

difference between recapturing him and detaining him after he had escaped—in either case it was a withholding of him from the law. That I held a warrant for his apprehension, and wherever Te Wake was seen it would be enforced against him. That I did not ask them to capture Te Wake and bring him to me. If they would only say "We will not in any way resist your taking him," then I would go with my Native police and arrest him.

Much further discussion took place, and strong assertions were made that Te Wake should never be given up or taken. None of the chiefs spoke at all in the matter, but maintained throughout a very sullen attitude. The chiefs who accompanied me tried their best to persuade the Rarawa to listen to reason, but we could not apparently make much impression on them. At last Te Tai Papahia arose and said, "Both parties have carried on that dispute long enough; it had better be left for the Runanga of their chiefs to decide." I at once assented to this proposal, as being a very proper course to adopt.

I omitted to observe that, on our going to Onoke, on the 8th June, we found Winiata, a Native Assessor of the Rarawa, of Kaipara, there, and that on our recrossing to Te Karaka, on the evening of the 9th, he accompanied us.

On the 11th, the Rarawa Chiefs informed us that they had consulted about Te Wake, and had agreed to give him up, and that Puhekura had been sent to see him at Motukauri, and request him to surrender quietly. About noon their messenger returned, saying that Te Wake wished to see Te Tai Papahia and Winiata at Motukauri. Winiata is a near relation of Te Wake, and I believe it was mainly through the influence he used at Te Runanga that the other chiefs agreed to give over Te Wake. Te Tai, Winiata, and Puhikura proceeded to Motukauri on the 12th, were absent all day, and returned to our camp about 7 p.m. They then stated that the people at Motukauri, headed by Te Whata, flatly refused to allow Te Wake to surrender, or to be surrendered by the tribe; that the Ngapuhi had been off Motukauri before daylight that morning in a canoe, and had fired at some women who were collecting shell-fish on the beach; that in consequence of this breach of the truce, the Motukauri people were determined not to make peace, and they had found them busily occupied in strengthening the fence of their pa. As I believed this statement to be a subterfuge, especially when coupled with the assertion that the women were gathering shell-fish before daylight, I then expressed great indignation at Ngapuhi for their breach of faith, and stated my intention of coming over that night to Onoke to ascertain the correctness of the report. As I expected, innumerable objections were made to my going there, but finding they could not dissuade me from my purpose, they then said, "Bring Mohi Tawhai, and let us know for certain whether peace is made. I replied, "Mohi will refuse; but I tell you what can be done: the Ngapuhi shall sign a document, making a formal declaration of peace; I will bring it to you, and you shall then sign a similar one.

I then went in a boat with two policemen to Onoke, and on landing there had a korero with the Ngapuhi. I taxed them with infringing the terms of peace, which they strictly denied, Mohi stating that only one shot had been fired after the first hoisting of the white flag, and this had been done by a neutral Native (Kupapa); that he had taken away the gun belonging to this man, and retained it in his possession. I demanded the gun to show to the Rarawa; it was given to me. I then asked Ngapuhi to write a letter denying the charge of firing at the Rarawa women at Motukauri. This they consented to do. I then said that, in the morning, they must sign a formal document making peace with the Rarawa: this was assented to.

On the 13th June, Ngapuhi gave me the letter as requested (copy attached), and signed a document, in which they agreed to make peace with the Rarawa, and not to interfere about Te Wake. I enclose the original, with translation. On completion of this, I returned to Te Karaka. On arriving there, the Rarawa speedily assembled, and many inquiries were made about the gun I had brought with me, which some of them noticed was loaded—the fact is I had obtained some ammunition and loaded it, thinking it would be handy in case any serious quarrel arose with the Rarawa about the re-apprehension of Te Wake. I passed it off as a *murū* for the *hara* of Ngapuhi (a fine for the offence committed by Ngapuhi in firing during time of peace). I assured them that only one shot had been fired, and it was from that gun; that it had been done at Wherinake, and not at Motukauri, as represented. I then read the letter from Ngapuhi, and the treaty of peace signed by them. I then said I would have no further excuses about Te Wake: he must be given up at once, and without longer delay. Winiata then came to me and said, "Te Wake has arrived here; he has come to consult with the tribe, and it is on the guarantee that he is not to be arrested during his stay here." I replied, "Very well; then I will not take him now, though it is clearly my duty to do so, as I hold a warrant for his apprehension." Te Wake then came forward and spoke:—"He had escaped from custody, he had been to death and had freed himself, and now he intended to live. Messrs. Williams and Barstow were to blame for letting him get away, and he had no intention to again place himself within the reach of the law."

I replied, "I will not have any parley with you, or ask you to surrender. I tell you plainly I will not take you on this occasion, because I have given my word to the contrary; but, recollect, to-morrow morning, if the tribe will not give you up, I will go to Motukauri and apprehend you. I see you are armed (he had a double-barrel gun, a tomahawk, and three cartridge-boxes); now I give you fair warning, if I find you armed, and you attempt to resist either me or my policemen, we shall shoot you with our revolvers. I will tell you another thing: you need not imagine you can escape from the law, for if you contrive to keep out of its way until you are grey-headed, and any policemen or other officer then sees you, you will be arrested. If you cross the river, Ngapuhi will kill or capture you; if you go to any European town, the same fate awaits you. You have a chance if you surrender to the law, as you will get a fair trial; but in the other case you will become an outlaw and any one may take you." Te Wake then retired with Winiata and Pahikura.

Towards the afternoon Pahikura returned, and said Winiata and Te Wake wished to see me. I went to them, and Te Wake said he consented to give himself up to the law, but he wished to arrange his affairs that day. I objected to his going, but said, "Of course as my word had been given not to arrest him on that day, he might go." Winiata and Te Tai Papahia agreed to guarantee his safe return on the next morning, and his giving himself up then.