

## APPENDIX C.

The custom of confiscation from a variety of causes is a fixed one among the natives, and has been practised for centuries in every part of the colony. When Captain Fitzroy failed to take the Wairau Plains after the massacre of 1843, Rangihaeata, the principal actor on that occasion said, "He paukena te pakoha:" the Governor is soft; he is a pumpkin.

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 No. 5.

MEMORANDUM by the GOVERNOR as to usage and customs in confiscation, as quoted by the Revd. Mr. TAYLOR.

The Governor wishes to inform his Responsible Advisers that on mentioning to the Rev. R. Taylor the interpretation which had been put upon a passage in his work *Te-Ika-a-Maui*, regarding the forfeiture of native land on which blood had been shed, Mr. Taylor explained to him that he had no intention of giving so extensive an interpretation to that passage as it appeared was being done by Ministers, and he is consequently about to write a letter to the Governor, showing the meaning of the passage alluded to, and its relation, as he believes to a different state of things to that now prevailing in this island.

G. GREY.

Government House,  
May 2nd, 1864.

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 No. 6.

MEMORANDUM by the Governor, transmitting copy of a Letter to the Revd. Mr. TAYLOR, with the reply thereto.

The Governor herewith transmits to his Responsible Advisers a copy of a letter which was, by his direction, addressed to the Rev. R. Taylor, regarding a quotation from his work on *New Zealand* made by Ministers, together with a copy of Mr. Taylor's reply to that letter.

G. GREY.

Government House,  
May 3rd, 1864.

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 Enclosure 1 to No. 6.

Private Secretary's Office,  
Auckland, May 2nd, 1864.

SIR,—

The Governor thinks it right to acquaint you that a quotation of your work *Te-Ika-a-Maui*, relative to Governor Fitzroy's not having claimed the district of Wairau after the massacre at that place, having made the Natives entertain a very low opinion of British power, is about to be sent home by him, as a proof, in part, that the Natives will not consider themselves conquered unless their lands are confiscated. If you have any explanations of your views on this subject to offer, the Governor will be happy, at the same time, to transmit them.

I have, &c.,  
SPENCER M. MEDLEY,  
Acting Private Secretary.

The Rev. Richard Taylor,  
Parnell, Auckland.

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 Enclosure 2 to No. 6.

Auckland, May 2nd, 1864.

SIR,—

In reply to His Excellency's communication through you, relative to a quotation from my work *Te-Ika-a-Maui*, which is interpreted to justify the total confiscation of the lands owned by those tribes now in arms against Her Majesty's authority, I have first to thank His Excellency for informing me of the circumstance of which I was previously ignorant, and to state, in explanation, that the Wairau case and that of the present war cannot be considered as being at all parallel.

That the land at Wairau was claimed as having been purchased by the New Zealand Land Company, and its servants were actually sent there to survey it.

That the interruption of the work led to the collision which terminated in the death of many of the chief persons connected with that Company.

That whatever might have been the justice or injustice of the European claim to that district, the blood there shed the Natives viewed as fully establishing the claim, and the not preferring it by Capt. Fitzroy was considered by Rangihaeata as a proof of weakness and fear on his part.

That in such a case Captain Fitzroy would have been justified in Native opinion had he claimed the land in dispute, which would have been acquiesced in by the Natives, and been calculated to make a salutary impression upon them.

But in the *present* case, independent tribes who have never owned the Queen's supremacy have taken up arms against Her Majesty, under an impression that their lands would be seized, as the Europeans multiplied in the island, and therefore that they must fight to maintain their nationality.