

PETITION

OF THE

SETTLERS IN THE PROVINCE OF HAWKE'S BAY,

PRAYING THAT CLAUSE XIX. AND XXX. OF "THE NATIVE LANDS BILL, 1862,"
MAY BE RIGIDLY ENFORCED.

PRESENTED TO THE HOUSE OF REPRESENTATIVES, 12TH SEPTEMBER, 1865.

(Mr. Colenso.)

WELLINGTON.

—
1865.

PETITION OF THE SETTLERS IN THE PROVINCE OF HAWKE'S BAY.

To the Honourable the House of Representatives of New Zealand in Parliament assembled, the Petition of the undersigned Inhabitants of Hawke's Bay:

HUMBLY SHEWETH,—

1. That an attempt has been made in the Provincial Council of Hawke's Bay, during the present session, to carry a series of resolutions indorsed hereon.

2. That the said resolutions were superseded by an amendment, carried only by the casting vote of the Speaker.

3. That in the division lists on the said amendment the following names appear in its favour—namely, J. Wilkinson, Esq., the Speaker; J. D. Ormond, Esq., Member for Porangahau, and a Member of the Executive Council; A. Kennedy, Esq., Member for Napier.

4. That these gentlemen's names (as well as that of J. M. Stuart, Esq., Member for Napier, who voted against the amendment), also appear in a Return laid before your Honourable House in its last Session, as being in the illegal occupation of Maori lands.

5. That, on the ground of their possessing a direct personal interest, their voting on the question was, on the division, objected to.

6. That the vote of His Honor Mr. McLean was also taken exception to on like grounds, because of his interest in the block of 30,000 acres held in his brother's name, as particularized in the Return before referred to.

7. That, out of a small Council of fifteen Members, nearly one-third thus appear to have a pecuniary motive, plain to every one, in endeavouring to shield by their votes their own individual perpetration of a public wrong.

8. That in addition to this array of votes and influence, ten magistrates, (including one Resident Magistrate) appear in the same Return as following the example set them by their Representatives in the Provincial Council, of defying and setting at naught the laws they are sworn to obey.

9. That your petitioners set forth these facts for the information of your Honourable House, in the event of any Bill founded on the amendment referred to as being so narrowly and corruptly carried being laid before it.

10. That on the rejection of these Resolutions, a fresh set (indorsed hereon) were submitted to the Provincial Council.

11. That this second set was thrown out on a division by the votes of the same Members who rejected the first set, acting, as your petitioners allege, under the same warped motives that governed their action before.

12. That whilst recognizing in part the objections urged against the universal enforcement of "The Native Land Purchase Ordinance, 1846," because of its age, its inapplicability to the circumstances of the present time, and the enormous growth and strength, more especially in this Province, of the interests that have been fostered and encouraged by the long years of immunity from its operation that its violators have enjoyed,—your petitioners respectfully allege that no pleas of like character or force ought to be allowed to frustrate or delay any action serving to make clearly apparent to every individual, that the provisions of the thirtieth clause of "The Native Lands Act, 1862," will be rigidly enforced whenever the said Act is proclaimed within this district.

13. That your petitioners consider administration of the nineteenth and thirtieth clauses of "The Native Lands Act, 1862," in full and strict consonance with their letter, to be the best means whereby (without any risk of running counter to the policy of the Government in Native matters,) the interests of the bulk of the people of this Province may be saved, at least in part, from being sacrificed at the shrine of the few who now hold power.

14. Your Petitioners therefore humbly pray, if alteration be proposed in the said Act, that these clauses be left intact, or that their stringency be increased as against individuals who occupy Maori lands in defiance of law.

And your petitioners will humbly pray.

(Here follow 201 signatures.)

Resolutions referred to in the within Petition.

1. That this Council is of opinion that the special welfare of this Province and the general interests of the Colony are retarded and injured by the non-enforcement of the law as contained in "The Land Purchase Ordinance, 1846,"—firstly, by reason of the occupation by Europeans, in contravention of that Ordinance, for pastoral purposes only, of the Native lands best suited for agriculture, by fertility, and proximity to port and to market, the possibility of acquiring the said lands by purchase for legitimate settlement is entirely frustrated, and the growth and concentration of population prevented; secondly, by the disregard and scorn of British law engendered and fostered in the breasts of the Maori population by the knowledge they possess of the immunity with which the Ordinance in question is openly broken by British subjects of European extraction, who alone are affected by its provisions; thirdly, by this laxity of administration Governmental approval of the system is assumed, whereby, out of the regularly accruing large and certain income paid to the Maoris for the illegal

rental of these lands, most important aid in money (well understood to be given in fixed contributions) has been afforded to the rebel tribes. Whilst, therefore, a lavish expenditure for the suppression of the war has to be borne by the Colonists and by the British public, violators of the law in our midst are supplying means of greater moment even than men to protract the struggle, and to nullify the effect that ought to result from the blood spilt and treasure spent; fourthly, by the discontent and dissatisfaction felt by the great body of our white population, who respect and abide by the law, at witnessing the ease with which advantages, to their detriment, are secured by a mere fraction of the community who do neither.

2. That, in the opinion of the Council, it is highly necessary that steps be at once taken to put "The Native Land Purchase Ordinance, 1846," in force.

3. That His Honor the Superintendent be requested to forward a copy of these resolutions to the Hon. the Colonial Secretary, for such action as to His Excellency the Governor's Responsible Advisers may seem fit.

Amendment.

That this Council is of opinion that the occupation of the agricultural land known as Ahuriri Plains by a settled population is essential to the advancement and prosperity of the Province.

That the action of "The Native Lands Act, 1862," will, it is believed, tend to throw these lands into the hands of large proprietors, and thereby inflict incalculable injury upon the community at large.

That the Council is aware that "The Native Lands Act" is an essential feature of the policy of the Colony, as at present represented in the General Assembly, and that there is no chance of the Ahuriri Plains being excepted from its operation.

That the Council has considered in what manner the interests of the Province can be served without an undue interference with the policy and intention of the Act above referred to.

That the Council considers that the interests of the Province may be secured, and the privileges assured to the Native proprietors confirmed, by the sanction of a system of acreage assessment upon a sliding scale, which shall be so regulated as virtually to amount to prohibition of individual proprietorship over large blocks.

That the Council would urge, that whilst the legalization of such a system would secure the Province against the otherwise ruinous operation, in so far as the agricultural plains are concerned, of "The Native Lands Act," a pecuniary benefit would result to the Native proprietors, who would, from the holdings of limited extent, realize over blocks of land very much higher valuations than will otherwise accrue to them.

That His Honor the Superintendent be requested to forward a copy of this resolution to the Hon. the Colonial Secretary, and to strongly urge upon the Government the necessity of prompt action in the manner indicated for the security of the general interests.