

decide for the benefit of the natives; with which request he immediately complied, as will appear by his letter a copy of which is herewith enclosed.

The natives of this place are scattered over a large tract of country, whence great difficulty arises in cases of sickness amongst them, in administering medical relief; again, medical men complain that in many instances the medicines they prescribe have not the usual fair chance of success, for want of the patients being kept properly warm and sheltered from the weather, when under their influence.

I have the honour to recommend that the (£200) two hundred pounds (the sum at which I have valued the guns) should be laid out in building a Maori hospital upon the native town reserves (half an acre), and I have reason to believe that sum would be sufficient to build a male and female ward, a receiving-room with a bath, and a kitchen, which might also be used as the residence of the Maori nurse appointed to take care of the hospital.

This would afford the opportunity to the white population who are disposed to assist the natives in times of sickness, to direct their charitable efforts to a concentrated point where an arranged plan would be more likely to be generally useful than single acts of assistance rendered in individual cases. It would also be much more convenient to the medical men, and enable them to devote more time to these patients; and, lastly, it would in my opinion effect a great moral improvement in the condition of the natives, by teaching them some of our civilized habits, and how much cleanliness contributes to restore them to health; as well as convincing them that the reserves are really intended for their benefit; and that one of the objects, at least of many of the Europeans coming to reside amongst them, is substantially to improve their condition.

I have mentioned my plan to the different ministers of religion here, to the police magistrate and the resident agent, and they all approve of my suggestion.

I have taken every pains to impress upon the principal as well as the resident agent of the New Zealand Company, the absolute necessity of not giving out to the Europeans at present, any spots of land within the block the natives object to part with, but to put them upon those places which are not disputed, and that no force must be used in taking possession of land, nor will any act of violence or aggression towards them be for one moment permitted, and they have both promised to attend to my suggestions.

I have, &c.,

WILLIAM SPAIN.

His Excellency the Governor.

No. 8.

JUDGMENT OF MR. COMMISSIONER SPAIN, DELIVERED AT TARANAKI ON THE 8TH JUNE, 1844.

This day (June 8th) the Commissioner pronounced judgment in the case of the claim on the part of the New Zealand Company to land in the Taranaki district.

Case No. 374 D.

Case No. 374 E.

At 10 A.M. a considerable number of natives, as well as many Europeans, settlers, assembled.

The Commissioner inquired of Mr. Protector Clarke if he considered there were a sufficient number of natives assembled. Mr. Clarke replied in the affirmative; and the Commissioner having offered him the opportunity of making any explanatory remarks to the natives, proceeded to read his judgment as follows:—

“In pursuance of what I announced on the adjournment of my court on Thursday, I shall now proceed to state the substance of what my Report will be upon the claim of the New Zealand Company to the block of land in this neighbourhood, containing about 60,000 acres, as shown upon the plan now on my table, with the exceptions and reservations that I shall hereafter describe.

“Having heard all the witnesses called by Colonel Wakefield in support of the claim, as well as the evidence that Mr. Protector Clarke has deemed it necessary to adduce on the part of the aborigines, the strict course of my duty as Commissioner would be now to close my proceedings, without stating any opinion upon the case, and to make my report to his Excellency the Governor.

“But I feel that if I were to do so on this occasion, I should omit an opportunity of benefiting both races in this settlement; and, considering the time that has already elapsed since the first arrival of the Europeans here, and the difficulties that have arisen from the uncertainty as to the title of the New Zealand Company to the land in this district, I, as the officer appointed by Her Majesty to investigate and determine titles and claims to land in New Zealand, should be evincing a want of zeal and anxiety to perform my duty in the spirit in which I conceive the execution of my commission was entrusted to me, if I left the settlement without informing both races the result of my recent investigation.

“I have given the evidence adduced before me my most anxious and careful consideration, and, with the most scrupulous determination to perform my very difficult duty with impartiality, justice, and firmness, I have arrived at the conclusion that the New Zealand Company, by its agents, did make a fair purchase of the block of land, containing about 60,000 acres, delineated upon the plan before me, with the exceptions hereafter to be mentioned, of the resident natives of this district, who had been for some years in quiet possession of it.