

1881.

NEW ZEALAND.

# THE MAORI PRISONERS,

## THEIR DETENTION, TREATMENT, ETC.

(PAPERS RESPECTING STATEMENTS AND CHARGES MADE BY MR. BRADLAUGH, M.P.)

*Presented to both Houses of the General Assembly by Command of His Excellency.*

No. 1.

The Right Hon. the Earl of KIMBERLEY to the OFFICER ADMINISTERING the  
GOVERNMENT of NEW ZEALAND.

SIR,—

Downing Street, 22nd October, 1880.

I have received a letter, a copy of which is enclosed, from Mr C. Bradlaugh, M.P., drawing my attention to the prolonged imprisonment undergone by certain Maoris who were arrested in 1879 for forcible entry, and for offences under the Malicious Injuries to Property Act. Sir Hercules Robinson, in his despatch of the 14th of August last, informed me of the enactment of an Act entitled "The Maori Prisoners Act," which he stated enables the Colonial Government to retain in custody, without trial, the most dangerous characters for a further limited period specified in the Act, and he expressed an opinion that the Act, though doubtless a strong one, was necessary, in the critical position of affairs on the West Coast.

I have not, however, been placed in possession, so fully as I should have wished, of the circumstances which have led to the passing of this Act, and I have therefore to request that you will be so good as to prepare a full report respecting the Native disturbances of 1879 and 1880, and the measures taken by the Government of New Zealand in consequence of them, so that, if necessary, it could be laid before Parliament as a complete account and narrative of the circumstances

I have, &amp;c.,

The Officer Administering the Government  
of New Zealand.

KIMBERLEY.

Enclosure in No. 1.

Mr. BRADLAUGH, M.P. to the Hon. the UNDER-SECRETARY of STATE for the COLONIES.

SIR,—

20, Circus Road, St. John's Wood, N W., 30th September, 1880.

I have had application made to me from New Zealand with reference to the Native Maori prisoners now most unjustly detained as prisoners without trial under the following circumstances.

In 1879 certain Natives commenced ploughing on land which had been confiscated by the Government and sold to Europeans; many arrests of Maoris were made for forcible entry, and for offences under the Malicious Injuries to Property Act: some of the Natives so arrested were actually tried and sentenced; others (and it is to these I direct your attention) were arrested, and not immediately tried, but were committed by the Magistrates to take their trial before the Supreme Court. A general election being then impending, an Act was introduced to postpone the trial of the yet untried prisoners until thirty days after the assembling of the new Parliament. When the Parliament met, another Bill was introduced again postponing the trial until sixty days after the meeting of the next session of the Parliament. I am informed that before the Governor assented to this last Act a deputation of the Maori members waited upon him, when a

solemn assurance was given that the prisoners should be tried in January or February of the present year. I am further informed that, by another Bill, the trial of these unfortunate Maoris is again postponed for a further period of twelve months. Thus, men who are in custody for having committed trespasses in assertion of what they believe to be their own rights, and against whom, I am credibly informed, no other charge is pending, are actually being detained in prison for a term of two years without trial. My informant writes me that this prolonged imprisonment is likely to cause the death of many of these unfortunate men, and that one of them actually died in gaol on the 22nd July last.

I at present venture no comment on this; but appeal to you, if the facts are as I state them, to at once take some action on behalf of these men, who are all, I am credibly informed, absolutely ignorant of the English language, and utterly defenceless against this wrong.

The Right Hon. M. E. Grant-Duff,  
Under-Secretary of State for the Colonies.

I have, &c.,

CHARLES BRADLAUGH.

## No. 2.

Governor the Hon. Sir ARTHUR GORDON to the Right Hon. the Earl of  
KIMBERLEY

Government House, Wellington,

MY LORD,—

New Zealand, 29th December, 1880.

I communicated to my Responsible Advisers your Lordship's Despatch No. 36, of the 22nd October, and have received from them a memorandum which they desire me to transmit to your Lordship as an answer to it.

3. Of that minute and its annexes I have accordingly now the honor to enclose a copy, but I do not consider that I am thereby relieved from the duty imposed on me by your Lordship of myself "preparing a full report respecting "the Native disturbances of 1879 and 1880, and the measures taken by the "Government of New Zealand in consequence of them." This I shall do as soon as I have procured the requisite data, which, in some cases, I do not find it altogether easy to obtain.

I have, &c.,

The Right Hon. the Earl of Kimberley

ARTHUR GORDON

## Enclosure in No. 2.

### MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor; and return to His Excellency the Despatch from the Secretary of State for the Colonies enclosing a letter from Mr. Bradlaugh, M.P., making statements respecting the arrest and detention of certain Maoris, as to which statements Lord Kimberley requests that he may be supplied with such information as will enable an answer to be given to them, in Parliament if that course should be considered desirable.

2. Believing that Her Majesty's Government would prefer to obtain from existing official documents all the information they contain on the subject, Ministers have the honor to enclose duplicates of Acts of the Assembly, papers presented to Parliament, &c., relating to the difficulties on the West Coast of the North Island; and to add to those documents a memorandum by the Native Minister (Mr. Bryce) on the causes which justify the detention of the prisoners.

3. The papers enclosed are—

- (1.) The Maori Prisoners Trials Act, 1879:
- (2.) The Confiscated Lands Inquiry and Maori Prisoners Trials Act, 1879:
- (3.) The Commission issued under the above-mentioned Act:
- (4.) Proclamation by the Governor at the time the Commission was issued:
- (5.) The Maori Prisoners Act, 1880:
- (6.) The Maori Prisoners Detention Act, 1880:
- (7.) Reports and Proceedings of the West Coast Commission:
- (8.) The West Coast Settlement Act, 1880:
- (9.) Report from *Hansard* of what passed in the House of Representatives relating to the alleged promise by the Governor as to the time at which the prisoners should be tried:
- (10.) Extracts from a memorandum by Sir Hercules Robinson on the same subject:
- (11.) The Native Minister's letter to Wiremu Kingi, on the release of that Chief from prison:
- (12.) Commission to the Hon. Sir William Fox, K.C.M.G., for the settlement of promises made to the West Coast tribes, and of claims made by them:
- (13.) The Native Minister's memorandum "On the Causes which justify the Detention of the West Coast Maori Prisoners."

4. The Maori Prisoners Trials Act, 1879, was introduced and passed by the late Government: the Confiscated Lands Inquiry, &c., Act, 1879, was introduced and passed by the present Government during a subsequent session, a general election having taken place in the interval.

5. The latter Act provided for the appointment of the Commissioners by whom the Reports were presented. Those documents are, with a view to the completeness of the information, included in the series of papers sent herewith; but Ministers do not doubt that the Secretary of State for the Colonies has already received them through Sir Hercules Robinson, and has given to them the attention demanded by their interest and importance.

6. Those Reports contain a statement of the causes of the West Coast troubles; a careful inquiry what should be done, so as to secure justice to Natives and to Europeans; and recommendations as to the best means of doing what is desired. The question of Confiscation—its policy at the time it was determined upon, and its general effect—is fully discussed by the Commissioners. The promises made by successive Governments, the extent to which they have been performed, and the results to the Natives of performing them as recommended by the Commissioners, are minutely set forth. And as it appears that such performance would mean securing reserves amounting to nearly 263,000 acres, of the estimated value of £638,000, for Natives not numbering, in all, more than 3,000, there can, it is conceived, be no question respecting the sufficiency of the provision.

7. The West Coast Settlement Act, 1880, was passed as soon as possible after the receipt of the Commissioners' Reports. It empowers the Governor, "in such manner as he may think fit, to make a final settlement of every claim or grievance, of any nature, arising out of any promise, award, or engagement, howsoever made, by or on behalf of the Government of the colony, in respect of lands situated within the confiscated territory, and, so far as may be expedient to do so, in accordance with the said Reports; and to issue Crown grants in fulfilment of such awards, promises, and engagements." The Act further provides that certain of the reserves for Natives shall be made inalienable, while others may be made alienable under the provisions of special Acts relating thereto.

8. The Commissioners had consented to aid the Government in giving effect to the Act; but Sir F. Dillon Bell having accepted the appointment of Agent-General for the colony, in London, Sir William Fox has been appointed sole Commissioner for the purpose. He will enter upon the work soon after the commencement of the New Year. Meanwhile, the survey of the large block of 25,000 acres, spoken of by the Commissioners as the "Continuous Reserve," is being pressed forward; and steps are being taken to set apart, as quickly as is found possible, the other reserves recommended.

9. The letter to Wiremu Kingi was written by the Native Minister on the occasion of this Chief's release from prison. Its object was to prevent, or to remove, misapprehension as to the intentions of the Government; and a number of printed copies of it were sent to Parihaka, and distributed there, as well as amongst the Natives on other parts of the West Coast.

10. Subsequently, Mr. Parris—who had been for many years in charge of the district on behalf of the Native Department, and who was so well known to the West Coast Natives, and so favourably regarded by them, that he was specially selected to assist the Commissioners—was twice sent to Parihaka, in order that he might explain fully to the Natives at the monthly meetings, as well as to Te Whiti, what the Parliament had done and the Government wished to do. Te Whiti refused to listen to Mr. Parris, and prevented the Natives from listening to him. But Ministers have evidence that the Parihaka Natives are, as a rule, well informed as to what has been done, and as to what is proposed to be done, towards a settlement of difficulties; and Mr. Parris was sent to the meetings only because the Government had heard that Te Whiti had said that he was ignorant as to the recommendations of the Commissioners and the provisions of the West Coast Settlement Act, and that he desired to be informed what they were. As illustrating the influence over Natives which enabled Te Whiti to prevent Mr. Parris being listened to, it may be stated that amongst the prisoners there are many who belong to tribes that have no interest in West Coast lands, but who went to Parihaka, and there obeyed Te Whiti's orders.

11. His Excellency is aware that, in addition to the endeavours herein stated, others are being made which, it is hoped, will bring about direct and beneficial communication with Te Whiti. But, whatever may be the result of such endeavours, it has been thought right that a test should be applied to a statement alleged to have often been made by Te Whiti, that he desired to meet the Governor, and to discuss with him all questions of grievance and their remedy.

12. Ministers believe they have now sufficiently dealt with the general question of the West Coast troubles, and the arrest of the prisoners. The Native Minister's memorandum will fittingly supplement the information given, with reasons in justification of the detention of the men.

13. Mr. Bradlaugh states in his letter, that he has been informed that before the Governor assented to the Maori Prisoners Act, 1880, a deputation of Maori Members of Parliament waited upon His Excellency, and that a solemn assurance was then given that the prisoners should be tried in January or February of the present year. A statement to this effect having been made by Sir George Grey in the House of Representatives, Sir Hercules Robinson sent to Ministers a memorandum stating his desire "at once to record officially his denial of the accuracy of the statement that he promised the Maori Members that the prisoners should be tried in January or February last." The *Hansard* report of proceedings in the House, and the extracts from Sir Hercules Robinson's memorandum, which are amongst the appendices hereto, are but additional proofs that—although probably based upon a misconception on the part of members of the deputation—the statement that the alleged promise was made is altogether erroneous.

14. Mr. Bradlaugh says, "My informant writes that this prolonged imprisonment is likely to cause the death of many of these unfortunate men; and that one of them actually died in gaol on 22nd July last." The prison returns show that two of the Native prisoners have died at Dunedin—one in the Gaol, and the other in the General Hospital; the cause of death in each case being consumption. In Wellington, one of the prisoners died, after a long illness, also of consumption. At Lyttelton, where 62 prisoners have been confined, and at Ripa Island, in the same neighbourhood, where there have been 153 prisoners, no death has occurred, and the general health of the prisoners is reported to be good. The deaths amongst these Maoris have, therefore, been very few in proportion to the number of the prisoners.

15. Mr. Bradlaugh concludes his letter by saying that he is "credibly informed" that the prisoners "are all" "absolutely ignorant of the English language, and utterly defenceless against this

wrong." But the fact is, that amongst the prisoners there are half-castes, and also some Maoris, who are well acquainted with the English language. Whenever the prisoners have needed or have asked for them, the services of an Interpreter have been provided in connection with the Visiting Justices; and, besides this, the Warder or Gaoler in charge in all cases is acquainted with the Maori language.

16. Ministers are of opinion that it would have been well if Mr. Bradlaugh—in his complaints and appeals to the Imperial Government, against the action of the Parliament and the Government of New Zealand—had allowed the two Governments to judge of the value of the authority which he has accepted as credible. As he has not done this, his imputations, which have been shown to be unwarranted, remain anonymous. He has no personal knowledge, so far as Ministers are aware, of New Zealand or of any of its interests. While the name of his correspondent remains undisclosed, neither the authority which is appealed to nor that which is calumniated, can judge between his claim that the stories he has circulated are credible, and the presumption, which now seems unavoidable, that he has spoken and written honestly but ignorantly, having been misled.

WM. ROLLESTON  
(In the absence of the Premier).

Wellington, December 24th, 1880.

### Sub-Enclosure 10\* in No. 2.

EXTRACTS from a MEMORANDUM for MINISTERS by His Excellency Sir HERCULES ROBINSON

THE members next referred to the Confiscated Lands Inquiry and Maori Prisoners' Trials Bill, which had passed their House on the previous evening, and was then on its way to the Legislative Council. They said they wished (1) the prisoners to be tried not later than February. The Governor, after hearing all they had to urge on these points, told them that he would not fail to convey their wishes to his Responsible Advisers, and that they would receive careful consideration.

There was a good deal of conversation, and the observations on each side had to be conveyed to the other through an interpreter. It is possible, therefore, that the members may have understood his answer, as communicated to them, to mean more than he intended it to convey; but the Governor is satisfied that he adhered strictly to the determination which he had formed in his own mind before receiving the deputation, namely, to promise nothing more than to be the medium of conveying their sentiments to his Ministers.

If, therefore, the Governor had, as stated by Sir George Grey, given "the word of the Crown" to the Native members that the prisoners should be tried in January or February, he would have been making a promise as to the course to be pursued under a measure which was still under the consideration of Parliament, and might possibly never become law. Eventually the Act was assented to on the 19th December, and on the 23rd December an order in Council was passed, postponing the date of trial from the 5th January to the 5th April, so that, if any promise, such as that alleged, were given, it was broken within a few days of its having been made: yet no representation was addressed to the Governor at the time when this supposed "violation of the word of the Crown" first took place; and the subsequent postponements to the 5th July, and to the 26th July, by succeeding Orders in Council, were allowed to pass without remonstrance. The Governor has no hesitation in affirming that no such promise as that alleged was given by him, and that the construction placed by Sir George Grey upon the conversation that took place between the Governor and the Native members is erroneous.

### Sub-Enclosure 11 in No. 2.

LETTER from the HON. the NATIVE MINISTER to WIREMU KINGI MATAKATEA.

FRIEND WIREMU KINGI,—

Native Office, Wellington, 4th October, 1880.

Greeting. The time is now come for me to say a few words to you.

When you and your companions were sent to Dunedin, you refused to accept my offer to be separated from your comrades, and said that you preferred that the Government should show kindness to your people in the settlement of their grievances on the West Coast, rather than to yourself personally. I then told you that the desire of the Government was to deal justly, and that I would use every effort to promote peace between the two races.

Ten months have passed since that day, and the promise of the Government which I gave you has been kept. The Governor appointed Commissioners in accordance with the will of Parliament, and of the whole European people, to inquire into the causes of the discontent of the Natives, "in order," as he said in his Proclamation, "that any just ground of complaint which might exist might be removed, and peace be firmly established between both races."

Those Commissioners have now made their inquiry, and have reported to the Governor what they think would be a fair settlement of the differences which have existed, and have pointed out what lands they consider should be set apart for the Maoris who desire to live in peace.

Since that report was sent to the Governor the Parliament has met, and an Act has been passed which enables the Governor, "as he may think fit, to make a final settlement of every claim or grievance of any nature arising out of any award, promise, or engagement howsoever made, by or on behalf of the Government of the colony in respect of land situate within the confiscated territory, and, so far as it may be expedient to do so, in accordance with the reports of the Commissioners;" and the law also authorizes him to set apart reserves for the Natives in such ways as may secure their perma-

\* For Sub-Enclosure No. 1, see Act, No. 3, 1879, Session I.  
 ,, No. 2, see Act, No. 25, 1879, Session II.  
 ,, Nos. 3 and 4, see Supplement to *Gazette*, 15th January, 1880.  
 ,, No. 5, see Act, No. 4, 1880.  
 ,, No. 6, see Act, No. 6, 1880.  
 ,, No. 7 see G.—2, 1880, and Appendices.  
 ,, No. 8, see Act, No. 39, 1880.  
 ,, No. 9, see *Hansard*, Vol. 36, pp. 558-560.

ment welfare. At the same time, Parliament has said that all acts of lawlessness must cease, and that any Natives who obstruct the Government in giving effect to its plans will be punished as the law directs.

The Government has done, and is prepared to do, its part. Large and ample pieces of land will be set apart for those Natives who desire that trouble should cease. Roads which will benefit both Maori and pakeha have been made, and arrangements have also been made for the friendly occupation of the land by both races side by side. The Government has said that it desired peace, not war, and its words have been proved. Even the arrests which have been made were to prevent foolish obstruction to a clear settlement, obstruction which might have brought on a war, causing death to the Maori people. The sun will shine now if the desire of the Government is accepted and accomplished. Let the clouds which have obscured it be dispersed. It only now remains for the Natives to accept that which is offered in "the accepted time," lest "the day of salvation" draw to a close, and the night of confusion again arise so that the good work which has begun be hidden in darkness.

The Government has determined to set you, and those with you, free first of all, so that you will see that the words are true which the Governor said, "that he did not wish to return to war or to retain the prisoners longer than was necessary in the interests of both races." Our desire is to release the rest of the prisoners, and this will be done if, on your return, the Natives accept the proposals now made to them.

It now rests with you to show that you are willing to help me in doing that which you asked me to do, and which I have been working at for this long time—namely, to cause the confusion to cease, and promote the real interests of your people.

Wiremu Kingi Matakatea, Dunedin.

Sufficient. From your friend,  
JOHN BRYCE.

P.S.—I send you herewith copies of the law to which I have referred, and the Proclamation which the Governor put forth.

### Sub-Enclosure 13 in No. 2.\*

#### MEMORANDUM ON THE CAUSES WHICH JUSTIFY THE DETENTION OF THE WEST COAST MAORI PRISONERS.

To fully appreciate the reasons for the apprehension and detention of the Natives taken prisoners on the West Coast in 1879 and 1880, it is necessary to have a somewhat full knowledge of a very remarkable and complex position, and I have great hesitation in attempting to convey a sufficient idea of the case in what must of necessity be a brief abstract. To detail the actual circumstances which have led up to the arrests in question would not be difficult; but this would be of little assistance in arriving at a correct conclusion. What really is difficult is to produce by description a correct impression of the strange influence which Te Whiti exercises over the minds and actions of his followers, and of the extraordinary mental condition which his teachings or preachings have produced in the minds of the Maoris of the West Coast. Yet, unless a somewhat vivid idea of the abnormal state of the Maoris in this respect is obtained, I do not hesitate to say that false conclusions will certainly be arrived at in respect to the necessity for the action taken by the Government in apprehending and detaining in custody the Maori prisoners.

The land on the west coast of the North Island was confiscated in 1865, on account of the rebellion of the tribes of that part of the country, but attempts at settlement on the confiscated land had not extended northward of the Waingongoro River when in 1868 a fresh rebellion broke out under Titokowaru. During the war of 1868–69 the settlers along that coast between the Waingongoro River and the Kai Iwi Stream, or to within a distance of ten miles of the Town of Wanganui, were driven in; but in the latter part of 1869, after the defeat of Titokowaru and the dispersion of his followers, the settlers resumed possession of their holdings. These holdings, however, it is important to remember, only extended northward as far as the Waingongoro River. No attempt was at that time made, nor for long afterwards, to occupy by European settlement the country between the Waingongoro and Stoney Rivers, a territory which includes within its limits that portion of the country which has been commonly called the "Waimate Plains." There can, I think, be little doubt that had settlement been pushed on immediately after the conclusion of Titokowaru's war the difficulties since experienced would not have been encountered; but as the Maoris returned and resumed possession of their villages and cultivations the idea gradually grew, or rather was impressed upon them, that the Government had abandoned its claims on the Waimate Plains and did not intend to insist upon their occupation by Europeans.

This idea was most unfortunate in its results, both locally and throughout the colony. It encouraged the Maoris to maintain a defiant attitude and to resist the ordinary processes of the law, which they effectually did in that and other districts in the colony.

During the whole of this time the now celebrated chief Te Whiti resided at or in the neighbourhood of Parihaka, but he had never, it is believed, taken any personal part in actual warfare. Doubtless his tribe did engage in hostilities, but so far from Te Whiti joining in such acts himself he has always preached peace, and without doubt his influence over the Maori mind is due in a large measure to this fact. His great apparent successes, to which I will presently refer, led them to reflect that, whereas they had tried war and had failed, Te Whiti had tried peace and had succeeded. That impression once created, they appeared to have no difficulty in believing that his success, not being due to ordinary or visible means, must rest on invisible means—in other words, that he was possessed of supernatural powers. His own pretensions to such powers were enormous. At his monthly meetings he professed his power to raise the dead, and was believed. Month after month Natives attended his meetings in the full hope of seeing the dead raised, and, in view of the resurrection, bringing with them clothes with which to cover the bodies of their friends who were to be quickened into life. The failure

\* For Sub-Enclosure 12, see *Gazette*, 23rd December, 1880, p. 1767.

of Te Whiti's predictions did not appear to weaken the faith of his followers in him, nor did it lower in the least his own lofty pretensions. On one occasion, after repeated disappointments, Titokowaru, a chief of rank, at one of the monthly meetings ventured to ask him "Who was behind him?" meaning by that to inquire what power he had to carry out his promises. But when, in loud and ringing tones, the astounding reply came back, "There is no one behind me; I am the Father, I am the Son, I am the Holy Ghost," Titokowaru had to retire, expressing himself satisfied.

It is probable that Te Whiti, occasionally at least, believed in his own pretensions to supernatural powers. It may well be that the success of his efforts for the past eight or nine years to stay the advancing wave of settlement and colonization has produced that effect upon his mind. In 1872-73, when a great effort was made to push a road through that part of the country over which he claimed authority, he suffered it to go on to a certain point, but stopped it at that point absolutely. Similarly, when it was desired to complete the telegraph line along the West Coast, so as to connect Taranaki with the rest of the colony, Te Whiti, by the mere exertion of his authority prevented its construction. Again, for many years past, he has succeeded in preventing the erection of a lighthouse on Cape Egmont, although the light has been most urgently required in the interests of navigation and even of humanity, and was so anxiously desired by the Government of the colony that it is now in course of erection under cover of a strong force of Armed Constabulary.

When it is considered that on this coast the most vigorous warlike efforts of the tribes had resulted to them in disaster and defeat, together with the dispossession of their land, it is scarcely to be wondered at that the Maoris were inclined to accept the estimation of himself which Te Whiti persistently placed before them. In 1878, however, an event occurred which probably set the seal on Te Whiti's self-deception, and certainly had the effect of convincing the West Coast Natives that their faith in him as a great prophet or god was a matter no longer subject to doubt or question.

For several years the question of the settlement of the West Coast difficulty had been a source of anxiety to successive Governments. It was felt by all parties that it was necessary to deal with the problem in such a way as to secure its final solution, not merely because it was desirable to promote the settlement of the Waimate Plains as a good thing in itself, but because, in the interests of the colony at large, it had become essential to assert and maintain the authority of the law in that district. In 1878 it was thought that the time had come when surveyors might begin their work north of the Waingongoro River, with a view to the sale and settlement of the land. The survey was accordingly commenced, and much progress was made between August, 1878, and February, 1879.

But signs were not wanting to indicate that trouble of an unusual kind was to be apprehended. A murder had been committed of a man named McLean, cook to a survey party on another part of the West Coast, and the Maori murderer received, and still receives, refuge and protection at Parihaka from Te Whiti. This murder, which was probably the result of a private quarrel or of personal animosity on the part of the murderer, was asserted by the culprit to have been done on account of "darkness" about land, and this appeared to be sufficient to make him a kind of hero in the eyes of many of Te Whiti's followers, and insured his welcome at Parihaka as an honored guest. When, in March, 1879, the then Native Minister, Mr. Sheehan, visited Parihaka, it became sufficiently evident that the infatuated belief of the Natives in Te Whiti's supernatural powers was too great to allow of any compromise being effected, and he himself showed no disposition either to conciliate or permit himself to be conciliated. On the day after this meeting the crowning event happened which completely justified in the mind of the Maoris their trust in Te Whiti's supernatural powers, and probably made him a convert to the belief in the potency of his own spells. At this time there were on the Waimate Plains, as already stated, a considerable number of surveyors preparing the land for sale and settlement, and the whole of these, on the very day after the visit of the Native Minister, were summarily removed by Te Whiti's orders to the settled lands south of the Waingongoro River. No unnecessary force was used; but bullock-drays were provided, and the instruments, baggage, and supplies were carted off along with the surveyors and their men. The Government, to all appearance, quietly submitted to the ejection, and patiently accepted the position. Probably the Government had no intention of final abandonment, but it is not surprising that the Maoris regarded the whole operation as a miraculous exhibition of Te Whiti's powers, and felt that his gods or spirits were pressing on and subduing the heart of the white man. It is true, indeed, that the Waimate lands were subsequently advertised for sale, but the immediate withdrawal of the advertisement could only have been regarded as another miracle.

Up to that time the mental epidemic among the Maoris of the West Coast, though strong, was not overwhelming, but it then attained an intensity and force which is not yet lost, and which has enabled the faith of the Maoris in their prophet and lord to withstand the effect of all the falsified predictions, and all the sufferings he has brought upon them. Clearly at that time his own dreams of power became unbounded. He was to recover the Waimate Plains for the Maori. He was to recover the whole of the confiscated lands in New Zealand. The white man was to be dispossessed of even the lands he had acquired by purchase. Te Whiti was to become the supreme ruler of the West Coast, of the whole of New Zealand, indeed of the whole world: nay not only a ruler, but a prophet, a king, a god.

A few weeks passed, and the first step was taken for the fulfilment of his visions of supremacy. Te Whiti began, to use his own expression, "to plough the belly of the Government." Men from various of the tribes and hapus attending his ministrations were selected, and sent in different directions to plough the paddocks and lands of the settlers. It must not be understood that the lands ordered to be ploughed were within the debateable territory north of the Waingongoro and south of the Stoney River, for only in one instance was it so. The paddocks to be ploughed were situated within the settled districts, and were not confined to confiscated land. Land was to be ploughed which had been fairly purchased, and the ownership of which had never been disputed. Fair enclosures were entered upon, and in one instance the ploughmen and their teams tore up the lawn in front of a settler's house. The "heart of the pakeha was indeed to be tried." These demonstrations were made by men carefully selected by Te Whiti, but not from his own hapu. They were made by men who not long before had been engaged in driving the settlers from their homes, and against settlers whose pro-

perty had been destroyed, and some of whose friends and connections had been killed, and even eaten by the Natives, who were now adopting a new mode of irritation. Is it not plain to every comprehension that the danger of bloodshed and warfare was extreme, notwithstanding the peaceable professions of Te Whiti and the wonderful forbearance of the settlers? The Government of the colony shrunk back apparently appalled and confounded by a condition of affairs in which it had no precedent for a guide, and in which experience seemed of no value. The Maoris who were engaged in the ploughing were, it is true, unarmed; but who could say that the first effort made to resist the outrage should not light a fire which could only be quenched in blood? But the settlers of different districts instinctively took the right course, and determined to stop the ploughing and arrest the ploughmen. They met armed, and, as was inevitable, under high excitement: still, with a self-control deserving of the highest praise, they restrained themselves from excesses, and were content to stop the depredations which were being committed by the arrest of the culprits.

The example set by the settlers was everywhere followed by the Government, and wherever the Natives attempted to plough the land of the settlers they were taken into custody. And the Maoris quietly submitted. It appeared to them that this was a portion of Te Whiti's mysterious plan to secure the domination of the Maori race. They did not understand it; they did not presume to question it; but they had faith in Te Whiti, and they laid their liberty at his feet.

They were apprehended, and charged with forcible entry and malicious destruction of property. But were these the offences of which they had been guilty? They had been guilty of those offences, it is true, but the intention underlying them was of a far graver character, and of a nature fraught with danger to the whole community, and likely to bring swift destruction on themselves, for the merest accident might have produced a war of races.

The situation was exceptional in the highest degree, and required to be dealt with in an exceptional manner. To have tried the prisoners who were taken under these circumstances for the comparatively trivial offences with which they were charged would have been ridiculous, and would by no means have shown a true appreciation of the circumstances of the case. The men could not have been released on the expiration of a short sentence such as the technical offence charged could only have entailed, because in that event the offences would assuredly have been repeated, and very probably in an intensified form. If so rash an experiment as the release of the whole of these men were even now tried, those best acquainted with the Maori character and Native affairs would be the least likely to under-estimate the danger thereby incurred.

Much has been said about the rights of the British subject under Magna Charta, and the writ of *habeas corpus*, but few will be found to deny the right of the State to hold these charters in suspension in great emergencies, or in extreme or highly exceptional circumstances. At any rate, it will be admitted that if it is justifiable in modern times to suspend the writ of *habeas corpus* in one of the British Isles, where all the appliances of modern civilization for the preservation of peace are at hand, it can scarcely be a matter of question that here in New Zealand, in the extraordinary circumstances of the case, a similar or greater justification may fitly be pleaded.

Since the termination of the "ploughing of the belly of the Government," other modes of "trying the heart of the pakeha" have been resorted to, such as the persistent erection of fences across the road in course of construction on the West Coast; and further arrests have in consequence been rendered necessary. These call for no additional remark, being merely further manifestations of the same feeling which caused the ploughing the settlers' land. There is, however, one phase of the mental condition of the Maori which it is necessary to refer to. From previous remarks in this paper it will be evident that Te Whiti has an overwhelming influence over the minds of the Maoris who are attached to him, and I have indicated some of the causes which have produced that result, but I have not yet alluded to what certainly is now the principal reason for the chief's power and influence. The Maoris not only had faith in Te Whiti as a man able to do them good, but they feared him, and particularly they feared Tohu, who is Te Whiti's relative and associate. This was no trifling feeling. I am convinced that it has been a feeling far exceeding in its intensity the ordinary fear of death. It is now, I hope and believe, passing away, but it would be difficult to over-estimate the strength it once possessed. Even at the present moment it possesses a force difficult to describe. Their faith that Te Whiti can ever become the ruler of the country, or can make the Maoris the dominant race, has faded and is gone; the expectation that he will achieve any good thing for them has almost left their thoughts: but the horrible dread of being *makutued*, bewitched, or bedeviled to death, is an ever-present fear. They adhere to Te Whiti and obey him because they dare not do otherwise. I have myself heard a chief whose feelings towards us were of the most friendly character, and whose rank in the West Coast tribes was higher than that of either Te Whiti or Tohu, declare that he dared not refuse to send supplies to the Parihaka monthly gathering; and, although he was a man of undaunted courage, I have seen him tremble with dread while he avowed his fear.

To give another illustration of this peculiar feature of the case. Men have been sent down from Parihaka to obstruct the road by fencing, and I have personally again and again refused to arrest them. In such circumstances I have known them beg to be arrested, with every mark of earnestness; and, when at last I have compelled them to return to Parihaka unarrested and free, I have seen them go back ashamed, and evidently shrinking from the terrible ordeal which awaited them, when they would have to meet what we should call the "evil eye" of their chief. Again, a short time since the Government determined to try, as an experiment, what effect the return of some of the prisoners would produce, and accordingly released twenty-five of them, and returned them to the West Coast. What was the result? They went back avowing that they returned unwillingly, and that they would still obey Te Whiti's orders, although such obedience should lead them again into imprisonment, and even to death. This dread of Te Whiti's and Tohu's destructive power, unreasonable as it may seem to us, is no empty fear. Instances have occurred where the disapproval of these chiefs has apparently, and I am disposed to think really, caused the death of individuals, probably by the force of imagination, possibly by more tangible means. In any case the dread is in the minds of the Maoris, and it is an important factor in the consideration of the circumstances which justify the detention of the Maori prisoners.

In conclusion, I will only remark that in my opinion the circumstances I have set forth amply justify the original arrest, and the subsequent detention, of the Maori prisoners, as well as the exceptional legislation contingent thereon. The course adopted has been taken not only in the interests of the community as a whole, but actually in the interests of the Native race, and especially in the interests of the Maoris arrested. For there can be little doubt that the peace of the country hung upon a slender thread, and as little that an outbreak would have been a dire misfortune to the Maoris as a race, and particularly to the Maoris of the West Coast. The question now is, how to remove the fear of Te Whiti and Tohu, which rests like a blight on the minds of the Natives. When that is done the prisoners may be safely returned, and the West Coast difficulty may be regarded as settled.

Native Office, Wellington, New Zealand,  
20th December, 1880.

JOHN BRYCE,  
Native and Defence Minister.