

2. Before doing so, I may observe that Mr. Hall's memorandum, while criticising many of its details, does not substitute any different general narrative of the events in question for that which my despatch supplied; and, when dealing with a long series of complicated transactions, it is, after all, rather the general impression to be deduced from the narrative as a whole which is of importance, than the minute accuracy of subsidiary details.

3. Some errors in those details have undoubtedly been corrected by Mr. Hall's memorandum, and to them I will in the first place advert.

4. In describing, for the sake of brevity, as a memorandum by Sir Donald McLean, a memorandum which in point of fact was one by Mr. Cooper, the Under-Secretary for Native Affairs, approved by Sir D. McLean, I was, no doubt, strictly speaking, inaccurate. Substantially I was not so. I conceive that in any case when a Minister approves the minute of his Under-Secretary he must be held to adopt the statements it contains; and in this particular instance the Royal Commissioners have pointed out that "it must not be supposed that the statement so approved was an accident or a mere slip of the pen. The words were interlined in the Under-Secretary's minute, and could not have escaped the Minister's attention."—[Second Report, p. xvii.]

5. There is, however, a real error in the eleventh paragraph of my despatch. Sir George Grey's words, as Mr. Hall correctly points out, apply no doubt only to the land between the Taongatara and Stoney River; and the oversight committed in the composition of the despatch, though easily explained, involves a decided misstatement. The fact is that my attention was at the moment concentrated on the Parihaka district, the whole of which is comprised in the tract which Sir George Grey's Government intended to restore.

6. The omission of a few important words in the twelfth paragraph of my despatch gives an erroneous construction to it, and causes an obscurity which Mr. Hall is quite justified in noticing. The passage should run thus: "purchased from the Natives, and money also paid them for the extinction of rights to the north of the Waingongoro,—an apparent recognition of their title." So completed, the sentence becomes quite intelligible, and is quite correct. I have already had the honor to request that the necessary alteration might be made in the copy of the despatch in your Lordship's office.

7. But in some other cases, the supposition that I have made erroneous statements seems to be due to the fact that the writer of the memorandum has failed to appreciate the exact weight of the words used by me, and which were not carelessly chosen. For example, the wide difference between *hesitation* in entering upon a course, and a *refusal* to enter upon it at all, seems to have been overlooked in the tenth paragraph of the memorandum. In another place, too, Mr. Hall states that Ministers are "not prepared to agree" with me in an opinion which I have nowhere expressed, or, as I believe, implied. The allegation, too, in paragraph eleven, that "inaccuracies" are contained in the twenty-first paragraph of my despatch, turns out on inquiry to be chiefly based on an erroneous supposition on the part of the Ministers themselves.

8. In other places Mr. Hall proceeds to demolish structures which he has himself raised, not I. But, without further reference to this, I will now proceed to note, in their order, such points in his memorandum as appear to call for remark from me.

9. In the fourth paragraph of the memorandum, Mr. Hall says that the minute to which I refer in the eleventh paragraph of my despatch "is stated to show that it was generally understood, as well as intended by Sir D. McLean, that the confiscation had been abandoned." Mr. Hall does not quite correctly represent either the nature of my reference to the minute in question, or the statement in support of which I have referred to it. I have nowhere asserted that the confiscation was formally or absolutely abandoned: on the contrary, I have distinctly said that it was not so.\* Nor have I expressed any opinion as to the intentions of Sir Donald McLean. I am not indisposed to believe that they are correctly represented by the Royal Commissioners, though I should myself have hesitated to employ the terms used by them, apparently without consciousness of the imputation they convey.† But Sir D. McLean's intentions are foreign to my argument, and the greater part of the paragraph of Mr. Hall's memorandum, which professes to explain them, is altogether superfluous. My belief that the confiscation north of the Waingongoro was virtually and practically abandoned, and was generally understood to be so, was not based on so narrow a foundation as the minute approved by Sir D. McLean, which is only important as showing the view taken within the Native Office itself, and is only referred to by me for that purpose. The conclusion that the confiscation had been practically abandoned is founded, not on that minute, but on speeches of Ministers,—debates in Parliament,—the action of the officers of the Lands Department,—the payments made to Native owners for their interest in land, the transfers accepted by the Crown from them, their habitual exercise of the rights of ownership,—and a great mass of various testimony. I entirely agree with the Royal Commissioners that "it would be hard for any impartial observer to deny that the whole course of events during the year 1872, the debates in Parliament, and the declarations of the leaders of both parties, united to justify the Natives who had returned to the country north of the Waingongoro in believing that they would not again be dispossessed" [Second Report, p. xxii.], or, in other words, that the confiscation of that district had been practically abandoned. Whether any communication to this effect was ever made to the Natives is, however, much more doubtful, and I have expressed myself with great reserve on this point. Wi Parata, who was himself a member of the Executive Council, explicitly states that he did make such an announcement on behalf of the Government, and believed that he was authorized by his colleagues to do so; but, on the other hand, there is strong reason to believe that the Maoris were aware that the claims of the Crown had not been formally surrendered. But neither has any final surrender taken place of land admittedly restored to the Natives. The large blocks on either side of

\* "The confiscation was never formally removed."—*Desp. No. 11, of 26th February*, §12. "They [the Natives] were aware that no "formal abandonment of the confiscation had taken place."—*Id.*, §13.

† "That as regards the district between the Waingongoro and Stoney River the confiscation had for ten years been practically abandoned is a patent fact, but it had not technically been so."—*Id.*, §53.

‡ "He would not abandon the confiscation, but neither would he enforce it,"—"he yielded a tacit consent to their reoccupation" of the district, "and bided his time."—*Second Report*, pp. xvii., xviii.