

# R E T U R N

OF

CASES BETWEEN EUROPEANS AND NATIVES

IN THE

RESIDENT MAGISTRATE'S COURT, AND DISTRICT COURT,

BAY OF ISLANDS.

*(In continuation of papers laid on the Table of the House on the 28th October, 1863.)*

A U C K L A N D :

1863.



# RETURN OF CASES TRIED AT MONGONUUI.

1 D.—No. 11.

A RETURN of all Cases between Europeans and Natives, tried in this District, from the 1st day of January, 1860, to the 19th day of October, 1863, showing the Decision or Verdict in each case, and the number of cases; specifying those cases in which execution followed judgment.

No.	Date.	Plaintiff.	Defendant.	Nature of Offence.	Decision or Verdict in each case.	Execution followed Judgment.
1	1860.					
2	January 10th	Neri ...	James Shepherd ...	Debt, £15	Awarded with costs.	
3	"	James Shepherd ...	Neri ...	Detaining a Calf	Calf to be returned. Defendant to pay costs.	
4	March 2nd	John Smith	Papakura	Debt, £2	Awarded with costs.	
5	"	"	Piripi	Debt, £4	Awarded with costs.	
6	"	"	Hoeta	Debt, £7	Awarded with costs.	
7	"	"	Matin	Debt, £0	Case dismissed.	
8	"	Peneamini	J. Slade	Debt, £1	Settled out of Court.	
9	"	John Smith	Mu	Debt, £9	Awarded with costs.	Time given.
10	"	"	Rapini	Debt, £21	Paid into Court.	
11	"	"	Mahui	Debt, £0	Paid into Court.	
12	"	"	Irihapeti	Debt, £0	Paid into Court.	
13	" 13th	"	Tamutiu	Debt, £2	Paid into Court.	
14	March 21st	"	Rabaruli	Debt, £8	Awarded with costs.	Time given.
15	" 13th	D. Murray	Parahiku	Debt, £0	Paid into Court.	
16	June 5th	S. Yates	Honi Ngapo	Debt, £42	Awarded with costs.	
17	"	Popota...	R. Matthews	Injury to a horse.	Settled out of Court.	
18	" 6th	A. Murray	Jack	Injury to a horse.	Settled out of Court.	
19	" 7th	E. S. Yates	Hori	Debt, £3	Settled out of Court.	
20	August 8th	"	Te Horohinga	Debt, £0	Dismissed.	
21	" 16th	Karena	E. Pattison	Assault.	Fined 20s. and costs. Paid.	
22	" 17th	J. Shepherd	Haora	Assault.	Dismissed. Costs divided.	
23	Sep. 13th	Heremaia and Nahi	A. Shepherd	Threatening language and conduct.	Severely reprimanded.	
24	"	(Assessors)				
25	"	J. Smith	Matu	Debt, £20	Awarded with costs.	
26	"	"	"	Debt, £2	Awarded with costs.	
27	" 27th	E. S. Yates	Pirimona	Debt, £0	Awarded with costs.	
28	Oct. 25th	H. D. Snowden	Tiopira	Debt, £1	No appearance.	
	Oct. 25th	R. J. Adamson	Kurawa	Debt, £0	No appearance.	
	Oct. 25th	"	Reneta	Debt, £0	No appearance.	

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No.	Date.	Plaintiff.	Defendant.	Nature of Offence.	Decision or Verdict in each case.	Execution followed Judgment.
29	Nov. 22nd	Wakataka	P. E. Sherman	Killing 4 pigs, value £4.	Case dismissed.	
30	" 1861.	Maka ..	Bell	Assault on Eliza Bell.	Settled out of Court.	
31	Jan. 25th	Makaure	Thomas Phillips	Debt, £3 0 0	Awarded with costs. Time given.	
32	March 1st	W. Deerness	Hiwi	Robbery from a shed at Otengi.	Fine £20, £5 of which to be given to Plaintiff as compensation. All paid	
33	April 4th	J. Collins	Honi Bunyan	Debt, £3 10 0	No appearance.	
34	"	Queen ..	Makirini	Stealing a shirt.	Dismissed.	
35	"	Walter Puckey	Wiki	Debt, £1 18 0	Awarded.	
36	"	"	'tiopira	Debt, £0 7 8	Awarded	
37	" 11th	Hohepa	John Clarke	Cattle Trespass.	Settled out of Court.	
38	" 25th	Matiu Tauhara	J. Norman	Cattle Trespass.	Settled out of Court.	
39	"	"	S. Campbell	Cattle Trespass.	Settled out of Court.	
40	June 27th	S. Yates	Pene	Debt, £5 4 0	Awarded.	
41	July 29th	I. —	Kaiapa*	Felony.	Committed for trial to Supreme Court.	
42	Aug. 6th	W. H. Clarke	Mika	Stealing a Pig.	Case dismissed.	
43	Sept. 25th	Honi Tana	A. Murray	Detaining a Horse.	Case dismissed.	
44	"	S. Yates	Hiremeni	Debt, £27 0 0	Awarded.	
45	Oct. 11th	W. Whitehead	Wirikaki	Stealing a pig, value 15s. 6d.	To pay £2 in a month. Value of pig to be paid to Belden, who purchased and afterwards gave up the pig; the remainder to the Court. All paid.	
46	1862.	J. Scott	Wipuha	Assault.	Fined 20s.	
47	January 16th	Heteraka & other Natives	John Norman	Trespass of pigs and sheep on potato and corn crops, damage 30s.	Settled out of Court.	
48	February 26th	J. Dunbar	Piri	Debt, 15s.	Settled out of Court.	
49	April 11th	S. Bowyer	Te Pera	Debt, £4 16 0	To pay 20s. for defendant and costs.	
50	May 2nd	Komene	J. Wrathall	Killing pigs, value £3.	Decision or Verdict in each case.	
51	June 26th	William Butler	Nopera Puru	Debt, £6 0 0	Awarded. (Paid by Tipene.)	
52	"	James Jerram	Te Konihu	Stealing honey.	To pay 20s. to be handed to plaintiff as compensation. Paid.	
53	"	Heteraka	R. Matthews, Senr.,	Taking goods detained for freight, from Heteraka's house, without leave.	Dismissed with a severe admonition, there being no felonious intention.	
54	"	M. Mawer	Kaiwaka	Driving away and causing the loss of a cow.	Dismissed.	

No.	Date.	Plaintiff.	Defendant.	Nature of Offence.	Decision or Verdict in each case.	Execution followed Judgment.
55	July 22nd	M. Mawen	Wherechia	Assault.	Case dismissed.	In these cases no further proceedings have been taken at the request of Plaintiff.
56	Oct. 1st	John Smith	Te Wharo	Debt, £8 12 0	Case withdrawn.	
57	" "	Hare Peka	D. Murray	Value of a pig, killed by defendant's dog.	20s. awarded, and to pay costs. Paid.	
58	" 3rd	R. Matthews	Rob. Te Ti	Killing a sheep, the property of plaintiff.	Case dismissed.	
59	" 3rd 1863.	"	Hioata	Do. do. do.	Case dismissed.	
60	February 6th	W. Butler	Karaka	Debt, £5 0 0	Awarded, (paid Feb. 17, £2, March 26, £3.)	
61	" 7th	W. Maxwell	Honi Kingi, Arama Karaka, and Rapihana	Theft of plaintiff's pig.	Defendant to pay value of pig, £4 5s. and fined to the Court, £2 15s. 0. Paid £2 10s.	
62	" 20th	W. Butler	Heteraka Tipene	Debt, £9 8 0	Awarded £8. Paid.	
63	" "	"	Wirikaki	Debt, £4 8 6	Awarded £1 5 6.	
64	" "	"	Wi Kaitaia	Debt, £14 18 7	Awarded £10 8 7.	
65	" "	"	Kapo Tara	Debt, £1 14 0	Awarded £1 10 0, including expenses	Same as above.
66	" "	Wiremu	S. Yates	Damage to crops, £10.	Awarded £4.	
67	" "	W. Butler	Pactai	Debt, £11 11 3	Awarded. Paid £1 17 0.	
68	" "	"	Pero Pero	Debt, £3 12 0	Withdrawn. Wrong person summoned.	
69	" "	"	Herewini	Debt, £12 8 6	Awarded. Paid £2 1 8, a boat given as security.	
70	" "	"	Tana	Debt, £8 13 0	Awarded. Paid.	
71	" "	Kati	J. Frear	Killing plaintiff's pig.	Charge withdrawn.	
72	March 27th	M. Mawer	Wiremu and Te Karihi	Stealing peaches.	Cautioned and dismissed.	
73	April 14th	Billy Wright	John Wrathall	Six week's hire of horse £3.	Awarded £2. Paid and handed to plaintiff.	
74	" 21st	W. Butler	Hoani Tana	Debt, £20 15 0	Settled out of Court.	In these cases no further proceedings have been taken at the request of Plaintiff.
75	" "	M. Mawer	Manuera	Destroying a fence.	To replace the fence, or pay 30s. and costs.	
76	May 12th	W. Butler	Reihana	An acknowledgement note, £3.	Settled out of Court.	
77	" 30th	M. Mawer	Terangi Tuhaha	Price of sheep killed by defendant's dog, £2.	Charge withdrawn.	
78	June 9th	Thomas Philips	Te Nan	Claim of £12, price of a bullock.	Defendant to return the Bullock or pay £10 into Court.	

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No.	Date.	Plaintiff.	Defendant.	Nature of Offence.	Decision or Verdict in each case.	Execution followed Judgment.
79	1863. June 19th	Matthew Mawer ...	Paeara ...	Damages £2, sheep destroyed by defendant's dog.	Paeara, Toha, and Tuhua each to pay £1 6s. 8d., being £4. Paid into Court, and handed to Mr. Mawer.	
80	July 28th	Henry Richardson...	Pauro ...	Debt, £2 1 0	Awarded. Nciho and Timoti Popota securities.	
81	Aug. 7th	William Butler ...	Thomas, John Abraham, and William ...	Stealing 8 bags gum, value £8 6 0	Each defendant to pay into Court £5 5s, being £25. Fines paid. £8 6s. handed to Capt. Butler. £16 14s. paid to Sub-Treasurer.	
82	Sept. 4th	J. W. Lambley ...	Te Ringa ...	Detaining a pig, value £2.	Defendant to pay into Court £2, to be given to plaintiff. Defendant died two days after conviction. Pig returned.	

W. B. WHITE,  
Resident Magistrate.

RESIDENT MAGISTRATE, MONGONUI, TO THE HONORABLE THE ATTORNEY-GENERAL.

Resident Magistrate's Office,  
Mongonui, June 13th, 1862.

\* SIR,—

I have been requested by the friends of Kaiapa, who was convicted of breaking into Mr. Butler's store, and sentenced to twelve months' imprisonment, to beg his Excellency the Governor to remit the remainder of his sentence. He was committed on the 29th July, 1861, and sentenced in September following. There is therefore but a short time for the sentence to expire, and I would beg his Excellency's favourable consideration of their request.

I have the honor to be, &c.,

W. B. WHITE,  
Resident Magistrate.

The Honorable the Attorney-General, Auckland.

R. G. FOUNTAIN TO THE RESIDENT MAGISTRATE, MONGONUI.

Attorney-General's Office,  
Auckland, 12th July, 1862.

\* SIR,—

In reply to your letter of the 13th ultimo, urging the Governor's favourable consideration of the request of the friends of the Native prisoner Kaiapa, that the remainder of his sentence may be remitted, I am directed to inform you that his Excellency has seen no reason for interfering with the sentence of the Court.

R. G. FOUNTAIN,  
For the Assistant Law Officer.

The Resident Magistrate, Mongonui.