

Te Rarawa then signed a formal document making peace with the Ngapuhi. (Original and translation enclosed.)

In the evening I went to Oneke, and remained there for the night. The next morning (Sunday) I returned to Te Karaka and found Te Wake had not arrived from Motukauri. I was told that on his going back there Te Whata had objected to his surrender, and now detained him. I said, "very well, I will go at once to Motukauri and apprehend him; I kept my word yesterday, and will also adhere to it to-day. I told Te Wake that he should be taken to-day. I will now go for him myself; there have been too many subterfuges practised already in this case." I proceeded to carry out my intention when Winiata and Te Tai asked me to give them until that evening to go to Motukauri and fetch Te Wake; that there was no occasion for me to go to be killed until they had tried persuasion. I said, "Let it be so, but to-morrow morning at daylight I and my policemen will go to capture Te Wake, if he is not forthcoming on your return this evening."

At sunset, Winiata and Te Tai returned with Te Wake, who then formally surrendered. I at once made him a prisoner, handed him over to the Native police, and told him that as long as he behaved himself he would be well treated, but on the first sign of treachery or escape he would be shot without mercy.

Winiata strongly urged on me that it would be desirable to convey the prisoner to Auckland by way of Kaipara. I did not accede to this suggestion, as I knew there were nearly one hundred men of the Rarawa Tribe in that neighbourhood.

Early on Monday, the 15th June, I went to Onoke, taking Te Tai, Papahia's nephew, with me to Mohi Tawhai and Ngapuhi as a herald of peace. The peace was ratified by Mohi Tawhai sending back his son Hone Mohi to visit the Rarawa in the same capacity. I then made arrangements for the return of some horses which belonged to the Rarawa, and had been taken by Ngapuhi as spoils of war.

I and my party, together with the prisoner, then left for Tarawera, which we reached the same night. On the 16th we travelled to Waitangi; on the 17th we crossed the harbour to Russell, and embarked in the cutter "Emma" the same evening for Auckland. We arrived there on the 20th June, our passage having been prolonged by a foul wind and very bad weather. The prisoner was lodged in the Stockade at Mount Eden the same evening.

In conclusion, I would remark that the Ngapuhi, and especially the Rarawa Tribe, at Hokianga, did not appear to me to be at all well disposed towards the Government. One complaint they make is, that the Crown levy a duty or percentage on sales of Native land to Europeans, which lowers the price of their lands in the market. It also seemed to me that there were Europeans in the district who were active in stirring up disaffection, and encouraging them in riotous conduct, the Natives having informed me that certain Europeans had told them it was all right for the Rarawa and Ngapuhi to fight; the Government would not and dare not interfere, as they had neither men nor money to enable them to enforce the law. From this and similar statements, coupled with the fact that during the last two years upwards of ten persons have been shot in the intertribal feuds of the Natives of the northern district of the Province of Auckland, and no decisive action had been heretofore taken to uphold the supremacy of the law, it is not much to be wondered at that we are looked on with contempt, and the bulk of the Native population think it would be an easy matter to drive us from the North altogether.

I endeavoured to disabuse their minds of the belief that the Government were making a great profit from the duty or percentage on sales of Native lands, by pointing out that the officers of the Native Lands Court were paid and maintained at a very great expense to the country, and it was not right that this should be a burthen on the European portion of the population. I also instanced that the bulk of the troubles of the country were caused about land, and it was right the land should contribute something to the revenue, as it was a great source of expense to the country. I think this view of the case was entirely new to the Natives, and to a certain extent satisfactory, as they appeared to be more moderate afterwards.

I would here beg most respectfully to observe that, in my opinion, there would be much less quarrelling about land if the Judges of the Native Lands Court would favour the plan of investigating the title to disputed lands before survey, for which provision has been made in the Native Lands Act. As it is now, the rule of the Court is that no title shall be investigated before survey has been made of the land in question; and I think but little pains have ever been taken to inform the Natives that there is a provision to investigate the title to disputed land previous to its being surveyed, as I find the Natives everywhere profoundly ignorant of the fact that the Court has such a power. It has been argued by some persons, that if land is not surveyed, and proper maps of it brought into the Court, that it is impossible for the Court to obtain accurate information as to the area, boundaries, and position of the land forming the subject of adjudication. This I deny being any difficulty whatsoever; if it is, I would then suggest the propriety of the Judges of the Native Lands Court having the same powers given to them as are conferred on Judges of Wardens' Courts on Gold Fields, viz., that they should be empowered to proceed to view the land in dispute. I do not speak theoretically in this matter, but from my own experience, which, although I am not a Judge of the Native Lands Court, has been considerable, as it has frequently been my duty to arrange such quarrels, and to assist the officers of the Native Lands Court in that behalf. Of course, in the majority of cases coming before the Court, it is most desirable that accurate surveys of the lands forming the subject of adjudication should be previously made and laid before it. But there are cases constantly arising, and which, as the extent of land held by the Natives diminishes, will then more frequently happen in which the making of the preliminary survey is likely to endanger the peace of the country. By referring to past disputes of this nature, it will, I think, be found that these have nearly all commenced by obstructing surveys. The question, therefore, naturally follows, can this be prevented? At any rate, it appears the Legislature were of opinion that such cases would arise, and endeavoured to make provision to meet them; and it yet remains to be proved whether the hearing of claims to disputed lands before survey would not materially aid in reducing intertribal feuds. I am induced to make the above remarks, because the Rarawa excused the erection of pas on the disputed land at Whirinake on the ground that they were