

CORRESPONDENCE

RELATIVE TO

OHINEMURI, AND NATIVE MATTERS
AT THE THAMES.

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF
HIS EXCELLENCY.

WELLINGTON.

—
1870.

CORRESPONDENCE RELATIVE TO OHINEMURI, AND NATIVE MATTERS AT THE THAMES.

No. 1.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

(No. 92.)

Civil Commissioner's Office,

SIR,—

Auckland, 17th September, 1869.

I have the honor to report that on Tuesday last, the 14th instant, I had an interview with the Hauhaus at Te Kerepipi, on the Piako River, on the subject of the telegraph between Pukorokoro and the Waikou River.

When I arrived at the place above named, I was warmly greeted by the Natives, they recognizing me as having been there once before with Tioriori and Rawiri Te Ua, in December, 1864.

Upon informing them of the particular object of my visit, viz., to have a talk with them in respect of the telegraph, they at once sent off for Pineaha Te Whare Kowhai, the principal man of the place. He was away at work on his cultivation, but came immediately on receiving the message.

About thirty men in all assembled, the rest of their party having in the morning of the previous day gone up the river to the settlement called Piako, probably fifteen or twenty miles further up.

After the usual salutations, I commenced the proceedings by telling them the object of my visit; upon which Pineaha said that the Government and the Commissioner appointed for the purchase of land had ignored his title to several blocks of land purchased years ago from other tribes. Among other instances were Manaia, near Whangarei Heads, land at Maraetai, One, and Piako. At the time negotiations were being proceeded with, he had set up claims to those lands, but in no case was his claim admitted, or at any rate he had none of the money; that was all devoured by Ngapuhi, Ngatipaoa, and others. This had first embittered his mind. Next comes the opening up of the Lower Thames District for gold-mining purposes by Hoterene Taipari and others. They appeared to have silently passed him by, but he was not going to ask them for any of the money they were receiving from the gold field. Then, more recently, again, attempts were being made to open Ohinemuri, and the Queen Natives were endeavouring to lease the lands of the Hauhaus, against the wishes of the latter. All these causes combined had decided him upon doing all in his power to oppose the telegraph at present. "Let some time elapse," he went on to say, "let this period of difficulty pass by, and as soon as we see we can dwell together as elder and younger brothers, then I will say bring hither your wires, let the sawyers come; but we look with too much suspicion on the acts and intentions of the Government to allow anything of this kind at present."

I then told them what had been done by the Hauhaus in the case of the Wellington and Whanganui Telegraph, who, whilst at first strenuously opposing the wire, had withdrawn their opposition, ultimately assisting in putting up the poles. I urged them to follow the good example of their countrymen in this instance, telling them if they withdrew opposition I had no doubt they would be employed in putting up the poles; that each hapu, or section of hapu, should put up the poles on its own land, and that for each pole a sum of 5s. would be paid for labour, and in addition to that 2s. 6d. per pole, in consideration of their having been the first Natives in the north part of the Island who had materially assisted in forming one of the links of the chain of telegraph which would hereafter connect Auckland with the rest of the Colony of New Zealand.

They then commenced calculating how many poles they would have to erect to earn a pound, and were evidently taken with the idea.

Pineaha then said, "Leave the question where it is at present. I will lay it and your proposition before our runanga, and will inform the Government immediately of the result."

Later in the evening Pineaha and Karihau came to see me, and we talked the matter over for two hours without any further result; in fact Karihau told me privately, he was so enraged at the survey, that if he had caught Captain Heale at it he would have killed him. He, for his part, never would withdraw his opposition. He admitted the land was not his, but that it had belonged to Pineaha, or rather to his hapu, and himself or hapu had taken it all away in consequence of his *tupuna* having lost his wife at the hand of a near relation of Pineaha, in a brawl about a woman.

I have, &c.,

The Hon the Native Minister,
Wellington.

E. W. PUCKEY,
Acting Civil Commissioner.

No. 2.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

(No. 99.)

Civil Commissioner's Office,

SIR,—

Auckland, 1st October, 1869.

I have the honor to report that on the 21st ultimo I left Auckland for the purpose of visiting the Ohinemuri Natives. I reached their settlement late on the night of the 23rd. On the 24th I met the Natives (who gave me a warm welcome) at Pukateawainui, Ropata Te Arakia's settlement. As this was my first visit, and as Te Hira and several of the more influential of the Hauhaus party were away

on the coast (Te Hira, it appears, had recently been bewitched, and he had gone to get the spell removed), I did not consider it altogether discreet to do much more than make the acquaintance of the people. In answer to their inquiries as to the best method of opening up the auriferous country claimed by them at Ohinemuri, I strongly advised them to have their title to the land investigated by the Native Lands Court, in order that it might be clearly seen in leasing their lands to the Crown, that they did not wish to deal in the same manner by those lands which belonged to their Hauhau neighbours. This idea seemed to please them very much, the only apparent obstacle being the probable opposition the Hauhaus might offer to a survey of the lands in question.

On my return to Auckland I was accompanied by the Chief Ropata, more generally known amongst the Natives as "Te Pokiha;" he came on private business, and as we came down the Waihou River we had a long talk. He went fully into the whole question of the opening up of Ohinemuri, and expressed himself as quite of the opinion, that had proper steps been taken at the first, the Upper Thames would have been open to the Miner long since; but there had been much delay, and a great deal of opposition on the part of Taipari, Riwai Te Kiore, and Te Moananui, and others interested in the Thames Gold Fields, which added much to the weight of the opposition made by Te Hira and others. He returned to-day intending to consult with his own immediate relatives; and if they were of the same mind as himself, of which he said he had no reason to be doubtful, an application would at once be sent to the Native Land Court in respect of their lands at Ohinemuri.

The Hon. the Native Minister,
Wellington.

I have, &c.,

E. W. PUCKEY,
Native Officer at Thames.

No. 3.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

(No. 9-2.)

Civil Commissioner's Office,
Auckland, 19th October, 1869.

SIR,—

I have the honor to report that, on the 14th instant, I proceeded to Ohinemuri. I found upon my arrival at that place that the Native meeting had come to a close, and Te Moananui and others had left on the previous day, and were at that time at Puriri, about half way back to Shortland. I had, however, a long talk with Ropata Te Arakai, Rihi Paka, and others, from whom I learnt that the whole matter had resolved itself into the discussion of two questions—the advantages to be derived from keeping Ohinemuri shut, on the one hand, as opposed to the benefits which would accrue were it to be opened, on the other.

The chief argument made use of by those opposed to ceding the land to Government was, that that course would eventuate in the loss of their land—the *mana* of the Queen would light down upon the land—their *mana* would be gone, and they would lose the land. This was replied to by Ropata's people, by saying that the benefits that would result from leasing the land would be substantial, and would be enjoyed by themselves and their children for many years, whilst now they were gaining no advantage whatever.

The greater portion of those originally opposed to opening up the country have given way. Several of the Hauhau party told me they were themselves only pretending to oppose the question, and were prepared, so soon as prompt measures were taken, to back Ropata and his party. This, I think, is in reference to what might result were the wishes of the Queen Party concurred in by the Government, and the country rushed by diggers. Our Maori friends up there are disgusted at the persistent opposition made by the Hauhaus, and would be very glad if the diggers rushed the district, and terms were made with the claimants afterwards by the Government.

In spite of the very small minority in which they found themselves placed by the vote on the question taken at the instance of Te Moananui on the occasion of the breaking up of the late meeting, there is no reason to suppose that Te Hira and his party will in any way relax in their stubborn persistency. He holds the words of many of their departed ancestors, who were opposed to the alienation of any of the tribal lands, and cannot, or will not, on this account give way.

I did not myself see Te Hira. He was made aware of my visit by a message conveyed by Rihi Paka to Tukukino. He remarked that he did not care to see me; if he saw any at all, he would see all the Pakehas together. I did not think it advisable to compromise myself, either in the estimation of himself, his adherents, or the Natives of the district, by making a fruitless attempt to see him.

Ropata says the understanding in respect of their lands leased to the Government at Ohinemuri only had reference to lands on the north bank (proper right bank) of the Ohinemuri Stream.

I much fear that unless an equitable arrangement of title to the land can be come to, and a division of interests made, it will be of no use to attempt negotiation for the cession of the lands to the Government, as the scruples of Te Hira and his party are by no means of a transient nature, and gain much of their strength from the evident hostility evinced by the Ngatimaru to the opening up of the Upper Thames Gold Fields. The aim of the Hauhau party is to exclude the Pakeha from their land, and at the same time to prevent any dealings with the lands of their more loyal neighbours, in which themselves claim to be interested.

Before bringing this report to a close, I may as well mention the fact that, an hour or two after my arrival at Ohinemuri, Paratene and two other Natives of the Ngatiporou living at Mataora arrived. They had left the district some time during last August (it is said *without arms*), and went from Waikato with Te Kooti to Taupo. Upon their return to Ohinemuri, they circulated a rumour to the effect that Te Kooti had captured Te Poihipi Tukairangi, and others, which I was happy to be able to contradict. All seemed pleased to hear of the report I brought them of the severe chastisement of Te Kooti at the hands of McDonnell, and predicted a speedy termination to his career. These three men had left Te Kooti before McDonnell's attack upon them.

I am, &c.,

E. W. PUCKEY,
Native Agent at Thames.

The Hon. the Native Minister.

No. 4.

The Hon. D. McLEAN to Mr. E. W. PUCKEY.

SIR,—

Auckland, 27th October, 1869.

I have to request that you will be good enough to visit Ohinemuri at your earliest convenience.

In the first place, you are desired, in all your communications with the Natives, to keep alive in their minds the interest the Government feel in the beneficial opening up of the district for gold-mining purposes, and that it is their earnest wish that this should be done on the most favourable terms to the Native proprietors, as well as the benefit of the Europeans; that the Government is determined, as far as lies in its power, to prevent any aggressions on the part of the Europeans.

You are, in the second place, to impress upon those Europeans who, if the Government is rightly informed, are keeping alive a feeling of irritation in the minds of those Natives who are opposed to the opening up of the Ohinemuri District by hanging about the forbidden ground, that they thus protract for an indefinite period the negotiations already initiated by the Government. You will also indicate, without using any threat, that they are liable to a penalty under the fifth clause of "The Gold Fields Act, 1868;" and that it would be much better for their interest, and the interest of the diggers and public at large, to move away altogether from that part of the district for a time, so as to allow the disturbed feelings of the Natives to settle down, and give the Government a fair opportunity of carrying out its negotiations with success.

I rely on your coolness and judgment in carrying out this delicate mission. You will be particularly guarded to speak and act temperately to both Europeans and Natives, and not to pledge the Government to anything upon which you have any doubt on your mind.

E. W. Puckey, Esq.,
Native Agent, Thames District.

I have, &c.,
DONALD McLEAN.

No. 5.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

(No. 18-2.)

Civil Commissioner's Office,

SIR,—

Auckland, 4th November, 1869.

I have the honor to inform you that, in accordance with instructions contained in your letter of the 27th ultimo, I proceeded to Ohinemuri, for the purpose of endeavouring to persuade the diggers up there to remove altogether for a time from that part of the country. The object of my visit was made known to Te Hira shortly after my arrival, who signified his approval, and next morning sent his sister, Mere Kuru, to ask me not only to send off the diggers encamped at the landing-place at Thorpe's, and up the Ohinemuri Steam at Paeroa (within a mile of Te Hira's house), but to spare no pains to drive off those who were prospecting for gold in the ranges. I told Mere Kuru that, as no one knew where the diggers in the hills might be, it would be of no use my attempting to follow and find them out, but I would write a letter, and, if I could find any one to take it, would send it to them. She left, observing that now was my time to deal with the diggers; if they paid no attention, the Haubaus would take the matter into their own hands. A short time after Mere Kuru left, I started for Te Paeroa, where there is a public house, kept by one Andrews. Near this place was pitched a digger's tent. Only one of the party being present, I decided on visiting the party again later in the day. I accordingly returned in the afternoon, when I met the diggers, and, after a good deal of talking, I got them to agree to remove, if those down the river at Thorpe's would leave also, adding, that if one party would not go, the other party would not go either.

I omitted to say that, on my way to see the diggers the second time, I found two men waiting for me, who told me it was the wish of Te Hira to hear with his own ears, from myself, the result of my interview with the diggers, as he himself had been out the day previously warning them to remove, and he felt they might possibly do him a serious bodily injury. I told them I would see Te Hira, and tell him. Later in the evening, therefore, I went to Te Hira's house, where I found him sitting with a considerable number of influential chiefs, amongst others of whom were Tukukino, Tarapipipi Te Kopara, Pineaha Wharekowhai, and Mataia.

As I was coming, they welcomed me in the usual Maori manner. Te Hira rising, advanced before them all, and shook me warmly by the hand. I shook hands with them all round, and they placed a mat for me to sit down upon. I sat down, and, after the usual silence for a minute or two, was asked what I had to say. I told them that the object of my present visit was to see the diggers, and endeavour to persuade them to remove from the district: that I had seen the party at Te Paeroa, and that they were willing to remove, but as for those in the ranges, I was not able myself to go and find them.

Tarapipipi Te Kopara rose and told me they intended holding a meeting on the following morning, and expressed a strong wish that I should be present, adding, that it was also the wish of Te Hira, who desired to have an opportunity of telling me his views as to the diggers who were stealing his gold.

I told them I would stop and hear all they had to say, but that, as they were no doubt discussing some questions of importance, I would leave them for the present.

The meeting was to take place next morning at 8 o'clock. At an early hour, therefore, on the following morning the Natives all assembled in the house known as "Te Pai o Hauraki," and, after Hauhau prayers, the business, for the discussion of which the meeting was specially convened, was introduced by Tarapipipi Te Kopara, who expressed himself as very much pleased at seeing me there to meet them in their runanga-house. There was a time, he said, when they had decided upon the total exclusion of the Pakeha from their meetings, but since that time a totally different change of affairs had taken place, and they were glad to welcome the Pakeha. I was a stranger to them, and they were strangers to me. He had heard that I had come to take the diggers away; concluding his brief remarks by asking me to tell the meeting if such were the case.

I replied in the affirmative, telling them what the result of my interview with the diggers on the previous afternoon had been.

Tukukino, after having addressed a few words of welcome, said it was well that I should have come there for such a purpose. He hoped that I would not content myself with merely sending away the Pakehas who were at Paeroa and Thorpe's (Te Puke), but that I should myself travel over the ranges, and send away those who were trespassing on their Maori land by prospecting for gold.

Hohepa Te Rauhihi asked if I had really come there as Mr. Mackay's successor, and was my object to send back the diggers lest difficulty should arise; adding that he was very glad to hear that such was the case.

Honihi said he was very glad that the chiefs of Hauraki had decided upon allowing me to meet Te Hira; it had been his wish that I should not meet him. All the chiefs then present were men whose object it was to have been to prevent any person in any way connected with the Government from seeing Te Hira; but since they had all agreed to let me see him, he was very glad.

Kibirini Patutahi: "I was glad to hear what Honihi said. When Mr. Mackay was administering affairs of Hauraki, he did not see Te Hira. It is well that Te Hira should see the Pakeha."

Pineaha Te Wharekowhai said: "The Governor did not see Te Hira, the Superintendent did not see Te Hira, and Mr. Mackay did not see Te Hira, but you have seen him. You have been made a very great *Rangatira* indeed by our having permitted you to see Te Hira."

Tarapipipi Te Kopara: "All these chiefs here present decided that no one was to see Te Hira. My word is the same as Pineaha's. All the Maoris ask if this is Mr. Mackay's successor. If he is so, it is proper to ask him questions."

Hohepa Te Rauhihi spoke again in reference to my having seen Te Hira, while neither His Excellency the Governor, the Superintendent, nor Mr. Mackay had seen him. "This Pakeha's name is 'Paki,' which means fine weather. After fine weather the sea becomes calm. These Pakehas in the ranges, send for them. It is a word of long standing, that no portion of Ohinemuri will be handed over to you."

Tarapipipi Te Kopara: "That was the decision arrived at when Mr. Mackay and we all met some time back. Present here are all the chiefs and owners of Hauraki. This house, Te Pai o Hauraki, was first built, then subsequently Te Whakahaere o Hauraki. In nineteen years the end of all things will be; then there will be a yawning chasm betwixt us."

Unaki commenced by greetings to the new Pakeha. They would not conceal anything they had to say from him. Ohinemuri will not be ceded to Government. If any of the Maoris sell or lease, they will not allow Government or Pakeha to have peaceful possession. Never! Hauraki is all that the Pakeha should have. Work there and enjoy the benefits. You may ask for Ohinemuri, but you will never get it. That word was for ever.

Hohepa Te Rauhihi: "You have policemen here; send them to remove the diggers in the ranges. Did you not hear what the Superintendent said, that if any Maori asked him for money as an advance upon Ohinemuri, that he should not have it."

Rangi: "This Pakeha came to send the diggers; let him go to the ranges and send them back."

Mere Kuru: "I went and saw this Pakeha yesterday morning, and he told me he would send a letter to them. I told him that the present was his time to deal with the diggers; and if they would not hearken to him, it would be my turn—I would take the matter into my own hands."

Hopihona: "Write a letter and send it to the diggers in the ranges. If you give money to Ropata te Arakai, it is your own hand—the hand of the Queen party that takes it; but if my hand were to take it from you, the case would be different."

Te Hira Te Tuiri: "Listen to what I have to say. You have caught me here to-day; you have caught me openly in the presence of all these. If you send your people away, and, after seeing them all leave, go yourself, well; but if you leave them in the hill, and I have to go to remove them, evil may result: the fault will not in that case have been mine. Ohinemuri is in my hand, I will not let it go. These hills and valleys shall never be held by people of a strange tongue. Let them go to Hauraki. As for me I am a Hauhau."

I told Te Hira that if circumstances arose which might make it necessary for him to send out a party to remove the diggers in the ranges, on no account to forget Te Pai o Hauraki.

Pineaha then read some notices to persons (who had made application to the Native Lands Court to have their titles to lands at Ohinemuri investigated) requiring them to cause a speedy survey of the same to be made. It is a significant fact that none of the applicants were present.

Tarapipipi Te Kopara then remarked that the causes of the difficulties at present existing between Pakeha and Maori had arisen in consequence of a question of title to land, and asked a Native sitting near him to read Tawhiao's *Panui*, which was issued to the Natives at the Tokangamutu meetings, which took place on and after the 20th January, 1868. He accordingly stood up and read:—

" Ke te patu kua kuhua
Ko te reti kua mutu
Ko te hoko kua mutu
Ko te rohe
Ko nga rori
Ko te koura
Ko te ruri," &c.

Tarapipipi then went on to say that the Queen Natives had no right whatever to meddle with the land. Their share of it was safe enough; and that it was in direct antagonism to the King's *Panui* to lease this land to the Pakeha.

After he sat down I briefly addressed the meeting, and told them I had a few straightforward questions which I wished them to answer in a straightforward manner.

1st, Had not the Queen Natives an equal right with themselves in Ohinemuri lands?

2nd, If they had equal rights with themselves, why was it they were not allowed to exercise those rights in the manner best pleasing to themselves?

3rd, It had been remarked that the King's *mana* was over that land; if that was the case, who had dragged the King's *mana* on to the land of the Queen Natives?

Pineaha replied by saying that the lands belonged to themselves and to the Queen Natives; that they (the Hauhaus) had dragged the *mana* of the King on to the whole of Ohinemuri; also, that as the Hauraki lands, in which Queen Natives and Hauhaus both had an interest, had been ceded to the Government for gold-mining purposes, in accordance with the wish of Queen Natives, the Hauhaus considered themselves perfectly justified in holding this land back to please themselves.

Honihi said: "When the sea is so smooth that the rat can swim in it, then the division of the interests of the Queen Natives and Hauhaus will be made—then the Queen Natives will be allowed to deal with their portions as they think proper. This Pakeha has seen Te Hira publicly. What I have to say is this, if he does not go to the ranges and send back the diggers who are up there, he must see Te Hira no more." His proposal was assented to by all the chiefs present.

I asked if there was any one present who knew the whereabouts of the diggers in the ranges; if there was, that he should come forward and tell me, in order that I might send to them and request them to remove; that it would be quite useless for me to go myself and search for them.

Te Koronoho, one of Ropata's young men, replied by saying that the country I would have to roam over would be very extensive indeed, and that it would take three months at least to make a thorough search; and that if I were away for anything near so long as that, the Hauhaus party would say that I was stealing their gold. (This excited much merriment.)

I proposed therefore to send out two Natives—one a Hauhaus, the other a Queen Native—to search the ranges, and take a letter from myself, warning off the diggers. The Natives said, if you send out so small a party as that it will effect no good whatever, as the diggers will pay no heed to them; it would be better to send out ten men: to which I assented. As indifference to their wishes in this particular circumstance would most probably have resulted in my not seeing Te Hira again, I trust the Government will consider that I acted with judgment in sending out this party of ten men (at a daily rate of pay of 5s. each).

The Hauhaus at first wished me to send out a party consisting solely of Queen Natives, lest the diggers might do some injury to the Hauhaus; but upon my pointing out to them that want of success in finding the diggers would very probably be attributed by the Hauhaus party to the indifference displayed by the Queen Natives in prosecuting the search, and that the better plan would be to have a party composed of both elements, each being in that case a watch over the actions of the other, they were very much pleased with the idea, and Te Hira expressed himself highly satisfied. On my way down the river from Ohinemuri to Shortland I called a meeting of the diggers at Te Puke (Thorpe's), and informed them of the reasons for my desiring to meet them. Some few of them expressed a determination not to leave under any circumstances, but the majority seeming open to conviction, I quietly pointed out to them the obvious harm their presence up there did to the cause in which we all alike felt a deep interest, and that unless they cleared out and left the way open for Mr. McLean, there was no prospect whatever of an early opening up of the country.

At length, after a somewhat protracted interview, they told me, as the other party up at Te Paeroa had consented to leave if they on their part would leave, that they would be sorry to be themselves any obstruction in the way of the country being opened up, and would remove altogether from that part of the district for a time; but under this condition, that when Mr. McLean went up to Ohinemuri he would allow no diggers nor speculators to follow him, in order that all might have a fair and equal chance.

I informed them that I felt I should be quite safe in giving them that guarantee. The diggers would not have agreed to leave had I not been in a position to assure them the Government would resist any aggression on the part of speculators.

I omitted to mention that, in reply to what Te Hira said with reference to keeping the diggers away and not allowing them to visit Ohinemuri, I told him that so long as Cashel, Andrews, or any one else in that neighbourhood, encouraged the diggers to come up and pitch their tents on their land, and whilst they confined themselves to merely camping on land belonging to the Pakeha, that there was no means of compelling them to leave; also, that if, as was not improbable, the diggers rushed the district, their coming would be like the flowing up of the tide—they might as well think of keeping the tide out of the Waihou as keeping back the diggers. He replied: "You will not be able to prevent, and I will not be able to help it."

In conclusion, I may as well state that since my last visit to Ohinemuri, four others of the Natives of this district have returned from following Te Kooti. I am told there are yet a few (three or four) of them with Te Kooti.

I have, &c.,

E. W. PUCKEY,

The Hon. the Native Minister, Auckland.

Native Agent at the Thames.

No. 6.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

Civil Commissioner's Office,
Auckland, 15th November, 1869.

SIR,—

I have the honor to inform you that on Thursday last, whilst I was at the Thames, I was informed by W. H. Taipari that he had received a letter from Reihana Te Tahua, in which he was informed that a meeting had taken place at Ohinemuri, about the 4th instant, at which Te Hira and his people were all present. The Ohinemuri Hauhaus opened the business of the day by urging upon Te Hira, to cease from opposing any longer the opening up of the Ohinemuri country. He had, they said lands at Coromandel, from which he would shortly be in receipt of money; but as for them, they had no land beside Ohinemuri. Te Hira told them he would never give in. The whole of the Ohinemuri Hauhaus have left Te Hira, and come over to our side—only two women, Mere Kuru and Mere Titia (Taraia's daughter), being with him.

I learnt subsequently that Te Kepa and the Ngatikoi from Waihi, who had been invited to attend, were present at the meeting.

These also tried all their power to induce Te Hira to yield to the wishes of the people; but as he still continued obstinate, Te Kepa told him that, so far as he himself was concerned, he would no longer wait for him; he only waited now for the coming of Mr. McLean.

With reference to the ten men mentioned in my last Report, as having been sent out to search for diggers in the ranges, I need only say that they returned after a fruitless search of five days by the one party, and four days by the other party; but though they did not see a single white man in the hills, there were many traces of their having been there a short while before.

To show the state of feeling at present existing amongst the Hauhaus at Ohinemuri, I need but instance the case of Tukukino, who but a few short months since was one of those most bitterly opposed to the ceding of Ohinemuri for gold-mining purposes; he now, I am told by Te Koroneho a Native from Ohinemuri, has had a survey made of land in the Waihou, immediately below Thorpe's, with a view to passing it through the Court.

The Hon. the Native Minister, Auckland.

I have, &c.,
E. W. PUCKEY,
Native Agent at Thames.

No. 7.

The Hon. D. McLEAN to Mr. E. W. PUCKEY.

SIR,—

Auckland, 19th November, 1869.

I have the honor to acknowledge receipt of the interesting account of your recent visit to Ohinemuri, and to express my satisfaction at the judgment displayed by you on that occasion.

I approve of the arrangement made with the party of Natives in search of gold diggers, but their services need not be retained beyond three or four weeks.

E. W. Puckey, Esq.,
Native Agent at the Thames.

I have, &c.,
DONALD McLEAN

No. 8.

NOTES of a MEETING which took place at Ohinemuri, on Thursday, 9th December, 1869.

Present—The Hon. D. McLean and H. T. Clarke, Esq., Civil Commissioner.

PRIOR to the arrival of Te Hira and Hauhau party at "Te Whakahaere o Hauraki," the place of meeting,—

Karaitiana addressing the Native Minister and Chiefs with him said: "Welcome hither, Chiefs of this place. You, our parent, come inland. Welcome hither, friends. You and the people, although all the old men are dead, you our parent represent those that are gone. Welcome to the people. Show kindness to them. You who went away to another place, since you left the old men have died. You bring their remembrance back to us. I thought you were never coming back to see your children any more." (Song.)

Moananui replied: "I have brought our parent here to see you, because you are living here on your own piece, on your share. Had he been a stranger he would not have come. He has come here to see you and save you from your troubles; we have only brought him to see you. It is for you and him to speak. It is not as though this were a windy place. No! there is no wind here, therefore it is right he should be brought here."

Matai: "Although you (Moananui) have come lately, come again. Welcome you and your parents, come and see this place. Welcome, come and see the sources of Hauraki. Welcome, my father; the old men of the people, Epiha and others, have gone; come you, come and look at your sea, the waters of Hauraki. Although you and the Governor came last year, we are very glad to see you again. The old chiefs are dead, Taniwha and the rest of them; their souls live again in you. Welcome, there is no one to speak to you. They are all gone; if, my father, you have come to see us as of old, it is good."

Wiremu Te Paoro: "The day and the month and the year is yours. You see, however, that troubles have risen up amongst us. Welcome, Moananui; come hither you and your friends, come to see me. Welcome you and your parent. Welcome, sir. You who have been left by those that are gone. Your words and acts of kindness are still borne in mind. Although I tried to stand in the waterfall, when I had made a place for my feet to stand, where I thought you could not go, you followed me up there. If your plans in respect of that waterfall are good, they will be carried into effect. Welcome Mr. McLean, you who laid down that which is good, who made plans for good, and then left this part of the country, and went South. Welcome; come and see those of your children which are left. Most of your old friends are gone; some are still at Hauraki, only a small portion of those which are remaining are here."

Moananui: "It is correct. Although you prepared a place in the waterfall for you to stand upon, I climbed up by the rafters of my house and got up that way. Listen, my friend. I said when the great rain clouds go, I go there to see the fall of my house, the upsetting of my canoe. We came backwards and forwards to see our house. The word is not a word of to-day. The head of Hauraki is all that now shows above the surface of the water; all the rest is covered by the tide."

The Hauhau party headed by Te Hira Te Tuirī, preceded by a Hauhau flag, now approached the meeting place, making the usual exclamations of "Welcome! Welcome!" Then followed Hauhau prayers; after which

Reihana te Tahua, addressing the Hon. D. McLean and party, said: "Welcome you and your friends, come in accordance with the words spoken long ago. The name of the words laid down by the

Governor for Hauraki is "good," not evil. This was done by the Governor and Hauraki Chiefs. If you have come to give effect to those words, well."

The Hon. D. McLean: "I the stranger, rise to speak to you. I am he who spoke with you in other days. The men are gone, they have passed away, but you, those that are left, are still here. Let us talk of 'Te Pai o Hauraki'—that is what I have come for, to see that it is not disturbed. Meha and I too listen to what you have to say, and to advise you, in order that the peace which has existed in Hauraki during the past years may be kept, as I hear you are going in two different ways; but if some of you go out into the storm, I do not know what the result may be. You the people of this place must speak the most of the words, and I will reply to you."

Hohepa Te Rauhihi: "Welcome, people and visitor; come and speak your words. It is as you say, you represent the dead. Their souls and faces live again in you. Your words are good. You say, the men are dead, but you remember their words. Come to the people, to the words laid down, there is no turning them aside one way or the other."

Reihana Te Tahua: "Welcome, you and your words, and the Chiefs. A word was laid down by you and the Chiefs. Had a war ensued between us, then this your visit would have been a visit of peacemaking, as has been your visit to Waikato. But as it is, you have come to speak to us the words of those that are gone. Well, come and speak them. Hauraki, you know, has been quiet all along. This is not a peace-making, as there has been no quarrel."

The Hon. D. McLean: "You say well, this is not a peace-making; that was confirmed long ago, many years since by other Governors. You the Chief of Hauraki speak, in order that the sun may shine upon your words."

Reihana Te Tahua: "Nothing has yet disturbed the peace which has so long subsisted between us, and which has continued up to the present time. That is why I said, had there been any intermission during the time the sun has shone down upon us together for so long, this would be a peace-making."

[Hauhau prayers.]

Reihana Te Tahua: "We have spoken of peace, but is that all? It is of no use our sitting here without purpose; it were better that we should speak. I therefore am going to ask you what other object you have in coming here?"

The Hon. D. McLean: "You ask what other object I have come here for. I have already spoken of Te Pai o Hauraki. I spoke to you of the desirableness of acting in such a way as to secure the continuance of the tranquillity which has prevailed in Hauraki for so long a time. One section of you asked me to come up here and talk of the treasures which lie hid in the ground of Hauraki; but much of my time was taken up elsewhere. It is for you all to decide in reference to that gold, in order that there may be no disturbance of the peace of Hauraki. Te Hira is holding that in his hand; that is what I have come here to do, to advise you to act in such a way as that Te Pai o Hauraki may be firmly established. It is not that all the land up here is Te Hira's, but his name only is upon it."

Reihana Te Tahua: "Come to bring hither your words. All I have to say in reference to the treasures under ground is this:—Omahu is the boundary laid down by the Maori and Pakeha chiefs, from thence right round to the East Coast. That part is for you; the land, the gold and all. This part was set apart for us. It was not done by me. This is for the Hauhau and King Natives; the surface and underground as well; that is what I say. Good has been laid down here in so far as a boundary at Omahu is concerned. If I were to jump on that, it would be evil. If you stay on your piece, good; if I stay on my piece, good."

[Hauhau prayers.]

Moananui: "Reihana, listen. Is it only owing to the Pakehas themselves that they keep on coming up here? If it is only their doing, tell us why it is they tease you? But I say there is a rope round their necks drawing them up, as they all live on one piece at Ohinemuri. The Maoris brought them up here; do not say the Pakehas came of themselves. My ears are deafened, 'he tupapaku au na te korero.' It is the Ohinemuri people who have brought them here. But as for these prospecting here without leave, that is their own doing; but even that would not be done without the knowledge of the Maoris and their consent thereto."

Reihana Te Tahua: "Your word is correct; it is not the Pakeha, it is the Maoris of this place (Ohinemuri) themselves that have drawn them here. This is the result that has ensued in consequence of some of the Ohinemuri people trying to take Ohinemuri away from the others."

Hohepa Te Rauhihi: "That which is to be spoken on this occasion should be spoken. The mind clings to the words which have been spoken. There are many things in your minds which you came here to speak. Speak them out."

Moananui: "Speak out what you have to say. I told you there should be no *pokanoa*. If it were the doing of the Pakeha that they came up here, it would be for these Pakehas to speak. But as it is you, speak out to us what you have to say."

Reihana Te Tahua: "What you say, Meha, is right; there are two different parties now at Ohinemuri, those willing to cede the land and those unwilling to cede the land. That is why I referred to Omahu; the land to the North of that line is for the Queen and the Government; the land to the South for the Hauhau and King. The Queen Natives invite the diggers. The Queen Natives leap over that boundary, and so do the diggers."

Pineaha: "Reihana, what you say is good—what you say with regard to the boundary; I ceded Hauraki as far as Omahu. You say that is the King's boundary, yours and the King's. That boundary at Omahu is mine and the Government's. That is the boundary of what was ceded by the Chiefs of Hauraki."

Reihana Te Tahua: "That is approved of. That was your word. My ears heard it, the word in respect of that boundary and the gold. The word was also spoken at that time in reference to this land and the gold. I assented to your boundary. Which of these two parties is in the right? Those who trample on that boundary or those who do not?"

Pineaha Maratanaha: "You wish me to say who is in the right. I am. I ceded my piece. Some

of the people of this place came over to our side since that was done. I ask your party and the other one to speak."

Reihana Te Tahua: "Pincaha, you belong to that party; speak to me who differ in ways of thinking from you both. Smite me who differ from you. Smite only me."

Tauaru: "That boundary is the Hauhaus' and King's boundary, 'Hie hie hoero e hoki ki te koura o te whenua—hie hie aratakina o tamariki ki to whenua.' Leave this land for me 'nga taniwi'—the 'taniwi' have no land at Hauraki."

Te Hira: "Welcome, Mr. McLean, to see us, that is if you have come to see the land and the people—to my mind that is the larger portion, this the less. This is mine. The large portion is there, and is in your hands being dealt with; leave mine to me. The boundary is Omaha. 'Ngawhakahaere' are here, and the good resulting therefrom. Leave it to the eye to see; if in its observation it be clear, its clearness will extend to all parts of the Island. We speak to you in order that you may hear—for this little Ohinemuri is mine. If it is clear to you cause these diggers to go back in token of your having come here, so that I may dwell here in quietude. Send them away, because the talk is all over.

The Hon. the Native Minister: "It is well that you should speak, Te Hira; a part of your talk is clear. It is said that you also have called Pakehas into this place in order to exclude the Government, and so I have thought my friend, Te Hira, it is right for me to tell you that if you go into that canoe, that is a canoe which will upset. My advice to you is that you adhere to your old friend. I have seen the heads of your party at Tokangamutu; perhaps you have received letters from them telling you not to act too hastily. You wish to be quite alone in this place, yet you call Pakehas to come up to this land. I have heard even the terms on which they are to occupy. You tell me to take the Pakehas away, yet you act in a different way yourself. All I want is for Te Pai o Hauraki to be well managed. The land is not yours only; others share it as well as you. They should be allowed to deal with their own share as they think best. Let the whole tribe beware of the deceit of other people. To my mind matters should be conducted as they used to be in former days—if the advice of most of you had been followed in times gone by, there would have been but little trouble. Look at your friends sitting there, one party is biting me on one side, the other party is biting me on the other side. Act in such a manner as that good may result to you all, and that each party may carry out its desire with regard to its own. I have seen the evils of war; do not bring blood on to this place. I am not urging you, but advising you as to the future. Let the wind blow upon our words, and let the sun shine upon them. Think calmly over what we have been talking of. I have put a stop to some of the troubles in different parts of this Island, and want to prevent them from arising here. What good do you derive from the gold under ground, which neither you nor your ancestors ever dreamed of? Let your relatives derive benefit from the treasures which lie hid in their land. I have come back again after the lapse of some years to see you."

Te Hira Te Tui: "There is evil in Hauraki; if it had been I who brought trouble on to this Island, it would have been right to tell me of it. Hauraki is gone into the hands of the Government—half of the word is sweet—half bitter. I will not consent. When shall I get life? If you give me life, I shall know. If you give me what is not life, I shall know. Of what is the use of the land after it is broken. When the land is broken, the owner perishes. There is no reason why the land should be broken. My word in respect to this place is correct. This is my place, why do you seek after it? It is only a little piece. Let it remain to me.

[Hauhau prayers.]

Reihana Te Tahua: "That which you say in respect to Te Hira inviting some person else to the exclusion of yourself to come to Ohinemuri is entirely without foundation. He will not make any difference between them and you. Such a person will get no land on this side of Omaha. To my mind the cause of evil is gold. What you say is correct: I did not know there was any gold under the ground until the Pakahas told me. I make no secret of this. You wish us to live in peace; that would be good. O'Connor will get no land here.

The Hon. D. McLean: "Listen, Te Hira. I am going to ask these other people to speak now, as I have not yet heard their words. You and we have been speaking all day."

Ropata Te Arakai (Te Pokiha): "You do right to ask us to speak, because before you are the two disputants; you are the judge; it is for you to hear and decide. My word to you you already know. You have heard the proposal I made with reference to this place. I have no other. All my friends feel the same as I do. You have already said the most of what I would myself have said. A man cultivates his own plot of ground. Each should be allowed to do as he likes with his own. I am weary with carrying out the measures of Te Whakahaere o Hauraki, but persevere in them: the plans, however, of the other party end in death. I am the more anxious to have this matter arranged as it is impossible to prevent what will most surely follow. Let it therefore be done not in accordance with the desire of myself alone, but in accordance with the desire of these others, who are interested together with myself."

Te Hemara Tiramohine: "You already know what we would say, yet you ask us to speak. My word is the same as Ropata's."

Pereneki: "We have nothing else to say beyond what you already have heard. We await your plans in reference to our wishes. These Hauhaus have no right to say anything with reference to our land. We are in the position of a fish which has swallowed a hook and cannot get it out of its throat."

Koroneho spoke in somewhat similar terms.

Ngatai: "Welcome to Ruawehea. There is nothing else to be said to you. Any one else getting up to speak can only say what has already been said. I consented long ago, when Mr. Mackay was here, to cede my land. I do so now the second time."

Hoera: "My crime is clear, and is being committed in open day. You are the judge. I am guilty, but this is not an act of actual theft. All the chiefs of Hauraki are in one canoe. Te Hira is in another. I am a hair from the leg of Te Hira; but I wish to cultivate my own piece of ground.

Your ancestor calls to you from my mountains: the law cannot restrain the desire for getting gold. The selling of land is restricted by law as well as the committal of crimes."

Ropata Te Arakai: "Pineaha, you say we have nothing to say. You say if Ohinemuri had been opened at the time of the war, it would have been well. At that time, however, when you heard there was a chance of its being opened, you came up and closed it, and then opened Hauraki."

Wihiriwhi Te Hautonga: "Tokatea was opened first; then Coromandel; afterwards Hauraki; and this is the next place. Through careful management we have attained to the present time. Man is of the first importance; all else is of little consequence in comparison."

Mr. Clarke, Civil Commissioner: "This is a new man. Salutations to you, Ngatitamatera. One party of you wish the land to be dealt with after their way; the other party wish it to be dealt with after their way; but if matters are allowed to go on as they have been going, no decision will be arrived at. Mr. McLean says one party drives at him on one side, the other party drives at him on the other side; the pain is biting into him. Now, just see if no plan can be devised which will meet the circumstances of the case, so as to settle this matter by adopting a middle course, for this question cannot be determined by the way in which you are trying to do it. Cannot the land be divided: one portion to be dealt with by one party after its wish, the other portion to be dealt with by the other party after its wish. You say the boundary cannot be lifted; but it seems to me that there has been a succession of liftings of the gold fields boundary from the first; for a boundary was first laid down at Tokatea, then at Coromandel, and subsequently at Hauraki. Why cannot this boundary be lifted again, and a piece set apart to be dealt with by the Natives favourably disposed to gold mining?"

Hohepa Te Rauhihi: "The land cannot be divided. Omahu is the boundary. Hauraki has been dealt with in that way. Leave this piece for me, in order that the course of action may be undisturbed, and I live in quiet. Those who fail in receiving, let them come in to me. What you propose in respect to a division of the land cannot be done, for it is only a small piece. Let the diggers go back, in accordance with the word spoken; that is what I call gently managing. If the land is *taken*, in accordance with the wishes of some, there will be trouble. I did not consent to cede the land during Mr. Mackay's term of office. I said the same then as I do now, although our party is so small."

Paraone Maupu and Rihi Paku next addressed the meeting; and subsequently an altercation took place between Paraone, Maupu, and Tanura, when the meeting was brought to a close.

On the morning of Friday, the 10th December, 1869, the Hon. D. McLean met the Natives who are anxious to cede their lands at Ohinemuri to the Government for gold-mining purposes, at Pukatea-wainui, Ropata Te Arakai's settlement. He told them to be patient in conducting matters in respect of Ohinemuri, that he would not let go what had been placed in his hands. It would be as well for them to decide upon some reserves to be set apart for their own use, which should be excluded from the gold field, when all the arrangements in respect thereto had been completed. The parties who were endeavouring to get leases over their land would, if their arrangements were recognized, cause much trouble. The whole matter would be much better administered by themselves and the Government.

After Ropata, Wikiriwhi, Ngatai, Tekepa, Tupeka, and others had spoken,

Taraia Ngakuti stood up and said that he only then, for the first time, spoke in respect to the question under consideration; that it was in consequence of Mr. McLean's visit that he then spoke. His word was this: "Leave the other side to do its work. They were holding on to the land in vain, as it was being taken away from under their feet in the same manner as he had been treated in respect to his wife. It was his intention to have gone to Auckland, and returned with a backload—a large backload—so much so that it could not be consumed, but that he had been dissuaded from doing so by Te Moananui and some of his other relations. The land was his, it was not Te Hira's; it was his; it was owing to his deeds that Hauraki had a name. They talk of tribes coming here to help Te Hira. What tribes? I will allow no tribes to come. The land is mine, from the waters right up to the top of the mountains; it is mine, mine only."

No. 9.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

Native Office,

Grahamstown, 29th January, 1870.

SIR,—

I have the honor to inform you that on Wednesday morning, Te Moananui and myself left Shortland for Ohinemuri; upon our arrival there we sent a message to Te Hira informing him of our visit, and our intention of seeing him at an early hour on the following morning. At 8 o'clock on Thursday morning we went to Te Hira's whare, where we found every thing ready for the reception of the visitors.

Te Hira, after a short silence, said he was glad to see us. That the few would not do anything to disturb the peace of that part of the country—that was for the stronger party to do; if it was done there would be no place to which the weaker might flee. No wrong had been done by the dwellers in that little place Ohinemuri. They had exercised much patience. It had been said he had done wrong, he had invited Te Kooti. He for his part denied having done anything of the kind.

Moananui: "Yes, it is good, the cause of my coming to this place is this: It has been said that it was you who brought this man, Te Kooti, into this district. I am not willing for that man to come here and set fire to my house; if my house is to be burnt down I would rather do it myself. I am not willing for that man to do it. Waikato it was who burnt their own house. Tauranga also set fire to their own house. I object to the coming of this man to set fire to my house. Listen, Te Hira and Reihana. This is my word to you: Look, here is a matter of danger which threatens us. I refer to this strip of land. I want you to think the matter over, and when you have found, to inform us. Why should you be separated from us? Are we not all of Hauraki? I tell you, you have no one to fall back upon to help you, you are hemmed in by the river on that side; the thought is with you. Reihana, think the

matter over carefully; as it is, there is neither life for you nor us. Think it over, look into it, do it. This land is Hauraki, these people are of Hauraki—do it, be not ashamed. You will not be laughed at. I will be your keeper. No harm will befall you. You will hear more at the great meeting which will take place shortly. There Te Hira and I will stand together in the midst of the great meeting, and have a little talk.”

Reihana: “Welcome, my parent, we can see as well as you, and can understand as well as you. You belong to Hauraki. So do I. We are not forgetful of the words of Hauraki, they are lasting. There will be no occasion for me to search long for an answer to what you will say.”

Moananui: “We will hear very shortly, there is a desire on the part of the whole of Hauraki that we should then speak. I want you to be the same as I am; not to be different as you are at present, my thought is to divide the land, this river Ohinemuri being the boundary. I myself will be Te Hira’s policeman. I will not go any further into the question at present. I will wait until the meeting takes place.”

Reihana: “If you say these words which you have just spoken when that meeting takes place, I will say to you, there is your land, we will leave it.”

Moananui: “No, you must not go, I will be your policeman.”

The consideration of certain questions of a purely domestic character, then took up the attention of the meeting, which finally broke up at half-past two.

Te Hira was very friendly with me, but expressed, through some of his spokesmen, a strong desire that Te Kooti should be no further molested, but rather that an investigation should be made into the charges made against Te Kooti and others of a similar class at a large Runanga to be called hereafter, at which all the heads of the Government and the leaders of the King party were to be present.

I have, &c.,

E. W. PUCKEY,

The Hon. the Native Minister, Auckland.

Agent for Native Affairs, Thames District.

No. 10.

MEMORANDUM for Captain HEALE by the Hon. D. McLEAN.

Will you have the goodness to see that Mr. Puckey takes all the copies of agreements with the Natives for the Thames Gold Fields, and produces such of them in Court at Ohinemuri as may be deemed necessary, asking the Court to make the certificates of title subject to such agreements. The form of restriction in such certificate is to be settled in chambers.

You will be good enough to take the opportunity of reminding the presiding Judge, that the orders or certificates of title are not to be made in the Court at Ohinemuri, but at Auckland, where the question of putting any restriction on the alienability of land will be determined, and not in any case to fix a day for the antevesting of the legal estate in any blocks that may pass the Court. I would impress upon you the necessity of asking the Judge to make this announcement publicly in the Court.

The former instructions issued to Mr. Puckey may be considered as superseded by this Memorandum.

Auckland, 14th May, 1870.

DONALD McLEAN.

No. 11.

Mr. HEALE to the Hon. D. McLEAN.

SIR,—

Ohinemuri, 20th May, 1870.

I have the honor to inform you that the Native Land Court commenced its sittings here on Tuesday last; all parties having requested an adjournment from Monday, in consequence of the non-arrival of Te Moananui and others.

The first case taken was that of Owharo, a piece of 155 acres on the right bank of the Ohinemuri stream at the edge of the forest, on the rising ground, and claimed by Korueha Kota, and other members of the Ngatikoi hapu.

Mr. J. A. Wilson, with Messrs. Rice and Mainwaring, appeared for the claimants; and Messrs. Mackay and C. O. Davis for Hira Te Tuiroi and all the opponents.

The evidence for the first two days was given by persons of small consideration only, generally not Natives of the district, nor members of the tribes here; the object and effect of their evidence being to show that after the destruction of Tara at Tauranga, with all his tribe, save one man and the women and children who were left behind—the remnant through whom Ngatikoi claims became “Rahi” of Ngatitamatera.

On Thursday, yesterday, Mr. Mackay again asked for an adjournment for two hours; and then stated that by an arrangement publicly made that morning by all parties, the whole of the Ohinemuri lands were handed over to Te Moananui, and he adduced him as a witness to this. Since, however, the claimants, in the face of the Court, denied their concurrence in this handing over, which indeed seems hardly to have been serious, the Court refused to take cognizance of it, and the case proceeded. Since then witnesses of more weight have given evidence, namely, Tarapipipi, Pineaha, Hei Tupaea, Tareranui and others—all to the same effect—denying the independence of the Ngatikoi and maintaining that the “Mana” of the whole of the lands here rests with Te Moananui, Te Hira, Kereihi, and chiefs of Ngatitamatera. There is no probability of any judgment being given for some days; and unless some very different and very powerful evidence is brought, any judgment cannot fail to be in favour of Ngatitamatera, and against Ngatikoi. (No mention has yet been made of Ropata.)

Should this be the case, Te Hira and his friends may either claim a Crown Grant—as seems probable—or he may repudiate the survey and content himself with defeating the claimants. Should he claim a grant, I shall not fail publicly, and on public grounds, to urge the Court not to order a

certificate unless subject to close restrictions on alienability, and to leave the drawing of the clause to be settled in Auckland.

I have no reason to suppose that this will be refused by the Court. I found that any general announcement by the Court, before hearing any case, would have probably been refused; and as the asking for it might have produced irritation, I thought it best not at that time to make any application.

I may be permitted to submit to your consideration, in the event of Te Hira asking for a Crown Grant for this small piece, and of his party greatly resenting the application for restrictions, and refusing a grant so clogged, whether the gain that would be made by his recognizing the Court, and accepting a grant, even without express restrictions, might not more than counterbalance the possible exception of these pieces from a gold field (as a Native Reserve, since certainly Te Hira has not made any arrangement with speculators), more especially as there is no possibility of a Crown Grant being out before the Legislature has met, when the whole might be made subject to gold regulations. Of course I only throw out this as a suggestion; and in the absence of further instructions, I shall use every effort to urge the Court to make the restrictions.

I have, &c.,

The Hon. the Native Minister.

THEOPH. HEALE.

No. 12.

Mr. HEALE to the Hon. D. McLEAN.

SIR,—

Ohinemuri, 24th May, 1870.

The Owharo case is still proceeding, Mr. Mackay having only closed his case for the opponents on Saturday evening. The essential point he sought to establish by his very lengthy and diffuse examination was, that Tara and all his people having been destroyed by Ngamarama near Katikati, and their death having been revenged by Ngatitamatera, the remnant and their descendents became and remained "Rahi."

Mr. Wilson, as agent for Ngatikoi, did not cross-question on these capital points, but on minor details only. But on Monday he opened his own case by calling Te Kepa Raharuhi, who stated the reverse, maintaining very steadily that Tara did not go to Katikati, but only one of his sons, and that the strength of the tribe remained unbroken by his defeat. Mr. Mackay subjected this witness to a very long and bitter cross-examination, extending over more than five hours; in the course of this he questioned him in a very hostile tone as to what passed between himself, a Civil Commissioner, and the witness and his tribe. To this I thought it necessary to take exception, since, if such a course were allowed, all confidential relations must cease between Government Agents and friendly Natives. The Court accepted this view, and any questions of that nature were disallowed.

Ropata has since given evidence strongly in favour of the independence of Ngatikoi and their right to this land, and Mr. Mackay's cross-examination has been characterized by the same vehement and angry spirit.

On the whole, the Ngatitamatera case is still strong, though far from being so conclusive as it appeared at the close of their own evidence.

Reverting to your memorandum of instructions, to press upon the Court that "orders or certificates of title (to parties not under agreement) are not to be made here, but in Auckland, where the question of putting any restrictions on alienability will be determined," I may say that this can only be done by adjourning the case back to Auckland, though the parties (Natives) may be told the opinion of the Court as to the parties entitled, and that the claimants need not attend again. This is what I shall press the Court to do, should any judgment in favour of the opponents appear possible; but it is my opinion that this course will be very irritating, and more lowering to the Native Land Court than to give judgment here and absolutely to limit the alienability except to the Crown, since it will appear to surrender its independence, which may be attributed to fear of the tribes here, or to other such influences.

I have, &c.,

The Hon. Donald McLean.

THEOPH. HEALE.

No. 13.

Mr. HEALE to the Hon. D. McLEAN.

SIR,—

Inspector of Surveys' Office, 6th June, 1870.

I have the honor to inform you that, in obedience to your instructions, I attended the Native Land Court at Ohinemuri, from 16th May until 2nd June, when it closed. All this time was occupied in hearing the one case of Owharo. The real question at issue was, whether the small tribe of Ngatikoi or Ngatitara were so completely enslaved by the Ngatitamatera, as a consequence of their assistance against the tribe formerly occupying Katikati (Ngamarama), as to have lost their right of ownership in the lands held by their ancestors without dispute prior to their receiving that assistance, and by themselves ever since.

The case resulted in a judgment in favour of Ngatikoi; and this produced so much excitement, and the Ngatitamatera used the means of intimidation which their numbers present gave them so palpably, that it was impossible for the Court to continue to sit.

I found that the Court would object to make any statement of its intentions with respect to restriction on gold mining, before proceeding with the cases. I therefore abstained from making any application at the commencement.

In the course of the investigation I had only occasion to interfere once, when I considered the course Mr. Mackay was taking, as advocate for the opponents, was calculated to destroy the confidence which ought to exist between friendly Natives and the Government Agent, with whom they may be in intimate relations. The Court sustained my view, and the objectionable questions were disallowed.

After the close of the cases I urged on the Court, on behalf of the Government, the absolute necessity, for the preservation of the peace and for the well-being of both races, that in a district known, as Ohinemuri is, to be auriferous, no certificate of title to any land should be issued without effectual restriction vesting in the Government alone the right to permit and to regulate mining for

gold. I showed that the claimants to the block under adjudication were parties to an agreement to this effect, made with Mr. Mackay in 1868; and I asked, in case of the judgment being in their favour, that a restrictive clause should be added to the certificate, maintaining that agreement; but in case the judgment of the Court should be in favour of the opponents, who were not parties to that agreement, I urged the Court not to make any final order at Ohinemuri, but only to declare its judgment as to ownership of the land, and to adjourn the case to Auckland, where the final order could be prepared, with the aid of the Chief Judge, after due consideration, and with all the information attainable.

The advocates on both sides most vehemently opposed my application, and I had to reply to their objections. The Court, however, in giving judgment in favour of the claimants, directed a certificate of title to be issued to them, with a restrictive clause maintaining the agreement, as I had requested. The adverse party gave notice of their intention to apply for a rehearing.

I think that after a time the great body of the Natives will recognize the equity of the judgment given; but for the present, the anger of the chiefs of the Ngatitamatera is naturally great, and I cannot say that I think the prospect of opening the district is at all near or promising.

I have, &c.,

The Hon. the Native Minister.

THEOPH. HEALE.

No. 14.

Mr. E. W. PUCKEY to the Hon. D. McLEAN.

SIR,—

Native Agent's Office, Grahamstown, 10th June, 1870.

I have the honor to inform you that the Native Land Court, which commenced its sitting at Ohinemuri on the 16th instant, was yesterday adjourned *sine die*, having the day previously given judgment in the case of the claim of Ngatikoi te Owharo, in favour of the claimants.

As Mr. Heale has already made you acquainted with what took place in the Court up to the end of the first week, I shall confine my remarks on the present occasion to what took place since your departure for the South.

The case for the counter-claimants was brought to a close on the afternoon of Saturday, 21st, when the Court adjourned until Monday, 23rd, and the case for the claimants proceeded with. Mr. Wilson's witnesses were subjected to a rigid and searching cross-examination by Mr. Mackay, who in his questions, and the contempt evinced by him for the claimants, was not careful to avoid expressions liable to stir up the angry feelings of the stronger against the weaker party.

On Friday, the 27th ultimo, I had to leave Ohinemuri for Shortland, in order to complete a Return of Tribes, for the House of Representatives.

On the same day, Moananui and a party of about twenty men, armed, started for Waihi, for the purpose, as he told me the previous day, of seeing Raharuhi, father of Kepa Raharuhi one of the claimants to Owharo. They reached Waihi on the following day, but news of their intended visit having preceded them, Raharuhi was concealed by some of the other Natives, and when Moananui and party arrived, he could nowhere be found. However, after a considerable time had been spent in searching, an old man and woman were seen approaching, who proved to be Raharuhi and his wife. They had been out in the cold and wet all the night previous and all that day, and were nearly perished.

Moananui upon seeing Raharuhi, told him to remain quiet and get himself warm and comfortable, and he would talk to him on the following day; but meanwhile the *tauas* had all the license in such cases accorded to *tauas*, and looted everything not too heavy for them to carry away. Next morning Raharuhi came to Moananui, and told him, so the story goes, that he himself had nothing to do with the land; the land and people were Meha's; that his children, Kepa and others, in spite of his advice, proceeded to survey the lands, and make application to the Native Land Court.

On Tuesday afternoon I left Shortland, and reached Ohinemuri late in the evening, when I was informed that the case in respect of Owharo had been completed that day, and that judgment would be given on the morrow.

On Wednesday, at 10, the Court assembled, and the counter-claimants and their partisans, appeared in strong force, but the Ngatikoi appeared by Counsel only, and as judgment was being given in favor of Ngatikoi, evident signs of discontent were evinced by a good many of those present, and mutterings of dissatisfaction could be heard on all sides. This being the case, as soon as judgment was given, Tarapipipi stood up, and expressed it as his wish that the people should not be *pouri*, but that they should behave with decorum.

As it was evident that there was too much excitement for any other case to be proceeded with that day, the Court adjourned till the morrow—but at this time Moananui's party were descried approaching, and a war dance took place; that over, Mr. Mackay proposed that a meeting should take place at Te Moananui's camp, in order to concert measures for the morrow. As I was anxious to know how far the disturbed feelings of Te Hira's party would carry them, I felt it my duty to be present for a time at the meeting. It commenced about 11.30 a.m. The speakers were Tarapipipi, Wi Hopihana, Hohepa Te Rauhihi, Mere Kuru, R. Te Tahua, Riwai Te Kiore, Wi Kingi Te Arawahie, Te Moananui, Mr. Mackay and myself.

Tarapipipi was very much excited, as well at the decision as at the rumoured purchase of Te Aroha by the Provincial Government. Hohepa said he was wearied with trying to maintain peace in the district. He thought he should leave things to take their course. Nevertheless, later in the day, both he and Tarapipipi told us they would continue to act as they had done heretofore, and conduct matters quietly.

Mr. Mackay spoke twice, denouncing the decision of the Court. The Ngatikoi were exceedingly presumptuous in preferring any claim whatsoever to land—they were “*iwi tutua, toenga kainga*,” in fact, he seemed quite at a loss to find terms to express his disgust at the adverse decision of the Court, and the presumption of the Ngatikoi. His second speech was more temperate, urging upon the Natives the prudence of not obstructing the action of the Court. This I supported; the more so, as direct reference was made to myself by Tarapipipi, in reply to Mr. Mackay.

The result of the meeting may be summed up in a few words. The claim of Ngatikoi to Waihi was to be taken through the Court; the lands which had been surveyed for taking through the Court

were to be demanded to be given up to Moananui, and a rehearing of claims to Owharo to be requested. As I felt after a time that I was in the way, and as the political part of the meeting was over, I left.

On the following morning the Court opened at the usual hour; but Mr. Mackay having desired an adjournment for half an hour, the Court adjourned for the required time, when half an hour more was asked for; this also was granted. At the expiration of this time, and as it appeared from the intimidation of witnesses, and the contemptuous manner of speaking of the decision of the Court, as well as the likelihood of the judgment being resisted, and the peace of the district being in considerable danger, extremely desirable that no further sitting of the Court should take place for the present at Ohinemuri, the Court adjourned.

I have, &c.,

E. W. PUCKEY,

Native Agent, Thames.

The Hon. the Native Minister, Wellington.

No. 15.

Mr. E. PUCKEY to the Hon. the NATIVE MINISTER.

Shortland, 20th January, 1870.

SIR,—

I have the honor to report that I have just returned from Ohinemuri, to which place I proceeded yesterday morning for the purpose of obtaining reliable information as to the movements of Te Kooti. I found that Timoti, to whom Topi Te Kahuwhara made allusion in a letter which I forwarded to you on Tuesday last, had left for Te Kooti's camp accompanied by two Natives; all were on horseback, and heavily laden. One of the Natives, Pita Te Heihei, was sent by Ropata to endeavour to ascertain what Te Kooti's intentions with regard to Ohinemuri really were; and he is to return immediately in case of any hostile movement in that direction being made.

On my way to see Ropata, who was at work in his cultivation, I had to pass close by Te Hira's house. When he (Te Hira) heard who it was, he sent and invited me to go in and see him. He expressed himself as being very "pouri" at the accusation made against him, viz., that he had invited Te Kooti to visit that part of the country. I told him that that expression of opinion had no doubt originated from the discovery of a letter addressed to Te Kooti, and purporting to have been written by Hoani Mahako Te Uru o te Rangi at his instance; and, in the second place, from the frequent comings and goings of Timoti and others to Ohinemuri, and his intercourse through them with Te Kooti. He emphatically denied ever having had anything to do with the letter in question, and said that although he countenanced the comings and goings of Timoti and the others, they did not come to visit him, but to visit their friends resident at Ohinemuri, Mataora, and Whangamata. It must be borne in mind that Tarapipipi Te Kopara, a few days ago, admitted to me that Te Hira had written to Te Kooti; also that he encouraged the visits of Timoti in order to obtain information as to the movements of Te Kooti.

Mere Kuru was also present, and she told me candidly that they could not but sympathise with people of their own race and colour; that the King party would not allow Te Kooti to be molested within certain limits; that if he was attacked by us, the King party would not discern whether it was simply fighting between the Pakeha and Te Kooti, but would think we meant to carry the war into their country, and that they would resist it. She expressed a hope that no force would be sent to Ohinemuri; also, that if Te Kooti should be attacked, that the force go round some other way, and not go through their country. I assured her that the Government had no intention whatever of either taking a force through Ohinemuri, or of making it a military position; and that, unless extremely urgent circumstances rendered it necessary, unless the whole country were up in arms, they need not be under the slightest apprehension that the words of another day should be trampled upon. She also remarked that the diggers had said a force was coming up to protect them; I told her it was not so.

Te Hira assured me Te Kooti would never visit Ohinemuri, and thought it was most probable he had gone back to the place set apart for his use by Tawhiao.

Te Hira, and most of the Hauhau party, are going to attend at a meeting, called by Ngatihaua, to assemble at Ohineroa on the 10th proximo, in order to use jointly the influence possessed by both parties, for the purpose of persuading Te Kooti to keep within the bounds prescribed for him by the King party, and to send him away from Tapapa. Te Hira is most anxious to do this, to convince those who have suspected him, that he, at least, never invited Te Kooti to come to Ohinemuri.

Ropata is doubtful as to the probable success of persuasion on Te Kooti, as he thinks, and not without reason, that if "Te Kooti's god" tells him to go to Ohinemuri, nothing will induce him to keep away; and he is not quite sure that "Te Kooti's god" might not do so—the more so as Te Kooti is said to have asked Timoti how long it would take him to get to Ohinemuri on horseback from Tapapa, and that he expressed satisfaction on being told it could be done in one day. Ropata is extremely anxious that a few stand of arms and some ammunition should be sent to him at once, if it should please the Government to do so, as a good opportunity now offers of taking them to his place unknown to any one, in the absence of the Hauhaus. His party are in a very defenceless state.

My own opinion is that Te Kooti will not visit Ohinemuri; that he is desirous of, if possible, dwelling under the protecting shade of the Maori King, and will not do anything to compromise that party, as would most likely be the case did he visit Ohinemuri.

Maihi Te Pohepohe was, I was told, at Ohinemuri yesterday; I did not see him.

I have, &c.,

E. W. PUCKEY,

Agent Native Affairs, Hauraki District.

The Hon. the Native Minister, Auckland.

No. 16.

The Hon. the DEFENCE MINISTER to His Honor T. B. GILLIES.

General Government Offices, Auckland, 8th February, 1870.

SIR,—

In prosecuting the negotiations with the Native owners at Ohinemuri for the opening of the district as a gold field, it has been found that the large number who are disposed to give up their lands desire at once to receive a money payment as an advance on account of the future receipts of fees on miners' rights, and that the sum required will be about £5,000.

It is right that your Honor should be informed, that it is not expected that the payment of this sum will operate at once in overcoming the opposition of the party which has persistently set itself against the opening of the district, but it may have the effect of maintaining in their present disposition, and of stimulating to greater exertion, those who have been friendly, and who are willing to give up their lands, and I am informed that this payment will probably be found necessary to effect those objects.

It will be for the Provincial Government to consider whether or not it is prudent to make this advance in the present condition of the negotiations, and upon this point I shall be glad to be favoured with your Honor's opinion.

His Honor the Superintendent of Auckland.

I have &c.,

DONALD McLEAN.

No. 17.

His Honor T. B. GILLIES to the Hon. the DEFENCE MINISTER.

SIR,—

Superintendent's Office, Auckland, 9th February, 1870.

I have the honor to acknowledge the receipt of your letter of yesterday's date, relative to an advance of money to the Natives, in anticipation of the opening of Ohinemuri. I am prepared at once to provide the sum of £5,000, or any other sum necessary, to effect the immediate opening of Ohinemuri; but until the negotiations show some signs of success, and are put into some tangible shape as to terms, it does not appear to me prudent to make any advances to the friendly Natives, who appear to be unable to open even their own lands without the consent of their opponents. Nor do I think it would be wise to arrange with the Natives on the basis of their receiving fees on miners' rights, &c., as at Shortland, which has raised so many questions of difficulty with both Europeans and Natives. I would suggest dealing with them for a lease of their lands (subject to reserves) at a fixed rental, to cover both mining and surface rights, for a period of twenty-one years or upwards. The country could thus be opened up, not only for mining but for settlement, which, from the gold-bearing capabilities of the country being yet untested, would be the only safe way of dealing with the matter. I desire very earnestly to urge upon you the importance of prompt and energetic action in the matter, otherwise serious consequences may ensue. If you see no immediate prospect of overcoming by your negotiations the opposition of the King party, I would respectfully request you to permit me to undertake such negotiations as I might think proper to adopt in order to accomplish the end in view. It may appear almost presumptuous in me to hope to succeed in a matter in which your agents have been so long unsuccessful, but I am unwilling to leave any stone unturned which might possibly result in opening that country speedily.

I have, &c.,

THOMAS B. GILLIES,
Superintendent.

The Hon. the Minister for Native Affairs, Auckland.

No. 18.

The Hon. the NATIVE MINISTER to His Honor T. B. GILLIES.

SIR,—

General Government Offices, Auckland, 26th February, 1870.

I have the honor to acknowledge the receipt of your letter of the 9th instant, relative to the opening of Ohinemuri. I have inadvertently overlooked replying to it before, but in verbal communications I have sufficiently fully expressed to your Honor my opinions. Thus you are aware that I agree with you, that, if the Natives are willing to accept it, a yearly rent for all rights over the land, is preferable to a payment for the right only to mine for gold. Still I hope your Honor will agree with me, that if the Natives are not willing to entertain the offer you make, it will not be wise to refuse to agree to other terms. So strongly indeed am I of opinion that it is desirable Ohinemuri should be opened, that in the absence of a specific recommendation from you to the contrary, I shall feel myself at liberty to exercise much discretion in accepting such terms as the Natives are willing to agree to.

I thank your Honor for your offer to undertake the negotiations, and am willing to agree with you that though the offer may appear presumptuous, it is dictated by no other desire than an earnest regard for the public service. I would willingly accept your Honor's offer if I could see a probability of its tending more speedily to the attainment of the object in view. But you give me no information by which I can gather that you have either special plans or special facilities, and I observe that at the Thames you have stated that if the matter were intrusted to you, you could not profess to hope to conclude it in three months.

It appears to me that at present I am in a better position than your Honor to carry through negotiations which are already far advanced, and to which I am constantly attending with the utmost anxiety to see them conducted to a successful result.

Whilst declining your Honor's offer, allow me again to thank you for it, and to express my conviction that it is dictated solely by the desire to promote the public service.

I have, &c.,

His Honor T. B. Gillies, Esq., Superintendent, Auckland.

DONALD McLEAN.

No. 19.

His Honor T. B. GILLIES to the Hon. the NATIVE MINISTER.

SIR,—

Superintendent's Office, Auckland, 26th February, 1870.

I have the honor to acknowledge the receipt of your letter, No. 59, of this date; and in reply, have to state that I am happy to see, from the tone of your letter, that you have hope of an early accomplishment of the opening of Ohinemuri. The special plans and facilities which are at my command for the achievement of that object are such that to divulge them would be to destroy them, and render them powerless; and I must therefore rest content with leaving the matter in your hands.

I have, &c.,

THOMAS B. GILLIES,
Superintendent.

The Hon. the Minister for Native Affairs, Auckland.
