

heal the troubles of this island; but the policy so recommended bears no great resemblance to that which we are now invited to enter upon. Let us bear in mind that the whole train of events of late years has not appeared to the Maoris to show such a disposition on our part as Mr. Richmond's words express, but the contrary, that, if it is to be shown at all, this is our opportunity.

11. Even yet we have not gained the position which we claimed for ourselves in the beginning. We are not yet asserting for the Queen her true position as the equal and impartial judge and avenger of all crimes committed in the land, but we are avenging a crime against the pakeha, and one which is not unconnected with the late strife. Yet, though our present position is not all that it should be, it is our wisdom not to throw it away, but rather to make it a step towards something better. We have already damaged it by our indefinite threats of seizure of land. But the natives in this, as in other cases, will look to what we really do in the end, more than to what we now talk of doing; to our deeds more than to our words.

12. It should be borne in mind that, whatever may be decided at home to be the liability of the native landowners, no law on the subject has ever been laid down in the Colony. That the first intimation of an intention to take land was given in the Proclamation, which was dated on the 11th of July last, but which was not actually published to the natives until the 14th, our troops having entered the Waikato territory early on the morning of the 12th.

13. The example of Ireland may satisfy us how little is to be effected towards the quieting of a country by the confiscation of private land; how the claim of the dispossessed owner is remembered from generation to generation, and how the brooding sense of wrong breaks out from time to time in fresh disturbance and crime.

If we really succeed in attaining our great object in preparing the way for law, and so converting the nominal sovereignty of the Queen into a reality, such a change in our circumstances will be an equivalent for a very considerable cost.

14. Moreover, it is just and right to discriminate between the various sections of the Waikato population, who are at this moment in arms, and to inquire whether the rebellious or treasonable character is to be imputed to all alike. This is to be done, as a matter of course, in dealing with any subjects of the Crown; but it becomes in this case especially necessary, from the habit so common amongst us of confounding the various sections of the population which occupies the region of the Waikato and Waipa, under one common name of Waikato. The real source of our troubles is in the tribe of Maniapoto, especially in that section of the tribe of which Rewi is the chief, whose proper district lies near the head of the Waipa, about abreast of Kawhia; amongst the natives themselves that tribe is sometimes included in Waikato, by reason of a common descent from the same ancestors; sometimes distinguished from Waikato, as not being locally settled on that river. The turbulent and violent members of this tribe appear to have controlled the puppet-king, and over-borne all the remonstrances and efforts of Thompson. The latter, though he certainly does not trust us, and is now forced to support the king that he set up, has always endeavoured to keep the peace, and to borrow our laws and usages, yet so as to keep aloof from the Government. Probably the king party counts amongst its adherents the very worst and the very best of the whole native population; both conceited and wilful men, who have courted a conflict with the English power, and men who heartily desire and seek after union and peace. The sense of nationality and the common distrust combine them against us now.

15. As to the population of the middle or lower Waikato on this said of Taupiri, I suppose it may be safely said that the majority, however little attached to our rule, had always endeavoured to live at peace and avoid a collision. Unless I am greatly misinformed, they had, just before the commencement of the present troubles, given the best proof of such a disposition, by refusing to support Rewi in his proposal for attacking the troops at the Ia. If so, that was a clear proof that the majority (at any rate) did not intend to "levy war" against the Queen, inasmuch as they actually prevented Rewi from doing so in their district. If when, immediately after that our soldiers entered that district, they then stood up to resist what they would deem an invasion, we can fairly account for their so doing, without imputing to all of them that treasonable purpose which (at least as to the majority) their recent conduct had disproved.

16. It should be remembered that the proclamation announcing the purpose of the Government in entering on their land, came after the entry of the troops on their land; and that even when it came, there was much in the claim it put forth, namely, a claim to take such land as the Government might choose, without any mention of quantity or compensation, which was likely to alarm and excite them. If those men, after giving the best proof of their intention not to "levy war" against the Queen, yet seeing their territory entered by an armed force, and property destroyed by that force, stood up to resist, ought we not in fairness to conclude that they resisted, not because they were traitors, but rather because they were New Zealanders, or because they were men.

17. Nor are we yet, so far as I can discover, in a position to impute any traitorous purpose (as is commonly done) to the whole population of the native villages between Auckland and the Waikato, which was ejected under the proclamation of the 9th of July. It should be remembered, that the tendering of an oath of allegiance was coupled with a demand to give up their arms, not a word being said about future restitution of those arms, or even compensation for them. It should also be remembered that our troops were directing their march across their district towards Waikato at the same time. The summary dispossession of several hundreds of persons in winter time can only be regarded as a military proceeding deemed to have been rendered necessary by the emergency. It will need to be covered by an act of indemnity. Those who declined to give up their arms were directed by the terms of the proclamation to retire to Waikato beyond Mangatawhiri. This proclamation was issued on Thursday evening. On the next Sunday morning the General crossed the Mangatawhiri. If in the freshness of their alarm and exasperation, many of the men joined their kinsmen, who had already risen to oppose the entry of the troops on their land, can we pronounce their act to amount to a "levying of war" against the Queen's authority, in the sense in which those words are used by our law of treason? If it were possible for such troubles as these to occur in England,