

REPORT BY MR. MACKAY RELATIVE TO THE SURRENDER OF TE WAKE, ETC.

No. 1.

(No. 91.)

Civil Commissioner's Office,
Auckland, 18th July, 1868.

SIR,—

I have the honor to inform you that, in accordance with your instructions that I should proceed to Hokianga to endeavour to arrange a quarrel between the Ngapuhi and Rarawa Tribes, and demand the surrender by the latter of a half-caste named Te Wake, who had been committed for trial on a charge of murder, and had escaped from the custody of Messrs. Williams and Barstow, Resident Magistrates,—I left Auckland on the 31st May last, in H.M.S. "Brisk," accompanied by Wiremu Te Wheoro, Hakiriwhi Purewa, Hori Tauroa, and Nini Kukutai, Chiefs and Assessors of the Waikato District, Wirepe Hoterine Taipari, Honana Wahataiki, Ngakapa Whanaunga, and Piniha Marutuahu, of the Thames District, and Heneri Pango, Tararua Paraitia, and Pita Wakahoehoe, Native policemen.

We arrived at the Bay of Islands on the 1st June. H.M.S. "Brisk" left for Sydney immediately after landing myself and party; and we crossed over from Russell to Waitangi.

On the 2nd June, we travelled from Waitangi to Tarawaua, a Ngapuhi settlement on the banks of the Waihou River, a tributary of the Hokianga.

On the 3rd June, we took boats and descended the river to Te Waiti, where we were compelled to remain for the night, owing to a strong westerly wind, which prevented our further progress that day. On the 4th June, we continued our journey down the river. On passing Motukauri, a Rarawa settlement, on the north side of the Hokianga, we observed a pa had been constructed there. At Onoke we also noticed that the Ngapuhi had two pas on the beach in front of Mr. Maning's house, and one on the hill at the back thereof. On the opposite or north side of the river, the Rarawa Tribe held two pas on the hill known as the Karaka. We pulled over to and landed at the latter place. In order to properly understand the position of affairs, it will here be necessary to give a short *résumé* of previous proceedings in the case, before entering on the details of my own action in the matter. It appears that a piece of land at Whirinake was claimed by a hapu named Ngatikuri, who were connected with both the Ngapuhi and Rarawa Tribes. The principal claimants to lands in that neighbourhood seem to have been Ihipera (wife of John Hardiman, senior) and Remu, living with the Rarawa Tribe, and Tahaetini and Nuku, residing with the Ngapuhi. About the end of February last, Ihipera, who had had some previous dispute with Nuku and Tahaetini, determined to have the land surveyed, in order that the title might be investigated by the Native Land Court. The other party objected to this, and said they would shoot the surveyor and any persons who accompanied him to show the boundaries. This quarrel went on, and about the 18th March it was proposed to divide a piece of land which formed the principal subject of dispute. On the 23rd both parties met on the ground; Ihipera and her son, John Hardiman, a half-caste, pointed out the boundary of their claim, and Nuku and Tahaetini did the same on their side. As neither party could agree, and the latter encroached on what Ihipera and Hardiman considered to be their property, the two last named agreed to leave it for Tamaho te Huhu to decide between them. He then placed a stake nearly in the centre of the contested piece, giving nearly equal portions to each. Tahaetini then went to his settlement for his gun, and on returning with it, then proceeded to pull up the stake planted by Tamati te Huhu. Some wrangling ensued. Tahaetini and Nuku then mustered several of their Ngapuhi friends, and erected a pa on one end of the disputed block, and stopped the road which passed close to it.

The Rarawa next made a pa at the other end of the block, and also stopped the road there. This was of serious inconvenience to Ngapuhi, and, on the 27th March, they asked for permission to open the road for two days, to allow them to procure supplies of food for their pa. This was assented to by Te Rarawa. On the 29th, the road was again closed. On the 30th, Nuku, accompanied by several other persons, went to the neighbourhood of the Rarawa Pa; he publicly stated his intention of taking his oxen and dragging some timber along the closed road. He was urged not to do so, but persisted that he wanted the timber to finish his pa with. He is said to have gone past the Rarawa Pa twice on this day, and not to have been opposed. The Rarawa put a fence across the road, and the third time he came back with some other persons, who went into the pa by another route, and he obstinately refused to leave the usual road, and attempted to remove some of the fencing. Te Wake, it is stated, on the instigation of another person, went out of the pa, and shot Nuku.

It is notable that at the time Te Wake sallied forth from the one end of the pa to shoot Nuku, Mohi Tawhai and others of Ngapuhi were at the other extremity of it, negotiating a peace with Te Rarawa.

After this both parties commenced hostilities, but these seem to have been principally confined to firing at each other at long range.

In April, His Excellency the Governor, accompanied by the Hon. Mr. Richmond, proceeded to the Bay of Islands, and Mr. Richmond, accompanied by Messrs. Barstow and Williams, went to Hokianga. The result of their negotiations was, that peace was made between the belligerents, and Te Wake was to be formally handed over to the law. At this stage of the proceedings the Hon. Mr. Richmond left for the Bay of Islands, it being supposed that the whole affair was definitely arranged. Te Wake was surrendered and brought before Messrs. Barstow and Williams for examination, and