

1876.

NEW ZEALAND.

STATEMENT BY H. K. TAIAROA, M.H.R., ON THE REPORT BY JUDGE FENTON ON THE PETITION OF THE NGAITAHU TRIBE.

Laid on the Table by Mr. Taiaroa, with leave of the House.

KO TE PUKAPUKA a H. K. TAIAROA, M.H.R., hei whakahoki i nga korero o te Panui a Penetana, Tumuaki o te Kooti Whakawa Whenua Maori (ko te nama o taua Pukapuka G.—7A. 1876).

Ko taua panui a Penetana i tuku ai ki te Kawanatanga he pukapuka ia mo te Paremata hei titiro ma nga mema o nga Paremata hei rapu hoki ma nga tangata katoa o te ao nei.

Ko nga korero o taua pukapuka a Penetana he roa noa atu, e maharatia ana i pau katoa nga whakaaro nui o Penetana i a ia e mahi ana i aua kupu kia hoki ai ka kupu o te pukapuka inoi a Ngaitahu.

I timata te korero a Penetana mo te wahi whakatekau. I penei tana korero: “I whakaaria ki nga Maori na ratou i hoko nga whenua i te Waipounamu ka whakahokia ki a ratou kotahi eka i roto i ia tekau eka, i tetahi whakaritenga a ratou ko Wairawake i te tau 1844.”

1. Ka whakahokia e au te kupu a Penetana mo te whakatekau. Ki toku mahara kahore rawa a Penetana i whai kupu mo taua whakatekau. I mahara ahau kua kaiponutia e Penetana tana mahara mo taua whakatekau, kua mahue pea i tona matauranga; otira maku eki nana ranei te take i mahue ai, na ana kai-tohutohu ranei, me whaaki atu e ahau kia rongono ano nga taringa o Penetana, kia kite ano ana kanohi. I mea au kia ki penei atu au i te tau 1844 ko te iwi Maori o Nui Tireni i kuare katoa ki tenei mea ki te hoko whenua; kahore ratou i mohio e pehea ana ratou inahoki i taua wa tera ka Maori e hoatu noa i Niu Tireni mo te kupu anake—mo tetahi toki matau ranei. I taua wa kahore hoki imatau ki te tuhituhi pukapuka ki te korero ranei i te pukapuka. Otira i te hokonga o te Poraka o Otakou—i mea ratou i roto i a ratou pukapuka-inoi ki te Paremata o te tau 1874 me te pitihana o te tau 1875—i mea te kupu i roto i te pukapuka-inoi i tohe ano ratou ki a Wairawake raua ko Haimona kia nui te utu mo to ratou oneone. Kahore a Wairawake i pai, ka mea nga Maori me whakakahore taua hoko. Katahi ka riro ma Wairawake e tohe kia whakaae nga Maori, ka mea ka Maori ekore ratou e pai. Ka tohe tonu a Wairawake, katahi ka mahara a Wairawake akuanei kore ai e riro i a ia taua whenua ka puta te kupu a Wairawake me whakaae nga Maori kia kotahi pihi ma te Maori kia kotahi pihi ma te Pakeha, haunga ia nga whenua i wehea ki waho mo nga Maori ake. I tohutohu ano hoki a Wairawake ratou tahi ko ona hoa i aua kupu ki nga Maori, i tohutohu ano a Wairawake ma ki tetahi pukapuka i a ratou e korero ana, i haehaea peneitia te pukapuka kia marama ai nga Maori:

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 Ko te nama 1 he pihi Pakeha, ko te nama 2 he pihi Maori, ko te nama 3 he pihi Pakeha ko te nama 4 he pihi Maori pena tonu pau noa te Poraka i Otakou.

Na nga Pakeha nei tenei kupu kotahi eka i roto i nga tekau eka hei wehe mai hei painga mo nga Maori, e mohio ana ahau ki nga korero a nga Maori mo te tika o aua kupu. E ki ana hoki nga Maori i te panuitanga mai o te pukapuka hoko i panuitia mai ano hoki aua kupu “kotahi pihi Pakeha, kotahi pihi Maori” i te ra i tuhia ai nga ingoa ki te pukapuka o te hoko.

Otira e nui noa atu ka korero hei whakakaha i aua kupu mehemea ka pai te ngakau o te tangata Pakeha ki te rapu i te tika.

Tirohia koia te pukapuka a Kapene Haimona o te 2 o Hepetema 1844, e ki na i whakarerea e ia te whakahua he oneone ke atu ma Ngaitahu i roto i te Tiiti i runga hoki i te tono a Wairawake kia whakarerea taua whakahuatanga.

Ka kitea ano e koutou te pukapuka a Wairawake ki te Whakaminenga o taua tau ano 1844 e ki ana i whakarerea e ia te whakahua he oneone ke ma Ngaitahu i runga i te kore kai ruri hei wehewehe i aua eka mo nga Maori i taua wa.

Tirohia ano e koutou te Ture o te whakamananga o Te Ture Whakariterite Tikanga mo Nui Tireni 15 me 16 Vict. c. 72, a te Paremete Nui o Ingarangi hei whakahaere tikanga ma taua Kapene hoko whenua ki Nui Tireni; me nga kupu tohutohu mai ano a taua Paremata o Ingarangi kia tika kia pono te mahi a te iwi Pakeha ki nga Maori me ta ratou hoko hoki i nga whenua kia tika rawa ki taua ture a taua Paremata o Ingarangi.

Me whakahoki e au te kupu tuatahi a Penetana mo te whakatekau i tuhia i te kupu tuatahi o te pukapuka a Penetana.

Kahore rawa ahau e whakapono kahore tetahi tangata ngakau pono e whakapono, kahore i te rangi, i runga o te whenua ranei i raro i te wai ranei i raro i te whenua.

Ko te whakahoki mo te kupu tuatahi a Penetana,—

Kahore rawa he pono o tenei kupu e mea nei kua pohehetia nga Maori o Ngaitahu. Ki toku

mahara kahore i pohehe ki nga hoko o mua me nga hoko o muri iho; ekari ko Penetana kei te pohehe ki ana korero i tuku ai ki tenei Paremata. Kei te panui kuare hoki ia i ana korero i runga i tona kore matau ki aua ritenga. Ki te kiia he tika tana panui, katahi ano te tangata i penei tona matauranga me te Atua kia kitea mai ano ia i nga he o te tangata i nga rau maero maha o te moana whanui o Niu Tirenī.

Mo te kupu tuarua a Penetana,—

Kua ki nga Maori na Te Keepa ano ratou i whakawehiwehi ki enei kupu: “Ki te kore koutou e whakaae ka hoatu nga moni o to koutou whenua ma Ngatitōa; ki te tohe tonu koutou ki te pupuri i to koutou whenua ka tonoa mai he Hoia, hei patu ia koutou.

He pono enei kupu he nui hoki nga tangata hei whakaponi i ana kupu. E kore hoki ahau e huna, me korero rangatira ahau.

He Manuao hoki te kaupuke o Te Keepa i haere ai ki Akarana Aireni i te taha tonga. No tona hokinga mai i taua motu i Akarana ka rere mai ki Otakou ka tonoa ia ki toku matua ki a Taiaroa me etahi atu Rangatira kia haere mai ki Kaiapoi ki Akaroa ranei ki te hoko whenua. Ka haere mai aua Rangatira i a Te Keepa ma runga i tona Manuao, a Taiaroa, a Karetai, a Haereroa, a Horomona, a Tare Te Kahu, a Wi Potiki, me etahi atu. I a ratou e rere ana mai i te tahataha o te whenua, ka mea Te Keepa ki nga Rangatira: “Kei whea he rohe mo te whenua hei tuku mai ki au?” Ka mea ratou “Ko te whenua i te taha taha moana nei, kaua e huri atu ki tua o nga maunga e tu mai ra.”

Ka mutu ano te taima i tohu tohu atu ai nga Rangatira ra kia Te Keepa. Ko nga mahi i runga i te manuao he kai waipiro, he haurangi, he aha he aha. Ka tu ki Akaroa te manuao ka haere ki uta ki te whare o nga Wiwi i Akaroa a Te Keepa me ona hoa me nga rangatira i haere atu nei ratou. Kua tae mai ki reira etahi o nga rangatira o Kaiapoi, ka tu taua runanga o Te Keepa, ka whakakahoretia taua hoko a Te Keepa e taua runanga. Ka hoki a Te Keepa me ona hoa ki runga i tona kaupuke, ka whakaaoriritenga mana mo te korenga o nga Maori e whakaae.

Katahi a Te Keepa ka tonoa kia tikina nga Maori kia haere mai ki te kaupuke, ka tohe tonu ia kia whakaae nga Maori ki te tako i aua moni ki te kore ratou e whakaae ki aua moni, ka hoatu e ia aua moni ki a Ngatitōa. E hara taua manuao nei i te whenua maroke; ekari he kaupuke, i waho i te moana. Ka tohe ano nga Maori kia nui rawa atu te utu mo taua whenua. Kaore rawa atu nga Maori i pai no reira i puta ai enei kupu a Te Keepa ki aua Rangatira: “Me whakaae ano koutou ki te moni “e rua mano Pauna (£2,000), hei moni taunaha i to koutou whenua:” Ka mea nga Maori ki a Te Keepa: “Ka riro katoa to matou whenua i tena ritenga au, engari me haere kia roherohea te tuawhenua kia wehewehe hongī nga whenua mo te whakatapu kia matou.” Katahi a Te Keepa ka mahara ko te mea pai ano tenei ko te kaupuke nei akuanei ka haere ahau ki uta ki te titiro i nga whenua e wehea e au ka kore ano te whenua e riro mai ki au.

Ka puta ano he kupu a Te Keepa, penei: “Me waiho kia hoki mai ahau; engari me whakaae koutou kia tuhia te pukapuka tuku whenua. Kaua koutou e wehi ki to koutou whenua e kore hoki to koutou whenua e riro, e ngari ka waiho ma te Kawanatanga o koutou whenua e tiaki, ko a koutou kainga nohoanga me a koutou mahinga kai ka waiho mo koutou me o koutou uri i muri ia koutou, i muri ma te Kawanatanga e whakarite etahi whenua mo koutou, ana ruritia te whenua.”

Katahi a Te Keepa ka tuhituhi kau i tana tiiti, ka tuhituhia ano e Te Keepa ana kupu i pai ai hei whakamate i te iwi Maori, me nga Maori e haurangi ana i te waipiro i runga i te kaupuke. I whakaae ano nga Maori ki te tako i taua moni taunaha a Te Keepa, kia riro mai ki a ratou te £2,000. Te otinga o te titi te tuhi ka panuitia mai hoki e £500 hei homai, ki nga Maori. Ka rongo etahi o nga rangatira o Kaiapoi e rima ano £500 pauna te moni e tukua mai, ka mahue taua hoko ka hoki te nuinga ki uta, ka mahue ko nga mea i te kaupuke nana aua moni i mau ka tuhi hoki ratou i o ratou ingoa ki tana titi. E ki ana etahi o nga Maori kahore rawa atu ratou i te mahara i rongo ratou i nga korero o taua pukapuka a Te Keepa, i te nui o te waipiro a nga heramana o te kaupuke ma ratou.

Muri mai ko Matara te Komihana ka tonoa ano e te Kawana kia haere ia ki te whakariterite i nga hoko a Ngaitahu. Ka tohe i reira nga Maori kia wehea rawatia te tuawhenua ki waho. Ka mea atu a Matara e kore e pai kua mau ki roto o te pukapuka a Te Keepa. Ka mea nga Maori kia Matara, kahore ratou i pera, ka whakahokia mai a Matara e nga Maori, ka mea kua oti matou te tinihanga e Te Keepa kua tuhia ano te tuawhenua. Ka mea a Matara akuanei kore ai nga Maori e whakaae akuanei kore ai e riro te whenua nei akuanei hoki kore ai he mana o te pukapuka tuku a Te Keepa, ka puta ano enei kupu waniwani a Te Matara: “Ko te tua whenua e tohe nei koutou me wehe ki waho ki taku titiro iho kua mau rawa ki te titi a Te Keepa. Ka mea nga Maori he mea tahae noa, he mea kukume noa na Te Keepa ana korero ki taua pukapuka. Ka puta enei kupu a Matara: “Me tako ano e koutou nga toenga o nga moni a Te Keepa: (1.) Ma te Kawanatanga to koutou whenua e utu a muri ake nei: (2.) Ka whakaturia he kura mo ia kaika o koutou, puta noa te iwi o Ngaitahu; (3.) He hohipera mo koutou mo o koutou mate kia ora ai koutou kei mate; (4.) Ma te Kawanatanga koutou e tiaki tonu e whakai tonu kia ora ai koutou.”

Katahi ano nga Maori nga kawari mai ki te tuhi i o ratou ingoa ki te pukapuka tuku moni a Matara. Ko aua moni a Matara no roto ano i te rua mano a Te Keepa i korerotia ki Akaroa.

Kua mohio te ao katoa he pono ano te tinihangatanga a Te Kawanatanga i a Ngaitahu me etahi atu o te Koroni o Nui Tirenī.

Me whakahoki ano e au nga kupu a Penetana e kiia nei he matakū no Ngaitahu i nga taua a Te Rauparaha. I ki a Penetana kahore a Te Keepa i whakahua i a Ngatitōa ki a Ngaitahu. E tika ana te kupu na Te Keepa i whakawehiwehi kia Ngaitahu ki tenei kupu tonu:—Ki te kore koutou e tango i nga koutou moni, ka kawea e au nga moni ma Ngatitōa ki te ua ua koutou ka tonoa mai he hoia hei tako i to koutou whenua. Ina hoki kua puta i roto i to panui te ingoa o te Rauparaha e rongo ana ahau i taua kupu mo Ngaitahu e puta ana i nga tau katoa i nga Komihana i nga Minita o te Paremata i a koe ano hoki e Penetana, he iwi mate a Ngaitahu. Kahore rawa to kupu e whakaponohia e au a kore ano hoki e whakapohohia e nga tangata matau ki nga ture o to te whawhai tikanga. Mau tonu e ki nui nga whawhai i roto i a Te Rauparaha, me nga whawhai i kaha ai nga taua a Te Rauparaha. Ki toku mahara kahore rawa nga whawhai whakamutunga a Te Rauparaha i kaha, kahore hoki i roto i a ia te mutunga. Kia tupato koe; nau i whakahou ena mea, ka waiho tonu tau panui hei timatanga korero ma taua enei wa e haere ake nei.

Me to kupu e mea nei mo te rangimarie i homai e te Pakeha. Te utu mo tena kupu, pa: atu ahau kia mate i te mea e ora nei ahau e rongu nei i te pouri me te mamae o toku iwi i nga kupu tinihanga waniwani a te iwi korero teka a te Pakeha.

Me to kupu e ki nei koe, *Ko ia e whiwhi ana i te painga ka tika ano kia waha ano i te taimahatanga*, ko ahau ka ore ano i kite noa i nga painga a te Pakeha kua puta mai ki au me toku iwi; ko taku kupu tenei ko ia e korero tenga ana ki tetahi ka tika mona ano te kapura o te Reinga.

Ko te kupu i te rarangi 3 o te panui, ki tou mahara i oti ano ranei te ruri te whenua i mua atu o te hokonga a Te Keepa ki toku i rongu ai kaore ano he mapi he kai ruri i tae ki te ruri i aua whenua a Te Keepa whakahua teka noa a Te Keepa i roto i te titi kei te pukapuka ruri te ahua o te whenua. He parau tena kupu, he kupu tinihanga.

Mo to kupu tuawha e ki nei koe kahore koe e whakapono kahore e whakapono te tahi atu tangata e mohio ana ki ai a ano i whakapuaki a Matara i nga kupu i kiia i whakapuakina e ia. Katahi ano te tangata ko koe kahore i titiro i te pukapuka a Matara ki te Kaituhituhi a te Kuini i te tau 1856; me hoki ano koe, to hoa ranei e kore nei koe e whakapono me atu korero i aua pukapuka kia tika ai te tuku mai i ana panui mo te Paremata. Ki te mea he whakahe nau mo nga Maori, mau ano tau kahore rawa e whakaponohia ekari pea ko o kai tohu tohu nana koe i tu ai e whakapono ki a koe.

Eki ana koe i te rarangi 5 o to panui he hoa uaua a Ariki Make, e kore rawa ahau e ki he pono to kupu. Ko Te Make i mahi ano ia i te taha ki Te Kawanatanga. Kahore ia i mahi nui ki nga Maori e kari pea ka tautohe a te Maori ki a ratou Maori ano i kaha pea a Ariki Make otira kaore ia e timo kaha hei hoa totohe ki tona Rangatira ki te Kawanatanga. Me te Roretana hoki i mahi ano ia ki Te Kawanatanga mo te taha ki te Karauna.

Kotahi anake te tangata i nga Maori, ko te roia anake. Otira i puta ano he kupu o taua Roia mo te kore mana o te pukapuka tuku whenua, no reira i mahia tinihangatia e to Kooti Whakawa te tubinga a koutou i te ingoa o ta koutou Kawana hou, te ingoa ko Kawana Teone Horo. Ko nga korero o taua Kooti i tino korerotia Pakehatia. Ko te whenua i tonoa ki to Kooti whakawa 1868, ko Kaitorete he whenua nohoanga mahinga kai ma nga Maori. Kahore i oti i taua Kooti whakawa whenua Maori. I mohio ano taua Kooti Whakawa i taua wa kua he taua mahi no reira i hoatu noa etahi whenua e taua Kooti hei whakakawari i te pakeke o nga Maori, otira ko te whenua ko Kaitorete i tonoa ki taua Kooti kahore i whakahokia. Muri mai ano ka noho ano te Kooti ki Otakouhe whakawa ano i nga whenua i whakatapua i mua. Kahore ka Maori i tono kia homai he whenua ke atu hei whakaea i te pukapuka hoko a Te Keepa; katahi ka tono te Kooti ratou ko ana Komihana penei te kupu: "E kore ranei koutou e nga tangata o Otakou me o Murihiku e hiahia ki etahi whenua ke hei whakarite i nga kupu a Te Kawanatanga?" Kahore nga Maori i titiro pai atu ki taua kupu a Ariki Make, katahi ka haere ratou ko etahi rangatira ki roto i te ruma kororero ai whakaaetia ana ko Tautuku te whenua kei te Porowini o Otakou, ko te nui o nga eka 1,000, ko taua whenua kua takohia ano e te Kawanatanga. Muri mai ano ka tu te Runanga Paremata i taua tau ano 1868, ka mahia te ture hei whakatikai te mahi he a to Kooti, hei whakamana hoki i te tubinga a Kawana Teone Horo i tona ingoa ki te pukapuka tuku kia mana ai nga mahi he a taua Kooti Whakawa Whenua Maori.

Ko taku kupu mo aua Komihana me te mahinga a taua Kooti Whakawa Whenua Maori, kahore rawa atu i pono e kore rawa e whakaponohia e nga tangata matau i muri ake nei. Eki ana a Penetana kahore nga korero i roto i te pukapuka inoi a Ngaitahu i whakapuakina ki te aroaro o te Kooti i te tau 1868, mehemea i tonoa e nga Maori, penei kua oti pai i te Kooti te whakaaro.

Me ki atu e au, he aha koe e kore ai e mahara he ritenga karo ki a koe ka kupu o te pukapuka inoi a Ngaitahu he ritenga hoki kaore i ata kimihia te tika me te he, kua kiia nei e koe kahore koe e whakapono kaore tetahi tangata e whakapono?

Ki toku mahara he he rawa tenei whakahe mo tenei mahi; he ritenga puhaehae ki te iwi Maori he ritenga whakahawea. Ko to kupu e ki nei kua whiwhi ano nga Maori ki nga painga, ekore ahau e whakapono notemea no nga Maori ano o ratou whenua me o ratou rawa e hara i te Pakeha ena painga katoa ekari kua oti te tinihanga e te Pakeha te painga o nga Maori.

E ki nei a Penetana kua whiwhi nga Maori ki nga whare turoro, no te mea i tuhera ano aua whare i te Kawanatanga ki nga Maori.

Ki toku mahara kahore ano nga Maori kia whiwhi noa ki aua whare turoro. I kiia aua whare me tu ki nga kainga Maori i taua wa ano, no kona kahore he pono o tenei ki kua rite taua kupu.

I ki ano a Penetana kua whiwhi ano nga Maori ki nga kura. Ki toku mahara kahore ano aua tu kura kia tu noa. Ko enei kura e tu nei, na te Koroni enei kura, e hara i te kura utu whenua.

E ki ana a Te Penetana e kore enei kupu whakaari e taea te utu e te moni. He tika tenei kupu ekore e taea e te moni te utu enei kupu. E kari tera e taea te utu mehemea ka whakaaturia ka a whenua i riro i runga i aua kupu waniwani. Ko tona utu, me hoki ano aua whenua. Ko te mea anake tenei e ai te utu.

Me mau rawa e au te kupu whakamutunga o te panui a Penetana, e ki nei e kore rawa e taea te whakarite te tono a Ngaitahu ki ta ratou e tono ai ekari me whakarite e te Kawanatanga etahi whenua mo nga Maori kia mutu ai te mahi tono i ia wai ia wa.

Ko taku kupu whakamutunga hei titiro ma te Paremata nei, ko te panui a Penetana he mea tohu tohu atu na te Kawanatanga nga putake e panuitia nei. Ko te putake i ki penei ai ahau no te mea ko ia i whakaturia hei Komihana. i penei ke te korero i nga ra o Maehe 1876, i te Ruma o te Minita mo nga Maori koia nei te kupu. Ko Penetana hei Komihana, ko nga take me haere rawa ia ki a Ngaitahu ui ui ai i nga kupu a nga tangata nana i hoko taua whenua; ko nga putake hei mahi ma taua Komihana ma Ngaitahu ano e korero a taua wa e tu ai taua Komihana. Whakaaetia ana e te Minita o te taha Maori.

Ko nga kupu o taua panui he amuamu noa iho ehara i te korero whaitikanga; he korero nukarau penei me te maminga, kahore he pono.

I haere hoki te kupu a Penetana ki te kaupuke ki "Te Arapama." Kia peratia koia te ritenga o te Waipounamu me taua kaupuke? Ko taku kupu atu, i ahatia taua kaupuke? Kaore koia a Ingarangi i utu i taua kaupuke ki te Kawanatanga o Marikene mo te hakanga o taua Kaupuke i runga i te oneone o Ingarangi?

Wereketana, Oketopa 26, 1876.

Na H. K. TAIRAOA.

[TRANSLATION.]

STATEMENT in writing by H. K. TAIAROA, M.H.R., in reply to the words of the Report by Mr. Fenton, Chief Judge of the Native Land Court. (G.—7A., 1876.)

THAT report was sent in by Mr. Fenton to the Government in order to be laid before Parliament, for the information of the members thereof, and for investigation by all the people of the world.

Mr. Fenton's paper is a very long one, and it is thought that he has expended all his great thoughts in composing his statements in reply to the words contained in the petition of Ngaitahu.

Mr. Fenton commences by referring to the tenths, and says (quoting the petition),—"That the Native sellers of the Middle Island were promised that one acre in every ten should be returned to them, under an arrangement made with Mr. Wakefield in 1844."

1. I will reply to what Mr. Fenton says about the tenths. I do not consider that Mr. Fenton has given any opinion at all on the subject. I think that he has withheld his opinion on the subject of the tenths, or that his knowledge has not grasped it; but let me say that whether he himself was the cause of it being set aside, or whether it was through his advisers, I will make a statement that the ears of Mr. Fenton may hear it, and that his eyes may see it. I would say that in the year 1844 the Maori people of New Zealand were ignorant of this matter of land-selling; they did not know what they were doing, because at that time they would have given New Zealand for a word—for an axe or a fishhook. Neither at that time were they able to write or to read. However, at the time of the sale of the Otakou Block—as they allege in their petitions to Parliament in the years 1874 and 1875—they urged Messrs. Wakefield and Symonds to pay them a large price for their land. Wakefield was not willing to do so, and the Maoris then proposed to drop the sale. Wakefield then urged the Maoris to consent, but they refused. Wakefield continued to urge them, and, thinking that it was likely that he would not be able to obtain that land, he proposed that the Maoris should consent that there should be one piece for the Maoris and one piece for the Europeans, besides the lands excepted for the Maoris alone. Wakefield and his companions explained this to the Maoris, and they further explained it while they were talking by making a drawing upon paper to make it clear to the Maoris, thus:

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Number 1 is a piece for the Europeans, number 2 for the Maoris, number 3 for the Europeans, number 4 for the Maoris, and so on until the whole of the Otakou Block was taken up.

It was the Europeans who said that one acre out of every ten should be set apart for the benefit of the Natives, and I know that the statements made by the Maoris are correct. The Maoris also say that when the deed of cession was read over to them, the words "one piece for the Europeans and one piece for the Maoris" were read over to them on the day on which the names were affixed to the deed of cession.

But indeed there is a great deal of evidence in support of these statements, if the hearts of the Europeans are inclined to seek out what is just.

Look, for instance, at Captain Symonds's letter of the 2nd September, 1844, where he states that he omitted to refer in the deed to further land for Ngaitahu, at the suggestion of Wakefield that he should omit such reference.

You will also see in Wakefield's letter to the Company, of the same year, 1844, where he says that he did not make any reference to further land for Ngaitahu because there was no surveyor available for the purpose of cutting off these acres for the Maoris at that time.

Also see the New Zealand Constitution Act, 15 and 16 Vict. c. 72, passed by the Imperial Parliament, providing for the conduct of affairs by that Company purchasing land in New Zealand; and also the words of direction by that Imperial Parliament that the Europeans were to act with justice and truth towards the Maoris, and that their purchases of land were to be in strict accordance with that law of that Imperial Parliament.

I will reply to the first statement by Mr. Fenton about the tenths, that being the first statement in his report.

I will not believe, neither will any true-hearted man believe, neither in the heavens nor in the earth, nor under the waters nor under the earth.

This is the reply to the first statement of Mr. Fenton:—

There is no truth in this word, which states that the Ngaitahu were confused. I do not consider that they were at all confused between the old and the later purchases; but Mr. Fenton is confused in his statements to this Parliament. He is publishing statements in ignorance of the facts. If it be stated that what he has said is correct, then for the first time is a man found whose knowledge is like unto that of a god, who is able to see where people are wrong when he is many hundreds of miles distant across the broad sea of New Zealand.

With regard to Mr. Fenton's second statement,—

The Maoris say that Mr. Kemp did intimidate them by using these words: "If you do not consent, the money for your lands will be given to Ngaitoa; if you still persist in holding on to your lands, soldiers will be sent to kill you." This is correct, for there are many people to assert that what is here stated is true. I will not conceal anything, but speak out boldly. Mr. Kemp was on board a man-of-war which went South, to the Auckland Islands. On his return from thence, he went to Otago and asked my father, Taiaroa, and other chiefs, to go to Kaiapoi or Akaroa to sell land. These chiefs accompanied Mr. Kemp on board his man-of-war; there were Taiaroa, Karetai, Haereroa, Horomona, Tare te Kahu, Wi Potiki, and others. As they were sailing along the coast, Mr. Kemp said to the chiefs, "Where shall be the boundary of the land to be ceded to me?" They replied, "The land along this coast, but not to go to the other side of yonder mountains." That was the only time when the chiefs pointed out (the boundaries) to Mr. Kemp. On board the man-of-war they employed themselves in drinking grog, getting drunk, &c., &c. On the man-of-war reaching Akaroa, Mr. Kemp and his companions, the chiefs who were with him, went ashore to the Frenchmen's house, at Akaroa. Some of the chiefs of Kaiapoi had arrived there, and Mr. Kemp had a meeting, when his purchase was refused by that runanga. Mr. Kemp with his companions went on board his ship, and there he pondered over what he should do on account of the non-consent of the Maoris. Mr. Kemp then sent for the Maoris to go on board the ship, and urged them to take the money, saying that, if they did not

consent to take it, he would give it to the Ngatitoo. That man-of-war was not dry land; she was a ship on the sea. The Maoris urged for a very much larger price for that land; they did not consent. Whereupon Mr. Kemp said to those chiefs, "You must consent to the sum of £2,000 as an advance on account of your land." The Maoris said to Mr. Kemp, "You will get all our land by that proposal of yours; rather let us go and mark off the boundaries of the land and except the portions to be reserved for us." Mr. Kemp thought to himself it would be best to keep to the vessel; for if I go ashore to look at the land I am to cut off, I shall not get the land.

Mr. Kemp then spoke in this manner: "Wait until I return; but do you consent to execute the deed of sale. Do not be afraid about your land, for it will not go, but it will be left for the Government to look after your lands. Your places of abode, and your places from whence you obtain food, shall be left for you and your descendants after you, and by-and-by the Government will set apart some land for you, when the land shall be surveyed."

Mr. Kemp then wrote out his deed, setting down such words as he pleased, to the detriment of the Maori people and the Maoris who were intoxicated with the liquor on board of the vessel. The Maoris agreed to take that advance from Mr. Kemp—to receive the sum of £2,000. When the deed had been written, it was read over, and £500 was to be paid to the Maoris. When some of the chiefs of Kaiapoi heard that only £500 was to be paid, they abandoned the sale, and the most of them went ashore, leaving those on board the vessel who took the money and wrote their names to the deed. Some of the Maoris say that they do not remember having heard the words of that document of Mr. Kemp's, owing to the great quantity of grog with which they were supplied by the sailors of the ship. After this Mr. Mantell was the Commissioner instructed by the Governor to go to arrange about the sales by Ngaitahu. The Maoris then urged that the inland portion of the country should be cut off, and Mr. Mantell said that it would not do, because it was included in Mr. Kemp's deed. The Maoris told Mr. Mantell that they had not agreed to that, and requested Mr. Mantell to go away, saying that they had been deceived by Mr. Kemp, in that the inland portion of the country had been included. Mr. Mantell considered that probably the Maoris would not consent, probably the land would not be obtained, and probably Mr. Kemp's deed would be of no effect, and Mr. Mantell made the following statements:—"The inland portion, which you are urging to have excluded, is, I consider, all fixed in Mr. Kemp's deed." The Maoris said, "The statements in Mr. Kemp's deed have been put in by him secretly and without authority." Mr. Mantell said, "Take the balance of Mr. Kemp's money. (1.) The Government will pay for your land hereafter; (2.) schools will be established at each kainga of yours throughout the tribe of Ngaitahu; (3.) hospitals for you for the relief of your sick; (4.) the Government will always take care of you and feed you, that you may live."

Then only were the Maoris willing to write their names to Mr. Mantell's document giving money. That money of Mr. Mantell's was part of Mr. Kemp's £2,000, which was the subject of the talk at Akaroa.

All the world knows that it is true that the Government deceived the Ngaitahu and others of the Colony of New Zealand.

I will reply to Mr. Fenton's word, that the Ngaitahu were in dread of the inroads of Te Rauparaha. Mr. Fenton says that Mr. Kemp did not use the name of Ngatitoo towards the Ngaitahu. It is correct that Mr. Kemp did intimidate the Ngaitahu by using these words: "If you do not take the money, I will take it away to the Ngatitoo; and if you still hold out, soldiers will be sent hither to take your land." For you have referred in your report to the name of Te Rauparaha. I have heard that statement made respecting Ngaitahu during every year from the Commissioners, from the Ministers of the Parliament, and also from you, Mr. Fenton, that the Ngaitahu were a beaten people. I do not give credence to what you say, neither will it be believed by people who know the customs of war. Will you state boldly what battles Te Rauparaha gained, and the fightings in which his war-parties proved the stronger? In my opinion, Te Rauparaha was not victorious in his later fightings, and did not gain the last. You should be careful; you have revived those things, and your report will be the commencement of discussion between you and me in the future.

You also refer to the Europeans having brought peace. I reply to that, that I would rather be dead than live to witness the distress and pain which my people suffer through the deceitful and unfulfilled words of the false-speaking race the Europeans.

You say *Qui sentit commodum, sentire debet et onus*; but I have not seen any benefit derived by myself and my people from the Europeans. This is what I say: He who speaks falsely to another ought to feel the flames of hell.

With reference to the third paragraph in your report, do you believe that the land was surveyed before the purchase by Mr. Kemp? I heard that there was no plan, and that no surveyor had gone to survey Mr. Kemp's land, yet he falsely said in the deed that the land was shown on the plan. That statement was false and deceitful.

In your remark No. 4, you say that "you do not believe, and no one can believe who knows that gentleman, that Mr. Mantell used the threats attributed to him." You must be the only person who has not read Mr. Mantell's letter to Her Majesty's Secretary of State in the year 1856. You and your unbelieving friend had better go back and read these papers, and then he can fairly send in his report to Parliament. If you have a fault to find with the Maoris, you can keep your opinion; it will not be believed, except perhaps by your advisers who set you up.

In paragraph No. 5, you say that Mr. Alexander Mackay was a zealous adviser. I will not admit that what you say is true. Mr. Mackay worked on the side of the Government. He did not do much for the Maoris, excepting perhaps in disputes of Maoris with Maoris; but he was not very strong in disputing with his masters, the Government. Also Mr. Rolleston, he worked for the Government on the side of the Crown.

There was only one man with the Maoris, and that was the lawyer. However, he spoke as to the invalidity of the deed of cession, whereupon your Court deceitfully had written the name of your new Governor—viz., Governor John Hall. The statements made by that Court were all in English. The land the subject of adjudication before your Court in 1868, was Kaitorete, a settlement and a place whence food was obtained by the Maoris. The Court did not settle it. The Court knew at the time that they had

done wrong, and therefore they gave land to soften the hardness of the Maoris; but the land Kaitorete, for which that Court was asked, was not returned. After that the Court sat in Otago, to investigate the title to the lands which were reserved formerly. The Maoris asked for no extra land in fulfilment of Kemp's deed; but the Court and the Commissioners said this: "Will not you, the Maoris of Otago and Murihiku, desire some other land in fulfilment of the words of the Government?" The Maoris did not regard with favour that word of Mr. Alexander Mackay's. Then they and some chiefs went into a room and there talked, and the land agreed upon was Tautuku, in the Province of Otago, the area being 1,000 acres. That land has again been taken by the Government. After this, the Parliament sat in the same year (1868), and a law was enacted to set right the wrong-doing of your Court, and to give effect to the signing by Governor John Hall of his name to the deed of cession, so as to make valid the wrong work of that Native Land Court.

I say, in reference to those Commissioners and the action of that Native Land Court, that it was not true, neither will it be believed by people of knowledge in the future.

Mr. Fenton says that the statements made in the petition of Ngaitahu were not made before the Native Land Court in 1868, or the Court could have given them proper consideration.

I will ask you, Why did you not consider that the words of the petition of Ngaitahu were unknown to you, and they were matters the right or wrong of which had not been inquired into, when you say that "you do not believe, nor can any one believe."

I consider that this objection is a very bad one; it is jealousy towards the Natives, and it is despising them. I will not believe your word that the Maoris have had the benefit, because the land and the property belonged to the Maoris. They did not derive all these from the Europeans, but the Europeans have done the Maoris out of the advantages.

Mr. Fenton says that the Maoris have had hospitals, because the Government institutions have been open to the Maoris.

I consider that the Maoris have not had these hospitals. It was said at the time that these buildings should be put up at the Maori settlements; therefore it is not true that that word has been fulfilled.

Mr. Fenton says that the Maoris have had schools; I do not consider that these schools have been established. The schools which have been built have been done by the colony, and are not schools in consideration of land.

Mr. Fenton says that these promises cannot be the subject of a money compensation. That is correct; these promises cannot be paid for with money, but they can be paid for if it be shown what lands went in consideration of those unfulfilled words; the payment would be the restoration of those lands. That is the only way in which compensation could be made.

I will here quote the concluding portion of Mr. Fenton's report. He says, that the prayer of the petitioners (Ngaitahu) should be granted literally, is of course out of the question; but that the Government should provide a large quantity of land for the Maoris, to put a stop to the continual revival of claims.

In conclusion, I would say, for the information of Parliament, that, with reference to Mr. Fenton's report, the Government suggested to him to report in this way. My reason for saying this is, that he was appointed a Commissioner, and this was what took place in March, 1876, in the Native Minister's room: That Mr. Fenton was to be a Commissioner; that he was to go to the Ngaitahu, and inquire into the reasons from the people who sold the land; that the questions for inquiry by that Commissioner were to be told to him by Ngaitahu, when the Commissioner should sit. The Minister for Native Affairs agreed to this.

The words of the report are merely grumbling words; they have no force. They are deceitful words, and delusive; they are not true.

Mr. Fenton refers to that vessel the "Alabama." Is the same course to be taken with the Middle Island as with that vessel? What was done about her? Did not England pay on her account to the American Government because she was built on English soil?

H. K. TAIAROA.

Wellington, 26th October, 1876.