

P E T I T I O N

OF

THE PROVINCIAL COUNCIL OF NEW PLYMOUTH

RELATIVE TO

THE PRESENT CONDITION OF THE NATIVE
INHABITANTS OF THAT PROVINCE.

(Ordered to be printed 26th May, 1858.)

A U C K L A N D :

1858.

TO THE HONORABLE THE HOUSE OF REPRESENTATIVES OF NEW ZEALAND,
IN PARLIAMENT ASSEMBLED.

The Memorial of the Provincial Council of the Province of New Plymouth

SHEWETH,

That the settlement of New Plymouth was founded in the beginning of the year 1841 under the most favourable auspices : that it received by direct emigration from England more than 1,000 settlers during the two first years of its existence : that during the last fifteen years it has continued to receive accessions of population from the mother country, and yet that the present inhabitants of the Province of European birth and descent are fewer than 2,500 exclusive of the garrison.

That the Province contains by estimation 2,176,000 acres of land, 300,000 of which form a belt of the richest arable soil in the colony, extending along a coast line of 115 miles, and that the remainder, which is covered with a dense forest, is equally fertile and contains but a small proportion of unavail-able land.

That of this comparatively large extent of valuable country, the European inhabitants occupy only 11,000 acres of open land, and 32,000 acres of forest, while a district of 20,000 acres of surveyed forest land remains unsold in the hands of the Provincial Government, on account of the outlay required to bring it into cultivation, the superiority of the unoccupied open land in its vicinity, and the insecure state of the Province.

That the native population of the Province in the year 1856 appears by a Census, taken by the Assistant Native Secretary, to have been only 1,782, and that this number has not since been increased.

That the lands held by these 1,782 Natives are estimated to comprise more than two millions of acres, one-seventh of which are immediately available for the plough, and the remainder are quite equal in value and position to the forest lands held by the settlers.

That the Natives even when at peace with each other, are unable to occupy more than a very inconsiderable portion of the extensive country they inhabit. That they have no flocks of sheep, and their horses and cattle bear no proportion to the extent of country over which they range.

That the possession of these waste lands entails on the natives continual disputes, because the tribes which claim them are but the disorganised remains of a once numerous people, which have but recently returned from slavery and exile.

That the discord, rivalry, and conflicting claims of this broken people, who have lost all respect for the authority of those who, under other circumstances, would have been their hereditary chiefs, has prevented them from acting in concert for the disposal of the lands they collectively claim ; although many sections among them are most anxious to dispose of a species of property, which is unproductive of any real benefit to them, and retards their progress in civilisation.

That the native feud, which has for the last four years been raging in Taranaki, originated in the attempt of Rawiri Waihua, a native assessor and the principal chief of his tribe, to sell a piece of land to the Government which had been a cause of quarrel between himself and one of his relatives, Katatore, an inferior chief of the same tribe and a minor claimant, was unwilling that the land should be sold, and on Rawiri proceeding to mark out the boundary for the Government he and several of his followers were shot down by Katatore and his adherents. It was the first blood that had been shed among the Natives since the arrival of the settlers. The local authorities were paralysed, for they were too feeble to apprehend the murderers; but the surviving relatives and friends of Rawiri assembled in arms, and would have proceeded to immediate hostilities had they not been dissuaded from taking such a step by the Resident Wesleyan Missionary, who assured them that British law would be enforced. Unhappily at this crisis His Excellency, Colonel Wynyard, the officer administering the Government of the Colony, was daily awaiting the arrival of a permanent Governor. The first General Assembly under the Constitution Act was in session, and the whole machinery of Government was in a state of transition. The Government of the day decided not to act, and despatched Mr. Commissioner McLean to inform the Natives, that the murder was the result of a native quarrel in which the Government could not interfere. The friends of Rawiri, burning for revenge and finding that the law was not to be enforced, expressed great indignation, because the interval which had elapsed had enabled Katatore to secure himself in a strong Pa, and to assemble around him a number of men hostile to the sale of land. The friendly Natives justly urged that they were friendly to the settlers, that they had conformed to our law in not taking revenge for their slain relatives, and that now they must either submit to the dictation of Katatore, or contest with him, unassisted by the Government, a cause in which the colonists and themselves were equally concerned. They urged, moreover, that such

had been their reliance on the justice and power of the Government, that they had ceased to reckon on their own strength, they had allowed their guns to rust, and possessed but a scanty store of powder and ball, while their opponents, who had always been hostile to British occupation, were well armed and munitioned, and their ultimate and least demand was, that they should be supplied with the means of opposing their enemies.

While your Memorialists admit that the critical position of the Settlement in 1854 demanded the utmost circumspection on the part of the Government, they are nevertheless of opinion that the enforcement of the law against Katatore and his followers would have been as wise and prudent as it would have been a just act.

The history of the past four years has shewn forcibly the lamentable results of a contrary policy. Relieved from all dread of the interference of Government, the wild passions of the Natives at once found vent. Three months after the murder of Rawiri, some of the relatives of Ihaia te Kiri Kumara executed summary justice on a Ngatiruanui native who had been guilty of adultery with Ihaia's wife, and this act was speedily followed by the invasion of Ihaia's land by 300 men of that tribe. Ihaia's Pa was stormed and taken after a stout resistance, and Ihaia and his surviving followers were only saved by a friendly diversion effected by the adherents of Rawiri. The Ngatiruanui, after their victory, visited Katatore, and remained in the vicinity of his Pa for some days, but, happily for the peace of the Settlement, they decided on returning to their homes by the way they had come, instead of marching through the town as they at one time contemplated. In the meantime, the feud between the friendly Natives and Katatore hourly gathered strength. Arama Karaka, the brother of Rawiri, arrived from the South, and assembled in the Ninia pa all the Natives in the vicinity who advocated the sale of land, while Katatore was joined by Wiremu Kingi, and subsequently by the Ngatiruanui. It was at this time that the danger of the Settlement became imminent, for the mass of the settlers were known to sympathise with the friendly Natives besieged in the Ninia Pa, and many of them were supplying the besieged with munitions of war. It was also at this time that, at the pressing instance of the settlers and the Provincial Government, a garrison was first stationed in Taranaki. By the arrival of the Ngatiruanui the friendly Natives besieged in the Ninia were reduced to severe straits, and Arama Karaka besought the aid of Ihaia, which was given on the condition that the latter should receive the land at Ikamoana as the reward of his services. Shortly after a battle took place between the Ngatiruanui on the one side, and the Ninia natives and Ihaia on the other, which terminated in the defeat and retirement of the former.

After the departure of the Ngatiruanui, the belligerents, exhausted by a long continuance of hostilities, were anxious to terminate the feud, and in a short time peace was apparently established, but the elements of discord still existed to burst forth again with renewed vigour. Ihaia held the land at Ikamoana (the price of his assistance to the Ninia people), but his claim was not assented to by Katatore: for the land in question was the common property of the tribe, and Katatore, himself a claimant, was at war with the majority when the cession was made. After the establishment of this hollow peace, Katatore, who for many years had maintained his influence by opposing the sale of land, suddenly changed his policy and became a most enthusiastic advocate on the other side. He at once took the foremost place in the consideration of the Government, while the men who had only remained consistent were thrust aside for the new man, and the negotiations for the purchase of land which ensued immediately on the establishment of peace, depended mainly on the influence of Katatore. Ihaia still held the land at Ikamoana. His position had not been considered in the peace made by the Puketapu family, and his war flag still flew from the Pa. Several of the Ninia people who had been adherents of Rawiri, and had fought side by side with Ihaia, now conceived the infamous project of destroying by the same blow, Katatore, who had slain their relatives, and Ihaia, who had rescued them from imminent danger. They induced Ihaia to join with them in a conspiracy for the assassination of Katatore, and after the perpetration of the deed rose in arms against him. Ihaia, betrayed by his associates, maintained himself in his Pa at Ikamoana for some time, but at length retreated to the home of his people at Waitara, where he was immediately besieged in the Karaka Pa by the followers of Katatore, by his associates in the murder, by Wiremu Kingi, and many of the Taranaki and Ngatiruanui tribes. The number of his opponents may be rudely estimated at 500 men, and the immediate supporters of Ihaia at about 100. Ihaia, in his hour of danger, besought the aid of his allies in Waikato and Upper Whanganui, and many bodies from those distant places have reached Waitara. Some of these people have merely endeavoured to effect a peace between the contending parties, in the interest of Ihaia, but Wiremu te Korowhiti, a Whanganui chief, is now involved in the feud by the death of a relative who was shot by Ihaia's opponents. Ihaia has been recommended by his allies from Whanganui and Waikato to secure himself by a retreat to either of those countries, but he has refused to abandon his land. Emissaries from Pototau have likewise assailed him with importunities, but he has refused to listen to them, and says he will still rely on the justice of the Government, and is supported by the sympathy of the settlers.

A short time since, when the position of Ihaia seemed desperate, and when his principal opponent, Wiremu Kingi, had evinced a determination to slaughter, without regard to sex or age, the inmates of the Karaka Pa, a memorial was addressed to His Excellency the Governor, praying him to rescue these unfortunate people. That memorial was responded to by the offer to remove Ihaia with his followers to the Chatham Islands, which was at once refused, for Ihaia could at any time have secured his safety by retreat to Waikato or Whanganui.

It cannot be a matter of wonder to your Honorable House, that your Memorialist and the settlers have always evinced a deep interest for the welfare of those nations, who by their efforts to sell land, have been plunged into a harassing war, and have been refused the assistance of the Government. Every act of the Government has hitherto been prejudicial to them, and, had they not been upheld by the sympathy of the settlers, they would in all probability have long since succumbed to the power and the arts of their opponents; and the two bodies, united by the common feeling of race, and embittered by the mutual losses they had sustained, would have sought satisfaction by dispoiling the settlers.

Ihaia, the chief now besieged in the Karaka Pa, has always had most intimate relations with the settlers, and his friendly honest character has even gained him a foremost place in their esteem. His claims to land at Waitara are considerable, and, at a time when other Natives looked with no friendly eye on the progress of the colonists, he made the most strenuous exertions to locate settlers at Waitara; but he failed to secure the co-operation of Sir George Grey's and subsequent Governments. If at any time Ihaia has evinced hostility to the wishes of the Government, he has always been actuated by a sincere desire to serve what he thought to be the cause of the settlers. So careful has he been to avoid injuring the settlers, that during the late contest at Ikamoana, when his adversaries posted themselves on a settler's farm, and surprised him and his followers as they passed along the road, he received their fire and refused to return it, until he had retreated out of gunshot of the farm, and thereby lost one of his followers. Your Memorialists have no wish to palliate the crime of which Ihaia has been guilty, but when they consider the circumstances which preceded the lawless act, and that it only took place after the Government had for years abandoned all control over the Natives, they cannot but express their opinion that the crime is in some measure shared by the more civilised race which compelled a rude people to return to their barbarous customs.

Wiremu Kingi, the most prominent of the besieging party, has never been in intimate association with the settlers. He has had commercial relations with them like other Natives, but he has always lived a purely native life. He has always been a steady opponent of land sales. He arrived here, from his retreat at Waikanae, with about 500 followers in 1848, in defiance of the threats of Sir George Grey, and located himself on the south bank of Waitara, also in opposition to Sir George Grey's wishes. His influence with the Government has since enabled him to prevent the sale of Ihaia's land, and to his presence in Taranaki may fairly be attributed the difficulties and troubles of the past ten years. His power as a Maori chief would be impaired by the civilisation of his followers, and their emancipation from barbarous customs. His hatred towards Ihaia is therefore of a most malignant kind. He will listen to no accommodation, for his position will never be consolidated until he has annihilated his opponent and obtained possession of his lands. Many of Wiremu Kingi's adherents would willingly be freed from the peculiar influence he wields by his craft and subtlety, but as they find they cannot break the invisible chain which binds them, without involving themselves in greater anarchy, they still follow his banner as their only resource.

Your Memorialists believe that the Government is sincerely anxious to reconcile the contending bodies of Natives, and to restore permanent peace and prosperity to the Province; that the Missionaries have exerted their influence to calm the rude passions of the men to whose spiritual welfare they have been devoted; that the settlers have sought by their interference to benefit the Natives, and to secure the cordial co-operation of the two races in developing the resources of Taranaki; but your memorialists believe that the efforts of all have not only been fruitless, but that they have increased the difficulties which environ the Natives. Conflicting advice, however well intentioned, can but cause an increase of embarrassment, and the Natives listen now to one opinion and then to another, until they feel their utter helplessness more keenly. The honor of the Natives is deeply concerned in this feud, they wish to emerge from it without shame, and would hail with joy the intervention of a Government which could, by the voice of authority, compel them to make peace, and remove with a kindly hand the cause of difference.

That while the Natives are retrograding from the non-existence of authority on the part of the Government, the European inhabitants, of whom your Memorialists are the representatives, are also suffering from the evils of a partial administration of justice between the two races, arising from the same cause. In population, the settlers considerably out-number the Native inhabitants of the Province. They have exhibited, during many years of severe trial, the most marked deference for law and order, and have relied, in all their difficulties, on the just claims they possess, to the consideration of a Government composed of men of their own race and country. They have borne for many years all the costs of local improvements, unaided by the Natives. They have constructed roads, and bridged rivers, by local rates on land, to which the Natives have not contributed, even when holding property under grants from the Crown. They have striven to eradicate the Scotch Thistle, by the imposition of heavy penalties on members of their own race, and have expended considerable sums, in exterminating the weed on Native lands. Their cattle are subject to the penalties of trespass, if they graze on Native lands; while the cattle of the Natives stray at will with impunity. The local court strictly enforces the payment of debts from the settlers to the Natives; while the latter, when defendants, are free from its jurisdiction. And generally, in the relations of the two races, the colonists perform the duties necessitated by the wants of a civilised people, and the Natives share in the advantages derived from such performance.

That, notwithstanding the deep regard which the settlers of Taranaki naturally feel for the beautiful and fertile region which they have improved and adorned, by the care and industry of many years, and their consequent disinclination to abandon it, a continual stream of emigration has nevertheless, for some years past, carried away to other parts of the Colony, and to Australia, a large number of people, who, had they been able to find room for their enterprise, would have remained to augment the resources of the Province, and the wealth of the Colony.

That the present settlers can no longer find within the Province, a field for future enterprise, and the employment of their increasing families, and that they cannot now seek new homes, in the other Provinces, without first abandoning the accumulated property of many years of toil.

That, in the opinion of your Memorialists, the colonists of Taranaki have a special claim to the consideration of the Government, and of their fellow-colonists, inasmuch as nearly the whole of the Natives now located in the neighbourhood of the settlement, were, a few years since, dwelling in the present Provinces of Wellington and Nelson, and that the purchase of the lands held by Taranaki Natives, by right of conquest, at Waikanae and other places, has been most prejudicial to New Plymouth, by accumulating in one spot the scattered remains of the tribes which had formerly resided here, and most advantageous to the Provinces in which such purchased lands are situated.

That the difficulties under which both races are now labouring can only be removed by an entire change in the policy of the Government, which shall enforce law and order among the Natives, and give support and aid to such of them as are willing to sell land.

That the system heretofore adopted by the Government, of requiring the assent of every claimant to any piece of land, before a purchase is made, has been found to operate most injuriously in this Province, on account of the conflicting interests of the claimants; and that the sufferers by this system are invariably the men who are most advanced in civilisation, and who possess the largest share in the common property. Your Memorialists are therefore of opinion that such of the Natives as are willing to dispose of their proportion of any common land to the Government, should be permitted to do so, whether such Natives form a majority or only a large minority of the claimants; and that the Government should compel an equitable division of such common land among the respective claimants, on the petition of a certain proportion of them.

That, in the opinion of your Memorialists, no danger of a war between the Government and the Natives need be apprehended from the prosecution of a vigorous policy, inasmuch as a large proportion of the Natives themselves would cordially support it, and the remainder would, from the smallness of their number, be incapable of offering any effectual resistance.

Your Memorialists therefore pray, that your Honorable House will be pleased to institute an enquiry into the present condition of the Native inhabitants of this Province, and into the causes which have led to the present difficulties; with a view to establish peace, order, and good Government among the Natives, and to encourage and assist them, to dispose of the common lands they now hold, to the injury alike of themselves, the settlers, and the Colony at large, and your Memorialists will ever pray.

E. L. HUMPHRIES,
Speaker.

New Plymouth, 19th May, 1858.

