

1877.

## NEW ZEALAND.

## PETITION OF REHA APERAHAMA AND 47 OTHERS.

*Presented 8th August, 1877, and ordered to be printed.*

Ki nga Mema Honore katoa o te Runanga Nui o te Paremata o te Koroni o Niu Tirenī e noho huihui ana. Tena ra koutou.

KO TA MATOU PITIHANA TENA KO TA NGA TANGATA E MAU AKE NEI O MATOU INGOA I RARO I ENEI KORERO, HE TANGATA MATOU NO NIU TIRENI I TE TAKIWA KI HAURAKI I TE POROWINI O AKARANA.

E WHAKAATU ANA;—

HE whenua to matou ko te Aroha kei Hauraki koia o koutou kai pitihana ka inoi nei ki a koutou ki nga rangatira o te Runanga Nui o Niu Tirenī kia ata whakaarohia e koutou a matou Take katoa kua tubia nei ki tenei pukapuka e inoi nei ki a koutou—ara mo to matou whenua mo te Aroha.

1. Ko taua whenua ko te Aroha i a matou anake i o matou tupuna me to matou hapu me Ngatitumutumu me matou hoki me tetahi taanga o te iwi o Ngatimaru i whakaurua nei ki nga uri o Ngatitumutumu. A ka whai take nui matou o matou hapu e noho tuturu nei i runga i tenei whenua i te Aroha o mua iho a tae noa mai ki a matou ki o ratou uri e noho nei i runga i tenei whenua i te Aroha inaianeī e mahi nei matou i nga mahi whai taketanga ki te whenua i runga i nga ritenga Maori.

2. Kihai rawa etahi hapu iwi ranei e noho ana i Hauraki i whai paanga i whai take ranei ki tenei whenua ki te Aroha i runga i nga ritenga Maori whai taketanga ki te whenua.

3. Kihai ano hoki tetahi iwi hapu ranei o nga iwi katoa e noho ana i Hauraki o etahi atu iwi ranei i mua iho, inaianeī ranei, i pana i whakahe ranei i te noho a o matou tupuna, a o matou hapu ranei i mua iho a tae noa mai ranei ki a matou e noho tuturu nei i runga i to matou whenua i te Aroha.

4. Engari i te wa i tu ai te Kooti Whenua Maori ka timata te whakawa pokanoa a tetahi iwi noa atu ehara nei i nga iwi o Hauraki hei tango tahae mana ma Ngatihaua o te iwi o Waikato i to matou whenua i te Aroha hei utu pea mo o ratou whenua i Waikato i murua nei e te Kawanatanga i runga i te rau o tana patu ki nga iwi o Waikato. Otira i hinga ratou i te Kooti whakamutunga mo tenei whenua.

5. E whakaatu ana o koutou kai pitihana ki to koutou Runanga Nui o nga Rangatira whakata-koto ture mo nga iwi e rua e noho nei i roto i te Koroni o Niu Tirenī, ara na James Mackay kai hoko whenua a te Kawanatanga nga hapu katoa o nga iwi o Hauraki i whakaeke ki runga i to matou whenua.

6. Ara, e whakaatu ana matou ko tana whakaeke i nga iwi o Hauraki ki runga i to matou whenua ara i hoatu e ia he moni ki ia tangata ki ia tangata ki ia hapu ki ia hapu o nga iwi katoa o Hauraki.

7. Kia ata marama ano hoki koutou e noho nei i roto i to koutou Runanga Rangatira, ara ko aua moni i hoatu e taua kai hoko whenua a te Kawanatanga ki aua iwi i te taone tonu o Hoterene, ehara hoki i te mea i hoatu aua moni e taua kai hoko whenua ki aua iwi i runga tonu i tenei whenua i te Aroha.

8. E kore ano hoki e taea e ia, e taua kai hoko whenua, te ata kawē atu nga tinana o aua iwi ki runga tonu i to matou whenua noho ai, ara e kore ano hoki aua iwi ake o ratou tinana ake ranei e tae a tinana atu ki te Aroha ata whakaatu ai ki taua kai hoko whenua i o ratou wahi i reira hei utu mo nga moni i a ratou. Ta te mea e tino mohio tuturu ana aua iwi kaore ratou o ratou tupuna ranei i pa ki tera whenua ki te Aroha.

9. Engari e whakaatu ana matou ara i koa rawa aua iwi mo te hoatutanga noatanga a taua kai hoko whenua i nga moni ma ratou mo taua whenua mo te Aroha, kaore nei o ratou paanga ki taua whenua, a e koa ana ano hoki ratou mo te hoatutanga noatanga a taua kai hoko whenua a te Kawanatanga i nga nama waipiro, paraoa, pihikete, huka, tii, me era atu mea a te pakeha ki a ratou a ko to matou whenua he utu.

10. E inoi ana matou ki to koutou Runanga e noho na i te Paremata o Nui Tireni, kia whakahokia ano nga taonga, nga moni ranei i riro i aua iwi ma ratou ano e whakarite kia hoki atu ai ki a ratou te mutunga o to ratou koanga i te wa i tango ai o ratou ringaringa i aua moni i aua taonga ranei.

11. E tino whakamarama ana matou ki a koutou ko to matou whenua ko te Aroha he whenua nui noa atu, he whenua pai hoki, he maha noa atu hoki nga mano eka i runga i taua whenua, koia hoki te take i tukua noatia ai he moni e taua kai hoko whenua ki nga iwi katoa o Hauraki kaore nei o ratou paanga ki reira kia riro katoa ai taua whenua mo te Kawanatanga, kia riro mai ai i a ia te moni o runga i te 4 kapa mo to eka, hei utu mo tana mahi hoko whenua mo te Kawanatanga.

12. I whakina e taua kai hoko whenua ki nga iwi katoa o Hauraki, ara, ka whai take paanga nga iwi katoa o Hauraki ki te Aroha i runga i te ingoa o Marutuahu o to matou tupuna i whakataua nei e te Kooti te Karaati o te Aroha ki te ingoa o Marutuahu.

13. Ka whakamaramatia ki to koutou Runanga te kupu i runga nei, ara, e tino tika ana te karangatanga o te ingoa o to matou tupuna o Marutuahu ki to matou whenua kei a matou ano hoki te tino karangatanga o tena ingoa o Marutuahu kaore i era iwi ke atu hapu ranei o nga iwi e noho nei i Hauraki.

14. Ka whakina ki to koutou Runanga nga tamariki a Marutuahu ara:—Ko Tamatepo, koia a Ngatirongou; Ko Tamatera, koia a Ngatitamatera; Ko Whanaunga, koia a Ngatiwhanaunga; me te Ngako hoki. I riro i a ia te ingoa o to ratou matua o Marutuahu. Na te Ngako matou, te hunga o Ngatimaru i uru nei ki tenei whenua ki te Aroha.

15. E tino marama ana o koutou kai pitihana ki te whakataunga a te Kooti i to matou whenua ki te ingoa o Marutuahu, ara, e marama tonu ana te Kooti, e kore nga iwi katoa o Marutuahu e whai take kaha ki tenei whenua, inahoki te kupu whakataua a te Kooti, kua taia nei ki te *Kahiti Motuhake* o Nui Tireni o te 4 o nga ra o Akuhata 1871 kei te wahi tuawha o te wha o nga rarangi o te kupu whakataua a te Kooti e mea nei,—

16. Otira he whakatete na Marutuahu katoa ki nga iwi katoa o Waikato, ko nga hapu ia e uekaha ana, ko Ngatihaua to Waikato, ko Ngatimaru ko Ngatitumutumu to Marutuahu, kihai te Kooti i ki, ko Ngatitamatera ko Ngatiwhanaunga ko Ngatipaoa me era atu hapu o nga iwi o Hauraki, nga hapu i uekaha ki te whakatete ki a Ngatihaua mo tenei whenua mo te Aroha, i riro kau ai te moni a te Kawanatanga ki era iwi ke atu i runga i te kupu whakataua a te Kooti i tenei whenua ki te ingoa o to matou tupuna o Marutuahu.

17. Ka whakina atu e o koutou kai pitihana kia marama ai to koutou Runanga Rangatira e noho nei, ara he maha noa atu nga tunga o nga Kooti i tonoa e Ngatihaua hei whakawa i to ratou take ki tenei whenua, ko te Kooti tuatahi i tu ki Waikato, ko te Kooti tuarua i tu ki Matamata, Waikato.

18. Ko matou anake me o matou hapu kua tuhia nei ki tenei pukapuka te hunga i tae atu ki aua Kooti, ara ko matou ko nga uri o o matou tupuna ko te hunga e mohiotia nuitia ana e nga iwi katoa e noho nei i Hauraki no matou anake tenei whenua a te Aroha.

19. I tu hoki ki Kapanga Hauraki, te Kooti tuatoru mo tenei whenua, otira, kihai i tino marama nga take korero i whakina ki te Kooti i runga i te ahua raruraru i taua Kooti.

20. Ko te Kooti whakamutunga mo tenei whenua i tu ki Akarana engari i tenei wa i hui katoa nga iwi o Hauraki ki te ata whaaki i nga take o o matou tupuna o te noho hoki a o matou hapu i runga i to matou whenua i te Aroha kia marama ai te Kooti ki te ata whiriwhiri i runga i te tango pokanoa a Waikato i to matou whenua.

21. Ehara hoki i te mea i tu nga iwi o Hauraki ki te Kooti whakapuaki ai i to ratou ake whaitake-tanga ki te Aroha. Engari he whakatuturu ta ratou i te whaitaketanga o o matou tupuna o o matou hapu o matou ranei e noho nei i runga i to matou whenua.

22. E inoi tuarua ana matou i tenei kupu ki to koutou Runanga e noho huihui nei, kia whakaputaia ta koutou kupu ki te Whare ki te Kawanatanga ranei kia whakahokia atu te moni i tukua e ta ratou kai hoko whenua ki nga iwi o Hauraki, kia whakataua ki runga ki nga whenua a nga iwi i tango ai i taua moni, kia riro ma ia iwi ma ia iwi i roto o Hauraki e utu taua moni i riro nei i a ratou.

23. Kana tena moni e whakataua ki runga ki to matou whenua e to koutou Runanga i runga i te kupu a te Kawanatanga a ta ratou kai hoko whenua ranei.

24. E whakaatu ana matou, i tuhia ano he pukapuka e o koutou kai pitihana ki a Ta Tanara Makarini, Minita mo nga Maori, i te 3 o nga ra o Tihema 1876, hei whakaatu i tenei raru katoa kua whakina nei ki to koutou Runanga. I taia hoki te kape o taua reta ki te *Thames Advertiser* o Hanuere 13th, 1877, heoti kaore ano kia tae mai te kupu a te Kawanatanga hei whakaatu ki a matou mo taua mea e tonoa nei e matou ki a koutou.

25. E whakaatu ana o koutou kai pitihana, ara, i tuku panui ano etahi o nga iwi o Hauraki i hoatu nei e te kai hoko whenua a te Kawanatanga he moni ki a ratou mo to matou whenua, hei whakatu i te pono o to ratou kore i whai take tuturu ake ki tera whenua ki te Aroha, mo to ratou iwi ake me era atu iwi hoki o Hauraki e pera ana me ratou, ehara nei i a Ngatitumutumu me tetahi taanga o te iwi Ngatimaru.

26. I taia ta ratou Panui ki te *Thames Advertiser* o te 16 o nga ra o Pepuere, 1877, a e whakaatu ana ta ratou panui na taua kai hoko whenua a te Kawanatanga ratou i tohe kia tango noa i te moni a te Kawanatanga a ko to matou whenua hei utu, kaore nei o ratou take ki reira.

27. Ka tino whakamaramatia ki to koutou Runanga Rangatira e noho nei he whenua no roto i te rohe o te Aroha i ruritia e Meha Te Moananui mona ake, mo tona iwi hoki mo Ngatitamatera mo runga ano i taua moni i tukua kia ratou e taua kai hoko whenua a te Kawanatanga; heoti kua whakahokia mai taua whenua e te Kooti ki o koutou kai pitihana i runga i nga take korero katoa kua whakina i roto i nga Kooti katoa i tu mo tenei whenua mo te Aroha.

28. Ka marama pea koutou ki te titiro, ara, kaore rawa he paanga o nga iwi katoa o Hauraki ki tenei whenua ki te Aroha, ara, kaore ano ratou i haere noa ki te ata ruri ki te ata tohutohu ranei i nga wahi i a ratou hei whakaritenga mo nga moni a te Kawanatanga i riro nei i a ratou. Ma tenei hoki pea koutou ka mohio ai, ara na taua kai hoko whenua na James Mackay ratou i whakakaha.

29. Ka inoi tonu matou ki a koutou inaianei a mua atu hoki kia whakaarohia paitia ta matou pitihana e koutou inaianei i te wa e marama ana, tenei ake te po, te wahi e kore ai e tika te tangata te mahi. Na konei matou o koutou Kai Inoi ka tuku nei i tena Pitihana ki a koutou kia ata whiriwhiria paitia ta matou tono.

A ka inoi tonu o koutou kai pitihana ki te tohungia tatou katoa e te Atua.  
Heoi ano, na matou katoa, na o koutou hoa,

Na

REHA APERAHAMA.

Me te 47 tangata atu.

[TRANSLATION.]

To the Honorable Members of the House of Representatives of the Parliament of the Colony of New Zealand, now assembled.

SALUTATIONS TO YOU!

THE PETITION OF THE UNDERSIGNED ABORIGINAL NATIVES OF NEW ZEALAND, OF THE DISTRICT OF HAUBAKI.

HUMBLY SHOWETH,—

THAT your petitioners are owners of land called Te Aroha, at Hauraki. Your petitioners pray that you, the members of the House of Representatives of New Zealand, will give careful consideration to the matters set forth in this petition, respecting their land, Te Aroha.

1. That land, Te Aroha, belongs to us alone, to our ancestors, to our *hapu* Ngatitumutumu, and to us, some of the members of the Ngatimaru tribe, who are included amongst the descendants of Ngatitumutumu; and we and our *hapus*, who have permanently occupied this land, Te Aroha, from days long gone by up to the present day, have large interests in the land, and we are still exercising acts of ownership on the land according to Maori custom.

2. No other *hapus* or tribes living at Hauraki had any right or title whatever to this land, Te Aroha, according to Maori custom.

3. None of the other *hapus* or tribes living at Hauraki, or any other tribes, from time immemorial to the present, have driven off our ancestors or *hapus*, or have objected to their occupying from the beginning till now, and we are still living permanently upon our land, Te Aroha.

4. When the Native Land Court came into operation, an unauthorized [*pokanoa*] application was made to the Court by another tribe, not being of Hauraki, with the intent that they, the Ngatihaua of Waikato, might be able to rob us of our land, Te Aroha, possibly that they might treat it as compensation for the confiscated lands in Waikato. However, they were defeated in the last Court that sat in respect of this land.

5. Your petitioners would point out to you, the Legislators for the two races living in the Colony of New Zealand, that it was James Mackay, Government Land Purchase Officer, who placed all the tribes of Hauraki upon our land.

6. We mean that this placing of the tribes of Hauraki upon this land of ours by him has been effected by his paying money to different people of all the *hapus* of the tribes of Hauraki.

7. Be it remembered by your honorable House that the moneys paid by that Government Land Purchase Officer to those people were paid at the town of Shortland, and not paid by him upon this land, Te Aroha.

8. That Land Purchase Officer cannot take the bodies of these tribes upon our land to live there, and those persons are unable in the body to go to Te Aroha, and point out to that Land Purchase Officer their portions of the land for which they have received payment, because they know full well that neither they nor their ancestors had any right to that land, Te Aroha.

9. We assert that those tribes were rejoiced on account of the unnecessary payment to them by that Land Purchase Officer of the money for that land, Te Aroha, to which land they had no right; and they are also rejoiced at the needless payment to them by that Government Land Purchase Officer of liquor, flour, biscuit, sugar, tea, and European commodities for our land.

10. We pray you to place the responsibility for these goods or moneys upon those persons, so that they may enjoy the results of their gratification, which they evinced when their hands took the money and goods.

11. We would point out to you that our land, Te Aroha, is of very large extent; it is also land of good quality, and contains many thousands of acres; and for that reason the Land Purchase Officer heedlessly paid money to all the tribes of Hauraki, who had no title there, in order that the Government might get all the land, and that he might get his commission at 4d. per acre for lands purchased by him for the Government.

12. That Land Purchase Officer told the tribes at Hauraki that they all had an interest in Te Aroha through the name of Marutuahu, our ancestor, the Court having ordered the land to be granted through the name of Marutuahu.

13. We wish to explain this last statement. It was quite right that the name of our ancestor should be mentioned in connection with our land, but the right to use his name rests with us and not with any other *hapu* or tribe of Hauraki.

14. We will tell you the children of Marutuahu—Tamatipo, head of the Ngatirongou; Tamatera, head of the Ngatitamatera; Whanaunga, head of the Ngatiwhanaunga; and also Te Ngako, to whom descended the name of their parent Marutuahu. We, the section of Ngatimaru, who are in this land, Te Aroha, are the descendants of Te Ngako.

15. Your petitioners are quite clear that the Court's decision was in favour of Marutuahu, and that the Court was quite clear that all his tribes would not have a strong title to this land. In part 4 of the 4th clause of the Judgment of the Court, published in the *Kahiti* Extraordinary of the 4th August, 1871, it says,—

16. But all the Marutuahu disputed with the tribes of Waikato, those taking the most active part being the Ngatihaua of Waikato, and the Nga'itumutumu and Ngatimaru of Marutuahu. The Court did not say that the Ngatitamatera, Ngatiwhanaunga, Ngatipaoa, and other *hapus* of the Hauraki tribes, took an active part as against the Ngatihaua about this land, Te Aroha, to warrant the money of the Government being paid to those other tribes when the Court awarded that land as in the name of our ancestor Marutuahu.

17. Your petitioners would point out to your honorable House that Ngatihaua made a great many applications to the Court to sit to investigate their title to this land. The first Court was held at Waikato, and the second at Matamata, Waikato.

18. We and our *hapus* mentioned herein were the only ones who went to those Courts—that is to say, we, the descendants of our ancestor, the persons known by all the tribes of Hauraki to be the sole owners of this land, Te Aroha.

19. The third Court for this land was held at Kapanga, Hauraki, but the statements made to the Court were not clear, owing to the confusion that existed.

20. The last Court for this land was held at Auckland. On this occasion all the Hauraki tribes assembled to state the claims of our ancestors and the occupation by our *hapus* of Te Aroha, so that the Court might be clear to consider the question of the taking of our land by Waikato.

21. The Hauraki tribes did not appear in Court to assert their own rights to Te Aroha, but to substantiate the title of our ancestors, our *hapus*, or of ourselves, who are living upon our land.

22. Your petitioners again pray you to cause action to be taken in the House, or by the Government, that the money paid by their Land Purchase Officer to the tribes of Hauraki may be made a charge upon the lands of those who received it, so that each tribe of Hauraki can pay the money they received.

23. Let not that money be made a charge upon our land in consequence of the statements of the Government and their Land Purchase Officer.

24. We point out that we addressed a letter to Sir Donald McLean, Minister for Native Affairs, on the 3rd December, 1876, showing forth to him all these difficulties which we have related to you. A copy of that letter was published in the *Thames Advertiser* of 13th January, 1877; but we have not received any word from the Government on the matter respecting which we now petition you.

25. Your petitioners state that certain of the tribes of Hauraki, to whom the Government Land Purchase Officer paid money for our land, have issued a notice stating that they really had no valid claim to Te Aroha, neither they nor the other tribes of Hauraki in the same category as themselves, and not belonging to the Ngatitumutumu or a portion of Ngatimaru.

26. Their notice was published in the *Thames Advertiser* of the 16th February, 1877, and they state therein that it was that Land Purchase Officer of the Government who urged upon them to take, without cause, Government money for our land, to which they have no title.

27. We would make it clear to your honorable House that Meha te Moananui surveyed certain land within the boundary of Te Aroha for himself and his tribe, the Ngatitamatera, on account of the money paid to them by that Land Purchase Officer of the Government; and the Court has returned that land to your petitioners in accordance with the evidence given before the various Courts which have been held in respect of Te Aroha.

28. It will probably be clear to you that all the tribes of Hauraki have no right whatever to Te Aroha, because they have not yet gone to survey or to point out the places they claim as in consideration of the Government money paid to them; and by this you will probably be made aware that they have been backed up by that Land Purchase Officer, Mr. Mackay.

29. We will ever pray to you both now and in the future to regard with favour your petitioners while it is yet day, for the night cometh wherein no man can work.

We therefore send our petition to you for your favourable consideration.

And your petitioners will ever pray that God's blessing may rest upon us all—both you and us. Sufficient. From all of us.

Your friends,

REHA APERAHAMA.

And 47 Others.

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By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1877.