

**ONE OF ENGLAND'S LITTLE
WARS. A LETTER TO THE RIGHT
HON. THE DUKE OF NEWCASTLE,
SECRETARY OF STATE FOR THE
COLONIES**

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One of England's Little Wars. A Letter to the right hon. The Duke of Newcastle, secretary of state for the colonies by Octavius Hadfield

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A LETTER

TO THE RIGHT HON.

THE DUKE OF NEWCASTLE,

SECRETARY OF STATE FOR THE COLONIES.

BY

OCTAVIUS HADFIELD,

ARCHDEACON OF KAPITE, NEW ZEALAND.

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ONE OF ENGLAND'S LITTLE WARS.

WHEN a flagrant act of injustice has been committed by the Governor of a British colony in the name of Her Majesty the Queen, it is not easy to determine on what course to pursue. If, indeed, an Englishman were the sufferer, either the Courts of law or the public press would afford a sufficient guarantee that the injustice would be remedied. But when an aboriginal chief is affected by such an act of injustice, neither of these avail him: he may be two hundred miles distant from any Judge of the Supreme Court; and he fails to enlist the sympathy of the public press. Feeling deeply convinced that such an act of injustice has been committed by Colonel Browne, the Governor of this colony, in his recent forcible expulsion of William King from land inherited by him from a long line of ancestors, I venture to address your Grace, as Her Majesty's Secretary of State for the Colonies, and to call your attention to the facts of the case. If the assertion I have just made is true, I need scarcely offer any apology for my advocacy of the cause of justice. But there are special reasons why I should not now remain silent. I have affixed my name to a statement on this subject, drawn up by

the Bishop of Wellington, and addressed to your Grace. I have known William King for more than twenty years. I have had favourable opportunities for becoming acquainted with all the facts connected with the pretended purchase of his land. I have during eighteen years paid much attention to the subject of native titles to land; and fourteen years ago I wrote a paper on this subject, which I gave to Sir George Grey, and for which I received his thanks. Besides, having frequently told William King and other chiefs, in accordance with the most solemn and positive statements published in official documents, that the British Government never would unjustly seize their lands, I am now ashamed to meet these chiefs, however unconsciously I may have misled them.

I have asserted that Colonel Browne has committed an act of injustice in the name of Her Majesty the Queen. It is to be regretted that, in his official documents addressed to the native population, he should have unnecessarily used Her Majesty's name. In my neighbourhood the more intelligent natives have hitherto been able to discriminate between an act of the Governor's and one of the Sovereign's, and have consequently forwarded, through the Governor, a Petition to Her Majesty, praying for his recall. This Petition has, I am informed, through some alleged informality, been detained; thus furnishing another instance of the difficulty experienced by the natives in obtaining

any remedy for an act of injustice. But when Colonel Browne states that he has the authority of Her Majesty's Government for the forcible expulsion of William King from his land, I am obliged to demur, because it is quite impossible that the real merits of the case can have been fairly submitted to the consideration of Her Majesty's Government, the most recent authoritative statements on the subject being notoriously at variance with facts, and proving the absolute present ignorance of the local Government.

An official document put forth by the Governor, entitled "Statement relative to the purchase by the British Government of Teira's land at Waitara, Taranaki," contains, I presume, all that can be advanced in justification of his own proceedings. It is fortunate that the merits of the question lie within very narrow limits. The right of natives to their lands is not now a subject of dispute. The Governor says, "The Queen has said that all the natives shall be free to sell their lands to her, or to keep them, as they may think best." The question at issue is simply this—Is a native chief to be forcibly ejected from his land, because an individual member of his tribe tells a subordinate land agent that it is his, and not the chief's, and that agent believes him? The Governor says—Yes; the chiefs say—No. We have resigned our sovereignty to Her Majesty the Queen; and in return for that, Her Majesty has guaranteed to us the protection of the

law. We claim to have disputed titles to land, which it is desired to purchase, decided in some competent court on evidence given upon oath, for we have never consented, and we will never submit, to have the titles to the land on which we live, and on which we cultivate the food for our subsistence, decided by a mere subordinate land agent, interested in acquiring land, and resting his decision on the bare assertion of a man of no note or rank in the tribe. This is really the question at issue between the Governor and William King. Were Teira's title as good as I am quite certain it is bad, and had William King no valid title whatever, still the real question raised by this act of the Governor's is what I have now stated it to be. Are chiefs to be debarred from all right to defend their titles in a competent court of law? Is the *ipse dixit* of an interested subordinate land agent to deprive a chief of his land, and justify the Governor in having recourse to arms? If so, of what conceivable use or meaning is the guarantee in reference to their land contained in the Treaty of Waitangi?

Before I endeavour to refute the Governor's statements as to the respective titles of the claimants, it will be necessary to seek the origin of the dispute. Before his death, William King's father obtained a promise from his son that he would not sell Waitara. This took place in the presence of the leading men of the tribe. This alone would shew what native law or custom on the subject has been, otherwise the

promise would not have satisfied the old chief. But I mention this to account for the apparent obstinacy of William King in reference to the small district of Waitara, which he and his tribe have possessed for ages, and which has rendered a remarkably mild and inoffensive chief generally unpopular. Not long since a girl, who was affianced to Teira's brother, preferred William King's son and married him. It is well known here that Teira immediately meditated revenge for this slight put upon his brother. He was well aware of William King's promise to his father. He knew the district land commissioner wished to obtain land. He made an offer of the land, hoping to do, what he has succeeded in,—make use of the Governor to avenge the insult he had received. It even appears that Teira was not satisfied in receiving the payment for the land he sold, which is all that a vendor usually expects, but actually obtained a promise from Colonel Browne that he would push the matter to extremities. The document above referred to, says, (page 4, c. 14): "The Governor has given his word to Teira, and he will not go back from it. The land has been bought and must be surveyed. The Queen's soldiers will protect the surveyors." This admission in an official document widely circulated among the natives has been very severely animadverted on by the chiefs as derogatory to the Governor, who they consider has allowed himself to be made a tool of by a low-bred man in gratifying his feelings of revenge against his chief. &