

not object to give up the western side of Tauranga, if they might keep quiet possession of the land on the east side of Te Papa. The Opotiki natives, too, when about to embark in this war, said, "we know that we shall lose our land, we shall not return here again;" but still they were bent on going.

The natives who are remaining quiet have been encouraged to do so by the assurance of the advantages they would secure to themselves; but if stringent measures are not taken against those who are making a vigorous opposition to the Government, the natives will consider that they have after all gained the victory; and to bring them under reasonable control, and to make them amenable to one common law with ourselves, will become more difficult than it has been hitherto.

I remain, Sir, &c.,

WILLIAM, WAIAPU.

The Hon. the Colonial Secretary.

Enclosure 2 to No. 1.

Tauranga, June 4th, 1864.

SIR,—

In my letter to you of April 15th, I stated that, "upon the subject of confiscation, I see no other way in which the natives can be made to feel the evil of the course they have chosen;" and again—"The natives who are remaining quiet have been encouraged to do so by the assurance of the advantages they would secure to themselves; but if stringent measures are not taken against those who are making a vigorous opposition to the Government, the natives will consider that they have after all gained the victory."

As my letter has been made use of in support of the plan which is laid down by the Government, I think it right to state, that in holding this opinion I do so under the conviction that confiscation will be carried out upon such principles as will commend themselves to our Government at home, and to the Christian public.

It is evident that the opinion of the Governor, as expressed in his speech on the opening of the General Assembly was of a modified character. Speaking of military settlements as a means of securing the peace of the country, His Excellency observes, "This will necessarily involve the occupation of a portion of the waste lands of the rebellious natives; but while ample land will be left for their own requirements, it is only just that they should be made to feel some of the evil consequences of plunging the country, by wanton and unprovoked aggression, into the expenses and miseries incidental to civil war; and thus it is hoped to afford a warning to other tribes to abstain from conduct which will be attended with the kind of punishment they are most apprehensive of." The opinion of the Duke of Newcastle, as expressed in his letter of November 26, 1863, is also in favour of modified confiscation; for while His Grace expresses his opinion that the natives may properly be punished by a confiscation of a large part of their common property, he adds that the application of these principles is a matter of great danger and delicacy, and he speaks of the difficulty of controlling within wise and just limits the eagerness for the acquisition of land.

I am not aware that anything definite has been put forth by the Government upon this subject, such as would be likely to have the effect of bringing the natives speedily to terms. In my letter of April 15th I noticed a report I had heard, that the natives of Tauranga, before the troops went there, were feeling that they had committed themselves, and stated that they would willingly give up one side of Tauranga if they could have a secure dwelling-place on the other side. But, so far as I have been able to hear, the case stands thus:—Your lands are confiscated—the Government takes the whole. There is therefore no encouragement to those who are roaming at large to come in and submit.

In the declaration put forth on February 2nd, in the native language, it is said that if any natives who have been in rebellion wish to give up their present course, they must surrender their arms and ammunition, and take the Oath of allegiance, but that their lands are in the hands of the Governor. There is nothing to assure and encourage them that their case is not desperate.

The consequence seems to be that when fairly beaten they do not submit, but retire to their fastnesses with a determination to fight to the death; while the irritation is kept up among the distant tribes along the Bay of Plenty, at Whanganui, and elsewhere.

The object of the Government is, I presume, the speedy pacification of the country. I beg, therefore, respectfully to submit that some definite terms should be laid down to the natives, particularly in reference to the land which may be left to them. This, I believe, would have the effect of leading them to give up a contest in which they have been taught that success on their part is altogether hopeless.

I have the honour &c.,

WILLIAM, WAIAPU.

The Hon. the Colonial Secretary.

Enclosure 3 to No. 1.

Auckland, 4th July, 1864.

MY LORD,—

I have the honour to acknowledge your letter of the 15th April, on the subject of confiscation of the lands of rebel natives, and also that of the 4th June, in which you explain the former. I beg, on the part of the Government, to thank you for the clear and explicit statement of your views on the subject.

The intentions of the Government are precisely those indicated in the Governor's speech to which you refer. They have four objects in view in confiscating rebel lands:—1st, Permanently to impress the natives with the folly and wretchedness of rebellion; 2nd, to establish a defensive frontier; 3rd, to find a location for a European population which may balance the preponderance of the natives who