

1876.

NEW ZEALAND.

PETITION OF TAPA TE WAERO.

Presented to the House of Representatives, 11th August, and ordered to be printed, 17th August, 1876.

To the Honorable the Speaker and Members of the House of Representatives
in Parliament assembled.

IN THE MATTER OF THE CONFISCATED LANDS ON THE WEST COAST, AND CERTAIN
UNFULFILLED PROMISES OF NATIVE RESERVES THEREIN.

THE HUMBLE PETITION OF TAPA TE WAERO, A CHIEF OF THE NGARAURU TRIBE, RESIDING AT
WAITOTARA, SHOWETH,—

1. That your petitioner is a member of the Ngarauru tribe, and now resides with his people at Kaipo, near Waitotara, in the District of Wanganui.

2. That your petitioner was, in September, 1865, an occupant of the Wereroa Pa, and was present during the negotiations with Governor Sir George Grey for the surrender of that pa to Her Majesty's Colonial forces.

3. That your petitioner and Uru te Angina, another chief of the Ngarauru tribe, were in command of the Wereroa Pa at that time, and were instrumental in defeating a treacherous design on the part of some of the inmates to take the life of the Governor, who was within easy reach of their guns.

4. That your petitioner and Uru te Angina were anxious for peace, and prepared their own house for the reception of the Governor and his suite, but were overruled by the rest of the tribe.

5. That, after the capture of the Wereroa Pa by Sir George Grey and the Colonial forces, your petitioner, with others of his people escaped to Okotuku, where they occupied one of their old *kaingas*, and remained for a time in quiet possession.

6. That in the following year your petitioner and his people built a bridge across the Mangapouhau Stream, and performed other acts of ownership on the land; and that about this time they were visited by the Hon. Major Atkinson and the Hon. J. C. Richmond, who then proposed making a Native reserve at Okotuku, although nothing was definitely arranged.

7. That in the year 1867 the survey of the Okotuku District was commenced under Mr. Percy Smith, and was opposed by your petitioner and his people, who regarded it as an unwarranted taking of their land.

8. That in the same year Mr. Booth, R.M., visited the Ngarauru to arrange about the reserves, on which occasion a plan for the taking of his life was frustrated by your petitioner, whose instructions were, "Let us kill him with words, not blows."

9. That in the year 1868 Titokowaru's war commenced, and the troops under Colonel Whitmore, with a Native Contingent composed of the Wanganui part of the Ngarauru, the Ngatiapa, the Rangitane, and the Muanpoko, went to Okotuku, where a pitched battle took place.

10. That in the same year Titokowaru and his followers made a raid upon the Waitotara, for the purpose of pressing the resident tribes into their service.

11. That at this time your petitioner and those who were acting with him exerted themselves to aid the escape of certain pakehas who were settled on the land; and were instrumental in saving the lives of Charles Durie, Mona Rees Lingard, Richards, and others, whom they escorted in safety to the Wereroa Barracks.

12. That at a later period your petitioner was put under arrest by Mr. Booth, R.M., and was carried off to Wanganui, on the suspicion of being a rebel.

13. That, on the occasion of Governor Bowen's visit to Wanganui, your petitioner, on the representations of Major Kemp and Mete Kingi, was released from custody, and received a safe-conduct pass back to his own district.

14. That, on your petitioner's return to Papatupu, he found Titokowaru there, and all his own people (33 men, besides women and children) in the hands of the rebel chief, and completely in his power.

15. That your petitioner and his people were induced to assist Titokowaru in the building of the Taurangarika Pa, and that, on the capture of this pa by Colonel Whitmore and the Colonial forces, they accompanied Titokowaru as far as Patea, and then allowed him to go on; and that after this your petitioner was in no way concerned in any of the fighting on the West Coast.

16. That after these events your petitioner and his people removed to Wanganui, where they joined the loyal tribes, and placed their services at the disposal of the Government.

17. That in 1869 the Hon. W. Fox (then Premier) invited your petitioner and his people to join in the pursuit of the rebel chief Te Kooti and his band, who had taken up a position at Taupo; and that on this occasion Mr. Fox's words were, "Let this atone for your offences against the Queen."

18. That your petitioner, with a hundred men of the Ngarauru tribe, responded to this call, and joined the forces under the Colonial Government; that they pursued Te Kooti through the disturbed country between Taupo and Opotikei, and had several engagements with the enemy, capturing some and killing many more.

19. That after the return of the tribes from this campaign, there was a public notification warning all Maoris against settling or kindling their fires on the lands between Kai Iwi and Patea, and that your petitioner and his people accordingly remained on the Wanganui River and cultivated there.

20. That in the year 1873 Sir Donald McLean, accompanied by the Hon. Wi Tako and the Hon. Wi Parata, visited Wanganui and held a meeting with your petitioner and his people, when the following reserves were promised—namely, for Aperahama, 500 acres; for Pehimana, 500 acres; and for your petitioner and the tribe, 2,000 acres.

21. That your petitioner afterwards claimed his reserve at Okotuku, and that, although the Government promised to send Captain Blake up to arrange matters, nothing was done.

22. That about this time a letter was received by your petitioner and his people from the Hon. Wi Parata, a member of the Government, to the effect that the Natives would be allowed to retain possession of the lands actually occupied by them, and that with regard to the rest some fresh arrangement would be made.

23. That after this the Civil Commissioner of the district commenced a system of buying up the confiscated land, or of compensating the owners for giving up quiet possession, paying the *hāpus* according to their original claims and according to the value of the land; and that, in 1875, your petitioner, fearing that other men would claim his land at Okotuku and sell it to the Government, settled with his people on a portion of it, and performed acts of ownership by clearing the land and burning it off.

24. That after being warned to leave the land, and refusing to go, your petitioner, with two others of his tribe, were prosecuted, at the instance of the Government, for malicious injuries to property and for forcible entry, and were fully committed for trial at the Wanganui sittings of the Supreme Court.

25. That your petitioner and his co-prisoners were, on the 25th day of April last, tried before the Chief Justice and acquitted on the first charge, the defence being that the prisoners had acted under a fair and reasonable belief that they had a right to do the acts complained of, and that on the second indictment the Crown Solicitor declined to lay any evidence before the Jury.

26. That after the acquittal of the prisoners, His Honor, addressing them through the Interpreter of the Court, warned them against taking the law into their own hands, and advised them in any future assertion of their supposed claims to have recourse in the first instance to the Legislature for redress.

27. That in pursuance of the suggestion of His Honor the Chief Justice, and in the full belief that your honorable House will do justice in the premises, your petitioner prays for a full and searching inquiry before a Select Committee (or in such other way as the House may appoint) into all the circumstances connected with the confiscation of Native Lands on the West Coast and the subsequent administration thereof, and more particularly with reference to the unfulfilled promises of reserves, in order that your petitioner, and those of his tribe claiming with him, may have such redress and relief as to your honorable House may seem fit and right.

And your petitioner will ever pray, &c.

TAPA TE WAERO.