

*J. Armitage, Esq.*

56. *Mr Forsaith.*] Who was that Magistrate?—Mr. Harsant.
57. *Mr. Fox.*] Did the arrival of Mr. Fenton in the district appear to you to supply the desideratum of system in that particular?—Undoubtedly.
58. *Mr. Domett.*] Do you think nothing was done by written communications with chiefs from the Government offices here towards that object?—I am not aware, I never witnessed any effects of it in Waikato.
59. *Mr. Williamson.*] Did Mr. Harsant act by himself or did he have the aid of Native Assessors?—By himself I believe, I am not aware of any instance in which he had Native Assessors.
60. Had there been any Native Assessors appointed at that time?—I think Ta Kerei was in office at that time, but I know of no other Assessor—others have been appointed since.
61. Did Mr. Harsant hold courts in various parts of the district?—At Rangiaohia only.
62. Did the Natives customarily refer their disputes to him at that time?—I think so, but chiefly disputes between the Natives and the Europeans; not between the Natives themselves. He had an interpreter. I could not speak positively, but am inclined to think they did generally refer their disputes to him.
63. *Mr. Forsaith.*] Can you give any instances of Mr. Fenton's influence after his appointment?—None except the general respect paid to his decisions, and the anxiety of the Natives to avail themselves of his mode of administering justice.
64. Do you mean to say this desire was very general?—It was so in my district.
65. Are you aware of any opposition to his proceedings on the part of the older chiefs?—On the contrary, the elder chiefs supported him. Even Pukewhau te Wharepu, who was supposed to be the greatest chief in the Waikato, was a principal supporter of his. I speak of the Lower Waikato.
66. Did you know Potatau personally?—I did.
67. Did he support Mr Fenton?—I cannot say from my own knowledge.
68. Did you ever hear him express any dislike of Mr. Fenton's proceedings?—Certainly not; at a meeting at Paetae, when he was present, I was informed by the Tribe that he had assented to Mr. Fenton's plans. I did not hear it from himself.
69. With reference to the Upper Waikato, are you aware of any influential and decided opposition to Mr Fenton's proceedings there?—I heard by general report the opposition was strong.
70. From your long residence in the country, supposing that opposition to be very decided, do you think that if Mr. Fenton had remained in Waikato his proceedings would have resulted in a war between the opponents and supporters of his system?—I have a very decided opinion on that point: I believe that instead of causing a war, it would have terminated in forming a strong bond of union between the two races, European and Native. [*Question repeated.*] I do not; I think that ultimately the opponents would have been brought in to be supporters.
71. As far as the interests of the European settlers and Natives generally were concerned, do you think that Mr Fenton's system if it had been continued would have been beneficial?—Undoubtedly; I wish to put in as evidence a letter written by me to the *Southern Cross*, 26th February, 1858, in order to show that my opinions were then the same, and that I am not "a prophet after the event." [*Letter put in and read.*]

TO THE EDITOR OF THE *Southern Cross*.

I have read with considerable gratification your leading article of the 5th instant, and am glad you have had an opportunity of making yourself personally acquainted with the feelings of the Natives in reference to the "King-ship," and drawn public attention thereto. I can confirm, in almost every respect, the truthfulness of your statements. The cause of the delay in carrying out the Runanga, or local system of Justice, is to me most unaccountable.

I was present at a meeting at Paetae nearly 12 months ago, when the Governor, through Mr. McLean, assented to the request of the Natives to give them the Runanga, and the Resident Magistrate to carry the latter into effect: the last promise was immediately performed by the appointment of Mr. Fenton; and the Natives at once erected commodious Court Houses. Native kai whakawas (magistrates—not assessors) were also appointed, or rather elected, by the Natives, to act along with the Resident Magistrate, in each important settlement. For a time all went smoothly as the marriage-bell. Mr. Fenton took his first (and so far the last) Circuit, and, along with the kai whakawas, held a Court at each settlement. Their decisions gave general satisfaction; the Runanga was the subject of discussion amongst the Natives; every dispute, extending even to that most vexatious question—land claims—was agreed to be referred to it. The Queen's party were now in the ascendant, and nothing was wanting to make the scheme universally successful but a vigorous prosecution of it, when suddenly a blight appeared; the do-nothing policy, so graphically described by you, prevailed, whether owing to official red-tapeism or other causes I know not; suffice it to say that the Runanga, like the King movement, was from that time allowed to take its own course, and I do now most fully coincide with you that, unless the Government take immediate action in the matter the result will be a fusion of the two parties: a climax much to be regretted.

I trust that, as you have turned your attention to this most important subject, you will not cease your efforts until you have prevailed upon the Government to complete the good work so auspiciously commenced. "Better late than never," is applicable here; and although there is a strong prejudice existing in the minds of the Queen's party that they have been deceived (or as they express it—"He whakaae kau ana te Kawana ki te matou runanga,") yet energetic action would soon tend to