

come to clear land for cultivation on the other side of Waitara, (the name of the cultivation was Wharenu,) the old chief said that he should return to his own place, and that Waitara should be let alone for our own use. (I myself heard these words in 1842-43.) None of the Waikato and *Ngatimaniapoto* had settled there before the Pakehas came to New Plymouth. Nui-tone Te Pakaru was the first. Therefore one of those old chiefs, Ngarau-rekau, went from Waikanae to keep possession of Waitara, lest *Ngatimaniapoto* should come back, and *Ngatimaniapoto* altogether gave up Waitara, even up to the time of Wiremu Kingi's migration thither. (I except Peketahi, who went there on the ground of his wife's title.)

Further, Wiremu Kingi was a friend to the Pakehas of Wellington. In December, 1843, we went from Waikanae, (having Archdeacon Hadfield with us,) and found Haerewaho being tried by Mr Halswell in the Court House at Wellington. He was found guilty, and was taken to prison. Then all the Maories of Wellington rose up in arms against the Pakehas of the town, but Wiremu Kingi hastened to quiet them, and there was an end of it.

Again, in 1846, there came a message from Governor Grey to Wiremu Kingi, to go to him to Kapiti on board the man-of-war called the "Castor." We went, and then Governor Grey asked Wiremu Kingi to go to Te Paripari to deter his enemy Rangihaeata. Wiremu Kingi immediately consented. His regard for Rangihaeata did not prevent him. The next day, we came across to Waikanae, and Wiremu Kingi immediately urged his people to go to Te Paripari. They slept at Whare-roa, and the next day reached Te Paripari. I also went with him. His party numbered 140. From thence I returned to Waikanae. He and his party caught eight men from Whanganui who had joined Rangihaeata. When these men were caught, they cried out, "Stop a bit; who knows that you will not be treated in this way in time to come?" Wiremu Kingi bears this saying in mind. After this they were taken to Waikanae, and put on board Governor Grey's steamer. Some of the Pakehas have probably seen these men who were caught by Wiremu Kingi. And where is the help now with which the Governor requites Wiremu Kingi? Wiremu Kingi was always one who upheld the Government. He never in any way recognised the Maori King, up to the time of the fighting about Waitara.

This is all I have to say.

From your loving friend,

RIWAI TE AHU (43).

In these documents the grounds of the opposition to the Government are clearly disclosed (44). The right of the whole Tribe and the rights of individual owners are both maintained. It is averred that the whole Tribe did not consent:—an averment which is not even contradicted by the Government, for the Government has contented itself with ignoring the tribal right.

If anything be plain in the case it is this, that the whole Tribe never have consented to part with the Waitara land (45). Upon this fact William King stands; and but for this fact, we should in all probability, never have encountered any opposition. In the case of the Bell Block, where every one interested in the Block agreed to the sale, William King's opposition was withdrawn (46). In that case he ceased to oppose, when his people assented. In this, he opposes steadfastly, because his people steadfastly dissent.

8. These adverse claims reach us also through other channels.

Dr. Featherston, the Superintendent of the Province of Wellington, after the outbreak of the troubles at the Waitara, visited some chiefs of the *Ngatiawa* who still live in the valley of the Hutt. What took place on that occasion, was thus stated by Dr. Featherston, in his place in the House of Representatives, on the 7th of August last:—

"'What,' (said Dr. Featherston,) 'did you not mean to admit that William King had no title to the land, no right to forbid the sale?' The words were scarcely out of my mouth before Wi Tako, Te Puni, and other chiefs present, cried out, '*Kahore, kahore*. The Governor is in the wrong. Wi Kingi has land in the block, his wife has land, his son also: Te Puni and others (mentioning a great number of names) all own portions of the land sold by Teira.' Wi Tako and Te Puni then explained that the land was divided into small allotments; that those allotments were marked out by stones; that many of them (the allotments) had names, and said if we would accompany them to Waitara they would point out the allotments of each individual. Wi Tako added, 'Teira had no more right to sell the 600 acres, than a man owning one acre in Wellington would have a right to sell the whole town.'"

Mr. Fitzherbert, Member for the Hutt district, also stated in the House,—“These (Te Puni and others) are all loyal men; and these statements have been made not only to me, but to others. They have drawn the plan of Waitara on the sand and on paper, and they have pointed out the owners of the several allotments, and they say that William King was right, and that Teira had no title to sell the land.”

9. The foregoing documents and statements are not set forth here as if the averments therein were necessarily true. They are only set forth as shewing what is in effect averred by the adverse claimants. That some of these averments are honestly made, I cannot doubt. I have known Riwai Te Ahu for years. At one time I was in the habit of talking with him daily, for months together. He is a very intelligent, and, I believe, a thoroughly honest man.

We are not at liberty to assert these claims to be true, without investigation; neither are we at liberty to assert them to be false, without investigation. They raise plain issues, on which depends the justice or injustice of the course taken by the Government (47). To ascertain whether they were true or untrue, was the very business and duty of the Government.

How did the Government discharge its duty?

IV.—*The Investigation.*

1. The Governor had accepted the offer of Teira, subject to an investigation of the title. If the seller could make a good title, the Governor would buy the land. We have seen that the matters in dispute involved numerous and weighty points, both of law and of fact. Among others, the following questions arose:—“What is the Community, and what the Chief, whose consent is needed? or, if their consent is to be dispensed with, can the Governor lawfully dispense with it? What was the effect of Potatau's cession? Who are the other claimants, besides Teira and his party? Do they consent? What are their claims? Are those claims valid?”