

1886.
NEW ZEALAND.

MAORI COUNCIL

(CORRESPONDENCE BETWEEN TAWHIAO AND THE HON. THE NATIVE MINISTER RELATING THERETO).

Laid on the Table by the Hon. Mr. Ballance, with the Leave of the House.

No. 1.

Whatiwhatihoe, Mei 17, 1886.

Ki te MINITA MO TE TAHA MAORI, ara, ki te KAWANATNGA katoa,—tena koutou.

E HOA E TE PARANIHI,—

He Pire tenei naku ka whakatakotoria atu nei ki o koutou aroaro, mo nga mate me nga raruraru i pa nei ki a matou ko toku iwi Maori i muri mai i nga kupu a Te Kuini i te Tiriti o Waitangi, i whakatakotoria mai nei, ki te aroaro oku tukupuna oku matua, i te tau, 1840, tae noa mai ki te Ture o te Tau, 1852, rarangi 71.

Kei te titiro tonu au ki aua kupu : kei te takoto marama tonu aua kupu ki taku titiro iho i runga i te pai a toku paapa i whakahoa ai ia ki nga Pakeha.

Tana Pai tuatahi:—Na, taku matua tonu na Potatau i whakanoho te Pakeha ki Waitemata, Akarana, he aroha nona ki te iwi Pakeha. Nana te ki tuturu ko te Pakeha hei matua mo matou, a haere tahi ana raua ko Kawana Hopihona tae rawa ki te tino o Waikato, a tae atu ana hoki ki Kawhia. Heoi, whakahoa ana te Maori ki te Pakeha, a karangaranga tonu ana i reira te Maori ki te Pakeha.

Tana Pai tuarua:—I te Tiriti o Maraetai i puta ai tana kupu ki nga Rangatira o Waikato i mea ia kia mau ki te aroha ki te atawhai ki nga iwi Pakeha.

Tana Pai tuatoru:—I te tupunga o te kino ki raro ki a Ngapuhi, kihai taku matua i whakaae ki ta Hone Heke mahi. Puta ana te kupu a Hone Heke kia tapahia te kara i Takapuna. Ka ki a Potatau, kaore e tika kia rere noa mai tetahi tangata ki te takahi i te mamutu o tetahi tangata, a piri tonu a Potatau ki te Pakeha i taua wa.

Tana Pai tuawha:—Ko te aranga o te pakanga ki Waitara, i te tau 1860, i te 13 o nga ra o Machi, ka puta tana kupu ki nga rangatira, ki te iwi katoa a muri ki a mau ki te whakapono ki te Ture, hei aha te aha, hei aha te aha, ehara i te taonga hoko te Rongo Pai, he taonga horatu, he taonga tarewa, no te Atua Nui o te Rangi; koia ia i mea ai me mutu te whawhai ki Niu Tiren i a te Pakeha a te Maori, ko nga hara katoa, hara nui, hara iti, me whakawa ki te ritenga o te ture.

Ko te pai whakamutunga tenei a toku paapa ka wehe atu ia i tenei ao.

Tae noa mai ki te tau 1863, ka tupu te pakanga ki roto o Waikato. Ko te tino mate tena i riro ai o matou whenua. Ahakoa nui noa te kino ki roto o Waikato, mau tonu ahau ki nga kupu a toku paapa, tae noa mai ki tenei ra; koia matou e noho ke nei, me te pouiri o te ngakau, me te whakaaro ka pewhea he ritenga mo matou, e noho tika ai e rite ai ki to matau ahua tawhito, i whakapumautia mai e te Tiriti o Waitangi mo matou; koia nei matou i rapu ai i te tikanga mo matou i runga i te pai i te aroha o tetahi ki tetahi. Kaore au i whakaaro me whakaae au ki nga korero ngawari a te Kawanatanga moku, engari i mahara ahau ki nga iwi i uru ki te whawhai kaore o ratou whenua i riro, a kua whakahoa ratou ki te Kawanatanga.

Ko tenei, ka piri ano ahau ki taku tikanga o mua, e kore ahau e whakaae ki nga korero reka a te Kawanatanga kia whai honore ai kia whai taonga ai ranei moku. Engari, kua titiro ahau tera nga iwi kua whakaae kia mutu te noho ke a te Pakeha i te Maori. Ka whakaae hoki ahau ki a whakamutua nga tikanga whakararuraru a te Kawanatanga mo te Maori—nga ruuri, nga Kooti Whenua, me era atu tini mea whakararuraru katoa.

He kupu atu naku ki a koutou. Me whakaae mai koutou te Kawanatanga katoa ki taku kupu e tono nei au ki a koutou mo taku Pire mo te Runanga Kaunihera mo nga rangatira katoa o te motu nei, kia whakaaetia mai e koutou maku he ritenga, timata mai i te rerenga wairua tae noa mai ki te upoko o te motu nei, engari ko koutou ano hei tautoko mai i a au i aku kupu hoki.

He mea naku kia tu taua Runanga Kaunihera hei whakahaere mo nga raruraru e pa ana ki te iwi Maori, ma ratou ano e whakahaere taua Kaunihera, ko au he tangata titiro mo taua Kaunihera, ko koutou hei awhina mai i a au i runga ano i nga kupu a te Kuini o te Tiriti o Waitangi, tae noa mai ki a Kawana Paraone, ka korerotia e ia te kupu a te Kuini: “Ki nga Kawana i haere

mai i mua i a ia, me nga Kawana e tu ake i muri i a ia, kotahi tonu te ritnega mo ratou ko tenei kupu, kia tiakina paitia nga ritenga o taua kawenata o Waitangi kei taka tetahi, a kia-mataara tonu hoki te tiroiro i ona iwi Pakeha, Maori hoki, ki te whakatupu hoki i nga mea e ora ai, e neke ake ai i runga i te pai."

Koia au i ki ai homai ki a au taua Kaunihera, maku hoki e whakahaere, ma koutou e titiro mai, e whakapai, e whakatika. Ki te oti i a tatou, ma te Kuini e whakaae mai i runga ano hoki i te Ture o te Tau 1852, 71 o nga rarangi. I mea ra ka whai mana a te Kuini ki te tuhi i tana reta whai mana i raro i te Hiiri Nui o te Kuingitanga o Ingarangi, ki te whakatu hoki i tetahi i tetahi Runanga Maori, hei whakahaere mo ratou ano—

1. Ko nga mana me nga whenua i whakapumautia e te Tiriti o Waitangi, me tuku rawa ki raro ki te mana whakahaere o taua Runanga Kaunihera.

2. Ko nga Komiti e tu ana inaianei, me tuku rawa ki raro ki te mana whakahaere o taua Runanga Kaunihera, hei whakahaere mo ia takiwa mo ia takiwa puta noa te motu nei.

3. Me tuku rawa e taua Kaunihera he mana ki aua Komiti hei whakahaere i a ratou raruraru, take whenua, me a ratou tautohetohe ki a ratou ano mo a ratou tini raruraru katoa.

4. Kia kotahi turanga i te tau o taua Runanga Kaunihera.

5. Ko nga moni ma taua Runanga hei whakahaere i nga mahi, ko nga takoha a te iwi Maori e riro nei i te Kawanatanga. Tirohia i te Pitihana kua tae ra ki Ingarangi.

6. I penei ai au, kia marama ai te tuku atu o enei take ki te Kawanatanga o te Kuini o Ingarangi, i runga i te kore manaaki i te manaaki ranei a tenei Kawanatanga i runga i aua kupu o Ingarangi.

7. Koia nei au i mea ai, kia ata titiro kia ata whiriwhiri koutou i te aronga o enei kupu katoa, a whakaoti tonu iho kia oti.

(Seal.)

NA KIINGI TAWHIAO.

[TRANSLATION.]

Letter from TAWHIAO to the Hon. the NATIVE MINISTER.

Whatiwhatihoe, 17th May, 1886.

To the Minister for Native Affairs, that is to all the Government, greeting to you all.

FRIEND MR. BALLANCE,—

This is a Bill of mine that I lay before you, concerning the grievances and troubles which have affected me and my Maori people subsequent to the assurances made by the Queen, in the Treaty of Waitangi, to my ancestors and my father, in the year 1840, down to the passing of the Constitution Act in 1852, clause 71.

I continue to look to these assurances: to my mind they appear very clear because of the friendly regard shown by my father to the Europeans.

The first proof of this is, that it was my father, Potatau himself, who settled the Europeans at Waitemata, Auckland, out of his love for them. He it was who said decidedly that the Europeans should be our parents, and he and Governor Hobson went together into the heart of Waikato, reaching as far as Kawhia. Well then, the Maoris befriended the Europeans, and then and there continued to invite them (to come).

Second proof.—At the Treaty of Maraetai his word went forth to the chiefs of Waikato that they should continue to show love and good-will to the Europeans.

Third proof.—When evil broke out at the North with Ngapuhi, my father did not countenance Hone Heke's action. Hone Heke proposed that the flagstaff at Takapuna should be cut down, whereupon Potatau said it would not be right for any person to unwarrantably come and trample on the authority of another, and Potatau steadfastly supported the Europeans at that period.

Fourth proof.—When hostilities commenced at Waitara, in 1860, on the 13th of March, his word went forth to all the chiefs and people that they should henceforth after that adhere to the Gospel and to the law, no matter what happened; for the Gospel is not a treasure that can be purchased, but it is universal, and descended from the great God in heaven; therefore he said fighting should cease between the Europeans and the Maoris in New Zealand, and that all sins great and small should be dealt with according to the law.

This was the last good action of my father before he departed from this world.

And then in 1863 fighting broke out in Waikato, which was a great disaster, and resulted in the loss of our lands. Notwithstanding that there was very much evil in Waikato I steadfastly adhered to the injunctions of my father, and have done so to this day; wherefore we are now living apart in sadness of heart, and are considering by what means we can live in the same happy state as we formerly did, and which was assured to us by the Treaty of Waitangi; therefore we are seeking what can be done for us in the friendly feeling and love of one to another.

I did not consider that I should agree to the liberal proposals of the Government concerning myself, for I was mindful of those people who had joined in the fighting whose lands were not taken, and who have become friendly to the Government.

This, then, I will adhere to my former decision, and will not accept the tempting proposals of the Government to do me honour and give me property. However, I see that there are tribes who have agreed that the Europeans and the Maoris should cease to be apart. I, too, will consent that the institutions of the Government that cause trouble to the Maoris—namely, surveys and the Native Land Court—should be put an end to, and the many other things that create evil.

I address you all; do you, all the members of the Government, consent to what I ask of you concerning my Bill for the establishment of a Council for all the chiefs of this island, that you should consent to my having the administration, commencing at the place of the departing of spirits (North Cape), and from thence to the head of this island (Cook Strait), you to support me and my word.

I wish that Council to be formed to deal with all the troubles affecting the Maori people, that Council to be conducted by them, I to overlook matters in that Council, and you to support me in accordance with the assurance given by the Queen in the Treaty of Waitangi, and down to Governor Browne's time, who notified the Queen's word—viz., that "Her Majesty had instructed the Governors who preceded him, and she will instruct those who come after him, to maintain the stipulations of this Treaty inviolate, and to watch over the interests and promote the advancement of her subjects without distinction of race."

Therefore it is that I say, grant me that Council, and I will administer it; you can consider, and sanction, and give effect to it. If we together settle it, the Queen can confirm it in accordance with the 71st clause of the Constitution Act of 1852, which provides that it shall be lawful for Her Majesty, by any letters patent to be issued under the Great Seal of the United Kingdom, to constitute Maori Councils for the government of themselves.

1. All the rights and lands confirmed by the Treaty of Waitangi to be placed under the administrative authority of that Council.

2. The Committees at present established to be placed under the administrative authority of that Council, to deal with matters in each district in this island.

3. That Council to give the Committees power to deal with their difficulties, land claims, disputes, and other troubles concerning themselves.

4. The Council to meet once a year.

5. The revenue for the use of the Council to be the taxes received by the Government from the Maori people. See the petition sent to England.

6. I do this in this manner in order that these subjects may be clearly brought before the Government of the Queen, whether entertained by this Government or not, in accordance with those communications [literal "words"] from England.

7. Therefore I say, do you carefully look into and consider the bearing of all these words, and bring this matter to a definite conclusion.

(Seal.)

KING TAWHIAO.

No. 2.

E HOA E TAWHIAO,—

Tari Maori, Poneke, Hune 8, 1886.

Tena koe.

Kua tae mai to pukapuka o te 17 o nga ra o Mei, na to taua hoa na Henare Kaihau i kawē mai, he kupu mai nau mo nga mate i pa ki a koutou ko to iwi i muri iho i te Tiriti o Waitangi.

I whai kupu koe i roto i taua pukapuka mo runga i "Te Ture whakamana i te Tikanga Whaka-haere Kawanatanga mo Nui Tirenī" 71 o nga rarangi, e mea ana, ka whai mana Te Kuini ki te whakaputa Ki Runanga whakarite tikanga whakatu Huihuinga Rangatira Maori hei whakaaroaro i nga tikanga o nga mea e pa ana ki te iwi Maori ake ano.

Ka nui taku koa i taku korerotanga i o kupu whakaatu mai i nga mahi o to papa o Potatau, i arohaina nuitia e nga Pakeha o te Koroni i runga i te tika o taua mahi me ana whakaaro pai, a e maharatia nei ano inaianei ana mahi i Niu Tirenī nei. Kei te tika to kupu i ki ai, i piri tonu ia ki te Pakeha, me tana kaha ki te houhou rongo.

Ko taua pai i te putanga o tana kupu i te Tiriti o Maraetai ki nga rangatira o Waikato, i mea ai ia kia mau ki te aroha ki te atawhai ki te iwi Pakeha; tana whakahe hoki ki te kupu a Hone Heke kia tapahia te kara i Takapuna i taua wa; tana kupu hoki kia houhou te rongo i te aranga o te pakanga ki Waitara i te tau 1860, i mea ai ia kia mutu te whawhai, ko nga hara katoa me whakawa ki te ritenga o te ture; na enei pai katoa o taua tangata ingoa rongo nui e tapu ai ia, a na runga hoki i ena e tika ana kia manaakitia kia atawhaitia tana tama e te Kawanatang ame nga tangata o Niu Tirenī.

Kei te ki mai koe e Tawhiao, i te tupunga o te pakanga ki roto o Waikato i mau tonu koe ki nga kupu a to papa a tae noa mai ki tenei ra, ahakoa i whawhai atu to iwi ki a Te Kuini; e ki ana hoki koe "me te whakaaro ka pewhea he ritenga mo matou, e noho tika ai e rite ai ki to matou ahua tawhito i runga i te pai i te aroha o tetahi ki tetahi."

He mea tika, i te whakaaturanga tikanga mai kia whai mahara mo koutou tahi ko to iwi; ki taku titiro atu he whakaaro rangatira tena nau, a na tena whakaaro au ka mohio ahau e mahi ana koe i runga i te ngakau tapatahi, kahore i whakaaro i te tikanga mou ake, engari he hiahia pono nau kia nui haere te pai me te ora o to iwi Maori. Ko taku hiahia tenei ko te mahi e mahia a muri ake nei kia puta ai te pai mo te katoa, ehara i te mea ko nga tangata takitahi kia whakanuia ake.

Kua pumau te rongo inaianei i waenganui i te Kawanatanga me nga Maori o Nui Tirenī. Ko nga raruraru o toe nei kahore he tino tikanga i roto, engari ka taea te tu whakahaere mo ena te whakarite e te Minita mo te Taha Maori ratou tahi me nga kai korero o nga iwi Maori i runga i te ata korero.

E korero atu ana ahau i runga i te ingoa o nga iwi Maori katoa i au ka ki atu kahore ratou i te whakahe ki te Ruri me te Kooti Whakawa Whenua Maori, engari na runga i ta ratou hiahia i tu ai te Kooti ki te whakapumau i te take o te tangata ki o ratou whenua. Heoi, i au e hapai nei i te Kooti Whakawa Whenua Maori he whakamana kau taku i te kupu tuturu o te iwi he mea whaki e o ratou rangatira i ia wa, i ia wa. Kua koe e pouri i au e ki atu nei ki taku titiro kei te he to mahi arai i te iwi i runga i ta ratou hiahia kia whakatuturutia nga take o te iwi, o te hapu, o te tangata ki te whenua. Ki a koe, ko te mea pai rawa mo te iwi, kia kaua he Kooti; ki taku whakaaro, ko te mea pai rawa mo te iwi, kia tu he Kooti. Tena, kowai hei whakatau i te tika o tau, o taku ranei? Ko taku tenei, me waiho ma nga tangata na ratou te whenua e whakatau.

Ko to tono kia whakaturia he Runanga Kaunihera mo nga Rangatira katoa o te motu nei, he mea tino nui rawa tena, a i runga i taku i whakaatu atu ai ki a koe i Areka, kua tukua e ahan taua mea kia whakaarohia e te Runanga Minita. A, e mahara ana nga Minita kua riro te

Extract from
address by
His Excel-
lency the
Governor to
the Maori
chiefs assem-
bled at Waitemata, July
10th, 1860.
(Kohimarama
Conference.
E. No. 9,
1860.)

mana o te Kuini e ahei ai ia te whakatu he Runanga Kaunihera i te Paremete o Niu Tirenī, a me kimi i runga i te tikanga Pire.

Kei te whakaaro ano hoki nga Minita kua pahure ke te wa e ahei ai ratou i runga i te tikanga Kawanatanga ki te whakaae atu i taua tono, a tenei ka korerotia nei e ahau tetahi wahio o te tekiona 71 o "Te Ture Whakamana i te Tikanga Whakahaere Kawanatanga mo Niu Tirenī."

Notemea ka tau pea kia waiho kia mana ana *inaianeī* nga ture me nga tikanga ano a nga tangata Maori o Niu Tirenī, kahore nei e kino ana, e takahi ana i nga tikanga e ora ai te tangata, kia taea ai e ratou te whakahaere i a ratou ano i runga i a ratou tikanga katoa me a ratou mahi ano ki a ratou ano.

Ka whai mana Te Kuini ki te tuhi i tana Reta Whai Mana i raro i te Hiiri Nui o Te Kingitanga o Ingarangi i ia wa i ia wa, ki te whakatakoto ritenga mo runga i nga tikanga kua kiia i mua ake nei, &c.

Heoi, i runga i enei korero e marama ana ko nga Kaunihera i meingatia ra ehara i te Kaunihera tuturu, a mehemea i whai tikanga aua Kaunihera i runga i te ritenga o te tau, 1852, e kore e whai tikanga mo te tau, 1886. Kihai hoki i meingatia tenei ritenga hei ritenga tuturu, a mehemea ka whakahaerea he ritenga pera *inaianeī*, i muri mai i nga tau e toru tekau-ma-wha kua pahure atu nei, ka rere ke tena i te tino tikanga o Te Ture Whakamana i te Tikanga Whakahaere Kawanatanga mo Niu Tirenī.

Tetahi hoki, e whakaaro ana nga Minita e kore e kotahi nga iwi e rua e ahei ai raua te noho tahi ano he iwi kotahi i runga i te ritenga e tonoa nei, engari ma tena ka wehe ke ai raua, a ka ara ake nga Kawanatanga e rua, me te rere ke o te mana o tetahi o tetahi, me te puta nui o te raruraru, ko tona tukunga iho pea he mate nui ki te iwi Maori.

Kahore a matou whakahaweatanga atu mo o whakaaro e rapu nei koe i tenei tikanga kia puta ai he pai ki te iwi Maori, engari me ata titiro nui ke matou ki nga tikanga e puta pea i muri atu, kaua ia e mahara ki nga whakaaro ahakoa i whakahaerea ponotia, ko te taunga iho he kino pea.

Ko te mahi o Te Kawana me ana Minitia he whakarite i te kupu a Te Kuini, kua korerotia nei ano e koe i roto i to pukapuka ara "Kia mataara tonu hoki te tiroiro i ona iwi Pakeha, Maori hoki, ki te whakatupu hoki i nga mea e ora ai e neke ake ai i runga i te pai." Ki to nga Minita whakaro, e kore e puta he ora ki nga iwi Maori, e kore ratou e whairangatiratanga i runga i te ritenga e tonoa nei, engari ka wehea ketia kia rua nga iwi me te tau o te mate ki runga tahi i te Maori me te Pakeha.

Heoi, i te mea kua korerotia te kupu i mua ake nei, kahore he tikanga e whakahoki nui ai te kupu mo era korero i roto i to pukapuka mo nga mana kia tukua atu ki te Runanga Kaunihera e meatia ana e koe kia whakaturia, otia e taea ano te whakaatu mehemea he tika kia tu te Kaunihera hei whakahaere i etahi mahi, kei te nui rawa, kei te he hoki ki nga iwi e rua nga mana e meingatia ana e koe kia tukua atu ki taua Kaunihera, a ki te whakaaetia tera e puta nui te mate ki te iwi Maori ano.

A i te mea hoki ko te mahi a te Kawanatanga he whakaaro i te tikanga tino pai mo te Maori raua tahi ko te Pakeha, e kore e taea e ratou te whakaae atu he tikanga e puta ai pea he raru ahua rite nei te taimaha ki nga raru i mate ai nga Maori i mua, ko tona taunga iho pea he pouritanga he raruraru tuturu i waenganui i nga iwi e rua.

I au e whakapuaki atu nei i nga mahara o nga Minita mo runga i tenei mea, kahore he whakaro whakahawea atu i to hiahia i runga i te whakaaro pono, tapatahi kia whakahaerea te tino painga mo te iwi Maori.

Ahakoa whakaaro nga Minita i runga i te ata hurihuri, mo nga take kua kiia e ahau i mua ake nei tera ka tau he mate ki nga Maori ratou tahi me nga Pakeha i runga i te mea e tonoa nei, a e kore e tika maku e tuku atu ki te Paremete, engari ka whakaae ahau ki te whakaatu atu i te ara e ahei ai koe te tuku hohoro atu he Pire pera ki te Paremete i runga i te utu kore, a mehemea ka whakaaetia e koe te kupu i kiia atu e ahau ki a koe i Areka, ka taea ano e koe tonu te tuku i to tono ki te Paremete mo runga i taua mea.

He kupu whakamutunga tenei naku ki a koe, ahakoa e kore ahau me oku hoa Minita e ahei te whakaae atu ki o kupu mo te Kaunihera, kei te tino hiahia matou kia mahi tahi tatou i runga i te whakahoatanga kia meatia he tikanga e tau ai te ora ki runga ki to iwi, me to matou tino hiahia kia whakatatuturia to whakaaro, a kia tino mahi tahi koe me te Kawanatanga kia tae ki te mutunga pai.

Na to hoa,

NA TE PARANIHI.

[TRANSLATION.]

Letter from the Hon. the NATIVE MINISTER to TAWHIAO.

FRIEND TAWHIAO,—

Native Office, Wellington, 8th June, 1886.

I have received your letter of the 17th May, by the hand of our friend Henare Kaihau, concerning the grievances which have affected you and your people since the making of the Treaty of Waitangi.

In this letter you draw attention to the Constitution Act of New Zealand, clause 71, where the Queen has the power by Orders in Council to provide for the meeting of Native chiefs for the purpose of deliberating upon affairs peculiar to the Maori people.

I have read with great pleasure the personal history you give of your father Potatau, whose life and conduct endeared him to the Europeans of the colony, and whose memory is still cherished in New Zealand. For it is true what you say, that at an early period of the colony he was the consistent friend of the Europeans, and a staunch advocate of peace.

His action in reference to the Treaty of Maraetai, when his word went forth to the Chiefs of Waikato, that they should continue to show love and goodwill to the colonists; his disapproval of Hone Heke's proposal to cut down the flagstaff at Takapuna, and his support of the Europeans at that period; his declaration of peace when hostilities commenced at Waitara, in 1860, when he gave his word that fighting should cease, and that troubles should be dealt with according to the law; are all events in the life of this great man which consecrate his memory, and claim for his son the respect and goodwill of the Government and people of New Zealand.

You, Tawhiao, tell me that when fighting broke out in the Waikato you steadfastly adhered to the injunctions of your father, and have done so to this day, though your people have fought against the Queen; and you say, "We are now considering by what means we can live in the former state of peace and friendly feeling."

It is right that, when terms are proposed, you should consider the people equally with yourself; and in this matter I think you have acted with magnanimity and unselfishness, and with a sincere desire to promote the welfare of your race. It is my desire that whatever may be done in the future shall be for the welfare of the whole people rather than for the aggrandisement of individuals.

At the present moment permanent peace has been established between the Government and the tribes of New Zealand. The difficulties remaining do not amount to any great principle, but are matters of detail which can be arranged amicably by conference between the Native Minister and the representatives of the various tribes.

I speak in the name of almost all the tribes, when I say that they are not opposed to the surveys or the Native Land Court, but, on the contrary, it is by their wish that the Land Court is held to establish the right of the people to their land. When, therefore, I uphold the Land Court I am only giving effect to the deliberate will of the people expressed through their chiefs again and again. Do not be offended when I say that I think you are wrong in preventing the people from trying to establish their tribal, their hapu, and their individual rights to the land. You think it best for the people that there should be no Courts. I think it best for the people that there should be Courts. Who, then, shall decide between us? My answer is, Let the people who own the land decide.

Your request for the establishment of a Council for all the chiefs of the island is a subject of so much importance that, as I intimated to you at Alexandra, I have submitted it for the consideration of the Cabinet. Ministers think that the power to call such a Council together has passed from the Queen to the Parliament of New Zealand, and must be sought for by a Bill.

Ministers consider also the time has passed when they could as a Government adopt the proposal, and in support of this I will quote a portion of section 71 of the Constitution Act:—

And whereas it may be expedient that the laws, customs, and usages of the aboriginal or native inhabitants of New Zealand, so far as they are not repugnant to the general principles of humanity, should *for the present* be maintained for the government of themselves in all their relations to and dealings with each other.

It shall be lawful for Her Majesty, in and by any Letters Patent to be issued under the Great Seal of the United Kingdom, from time to time to make provision for the purposes aforesaid, &c.

It seems clear from this that the Councils referred to were only to be of a temporary nature, and though they might have been applicable to the state of affairs in 1852, they would not be so in 1886. It was not intended by this provision that they should be permanent institutions; and to introduce them now, after the lapse of thirty-four years, would be acting directly contrary to the spirit of the Constitution Act itself.

Ministers, moreover, are of opinion that, so far from uniting the two races and enabling them to live together as one people, the proposal would tend to estrange them and set up two Governments, each possessing independent authority, leading to innumerable difficulties, which might be attended with disaster to the Maori people.

Your motives in seeking this measures to promote the welfare of the Maori people we do not question, but we are compelled to look at the results which would probably follow, rather than to well-intentioned motives which might end in evil.

The duty of the Governor and his Ministers is to carry out the Queen's word, which you have referred to in your letter—namely, "To watch over the interests and promote the advancement of Her subjects, without distinction of race." It appears to Ministers that, so far from the interests of the Maori people being advanced by the measure, a distinction of race would be drawn which would be injurious alike to Maoris and Europeans.

It is not necessary, after what has been said, to answer in detail the portion of your letter relating to the powers which might be intrusted to the Council you propose to establish, though it would be easy to show that, even were it advisable to create such a Council to do certain things, the powers which you would intrust to it are so excessive and so contrary to the interests of both races, that its establishment would be attended with great evil to the Maoris themselves.

As the Government, therefore, are bound to consider what is best for the Maoris as well as for the Europeans, they cannot agree to adopt a course which might lead to trouble hardly less disastrous than any which has yet come upon the Maori people, and which might end in lasting bitterness and complication between the two races.

In thus freely and unreservedly expressing the opinion of Ministers upon the subject, there is no wish to impeach your good faith or sincerity in desiring to do that which is best for the Maori people.

While Ministers, therefore, after careful consideration, are of opinion, for the reasons I have here stated that such a measure would be injurious to both Natives and Europeans, and cannot be introduced into Parliament by me, yet I am prepared to give you the utmost facility to introduce such a Bill without expense or delay, and if you accept the offer I made at Alexandra you can yourself make your appeal to Parliament on the subject.

In conclusion, I wish to say to you that, although my colleagues and myself cannot agree with you as to the Council, we earnestly desire to have your valuable assistance in arriving at what may be for the good of your people, and trust that you may still carry out your intention, and work cordially with the Government to that end.

From your friend,
J. BALLANCE.

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