

his friends that the quarrel at the Waitara was W. King's affair, not theirs; it was a question about land only, and did not concern the Maori king. The following is a correct version of the letter:—

Waitoki, Taranaki, April 10, 1860.

This is a message from me to Waikato, that you may have a clear understanding about this foolish work of the people of Taranaki. I have come here and have ascertained the grounds of this trouble. It is as follows:—

This is another word. Go, my messenger, to Tikaokao at Tongaporutu, to Wetini at Tarariki, to Takerei at Te Kauri, to Aikaka at Papatea, to Reihana at Whataroa, to Wetini at Hangitiki, to Eruera at Mohoanui, to Paetai at Huterangiora, to Te Heuheu at Taupo, to Paerata at Te Papa, to Te Ati at Arohena, to Epiha at Kihikihi, to Ihaina at Hairini, to Hoani, to Hori te Waru, to Tamahere, and to Tamihana at Rangiaohia; to Rewi at Ngaruawahia, and indeed to all of you who requested me to give you a correct account. It is this:

My friends, this trouble belongs to Wiremu Kingi. Another trouble belongs to the Taranaki people, greater than all the evils of the world. Let your thoughts be consistent with your promises to me, which we have seen. Friends, your business is to do only that which is right. Do not look in this direction towards the foolish things of the world. Friends, do you listen. Formerly was the wrong; afterwards came the right. The only thing about which you have to concern yourselves, is the word of the great Father in Heaven. I mean, one end of the cord is above, one end reaches down to earth. Let that be our warfare. Let this word of yours to me prove true.

Friends, do you listen. The ground of this trouble concerns the land only. It does not concern the King. Do not you be led astray by the evil spirit.

From your faithful friend in the Lord,

WI TAKO NGATATA.

The interpretation adopted by Mr. Richmond was expressly repudiated by Wi Tako himself in the presence of Dr. Featherston, as we have seen above. (p. 11.)

It is to be observed, that Mr. Richmond's remarks are confined to the question of *William King's* right to interfere. He treats that as being the only question. The rights of other claimants are not noticed.

On such evidence as the above, the Government was prepared to assert a title to the block (53.)

6. It may be asked "What was the especial need in this case of a public and judicial enquiry?" "Had not nearly the whole of the Southern Island, and large tracts in the Northern, been acquired, through the Land Purchase Department alone, and without recourse to any judicial tribunal?" Certainly. But the difference in the cases is this. In former years the officers of the Land Purchase Department were employed for their proper business to buy land wherever the owners were willing to sell—to arrange the boundaries, payment, &c. They acted as administrative officers. If some of the owners were unwilling to sell, or if the title was in dispute, the payment stood over till the dispute was settled, and the Natives were agreed among themselves. Then the transaction was completed.

The Government, by standing aloof in this way, induced the Natives to come to a settlement. It was found that the interference of the Pakeha only aggravated the difficulty. The Government carefully avoided any appearance of being eager to obtain land. It also avoided the unsatisfactory course of employing its own agents, the Land Purchase Commissioners, to decide on objections to the purchases, which they had themselves negotiated (54). The Government could not lightly abandon its position as the impartial Protector of both races, in order to put itself in a position, where it must be regarded as the oppressor and enemy of some of its own people. Therefore the Government shrank from making itself a party to a land quarrel; and force was not employed against adverse claimants.

*At the Waitara, for the first time, a new plan was adopted. The Governor in his capacity of land buyer, was now to use against subjects of the Crown the force which is at his disposal as Governor and Commander-in-Chief. If this new principle was to be adopted a new practice also became necessary. Those subjects of the Queen against whom force was to be used, had a right to the protection of the Queen's Courts before force was resorted to (55.)* It is not lawful for the Executive Government to use force in a purely civil question, without the authority of a competent judicial tribunal. In this case no such authority has been obtained: no such tribunal has been resorted to.

If there was no existing tribunal, the duty of the Government was to establish one. It could not justly neglect to provide a proper tribunal, and then make its own neglect a reason for refusing to the subjects of the Crown, the protection they were entitled to. To acquire the Waitara land immediately was not a necessity: to do justice to the Queen's subjects was a necessity.

The matters in issue in this case were of the same kind precisely as those which have been in issue before the various Courts of Land Claims' Commissioners which have been from time to time constituted by the Legislature of this Colony. All these Courts have acted on one plan: they have travelled from spot to spot, giving fair opportunities to all parties concerned of bringing forward their claims, taking evidence on oath, exercising the same powers and protected by the same safeguards as ordinary Courts of Law. There never was any difficulty in obtaining the attendance of the leading Chiefs before those Courts. Why was not the same thing done in this case? If it be necessary, before a Crown Grant can issue to a Land Claimant, that is to say, before a subject receives the bounty of the Queen, why is it not necessary before a subject is ousted of that which belongs to him?

I know that this notion of resorting to a Court in the present case has been called unreasonable and even ludicrous. Yet to my mind no assumption appears more unreasonable or dangerous than that which is made by the Government on this point, namely, that the Government is excused from doing its duty towards the subject by a belief or surmise that the subject will not do his duty towards the Government. It is said that William King would not have obeyed the summons. Our surmise or opinion, for it could be nothing more, was no reason why he should not be summoned. If he had not come, we should have lost nothing; on the contrary, we should have gained much. Every indication on our part of a disposition to act fairly and openly would have enlisted on our side the natural sense of justice of a large portion of the Native people.

On this point too, as on many others, it is overlooked that William King was one of many. Many there were on the spot claiming ownership: many others were at Waikanae and elsewhere.