

(6.) *Special Cases and Grievances.*

There are not many of these: the evidence shows that nearly all the Natives who came before us told the same tale, the burden of it being that they knew not whether they had any land, or where it was to be. It would make this Report far too long if we were to describe the special cases separately. We will only mention three.

The Ngatirahiri tribe at Waitara were always loyal, and fought by our side. Their land lay on the war-path of the northern Natives coming south, the war-parties striking inland from the beach to get to Pukerangiora. Mr. Parris was ordered to induce the Ngatirahiri to move from where they lived, and form a new settlement on the coast-line between Titirangi and Rau-o-te-Huia. They left their settlement, their peach-gardens, and everything they had, to meet the wishes of the Government, and moved down to the coast. Five years afterwards the land they had thus left was taken for the Tikorangi Military Settlement. They became very much excited, and declared they would have their lives taken before they would give up the land. They constantly prayed to have it restored: the answer was that "the Europeans had become as a large rock deeply embedded, which there was no power to remove." When Sir Donald McLean went into their case at a great meeting at Waitara, he admitted they had been unfairly treated, and would have paid them "a very large sum of money," but they refused to take it. We asked Mr. Parris: "Then, in fact, the placing of military settlers upon this block, which belonged to our own friends, was done in such a way that we took possession of the land of our friends without giving them any compensation?—That was it, and after they had abandoned the land to please the Government." We have not yet been able to satisfy ourselves that the location of the Military Settlement was made in accordance with the law; but, at any rate, we assured the Ngatirahiri that compensation would be made to them.

Perere Nikorima,
Parris, Stapp,
Evid. Q. 439, *et seq.*
762, *et seq.*
812-21.

Parris,
Evid. Q. 449.

The Government acquired by deed of cession a block called Waipuku-Patea, of about 20,000 acres. A reserve of 700 acres was kept by them, and its position determined on the Upper Patea River. For these 700 acres the Natives did not receive *takoha*, the area being excluded from the acreage paid for. Presently the Land Board wanted to lay out the Town of Stratford. They knew the town would be on the reserve, and had the map of it before them. The Native owners meanwhile wished to lease the land. Major Brown told them it was wanted for the township, and offered them 700 acres at another place, which they rejected. Major Brown then refused to sanction the lease. There was a cheque of the proposed tenants to be countersigned: Major Brown told them he would not countersign if they did not submit. "Then we knew," says Pepe Heke, "that we had lost the land, and we said, 'Very well, we shall have to agree to your proposal.'" Some of the Natives submitted. But it was under duress. "I explained to the Natives," says Major Brown, "that the Government did not approve of the reserve, and wished to change it; that as it was confiscated land, they claimed the right to do so."

Pepe Heke,
Evid. Q. 93, 144;
Parris, 145;
Brown, 146, 526;
Kopekope, 152;
Whitcombe, 862
et seq.; Hum-
phries, 887, 894;
Hursthouse, 900;
Maackay, Report,
App. A, No. 13.

We have no doubt that this transaction was unlawful. In October 1875, the Waipuku-Patea Block was proclaimed, "with the exception of 700 acres reserved for the benefit of the Native owners," as having been acquired under the Public Works Acts. It was paid for out of the £750,000 appropriation. The proclamation of the block was the only authority the Land Board had to deal with the land at all, for at that time a Proclamation under one or other of certain Acts was necessary to place it under their administration. There was no power to take away the reserve which had been accepted by the Crown in the deed of cession. The legal position of part of Stratford at this moment cannot be said to be free from doubt.

N. Z. Gazette,
28 Oct. 1875.

Appendix D,
No. 7.

The last special case we shall mention is that of the chief Taurua. He pleaded the punishment he had undergone, and urged a claim to some consideration on the ground of Mr. Richmond's promise of 1867, made in the following words: "I make you a distinct promise of the land between Patea and Whenuakura [rivers], excepting the portion I have told you of [for the Township of Carlyle]." We

Hon. Mr.
Richmond,
App. C, No. 2.