioning persons not to go on to Tataraimaka?—I decline answering that question. On Sunday, the 26th of April, I received two letters from Waitara, from Taylor and Ihiaia, stating they had heard a report that the Southern Natives intended commencing hostilities on the following day (Monday). They told me that they were informed by Hone Wetere on the Saturday, as they were returning from town, and requested me, should I hear anything further about it, to let them know early on the following morning. I received the letters between one and two o'clock. I went immediately to the Henui to look for Hone Wetere to enquire if he thought it was correct what he had stated to the Waitara Natives the previous day, that hostilities would commence on the Monday following. He stated that it was correct that he had heard the report. I went to Waitara the same evening (Sunday) in consequence of that report. I went to the Poutoko the following morning.

ROBERT PARRIS, Assistant Native Secretary.  
JOSIAH FLIGHT, Coroner.

Thomas Bleet, on his Oath, saith as follows:—I am a private in the 57th regiment. I was one of an escort from Poutoko to Tataraimaka, on Monday last, with two carts and provisions. We crossed two rivers. When we arrived two hundred yards over the second river, we saw another escort meeting us, about a mile away. They came on till they got about eight hundred or nine hundred yards from us. There was a turn in the embankment on the sea side, to which the other party came up, which hid them from us for about a minute; whilst they were hid from us, a volley was fired. I ran close to the sea, and saw two men lying on the beach; they had red coats on; I believe them to be soldiers. We turned our bullocks towards the Poutoko. As we did so, a mare, belonging to Dr. Hope, came galloping over the sand hills after us, and one shot was fired over our heads. We did not see the person who fired it; we saw no Natives. We heard two volleys fired after the first volley, and some odd shots. Where we stood, we could see the bullets from the first volley drop into the sea. If the men who were meeting us had fired those shots they could not have fallen in the same way. I can say the volley was not fired by our men. We saw the smoke coming out of the bush after the guns were fired. The beach is the road between Poutoko at that part. We were close to the sea; the waves wetted the cart wheels. The man who fired at us could not have been twenty yards away. There were two bullock drivers in front of me. I don't think the bullock drivers ahead could have seen Natives at the bend. We did not return the fire because we could not see the man; if we had, we should have waited for orders from the corporal. There were four and a corporal in our party. When the shot was fired at us we waited for a time looking up the beach, and then retired, leaving the bullocks on the beach. The river I crossed in return was up to my waist belt. The mare had a saddle and bridle on.

T. BLEET.  
JOSIAH FLIGHT, Coroner.

Thomas Steen, on his Oath, saith as follows:—I am corporal in the 57th regiment. I had charge of an escort from Poutoko to Tataraimaka on Monday last, with drays and provisions. There were four and myself in our party. We left Poutoko about eight o'clock; crossed two rivers (Tapaewai and Oakura). I was in front of the bullocks, talking to the other corporal. After we crossed the second river, about twenty yards from the river, I saw a party in front, in red clothes; they were from three quarters to one mile from us. We came on for a while, meeting each other till they came to a hollow in the turn of the beach, when we could not see them any more. They were then about six or seven hundred yards from us. I heard a volley fired. I saw the bullets drop in the water. I observed to one of the bullock drivers that they must have been marched down to discharge their pieces. Had they fired at any party their bullets could not have dropped into the sea. I did not see any smoke that I remember. One of the bullock drivers said they were attacked, so they turned the bullocks round.

I told my men to cap, and the bullock drivers took out their pieces from the carts and loaded them. I went a little to the front and right to the beach, and saw two men lying on the sand. By their clothes I saw they were soldiers. I came back and said I saw two men lying dead. When I returned one shot was fired at us. I did not see the man who fired. I did not then see any Natives. As we were going on, I saw a man on horseback, who raised himself in the saddle, and when he saw us he rode away towards Tataraimaka. The man was a Maori, and was near the place where the firing took place. On our return, after we had just crossed the Oakura, I saw another Native on horseback. He asked, is that a wild man, pointing to where the shots were fired; I said yes, and he rode off. There was firing for about a minute after the first volley, and then all ceased. The shots were one and sometimes two or three together. When I left the Poutoko I had orders to take charge of the waggons; they were of a general kind. Our arms are constantly loaded at the redoubt. I received no special instructions on that day. I should have considered myself justified in firing at the man who fired at us, if I could have



seen him. I returned to the beach where the men were lying, with a party commanded by Capt. Short, consisting of about forty or fifty men. We arrived at the place where the bodies lay at about twelve o'clock. There was no living person there. When we got to the turn we found eight bodies. One man was stripped to his shirt, another had only drawers and shirt on; the two sergeants had their usual dress on; their tunics were open. The bodies were all lying on the beach about five yards from the bush or scrub. They were above high water mark. The bodies were lying dry. One was lying in a little stream; it was Dr. Hope. There were no arms with the bodies. There was a part of a waist-belt cut in two, with blood on it. When we went back we found one dray and six bullocks and the load. I saw the bodies put into the cart. I accompanied the cart to Oakura. Private Salter and corporal Lannigan took charge of the cart.

THOMAS STEEN.  
JOSIAH FLIGHT, Coroner.

Stephen Hartigan, on his Oath, saith as follows:—I am a private in the Commissariat Transport Corps. I was one of the drivers on Monday last, of two drays, conveying provisions from Poutoko to Tataraimaka. There were two Corporals and four men in our party; one Corporal had a pass; after leaving Poutoko, I crossed two rivers. After crossing two rivers, I got into the strand. We saw an escort coming towards us, after we had passed the second river, about two hundred yards. When we were within nine hundred yards of each other, I heard a volley. In about half a second, a second volley. I saw the men falling. I saw smoke coming out of the bush. The smoke was from the bush, and not from any pieces from the beach. After we had turned the bullocks, one man fired on us. It was about four or five minutes after the first volley was fired that we were fired on, and I saw the bullet fly into the water. The smoke came near to my cart. I re-crossed the Oakura river, and laid by in the flax bushes. I also crept down on the sand. Whilst there, I saw about forty or fifty Natives in the bush, and about near it. I saw a Native drive away the bullocks and one dray. I saw Natives creeping about in the bush, armed with firearms. They were naked to the waist, in the bush, by the Oakura. The Natives were scattered about—one here, and one there. I could not see two together. I met Captain Short's party, and went back with them to where the bodies lay. There were eight—some stripped, some dressed, some with even their socks and boots taken off. I saw three clasps, but the medals torn away. The bodies were lying on the strand, about eight or nine yards from the scrub. I helped to put them in the cart. I came back with the cart to St. Patrick's Redoubt. There was a skirmishing party of Natives above, to protect the Native who drove away the bullocks and dray.

his  
STEPHEN X HARTIGAN,  
mark.  
JOSIAH FLIGHT, Coroner.

Timothy Donovan, on his Oath, saith:—I am a Private in the Commissariat Transport Corps. I was with Stephen Hartigan on Monday last. I was front man, driving the front team. I saw an escort coming towards us. I heard a volley fired; then went to the right, when I could see some of the men who had been coming towards us fall. I saw one on a grey horse fall off, and then stagger four or five paces; and I then saw twenty or thirty Natives come down and attack him. They were naked, with the exception of something tied round the middle. There appeared to be about a hundred men in all. I can swear that they were Maoris. I believe there were from two hundred to three hundred men. I saw them striking as with long handled tomahawks.

his  
TIMOTHY X DONOVAN,  
mark.  
JOSIAH FLIGHT, Coroner.

John Byrne, on his Oath, saith, as follows:—I am a Private in the 57th regiment. I formed one of an escort to go from Poutoko to Tataraimaka, in charge of two carts and provisions. We crossed two rivers. After crossing the second river (Oakura), we sighted an escort coming towards us. I believe they were from six to seven hundred yards. We advanced towards each other. As we went on, we heard a volley of musketry fired from the rising ground on our left. In front, I saw two men fall. I saw a man fall from a horse. The horse came galloping down. I caught the horse. It was Dr. Hope's horse. I gave the horse to Private Brown, and told him to go in and report the circumstance at Poutoko, to Captain Short. Myself, and one bullock driver, and Private Louet, re-crossed the river, and remained concealed in the flax bushes until Captain Short came up. Whilst concealed in the flax bushes, we saw a party of Natives come down to where the bodies were lying, and we supposed they were stripping them. They then came down to the bullocks and drays. I saw four of them take a case of brandy, and carried it about four yards, and then came back and put it on the cart again. The Natives then drove one team of bullocks and the cart away. The Natives fired one shot on us. I did not see the person who fired it. It could not have been more than fifty yards from where the shot was fired at us. When the first volley was fired, I saw the splash of the bullets in the water, as the tide was quite up. The first volley must have come from the hill. After that, there were a few shots exchanged. The men coming towards us seemed taken by surprise. There was a stagger after that. There was shot and shot, as though our men sometimes fired. The shots were straggling. I am certain the men I saw were natives. The carts were Government carts.

JOHN BYRNE.  
JOSIAH FLIGHT, Coroner.

Ropata Ngarongomate, on his Oath, saith as follows (William Smith Atkinson interpreting):—I am a native of Poutoko. On the morning of Monday last I wished to come to town—Monday, the 4th of May. I got on my horse. The young man named Neretino came. He said the carts belonging to the Europeans had been stopped. I asked him where had they been stopped. He replied Wairau. I asked, "Did you actually see it?" "It was the soldiers who turned me back; I met them at the Ka-ka." I asked him, "What did you go for?" He said, "To get the horse; I did not get the horse because the soldiers stopped me, and I came back to bring the news to you." I then came on to the camp on this side of the Poutoko. I did not see the Commanding Officer, I saw an officer of inferior



rank—Picot. I said to him be quick and inform the Commander that the carts had been stopped. He asked me, "Are they actually stopped?" I replied, "Yes, the young man tells me so, and the soldiers are coming back." I know nothing of the death of these persons. All I know was that three ambuscades were planted the week previous at Oao, at Wairau, and at Kaha-kaha. I am in the habit of giving information to the Native Department. I did give information of those three ambuscades to Mr. Parris and Mr. Bell. I gave that information to them on Monday week last. The reason for planting ambuscades is to commit murder. I knew nothing of the ambuscade planted on Monday last—that is the one where these white people were killed. In answer to my report to Mr. Bell and Mr. Parris, Mr. Bell said nothing and Mr. Parris said that is correct, be careful. I then said to Mr. Parris be exceedingly cautious. Mr. Bell was not present when I told Mr. Parris to be exceedingly cautious. The natives that formed the ambuscades I gave notice of, to the best of my belief belonged to the Taranakis and Ngatiruanuis. There are no persons living at the place where the men were killed. A little beyond where the Europeans were killed there are two whares belonging to Taituha. I can't say whether any persons were living there on Monday last. To the best of my belief Taituha and others belonging to the whares before mentioned, were mixed up with the former ambuscade, and also with the latter one by which the men were killed. I do not know of my own knowledge the numbers that were in the first and latter ambuscades.

ROPATA NGARONGOMATE.  
JOSIAH FLIGHT, Coroner.

Charles Wilson Hursthouse, on his Oath, saith as follows:—I am Assistant Surveyor to the Provincial Government. Last Monday week I was engaged road-making at the site of the proposed German Settlement. The party consisted entirely of natives, except myself and Nelson Carrington. I went there on the Monday previous. We returned on Monday week. Our return was occasioned by receiving a letter from Hone Wetera, addressed to the natives with me. I saw the letter and read it. The translation, as near as I can make out, was telling the natives to come in as soon as they received the letter, and that his heart was very dark for them, that the following Tuesday was proclaimed the day to commence the fighting, and stated that he did not know about Monday. The letter was written on Sunday. I believe the natives came in in consequence of that letter. I had authority over them. They said they did not like to stop lest mischief should happen to us, and they might be blamed for it, and I would not keep them for the same reasons. On my return I told the Superintendent my reason for coming in. The natives appeared very anxious to get all the white people in who were working on the road. The natives under my direction were, I believe, from the north of the town.

C. W. HURSTHOUSE.  
JOSIAH FLIGHT, Coroner.

Wellington Carrington, on his Oath, saith as follows:—I am an Officer of the Native Department. I know nothing touching the death of those persons whose names have been read to me, and on whom this inquiry is held. I have no knowledge of my own of the persons who caused the deaths of those persons. I do not believe there is one person who can give certain information, unless it be among the rebels themselves. I call them rebels because everyone calls them so. The reports I heard respecting the ambuscades on the 27th April I did not report either to Mr. Parris or Mr. Bell, as I did not consider them sufficiently reliable. I did not consider it my duty to do so.

W. CARRINGTON.  
JOSIAH FLIGHT, Coroner.

George Yates Lethbridge, on his Oath, saith as follows:—I am a butcher. On the 4th of May (Monday) I rode to St. Patrick's Redoubt. Before I left town, we heard a rumour of something having taken place between the Natives and the Troops, and of the escort having been attacked. When I arrived at Poutoko, the report was confirmed; a lot of men were marched off. I borrowed a glass, through which I could see persons I believed to be Maoris, with seemingly a team of bullocks, four or six, with something like a cart behind them, going in the direction of the pa, and near to it, on the ranges, and many persons attending. I believe that was about 11 o'clock.

GEO. YATES LETHBRIDGE.  
JOSIAH FLIGHT, Coroner.

Charles Brown, on his Oath, saith as follows:—I am Superintendent of this Province. I have communicated with the General Government on the state of this Province with regard to danger from the Natives. Last Sunday week, on account of the reports I had heard, and which I believe to be well founded, I wrote to the Honble. the Colonial Secretary that reports were in circulation to the effect that the Natives intended to resume hostilities the following day; that as I had no means of ascertaining the truth of these reports, I felt it my duty to ask him to give me the earliest intimation when it would be necessary to warn the outlying settlers and road parties to come in. I received no answer since that communication beyond a general authority within the last two days to engage any accommodation that might be necessary for families coming into town. Prior to that, I rode out last Monday week to warn privately the Mangarei settlers that I did not believe it was safe for them to remain there; that I had applied for an official intimation of when it might be unsafe for them, but the official reply might arrive too late to be of any service to them; at the same time the outlying road parties of Europeans and Natives at work on the site of the proposed German settlement some miles inland were warned in without my knowledge by a Native messenger, sent by the Natives, and were met on their way to town by Capt. Stapp, whom I sent to warn them; that road parties started again last Monday and were again brought in. The parties were willing to go, and therefore they went, both Natives and Europeans; they were permitted by me to go; I did not order them. I had received no official communication warning me not to send them. I have received no official information that the Proclamation of Martial Law made in this Province in the month of February or March, 1860, has been revoked. I did receive a communication from the Government about six weeks ago, informing me that on the Provincial Government passing a certain law a Proclamation revoking Martial Law would be issued, a step which His Excellency considered highly desirable. Such a law has been passed, and transmitted to the General Government, about a fortnight ago, but no Proclamation revoking Martial Law has been issued. I believe the title of the Ordinance to be the "Appropriation of Military Sites Ordinance." I can state that I have been for years on very good terms

with a tribe of Ngatiruanui Natives, and about a month ago I received a second message from that tribe that what cattle of mine they had seized should be returned as soon as existing difficulties were settled. I then proposed to visit the tribe by the mountain road, when, after some hesitation, the messenger told me that until existing difficulties were settled, it would not be safe for me to do so. I made this statement to His Excellency a day or two after it occurred. His Excellency remarked that the Natives had a custom of settling an unsettled question by taking away a life, and advised me not to run the risk of thus balancing an account. I told His Excellency that I was quite aware of the custom, and was not willing to run such a risk.

CHARLES BROWN, Superintendent.  
JOSIAH FLIGHT, Coroner.

Joseph Browne, on his Oath, saith as follows:—I am a Private of the 57th regt. I was one of the escort from Poutoko to Tataraimaka on Monday morning last. After leaving Poutoko I remember crossing two rivers. After crossing the second river we saw a party of soldiers coming towards us along the beach; we advanced towards each other. There was an inland place, a bend like, which hid them from our sight for a time. There was a volley fired. I heard the report, and saw the smoke. The smoke came from the fern close against the beach. The soldiers coming towards us were close against the hill. There were some straggling shots after the first volley. I could see no one of those who fired. I saw two of the escort coming towards us fall. I knew them to be ours, from being dressed in red. I did not then see any other persons on the beach. I saw a mare coming towards us, which I knew to be Dr. Hope's. Private Byrne caught the mare after I had recrossed the Oakura. He gave her up to me, and I rode back to Poutoko redoubt. Before recrossing the Oakura a shot was fired at us. It went over our heads. I did not see the person who fired. The ball whistled over our heads. The bullocks had then halted.

J. BROWNE.  
JOSIAH FLIGHT, Coroner.

Florence Kelly, on his Oath, saith as follows:—I am a Private in the 57th regt. I recollect leaving the Redoubt at Tataraimaka on Monday morning, 4th instant, in company with Sergeant Ellers in command, and Sergeant Hill, who was to give evidence against William Banks, a prisoner coming into town to be tried by a court martial. There was Private Kelly of No. 1 and 4 Privates of No. 7 company, also Dr. Hope and Lieut. Tragett, were with us; the two latter overtook us on the road, and got ahead of us for a good start. They proceeded on the beach (the two officers) we following them at about two hundred yards' distance. Then they went on slowly; we came up to them gradually till within thirty yards of them; they then made a dead halt at a stream, I don't know why they halted at the stream. We then came up to them within five yards, and presently there was a shot fired from the sand bank on the beach. The shot came from behind a bunch of fern. I looked round on the occasion. Sergeant Ellers and Sergeant Hill were then in rear of me. I asked Sergeant Ellers if his firelock had gone off accidentally. He said it had not. The question was hardly answered when a second shot was repeated, at which Sergeant Ellers fell prostrate on the ground. I knew then that as none of our men had fired, it must be Maoris. I then capped myself and fired in the direction of the shot that struck down Sergeant Ellers. The next thing I perceived was Sergeant Hill lying prostrate on the ground too. Before and after I fired there was a succession of shots poured in by the Maoris. I then looked to my left and saw Dr. Hope lying also prostrate on the stream. On that occasion Lieut. Tragett dismounted from his horse and joined the party that was firing. Private Ryan of No. 7 company went a few paces to the front, and then to the rear again and called out murder. I then told him to cease crying, or words to that effect, and then told him to commence firing at the Maoris, which he did. I turned round then and saw Private Flinn doing nothing; I asked him why he did not load and fire. He told me he was not able; his left arm was broken by a shot. I then told Lieut. Tragett to take Private Flinn's firelock and accoutrements and commence firing. He had no arms himself (Lieut. Tragett). One man named McCarthy I lost sight of. Private Banks was lying on the ground apparently wounded through the breast. He pointed out to me several times whilst he was lying on the ground the Maori that was keeping up a constant fire. At that time there were only three of us apparently living. Lieutenant Tragett was wounded in the left arm. He gave me the handkerchief which he had round his wound. I put it on the top of my bayonet as a flag of truce—Private Kelly doing the same with my own handkerchief. We had a flag of truce hoisted for about ten seconds under the fire of the Maoris. They appeared to take no notice of the flag, on which Private Kelly and I came and knelt down again and commenced firing. I looked round then and perceived Lieutenant Tragett also lying on the ground apparently dead. Lieutenant Tragett asked me before he died what we should do. I told him it was best for us to retire while there were three of us yet living. He said he could not retire and leave the wounded on the beach. I told him it was useless of us remaining to protect them, that our lives would only be sacrificed too. When I saw he was not inclined to retire, I also remained and abided my fate. After the death of Lieutenant Tragett, Kelly did not fire, but said it was useless firing any more. When the flags of truce were hoisted and the Maoris taking no notice of our flags, I commenced firing again. Private Kelly checked me for doing so and said I should not fire while the flag of truce was up. I told him it was useless holding up a flag of truce and having no attention paid to it. After firing for a short time myself Private Kelly got a second wound, which he sunk under. When I saw Kelly dead and none left but myself, I thought I would make some desperate effort to save my own life. Whilst loading my firelock a Maori stooped over the edge of the sandbank and was taking away Sergeant Ellers' firelock. I was then loaded and capped. I fired at the Maori and shot him. Two other Maoris came then and took away the one I knocked down, on which occasion I took up my firelock and bayonet and ran to the rear, closely followed by the Maoris. They were yelling and shouting after me and firing, on which I turned round to fire and perceived about twenty Maoris over the dead, and ten or eleven more following me. I threw off my pouch-belt and took ten rounds of ammunition out of it. I then threw the pouch and belt into the sea. I also took off my haversack, waist-belt, and small pouch, and threw them also into the sea. There was some flax tying my boots as laces, they broke, and I also pulled off the boots and threw them away. After going about four hundred yards on the beach the Maoris gave up the chase. I threw myself into some long fern to hide, for I was exhausted from running. I remained there till the escort came down from St. George's Redoubt, Tataraimaka. Towards the latter end of the fight I saw a Maori distinctly trying to outflank me in order to get

a better aim at me. I presented my firelock, at which he hid. The greatest number of Maoris that I saw at any one time was about thirty. I did not hear another shot fired after they gave up chasing me. The party who chased me continued firing at me. I fired back again. I was wounded myself in the thigh before I left the dead. The firing was not volleys but file firing. As near as I can guess there must have been thirty or forty Maoris firing. The first shot did no harm—the second killed Sergeant Ellers. From the first firing to the last shot I should think was about twenty-five minutes. Before the firing commenced at all I saw a party ahead on the beach. They could have had time to come up had they been friends. I did not see anything of an escort coming from Poutoko. I do not know of any particular order having been given to the Sergeant in command that day. We had no particular warning of danger given us that morning. Seven out of the ten of us were armed. I did not see any arms with Dr. Hope. Lieutenant Tragett I know had none—his servant told me so. Dr. Hope and Lieutenant Tragett were in regimentals, but had no swords or arms of any kind. I lay in the fern for I suppose two hours. The men of my company told me that a man named Reynolds had passed me on horseback, and seeing the bodies on the beach had returned again to the camp and given the alarm, when an escort of about sixty men were sent out who picked me up. All the privates and non-commissioned officers of our party wore medals on that day. The officers had none, for they had not their dress-coats on.

F. KELLY.

JOSIAH FLIGHT, Coroner.

DISTRICT OF TARANAKI,  
COLONY OF NEW ZEALAND,

*To wit.*

AN INQUISITION indented, taken at the Military Hospital, in the Town of New Plymouth, and by adjournment at the Provincial Council Chamber, Mount Elliott, in said Town of New Plymouth, in the District and Colony aforesaid, on the Fifth day of May, the Seventh, Eighth, and Ninth days of May, in the Year of our Lord One thousand Eight hundred and Sixty-three, Before Josiah Flight, Esquire, Justice of the Peace, the Coroner of Her Majesty the Queen for the said District in the said Colony, upon view of the bodies of Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy, then and there lying dead, and upon the Oaths of Francis Ullathorn Gledhill, William Mumford Burton, Frederick Windsor, Arthur Samuel Atkinson, Henry Wright, John Knight, William Bayly, William King Hulke, James Pearce, Robert Pitcairn, Joseph Colesby, and Boswell Robert Middleton, good and lawful men of the said District, who being sworn and charged to enquire on behalf of our Sovereign Lady the Queen, how, when, where, and in what manner the said Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy, came to their deaths, do say upon their Oath that the said Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy on the fourth day of May in the year aforesaid at Wairau in the Province of Taranaki, in the District aforesaid, were cruelly and barbarously murdered on the public Highway while in the peaceful discharge of their duty by certain persons of the Native Race to the Jurors unknown, by Gunshot, Tomahawk, and Spear wounds, and of which wounds the said Thomas Heathcote Tragett, William Astell Hope, Samuel Ellers, Samuel Hill, John Flinn, Edward Kelly, William Banks, and Bartholomew McCarthy did languish and die.

In WITNESS WHEREOF as well the said Coroner as the Jurors aforesaid, have to this Inquisition put their hands and seals on the day and year, and at the place first above written.

JOSIAH FLIGHT, Coroner.

FRANCIS ULLATHORN GLEDHILL, Foreman.  
WILLIAM MUMFORD BURTON,  
FREDERICK WINDSOR,  
ARTHUR SAMUEL ATKINSON,  
HENRY WRIGHT,  
JOHN KNIGHT,

WILLIAM BAYLY,  
WILLIAM KING HULKE,  
JAMES PEARCE,  
ROBERT PITCAIRN,  
JOSEPH COLESBY,  
BOSWELL ROBERT MIDDLETON.

No. 19.

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

Taranaki, 13th May, 1863.

MY LORD DUKE,—

I had just finished my last letter to you, when a vessel brought in news from Wellington, the purport of which amounts to this :—That, at present, all the tribes between Whanganui and Wellington disapprove of the murders that have been committed, and were of opinion that no war should have been commenced against the Government ; but that all the tribes between Whanganui and this place are pleased that a war is likely to have been brought on by the murders. That is, the population of about half the Southern coast of this Island is on our side ; whilst the other half is against us. But I fear, if a war takes place, a great many Natives will be drawn into it who at present appear to be friendly to us.

No. 49.

I have put up for Your Grace a copy of a letter just received from the Superintendent at Wellington, which I think you will find interesting.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure to No. 19.

Superintendent's Office,  
Wellington, 11th May, 1863.

SIR,—

Your letter of the 4th inst., containing the account of the murderous attack on the military escort at Oakura, reached me on Thursday morning the 7th. Immediate measures were taken by Mr. Mantell to give the Natives the correct version of the affair. The Taranaki Natives, on the other hand, lost no time in circulating a statement that there had been a regular fight between themselves and the military, in which they had killed thirty soldiers. This statement was evidently drawn up with the view of concealing the real nature of the transaction, and of leading the Natives to believe that the attack had been commenced by the soldiers. It is impossible at present to say what effect this news will have on the Natives in this Province. The reports furnished to Mr. Mantell by Messrs. White, Buller, and Tamihana Rauparaha, are unsatisfactory. The majority of the Bench of Magistrates at Whanganui speak more hopefully, expressing their opinion that the Natives of the district (with the exception of the Kingites) are peaceably disposed, and approve of the Governor taking possession of Tataraimaka. My own impression is that inasmuch as in almost every Runanga that has been held in this Province the Natives, whether loyal or King's men, have declared that Tataraimaka belonged to the Queen, and have deprecated any assistance being afforded to the Taranaki tribe in any attempt they might make to dispute its occupation by the troops, they will repudiate and denounce this treacherous onslaught, and that, therefore, no apprehension of any immediate outbreak in this Province need be entertained. But, as soon as hostilities are fairly begun, there is no doubt that many will at once join the rebels; and, unless some decisive advantage be at once gained by the troops, I fear even friendly tribes will be drawn into the war.

The Bench of Magistrates at Whanganui agree with Mr. Mantell and myself that it would be inexpedient just now to call out the Militia; but we shall be ready to do so whenever circumstances render it necessary.

I have, &c.,

I. E. FEATHERSTON,  
Superintendent.

The Honble. the Colonial Secretary, &c., &c.

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No. 20.

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

Taranaki, May 16th, 1863.

No. 53.

MY LORD DUKE,—

Adverting to my Despatch No. 40, of the 26th April last, upon the subject of a Memorial addressed to Her Majesty by the inhabitants of Taranaki, I have now the honor to transmit this Memorial which I received yesterday from my Responsible Advisers, accompanied by a Memorandum upon it dated the 15th of May.

2. I beg particularly to call your Grace's attention to the statement made by my Responsible Advisers in the Memorandum of the 15th inst., regarding the circumstances connected with the wreck of the 'Lord Worsley,' steamer, as this wreck will probably be the subject of future discussion, and it is important that the facts of the way in which the wreck was dealt with by the Natives, should be fully understood.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 20.

TO THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

The Memorial of the undersigned Inhabitants of the Province of Taranaki, in the Colony of New Zealand,

HUMBLY SHEWETH,—

That the Settlement of New Plymouth (now comprised in the Province of Taranaki) was founded in the year 1841, by the Plymouth Company of New Zealand, on land purchased by the New

Zealand Company from the Aboriginal Natives, and that to this purchase the assent was obtained not only of those few Natives then resident on the spot, but likewise of owners who had fled to distant parts.

That Mr. Spain, the Commissioner appointed by Your Majesty to preside over the New Zealand Land Claims Court, pronounced that the 60,000 acres of country forming the settlement of New Plymouth was fairly purchased by the New Zealand Company.

That the land so purchased was offered for selection, and a considerable portion taken up and cultivated by Settlers.

That in the year 1844 Governor Fitzroy, R.N., reversed the Commissioner's award, and gave back the whole of this land to the Natives, repurchasing at the same time a small block of 3,500 acres, to which the Settlers were confined for upwards of three years.

That since Governor Fitzroy's Act, few purchases have been effected, the whole in twenty years amounting to no more than 70,000 acres, and excluding the most valuable portion of the original purchase.

That in or about the year 1854 a league was formed amongst the Natives for the purpose of prohibiting under pain of death the sale to Your Majesty of any more land within certain defined limits, which include the remaining lands of the Province, comprising upwards of two millions of acres. The main and avowed object of this league was to prevent the spread of the European population, which already equalled in numbers the Native population of the Province. In accordance with this determination of the league, Rawiri Waiana, a Native Magistrate, and several followers were shot down whilst pointing out the boundaries of a block of land they had offered to the Government.

That feuds, in which many lives were lost, ensued on the death of the assessor Rawiri, and that these feuds were carried on within the limits of the Settlement, without any attempt on the part of the Authorities to bring the offenders to justice, the Natives being in a state of complete anarchy.

That in the year 1856 several tribes combined to form a kingdom, and shortly after elected a King from amongst themselves.

That in March 1859 a small block of land on the River Waitara was publicly offered for sale to Colonel Gore Browne, C.B., Governor of New Zealand, and that the offer was accepted by His Excellency subject to the condition that the seller's claim to ownership was undisputed.

That on the occasion referred to, Wiremu Kingi, a chief of the Ngatiawa tribe, without claiming any proprietary right or disputing the seller's title, forbade the sale, declaring that he would never allow the land to be sold.

That the investigation into the title to the land continued for the space of nine months, that Wiremu Kingi continued to forbid the sale, though admitting the title of Teira and the other sellers to the land, and that ultimately the purchase was effected.

That in the first instance a portion of the Ngatiawa headed by Wiremu Kingi, and afterwards other tribes, resisted the occupation of the purchased land by force of arms, some of them fighting with the avowed object of exterminating the white population of Taranaki.

That the war, which resulted from the purchase at the Waitara was clearly and avowedly a resistance against the supreme authority of Your Majesty, and that in the opinion of your Memorialists the condition of the Native race was at that time such that a struggle must have occurred whenever any attempt was made to maintain that authority in opposition to the will of the section of the Natives by whom it was not acknowledged.

That the Settlers of Taranaki have not shrunk from the dangers and hardships of that war, but that for nearly two years almost all the able-bodied male population were under arms, and on actual service.

That the Settlers have suffered the ordinary calamities of war, some have been killed in the field, and many have died from disease brought on by the war—the mortality suddenly increasing to many times its usual average—and that some have been barbarously murdered by the Natives in cold blood.

That your Memorialists have sustained heavy losses of property, their farms being laid waste, their houses burned, and their flocks and herds killed, or driven off by the rebel Natives.

That not only were the Settlers not allowed to defend their property, but were positively forbidden to do so by the Military Authorities, and that in some instances they were compelled to be passive spectators whilst their houses were being burnt and their flocks and herds driven off.

That their losses were aggravated by a Military Proclamation forbidding the export of articles of food, whereby their principal trade was stopped, and thus valuable property fell into the hands of the rebels, which might otherwise have been placed beyond the reach of danger.

That the industry of the settlement has been paralysed, the value of the exports of the past year having fallen off to less than one sixth of that of the year which preceded the war, whilst the value of the imports is largely increased by the necessity that exists for importing the immediate necessities of life, which in ordinary times were produced in excess of the consumption.

That the liberal sum voted by the Colonial Legislature as compensation, will very inadequately reimburse the settlers for the losses sustained through their long continued absence from their farms.

That your Memorialists have waited patiently, in the hope that the authority of Your Majesty would be asserted, and they have been encouraged to entertain this hope by a Despatch of Your Majesty's Secretary of State for the Colonies to His Excellency Sir George Grey, dated 22nd September, 1861, in which great stress is laid on the necessity of maintaining Your Majesty's supremacy. At the end of three years, however, your Memorialists see no reasonable prospect of the immediate fulfilment of those hopes.

That the wrongs of your Memorialists are not being yet redressed, the plunder still remaining in the hands of the Natives, and no serious efforts having been made to bring the murderers to justice.

That the so-called Maori King although possessing little real power to enforce law and maintain order, affects to exercise the functions of an independent monarch, and that in his name soldiers

are trained, a revenue levied, cases tried at indiscriminate meetings of Natives, the authority of Your Majesty's Court repudiated, and an asylum afforded to malefactors guilty of crimes committed on territory purchased by Your Majesty.

That old mail roads are closed against the transit of Your Majesty's mails, and against the passage of Your Majesty's subjects, and that on the occasion of the wreck of the mail steamer "Lord Worsley," within forty miles of New Plymouth, the Natives pillaged the vessel, seized one of the mail boxes, and forbade succour from being sent from New Plymouth to the relief of the passengers and crew.

That a portion of the territory which has been purchased from the Natives is held by some of your Memorialists under grants from the Crown, and was occupied and cultivated by them at the commencement of the War, is now claimed by the Natives as conquered land—the owners of it being prohibited by them from reoccupying except on condition of becoming subjects of the so-called Maori King, and being at the same time prohibited by Your Majesty's Representative from exercising any right of ownership over it with the view of avoiding a renewal of hostilities.

That not only are your Memorialists prohibited from occupying their own lands as above stated, but Your Majesty's Representative is forbidden, under a threat of immediate renewal of hostilities, to construct roads over our lands, long since ceded to the Crown, on the ground that those lands have been reconquered.

That after the lapse of nearly two years from the cessation of hostilities the Settlers are still crowded together in the Town of New Plymouth, depending in a great measure for their subsistence on rations issued by the Colonial Government; whilst the Natives, who have been in arms against Your Majesty, are not only unpunished but are allowed all the advantages of free intercourse with the Settlement.

That as the events recorded in this Memorial have occurred, and your Memorialists have been reduced to their present condition during a period in which the entire control of Native affairs has been in the hands of Your Majesty's Officers, your Memorialists lay before Your Majesty this Statement, in full confidence that when their unfortunate position is known and fully considered, Your Majesty will not allow it to be indefinitely prolonged.

Your Memorialists, therefore, pray that Your Majesty may be graciously pleased to cause such steps to be taken as may seem meet for redressing the wrongs under which they suffer.

And Your Majesty's Memorialists as in duty bound will ever pray.

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### Enclosure 2 to No. 20.

#### MEMORANDUM FOR THE GOVERNOR.

This Memorial was laid before His Excellency some time back, but it appeared inadvisable to send it on at once to England, while measures were just commencing (such as taking possession of the Tata-ramaka block, &c.) which promised to alter the whole circumstances of the Province, almost immediately, and to furnish the best answer that could be given to Memorialists.

Several circumstances connected with the past history of the Province given in this Memorial are either incorrect or at least very disputable. But all the occurrences related have been so much discussed in various ways, and on many occasions in the most public way, that it seems waste of time to re-open the discussion on the present occasion.

Memorialists assume that the £200,000 was liberally voted by the Colonial Legislature for compensation "for losses." The House of Representatives did not unequivocally vote the sum for this purpose. The Act appropriating it defines it to be for "the execution of such measures as the Governor, acting "with the advice of his Executive Council, may adopt for the permanent reinstatement of the settlement "and inhabitants of Taranaki," words which the Attorney-General declares will not, in his opinion, sanction the application of any of the money to mere compensation for losses. As, however, a difference of opinion undeniably existed among members of the Legislature on this subject, and the two objects—viz., that of reinstating the settlement and settlers, and of compensating the latter, seemed to be compatible, an arrangement was entered into (proposed by His Excellency) that £120,000, inclusive of sums already given in compensation, should be devoted, out of the £200,000, to this purpose, and the remainder, £80,000, be considered applicable to other purposes of reinstatement, while the Province should be authorised to raise a loan of £50,000 to pay the balance of compensation awarded, which could not be met by the £120,000. This arrangement was consented to by the Government and the Province; and the Provincial Act passed and assented to by the Governor.

At the time of this arrangement there appeared every prospect that the settlers to whom the money was to be paid would be able peaceably to re-occupy their farms, and that in the very great number of instances, the money would thus be spent on their farms and for "the reinstatement of the settlement."

But recent events have forced the settlers to come in again, and removed altogether the immediate prospect of their being able to apply the money in the way just stated.

I append a Minute by the Native Minister on another statement of the Memorialists, relating to the wreck of the "Lord Worsley" and the assumed prohibition of the "Queen's Representative to make "roads over lands ceded to the Crown."

In spite of these disputable or objectionable points, it is undeniable that the case of the Taranaki settlers is a peculiarly hard one. But the Government has used every effort and taken every means in its power to remedy the evils they are suffering under, consistently with what is due to the inhabitants of the rest of the Northern Island and of the Colony, and to the paramount obligation to settle the difficulties of the Province by pacific means, if possible.

ALFRED DOMETT

May 15th, 1863.

## MINUTE BY THE NATIVE MINISTER ON THE MEMORIAL.

“ On the occasion of the wreck of the ‘ Lord Worsley ’ the Natives pillaged the vessel.”

The vessel was given to the Natives by Captain Vine Hall, Agent of the Inter-Colonial Steam Company to which she belonged. In the reports made of the transaction by Mr. R. Graham and Captain Butler, Members of the House of Representatives, and officially transmitted to the Government by the Superintendent of Taranaki, the following accounts are given :

In Captain Butler’s statement :—

“ At 9 a.m. on the 2nd of September, Captain Vine Hall, Mr. Graham, M.H.R., Captain Bowden, Wiremu Kingi, Matai, Arama Karaka, and myself proceeded on board the wreck. When we arrived on board we went into the saloon, and, with closed doors, the following terms were agreed to :—

- “ 1. That Wiremu Kingi and Arama Karaka should do their best to forward the passengers, crew, and luggage to town, either by land or water, and that the Captain should take what things he required out of the wreck, especially the compasses, and the remainder should be left for Wi Kingi and Arama Karaka.”

Again :—

“ Erueti then asked if it was correct what he had said, especially about giving Wi Kingi the wreck, and being answered in the affirmative, he said, Let us be off; and at once the ladies’ carts started, closely followed by the luggage.”

In Mr. Graham’s statement :—

“ Captain Hall, therefore, requested us to explain to the Natives that in the event of their using their best endeavours in assisting us to get to New Plymouth with our luggage, the vessel would be left for them after the Captain removed some of the most valuable articles, which was explained would not be much.”

Again :—

“ Erueti addressed the crowd : he made a long speech, and finished that the ship and all on board was for Wi Kingi ; that all luggage on shore was for the Europeans ; and asked what I had to say. I stated that there was still luggage on board belonging to the passengers, let that be for the passengers ; the sacred box (gold) let it remain so until the Captain comes with his key. You have treated us well so far ; continue to keep a good name. The Governor shall hear of your kindness to us, everything will be published in the newspapers. Do not let it be said that in our absence you break your word ; do not let any one say of you that you take anything that is not your own. We leave the wreck for you ; we will not return to take it away. The timber will be yours, the coals will be yours, and many things on board of great value. They were satisfied ; we packed the mail in the cart, and all the Europeans left, except Captain Hall and myself.”

In a Minute on these Papers, the Colonial Secretary said :—

“ It appears from this,

- “ 1. That Messrs. Butler and Graham had the authority of Captain Vine Hall to make the best arrangements they could to get the passengers and crew to New Plymouth.
- “ 2. That they gave up the wreck and cargo to Wi Kingi and Arama Karaka, on condition that they should do their best to forward passengers, crew, and luggage to New Plymouth, the Captain taking out, besides, what he wanted.
- “ 3. That Wi Kingi and Arama Karaka performed their part of the bargain to the best of their ability, and that the King Natives assented to the arrangement, taking only their ‘ tolls ’ at the gate.”

“ Mr. Graham’s report confirms these points, especially as to Captain Hall’s authorising the giving away of the wreck and ‘ many things on board of great value.’ Wi Kingi seems to have been tempted to break his agreement by the chance of getting the box of gold, but gave it up. Erueti seems throughout to have behaved in an honorable manner.”

A. D.

On the 25th September, the Superintendent of Taranaki reported that, “ in fulfilment of their promise to W. Kingi and Arama Karaka (that they should have the wreck and cargo if the mails, luggage, compasses, &c., were secured for the owners), Captain Butler and Mr. Graham asked Captain Stapp to bid for them at Lloyd’s sale, and purchased the wreck and cargo for about £280. In the afternoon the news received made it evident that the Natives would not strictly carry out their part of the agreement. I therefore took the purchase out of their hands with the funds of the General Government at my disposal.”

F. D. BELL.

May 15th, 1863

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No. 21.

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

No. 60.

Government House, Auckland,

June 8th, 1863.

MY LORD DUKE,—

I have the honor to enclose a short statement of a sharp encounter with the natives near Taranaki on the 4th instant.

2. I was obliged to leave New Plymouth the same day this action took place ; Lieut-General Cameron had not therefore time to make a fuller report of it, but he will send one from New Plymouth to the Secretary of State for War by this mail, and I will transmit his report to your Grace by the next mail.

3. Lieutenant-General Cameron managed the affair capitally, and the conduct of our officers and men was gallant in the extreme. The natives occupied a very strong position from which they were driven with heavy loss. I never saw such a rout before ; they ran for miles. Our loss was one private killed, two mortally wounded, and three severely wounded.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure to No. 21.

See "Government Gazette," No. 21, June 6th, 1863.

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No. 22.

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

No. 66.

Government House, Auckland,  
3rd July, 1863.

MY LORD DUKE,—

Adverting to my Despatch to your Grace, No. 60, of the 8th of June, enclosing a short account of the action on the Katikare on the 4th ultimo, I have now the honor to transmit the official Despatches from Lieutenant-General Cameron in relation to this subject, from which your Grace will learn with pleasure how complete the Lieutenant-General's arrangements were, how gallant the conduct of Her Majesty's Forces was, and what an entire success they obtained. I am happy to say that the result of this affair has been in every way satisfactory and has produced a very decided impression on the whole Native race.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure to No. 22.

LIEUTENANT-GENERAL CAMERON TO GOVERNOR SIR GEORGE GREY, K.C.B.

See "Government Gazette," No. 23, page 224.

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No. 23.

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

No. 67.

Government House, Auckland,  
3rd July, 1863.

MY LORD DUKE,—

I have the honor to forward for the information of your Grace two letters from Mr. Buller, a Resident Magistrate on the South West Coast of the Northern Island of New Zealand, dated respectively the 25th May and the 15th June last, which illustrate the feelings of the Native population of that portion of the country.

2. In reference to the statement contained in the enclosure to the first of these two letters, to the effect that the Natives would have agreed to an investigation of the Waitara case upon condition that the proceedings of my predecessor on the one side, and their own conduct on the other, had been fully investigated with a view to the punishment of the party who might be decided to be in the wrong, I have the honor to state that the Natives have as a body declined to attend any investigation into the title to the lands at the Waitara alone, which title they say was quite clear and known to all their race, unless a promise was made to them that the whole subject should be first enquired into in order that it might be discovered who was to blame for the evils that had arisen in this case ; their idea apparently being that their claims to justice on the subject of the Waitara had



been coldly met, to whatever quarter they had been addressed, and that they consequently felt void of hope for the future.

I had no power to order any investigation of the kind that they asked for, and consequently it was impossible for me to comply with their request.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

### Enclosure 1 to No. 23.

Resident Magistrate's Office,  
Manawatu, May 25th, 1863.

SIR,—

I do myself the honor to forward enclosed for the information of the Government, some brief notes of the proceedings of a large meeting of Natives at Katikihiku, Otaki, on Friday, the 22nd instant.

I have, &c.,

WALTER BULLER,  
Resident Magistrate.

The Honorable W. Mantell, Wellington.

#### *Notes of a Meeting of Native tribes at Katikihiku, Otaki, on the 22nd May, 1863.*

Present:—The Ngatiraukawa, Ngatiawa, and Ngatihuiua, to the number of about five hundred.

Tamehana Te Rauparaha opened the proceedings with a complimentary speech. He invited the Ngatiawa to a free and dispassionate discussion of the Tataraimaka question—expressed his own opinions in strong terms, and called upon the meeting to side with and support the Governor.

Karareama Te Kapukai, (the host of the *hakari*) [feast],—a speech of welcome.

Te Hoia and Epiha Taitimu (of the Ngatihuiua),—loyal speeches but rambling.

After two hours desultory speaking on the side of the Ngatiraukawa and Ngatihuiua, Karareama rose again and proceeded to read letters.

Wi Hapi (Heremia's coadjutor) interrupted him—"Wherefore all this delay? come to the *take* (subject). Is it *kohuru*? (murder)."

Karareama: It is *kohuru*.

Wi Hapi: Is it?

Karareama: It is.

Wi Hapi: How do you know?

Karareama: The Governor's letter says so.

Wi Hapi: But what if you find out that the Governor's letter is wrong?

Karareama: The Governor's letter is right; the Governor did not commence this *pakanga* (fight).

Wi Hapi: Don't say that—say rather "Hapi, when you find that the Governor was not wrong; stay you here, don't go to this *pakanga*;" be not hasty in saying that the Governor didn't commence it. Is not the Governor at Taranaki? Are there not thousands of soldiers there? I say therefore that the Governor did commence it.

Epiha: Have I not seen Rewi's letter? Do I not understand the *whakatauriri* (exciting anger) [recites it—the Ngatiraukawa joining in the chorus, *huakina! huakina!* (rush on! rush on!)] All ye present, say was not that a declaration of fighting? After this came the murders. Therefore I say Rewi commenced it.

Wi Hapi: Where is Waitara? Several Ngatiraukawa chiefs: "Given up!"

Hapi: Who says so?

Karanama: The Governor.

Hapi: Why didn't the Governor give it up before the *pakanga*?

Karareama: Because you held back. You would not consent to the investigation. You can't deny this.

Hapi: True, for I wrote and urged Wiremu Kingi not to consent.

Karanama: Enough, it was you that prevented the giving up of Waitara!

Hapi: No; I said let Governor Browne come to the trial, then we will consent. Let Governor Grey be the judge between us; but let my *hoa riri* (enemy) be brought to the trial. Is it not so in all trials? The Governor would not consent, therefore the blame is his.

Karanama: No, the blame is altogether yours, don't blame the Governor.

Rawiri Raparuru, (Heremia's brother): Let there be two ears, one listening to the Governor's account, the other listening to the Native account. Let us wait till we hear further.

Tamehana Te Rauparaha: Wherefore all this talk? Why attempt to put off this question? The fault is all yours—you know it. You refused to settle Waitara, and afterwards came these murders.

Rawiri Te Wanui read letters from Rapata Te Rangikapuoho and Henare Te Rangikapuoho. (See Appendix.)

Wi Tako read a letter from Remihana of Ngatiawa, to the effect that ten Pakehas had been killed—Waitara the cause.

Rawiri Raparuru: Let us write and ask the Governor to delay fighting. We are not satisfied that this is murder. Let the Governor wait. If more pakehas are killed, then we shall know that this is verily murder. Then let the Governor punish the offenders.

Heremia Te Tihi: approves all that has been said. Now listen, Pakehas and Maoris! "Ko Ngatiruanui e kore e tukua e au kia he. Ko Ngatiruanui e kore e tukua e au kia mate! Whakarongo mai! Ko Ngatiruanui, ko Taranaki, tae rawa ki Te Atiawa ki Waitara, ko ratou kia mate, ko au kia mate." I

will not allow Ngatiruanui to be wrong. I will not allow Ngatiruanui to be killed. Listen, Taranaki, even to Te Atiawa at Waitara, if they die, I die; and then he proceeded to say that he would wait patiently to hear further from Taranaki. He would not make up his mind about the future, till he was fully convinced. (Ko te ra e rite ai taku, ko te ra e tino marama ai.) If it turns out to have been murder, he will have nothing to do with it. He has yet to be convinced that it was not "huako Maori." He agreed with his brother Rawiri that one ear should listen to the Governor's account, the other to the account given by the Maoris.

After several other speeches, Wi Tako rose and spoke briefly. He said that he "would not consent to let his tribe go to Taranaki." This was not their *pakanga*. If it prove to have been murder, then let the Taranaki suffer for their offence. He would not judge them hastily. If Rewi had done wrong, that was his own matter. Let not the king and his work be condemned for the sin of one of the leaders. He knew some clergymen who had been degraded, but the church stood nevertheless; so with the king movement. But he would not judge Rewi hastily. The accounts in the newspapers differed; perhaps the Maori account would differ from the Governor's. He would patiently wait for this. Meanwhile, let no one go to Taranaki.

Tamehana spoke in reply; after which, Heremia read Rewi's letter, and a memorandum thereon by Wi Tako.

This terminated the proceedings of the meeting.

The result of the Katihiku gathering may be summed up thus:—The loyal Natives are unanimous in their verdict of "wilful murder." The kingites reserve their decision for further information.

The ultra-king party led by Heremia declare that it was a justifiable *huake* (attack). Wi Tako and the moderate party profess, at present, to consider it murder, but await further letters from Rewi.

W. B.

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### Appendix No. 1.

RAPATA TE RANGIKAPUHO TO WIREMU TAMEHANA TE UKEKE.

Te Poutoko, May 4th, 1863.

FRIEND, LISTEN,—

The pakehas have been slain at the Wairau, they were killed on the 4th day of May; there was no cause (there was no provocation), they were killed without a cause; there were six soldiers and two officers, all the tribes participated in this murder, viz., Te Patukai, Te Upokomutu, Ngatituhekerangi, Ngatiruahine, Ngarauru, and Ngatitairi. The chiefs who instigated this evil work were, Aperahama Tairiki, Te Kati, and Tamati Hone. It is quite clear that this crime was committed by the Maoris (i.e., that the Maoris were the aggressors) as in the former case. It was this that caused all to rise, and now the country is in a bad state; but how can I help it. Friend, enough.

From your loving son,

RAPATA TE RANGIKAPUHO.

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### Appendix No. 2.

Waireka, May 6th, 1863.

FRIEND, HEARKEN,—

The world is upset, that is, the men, the pakehas have been killed; ten were murdered at Wairau, on the 4th day of May, at 9 o'clock in the morning; there were eight soldiers and two officers; eight were found, two are missing. Friend, great is the terror caused by this evil work of the tribes, that is, by the Taranakis and Ngatiruanuis. These men were killed between Wairau and Waimahuku. Try not to ascertain the cause; it was the act of the Maori, a dark-hearted race. On the day on which these pakehas were killed, the soldiers occupied the Wairau, Tekahakaha, and Haware. There was no expressed intention of going to war.

After the pakehas were killed, the Natives got possession of six casks of powder, a cart, and a yoke of oxen. It was Te Kati and his sons Patara and Taituha, who did this evil deed. I need not say that it was this one or that one who committed this evil act; it was your elder brother himself, Te Kati. That is the trouble that has come upon us. We are in uncertainty just now as to the Governor's intentions, they are not yet clear; he is still dark on account of this evil work. Friend, we are bewildered; nothing has been made clear to us; do not suppose that this is untrue. Do not believe what any man may tell you. If you receive any letter from a white man stating that this is a murder, it will be known that it is quite correct; do not scoff at it.

Enough upon that subject. Adieu, I shall not drive the Europeans from Okurukuru. I must be my own protector. If the Europeans mar the land (i.e., go to war), how can we help it? through the evil work of your elder brother Te Kati. Enough, we can but simply watch events. I shall remain at home. If the Governor come hither to chase me, all well and good. It will be for him and the Maori people to do so. It is ended.

From your loving son,

HENARE TE RANGIKAPUHO.

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### Enclosure 2 to No. 23.

Resident Magistrate's Office, Manawatu,

June 15, 1863.

SIR,—

I have the honor to report for the information of the Government, on the present aspect of Native Affairs in this District.

The account of the Ngatiruanui defeat on the 4th instant, reached us per "Whanganui Chronicle Extra," on Wednesday last.

I at once prepared a digest of the news for translation, and with the kind co-operation of Mr. Fox, had it quickly circulated through the District. I regret to say that it has produced no salutary effect, as the native account which gives a very different result, is generally accepted as the true one by both Kingites and friendly natives.

I append (Enclosures 4 and 5,) copy and translation of a letter from Pehi Turoa to the chiefs on this river, professing to give a full and circumstantial account of the battle, and reporting 140 soldiers killed and only 24 Maoris! Other letters state that the pa was stormed and carried by the Troops, but retaken by the Natives on the evening of the same day.

The Otaki King meeting for the discussion of the Tataraimaka question, was held on Friday last, the day after the receipt there of the Taranaki intelligence, I append my assessor Ihakara's report of the proceedings and issue—(Enclosure 6) which will be read with interest.

I regret that I cannot report so favorably of my District as heretofore. Recent disclosures have very much shaken my confidence in the sincerity of some of our leading "loyal" chiefs; and I confess to serious misgivings about the future. I have no desire to be counted an alarmist or panic-monger, but, sensible of the responsibility that attaches to the other extreme, and after full consultation with Mr. Fox I deem it my duty to state that the position of our out-settlers in this district, is fast becoming insecure, and calls for some protective action on the part of the Government.

Mr. Fox has embodied his views in a letter, a copy of which, by his permission, I forward herewith. (Enclosure 1.)

I shall proceed to state in some detail, the occurrences that, together, have led to this conclusion.

1. Towards the close of last month there was a large meeting of natives at Parewanui (Lower Rangitikei) for the professed object of discussing the "Ngatiapa land dispute." (See my letter of 31st December.) It consisted chiefly of Ngatiraikawa and Ngatiapa, with representatives from the Whanganui, Rangitane, Ngatikahungunie and Muaupoko tribes. The meeting dispersed without any clear decision on the land question, while vague rumours were circulated of sinister motives, secret meetings, and plans of organization against the Pakeha.

These I disregarded.

2. Soon after the meeting I received a letter from Ihakara Ngariri, Christian teacher at Turakina, intended as a warning to the settlers of an impending general "huake," or rising of the tribes. (Copy and translation attached—Enclosures 2 and 3.)

Of this I took no immediate notice.

3. Wi Te Pukapuka, Noa Te Rauhihi, and Aperahama Te Huruhuru we have been accustomed of late to regard as the leading loyal chiefs at Rangitikei. On the occasion of the Resident Magistrate's Court sittings there on the 3rd instant, when a number of Natives had congregated, these chiefs desired a public audience of Mr. Fox and myself. We adjourned the Court for this purpose. Individually and in the most unequivocal terms, they then declared their loyalty to the Queen, their abhorrence of the Taranaki murders, and their determination to remain faithful to the Government, and concluded by promising to report fully to us all that transpired among the Natives, on our consenting to keep them informed of our movements at Taranaki.

4. I now have positive information that one of these assessors (Aperahama) during the Parewanui meeting, packed with his own hands, and sent by Epiha as a present to the Ngatiruanui, a supply of leaden bullets; and that one of the others (if not both) was cognizant of the transaction. The disclosure was accidental. Nepia Taratoa (son of the late chief) had collected subscriptions for his father's tombstone. Aperahama and Pukapuka reported that the donations (amounting to £5,) had been spent by young Nepia in drink. The latter called at my house on Wednesday last. I refused to see a "man who could drink his father's tomb." He denied the fact, and I gave names. In his shame and anger he exclaimed "Now I shall tell of them," and he proceeded to give a circumstantial account of what had taken place. In the midst of it, most opportunely the three chiefs in question arrived.

Nepia boldly confronted them and reiterated the charge.

Aperahama flew into a passion, attempted to frown his nephew down, and went away in dudgeon. Te Pukapuka first denied the charge, but on being pressed, endeavoured to exculpate himself at Aperahama's expense. Te Rauhihi stood silently by, manifesting no surprise, and offering no excuse.

Nepia added, "These men are fooling you! They made speeches to you and Mr. Fox to keep you in the dark, but soon you will find them out."

5. This circumstance manifesting gross duplicity on the part of two principal assessors, directed my attention afresh to Ihakara's letter, and I started for Turakina, with the view of sifting it thoroughly before reporting. I found Ihakara an intelligent and straightforward Native. He urged in strong terms his belief that, while no designs had been matured, the desire to attack the Pakehas was fast gaining ground among the disaffected, and he broadly accused our Rangitikei assessors of deceit and falsehood.

6. Still reluctant to awaken the fears of the Government, I met Mr. Fox on my return, and discussed fully the whole subject with him. I found that his suspicions had already been aroused. A party of Natives (Kingites) in his employ had simultaneously left, immediately after the king meeting; the Ngatipikiahua had suddenly decamped to the opposite side of the river; a large party of Taupo Natives were shortly expected to arrive "in search of employment," an unusual movement in the depth of winter. These, and minor circumstances which gather significance from their connection, had excited his attention; and he now agreed in opinion with me that it was important that the Government should be at once put in possession of these facts.

At the risk of being tedious, I have endeavoured to do this, and it now only remains for me to express the hope, that the Government will take into serious consideration, the proposal made by Mr. Fox for a small steamer to be laid on between Taranaki and Whanganui. If this steamer could also at fixed intervals touch at the Manawatu and Rangitikei ports, it would give a strong sense of security to the coast.

As the Government will observe, it is proposed to form at once a Volunteer corps at Rangitikei, and to arm the settlers. But whatever is done in that direction, should be done quietly and cautiously. I apprehend more real danger at present from a panic among the settlers, than from any hostile disposition of the natives, for the former would most assuredly precipitate the latter. At the same time

I agree in opinion with Mr. Fox, "that it will be no longer prudent to neglect precautions for our safety."

With regard to the assessors implicated in the bullet affair, I must leave the Government to decide the proper course. In my opinion it would be unwise to take any immediate action, but very necessary to watch narrowly their future movements.

I have the honor to be, &c.,

WALTER BULLER,  
Resident Magistrate.

P.S.—Mr. Hamlin reports that the Turakina Natives are enquiring eagerly at the stores for Marbles.

Is there not a proclamation (of 1860) prohibiting their sale to natives?

W. B.

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(Enclosure 1.)

Rangitikei,  
13th June, 1863.

MY DEAR BULLER,—

As you are about to report to the Government the events which have come to your knowledge during the past ten days, and the bearings of which I have personally discussed with you, I think it my duty to state in writing that my own expectations relative to the probability of peace being maintained in this District are greatly modified. The attendance of our leading chiefs at meetings of King natives, the fact of the payment of a debt due from Noah by the King natives of Otaki, the bullet transaction reported by you, and other circumstances, coupled with the false reports circulated among them of the result of the late military operations at Taranaki, lead me to believe that it will be no longer prudent to neglect precautions for our safety. It is my intention to take immediate steps towards the formation of a Volunteer corps, and to obtain arms from Whanganui.

The Government is no doubt aware that the small garrison stationed at Whanganui, can afford no protection on this side of the Whanganui river. In case of hostilities we should have practically to abandon the district, the women and children to send into Whanganui; while the male population combined with that at Turakina might possibly (particularly if aided by some military force) form a pretty strong advanced post at the latter place, where there is a village of some dozen houses.

I do not propose any more decided step than the obtaining arms for Volunteers, till some more positive indication of hostile action on the part of the natives; but the women and children will have to be removed on the first hint of such occurrence.

You will probably convey to the Government the contents of this letter. It would be a very great source of security if a steamer could be laid on between Taranaki and Whanganui, so as to enable us to get news from the former place through some more reliable channel than Maori rumour.

Believe me, &c.,

WILLIAM FOX.

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Translation of Enclosure 2.

Turakina,  
27th May, 1863.

My loving friends residing at Whanganui, Wellington, Ahuriri, and all other places.

Salutations to you all! These are my words to you respecting what I heard on the 24th May, 1863. On the day of our meeting about Rangitikei two men arrived, the name of one was Stephens, the other man's name I do not know. I heard these men report the object of their visit from Taranaki. It is that all the ports may be attacked and (the people) murdered as at Tataraimaka, that war may rage at all points. This my loving friends is a word of caution to you, so that you Pakehas may be on your guard. I have heard that the Ngatiraukawa and the Ngatiawa are going to hold a meeting at Otaki; to decide about Tataraimaka.

Listen all you! my words are true; these words are for you the Europeans only. Do not acquaint the natives of this, because this is the Maori King's work. The reason of my informing you is love (or compassion). This Maori King has upset this Island. Great is the evil of this name, King. Now my loving friends, when you have seen this statement, let it engage your thoughts lest you be found sleeping. But be on the alert.

From your loving friend,

IHAKARA NGABIRI,  
Rangiahua.

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Translation of Enclosure 4.

Te Kiritahi,  
10th June, 1863.

To Ezekiel, to George, to Henry, to John Mason, to Sylvanus, and to all your assembly.

My Friend. Listen all of you! Takana Rangitauri of Tataraimaka reports thus. On the 4th day of June war was commenced between the Whanganui natives and the Pakeha (at Tataraimaka). Hori's natives, fifty in number went out from the Pa; Hori Patene gave orders that twenty or thirty should remain in the Pa, while another twenty should go out to the sea shore, and fire upon the steamers. The soldiers from the Barracks seeing this, went out and surrounded them and fired, killing Pita. Hori then cried, "break through!" and the nineteen pushed through, and returned to their Pa, taking the dead man with them. Immediately four hundred soldiers twice told (800) surrounded the Pa. Then the forty nine (natives) fired upon them, but the soldiers succeeded in entering the Pa. Hori Mohi and Te Nuitone Te Koau then called out, "Turn out my lads!" "If we be killed, let it be outside." (Kia ngaro, ngaro ki waho.) They at once turned out and began to fight desperately. Mohi's weapon was a long-handled (tomahawk) and Hori's weapon was a mere mere. Mohi killed the first man, Hori the

second, Rungatia the third, Mohi the fourth, and then Hori fell. Mohi took his place and fought gun to gun. Mohi at length fell. The number killed now was twenty-four; the remaining twenty-seven continued fighting till it was dark. At the hour of eight the soldiers fled. The payment obtained for the death of Hori and Mohi is one hundred and forty soldiers. These fell into the very hands of the Whanganui people, and their guns to the number also of 140. These guns are now in the Guard House of Te Tahaua Turoa.

The Pakehas were buried by them; the twenty four Maoris also were buried by the Maoris. (This account is) by Tahaua Rangitauira.

From PEHI TUROA,

Indeed from all the Runanga.

### Enclosure 6.

Ihakara Tukumarū's Oral Report of the "Tainui meeting" at Otaki on Friday the 12th June, 1863.

I went to the great King meeting at Pukekarakā, by Mr. Buller's request to watch the proceedings and to ask questions.

Here is my account a faithful one.

The people assembled there were principally Ngatiraukawa, and Ngatiawa, but there were also representatives from the Ngatikahungunu, Muaupoko, Ngatiwhakare, and Rangitane.

Their whole number was Two hundred twice told (400). About twenty of these belong to the Government: all the rest are Kingites.

The object of this meeting was to decide about Tataraimaka, and the fighting.

Three plans were discussed. Heremia proposed the first. Wi Hapi the second. Wi Tako the third. The opinion of the people was divided.

Heremia spoke first. He said—"When there was fighting at Waitara, I wanted to go, my desire is unchanged. There is fighting now at Tataraimaka. I want to go with all my tribe, to fight the Pakeha. Let us start for Tataraimaka."

A part of the meeting responded "Ae," (yes), a part "Kahore," (no.)

Wi Hapi then spoke. He said—"This is my plan. Let us not decide in haste. Let us wait and see what the Governor's intentions are. If the Governor brings more troops to Taranaki, then we shall know that he intends to fight all New Zealand. If so, let us adopt Heremia's plan. Let all the tribe go to Tataraimaka. But if the Governor will be satisfied with punishing Ngatiruanui, let us remain quiet."

Then Wi Tako rose; and these were his words,—“Listen Ngatiraukawa. I do not consent to go to Tataraimaka. There are soldiers at Whanganui, at Wellington, and at Ahuriri! when all these soldiers have gone to Taranaki, then I shall go.

“While the soldiers remain at these places I shall remain at mine, lest after I am gone they attack my place and destroy it.”

Some consented to one plan, and some to another.

Then I (Ihakara) stood up and spoke.—“Listen all ye people! There are three plans proposed. It appears to me that those of Wi Hapi and Wi Tako are the same. I have only one word, don't go to Tataraimaka. In my opinion if we don't provoke the Governor the war will not spread.”

After this I put my questions. Here are my questions and the answers:—

Ihakara: Wi Hapi, answer me; Did you consent to the murders?

Wi Hapi: I sent to the Ngatiruanui saying—Hold Tataraimaka fast in payment for Waitara.

Ihakara: Wi Tako, did you tell the Ngatiruanui to murder Pakehas?

Wi Tako: No, my message was, give back Tataraimaka to the Governor, for the Pakeha's goods have paid for it.

Ihakara: Ngatikahungunu, did you consent?

Matiaha: I told the Ngatiruanui to hold Tataraimaka fast as payment for the land at Waitara, held by the Governor.

Ihakara: Tell me, Heremia, what your advice to the Ngatiruanui was when you lately visited Taranaki?

Heremia: The same. Hold Tataraimaka. When the Governor gives up Waitara, then give back Tataraimaka.

Ihakara: Did you tell them to murder the Pakehas?

Heremia: They have done no murder; fighting commenced at Waitara.—It is now going on at Tataraimaka. The Pakehas were killed fairly.

Ihakara: Make yourself clear. If you go to Tataraimaka, will you fight for the boundary?

Heremia: No. My plan is to fight across the boundary into the very midst of the Pakehas, and to drive them into the sea, so that Pakehas may disappear from this Island.

Ihakara: Peace was made after the Waitara fighting. Hapurona consented that the Governor should hold the blockhouses, and Rewi agreed to this.

Heremia: That is all false, Rewi did not consent.

Ihakara: It is true, for I asked Parokorou the other day.

Heremia: I never heard it before.

Ihakara: What about the Pakehas between here and Rangitikei?

Heremia: We won't disturb them unless the Governor puts soldiers on the coast.

All the meeting heard these questions and these answers. There were many speeches. All agreed that Rewi had brought on this trouble, but the thoughts were divided about going to Taranaki. Te Peiua (of Ohau) made the final speech. He said,—“Ngatiraukawa and Ngatiawa listen! Let those who will go to Tataraimaka. For my part I shall stand by the Flagstaff. If the Governor brings fighting here, then I am willing to fight. If I die, I shall die near my flagstaff. When our 'tupuna,' the Ngatiraukawa went to Tauranga to avenge the death of Otehiwi, they returned to Maungatautari to find that the Ngatimaru had invaded their homes in their absence, destroyed their Pas and killed their women and children. If I go to Tataraimaka I may find on my return that the soldiers have played 'Ngatimaru' here, and that all my women and children are killed.”

When Heremia heard this, he said—"I consent for the present to stay." Wi Tako said—"I shall not consent to my tribe going till all the tribes are of one mind."  
The meeting decided that no one should go at present, but that the future should "bring its own thoughts."  
The people agreed to this because of the words of Te Peiua and Wi Tako.  
Heremia put this question to me—"If we fight the Pakehas will you befriend them?" I replied, "Your question frightens me. This fight is not mine, but the Governor's. Let the Governor and his soldiers attend to it. I and my Pakehas have nothing to do with it."  
Heremia said he would not interfere with my Pakehas.  
Enough. I have finished my account of the meeting; in my opinion it ended well. But my advice now is: Let the Pakehas have plenty of guns and powder here and at Rangitikei. The thoughts of the people are stirred up, and we know not what direction they may take. Let the Pakehas be provided against "he riri ohorire." Let there be a supply of guns for this place, for I shall look to my Pakehas for protection.

No. 24.

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

Government House, Auckland,  
3rd July, 1863.

MY LORD DUKE,—  
I have the honor to enclose for your Grace's information a copy of a very interesting report from Mr. Wardell, the Resident Magistrate in the Wairarapa district, dated the 23rd ultimo, from which your Grace will find how very generally the proceedings of the Taranaki natives who murdered two officers and seven soldiers on the 4th May last is denounced by the Natives in the Southern portion of this Island.  
I have, &c.,  
G. GREY.

His Grace the Duke of Newcastle, K.G.

Enclosure to No. 24.

Upper Hutt,  
23rd June, 1863.

SIR,—  
I have the honor to inform you that I returned from Wairarapa last night, having been in the valley with the exception of one day since the 11th instant.  
I have seen nothing to cause me the least fear that the peace of that district will be disturbed.  
There are, however, disputes respecting the sale of certain blocks of land to which I have on previous occasions alluded and which require immediate adjustment. These have been brought to the knowledge of His Honor the Superintendent as Land Purchase Commissioner, and he has I believe commenced negotiations with a view to their settlement.  
As I have before reported, the King's Runanga of the District decided last month that Tataraimaka had been fairly bought by the Queen, and that the Governor should be allowed to take peaceable possession of it; and further, when the news of the murders of the 4th of May reached them, they expressed but one sentiment, viz :—that the murderers should be punished and that if the tribe refused to give them up, the whole tribe should be treated as murderers.  
At a *hui* [meeting] held in the neighbourhood of Greytown on the 11th instant by the King party on the receipt of a letter from Taranaki, a committee of thirty considered the proceedings of the Taranaki tribe, and at the division, twenty-three condemned and six approved their conduct.  
With some difficulty I obtained a list of the division and as it is not without interest I subjoin it.

Approved. Condemned.

Taitua Te Waitere	... .. Mangarake.	Te Waitere	... .. Mangarake.
Wi Te Katini,	"	Te Wenerei	"
Tangaru	"	Mihana Wera	"
Te Naera	"	Teopira	"
Hoane Purakau	"	Te Tahana	"
Te Waitae	... .. Masterton.	Natana Hira	"
		Taitua	"
		Piretaha	"
		Romana	... .. Masterton.
		Hamuera Korako	"
		Meka Mokamoka	"
		Te Ropiha Te akau	"
		Nepea Pohuhu	"
		Paora Te Ihumana	"
		Wi Kingi Tamarohiti	"
		Ihaka Te Rangiamatangi	"
		Wikiruo Kapopo	"
		Pene	"
		Hare Te Rangi	"

Karamia Hope Ngawara  
Declined to vote.—I am told he spoke on both sides of the question.

Pahoro ... ..	Greytown.
Riwai Paniata	
Hoani Te Rangitakaiwaho ... ..	Papawai.
Koromana ... ..	Huiroa.
Piripi Te Apota ... ..	Manukawiri.
Tamati Patorumu	
Te Kapa Ororoa ... ..	Hautotara.

Patoromu Te Apatu presided, neither Ngairo, Wi Mahupuku nor Heremia voted: their position in the party rendering it improper for them to do so. They have however expressed their opinion to me; they condemn the Taranaki tribe and desire that they should be left unassisted to receive their punishment at our hands.

The loyal natives consider the Government called upon to punish severely those who are opposing its authority.

I have, &c.,  
HERBERT WARDELL,  
Resident Magistrate.

## No. 25.

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

Government House, Auckland,  
3rd July, 1863.

No. 69.

MY LORD DUKE,—

I have the honor to enclose for your Grace's information, a copy of a letter from the Assistant Native Secretary at Taranaki, dated the 26th ultimo, which I think it right your Grace should peruse, in order that you may understand the state of feeling unfortunately existing at this moment between the two races in this country, as without really knowing what the state of the case in reference to this point is, it would be impossible to comprehend much that transpires here.

2. Your Grace will find from this letter, that even Natives who render at the present moment most essential services to us, may be subjected to the most offensive treatment from the European race, and that it is consequently very difficult to control two populations standing in such unfortunate relations to one another.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

## Enclosure to No. 25.

New Plymouth,  
June 26th, 1863.

SIR,—

For the information of His Excellency's Government, I have the honor to forward the following Report, containing further information relating to the engagement on the 4th instant, obtained by way of Mataitawa, from Haera Te Paea, who has returned from visiting the insurgent Natives in the Taranaki district. His departure I reported in my letter on the 16th instant.

He reports that the Southern Natives attribute their disaster to information which they suppose must have been supplied by Komene. That in consequence thereof, a Taranaki Native named Hami, of the Patukai hapu, went to Komene's pa at Puketawa, and demanded his wife and children as payment. Komene's friends (numbering from fifteen to twenty men) have forfeited their pa, and on Hami's submitting his demand, they loaded their guns, and then turned him out of their pa, and closed it up, expecting a party would be following him to put into execution his threat, to take Komene's wife and children, which they were determined to resist. Komene's position is certainly a most pitiable one. He cannot return to his family by land, for fear of being killed by the insurgent Natives; and whilst in town he is subject to very unkind and most offensive treatment. Two or three nights his house has been battered, and the windows completely smashed. He is most anxious to return to his people, and has offered to give his horse for a small boat to enable him to go by water; but I am afraid it would be a dangerous experiment, as he has no one to go with him to man the boat.

That since the engagement, a Taranaki Chief, Aperahama Ngatawa, and Hori, son of Hori Kaioroto, have died of their wounds at Parawatia, near Kaihihi.

That the Ngatiruanui and Wanganui Natives are renewing the three pas in the Kaihihi district, which were taken on the 12th October, 1860, by the force under Major-General Pratt (Pukekakariki, Korongomahangai, and Mataiaio), and are preparing for cultivating inland by the Hangatawaha river, about six miles south of Tataraimaka.

That two or three small places are said to have been put up inland of the Tataraimaka block, on the South bank of Timaru river, to protect the road leading from the ranges (Kaitake and Ahuahu) to the South.

I have, &c.,  
ROBERT PARRIS,  
Assistant Native Secretary.

The Native Secretary, Auckland.

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

No. 72.

Auckland, New Zealand,  
July 4th, 1863.

MY LORD DUKE,—

I have the honor to transmit copies of the letters named in the margin, which I have received from various persons warning me of the present intentions of the Natives inhabiting the district, which borders the Waikato river, and which adjoins the most populous and wealthy part of the Province of Auckland. These letters are selected as coming from the most trustworthy sources, but I have received much additional information all to the same purport.

2. It has now been clearly proved that some of the Chiefs of Waikato ordered the recent murders at Taranaki, and that being thus responsible for them, they have determined to support the people who carried out the orders which they issued. For this purpose, they are quite prepared to attack this populous district, and even to commit similar murders here.

3. I have, however, arranged with the Lieutenant-General a plan of operations, which will, I trust, not only effectually protect the Auckland district and its inhabitants from the dangers which threaten at this moment, but will also have the effect of placing this part of New Zealand in a state of permanent security.

4. Most fortunately the Head Quarters of the 2nd Battalion of the 18th Royal Irish arrived here yesterday morning, after an unusually quick passage. Nothing could have been more opportune than this event. After consultation with the Lieutenant-General, I find the force at his disposal is still so small that it would be imprudent to allow the 65th Regiment to leave the Colony during the existing crisis. In conformity, therefore, with the terms of my Despatch, No. 44, of 9th May, applying for reinforcements, the 65th Regiment will, for the present, be detained in New Zealand, but they shall not be kept here a day longer than is absolutely necessary.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 26.

Kohanga, June 16, 1863.

MY DEAR SIR GEORGE GREY,—

I feel that it would be scarcely right to withhold from you the accompanying letter of Heta's, even though, as is most probable, you are already acquainted with his ideas on the state of affairs.

I should perhaps, at the same time, state that I do not coincide with his views, and do not think that the grounds that he states are sufficient to bear his conclusions. Heta seems to be of an anxious despondent mind, and in the former war his dismal statements frightened some of our friends out of their propriety.

I would observe :—

1st. That the fixed male population of Onewhero and Tuakau is not much above forty.

2ndly. That any of that number might, according to Maori practice, have written that letter to which he refers, and put the names of that people to it. They *did* hold a runanga about three weeks ago, but from the enquiries that I made at the time, I did not infer that the majority were in favor of hostilities.

3rdly. It is remarkable that he states no ground of apprehension from his own people.

4thly. The *hahu*ing (taking up bones) of the dead, and the purchase of goods largely, I look upon as acts customary in all doubtful states of affairs.

Having said so much to moderate the strength of Heta's remarks, I must, in justice to him add, that I have during this last twelve months heard of six different proposals to attack the Ia. The opinion of the Maoris seems clear that at least up to a late date it was assailable. Their not having attacked that post heretofore, I have regarded as a strong proof of the friendly disposition of the majority.

Two of these proposals emanated from the people of Tuakau, the "*nakahi*" (snake) to which Heta alludes. This people in the time of the former war, when a large party landed at that place, intending to march on Patumahoe, in consequence of the supposed murder of a Maori by an European, offered, in my hearing, a road to that place, when Waata had forbidden them to cross Ngatitipa lands. If any evil does arise to the people of that district, it will, I fear, come through Tuakau. Deeply interested as I am in the prosperity of those settlers, I will trespass upon your indulgence by suggesting, that the people of Tuakau should be reminded that you are aware of their conduct past and present, and that you will hold them responsible for any mischief inflicted upon the settlers of that neighbourhood.

Your Excellency will observe Heta's request that his letter be kept secret. I do not think that either of us would be much compromised by the allusion to which I refer.

I remain, &c.,

R. MAUNSELL.

Governor Sir George Grey, K.C.B.

P.S.—Since writing the above, I have made further enquiry about the "*Runanga a te Atua*." I find from very good authority that the decision was—

6 for war,  
11 for peace.

They also took those words, "*Kawea a te Rangitake ki Taranaki*." (Take Te Rangitake to Taranaki) in their literal sense, and not figuratively, as Tupene suggested to Heta. Of Thompson and Matutaera, I have of late several indisputable reports that confirm me in my belief that they desire peace.



Rawhiti, June 16th, 1863.

TO THE REV. ARCHDEACON MAUNSELL,—

Greetings to you, residing at your dwelling place at Kohanga.

This is to inform you that the reason why Mr. Armitage's Europeans went to you was, because I sent them. The cause was:—

1stly. A letter from your friends residing at Tuakau and Onewhero, which arrived at Rangariri, saying that an attack should be made on the Europeans of those parts, on account of a feeling of sympathy with the Taranakis, who are now fighting against us. The letter was signed by the Runanga of Te Atua.

2ndly. A letter from Ngaruawahia directing that the Runanga should assemble for the purpose of conveying Te Rangatake to Taranaki, meaning thereby that he should be conveyed to Te Ia; the signature of this letter was the Runanga of Ngaruawahia. I myself saw those letters, but the word regarding Te Ia was in a letter read secretly to me by Tipene, it was signed by Ruta.

Other causes of quarrel from which I thought that evil was likely to arise in Waikato were:—

1stly. The disinterment of the corpses at Mangere.

2ndly. The extensive purchases of goods made by the Waikatos.

These are the reasons why I sent away the property (*i.e.* the European servants) of Mr. Armitage. I did not speak fully to Mr. Armitage. I am now for the first time doing so in thus writing to you. I have also spoken in a similar manner to the Rev. Mr. Ashwell. Another evil too, on account of which I was in fear was, because, in my opinion, the feelings of the elders of Waikato have become evil.

Now this was the evil. Te Kihirimi wrote the letter saying, Let Tataraimaka be held fast to, the consequence of which was the evil (fighting) now going on at Taranaki. Furthermore, look at the Hokioi,\* now there you see the cause why the first Europeans were killed. It was in consequence of these things that I thought, perhaps these tribes will consent to the evil work (*i.e.* fighting). Oh, my Father be loving towards me; destroy this letter, it is for yourself alone; the people did not know that it was I who sent away those Europeans, according to what they say it was Mr. Armitage who sent them. It is well that those people should have gone, for it is well lest his property (servants) should have been lost.

This is my word to you, do not let Mr. Armitage come here to his new abode, there is a snake lying a little on this side of his dwelling, let him remain at your side.

My father if you blame me 'tis well; it is for you if you think fit to be angry with me for my presumption in thus addressing you.

This I want to say to you, if you hear other people saying that I, here, am implicated in the doings of the people, don't believe them, let them talk on.

From your friend,

HETA TARAWHITI.

Great is my sorrow on account of these doings, pray to God in my behalf that I may not be drawn into temptation.

\* The Hokioi is the Newspaper published by the Natives of the King party.

### Enclosure 2 to No. 26.

Heta's House, Rawhiti.

June 23, 1863.

MY LORD BISHOP,—

Seth says, Tuakau and Onewhero Runanga (*i.e.* Ngatipou) have assented to kill some Europeans. They have sent letters to Rangiriri. Heta does not know what answer has been given, their hiding it from him is a bad sign.

Messengers were sent from Manukau and Rangiriri to Peria, Rangiahoahia, Hangatikei, on Friday last. Seth does not know the purport of their haerenga (going); this also they hide from him, he fears mischief is intended. The intentions of Ngatimaniapoto are kept secret. One of the messengers is Hetaraka Muru, the principal man in the affair of Patumahoe.

A letter from Tuakau and another from Ngaruawahia have been sent to Rangiriri proposing to carry Rangitake Wi Kingi to Taranaki, *i.e.* they mean the Ia. Heta does not know what reply has been given.

The *take* (causes) of the late murders at Taranaki are Rewi and Herewini.

Heta fears that ere long some murder will be committed by the Tuakau and Ngatimaniapoto natives. Would it not be well to put the outsettlers on their guard; would it not be well that they should be warned. Ngatimaniapoto are very secret about Aporo, in all probability we may hear of murders soon. Can anything be done to protect Martin's and other outsettlers, who may be exposed to a *raid* from Taupau. The military at the Bluff are much exposed.

I purpose this week to pack up a few of my things and send them off. Next week I may return (D.V.) to Auckland. Heta fears the parents will not let their children go to Auckland. I am doubtful if Benny will return. I cannot do good by remaining longer among a people determined to do evil. I shall leave tables, chairs, crockery, &c., &c., and when the people are in a better state of mind (D.V.) return to them.

This is a gloomy letter, but I feel persuaded that a gracious God will bring good out of all.

I have, &c.,

B. Y. ASHWELL.

I believe Benny will try to return.

### Enclosure 3 to No. 26.

June 23rd, evening.

Anatipa and party are here. At his request I sent for the captain of the "Favourite," who was told "go"—"come," do not fear until I send all the pakehas away.

He is very friendly to me—joined others in saying, I should pay no tribute, all pakehas shall live without fear—no *Muru* (plunder) shall be permitted; but if Aporo be not given up we are all to leave, and Anatipa and party join Rewi against Auckland.

I have not time for more.

I have, &c.,  
C. H. SCHNACKENBERG.

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Enclosure 4 to No. 26.

Thursday afternoon.

SIR,—

I called to show your Excellency a letter I have just received from Hamiora Ngaropi, our native minister now at Raglan, which contains the following:—

Mr. Buddle: this is a word of mine to you, be on your guard with respect to Auckland by night, and by day, throughout all its boundaries (be on the alert) every day and every night; whether for a long or a short space of time. This is all I have to say to you on that subject, that is to you all. If nothing happens it will be well.

From HAMIORA NGAROPU.  
I have, &c.,  
THOS. BUDDLE.

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Enclosure 5 to No. 26.

Mauku, 8th July, 1863.

SIR,—

I have this afternoon received reliable information that, on Tuesday night the 28th ultimo at a meeting of the natives at the Patumahoe settlement, it was proposed by a strange Maori, connected with the disaffected Natives of Ngatiraukawa and Ngatiwakane, from the neighbourhood of Maungatautari, that they should massacre the Europeans of this District without delay. It was carried by the majority of the meeting, but suggested that a messenger should be sent to Tamehana Te Waharoa for his sanction. The party who proposed this resolution remarked they ought not to wait, which was seconded by many, chiefly by the Ngatiruanui, who have been prevented leaving for Taranaki for several weeks in consequence of the illness of one of their party, who died on Sunday last. I am further informed this party, consisting of about ten persons, have resolved in any case they will not leave for Taranaki until hostilities commence in this Province.

My interpreter, Mr. King, was speaking to Tamati Ngapora this morning, previous to his leaving Waiuku for Mangere, when he told him that the Europeans should leave Waiuku as soon as it was known that he had left for the Waikato. He was ready to go when called upon by the Waikato or ordered to leave by the Government.

Patara a near relative of Matutaera also told Mr. King in the presence of the previous mentioned native, that if any were killed now, it would not be called murder, as hostilities were inevitable and the evil was near.

Patara, Te Paea and party left Waiuku for the Waikato this morning.

I have, &c.,  
JAS. SPEEDY,  
Resident Magistrate.

P.S.—I beg further to add that they have taken Tamati Ngapora's large canoe to Purapura. The Honorable the Native Minister, Auckland.

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No. 27.

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

No. 75.

Government House, Auckland,  
7th July, 1863.

MY LORD DUKE,—

My Responsible Advisers have requested me to forward to Your Grace the copy, herewith transmitted, of a memorandum in relation to your Despatch, No. 30, of the 22nd of March last, in which they express their cordial concurrence in the general views and sentiments expressed in the Despatch to which I have referred, and at the same time explain a misapprehension which appears to exist as to the circumstances which caused them to take the opinion of the Colonial Attorney-General regarding the power of the Government to make roads through Native lands, without the consent of the owners of such lands being previously obtained.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

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## Enclosure to No. 27.

## MEMORANDUM FOR HIS EXCELLENCY.

Auckland, 30th June, 1863.

In the Duke of Newcastle's Despatch (No. 30), 22nd March, 1863, there occurs the following passage:—

"It appears that your Ministry are desirous of making a road in the neighbourhood of New Plymouth, through lands belonging to the Natives, but without the consent of the Native owners; and the Attorney-General has advised them (as I understood) that the local Legislature is powerless to authorize such a proceeding, but that the land may be appropriated for the purposed purpose by the authority of the Crown."

His Grace then proceeds to point out that this is a question which should be treated as one rather of policy than of strict law. That policy, as well as justice, requires that, in the present state of the country, the course of the Government should be regulated with a view to the expectations of the Natives, based on the Treaty of Waitangi, and their fears of its non-observance,—that the settlers of Taranaki and other places should rather put up with the inconveniences caused by want of roads than risk or bring on a war to obtain them, unless the colonists will pay the whole cost of such a war. His Grace concludes by observing that he would view with more than regret the adoption of the course which appears to be indicated in the enclosures to the Despatch he is replying to.

It is scarcely necessary for Ministers to assure His Excellency of their cordial concurrence in the general views and sentiments expressed by the Secretary of State as to the desirability of obtaining only by pacific measures, wherever possible, the concessions by the Natives even of rights the most necessary for the occupation by the settlers of their own lands. But, as the Despatch shows that His Grace attributes to them entirely opposite views, they have respectfully to request His Excellency to be good enough to convey that assurance to His Grace, and also to correct a misapprehension under which His Grace appears to labour, as to the circumstances which caused the opinion of the Attorney-General commented on in the Despatch to be asked for.

The Governor, and Ministers equally, were desirous of ascertaining the precise legal position of the Government towards the Natives with respect to the general power of taking roads through their lands, and the Attorney-General's opinion was called for, with the express intention of referring it to the Imperial Government for confirmation, revision, or reversal.

It should further be pointed out to the Secretary of State that the particular road, with reference to which there appeared a possibility that it might be necessary to consider the legal position in question, was the road from the main block of land forming the settlement of New Plymouth through the intervening Native land to the Tataraimaka block,—that this is the only road by which the settlers on the block can communicate with the Town of New Plymouth, or other parts of the settlement, to furnish themselves with goods, or carry to market the produce of their farms,—that it is the road which has always been used by both settlers and Natives for one or other of these purposes since the block was purchased in 1847, and, indeed, that it forms part of the only road between New Plymouth, Whanganui, and Wellington. Further, that this is the road upon which the murders at Oakura, on the 6th of May last were perpetrated, and which are justified by the perpetrators, and by the most influential party of the King Natives in Waikato, on the pretext that the Southern Natives (the Taranaki and the Ngatiruanui) had forbidden any European to travel on this road under pain of death, and that consequently the soldiers forming the escort on the 6th of May, having disregarded this prohibition, were properly put to death.

Ministers think that, if these few facts are taken into consideration by the Secretary of State, His Grace will acknowledge that they were not actuated (in concurring with His Excellency in the propriety of having the legal powers of the Government in this case precisely ascertained) by any disregard of the rights of the Natives to the possession of these lands, or of any assumed or fictitious right these Natives may claim to prevent roads being taken through their lands without their consent. Nor do Ministers think they can be justly charged with a want of appreciation of the duty, as well as good policy of endeavouring to obtain the cession by the Natives of this real or pretended right by peaceable means. On the contrary, it will, no doubt, appear that the acknowledgment of rights exercised so arbitrarily, and enforced with such barbarity, would often—as in the Tataraimaka case—be equivalent to the abandonment of lands long ago bought and settled by Europeans, and to the recognition of a Maori sovereignty over these latter, of the most tyrannous, galling, and ruinous a character.

ALFRED DOMETT.

## No. 28.

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

Government House, Auckland,  
July 7th, 1863.

No. 76.

MY LORD DUKE,—

Your Grace will peruse with pleasure the copies of addresses from the Ngapuhi tribe inhabiting the Northern part of the Island, which I have now the honor to transmit.

These addresses are most numerous signed, and your Grace will find that they denounce in strong terms the murders which were committed by the Natives at Taranaki, and the conduct of the Waikato tribes. Addresses of a similar purport are coming in from other parts of the country. I hope therefore that a large and influential body of Natives will act cordially with the Government in that struggle with the Waikato tribes which, I fear, can be no longer avoided.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

Enclosure to No. 28.

A LETTER OF AFFECTION FROM NGAPUHI TO GOVERNOR GREY.

FRIEND THE GOVERNOR,—

Salutations. How are you, our friend? Sadness bites painfully within our hearts, and we are disgusted with the murderous news from Taranaki—we mean that of the treacherous murder of the soldiers by the Ngatiruanui—for there was no pretext for this hateful work.

Friend the Governor, your thoughts towards these Maoris were loving thoughts, and their thoughts towards you were those of murder.

Sire, O Governor, what is to be done to this treacherous, murderous tribe? This consideration is with you and not with us. What remains to Ngapuhi is to rest (or lean) upon the Government with love and unity of thought and purpose.

We believe that the origin of these murders has arisen through the King Movement. Their words are sweet (or of pleasant sound), but they rest only upon the lips; the thoughts of the heart are of treachery.

This is the ending of our speech to you, O Governor. Look thou at our names affixed to this letter, which is a token from us of our love towards you, and our abhorrence of the treacherous, murderous work.

Sufficient, Sire, the Governor.

"Tenei au ka urunga ki runga ki taku moenga."\*

(Here follow 328 signatures.)

\* This is a whakatauki or proverb, literally, "Here I am reclining (or bolstered up) in my bed,"—meaning the act of resting, observing, or looking on; taking a neutral position, yet not apathetic or indifferent.

No. 29.

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

No. 77.

Government House, Auckland,  
7th July, 1863.

MY LORD DUKE,—

I had this morning the pleasure of transmitting to your Grace some addresses from the Ngapuhi tribe, manifesting a very satisfactory state of feeling in the Northern part of this Island. I regret now to transmit copies of letters which have reached me from several persons, showing the turbulent disposition which prevails amongst the tribes of Waikato. It will now I fear be quite impossible to avoid a collision with those tribes, but I have every confidence from the preparations which have been made that no great difficulty will be experienced in reducing speedily the whole of the Lower Waikato District to a state of tranquility and obedience to the laws.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

Enclosure 1 to No. 29.

THE REV. B. Y. ASHWELL TO THE BISHOP OF NEW ZEALAND.

Taupiri, June 30th, 1863.

MY LORD BISHOP,—

The Waikato tribes I fear are now engaged in a *runanga puku*, and that ere long some sudden outbreak will take place. I had important communications from W. T. yesterday, but as nothing definite was made known, and as far as we can judge nothing very immediate is likely to take place, I shall reserve my communications till I see your Lordship. W. T. is determined to oppose everything treacherous; if there is war it shall be open. He advised me to withdraw from Waikato for a time, in consequence of these secret plots, and also every isolated European. It would be well that the troops should be constantly on their guard, as a general rise is not improbable; if W. T. succeeds in upsetting their plans, well and good,—if not, he will communicate with Mr. Shortland, and will also write to me and to the Archdeacon. His words were—*kino rawa te tikanga o Waikato, kino rawa rawa*; he wishes his name to be unknown. The plan, the plot, is now being considered at Tamahere, but he himself does not know the details. The messengers have not yet communicated with him. I think that most of the Ngatihawa are opposed to it, but some are favourable; but W. T. would only give intimations, he himself had not had conversation with the messengers.

Numerous messengers are gone through the country to excite I believe a general rise. I have told you nearly all I know. Under these circumstances great vigilance is necessary. I wish all the Natives about or in the neighbourhood of Auckland were away.

I hope to see Archdeacon Maunsell to-morrow, and to be in Auckland (D.V.) the beginning of the week.

I have, &c.,

B. Y. ASHWELL.

The Right Reverend the Primate.

Enclosure 2 to No. 29.

AIHIPENE KAIHAU TO HIS EXCELLENCY THE GOVERNOR.

Kapiuta, July 4th, 1863.

FRIEND, SALUTATIONS,—

I have received your word, and I consent to appoint a day; come to Waiuku on the 13th, and let the investigation take place on the 15th. Enough upon that.

This is another word. Some fresh news that has reached me. It is said that an attack will soon be made. This is my third word to you.

Friend the Governor. Be careful of us and our Pakeha friends who are living scattered in the bush. I have advised Major Speedy to have some *pas* speedily constructed for the protection of my Pakehas, for I do not approve of letting my Pakehas die. I have also appointed forty men of the Ngatiteata to protect Waiuku. It will however rest with you. This is all I have to say to you.

From your loving friend,

AIHIPENE KAIHAU.

To Governor Sir George Grey, Auckland.

### Enclosure 3 to No. 29.

AIHIPENE KAIHAU TO MAJOR SPEEDY, R.M.

Kapiuta, July 4, 1863.

TO MAJOR SPEEDY,—

Friend, Salutations; I have a word respecting the Europeans of Waiuku, and of the Whakau-poko, let them remain at Waiuku and not fear, and I will arrange and appoint 40 of Ngatiteata (to protect them), but the Governor should do something, so that my word may have weight (mana) but if my letter to the Governor is approved by him, we shall have guns and ammunition, I will then say now we are safe. O friends! It was from this work of trouble, in my being accused by this man whose words are false, from this cause are the arrangements of protection for Waiuku confused. Now it is for you to make known my words to my European friends who reside at Waiuku and the vicinity, my word to you all is: O friends be on your guard. I have only just heard the bad words of the Maoris. I have just received fresh news, the time of attack is near. Now do not reject my advice. O friends listen to my words, and collect the Europeans from the bush to Waiuku. It is a place left to my protection. They will not come there as we are many. Should they bring a war party to Waiuku we will resist them in fight, for I am not willing that my Europeans should be killed. Therefore I wish the guns to be hastened for us all to protect you the Europeans. Were we alone by ourselves what matter if we should die. Now if you are willing to assemble at Waiuku, do it quickly, and write to me to come there to reside with you. With regard to Mr. Halse's word calling on me to fix the day of investigation, lest we should be caught in the trouble of the Maori people, better let it be on the 15th day of the present month at Waiuku.

From your loving friend,

AIHIPENE KAIHAU.

### Enclosure 4 to No. 29.

HORI TAUROA TO MAJOR SPEEDY, R.M.

Waiuku, July 5, 1863.

TO MAJOR SPEEDY,—

Friend, Salutations. After you left here, I heard on going to Kapiuta, some people arrived there from Patumahoe; Hare Tipene (Te Pupuha) this was his word of bad import though he did not agree to it. It was very bad news,—that the Europeans were to be killed. That the people of Patumahoe were very determined to carry it out; that is, Perereka and party. This is to ask you to speak to the Governor about driving that tribe away, or taking any other means he thinks proper; or they will soon be killing the Europeans. I also wish them (the Europeans) to be put on their guard. This is a word of mine to you respecting ourselves, Ngatiteata. Place soldiers at Waiuku with us to assist us. It is for you and the Governor to consider—be quick, delay not. Enough from

HORI TAUROA.

### Enclosure 5 to No. 29.

EXTRACT OF A LETTER FROM AIHIPENE KAIHAU TO MAJOR SPEEDY, R.M.

Mauku, 6th July, 1863.

I have another to you both. Be you all on your guard. This is my second warning to you. O Friends, the attack will be soon. This is a question to you both. What are the arrangements of the Governor for Waiuku? Are no precautionary measures to be taken before we are all killed? We have no powder. If the Governor will not afford us assistance, there is no help for it. We must suffer.

### Enclosure 6 to No. 29.

EXTRACT OF A LETTER FROM HOHAIA NGAHEUI.

Otawhao, June 4th, 1863.

FRIEND,—

The word of Rewi has gone forth with respect to these sheep, because of the money you gave to Wi Tamehana to Waharoa; I mean the money for the Court case of Purere for the spirits, which was not given to Rewi by Tamehana, and Tiren and Taati, and which they would not give until he had paid for taking away the press, and the damage done to it.

For this reason Rewi was annoyed, and he expressed his determination to take away these sheep, but he did not come. Had he come, Te Werohoho and the people of my side would have fought against him; in fact, all the tribes would have done so, because it would be taking the sheep away from before me.

So I Te Waharoa, Tireni, and Taati, to avoid evil, reluctantly gave the money to Rewi, and he has got it; and he now no further intention with respect to the sheep. We intend to take them at once Te Ia.

\* \* \* \* \*

Hohaia Ngahewi.

No. 30.

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

No. 78.

Government House, Auckland,  
11th July, 1863.

MY LORD DUKE,—

Adverting to my Despatch, No. 72, of the 4th July last, upon the subject of a plan laid by some of the Waikato tribes and their adherents to attack the Auckland district, I have now the honor to transmit the Documents named in the margin, showing how completely this plan was matured, and how determined and blood-thirsty were the intentions of some of the most evil-disposed, amongst leaders of the Waikato tribes.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

Enclosure 1 to No. 30.

LETTER FROM RAGLAN.

July 3rd, 1863.

O ———,

Listen to what I have to say. I have just heard evil news. I will not hide the evil from you, my parents. Hearken. The tribes of this Island intend making an attack upon Auckland. This has been decided upon all over the Island. All the Chiefs of the Island have given their consent. An attack will be made; be on your guard, as to Auckland, every day this month. Keep on your guard during July and August. Let all Auckland be on the alert, throughout all its boundaries. The cause is sympathy for Taranaki. Friends, Te ——— and Te ———, salutations. This is my word to you. Be kind to me, and keep my name carefully concealed. Were it known that I had sent this letter to you, the payment would be myself.

Don't tell ———, lest my name should become known. Tell this to the Governor, that all Auckland may be warned, and request him also to keep my name concealed; keep me quite secret. If my name were heard of, this would be my last day. See to it you, that warning is given; but keep my name secret from Pakeha and Maori. Keep my name concealed; but beware of Hauraki, of Kaipara, and of the Ngapuhi.

If nothing happens, still keep my name secret; whether there is good or evil, conceal my name. Pray earnestly to God for me. Enough.

From your loving Son,

From ———.

Enclosure 2 to No. 30.

LETTER FROM RAGLAN.

To Te ———.

Raglan, July 4th, 1863.

Friend, Salutations.

Friend ——— has not yet stayed at Whaingaroa (Raglan), because of the disturbed state of Waipa.

O ———, listen to what I have to say. Paora Kina and Aporo Tunua have come to Tamehana Tarapipipi to get his consent, and he has consented to an attack upon the Ia, and even to include the town of Auckland, (or he has consented to the people of the Ia being killed, the slaughter to extend even to the town of Auckland). The letters for the killing of you Pakehas have been sent to all Hauraki. We have here the information. It is not on account of Aporo, but that the King may prevail, and not be altogether done away with.

Friend, these are your men who went to urge war. Enough.

From ———.

Send my letter that the Governor may see it.

Enclosure 3 to No. 30.

LETTER FROM RAGLAN.

Raglan, July 6th, 1863.

FRIEND,—

Salutations to you; this is my word to you and Te ———. Be on your guard, all of you. Listen. The minds of New Zealand are rising about Auckland, Otahuhu, Tauranga (Drury), Ramarama, Pukeahau, Pokeno, Te Ia, and the Soldiers' pas at Waiuku. This talk is from the Chiefs of Manukau. That talk has been arranged at Waikato—with the Ngatimaniapoto at Rangiahia, at Maungatautari with Te Ori Ori, at Tamahere with Tamehana and the Ngathaua, at Ngaruawahia with Matutaera.

All these tribes are determined upon evil. The men who arranged this are Paora Kina and Aporo, of Ngatitamaoho. This talk is from ———. It was brought by his son ———, and the letter for Tamehana, and the other to hold a meeting. ——— is to be sent to arrange an attack upon

Auckland, or upon Raglan. The Ngatiteata and Ngatitamaoho are to attack Waiuku. If this communication reaches you, keep — name secret, and mine also; but let the Governor know of this. This is not on account of Aporo, but lest the King should be humbled. We shall remain in Raglan. Enough.

Enclosure 4 to No. 30.

LETTER FROM W. P. KUKUTAI TO MR. FENTON.

Akaramca, Pehi Hara,  
July 7th, 1863.

To MR. FENTON,—

Friend, Greeting. This is a word of mine to you. Night is at hand. I have only just heard the news. This is a word of mine to you: Do you quickly send your thoughts for us. Do you hearken, we have heard bad news, we will not be able to avert the evil. Do you send plenty of guns, powder, and all the requisites. Be quick. Nini and Rewiti have gone to get all those things. Be very quick. Do not delay for evil is at hand. Hasten, lest the way should be blocked up—that is to say, the road. Do not consider too long. Ngatitipa are all here. If you delay it will be evil. This is a word to you to hasten, for evil is very near. Hasten. We have no guns as we are living here. Hasten, hasten, and the swords also—send them when you send the guns. Do you send my sword, and the swords of all the officers of Ngatitipa. Hasten. This is my word to you. The day is far spent—the night is at hand. Therefore I say to you hasten. Here is your loving friend Ruihana doing the work of the Governor's side. He has good ideas and great thoughts. It is ended.

From your loving friend,

W. P. KUKUTAI.

Enclosure 5 to No. 30.

STATEMENT MADE BY ANATIPA AT THE THREE KINGS.

That a native woman named Margaret arrived at the Three Kings yesterday from Waikowhai, and informed all the Natives present that the Waikowkai Natives had all left for Whaingaroa. Their reason was being afraid on account of Paul having returned from Waikato with word to the effect that the interior of Waikato, that is, W. Thompson's word was, that six days were given to the Manukau Natives to leave for Waikato.

J. ROGAN.

July 8, 1863.

MR. BELL,—

After the enclosed statement was made by Anatipa, I asked him several times if that was all he had to say. He said, yes; and rather complained that Mr. Buddle should have mentioned anything to the Government about the rumour, as it was not an authentic report and it would require another messenger to arrive from Waikato confirming the statement made by Margaret, before it could be depended upon. He also said that in the event of his hearing anything more he would come in and report it himself. In reply to a question from me, he said, that the inference to be drawn from Thompson's speech was that after six days it was impossible to say what would happen. I asked for the Native Patoromu, and was told by the schoolmaster and Anatipa that he had not returned.

J. ROGAN.

July 8th, 1863.

Enclosure 6 to No. 30.

STATEMENT BY THE REV. A. G. PURCHAS.

This morning Tamati Ngapora came to me at Onehunga and told me that he had been sent for to Pukaki yesterday, to hear what a special messenger from Waikato had to say.

He found that the talk of Waikato was very bad, and that many of the people were proposing to kill the Europeans without delay, while the peaceably disposed were doing their best to defeat these murderous designs, and to persuade the people to ask the Governor to "whakawa" them for their misdeeds at the Kokekohe and the Awamutu.

Tamati told me that there is to be a large gathering of the tribes either at Rangiriri or Ngaruawahia to-morrow or the next day, and that the special messenger who returned early this morning on his way up the river was charged by him with a message, urging the people to think quietly before they rushed into war, and whatever decision they came to, to take care to let the Europeans know before any acts of violence were committed. He added that he hoped they would act on his advice, but he did not feel sure that they would. He said that formerly, regard to his safety would have ensured their giving notice of their intentions, but now he was no better than a *kuri* (dog), and it was quite possible that they might disregard him and leave him to his fate.

I asked Tamati what he thought about any persons who might be travelling quietly along the roads; his answer was "ko whai, ka mohio ki ta te tangata whakahihi?" He said if no murder was committed, nor any attack made before next Sunday, then his mind would be greatly relieved, as he would feel sure that the advocates of peace had gained a hearing, and that the people were quietly considering the matter; but he said that the Europeans could not be too much on their guard, as he really could not tell what might not be attempted if the "tangata whakahihi" should carry the day at the meeting mentioned above.

He also said that he hoped the Governor would tell them very plainly if he was going to send the soldiers up Waikato, what the grounds were, that all men might know what to do.

A. G. PURCHAS.

Tuesday, July 7th, 1863.

P.S.—The Manukau Natives are selling off everything they possess in the way of pigs, horses, &c., that they may be able to leave at a moments' notice if necessary. Tamati says they are all in a state of great fear, but he would not say that murders might not be committed by some of the people now in the Manukau District, if Waikato should begin.

A. G. P.

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Enclosure 7 to No. 30.

At the request of the Native Minister, Mr. Mark Somerville makes the following statement :—

"About 2 o'clock yesterday, a Native whom I have known for years, named ———, of Ihumatao, came to see me, and called me upstairs to tell me something very particular, that neither Europeans nor Natives should hear. He said I had told him, when the Taranaki war broke out, to let me know if anything was likely to occur here, which he had promised to do. There was now dark work going on, and there was to be one great fight. For the next three days, there would be a great Runanga amongst the Natives; and, on the fourth day, he said, I must take my children on board a vessel in the harbour. I asked him if I should go away to Sydney. He said no; when the fight was over, I could come ashore again. I said, was it not very foolish for him to leave, and go to the Waikato (where he had said he intended to go). He said his reason was that the Governor and Ngapuhis were friends, and, if the Maoris stayed at Ihumatao, and the soldiers did not kill them, the Ngapuhis would, as they were their old enemies. There was no use living, if their land was to be taken; and all the Maoris South of Auckland were going to make one great fight of it.

"This man has lived with me and my brother for many years, backwards and forwards. That is why he came to me, and why I place confidence in what he says.

"I said I would go with him to Rev. Mr. Buddle, who had been his missionary for years. He said no, the Maoris had no missionary now.

"I was then called down, and he went away with some money I gave him to get his dinner. He came back running, just before the 'bus was to start, and called me again upstairs, where no one could hear him, shook hands with me, crying at the time, and bid me good bye, saying I should see him no more, that I was to be sure to look out, and not wait till Saturday, but let my brother and sister know—for those were all the people he cared about, and had promised to warn.

"He then ran away, got in the 'bus, and said I should see him no more.

M. SOMERVILLE.

"July 8th, 1863."

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No. 31.

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

No. 79.

Government House, Auckland,  
July 13. 1863.

MY LORD DUKE,—

I have the honor to transmit for your information, copies of letters from some of the chiefs of the river Thames, and from chiefs of the Rotorua district.

Your Grace will be glad to learn from these letters, how large a body of the Native population strongly disapprove of the murders of the officers and soldiers at Taranaki by the Ngatiruanui tribes.

I have, &c.,

G. GREY

His Grace the Duke of Newcastle, K.G.

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Enclosure 1 to No. 31.

LETTER FROM THAMES NATIVES.

Opukeko, May 25, 1863.

TO MR. BELL,—

Salutations. We have received the Governor's circulars relative to the foolish deeds of the Taranakis. When we received them the Runangas assembled to discuss the matter, and we decided that it was murder. Friend, we will not ally ourselves to crime; you must first set upon us. All that we desire is for our matters to be investigated by the Law; and for the Pakeha and Maori Magistrates to travel about. Ngatitamatera, Ngatiwhanaunga, Ngatipaoa, and all the Hauraki tribes will not go to Taranaki, nor do they approve of evil. Friend, the Governor, our parent, we salute you.

From TARARA,  
RAPATA,  
TE HIRA,  
PINEAHA,  
And from all the Runanga.



## Enclosure 2 to No. 31.

CIVIL COMMISSIONER, BAY OF PLENTY, TO THE NATIVE MINISTER.

Civil Commissioner's Office,  
Maketu, July 7th, 1863.

SIR,—

I have the honor to transmit herewith two original letters with translations addressed to the Government by two Native Assessors in this District, Raharuhi of Te Awa o te Atua, and Matena of Tarawera on the subject of the Tataraimaka murders.

These letters may be regarded as expressing the sentiments of the tribes to which the writers respectively belong, and they correspond with what I have heard from other sources as to the prevailing tone of feeling throughout this District.

I have, &amp;c.,

THOS. H. SMITH,  
Civil Commissioner.  
Te Umuhika, June 23, 1863.

To MR. BELL,—

Friend.—Your messenger has come to me. It is well. It is well to give information about the murder by Ngatiawa. Friend, great is the evil of that work, of murder. This is my thought with reference to the crime of that tribe.

Let the men who committed that crime be taken; if their relations spring forward to protect them, they will be murderers together; if the tribe spring forward they will be murderers together. Friend listen to my thoughts; do not you and our loving friend the Governor of New Zealand be suspicious that I shall implicate myself in that crime of murder. Nay, I have no other thoughts but what I have expressed, and if the quarrel becomes very deep (serious), yet I will not budge.—Enough.

From your friend,

RAHARUHI,  
PURURU,  
Native Assessors at Te Umuhika, Te Matata.

Matutawa, June 26, 1863.

To THE GOVERNOR, TO MR. BELL,—

Greeting you. I have seen your letter which Mr. Smith sent to us, to the Assessors; your letter to Matutaera about the Pakehas killed at Tataraimaka, has been publicly read to my tribe, and all my hapus. That letter was read at Waipa where the Roman Catholic Minister lives, that is, Waipa between Kotokakahi and Rotorua. There was a meeting of the Catholics of the Arawa there, and two letters were read at that meeting, yours and the Bishop's (Pompallier). The word in the Bishop's letter was, the Catholics must not go to fight at Taranaki, but pray to God that the fighting at Taranaki may be made to cease. And the principal word put forth at that meeting was this, that they should go to fight at Taranaki. I heard only the word of the Catholics of the Arawa; these are the names of the hapus,—Ngatiwahiao, Ngatitu; these are sections of Tuhourangi and Ngatiwhakane.—Enough.

From your friend,

MATINA TOPIA TE KAKATO,  
Assessor.

## No. 32.

COPY OF DESPATCH FROM GOVERNOR SIR GEORGE GREY, K.C.B., TO HIS GRACE THE DUKE OF  
NEWCASTLE, K.G.Government House, Auckland,  
July 28th, 1863.

No. 82.

MY LORD DUKE,—

I have the honor to transmit Copies of Letters which the Lieutenant-General has received from Colonel Warre, C.B., Commanding at Taranaki, from which Your Grace will be glad to learn that throughout considerable districts of country the well disposed Natives are separating themselves from those tribes who have committed the recent murders, and who are promoting the existing disturbances in this Colony.

2. From the enclosed Letters, and from similar information from many other quarters, I now entertain a hope, which I believe to be well founded, that the existing insurrection will only be a partial one, and that the majority of the Native population will remain faithful to the Government; still, however, the Colony is in great danger, and no permanent peace can now be hoped for until the Waikato and Taranaki tribes are completely subdued.

I have, &amp;c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

## Enclosure 1 to No. 32.

COLONEL WARRE, C.B., TO ASSISTANT MILITARY SECRETARY.

New Plymouth, New Zealand,  
16th July, 1863.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 7th instant, enclosing copy of a letter from the Governor of the 6th instant, and I beg you will assure the Lieutenant-General that I will use my best endeavours to meet the wishes of His Excellency and the Colonial Government.

Having but few incidents to report since my letter to you on the 3rd instant, I beg to transmit copy of a letter (translation) received by Mr. Parris, from several Chiefs of the Whanganui district, by which it is satisfactory to learn that the cowardly murders committed lately by the Taranakis and Ngatiruanuis, and also those committed by some of the Natives of these tribes in the former war, are disapproved of by the more respectable and better class of Natives at Whanganui. The contents of the enclosed letter are corroborated by private letters I have received from Whanganui, by which I find, that although the Natives are very desirous of avenging the death of their Chief (Hori Patene, who appears to have been a high class of Native,) and others who fell on the 4th June, they are more inclined to revenge themselves on the Taranaki Natives, who, the Whanganui Natives say, deserted their Chief, and allowed their people to be killed on the day mentioned. I believe it is quite in accordance with Native custom, for one tribe to turn upon another in similar cases; and it appears almost a pity that Mr. White, the Native Officer at Whanganui, should have used his influence to prevent the Natives taking the vengeance they desired. They, however, appear to be much better disposed towards Europeans in the neighbourhood of Whanganui than in this district; and I am assured that owing to the very open nature of the country, there is little danger to be apprehended from attack on the settlement, more especially as a large number of Natives, knowing their own interests, are anxious to preserve Whanganui, as a market from whence to draw their supplies, &c. It would appear very desirable to obtain the command of the river, by placing a small armed steamer or gun-boat upon it, by means of which the Natives could be kept under great control, and their canoes and pas be at our mercy. Captain Stewart, the senior Captain of the 57th stationed at Whanganui, has taken great interest in the Native Question, and the defence of the settlement; and it is from him that I have derived much valuable information regarding the Natives—the nature of the country, &c.

In this neighbourhood the Natives have scarcely shown any signs of life until yesterday, when happening to be at Oakura, I saw about thirty or forty Natives, men and women, apparently proceeding South, across the Tataraimaka Block.

Owing to the Lieutenant-General's instructions, I have not made any reconnaissance South of Oakura. There appear to be hardly any Natives at Kaitake; on some days not more than three or four are seen all day, and I believe they have left the position since the day they were shelled by the Armstrong guns, and have located themselves on the space further to the South, where a few new whares are visible.

None are seen, nor are their traces now found within the limits of the European settlements, and I believe it is generally admitted that they are much afraid of encountering the Volunteers of the "Wild Pakehas," as they call these parties. There will be no difficulty in maintaining our position at Oakura and Poutoko; and should a small steamer be placed on the line between this and Whanganui, as promised by the Colonial Government, there will be but little difficulty in re-occupying the position at Tataraimaka, even with the present force in this Province, whenever it may be deemed advisable to do so.

Some settlers in the Bell Block district very foolishly trespassed upon Native Land in search of cattle, on the 10th or 11th instant; they fell in with a party of armed Natives, who behaved with great forbearance. Finding only one of the settlers armed with a revolver, the Natives allowed them to depart, telling the settlers not to come again on to Native land; and saying, that had the settlers been armed, they would have been killed, or taken prisoners. I have, for the third time, requested the Superintendent to restrain the settlers within their own limits; but I much fear that nothing but a fearful example will oblige them to be more cautious.

The Natives at Waitara are able to hold their own land, unless the Mataitawa Natives are reinforced by the Ngatimaniapotos, who have not yet come to their assistance.

I have, &c.,

H. S. WARRE,  
Colonel Commanding Troops at Taranaki.

The Assistant Military Secretary, Auckland.

Putikiwharanui, District of Whanganui,  
June 24th, 1863.

Go this, my letter, to my loving friend, Mr. Parris. Friend, salutations to you, dwelling there at your place, at Ngamotu. We, who are living here at Whanganui, are grieved at the murderous work of the Taranaki tribe. In the two wars, the Taranakis have murdered Europeans. It was they who wrote to the men of Whanganui to go up and fight at Tataraimaka, and therefore Hone Patene was killed—or rather it was because they (Hori and others) were Kingites, that they went. Greeting to you, Mr. Parris (dwelling) amidst the evil (works) of the tribes of Taranaki, Ngatiruanui, and Ngarauru. These tribes are the worst tribes in the world. In the first war of Te Atiawa at Waitara, it was by the Taranakis that murder was committed, and in this war also the Taranakis have committed murder. Mr. Parris: great is our love to you and the Governor, and to your people, the Europeans. If you should see my letter, be quick and send us one (in reply). That is all.

From your loving children,

METE KINGI TE RANGI PAHTAHI.  
HAIMONA TE AO-O-TE RANGI.  
APERANIKO RANGIHITIA.

And the writer, POARI.

Enclosure 2 to No. 32.

COLONEL WARRE, C.B., TO THE ASSISTANT MILITARY SECRETARY.

New Plymouth, New Zealand,  
July 21st, 1863.

SIR,—

The mail steamer, due on the 16th instant, not having arrived as expected, I have the honor, in continuation of my letter of that date, to state for the information of the Lieut.-General Commanding,

that, accompanied by Mr. Parris, I rode through the Bell Block District on the 16th instant, and visited the several Native pas, as far as Mahau's, at the junction of the Waiongona and Mangarata rivers, without seeing any signs of hostile Natives.

On the following day, Hapurona went to Mataitawa, and assembling the Natives of that place, called upon them to commence the war against the Europeans, which the Mataitawa Natives declined to do until they heard further from Waikato. Hapurona, meanwhile, is instructing himself and about twenty followers at Te Area. He has threatened to destroy the Blockhouse at Matarikoriko, in order to obtain timber to construct his whares and defences at Te Area. As I understand the Natives living in the several blockhouses at Waitara are still paid by Government for protecting them, I would submit that as the troops are withdrawn, and that it would be difficult to afford them aid in sufficient time to be of service, that such payment should be discontinued.

On the 19th, I received the enclosed report from the Officer Commanding at Bell Block. I forward this report to show how difficult it is to arrive at the truth, even when statements are so circumstantially detailed; through Mr. Parris I have ascertained that the Native (Watini) was not at Mataitawa, and that he was ejected from the neighbourhood of Te Area before he had an opportunity of seeing anything. The five Natives from Wellington districts are at Warea with the Taranaki Natives, and are supposed to be a deputation from the Southern Natives to learn the news, which has been grossly exaggerated, as will be seen by the accompanying translation of a letter addressed to Komene by a Native ordained 'Deacon,' who lives at Archdeacon Hadfield's place at Otaki. This letter accounts in some measure for a report received a few days ago, viz., that the Taranaki Natives were prepared to arm all Natives who would join them—doubtless as an inducement for the friendly and unarmed Natives to join them. At Mataitawa and Kaitake the Natives appear to be busily engaged in planting their early crops; they never dare to trespass on European land, nor can I make out that more than thirty are ever seen at Kaitake. At Mataitawa very large clearings have been made, and the flagstaff which has been erected within the last six months, and which I have every reason to believe was rigged out and fitted by tradesmen in this town, stands out very conspicuously as seen from the road to Waitara.

I have, &c.,

H. S. WARRE,

Colonel Commanding Troops,  
Taranaki.

The Assistant Military Secretary.

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REPORT FROM THE OFFICER COMMANDING AT BELL BLOCK.

Bell Block Stockade,  
July 19th, 1863.

SIR,—

I have the honor to state for the information of the Colonel Commanding the Troops in Taranaki, that a Native named Thomas Watson, belonging to the Hua Pa, visited the Mataitawa Natives yesterday, and states that when he arrived at the head of the sap, an armed Native ordered him back, because he did not wish him to see the works they have been constructing of late at Te Arei, but he saw that they had built a breastwork about seven or eight feet high, on the site of the old pa. He then struck into the bush and found Hapurona and Tikaokao in a small kainga some distance inland of Te Arei, and Hapurona expressed himself very much offended that Natives had been turned out of the town, and that if fighting commenced in Waikato, that reinforcements would be sent down to him, that he might create a diversion.

They are very busy putting in their crops, and do not intend commencing until they have finished.

Watson then went to Mataitawa and saw several Taranaki Natives, and five Natives from different districts about Wellington, who informed him that as soon as they returned, that the Natives would then commence fighting at Wairarapa.

This is as correct an interpretation of what Watson said as I am able to give, in the absence of a proper Interpreter.

I have, &c.,

JOHN KELLY,

Ensign, Taranaki Militia.

To the Garrison Adjutant,  
New Plymouth.

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LETTER FROM RIWAI TE AHU TO KOMENE.

Otaki, July 3rd, 1863.

FRIEND KOMENE,—

Salutations to you in the time of trouble. This is my word to you. I wish you to write to me respecting the engagement on the 4th of June. We have heard the newspaper accounts, and we believe them. The King Natives have brought a report that one hundred and forty soldiers were killed, and that their rifles are in the possession of Tahana Turoa. Send particulars. Did the Natives recover their dead, or were they taken by the Pakeha, and were their pas taken.

From your loving friend,

RIWAI TE AHU.

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Enclosure 3 to No. 32.

COLONEL WARRE, C.B., TO ASSISTANT MILITARY SECRETARY.

New Plymouth, New Zealand,  
21st July, 1863.

SIR,—

As considerable excitement appears to exist at Whanganui regarding the protection to be afforded to the outsettlers in the vicinity of that station, I have the honor to submit, for the consideration of the Lieut.-General Commanding, the accompanying report, which I requested Lieut.-Colonel Logan, 57th Regiment, to be good enough to transmit, in order that I might forward his views as regards the defence of that settlement.

Lieut.-Colonel Logan informs me that during the period he was stationed at Whanganui he made himself thoroughly acquainted with the neighbourhood, and he feels satisfied, if his plan is adopted, that considerable expense may be saved by converting well selected settlers' houses into defensible buildings for the protection of the surrounding property, thereby avoiding the necessity of building blockhouses or stockades.

I am sorry that Colonel Logan does not apparently attach the same importance to the command of the River that I have been accustomed to consider necessary, not only from frequent private communications with officers, as expressed in my report of the 16th instant, but from the experience acquired during the war in 1847-48, when the Natives were so speedily brought to reason by their being shut out from obtaining their supplies from the Whanganui market.

Colonel Logan tells me that he has already brought the necessity for a small steamer or gunboat being placed on the River to the notice of the Lieut.-General Commanding.

Trusting the Lieutenant-General will pardon my suggesting any measures for the defence of a place I only know by the reports of others.

I have, &c.,

H. S. WARRE,

Colonel Commanding Troops at Taranaki.

The Assistant Military Secretary, Auckland.

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New Plymouth, 20th July, 1863.

SIR,—

With reference to a conversation I had with you this morning relative to the defence of Whanganui, I have the honor to state that in the event of the Militia and Volunteers being called out, I consider that the Outsettlements generally could be guarded for a time at Rangitikei, provided that a number of mounted settlers be formed in that locality, and which has been already suggested by me to the General. I would strongly recommend that in the event of the families being obliged to retire they should be located at Turakina, which is about twelve miles from Whanganui, and to which place there is a good metalled road, the male population of the District forming a defence in bodies of ten or twelve in several houses which are available in the Rangitikei District. The whole of the stock, &c., could be driven between the rivers Wangaehu and Turakina, over which there are good bridges, and where they would be perfectly safe.

On the North side detachments of Militia, &c., could occupy Kai Iwi (seven miles from Whanganui), and which joins the Waitotara Block, and at which place there is a good house easily defended. There are other good positions which command the road and tracks of the up-river Natives from "Kaitake" to Waitotara. The house of Mr. Hall, a settler, commands the whole of the river for five miles above the Town, and is only three miles distant. This plan would keep open the communication between Whanganui and Kai Iwi.

As regards Militia and Volunteers, I am convinced between seven and eight hundred could be mustered, provided they were under the orders of the Senior Officer, and allowed to act with the military for drill purposes. I have been informed of this fact by themselves.

I regret I have no plan of the country, my baggage not yet having arrived, but shall write and procure one.

Apologising for this hurried letter,

I have, &c.,

R. W. LOGAN, Lieut.-Col., 57th Regiment,

Commanding Outposts, &c., Poutoko.

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No. 33.

No. 83.

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

Government House, Auckland,

28th July, 1863.

MY LORD DUKE,—

I have the honor to enclose for Your Grace's information the Copy of a Letter I have received from Lieutenant-General Cameron, C.B., reporting that he had crossed the Maungatawhiri Stream, and had occupied a position on its left bank which would enable him to secure the communication between the two posts in that direction; an attack upon which formed a leading part of the plan of operations which the Chiefs of Waikato proposed to undertake with a view of invading this Settlement. I beg to call Your Grace's attention to the high terms in which Lieutenant-General Cameron speaks of the valuable assistance rendered to him on this occasion by Captain Sullivan, R.N.

I have, &c.,

G. GREY.

His Grace the Duke of Newcastle, K.G.

## Enclosure to No. 33.

Head Quarters, Queen's Redoubt,  
July 13th, 1863.

SIR,—

I have the honor to inform Your Excellency that, at daybreak yesterday morning, I crossed the Maungatawhiri, with the Head Quarters of the 2nd Battalion 14th, and a detachment of the 12th Regiment, amounting together to 380 men. It was necessary to descend the stream for about half a mile from the termination of the new road; and the left bank, where we crossed was so steep that the troops had great difficulty in ascending it. They are now encamped on the Koheroa, about 500 yards from the river; and a redoubt will be constructed immediately which will command the navigation of the river, and secure the communication between the Queen's Redoubt and the Stockade on the Waikato.

The troops were conveyed down the river in the cutter of H. M. S. "Harrier," and a few other boats, manned by a party of men from the "Harrier." Captain Sullivan, R.N., was kind enough to superintend the embarkation and landing of the troops. The boats above mentioned, and Captain Sullivan's gig, were brought overland the day previous—those of the "Harrier" from Drury, and the others from Auckland, and were carried from the Queen's Redoubt down to the river during the night. The whole of these arrangements were under Captain Sullivan's immediate direction and supervision.

I have also to inform Your Excellency that Colonel Wyatt marched from Drury with 300 men of the 65th Regiment yesterday afternoon, and reached Tuakau this morning. On their approach, the Natives abandoned the settlement, and retired in boats across the river.

The detachment is now encamped on a height overlooking the Waikato, and commanding its navigation; and a redoubt for 150 men will be constructed there.

I have, &amp;c.,

D. A. CAMERON,  
Lieut.-General.His Excellency Sir George Grey, K.C.B.,  
&c., &c., &c.

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DESPATCHES FROM  
HIS GRACE THE DUKE OF NEWCASTLE, K.G.

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No. 1.

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

NEW ZEALAND.

No. 74.

SIR,—

Downing-street, 26th August, 1862.

I have to acknowledge the receipt of your despatch, No. 53, of the 29th of May, enclosing copy of a letter from the Chief William Thompson with copy of one from the Native Runanga of Warea, as showing the continued adherence of some natives to the confederacy they had formed to prevent their nationality from becoming extinct.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

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No. 2.

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

NEW ZEALAND.

No. 75.

SIR,—

Downing-street, 26th August, 1862.

I have to acknowledge your despatch, No. 55, of the 30th May, reporting a disturbance which had arisen in the North of the Island. I fully appreciate the serious dangers which may arise out of these quarrels between Native tribes; the importance of stopping them at once, and the tact, justice, and energy which are required to secure this object. You may rest assured that Her Majesty's Government do not undervalue the services which it is your wont to render under such circumstances.

I shall communicate a copy of your letter to the Admiralty. You will have learnt by my despatch, No. 68, of the 20th ultimo, that in their Lordship's opinion the Officer commanding in New Zealand should not be hampered by minute instructions.

With respect to your observations, that in the opinion of your predecessor and of the General commanding the Troops, the Military force in the Island is inadequate for the defence of the settlement, I must refer you to my despatches No. 44, of the 17th of May, and No. 78, the 26th August, which you will receive by this mail. So long as the colonists who are most concerned in the matter, neglect the ordinary and obvious means of securing their own lives and property, it is very difficult for Her Majesty's Government to call upon the people of this country to take any extraordinary measures for their defence, or even to continue the expenses which are now annually accruing on that account; or, indeed, to believe that the persons who shew so much indisposition to endure inconvenience imagine themselves to be seriously in danger.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

## No. 3.

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

Downing-street, 26th August, 1862.

NEW ZEALAND.  
No. 77.

SIR,—

I have to acknowledge the receipt of your despatch, No. 58, of the 8th June, forwarding copy of a letter which you had addressed to General Cameron upon the state of Native Affairs.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

## No. 4.

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

Downing-street, 3rd September, 1862.

NEW ZEALAND.  
No. 84.

SIR,—

I have received with much satisfaction your despatches Nos. 43 and 44, of the 8th and 20th of May, informing me of the state of feeling which prevailed among the Natives in certain districts, and reporting that a battle-axe and another secret symbol of a warlike tendency had been placed in your hands in proof of their attachment to the Queen, and as shewing that they will have nothing further to do with the confederacy which has been formed.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

## No. 5.

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

Downing-street, 20th September, 1862.

NEW ZEALAND.  
No. 95.

SIR,—

I have the honor to acknowledge the receipt of your despatch, No. 66, of the 21st of June, reporting that you had persuaded the two rival Native Tribes to the North of Auckland to make peace.

I have much pleasure in conveying to you full approval of your proceedings, as I feel no doubt that by proceeding at once to the scene of hostilities and bringing your personal influence to bear directly on the combatants, you have succeeded in removing difficulties, which if allowed to take their course would have caused serious embarrassment to the Government.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

## No. 6.

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

Downing-street, 23rd September, 1862.

NEW ZEALAND.  
No. 98.

SIR,—

I have the honor to acknowledge the receipt of your Despatch, No. 69, of the 29th of June. It has been very satisfactory to me to learn from this Despatch that you had succeeded in arranging what at one time seemed likely to be a cause of much dispute between the Gold-diggers and the Native Land-holders, in the Province of Auckland.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

No. 7.

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

NEW ZEALAND

No. 6.

Downing-street, 26th January, 1863.

SIR,—

I have the honor to acknowledge the receipt of your Despatch, No. 93, of the 13th September, enclosing a letter addressed to me by the Bishop of Wellington, in which my attention is specially drawn to a portion of an address presented to the Queen by both branches of the Legislature of New Zealand, which refers to my intention to hand over the management of the Maories "to the Colonists."

I request that you will inform the Bishop that the intention of Her Majesty's Government is that the Government of the Maories shall be administered by the same authority which administers the Government of the Colonists, i.e., by the Governor of the Colony acting on the advice of his Responsible Ministry, and whatever the terms used by the General Assembly, I can hardly imagine that they can have attached any other meaning to the words in which my meaning was conveyed.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

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No. 8.

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

NEW ZEALAND.

No. 21.

Downing-street, 26th February, 1863.

SIR,—

I have to acknowledge the receipt of your despatch No. 101, of the 10th October last, in explanation of the proposal which you submitted to me on a former occasion for employing officers serving with their regiments in New Zealand to act as Commissioners in the Native Districts.

I need hardly say that it was with much regret that I found myself unable to meet what I understood to be your wishes on that occasion, as I was fully alive to the serious difficulties with which you had to contend, and to the necessity of affording you every assistance that could properly be given to you for meeting them.

I have however submitted to the Secretary of State for War, your despatch of the 10th Oct., and I am glad to have it in my power to inform you that His Royal Highness the Field Marshal Commanding-in-Chief has, on my recommendation, forwarded to General Cameron a discretionary power to allow the temporary employment of some of the officers under his command to act as Civil Commissioners, provided they can be spared without interfering with the efficiency and discipline of the troops.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

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No. 9.

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

NEW ZEALAND.

No. 24.

Downing-Street, 26th February, 1863.

SIR,—

I have to acknowledge your despatch, No. 115, of the 24th of November last, from which I perceive with great regret that you consider that the proposals made by you in your despatch No. 38, of the 6th of December last were disadvantageously represented in my answer of the 26th of May.

In the first place, let me assure you that neither in that despatch, nor in any other, have I desired to represent you as responsible for the amount of troops at present in New Zealand, although you have strenuously resisted their diminution, even by the small number which are properly owing to the Australian Colonies, or to express disapproval of any part of your native policy, which I have viewed throughout with remarkable satisfaction.

I must, however, observe that, although, I consider the instructions which you quote from my despatch of the 5th of June to have been justified by the circumstances of the moment, having been written while war was supposed to be still raging, and while "conditions of peace" were still in question, which you have since explained to be impossible, from the want of any authority capable of binding the Maori tribes; yet those instructions have little bearing upon the present condition of circumstances, or upon the question of the future amount and maintenance of the Military force in



New Zealand, nor do I think that your reference to them had any proper place in the despatch to which I am now replying.

I have also to call your attention to the following passage in your memorandum of the 29th November, 1861 :—"Also with a view to the protection of the out-settlements it will be requisite to occupy the great lines of communication by Military posts, on a plan which I will hereafter discuss." I think it was not unnatural to suppose that these posts were to be occupied by Imperial troops, in which case it would have been perfectly correct to assert, as was done in my despatch of 26th May, that a large Military force was to be maintained, "partly in order to afford to the out-settlers that protection and sense of security which is essential to enable them profitably to occupy their farms."

I entirely approve of your having employed the troops in making roads, nor am I aware of having expressed any doubt that in prevailing on the colonists to give them "working pay" you accomplished all that could have been reasonably expected of you.

You will learn from another despatch that before receiving your present communication, I had obtained the consent of the War Office to the temporary employment of Officers as Civil Commissioners in the Native districts.

Thus much for the particular points to which you have drawn attention. I owe it to you, however, to proceed further and to explain what I think you have not rightly understood—the tone of dissatisfaction which has certainly pervaded some of my despatches to you.

In the first place, therefore, I will state, or rather I will repeat, that I fully and gladly recognize the vigour, ability, and public spirit, with which you are conducting the affairs of New Zealand. My opinion of your present policy, derived as it is from your own statements, and during a period of anxious transition, must be necessarily somewhat provisional. But as far as I can now judge, it fully justifies, and in some respects even more than justifies, the expectations with which I requested you to reassume the Government of the Colony. No one, I am sure could have done more to effect the great objects with which you were appointed—the restoration of tranquillity in New Zealand, the advancement of the European Colony, the improvement of the Maories, and the establishment of healthy relations between the two races. It is true that your despatches indicate opinions respecting the relative obligations of the Imperial and Colonial Governments in which I do not always concur. But in this I see nothing to complain of. It is natural that on such a point an Officer entrusted with the welfare of an important Colony during an extraordinary crisis should be less alive to the claims of the British Treasury than those of Her Majesty's servants who are under a more direct obligation to guard Imperial interests. Even when I have been unable fully to adopt your proposals, I have never intended to censure you for making them. And if the tone of my despatches has inadvertently been such as to give you pain, this has proceeded from a wholly different cause.

For when I turn from the consideration of your personal policy to the proceedings of the Colonial Government and Legislature, and still more to the statements in which those proceedings are from time to time embodied, I find myself confronted by views and expectations which so long as they are entertained, must furnish a continual source of dissatisfaction and controversy.

What the views are to which I allude, and how far, and for what reasons Her Majesty's Government are compelled to dissent from them, you will find fully stated in my despatch No. 22, of even date herewith, and I have no desire to refer further to them here.

I will only add an expression of my hope that you will not add to your own embarrassments and mine by placing a construction upon my despatches which they were by no means intended to bear. I can assure you that when most anxious to assert the rights of this country, I have never forgotten the great practical difficulties by which you are surrounded; and I have never consciously written a line which was calculated to impair your personal power and usefulness in the Colony, or to detract from the credit which, in my opinion, your successful administration of the Government is now earning for you.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c., &c., &c.

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## No. 10

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

NEW ZEALAND.  
No. 30.

Downing-street, 22nd March, 1863.

SIR,—

I have received your Despatch No. 130, of the 18th of December.

It appears that your Ministry are desirous of making a Road in the neighbourhood of New Plymouth, through lands belonging to the Natives, but without the consent of the Native owners. And the Attorney-General has advised them (as I understand) that the Local Legislature is powerless to authorise such a proceeding; but that the Land may be appropriated for the proposed purpose by authority of the Crown.

Though the position of the Home Government in respect of Native Affairs, is not what you imagined when you asked for my instructions on this subject, I think myself bound to express my opinion upon it.

I should hesitate to admit, as a matter of strict Law, that Her Majesty had the power without any Legislative sanction, of appropriating for any purpose the acknowledged property of any of her subjects.

But even if it were true that the peculiar legal condition of New Zealand authorized the application of this arbitrary principle, I am of opinion that the question cannot be dealt with as one of strict Law.

With a large proportion of the Native Population either already in arms or prepared to take them up in defence of their supposed rights, and most especially of rights to land, policy not less than justice, requires that the course of the Government should be regulated with a view to the expectations which the Maories have been allowed to base on the Treaty of Waitangi, and the apprehensions which they have been led to entertain respecting the observance of that Treaty.

I cannot doubt that the proposed appropriation of land, if effected contrary to the Will of the owner, and justified on principles which, whether technically correct or not, are alike contrary to the principles of English and Native Law, would be considered as a violation of Native Rights, would be resisted on the spot, and would provoke throughout the Islands warm resentment and general distrust of British good faith. It will be very fortunate if, under these circumstances the Colony escapes the revival of the War, now happily dormant, in more than its original intensity.

Although therefore I may regret that the inhabitants of Taranaki and other places should remain without the advantage of Roads which would add materially to their convenience and security, I am not of opinion that these advantages should be obtained at the risk of reimposing on Her Majesty's subjects in the United Kingdom the cost, and on the Colonists the cost and dangers of a Native War. I think that Her Majesty's Troops ought not to be employed in a War so originating; and I think that unless the Colonists are prepared to assume its entire burthen they must be content to remain imperfectly provided with the means of communication until they can persuade their neighbours by peaceable means to submit to what is for the common good.

I need hardly add that I shall view with more than regret the adoption by your Government of the course which appears to be indicated in the enclosures to your Despatch.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c.,      &c.,      &c.

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No. 11.

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

NEW ZEALAND.

Downing Street, 26th June, 1863.

No. 65.

SIR,—

I have received your Despatch, No. 32, of the 30th of March, forwarding for my information copies of papers relating to an outrage which had been committed by certain Natives at Kohekohe on the lower part of the River Waikato.

I entertain no doubt that you and your Government will have adopted and will continue to adopt the most effectual steps in your power for discouraging, and, as opportunity shall offer, repressing such outrages.

I have, &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.,  
&c.,      &c.,      &c.