

by Hone Mohi and others, who said it was very well to make peace, but let Te Wake be first surrendered. That he had committed an offence punishable by law; they were wishing to uphold that law and arrest the offender, and deliver him over for trial. That if they made peace there was no guarantee that the law would be afterwards enforced; many other men had been shot in that district, and the law had not stepped in to vindicate its authority.

I answered, the question of making peace or war had nothing whatsoever to do with the arrest of Te Wake; the two questions were distinct and separate. He had been brought before the Magistrates, and examined and committed for trial; he had ultimately escaped, but it was not from the hands of the Ngapuhi, but from the custody of the law. It was true they were desirous of assisting in the reappréhension of Te Wake, but they in their zeal had made a great mistake, perhaps not wilfully or willingly, but through ignorance. The law could not be assumed or not at pleasure; it was presumed to be always present, and not to be like a wet weather mat, which was valued in bad weather and cast aside as useless in good weather. That an admixture of law and Maori revenge was not good: it was even as salt and fresh water intermixed. They had better make peace, and leave the law to deal with the question about Te Wake. The law would work quietly in the first instance; it was true the law occasionally had to resort to armed force to vindicate its authority, but this must be done in a proper manner. If a riot took place, or any body of persons banded together to resist the officers of the law, it was for the Magistrates of that district then to embody a sufficient force of special constables to enable them to enforce the law; but private individuals had not that right. The difference between doing what they wished and doing it as the law directed was this, in the one case it was done under authority, but in the other case there was no legal sanction given. It was true Te Wake had escaped from the officers of justice, but he had not got beyond the pale of the law, a warrant had been issued for him and he could be taken at any time. But this did not justify them in recommencing hostilities with the Rarawa; it was time enough for them to assemble an armed force to support the law when they were called on so to do. They had better consent to a permanent peace, and leave Te Wake to be dealt with by the law. That they had not seen Te Wake commit the murder with which he was charged, and they seemed to wish to dispose summarily of him before he could get that fair and impartial trial to which he was entitled. Neither Ngapuhi or Te Rarawa were fit persons to judge of his guilt or innocence, and it ought to be left to a dispassionate tribunal to try him.

As to the law not having stepped in to interfere in other murders, it had never been fairly asked; certainly other Natives had been killed, but the law could not act on defective or insufficient information. In those cases the Government had never been called on to act; in this they had, and intended to do so. As to what had been done in other cases or by other persons I knew not, neither did it concern me; one man made his canoe after one fashion and another in a different way. I make mine thus: Te Wake has escaped from the law, it is for the law to deal with him. I shall demand that Te Wake be given back to the law, and I now call on you to make peace with Te Rarawa. Mohi Tawhai assented to make peace. The only person who opposed this was a chief named Te Waharerarera, who came forward with a loaded gun, and brandishing it about at full-cock said with a sneer, "You want peace, take this gun, show it to Te Rarawa. No peace shall be made until Te Wake and his younger brother are delivered into my hands. Te Wake shot Nuku first, but it was his brother who killed him. Don't talk to me of peace." He then continued to speak as to the boundaries of the land and the origin of the quarrel. After he had finished his speech, some further discussion ensued. It was at last finally arranged to make peace, and leave Te Wake for the law to deal with. Mohi Tawhai said, "If Te Wake is apprehended we will stop quiet, if he is not we will do the same; if he is, however, handed over to the law, we will be quite satisfied; if he is tried and acquitted it will be well; if he is condemned it will be well also; in any case we shall now remain quiet, we have waited for a long time for the law to be enforced, and we now submit to it." In the evening myself and party recrossed the river to our former camp at Te Karaka. Nothing of any moment transpired until next day.

On Wednesday, 10th June, the Rarawa assembled at our tent. I then informed them that Ngapuhi had consented to make peace, that both sides were now willing to do so. That at first the hills of Hokianga had been so obscured with fog that the way was not plain; now a wind had sprung up and cleared away the clouds, and there was no further difficulty in the matter. I therefore now, in the name of the Queen, the Government, and the law, demanded the surrender of Te Wake. My demand was followed by some very violent speeches made by men of low rank, and others who were related to Te Wake. Threats were used, and they flatly refused to either give him up or allow me to take him. Peace had been made, and that settled everything: no person had a right to recapture Te Wake. At any rate Te Wake had left the district, and could not be found. That the Government had no right to take the part of Ngapuhi. I reiterated my demand. Denied Te Wake having left the district, as I had certain information that he was at Motukauri on the previous evening. If he had gone from that place, doubtless he was within the Rarawa territory; and if he was not in one room of their house, he was in another. As to the Government having no right to interfere between Natives, I could not accept that theory. Before the country was colonized no doubt the Natives could please themselves, but they must recollect that the Europeans had now come into the country, and had vested interests in it as well as themselves. That the house Muriwhenua (the Northern portion of this Island) was inhabited by Te Rarawa, Ngapuhi, and the Pakeha; that the goods and furniture within that house belonged to the three tenants, and if any one or two of them set fire to the house it must injure all three. Also that all three had agreed to have one law, which they and Ngapuhi had boasted had been introduced into the country mainly through their instrumentality. That I cared nothing about anything that was said about the Government having no right to step in between them and Ngapuhi. The two questions of fighting and the escape of Te Wake were quite separate. Ngapuhi were to blame for breaking the peace which had been made at the time of Mr. Richmond's visit, but that peace had now been formally renewed by both parties. I now came in the name of the law to demand my own. I came not to ask for Te Wake to be handed over to Ngapuhi, but to have that returned to me which I believed had been surrendered to the law in good faith. That they had stated in their letter that if they had retaken Te Wake they would have been to blame; now there was no