

E V I D E N C E

OF

N A T I V E C H I E F S

AS TO THE PROVISIONS OF THE

NATIVE OFFENDERS BILL, 1860.

(Laid on the Table September 4th 1860, and ordered to be printed.)

R E P O R T.

THE SELECT COMMITTEE appointed to take evidence on the "Native Offenders' Bill, 1860," to whom by special order of the House, the evidence given by the Native Chiefs was referred for revision, have the honor to report:—

That they have carefully revised the evidence in the Maori language, with the translation thereof, as hereunto annexed, and now report the same to the House.

F. D. BELL, *Chairman.*

*House of Representatives,
26th September, 1860.*

EVIDENCE TAKEN AT THE BAR OF THE HOUSE, AUGUST 24TH, 1860.

Wiremu Nera examined.

1. [*Mr. Richmond*]. Will you tell this House whether you think it would be well to stop supplies going to disaffected tribes, and to stop the purchase from such tribes of their produce, and to compel European traders to leave the districts inhabited by such tribes?

Heoti ano te kainga e mohiotia e au, ko Taranaki. Tona ritenga, me kai ano te Maori tona kai, kia kakahu ano i ona kakahu; kaua e hoatu nga kai, me nga moni, me nga taonga o te Pakeha ki nga iwi whawhai. Mo Taranaki enei whakaaro. Kia Ngatiruanui, kia Rangitake me tona iwi katoa. Tetahi hoki, ko Kawhia. Kaua e rere te kaupuke taonga o te Pakeha ki Kawhia. Waiho nga rangatira Maori kia kai ana i ana witi, i ana poaka, i ana riwai, me ona kakahu, me te kahu Maori. Taku e whakapuaki, ko Taranaki, ko Kawhia, ta te mea, he nui rawa to ratou whakakino; to ratou whakakake ki te Kawanatanga, kia takahia i te Kuini, i nga rangatira e piri ana ki te Kawana. Ko taku e pai nei, me aku iwi katoa, ko Aotea, ki reira nga taonga o te Pakeha, no te mea kua karangatia e te Kawana raua ko Makarini, e Wi Nera, koia he kainga mo te Pakeha era kainga. No te mea kua poto mai nga Pakeha o Kawhia ki Aotea. Ko te ritenga mo nga Pakeha e noho ana i roto i nga iwi tutu, kia tona atu kia hoki mai ki Akarana ki hea ranei. He mea tika nga Pakeha kia whakahokia mai i nga iwi tutu. Ko te ritenga o Waikato, ekore au e whakaae wawe kia tutakina a Waikato, engari kia puta he kino ki reira. Kia puta he kino, kia whakaturia hoki te Kingi ki reira, katahi au ka whakaae, no te mea, i whakaaro ai ahau ki te ritenga o Waikato o toku iwi. Ko etahi e pakeke ana ki te Kingitanga, ko etahi rangatira e whakekahore ana i te kingitanga. No konei ano i ki au, me mau tonu te hokohoko ki Waiuku. Me piki nga tino rangatira pu o Waikato ki Taranaki, ki te mahi i te Kingitanga ranei, ko reira au whakaae ai kia whakamutua te hohoko ki Waikato. Ko tetahi kupu—Kia whakatika a Waikato ki te patu i nga Pakeha o Taranaki ki reira, ka tika kia purua a Waikato.

The only place I know of is Taranaki. Let it be in this manner. Let the Maories eat their own food and wear their own clothing. Don't give either food, money, or Pakeha goods to those tribes that are fighting. These thoughts are for Taranaki, Ngatiruanui, Te Rangitake, and all his tribe. There is also Kawhia. Let no vessel of the Pakehas with goods, sail to Kawhia. Leave the Maori chiefs to consume their own wheat, eat their own pigs and potatoes, and wear their own Maori garments. I am alluding now to Taranaki and Kawhia, for their evil doing is very great; their arrogance towards the Government and endeavours to trample upon the Queen and the Chiefs who are attached to the Governor. What I and all my tribe are in favour of, is for the Pakeha's goods to be at Aotae, because it was said by the Governor, Mr. McLean, and Wi Nera, that there was to be the place of the Pakehas, as the Pakehas of Kawhia had all gone to Aotea. With regard to the Pakehas residing among disaffected tribes, cause them to return to Auckland or elsewhere. It is right that Pakehas should be drawn from among disaffected tribes. As regards Waikato, I will not speedily consent to the closing of Waikato;—first let evil occur there. When evil arises there, and when the King is set up there, then I will consent, for I take into consideration the conduct of my people, of Waikato. Some are averse to the King movement, while other chiefs are in favor of it. I therefore say, let trade with Waiuku continue. When the principal chiefs of Waikato go to Taranaki, or work at the King movement, then will I consent to a stop being put to the trade with Waikato. Another word, if the Waikato join in killing the Pakehas of Taranaki, then it will be right to close Waikato.

2. Do you think that stopping trade with tribes hostile to the Government would make them wish for peace, or would it make them more hostile?

Kahore; me he mea ka peratia, ka mutu te whawhai; engari ka kite ia te he i tona kino, ka ripeneta; ko reira hoatu he taonga mona.

No; if that is done the fighting will cease; but when they see the evil result of their bad conduct, and they repent, then let goods be supplied to them.

3. [*Mr. Bell*]. In the event of the trade of Waikato being shut up now, would the doing so have the effect of making any friendly Natives join the disaffected people?

Me he mea ka purua a Waikato aianei, ka tahi ka mea nga tangata. E! ka mate tatou, me pehea tatou? Ki taku whakaaro, e kore ratou e riri, engari ka noho pouri ratou, ka tangi ratou. Otira he whakaaro kau tenei naku.

If the trade of Waikato is shut up, the people would then say, Alas! we are in distress, what shall we do? In my opinion, they would not be angry; they would sit in grief and mourn. This, however, is only my opinion.

Question repeated.

Ekore au e whakaae. Ka purua a Waikato, ka tutakina Waiuku. Ka noho pea ratou, ka tatari ki te Pakeha.

I will not consent. If Waikato is shut up and Waiuku closed, they would probably stay and wait for the Pakehas (to see what they would do).

4. [*Mr. Richmond.*] Suppose that trade were stopped with the hostile Natives in a district, but the Governor let the friendly chiefs get their tobacco and blankets and other supplies, would that work well?

Ko tera kupu, e pai ana ahau ki te kupu; peratia; ko te hunga e noho pai ana, me hokohoko tonu ki a ratou.

As regards that word, I approve of that word; let it be so; let trade continue with those who are well disposed.

5. [*Mr. Forsaith.*] Would it be possible to stop trade with any of the disaffected people of Waikato without causing the well-affected to suffer at the same time?

Engari ano tena; ki te mea he iwi nui, kotahi rau, e noho pai ana, ka kaha ratou ki te tango taonga, ekore e mate; ko te iwi torotoru, ka mate.

That, indeed, if the well-affected tribe is a large tribe, of one hundred men, and were able to take goods, they would not suffer; but if a small tribe, they would suffer.

6. [*Mr. Williamson.*] Suppose that trade with offending Natives in any district were prohibited, and the friendly Natives in the same district were permitted to trade with the Europeans as usual, in your opinion would the friendly Natives be likely to furnish supplies to the offenders?

Ko wai ka mohio? E rua nga tikanga o te ngakau: ka hoatu huna pea.

Who can tell? The heart has two plans, probably they would be secretly supplied.

7. Taku ki mo Waikato, ekore e hiahia Waikato ki te patu. Ma rere a Kawana ki te turaki i te kara o Ngaruawhia, katahi ka kino. Ki te waiho kia tu noa tera poupu pirau ake, ekore e puta mai te kino.

My opinion about Waikato is that Waikato will not desire fighting. If the Governor goes to cut down the colour at Ngaruawhia, then evil will ensue. If the flagstaff is left standing till it rots of itself, no evil will come.

Te Moanamui examined.

1. [*Mr. Richmond.*] Will you tell this House whether you think it would be well to stop supplies going to disaffected tribes, and to stop the purchase from such tribes of their produce, and to compel European traders to leave the districts inhabited by such tribes?

He tika. He kupu tuturu naku tenei, kia tutakina; mana e mahi nei ma te iwi tutu; ko te hokohoko me tutaki. Me i pa tana ringaringa ki te whawhai Pakeha, katahi ka tika te tutaki. E tika ana, no te mea i takahia tera tutu whawhai i te Kawanatanga.

It would be well. This is a fixed word of mine, that it should be stopped; let the disaffected tribes see about it; let trade also be stopped. If their hand took part in fighting against the Pakeha, then it would be right to stop supplies. It is right, because those turbulent fighters trampled upon the Government.

2. Do you think that stopping trade with tribes hostile to the Government would make them wish for peace, or would it make them more hostile?

Ki ahau, purua nga taonga. Akuanei, ka purua te taonga, kahore he turanga mo te whawhai. I say stop trade. If trade is stopped, there would be nothing for a war to stand upon.

3. [*Mr. C. H. Brown.*] Would the tribe who were forbidden to trade, receive supplies from neighbouring tribes who were not forbidden to trade?

Kei te whakawa te tikanga mo tera. Ki te mea ka aroha au ki aku whanaunga ki roto i te whawhai, ma te whakawa te tikanga.

The Court would have to deal with that. If I show love for my relatives in the war, that would be for the Court to see to.

4. If tribes permitted to trade, supplied tribes forbidden to trade, do you think that they would charge enormous prices for their goods? or do you think that out of friendly feeling they would be content with a moderate profit on what they themselves had given for those goods?

Ekore tena e taea e ahau.—e apopo te utu.

That I cannot answer,—I will answer it to-morrow.

Tohi, of Maketu, examined.

1. [*Mr. Richmond.*] Will you tell this House whether you think it would be well to stop supplies going to disaffected tribes, and to stop the purchase from such tribes of their produce, and to compel European traders to leave the districts inhabited by such tribes?

Ae, e whakaae ana ahau kia purua nga taonga, me nga mea katoa. Ki taku, ko te iwi tutu ko Waikato ko Taranaki. E pai ana ahau kia tutakina te hokohoko—e pai ana au ki tera. Ko nga Pakeha e noho ana i roto i te iwi tutu, me whakahokia atu.

Yes, I agree to the stopping of supplies and all other things. In my opinion, the disaffected tribes are the Waikato and Taranaki. I approve of trade being stopped—I approve of that. Let Pakehas residing among disaffected tribes be sent back.

2. Do you think that stopping trade with tribes hostile to the Government would make them wish for peace, or would it make them more hostile?

Mana te whakaaro; nana i tutu mai.

That is for them to consider; it was for their misbehaviour.

3. [Mr. C. H. Brown.] Would the tribe who were forbidden to trade, receive supplies from neighbouring tribes who were not forbidden to trade?

E kore e tae taku iwi; ko tetahi iwi pea e tae i runga i te tahae.

My tribe would not go; some tribes, perhaps, would go in secret.

4. If tribes permitted to trade, supplied tribes forbidden to trade, do you think that they would charge enormous prices for their goods, or do you think that out of friendly feeling they would be content with a moderate profit on what they themselves had given for those goods?

Ka whakanui te utu; e kore e tukua noatia nga taonga.

The price would be raised; supplies would not be given for nothing.

5. [Mr. Domett.] Do you think most of the principal chiefs of your tribe would use their influence to assist in carrying out the Government plan of stopping trade with the disaffected Natives?

Ka kaha ki te arai atu, ka kaha ahau me aku rangatira.

If it was carried out with vigour, my chiefs and I would be strong (to assist).

Tamihana Te Rauaparaha examined.

1. [Mr. Richmond.] Will you tell this House whether you think it would be well to stop supplies going to disaffected tribes, and to stop the purchase from such tribes of their produce, and to compel European traders to leave the districts inhabited by such tribes?

Te kupu i whakaaro ai au mo tera, kua puta ki Kohimarama. E pai ana au kia whakamutua te hoatutanga o nga taonga ki a ratou e kino mai, ki nga tangata kahore e piri mai ki ta tatou tikanga nei—hei whakamate i a ratou mehemea ekore ratou e whakarongo ki runga ki te noho pai. Ki ahau, e pai ana tera tikanga, kia tutakina te hoko taonga ki te hunga tutu. E tika ana kia whakahokia mai aua Pakeha, kia matau ratou i a ratou pohehetanga.

My thoughts upon that subject have been expressed at Kohimarama. I approve of the stopping of supplies to those who are disaffected—to those men who will not adhere to our paternal rules—if they will not yield quiet obedience. In my opinion that is a good plan: the stopping supplies to the disaffected. It is right to bring back those Pakehas, that they (the Maories) may perceive their mistake.

2. [Mr. Forsaith.] Supposing one of your young men were to commit an offence against the Pakeha, would his relatives be willing to give him up to be tried by the Pakeha?

E mea ana ahau, me tutu taua taitamariki, me hamana ia, me tuku mai kia whakawakia ki te ture. Ki te mea ekore e tukua mai, me whai ture mo te tangata e pupuri ai.

My answer is, If those young men offend, let them be summoned; they must be given up to be judged by the law. If they are not given up, the law must deal with those who hold them.

3. Supposing some of the rebellious people now at Waitara with William King were to go to their relatives in another tribe, do you think that those relatives would give them up to the Governor?

Ki toku whakaaro kahore pea e tukua mai.

I think that they would probably not give them up.

4. If not, would the tribe be able to take them?

Heoi ano tona whakakino, te pakanga.

The only evil result would be war.

EVIDENCE REPORTED FROM THE SELECT COMMITTEE ON THE NATIVE OFFENDERS' BILL, SEPTEMBER 4TH, 1860.

Waata Kukutai examined.

1. [Mr. Richmond.] Do you think it would be well that the supply of goods to tribes hostile or disaffected to the Government should be stopped; and that the purchase of their produce by European traders should be prohibited, and that European traders inhabiting the district of such tribes should be compelled to leave the district?

Taku kupu tenei mo runga i tera. Kia kaua e purua nga taonga ki nga iwi e tutu ana; ahakoa iwi kino, ahakoa iwi pai, kia puare nga taonga ki a raua tokorua, ki te iwi pai ki te iwi kino. Taku i whakaaro ai mo te iwi kino, he mate; ki au, ko te whiu tena mona, ko te mate; nana hoki i tohe ki

te kino. Ko te matenga o tona tinana ka kore te taonga ki a ia. E mea ana ahau, me hoko tonu nga Pakeha i a ratou taonga, ahakoa he iwi tutu. Me waiho nga Pakeha ki roto ki nga iwi tutu : kahore e pai kia whakahokia mai nga Pakeha. Taku whakaaro nei i mohio ai au ki nga Pakeha kia waiho i roto i nga iwi tutu, e nui ana to ratou atawhai ki a ratou Pakeha. Ki taku whakaaro, kei toro te ahi.

My answer to that is, do not stop supplies to disaffected tribes. Whether bad or good tribes, let trade be open to both, to both good tribes and bad tribes. My thoughts with respect to bad tribes are—death. In my opinion, the punishment for them will be their death, as they persisted to do evil. When their bodies are dead, they will need no supplies. I think that the Pakehas should continue to sell their goods although the tribe may be disaffected. Let the Pakehas remain among the disaffected tribes; it would not be well to send back the Pakehas. My thoughts as to allowing the Pakehas to remain among disaffected tribes are because I know that they are very kind to their Pakehas. In my opinion, lest the fire should spread (or a conflagration ensue.)

2. What tribes are you thinking of when you say it would be better that the Europeans should remain amongst them?

Ngatimaniapoto, Ngatihikairo, Ngatihinetu, Ngatiapakura, Ngatituwharetoa, Ngatihaua, Taranaki, Ngatiruanui, Te Atiawa. Heoi ano i mohio ake ahau. Me waiho tonu nga Pakeha ki roto i era iwi.

Ngatimaniapoto, Ngatihikairo, Ngatihinetu, Ngatiapakura, Ngatiwharetoa, Ngatihaua, Taranaki, Ngatiruanui, Te Atiawa. These are all that I know. Let the Pakehas remain among those tribes.

3. Do you mean to say that you think it right that trade should go on with Native tribes in arms against the Government, and who have murdered Europeans?

Waiho kia hokohoko tonu atu.

Let trade still go on.

4. How with regard to Ngatiruanui and Taranaki, who have committed murders?

Me waiho tonu kia hokohoko.

Let them still continue to trade.

5. Then in what way would you propose to punish such conduct?

Ka tohe ratou ki te tutu, ko te utu ano ki a ia he mate. Taku hoki i whakaaro ai, ekore e mutu to ratou tutu ki tena whiu—te whakakore o nga taonga—no te mea hoki, kua ki o ratou ngakau ki te kino.

If they persist in misbehaving, their punishment will be death. I do not think that their misconduct would cease for that punishment—the stopping of supplies—because their hearts would have been filled with evil.

6. Would not stopping trade be better than making war against hostile tribes?

Ekore e rongu. Taku whakaaro tonu, kua ki te ngakau ki te kino, mana ano te whakaaro. Ka tohe ratou ki te tutu, tona whiu ano tera.

They would not listen. My thoughts still are, that their hearts being filled with evil they would have their own thoughts. If they persist in their misconduct, that should be their punishment.

Question repeated.

A, kia whakaaro au. A, ma te wehi ki te riri kia puta ki roto i a ratou ngakau, katahi ka mutu ta ratou tutu.

Allow me to consider. If the fear of war should enter into their hearts, then their misconduct would cease.

7. [Dr. Monro.] If tribes who are peaceful at present, knew that the Governor could stop their trade, if they took up arms against the Queen, would they be likely to do so?

Taku i whakaaro ai, ko te hunga pai e kore ratou e ahei te hapai te pu; heoi ano ta ratou e whakaaro, ai ko te pai anake.

My opinion is, that well-disposed tribes could not take up arms. Their thoughts would be upon good only.

8. [Mr. Richmond.] When part of a tribe is hostile, and part friendly (as the Ngatimaniapoto), might not goods be sent to some chief friendly to the Government, who would be able to supply them to the people who were not in arms against the Government, and to deprive the others?

Taku i whakaaro ai nei mo Ngatimaniapoto; aiane i korahi hapu nei, aiane i ka wahia, hei hunga tutu tetahi hunga, hei hunga noho pai tetahi hunga. Aiane i ka hoatu e te Kawana he taonga ki te rangatira o te hunga i noho pai, ka whakaaro atu taua rangatira ki ona whanaunga i roto i te hunga tutu, ka hoatu tetahi taonga mo ratou.

My thoughts respecting the Ngatimaniapoto are—The tribe is now in one, presently they are divided, one portion becomes disaffected, and the other remains friendly. Now, if the Governor gives goods to the chief of those who are friendly, that chief would have consideration for his relatives amongst the hostile party and would supply them with goods.

9. Did not the loyal tribes of Waikato suggest to Mr. Fenton that the millers (European) should be withdrawn from the turbulent tribes?

Kahore ano au i rongo.

I have not heard so.

10. Did not you suggest this yourself three years ago?

Kahore rawa.

Not at all.

11. [Mr. Domett.] Supposing war to have broken out with one tribe, would not the stoppage of their trade with other tribes help to make them sooner tired of their rebellion?

Ko te iwi kino i waenganui i nga iwi pai, me korero e nga iwi pai kia whakamutua tona tutu; ki te kore ratou e whakarongo mai ki nga korero a au iwi pai erua nei, me whakatiki ki te taonga.

Let the bad tribes that are in the midst of good tribes be advised by the good tribes to cease their misconduct, and if they do not listen to the words of those two good tribes, then let supplies be kept from them.

12. [Mr. Richmond.] Do you not recollect going to Whatawhata in 1857 with Fenton. Takerei, Mohi, Panapa, Te Reweti, and Fenton were talking about the people who adhered to the King, and you all said, "Recall the millers and stop the traffic"?—

Ka tika. Katahi ka mahara au. Te take i puta ai tena kupu, he tohenga no matou kia kua he Kingi, engari me waiho i te mana Maori. Na, tohe tonu ratou ki ta ratou Kingi, koia ka puta o matou whakaaro i taua takiwa, kia tangohia nga Pakeha he huri paraoa, he hanga mira ano, kia whakamutua hoki te hoatu taonga mo taua iwi tohe ki te Kingi Maori; kia kua nga Pakeha e tahuri atu ki a ratou taonga, ki te whiti, ki te paraoa, ki te poaka, ki te riwai, ki te muka. Na taua taha Kingi aua taonga, kia kua e paingia e nga Pakeha.

It is correct. I now remember. The cause of that word being uttered was, our insisting that there should be no King; that matters should remain according to the "mana" Maori; they insisted upon having their King; we therefore gave it as our opinion at that time, that the Pakeha millers and millwrights should be recalled, and that the giving of goods to those who were striving for the Maori king should cease; that the Pakehas should not purchase any of their property—their wheat, flour, pigs, potatoes, or flax. It was those things that belonged to the King party, that were not to be accepted by the Pakeha.

13. [Mr. Forsaith.] At Whatawhata you expressed an opinion favourable to the proposal of stopping the trade with the Natives, who were striving about the King; but now you disapprove of stopping the supplies of Natives disaffected to the Government. What has induced you to change your opinion?

Tenei te mea i whakaaro ai au inaiane. Ka hua ahau, heoi ano te tino raruraru mo matou mo nga iwi Maori ko te Kingi anake, no te mea hoki, e marama ake ana ano i au taua raruraru Kingi. I whakaaro au ki reira, e kore e tupu te kino i runga i taua tikanga Kingi nei; i muri iho i taua tikanga, ka inpu ko te kino. Na knei au i mea ai kia tukua nga taonga ki nga iwi tutu, he whakaaro noku kei tino nui rawa te kino ki to tatou motu. E mea ana au ko te kino kia mate i te pai. Heoi.

This is why I am of that opinion now. I had supposed that the King (movement) itself, was the greatest trouble that we the Maori tribes would experience, for that King difficulty was clear to me. I thought then that evil would not spring up in connexion with that King movement. But since that, evil has sprung up; I therefore say, Let goods be supplied to the disaffected tribes; my thought is, lest evil should spread in our island. I think that evil should be subdued by good. Enough.

14. [Mr. Richmond.] In cases of disobedience to magistrates (in times of peace—ordinary times) would it be well that the magistrate should be able to write to the Governor and ask him to stop goods, &c., to the people of the village protecting the offender?

E pai ana ano kia kore he taonga ki taua hapu nana i pupuru i te tangata he i runga i te kupu i whakaatia e nga kai-whakawa kia mau ki te whare-herehere; no te mea hoki, ka takahi ratou i nga ture i whakatakotoria hei pai ki runga ki nga iwi Maori, Pakeha hoki. I whakaara ai ahau kia kua he taonga ki taua iwi, no te mea hoki, marama ake ai au, ekore e nui te raruraru ka runga ki taua ritenga. Oia, ekore e pai mo tenei takiwa enei ture; engari mo te takiwa e mate ai te tara o te ngakau; engari me waiho mo te rangimarie.

It would be well not to supply goods to the tribe who kept back the man, when the word of the magistrate was given that he should be conveyed to prison; as then they would be trampling upon the law which has been laid down for the benefit of the Maori and Pakeha races. I agree that goods should be kept from that people because it is clear to me that there would be no great difficulty about that movement. But this law would not do at the present time; it would, when the obstinacy of the heart is subdued. Better leave it for peaceful times.

15. In time of war, would it not be well to do the same thing (i.e., stop the trade with those resisting the law) if the friendly chiefs of influence round about the disaffected district advised it to be done, and agreed to aid the Governor in stopping the trade?

Kahore; tenei te mea i whakaaro ai au—kotahi rangatira o nga hapu e noho pai ana, e whakaara ana kia purua te taonga ki nga iwi tutu; kotahi rangatira o nga iwi e noho pai ana, kia

kaua e purua te taonga. Engari kia whakaae katoa nga rangatira o nga iwi e noho pai ana kia purua te taonga, katahi ka tika. Tena ko tenei, whakaae ana tetahi rangatira o aua iwi noho pai, ekore ano tetahi e whakaae. Na konei i kore ai au e whakaae kia purua aua taonga.

No. This is what I think—one chief of the tribes who are well-disposed agrees that supplies be stopped to those who are disaffected. Another chief of the well-disposed tribes says, Let the supplies not be stopped; but if all the chiefs of the well-disposed tribes agree to stopping trade, then it would be well. As it is, one chief of the friendly tribes consents and another does not, and therefore I do not consent to stopping the supply of goods.