

1876.

## NEW ZEALAND.

## MR. ALLEY'S CHARGES AGAINST OFFICERS IN NATIVE DEPARTMENT.

(REPORT BY HON. COLONEL HAULTAIN UPON.)

*Presented to both Houses of the General Assembly by Command of His Excellency.*

## No. 1.

PETITION of H. ALLEY to the Honorable the HOUSE of REPRESENTATIVES.

To the Honorable the House of Representatives of the Colony of New Zealand  
in Parliament assembled,THE HUMBLE PETITION OF HENRY ALLEY, LATE OF NAPIER, HAWKE'S BAY, BUT NOW RESIDING AT  
HIKUTAIA, THAMES, IN THE PROVINCE OF AUCKLAND, SHOWETH,—

That in the year 1872 your petitioner resided at Napier, Hawke's Bay, engaged in agricultural pursuits, also in cattle and sheep farming.

In 1872, being desirous of moving from Hawke's Bay and settling in the Province of Auckland, your petitioner entered into negotiations with the Native owners for the lease of a block of land called the Waiharakeke Block, in the Upper Thames Valley, near Ohinemuri. The land had passed through the Native Land Court eighteen months before negotiations commenced, and had been awarded to two tribes or hapus of Natives jointly, the Ngaiterangi and Ngatihaua.

The result of the negotiations was that a lease was granted to your petitioner, the same being agreed to and signed by persons of both tribes, who received payment in money on account of granting the said lease.

In April, 1873, possession was taken of this block in pursuance of the lease, and 167 head of cattle were driven overland from Hawke's Bay.

On taking possession your petitioner received notice from two Native Commissioners or Agents, namely, Messrs. Clarke of Tauranga, and Puckey of Shortland, to remove his cattle from the leased block, under threat of expulsion by the Natives.

That 167 head of cattle were driven off the block by a party of armed Natives; and your petitioner has not been able to obtain the use of his leased land, and has suffered severe losses from the action taken by the Natives.

Your petitioner has also strong reason to believe that the action taken by the Natives in the driving off of cattle and the repudiation of engagements was instigated directly by the Government through their officers stationed in the district.

Being fully aware of the gravity of the charge now made against the Government of the colony having control of so important a department as the Native Office, your petitioner wishes that a strict investigation should be made into these matters by persons unconnected with the Native Department.

Not having succeeded in taking peaceable possession of the leased block of land, your petitioner purchased, from a firm of high commercial position in the city of Auckland, 3,700 acres of freehold land at Hikutaia, Thames, when the Natives again drove off workmen and cattle, under pretext that they never had received the purchase money, although the Crown grant for the land had been issued for a considerable time.

Application for redress was then made to the Government through the Hon. Dr. Pollen, but no relief has been granted to your petitioner.

The losses sustained have, as shown by the foregoing statement, been very serious.

Your petitioner therefore prays that a full investigation may be made and that he may be reinstated in possession of the leasehold at Waiharakeke and his freehold at Hikutaia, and such other consideration awarded him for losses in time, money, and cattle, as your honorable House may deem fit.

And your petitioner will ever pray, &c.

HENRY ALLEY.

## No. 2.

MEMO. by the UNDER SECRETARY, Native Department, to the Hon. the NATIVE MINISTER.  
THE appended paper is a copy of the Report of the Public Petitions Committee of the House of Representatives of last year, on the Petition of Henry Alley, in which certain charges are made against officers of this department.

The Committee give it as their opinion that the matter ought to be inquired into by the Government.

I therefore suggest, for your approval, that the inquiry as recommended be made, and that the Hon. Colonel Haultain be requested to hold the inquiry with as little delay as possible.

I should explain, for your information, that this matter was brought under the notice of this office only last month.

16th September, 1875.

HY. T. CLARKE.

## No. 3.

## PETITIONS COMMITTEE REPORT on Petition of HENRY ALLEY.

PETITIONER states that in the year 1872 he resided at Napier, when he was engaged in agricultural pursuits.

That, being desirous of settling in Auckland, he entered into negotiations with the Natives for the lease of a block of land, the result of which was that a lease was granted to him by them.

That after having taken possession and placed stock on the land, he received notice from two Native Commissioners, or Agents, to remove his cattle from the leased block, under threat of expulsion by the Natives; and that he has not since been able to obtain possession of the leased land, and he has suffered great loss in consequence.

That he has strong reasons for believing that the Natives were directly instigated to this action by officers of the Government stationed in the district.

That he has made application for redress, but has received none. He therefore prays the House to take his case into consideration, and to grant him relief.

I am directed to report, that the Committee are of opinion, that the matter ought to be inquired into by the Government, as serious charges are made against officers of the Native Department.

THOMAS KELLY,  
Chairman.

## No. 4.

The Hon. the NATIVE MINISTER to the Hon. Colonel HAULTAIN.

SIR,—

Wellington, 18th October, 1875.

During the Session of the General Assembly in 1874, a petition was presented to the House of Representatives by Mr. Henry Alley, formerly of Napier, which contained serious charges against two officers of the Native Department, Mr. Hopkins Clarke, of Tauranga, and Mr. E. W. Puckey, of Grahamstown.

The Public Petitions Committee, in their Report, gave it as their opinion that the allegations were of such a character that they should be inquired into by the Government.

I have therefore to request that you will be good enough to investigate the matter, and forward your report, with your opinion, to the Native Office.

I herewith transmit copy of petition above referred to, the Committee's Report, and other records relating to this subject.

The Hon. Colonel Haultain.

I have, &c.,  
DONALD McLEAN.

## No. 5.

The Hon. Colonel HAULTAIN to the Hon. the NATIVE and DEFENCE MINISTER.

SIR,—

Auckland, 5th June, 1876.

Referring to your letter No. 388, of the 18th October last, in which you request me to investigate certain allegations made against Messrs. E. W. Puckey and Hopkins Clarke, of the Native Department, by Mr. Henry Alley, in a petition that was presented to the House of Representatives, in 1874, I have the honor to state that I entered upon the inquiry without delay, and invited Mr. Alley to furnish me with the names, &c., of the witnesses he wished to call upon to substantiate his charges. Getting no satisfactory answer from him, I arranged to meet him at the Thames on the 7th December, and, after receiving his statement, examined Mr. Puckey and the Native chief Karauna (who was one of those concerned in driving off his cattle) in his presence. He again stated his inability to name any other witnesses, but referred to Mr. John Davis, who had acted as his interpreter, and was then at Te Kuiti. I wrote accordingly to Mr. Davis; but although I have kept this report open to the last moment to give Mr. Alley every opportunity of proving his charges, I have elicited nothing further, and am satisfied that his complaints against Messrs. Puckey and Clarke, of having instigated the Natives to repudiate their engagements with him, and to drive off his cattle, are entirely without foundation.

I attach the correspondence, and add the following summary of the case, which is a very simple one; and no one at all acquainted with Maori feeling and custom would suppose that the opponents

to the lease required any prompting to induce them to act in the manner they did. As Karauna says, "We should not have allowed the cattle to remain, even if Sir Donald McLean had asked us to do so."

The Waiharakeke Block is claimed by opposing parties of the Ngatimaru and Ngatihaua tribes, and has not yet been passed through the Native Land Court. These two tribes are strongly at variance on certain land questions, and no agreement made by one party would be recognized by the other. Mr. Alley made an agreement (invalid) to lease the land from certain of the Natives, and placed his cattle there. The other claimants immediately threatened to drive the cattle away, and informed Messrs. Puckey and Clarke of their intention, requesting them to desire Mr. Alley to remove the cattle from the disputed block. These officers recommended him to do so at once, knowing that the opposing Natives would never allow him quietly to take advantage of the agreement he had made.

Mr. Alley did not follow their advice, and his cattle were driven to Hikutaia.

I did not think it necessary to go to Tauranga to see Mr. H. Clarke, as he had followed precisely the same course as Mr. Puckey, and recommended Mr. Alley, "for his own sake, to remove the cattle off the land in dispute between the two tribes."

The Hon. the Defence Minister, Wellington.

I have, &c.,  
T. M. HAULTAIN.

### Enclosure 1 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

26th October, 1875.

I have been instructed by the Government to investigate certain complaints which you have brought against two officers of the Native Department, Messrs. Puckey and Clarke, in a petition dated , presented to the House of Representatives, and I have the honor to request that you will furnish me with the names and places of residence of the witnesses you may wish to call upon to substantiate these charges, and that you will state where, in your opinion, would be the most convenient place for holding the inquiry.

Henry Alley, Esq., Ohinemuri.

I have, &c.,  
T. M. HAULTAIN.

### Enclosure 2 in No. 5.

Mr. H. ALLEY to the Hon. Colonel HAULTAIN.

SIR,—

Auckland, 5th November, 1875.

I have to acknowledge the receipt of your letter of the 26th ultimo, and to inform you in reply that I cannot at present find Mr. John Davis, who was my interpreter, who I am informed is in the Waikato. I am trying to get his address, and then I shall be able to furnish some of the witnesses required by me, and also to name the place where the inquiry is to take place.

T. M. Haultain, Esq.

I am, &c.,  
H. ALLEY.

### Enclosure 3 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. CLARKE.

SIR,—

10th November, 1875.

I have the honor to inform you that I have been instructed by the Government to investigate certain charges brought against yourself and Mr. Puckey by Mr. Henry Alley, in a petition presented to the House of Representatives in 1874. I have accordingly requested Mr. Alley to furnish me with a list of the witnesses he desires to call upon to substantiate these charges, upon receipt of which I will determine where the inquiry is to take place, and inform you accordingly.

H. Clarke, Esq., Tauranga.

I have, &c.,  
T. M. HAULTAIN.

[Similar letter to E. W. Puckey, Esq., Shortland.]

### Enclosure 4 in No. 5.

Mr. PUCKEY to the Hon. Colonel HAULTAIN.

SIR,—

Native Office, Thames, 11th November, 1875.

I have the honor to acknowledge the receipt of your letter of yesterday. As I have had as yet no opportunity of making myself acquainted with the nature of the charges brought against me by Mr. Alley, and as it might be necessary, in order to enable me to refute them, to have witnesses in attendance, I think it only fair to myself that I should be informed specifically what the charges are.

I presume the petition is contained in the Journals of the House for 1874; there is, however, no copy of that volume on the Thames. If you therefore concur with me in thinking it necessary, in order to make a more able defence on this occasion, that I should have a copy of the petition, perhaps you would kindly forward one.

The Hon. Colonel Haultain, Auckland.

I have, &c.,  
E. W. PUCKEY, Native Agent.

## Enclosure 5 in No. 5.

The Hon. Colonel HAULTAIN to Mr. PUCKEY.

DEAR SIR,—

Auckland, 12th November, 1875.

I enclose you an extract from Mr. Alley's petition, which contains the charges preferred against yourself and Mr. Clarke; also a copy of the recommendation of the Petitions Committee, which is all the information I can furnish you at present. I am waiting for a reply from Mr. Alley, who I hear is about to proceed to Napier.

E. W. Puckey, Esq.

I have, &c.,  
T. M. HAULTAIN.

## Enclosure 6 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

Auckland, 10th November, 1875.

I beg to acknowledge your note of the 5th instant, stating that you will furnish me with a list of the witnesses you require to substantiate the charges made against Messrs. Puckey and Clarke as soon as you can find your interpreter, Mr. J. Davis. I hear, however, that you are shortly to proceed to Napier; and if this is the case, I request that you will be so good as to inform me when you are likely to return, as it is necessary that I should know whether there is any prospect of long or indefinite delay in this matter. I regret that whilst in Auckland last week you did not call at my office, as some of the arrangements might then have been considered and decided on. With reference to the last sentence of your note, I must remind you that I have not asked you to name the place at which the inquiry is to be conducted. I am desirous to meet your views in this respect; but as I have also the convenience of other parties to consider, I must myself fix the place of meeting.

Henry Alley, Esq., Hikutaia.

I have, &c.,  
T. M. HAULTAIN.

## Enclosure 7 in No. 5.

Mr. H. ALLEY to the Hon. Colonel HAULTAIN.

SIR,—

Hikutaia, 15th November, 1875.

I received your note of 10th, and, in reply, I hear that Mr. John Davis was engaged by Mr. Brissenden, on behalf of the Government, some time ago, to go to Waikato. If so, you might find out his whereabouts, and write to him to come down. If I hear from him through any source I will wait for him, and he will furnish the names of the Natives. I will postpone my journey to Napier for a fortnight, so that this investigation may take place as soon as possible.

When I was in Auckland, I was busy buying store stock for grazing purposes. I understood by your first note that I was to fix the place of meeting.

I have not had a reply from Mr. John Davis yet. So soon as I hear from him I will let you know; or should you hear from him, please to let me know, and I will endeavour to get through this business as soon as possible.

T. M. Haultain, Esq.

I have, &c.,  
H. ALLEY.

## Enclosure 8 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

Auckland, 17th November, 1875.

In reply to your letter of the 15th instant, I have the honor to inform you that it is not in my power to assist you in communicating with your late interpreter, Mr. John Davis; but if he is in the employ of the Government, you should have no difficulty in procuring his address from the Native Lands Purchase Department.

I am anxious to proceed with this inquiry at once, as, if it is put off, other duties will interfere, and further delay will be occasioned.

This now depends upon yourself; and if you are proceeding to Napier, I again request that you will be so good as to inform me when you are likely to return. It would expedite matters if you could in the meantime furnish me with the particulars of the charges you have made against Messrs. Clarke and Puckey.

H. Alley, Esq.

I have, &c.,  
T. M. HAULTAIN.

## Enclosure 9 in No. 5.

Mr. H. ALLEY to the Hon. Colonel HAULTAIN.

SIR,—

Hikutaia, 21st November, 1875.

I received yours of the 17th, and, in reply, I beg to say, you state you cannot assist me in communicating with my interpreter, Mr. John Davis. I understood from your first note that the Government only wanted the names of the witnesses, and after which you would call them to appear at any appointed place of meeting, or does the Government want me to bear the expense of collecting the witnesses; if such is the case, I must decline any such expense.

If the Government will demand Mr. Davis's presence, he can furnish you with the names of the witnesses, and you can call the witnesses to appear immediately after his arrival. I have postponed my journey to Napier for the present, to enable you (if you desire) to hold this meeting as soon as possible; for I do not want to be hampered in my action by the unscrupulous action of the Native Office any more.

My grievance I laid before the Committee, in Wellington; but the evidence was kept from appearing before the House, for reasons best known to the Native Minister. That is the person that caused all my trouble. The Native told me, through my interpreter, that he sent two telegrams, and advised them, through his Commissioners, to drive my cattle off a run I leased, called Waiharakeke, adjoining a run of Messrs. Firth and Co. and William Buckland. Why were they not driven off?

I leased the run, went back to Napier, drove two mobs of cattle overland, was driving a third one, also a mob of sheep. A short time after I occupied the run with the second lot of cattle, I received letters and a telegram from Messrs. Clarke, of Tauranga, and Puckey, of Thames, advising me to take my cattle off; and from the facts of the case (for facts these are), those gentlemen would not have acted simultaneously from two different places, if they were not directed to do so by a superior officer to do so, and I am certain that the Natives told me the naked truth about the matter.

I think the Native Minister should be called to give evidence; also, those letters I left at Wellington, of Messrs. Clarke and Puckey's, will be required again. Sir, I must say I expect the Government will demand Mr. Davis's presence, and he will name the witnesses, for I do not know their names.

T. M. Haultain, Esq.

I have, &c.,  
H. ALLEY.

### Enclosure 10 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

Auckland, 1st December, 1875.

I have delayed replying to your letter of the 21st ultimo, as I learnt that your interpreter, Mr. John Davis, was expected in town. I have not, however, seen him yet; but I purpose going to Shortland by the steamer on Monday next (or on Tuesday, if there is no steamer on Monday) to enter upon the inquiry, and I hope you will make it convenient to meet me there on the following morning.

You complain, in your letter under reply, of the action of the Hon. the Native Minister; but I must point out to you that my inquiry is restricted, in accordance with Report of the Petitions Committee of the House of Representatives, to the charges preferred against Messrs. Puckey and Clarke, and it will be for them to refer to superior authority, if they find it necessary for their own justification.

With regard to the payment of witnesses, I shall refer the matter to Government as soon as I can form an estimate of what the expense may be.

H. Alley, Esq., Hikutaia.

I have, &c.,  
T. M. HAULTAIN.

### Enclosure 11 in No. 5.

The Hon. Colonel HAULTAIN to Mr. JOHN DAVIS.

SIR,—

Auckland, 11th December, 1875.

I have been instructed by the Government to inquire into charges made by Mr. Alley against Messrs. Puckey and Clarke, in a petition he presented to the House of Representatives in 1874, in which he stated that these officers had instigated the Natives to repudiate their engagements with him, and to drive his cattle from the Waiharakeke Block. Mr. Alley informs me that you acted as his interpreter during his negotiations with the Natives regarding this land, and are acquainted with all the circumstances, and with the names of the Natives who can give evidence with respect to the charges which he has made; and I shall be glad to know when you are likely to be in Auckland, and can see me in the matter.

If you can give me any information by letter, I shall feel obliged to you.

Mr. John Davis, Native Interpreter, Te Kuiti, *via* Alexandra.

I have, &c.,  
T. M. HAULTAIN.

### Enclosure 12 in No. 5.

Mr. JOHN DAVIS to the Hon. Colonel HAULTAIN.

SIR,—

Hikurangi, Kuiti, 16th December, 1875.

I have received your letter, dated 11th December, 1875, requesting me to give information in reference to Mr. Alley's charge against Messrs. Puckey and Clarke.

I cannot say that I know all about the Waiharakeke affair, but I know about the telegrams, and the cattle being removed. In fact, I had the removal of the cattle myself, inasmuch as to see after their safety at the instructions of Mr. Alley. Of course, the Natives drove the cattle off themselves. I believe if telegrams had not been sent from Wellington, arrangements could have been made with the Natives for the cattle to remain at Waiharakeke.

Of course, you will understand there is a lot of detail connected with the cattle and land question of Waiharakeke, and Mr. Alley, &c. Such detail there would be no use in attempting to write, as it would be rather too long a letter.

There is no probability of my being in Auckland for some time, unless for anything urgent.

Colonel Haultain.

I have, &c.,  
J. C. DAVIS.

## Enclosure 13 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

Auckland, 14th December, 1875.

I enclose you a memo., by Mr. H. T. Clarke, with reference to the statement you made to me at Shortland, on the 7th instant. I have written to Mr. Davis, asking him to take the first opportunity of seeing me on the subject of your complaint against Messrs. Puckey and Clarke.

H. Alley, Esq., Hikutaia.

I have, &c.,  
T. M. HAULTAIN.

## Sub-Enclosure to Enclosure 13 in No. 5.

MEMORANDUM on Mr. Alley's statement in support of the charges brought by him against Messrs. Puckey and Clarke, *re* removal of cattle from Waiharakeke.

I have endeavoured to tax my memory as to the circumstances mentioned by Mr. Alley.

1st. As to my sending him a letter of warning in 1873; and 2ndly, as to the visit he made to Tauranga and the conversation he states I had with him.

As far as my memory serves me, I never wrote a letter of warning to Mr. Alley, nor did I ever receive a special visit from him in reference to Waiharakeke.

If Mr. Alley did pay a visit to Tauranga, it must have been to Mr. Hopkins Clarke. In May, 1873, I was in the Bay of Islands; in midwinter (July), I was in Wellington. I confidently affirm that the alleged conversation never took place with me or in my presence. It is not at all probable that I would allow the following statement to go unchallenged. He states, "I said it was hard that I should be treated differently from Messrs. Firth and Buckland, and others who had been assisted by the Government to maintain their position even in more troublous times." If this refers to Mr. Buckland driving cattle through hostile country, it is contrary to fact. The Government did not assist Mr. Buckland, but he was warned not to make the attempt. He did, however, make the attempt, and suffered severe loss.

I think that it will be found by reference to papers in Wellington that the letter of warning was written by Mr. Hopkins Clarke in my absence. With regard to the action taken by Mr. Puckey, I think it right to state that had I been in Tauranga at the time Mr. Alley took possession of Waiharakeke, and had I been assured that serious consequences would have arisen from Mr. Alley's occupation, my duty to the Government, as an officer of the Native Department, would have compelled me to follow the same course adopted by Mr. Puckey.

I declare this distinctly, lest it should be inferred from what I have stated above that I wish to shirk the responsibility.

Auckland, 10th December, 1875.

H. T. CLARKE.

## Enclosure 14 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

Auckland, 29th December, 1875.

I have the honor to acknowledge the receipt of your letter of the 23rd instant, which I return to you, as I cannot retain, as an official document, a letter containing such grossly calumnious statements with respect to the Native Minister, and which, if published, would subject you to prosecution for libel.

I have already informed you that I have no authority to inquire into anything but the charges you have preferred against Messrs. Puckey and Clarke, and your correspondence with me must be strictly confined to these matters.

I have a reply from Mr. Davis, dated Hikurangi, Kuiti, 16th December, 1875, in which he says that there is no probability of his being in Auckland for some time.

H. Alley, Esq.

I have, &c.,  
T. M. HAULTAIN.

## Enclosure 15 in No. 5.

The Hon. Colonel HAULTAIN to Mr. H. ALLEY.

SIR,—

Auckland, 4th May, 1876.

I must shortly complete my report to the Government, and having heard nothing from your interpreter, Mr. Davis, since December last, I request that you will inform me whether you have any further evidence to substantiate the charges you have made against Messrs. Puckey and Clarke, of having instigated the Natives to repudiate their agreements with you, and to drive your cattle from the Waiharakeke Block.

H. Alley, Esq.

I have, &c.,  
T. M. HAULTAIN.

## Enclosure 16 in No. 5.

Mr. HALLEY to the Hon. Colonel HAULTAIN.

SIR,—

Hikutaia, 14th May, 1876.

I have just returned from Cambridge, and the Ngaiterangis, or a tribe that live near Tauranga, told me that they were advised to drive the cattle off the run, and they also stated that the

Native Minister did communicate with them by telegram. One of them promised to send me the telegrams, which, if he does, as soon as I receive them I will forward to the House.

Mr. Rowe, a surveyor, also told me that Mr Puckey advised him to go and survey Waiharakeke, and do it by any subtle means, even by candlelight. Karauna also told me that it was not their work to drive cattle off, but the Runanga's.

I have written to my interpreter, Mr John Davis, and he does not seem inclined to give me the desired information. It is easy to account for the reason simply, being that he is engaged by the Native Department.

I have requested him by letter to-day, stating the House is to meet next month, and also by your request. If he forwards me a reply, I will send it to you.

Colonel Haultain.

I have, &c.,  
H. ALLEY.

### Enclosure 17 in No. 5.

STATEMENT taken at the Thames.

Shortland, Tuesday, 7th December, 1875.

Mr. ALLEY and Mr. PUCKEY present.

*Mr. Alley.*—I received letters from Messrs. Puckey and Clarke in 1873, warning me to remove my cattle from Waiharakeke Run, which I had leased from the Ngatihaua and Ngaiterangi, and informing me, if I did not take them away, they would be driven off, and perhaps killed by the Natives. I went over to Mr. Clarke, at Tauranga, about it. I told him I had seen the Natives that morning, who had informed me that he had suggested to them to drive my cattle away. I asked him to come out and see the Natives, and he declined doing so. I told him that I had been put to great expense, and that it would be ruination to me if my cattle were driven off. He asked why I could not take them to Auckland and sell them. I replied that the cattle could not stand it, as it was the middle of winter, and they were knocked up by the drive from Napier. I said it was hard that I should be treated differently from Messrs. Firth and Buckland and others, who had been assisted by the Government to maintain their position even in more troublous times. Mr. Clarke said he could not assist me in the matter, and said, "why not remove them to Hikutaia," which I had just taken from Mr. Nathan. I said it was said it was nearly all swamp. I returned to Hikutaia, and went to Waiharakeke with John Davis, who was my interpreter, and we found the Natives driving my cattle to the eastern side of the river; I protested through him against their being driven away, and reasoned with them; they said they would drive them a few miles further down, and then they would talk about it. They talked it over for three days, and sent one of their men to Waikato to give notice to the Ngatihauas, and three young men came down. These young men protested against the cattle being driven off, and said they would soon have to drive men off as they would come and take possession. Karauna replied, You have got your right hand full with the Europeans; take care you don't get your friends in your left hand. These young men offered to get their party to come down and keep the cattle on the run, and fight if necessary. I said I should not agree to any illegal acts, as we had Courts of justice to which we could appeal, and advised them to go to the Courts if they believed the land was theirs, and that I would assist them to take the case into the Supreme Court. Mr. Davis interpreted this, and they agreed that it would be the best plan, and I advised the Natives to see Mr. Mackay and get his opinion in the matter, and perhaps he might settle it. They drove the cattle to Hikutaia, killing, I understand three bullocks, and others were damaged or lost in the bush, and a good many died from eating tutu, as there was no other food. Mr. Mackay tried to get me the land but did not succeed, and money has since been paid on it to the Natives, I think by Mr. Mackay, on account of Mr. Thomas Russell. Mr. Mackay also told me that he had explained my position to Sir D. McLean about December 1874; that Sir D. McLean would not agree to my having the land. I saw him (Sir D.) shortly after in January or February. I told him that a Native at Tauranga to whom I had paid money, and who had promised to protect me as being part owner of the land, had said that they had received two telegrams from him, advising them to drive my cattle off. Sir D. McLean denied having sent the telegrams. I told him that I believed the Natives had told the truth, and he went out of the room. Some Natives told me during the discussion at Wairukau, where the cattle had been driven, that they would not have interfered with the cattle only that a runanga of Europeans and Natives had agreed that the cattle should be driven off, and I believe that Mr. Puckey was one of the Europeans concerned, and that had it not been for this runanga the cattle would have been left alone, Karauna was one of the runanga Natives. I have had general conversations with the Natives since, who have wished me to go back to the land, and they have led me to suppose that the officers of the Native Department were opposed to it.

Mr. Alley also says that an advertisement appeared in a Tauranga paper about the beginning of 1873, by which the Ngatihinerangi Natives offered for sale their interest in the Waiharakeke Block, and my attention was drawn to this by Mr. Warbrick, of Tauranga, who said there would be no difficulty in negotiating with those Natives. The advertisement was signed by a Native named Marsh. Mr. Mackay also offered to assist me in procuring land for *bona fide* settlement, and advised me to take Mr Warbrick to assist, and on his return informed him that he would be able to get this land, at Waiharakeke.

*Mr. Puckey* states:—That I heard in May 1873 that Mr. Alley had leased Waiharakeke from certain Natives, and that the Ngatimarū at Aroha had written a letter to the members of their tribe at Shortland, stating that there were a number of cattle belonging to Mr. Alley depastured on a portion of the Aroha Block (which had been awarded to the descendants of Marutūahu by the Native Land Court), and also upon other lands adjacent thereto; and that if the cattle were not removed they would be destroyed; and soon after these Natives came to me and had a meeting in the large room belonging to my office and discussed the matter, upon which I wrote the letter referred to by

Mr. Alley. The land had not been through the Court, and was claimed both by the Ngatimaru and the Ngatihaua. Had Mr. Alley's cattle been allowed to remain, the Natives who had given him permission would have been held to have exercised rights of ownership, which there was not the slightest chance of the others agreeing to. I never advised or instigated the Natives to drive off the cattle; and my object in warning Mr. Alley was to prevent injury being done to them. I was quite certain they would not have allowed them to remain, though I do not suppose they would have gone to blows about them, as the Government would probably have interfered to prevent bloodshed. I never at any other time advised or instigated the Natives to drive off the cattle.

*Karauna*, chief of the Ngatimaru tribe, states:—I took part in driving Mr. Alley's cattle off Waiharakeke. I did so because the land was mine, and I had given no permission for the cattle to be there. I heard that Wm. Thompson's children had given this permission, but they had no claim to the land. I had heard previously that Wm. Thompson's children wanted to sell the land to Sir Donald McLean, and on account of that I told them not to sell, or lease, or put cattle on this land. I did this of my own accord, and was not advised to do so by Mr. Puckey or any other European; nor did I hear any other Natives say that any Europeans had advised them to drive these cattle away. I heard from a Native named Tupara, of the Ngatihinerangi tribe, that he had sent a telegram to McLean at Wellington regarding these cattle, and the answer was that the cattle could be turned off by the Ngatihinerangi. This was a short time before they turned them off. Tupara is now at Te Puna, Tauranga. I did not send the telegram, but I heard Tupara make the statement. "We should not have allowed the cattle to remain, even if Sir D. McLean had asked us to do so."

### Enclosure 18 in No. 5.

Mr. E. W. PUCKEY to Mr. H. ALLEY.

SIR,—

Native Office, Thames, 19th May, 1873.

I have the honor to inform you that news has been received here to-day, to the effect that a large number of cattle, said to belong to you, are being depastured on lands adjacent to the Aroha, which have been taken through the Native Land Court and awarded to the Thames Natives, and on lands claimed by Ngatihaua, but their claims are disputed by the Thames tribes, who claim through their ancestors. A meeting has taken place here to-day, and I have been requested by the Natives to desire you to take immediate steps to have the cattle removed, either to lands belonging to the Natives who have the cattle in charge, or else to Hikutaia, or wherever the cattle were driven from. I would recommend you to do this at once, as the Hau-Hau portion of the people counsel the advisability of killing the cattle, but, in deference to the wishes of the people here, have for this time left the matter to be dealt with by them.

At the meeting, it was further decided that in case you failed to remove the cattle at once, the Natives would drive them back, and if they were taken on the land again they would be killed.

In addition, I would point out to you the desirableness of abstaining from any act which might complicate our relations with the Natives; and as this question is one of importance to yourself more particularly, let me urge upon you to lose no time in removing the cattle. The Ohinemuri Natives have refused to allow them to pass through on their way back, but I will see to that myself, and will remove any difficulty on that point.

Please reply by return of messenger.

I have, &c.,

E. W. PUCKEY,  
Native Agent.

H. Alley, Esq., Hikutaia.

By Authority: GEORGE DIDSBUY, Government Printer.—1876.

Price 6d.]