

1878.

## NEW ZEALAND.

## RECENT DISTURBANCE AT WAITARA

(REPORT FROM H. EYRE KENNY, ESQ., R.M., AND HONE PIHAMA, NATIVE ASSESSOR, ON THE).

*Return to an Order of the House of Representatives, dated the 7th August, 1878.*

*Ordered, "That there be laid upon the Table all correspondence between the Government and any other person relative to the outrages reported to have been committed by a number of Waikato Natives at Waitara, almost immediately after Sir George Grey's visit to that place; the release of the ringleaders by order of a Magistrate after they had been arrested by the police; and any communication received from Rewi to the effect that the policeman who had arrested the ringleaders should be removed from Waitara, as his life would otherwise be in danger."*—(*Hon. Mr. Fox.*)

Mr. H. E. KENNY and HONE PIHAMA to the Hon. the NATIVE MINISTER.

SIR,—

New Plymouth, 29th July, 1878.

In accordance with instructions from yourself, transmitted to us by Major Brown, Civil Commissioner, we have inquired into the circumstances attending the recent disturbance at Waitara. We have taken the evidence forwarded herewith, and, after mature deliberation, we have agreed on the following report:—

1. On Saturday, 13th July, 1878, a quarrel arose between a Mokau Native named Huia and a European named George Rundle. These men were drinking in the bar-room of the Waitara Hotel, kept by one Edward Perry, along with a number of Waikato and Mokau Natives, variously estimated at twelve, fifteen, and twenty. Huia was half-drunk, and Rundle more drunk still. The Native and the European wanted to fight, and, after several attempts to make them desist, the landlord (Perry) sent for the Waitara policeman, Constable Amos Tapp. On Tapp's arrival, Perry desired him to turn out the Waikato and Mokau Natives. At this time Huia and Rundle were quarrelling, and the other Natives were much excited, making a great noise shouting and howling, though not actually inciting Huia and Rundle to fight. When Constable Tapp came in, however, the Natives, seeing that he was a policeman, became quiet. Constable Tapp desired them all to go out. The Natives went outside quietly, with the exception of Huia and a man he called his brother, who persisted in remaining in the room, although the constable spoke to them three several times. Tapp then pushed them both out, without violence, and fastened the door (a folding one) by bolting it at the top and bottom. Immediately after some one was heard rushing at the door with great violence, trying to force it in. Constable Tapp went outside by another door, followed by Perry and a man named Nelson; the man Rundle had already gone out with the Natives. This was about eight p.m. When Tapp got outside, he saw several Natives standing on the steps of the folding-door, many more about, and Huia making violent attempts to force the door in by rushing at it and pushing with all his might. It was evident that the door would give way directly, and Tapp therefore tried to make a prisoner of Huia. Immediately the other Natives fell upon him. Tapp then called on Perry and Nelson to assist him in the Queen's name, but they also were already engaged on their own account, having been attacked at the same moment. All the Europeans were struck with more or less force, and Perry and Nelson were thrown to the ground several times. Rundle likewise was seen on the ground helpless, and the Natives beating him. Some one called out in English that the Natives were getting pieces of wood, and Tapp, considering that he and the other Europeans were in danger of their lives, placed his handcuffs over the knuckles of his right hand and struck out with the flat portion of them, hitting five or six men. When he had thus obtained a little room, he used the handcuffs in another way, holding one end in his hand and letting the other swing round his head. In this fashion he made a clear space round himself, and also obliged the Natives to draw off from the other Europeans. Constable Tapp declares that he only used the handcuffs in self-defence, because he thought that his life was in danger. If he had been furnished with a baton, he would not have required to use the handcuffs. As it was, he had nothing else to defend himself with. It is clear, from Dr. O'Carroll's evidence in regard to the injuries sustained by the Maoris, that Tapp did not strike with the handcuffs as hard as he could. The Natives having stopped fighting for a moment, Tapp arrested Huia, and put the handcuffs on him after a severe struggle, the other