

to which enactments were passed and proclamations were issued by the Governor forbidding the settlers who were then arriving in the country from dealing in any way with the Natives for land, under pain of heavy statutory penalties.

11. That by this means the pioneers and systematic founders of the colony were deprived of the opportunity (since enjoyed by an alteration in the law) of acquiring land from the aboriginal natives of the country, and were as a consequence compelled in many cases to take and occupy land of an inferior description.

12. That, owing to disputes which had arisen between the Natives and the New Zealand Company, and to the subsequent action of Governor Hobson, the founders of the Nelson settlement were unable to obtain the town site originally intended, whilst their leader, Captain Wakefield, R.N., together with several of their most prominent men, were murdered by the Natives at Wairau (June, 1843).

13. That, speaking generally, the Government of the day made no effort to protect the interests of the pioneers, who, with very few exceptions, were impoverished, and their energies wasted, whilst they were daily exposed to the aggressions of hostile tribes; their position in 1846 being fairly described in the appeal made by the landowners to the New Zealand Company, as follows:—

“We have seen armed bands of Natives for three days taking possession of the most populous agricultural district in the settlement (Port Nicholson), driving the settlers into the town and then plundering and destroying all their property. We have seen houses destroyed, crops burned, and recently we have to mourn over the murder in open day of some of our industrious settlers. For months and years the whole settlement, including the town (Wellington) itself, has been kept in a state of perpetual alarm and insecurity, the whole community has been obliged to arm and defend the lives of themselves and families. In short, there are few who are not irretrievably ruined. Many have left the colony, in several instances so utterly destitute as to have been compelled to accept some menial office on board the vessel in which they returned. Of those who remain, many are without the means of leaving, and even if they had the power to return, how vain would be their attempt, with funds exhausted and connections broken, to regain their original position at home..”

14. That at the outset of the systematic colonization of the country the settlers, particularly those located at Cook Strait, suffered from the persistent hostility of the Government to the New Zealand Company; in support of which statement may be quoted a despatch from Governor Hobson to the Secretary of State for the Colonies, dated from Government House, Russell, Bay of Islands, 25th May, 1840, to the following effect:—

“Coincident with the report of the Messrs. Williams, dated Port Nicholson, I learned, not only from the *New Zealand Gazette*, but from other authentic sources, that the settlers who had located there under the New Zealand Association had formed themselves into a Government, had elected a Council, appointed Colonel Wakefield president, and had proceeded to enact laws and to appoint magistrates. This intelligence demanded my immediate attention, and I trust the course I have adopted in this exigency will meet your Lordship’s approval.

“Without one hour’s delay I called on the Commanding Officer of the troops to despatch thirty men to Port Nicholson, and appointed the Acting Colonial Secretary, Mr. Shortland, J.P., in whose firmness and discretion I have the utmost reliance, supported by Lieut. Smart, J.P., of the 28th Regiment, commanding the mounted police, with five of his men who are constables, to proceed with the detachment, for the conveyance of which I have chartered the barque ‘Integrity.’ Availing myself of the universal adherence of the Native chiefs to the Treaty of Waitangi, as testified by their signatures to the original document in my presence, or to copies signed by me in the hands of those gentlemen who were commissioned and authorized to treat with them, I yielded to the emergency of the case arising out of the events at Port Nicholson, and, without waiting for Major Bambury’s report, proclaimed the sovereignty of Her Majesty over the Northern Island. Actuated by similar motives, and a perfect knowledge of the uncivilized state of the Natives, and supported by the advice of Sir George Gipps, previously given, I also proclaimed the authority of Her Majesty over the Southern Island on the ground of discovery. I have the honor to enclose printed copies of these two Proclamations, together with the copy in manuscript of another Proclamation that I thought necessary to address to those who had illegally assumed authority to form a government at Port Nicholson.

“According to my opinion, unaided by legal advice, the proceedings of the Association at Port Nicholson amount to high treason. They have usurped the power of Her Majesty, in establishing a Constitution and in appointing magistrates. Taxes are said to have been levied, and most unjust as well as illegal exercise of magisterial authority has been practised.”

15. That the Pioneer Settlers to whom these strictures refer never had any other object in view than their own protection—an object which was fully realized, inasmuch as good order was maintained and the rights of property protected in a manner perfectly satisfactory to the people.

16. That the Pioneer Settlers were generally subjected to much annoyance by the hostile action of the Government, and had to endure much disappointment and delay, a state of things which continued down to the year 1848, when the New Zealand Company’s colonizing operations in the North Island were discontinued.

17. That so far from being guilty of “high treason,” as Governor Hobson believed, the conduct of the Pioneer Settlers is thus correctly described in “The New Zealand Portfolio,” by Mr. H. S. Chapman:—

“No body of colonists ever had larger claims upon the sympathies of their fellow-countrymen, than the first settlers under this Company—none a better title to the fostering aid of the Government. It was a bold adventure theirs, to trust themselves, with no better protection than the proud consciousness of their own good intentions, among a set of untamed savages, inhabiting a part of New Zealand scarcely known to Europeans, and where their favourable reception by the denizens of the soil was at that time extremely problematical. This circumstance alone was calculated to create an intense interest in their favour in all well-regulated minds, which has been not a little augmented by the air of romance which characterized their enterprise, and which modern times have seldom furnished. But their claims upon the fostering care of the Government rest on more substantial grounds. For several