

## MINUTES OF EVIDENCE

TAKEN BEFORE

## THE WAIKATO COMMITTEE.

THURSDAY, THE 27TH DAY OF SEPTEMBER, 1860.

PRESENT:

Mr. Hunter Brown,  
Mr. Domett,  
Mr. Williamson,  
Mr. Fox,

Mr. Dillon Bell,  
Mr. Forsaith,  
Mr. Heale,  
Mr. King,

Mr. Sewell in the Chair.

Mr. Fenton called in, and examined.

F. D. Fenton, Esq.

1. *Chairman.*]—Would you state to the Committee generally your antecedents in this Colony, how long you have been here, and under what circumstances you went to the Waikato?—I arrived in the Colony in 1850, shortly after which I accompanied Mr. Purchas and others in a tour up the Waikato, and with Mr. Ligar subsequently negotiated with Potatau and Ngatimahuta for a tract of land at Taupiri, but the negotiation failed. I had no official appointment then. I am a solicitor. I made up my mind to live in the interior, and finally I obtained a long lease from the Natives in 1850 of a tract of land on the south bank of the Waikato, where I lived for 2 years or more; during which time I acquired the Native language, and was in constant intercourse with the Natives. During my residence on the Waikato, I was offered by Sir G. Grey, when staying at my house, an office under him. I had accompanied him in a journey on the Waikato. I accepted an appointment in the Deeds Office, which I held about 6 months. I was then appointed by Sir G. Grey to the Resident Magistracy of Kaipara; and remained there till March, 1856, when I obtained the appointment of Native Secretary to Colonel Gore Browne, the present Governor. I retained that office for 8 months, when I was appointed Resident Magistrate at Whaingaroa. I left Whaingaroa in June, 1857, and was appointed Resident Magistrate at Waikato. Immediately after the Session of the General Assembly in 1858, I was sent for to Auckland, and offered the appointment of Assistant Law Officer, which office I have held ever since. Whilst I was at Whaingaroa, I made a Report to the Government—the printed Report of March, 1857. It was in consequence of that Report that I was appointed under the Treasury Letter of May, 1857, to the Resident Magistracy of Waikato. During the time I was Resident Magistrate at the Waikato, I made a return of my journal to the Government—I mean the printed journal; that is the only journal of any importance I furnished to the Government. This journal was accompanied by the letters which have been printed. In August, 1857, I returned to Auckland, and was engaged by the Government in compiling the book called *Laws for the Use of the Natives*.

2. Was that compiled by yourself?—It was entirely, subject to the correction and revision of the Attorney-General. Mr. Smith translated it. I remained in Auckland some months, and then returned to the Waikato, and on the 24th April, 1858, I made a further return of my journal to the Government, which is printed. I retained the appointment of Resident Magistrate at Waikato till August, 1858. I should desire to add, that during the last part of my sojourn in the Waikato, I was engaged in collecting the Native Census for the Waikato district, comprising about 11,000 people, and compiling that for the whole Colony; and I then wrote a paper on the decrease of the Native population, which was printed by the Government.

3. Are there any other minutes, reports, or documents which you consider this Committee ought to have before it, besides the printed papers laid on the Table?—In paragraph 3, page 1, you speak of a previous minute?—The minute referred to I have no copy of. I last heard of it in the Native Department. I am led to suppose it has been lost. I have inquired for it, but it could not be found. There are letters on this subject in the possession of the Government.

4. Did you keep a record of your proceedings while Resident Magistrate at Kaipara?—I did not.

5. Have you ever forwarded any other minutes, reports, &c., other than those printed papers now before this Committee on this question, or varying materially from them?—There is the previous minute referred to in my first paper. I have written very few letters bearing on this question besides what are in the printed papers. I have never written, to the best of my recollection, anything substantially at variance with these reports. I have not been careful to preserve my correspondence with the Government. I had a letter book, which I will produce, if desired. Copies of all my correspondence can be obtained from the Government.

6. Would you state whether or not you have seen occasion to alter your views expressed in your Report?—I have not, I retain those views.

7. Are you acquainted with Mr. Armitage at the Waikato?—I am.

8. Does he hold any official appointment there?—No, he is a settler, he came to this Colony in the same ship with me; he has resided at the Waikato ever since his arrival in the Colony.