

R E T U R N

OF

CASES BETWEEN EUROPEANS AND NATIVES

IN THE

RESIDENT MAGISTRATE'S COURT, AND DISTRICT COURT,

BAY OF ISLANDS.

[*Return to an Order of the House of Representatives, dated August 22nd, 1862,*]

“That there be laid upon the table of the House of Representatives a Return of all Cases between Europeans and Natives Tried in the Bay of Islands District Resident Magistrate's Court and District Court, from the 1st day of January, 1860, to the latest possible period, showing the Decision and Verdict in each case, and the number of cases, specifying such cases (if any) in which execution followed judgment.”

(*Mr. Weld.*)

A U C K L A N D :

1863.

RETURN of all cases between Europeans and Natives tried in the Bay of Islands District Resident Magistrate's Court at Russell, from the 1st day of January, 1860, to the 30th day of September, 1863, showing the Decision or Verdict in each case, and the Number of cases, specifying such cases, if any, in which execution followed Judgement.

Date.	Title of Case.	Nature of Case.	Amount.	Verdict or Decision.	Amount of Fine or Award.	Remarks.
1860.						
Feb. 8th	Mapi v. J. J. Poir	Destitute persons relief ordinance.	...	In favour of Plaintiff	...	Affiliation order 3s. per week.
May 23rd	Wi Hau v. Wm. Clarke	Claim	30 0 0	Plaintiff	5 0 0	In addition to a re-survey at Defendant's cost.
June 15th	Wepiha Pi v. John Adamson	Claim for damages	1 0 0	Plaintiff	1 0 0	Being four times value of stolen property.
Oct. 6th	Wm. Simons v. Po Aruma	Larceny	...	Plaintiff	3 0 0	Two months' imprisonment with hard labour.
Dec. 22nd	F. Connolly v. Po Aruma	Assault	...	Plaintiff	...	
" 1861.	Renata v. H. Johnson	Claim	8 0 0	Settled out of Court	...	
April 29th	Tamati Wakav. Jas. Donatty	Larceny	...		...	Taking not being felonious compensation allowed to be made.
May 31st	J. Whiting v. Teroutati	Assault	1 10 0	Plaintiff	1 0 0	
Sept. 16th	Titiku v. W. G. Kingstone	Claim	...	Plaintiff	0 10 0	
Nov. 19th	Warahi Hokowai v. J. Cor- ruger	Assault	...	Dismissed	...	
Dec. 18th	Wi Waka Turau v. E. G. Norris	Breach of Licensing Ordinance	...	Plaintiff	50 0 0	Government declined to award any of this fine to informer.
" 24th	Wi Waka Turau v. E. G. Norris	Breach of Sale of Spirits Ordinance.	...	Plaintiff	10 0 0	Awarded to informer.
" 1862.	K. Memoi v. F. Heckroote	Larceny	...	Dismissed	...	
Jan. 16th	Haika v. Joseph Chestnut	Desertion, from H. M. Forces	...	Prisoner sent to Military Authorities	...	
" 16th	Haika v. J. Smith and others	Do	...	Dismissed	...	
" 17th	C. Hammond v. Haika	Drunkenness	...	Fined	0 5 0	
Feb. 27th	Warahi Kokowai v. J. Cook	Claim	1 10 0	Plaintiff	1 10 0	
April 2nd	Neri v. James Hogan	Assault	...	Plaintiff	0 10 0	Moiety of fine to Complainant.
" 2nd	Pompey v. Lewis	Assault	...	Dismissed	...	
June 17th	Hakarai v. Thos. Howe	Assault	...	Plaintiff	3 0 0	Paid to Complainant £1 5s.
" 28th	Poilipi v. Thos. Howe	Claim	1 5 0	Plaintiff	1 5 0	
" 28th	Mohi v. Mike Corea	Assault	...	Plaintiff	2 0 0	Paid to Complainant £1.
July 1st	Korahi v. John Shears	Larceny	...	Four Months' Im- prisonment.	...	

Date.	Title of Case.	Nature of Case.	Amount.	Verdict or Decision.	Amount of Fine or Award	Remarks.
Aug. 23rd	Wepiha Pi v. H. Johnson .	Threatening and Abusive Language	...	Dismissed	...	
Oct. 30st	Pohihi v. Craill & Wilkinson	Claim	46 14 10	For Defendants .	...
1863.						
Jan. 8th	J. H. Greenway v. Ranohi .	Larceny . . . . .	...	Plaintiff . . .	1 0 0	Being four times value.
" 24th	Hatiwira v. A. Lemme .	Claim	2 10 0	Paid into Court .	...
Feb. 18th	Pohihi v. H. J. Hickton .	Breach of Licensing Ordinance	...	Plaintiff . . .	50 0 0	One half paid to informer.
" 18th	Pohihi v. H. J. Hickton .	Breach of Sale of Spirits Ordinance	...	Plaintiff . . .	10 0 0	Paid to informer.
" 19th	Rototi v. J. J. Priar .	Do . . . . .	...	Dismissed . . .	...
" 19th	Tokorua v. J. J. Priar .	Do . . . . .	...	Plaintiff . . .	3 0 0	
" 19th	Holua Awa v. Geo. Cook .	Do . . . . .	...	Do	3 0 0	Paid to informer.
" 19th	Pene Whare v. Geo. Cook .	Do . . . . .	...	Do	3 0 0	Do.
" 19th	Akulata v. J. Johnson .	Do . . . . .	...	Do	3 0 0	Do.
" 19th	Ututaonga v. J. Johnson .	Do . . . . .	...	Do	3 0 0	Do.
" 19th	Holua v. J. G. Williams .	Do . . . . .	...	Do	3 0 0	Do.
" 19th	Wharau Pohev v. J. G. Williams	Do . . . . .	...	Do	3 0 0	Do.
" 19th	Horotai v. J. G. Williams .	Do . . . . .	...	Do	3 0 0	Do.
Mar. 19th	Ika nui v. M. Sylva . .	Do	2 10 0	Do	2 10 0	
Aug. 3rd	Hotorene Tawatawa v. H. Johnson	Claim . . . . .	...	Do	2 18 0	
" 18th	Pohihi v. John Adamson .	Claim	3 0 0	Do . . . . .	...
Sept. 10th	Mere Rawhiti v. J. P. Williams	Assault	5 0 0	Dismissed	0 10 0	Paid to Complainant, 5s.—No
" 10th	Mere Rawhiti v. J. P. Williams	Taking her property . . .	...	Plaintiff . . .	0 1 0	executions have been issued in these cases.

R. C. BARSTOW,

Resident Magistrate.

RETURN of Cases in which a Summons has been applied for, but which have been subsequently settled amicably, from 1st January, 1860, to 30th Sept., 1863.

Plaintiff.	Defendant.	Nature of Claim.	Amt. Claimed.	How Settled.	Amount Paid.	Remarks.
Rehwarewha ...	H. Johnson	Cattle Trespass	£5 0 0	For Plaintiff	£4 0 0	
Mahi P. Kawiti	W. Caius, Junr.	Do. ...	3 0 0	Do. ...	1 10 0	
Paora te Whero	J. Russell	Wages due	0 12 0	Do. ...	0 10 0	
Maori	C. J. Cook	Value of a pig sold	1 4 0	Do. ...	1 0 0	
Maori	C. J. Cook	Balance of price of Wheat	0 7 6	Do. ...	0 7 6	
J. Adamson	Polhipi and others...	Value of sheep worried...	6 5 0	Do. ...	6 5 0	
J. Adamson	Wainakuta	Value of beast injured ..	8 0 0	For Defendant	0 0 0	
Hunia	J. Adamson	Cattle Trespass	5 0 0	For Plaintiff	3 0 0	
Hori	J. Adamson	Do.	0 5 0	Withdrawn	0 0 0	
Mangawai	J. Adamson	Do.	1 10 0	Set off in account	0 0 0	
HotereneTawatawa	J. Callaghan	Value of Kauri Timber...	8 0 0	For Plaintiff	7 10 0	
Wepiha Pi	H. Johnson	Trespass	1 0 0	Ditto	1 0 0	
Manawana	J. S. Clendon	Wages due	35 0 0	Settled between the parties.	0 0 0	
Manganui	J. S. Clendon	Cattle Trespass	5 0 0	Do. do.	0 0 0	
Ika nui	J. S. Clendon	For work done	10 0 0	Do. do.	0 0 0	
Warena	J. S. Clendon	Cattle Trespass	0 9 0	For Plaintiff	0 9 0	
W. Daker	Hohua ...	Repairs of boat (balance)	2 10 0	Do. ...	0 0 0	
W. Daker	Tamati Waka	Do. do.	7 0 0	Do. ...	7 0 0	
W. Sinmons	Wi Poruare	Clothing supplied	2 1 0	For Defendant	0 0 0	
HotereneTawatawa	R. Wilkinson	Timber cut	1 10 0	For Plaintiff	1 10 0	
W. Baker	Wiremu Kingi Tareha	Repairs of boat, &c.	7 0 0	Do.	7 0 0	Remains unsettled.

Many cases have been submitted to me for Arbitration, which are not included herein.

R. C. BARSTOW,
Resident Magistrate.

RETURN of all cases in which Maoris and Europeans were concerned, disposed of in the Resident Magistrate's Court, from the 1st day of January, 1860, to the 30th day of September, 1863.

CRIMINAL CASES.

Offence	In which Maoris were Defendants							In which Europeans were Defendants							Total cases between Maoris and Europeans
	Summary Convictions	Committed for Trial	Dismissed	No appearance	Summons or Warrant not executed	Settled	Total	Summary Convictions	Committed for trial	Dismissed	No appearance	Summons or Warrant not executed	Settled	Total	
Assault	2	...	...	...	...	...	2	4	...	2	...	...	...	6	8
Breach of Arms Importation Act
Breach of Bribery and Treating Act
Breach of Cattle Trespass Ordinance
Breach of Destitute Persons Relief Ordinance	1	...	...	...	...	...	1	1
Breach of Fencing Act
Breach of Impounding Act
Breach of Licensing Act*	12	...	1	...	...	...	13	13
Breach of Mercantile Marine Acts...
Breach of Sheep Act
Breach of Slaughter-house Ordinance
Drunkenness	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...
Desertion from Army and Navy	1	...	...	...	...	...	...	1
Felony	2	...	...	...	...	...	2	1	...	1	...	...	1	3	3
Malicious Injury
Indictable Misdemeanour
Sureties of the Peace
Vagrancy	1
All other cases	2	...	...	...	...	...	2	2
Total	5	...	...	...	...	...	5	21	...	7	...	...	1	29	34

* Including Sale of Spirits Ordinance.

RETURN of all Cases in which Maoris and Europeans were concerned, disposed of in the Resident Magistrate's Court at Russell, from the 1st day of January, 1860 to the 30th day of September, 1863.

CIVIL CASES.

In which Europeans were Defendants										Total Cases between Maoris and Europeans	
Judgment for Plaintiff	Judgment for Defendant	Nonsuited	Settled out of Court	Paid into Court	Judgment confessed	Amount sued for	Amount for which Judgment given	Total Cases	Judgment for Plaintiff	Judgment for Defendant	Total Cases
5	2	..	1	2	..	£101 12 10	*£10 10 0	10	10	10	10

Gross Total of Criminal and Civil Cases Disposed of ... 44.

* And a re-Survey, which cost £22 10 0.

This Return does not include cases between Maoris only.

R. C. BARSTOW,
Resident Magistrate.

