

FURTHER PAPERS

RELATIVE TO

NATIVE AFFAIRS.

CORRESPONDENCE BETWEEN HIS EXCELLENCY'S PRIVATE SECRETARY
AND MR. CARRINGTON, AND HIS EXCELLENCY'S REPORT TO H. M.
GOVERNMENT ON NATIVE AFFAIRS AT TARANAKI.

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NATIVE AFFAIRS.

E—No. 3E

No. 1.

MR. F. A. CARRINGTON TO HIS EXCELLENCY COL. T. GORE BROWNE, C.B.

New Plymouth,
21st March, 1859.

SIR,—

In my Letter of the 12th July last, addressed to the Earl of Shaftesbury, and forwarded to Your Excellency on the 29th October, for consideration or transmission, the following passage occurs: "The Chiefs, with few exceptions degraded savages, are jealous of each other in every transaction regarding the payment made by Government for the land, and in many instances there are contending parties for the same piece of ground; hence it follows that these poor ignorant beings become exasperated with each other, and deeds of blood and murder, and the most revolting acts have ensued from this the present mode of acquiring land in this settlement," &c.

It is therefore with deep concern I learn "That special instructions from Her Majesty preclude His Excellency from coercing a minority of the Natives into selling their lands" without a discretionary alternative; "that he felt that such a proceeding would be impolitic and unjust, and that therefore he never would sanction it," &c.

The coercing a minority of the Natives into selling their lands is a course which Her Most Gracious Majesty, Your Excellency, and all right-minded men would never sanction, but inasmuch as the peace of this settlement and the well-being of this community, both Native and European, hinges on this very point, I respectfully and earnestly submit for consideration the following remark and suggestion.

When a majority of the Natives have determined on offering a tract of Waste Land for sale, the resolve is made after much speechifying, consultation, and reflection, with the view of obtaining money for the purpose of procuring such commodities as are genial to their feelings and conducive to their advancement and civilization; but if through a minority of the Natives the majority are thwarted in their wishes, and prevented from selling their equitable portion of the said *Waste Land*, feelings of the worst character are generated between the parties, and experience in this place tells us that "deeds of blood and murder, and the most revolting acts have ensued from this, the present mode of acquiring land in this settlement."

I therefore beg leave to suggest for your Excellency's consideration, that when a majority of the Natives are desirous of selling a tract of *waste land*, subject to the approval of the Chief Land Purchase Commissioner, that Native Assessors be authorised to inquire into the claims of the opposing party, and that they be empowered to determine a boundary, and apportion to them such quantity of the said tract as in their opinion shall be just and equitable in every point of view.

If some such course be adopted, I truly believe it will be a means of conciliating much angry feeling, and prevent further dissension and effusion of blood.

I have, &c.,

FRED. A. CARRINGTON.

His Excellency Col. Gore Browne, C.B.

&c., &c., &c.

No. 2.

CAPT. STEWARD TO MR. F. A. CARRINGTON.

New Plymouth,
22nd March, 1859.

SIR,—

I am directed by the Governor to acknowledge His Excellency's receipt of your Letter of 21st inst., and I have the honor to inform you that there is an inaccuracy in the report of what the Governor said on the occasion you allude to.

The Governor informed the deputation that he had reported at great length to Her Majesty's Government on Native Affairs in connection with the Province of Taranaki, and particularly in reference to a proposal to coerce a minority of Native proprietors who might be disinclined to sell their land.

He expressed his opinion that such a course would be (considering our engagements with the Natives) both unjust and impolitic, and Her Majesty's Government had conveyed to him, in a Despatch received by the last mail, their unqualified approval of his views.

His Excellency is obliged to you for your suggestions, but differing in opinion with you as he does, he is unable to adopt them.

I have, &c.,

F. G. STEWARD,
Private Secretary.

F. A. Carrington, Esq.,
New Plymouth.

No. 3.

COPY OF A DESPATCH FROM GOVERNOR GORE BROWNE C.B., TO THE RIGHT HON. LORD STANLEY, M.P.

Government House,
Auckland, New Zealand, June 9th, 1858.

(No. 45.)

Memorial 19th May,
1858.
Report of Native Secretary,
1st June.
Report of Debate House
of Representatives, 8th
June.

MY LORD,—

I have the honor to enclose a printed copy of a Memorial from the inhabitants of New Plymouth, addressed to the General Assembly,—a report on it by the Native Secretary,—and the report of a debate in the House of Representatives on the same subject.

The two reports contain such full information that I need trouble you with but few remarks from myself. I will, however, endeavour to give a precis of the enclosures as well as I am able.

2. The Memorial commences by describing the extent of the Province of New Plymouth, and complains that 1782 Natives hold two millions of acres,—while the Europeans, (2488 in number,) occupy only 11,000 acres. It will be seen by the Native Secretary's report that the number of Natives is incorrectly estimated; nor is it easy to draw any special conclusion from the quantity of land in their possession, as it is well known that the Maories still hold seventeen or eighteen millions of acres in the Northern Island. Every proper exertion is, and has always been made to acquire lands not required for the actual support of the Native Race—particularly at New Plymouth, for which purpose, money has been left for some time in the Treasury at that place.

3. After relating in detail the circumstances connected with the murder of Rawiri in 1854, the Memorialists express their opinion that the enforcement of the law against his murderers would have been wise and prudent. On this head, I need make no remark, as I had not then arrived in the Colony,—but I may observe that, in abstaining from interference, Colonel Wynyard did but continue a policy never yet departed from.

4. In the next paragraph, they speak of the lamentable result of the policy pursued during the last four years; but I am not aware of a single instance in which a European has been interfered with, without his obtaining prompt redress.

5. Memorialists complain that Katatore, a murderer, “took the foremost place in the consideration of the Government, while the men who remained consistent were thrust aside.” It is to be regretted that Katatore was received with honor by the Provincial Government, who did so without seeking the consent of the Colonial Government, and without my approval. The Colonial Government has always maintained a strict neutrality.

6. After describing the assassination of Katatore by Ihaia, and the helpless condition to which the latter was reduced by his opponent, W. King, they proceed to say that a Memorial was addressed to me, praying me to rescue Ihaia and his people, and that it was “responded to by the offer to remove Ihaia and his followers to the Chatham Islands, which was at once refused, for Ihaia could at any time have secured his safety by retreat.” On this I must observe that it was only on an assurance that Ihaia could not effect a retreat that I consented to interfere at all, and that I only did so in the hope of preventing a massacre of helpless followers (including women and children) which, I was assured in a Memorial from the settlers, was otherwise inevitable.—(Vide Enclosure No. 6, in my Despatch No. 23, of 6th April last.)

7. Memorialists proceed to say that the settlers have always “evinced a deep interest for the welfare of those Natives, who, by their efforts to sell land have been plunged in a harassing war, and have been refused the assistance of the Government.” This is the gravamen of the complaint; and I therefore state distinctly that I am most anxious to acquire land at New Plymouth,—and that I foresee there can be no permanent peace until the Native Title is extinguished (with exception of the necessary Reserves) over all the land between the town and the Waitara river. To obtain this desirable object, I will, however, never permit land to be taken without the consent of those to whom it belongs; nor will I interfere “to compel an equitable division of common land among the respective claimants,” as desired by the Memorialists in one of the concluding paragraphs of the petition. This decision is not less one of expediency than of justice, for the whole of the Maori Race maintain the right of the minority to prevent the sale of land, held in common, with the utmost jealousy. An example of this on a large scale may be seen in the Waikato district, where the election of a King is proposed and defended on the plea that a King is necessary to give strength and assurance to the League established to prevent the sale of land to the Colonial Government. To accede to the request of the Memorialists in this particular would, therefore, attract the attention and awaken the suspicions of the Maories, not only at New Plymouth, but throughout the Colony, and would, in all probability, produce a general commotion. W. King has no sort of influence with me or the Colonial Government: we believe him to be an infamous character; but I will not permit the purchase of land over which he has any right without his consent.

8. The Memorial goes on to say, “conflicting advice, however well intentioned, can but cause an increase of embarrassment, and the Natives listen now to one opinion and then to another, until they feel their utter helplessness more keenly.” These remarks corroborate what I stated in my despatch, No. 38 of 17th May; I entirely concur in them, and have no hesitation in saying that the interference of unauthorised individuals, and the comments and advice made and given by the newspapers, paralyze the efforts of the Government, and may any day mislead or irritate the Natives into aggressions, the necessary repression of which will be the commencement of a serious war. To prevent such indiscretion in a free country is, of course, impossible; but an admission of the fact by the Speaker, on behalf of the Provincial Council is worthy of remark.

9. The Memorialists complain of emigration from their Province, and "consider that they have a special claim to consideration inasmuch as nearly the whole of the Natives now located in the neighbourhood of the Settlement were a few years since dwelling in the present Provinces of Wellington and Nelson; and that the purchase of land held by Taranaki Natives by right of conquest at Waikanae and other places, has been most prejudicial to New Plymouth." This statement is thoroughly incorrect, and Waikanae has not been purchased; but for the particulars I must refer you to the Native Secretary's Report.

10. Memorialists desire an entire change in the policy of the Government, and wish "to enforce law and order among the Natives, and give support and aid to such of them as are willing to sell land." As soon as this feud is entirely settled, I purpose (unless reasons of which I am not at present aware should prevent it) to declare the Queen's law to be in force as far as the extreme boundary of the land over which the native title is extinct. This boundary will include some lands belonging to Natives, but I apprehend no objection on their part, and am only withheld from issuing a proclamation to that effect now, because the present time is not opportune. Were I to do so now, either of the disputants who found himself in danger would, as a matter of course, come within the proclaimed boundary and demand protection as a right, the Government would then find that it had incurred a heavy responsibility, and that a duty was imposed upon it which might not be easy to perform. I therefore hope to maintain a strict neutrality until this feud is at an end, and then to enforce obedience absolutely on those who dwell within the English boundary.

11. As it has been fully admitted in the House of Representatives that no enquiry is necessary, and that the Government is in possession of information not coloured by local or party feelings, I need make no remarks on the final paragraphs of the Memorial.

12. In the enclosed report of the debate in the House of Representatives, I beg to call your attention to the speech of Mr. Ollivier, a member of the Province of Canterbury.

I have, &c.,

T. GORE BROWNE.

The Right Hon. Lord Stanley, M.P.,
&c. &c., &c.

No. 4.

COPY OF A REPORT BY THE NATIVE SECRETARY ON THE MEMORIAL OF THE PROVINCIAL COUNCIL OF NEW PLYMOUTH.

The Memorial of the Provincial Council of Taranaki contains so much of the early history of the settlement and of the Native feuds that have arisen there, that I need not advert to these points, inasmuch as they are already well known to the Government.

The Native population within the Province is altogether under estimated, and the return of 1782 made by the Assistant Native Secretary can only apply to a portion of the Province, the Native population of the whole Province is certainly not less than 3000 souls.

It is true that the land held by these Natives is much in excess of their requirements, so conscious have the Government been of this fact, that every exertion has been used to acquire by purchase from the Natives, the cession of their surplus lands at much higher rates than have been offered for Native land in any other Province, a large sum of money available for this purpose is now deposited at New Plymouth. An officer strongly recommended by the Provincial Government has been appointed to conduct negotiations with the Natives, and it has been found that any more vigorous action than has been already taken for the acquisition of land could only lead to the creation of fresh feuds among the Natives in which the settlers and the Government might become seriously involved.

Moreover it is clearly the duty of the Government to abstain from acquiring land when the consequence of its acquisition is in any way likely to bring about serious differences among the Natives, the strict observance of this rule has been enjoined by His Excellency on all the officers of the Land Purchase Department.

The Memorial states that, "conflicting advice, however well intentioned, can but cause an increase of embarrassment;" this is so perfectly true, that it is to be hoped that means will be taken to prevent such advice being tendered in future; such interference has done more to retard the purchase of land at New Plymouth than can be easily imagined.

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

The facts of the case altogether disprove the foregoing assertions, for in the first place, Waikanae is not yet purchased, and although it has been repeatedly offered by Wm. King and other Natives, the Government declined to purchase, from a fear that its acquisition would drive the Natives to Taranaki.

2. The migration of Natives to Taranaki commenced years before any extensive purchases were made from the Natives at the South.

3. Taringa Kuri and his 100 followers were prevented from going to Taranaki three years ago, by a purchase of land made for him at an expense of £400, lent to him for the purpose of inducing him to remain at the Hutt instead of going to Taranaki. With the same object in view, Sir George Grey purchased land for the Waiwetu Natives, and at Nelson, the following paragraph from my report on the final cession of the Native lands of that Province to the Crown in 1856, will show that the interests of Taranaki were not sacrificed or overlooked.

"28. The unsettled state of the Ngatiawa tribe, and the disposition manifested by them to re-turn to their former possessions at Taranaki, where their presence could only increase the troubles that already beset the land question in that Province, rendered the present negotiation with them one of no small difficulty and delicacy,—which might, if in any way mismanaged, affect the general tranquility of the country. I was induced therefore to agree to reserves of considerable extent being assigned to them in the various bays they were then inhabiting, with which they appeared to be fully "satisfied."

I do not know what change of policy the Memorialists desire, it is very evident that nothing short of strong coercive measures would effect an immediate solution of the present difficulties at Taranaki, and it is not easy to discover on what principle such measures should be resorted to, in this instance, unless the Government is prepared to apply them to every similar case that may arise throughout the colony.

With reference to the prayer of the petition that His Excellency should be pleased to cause an enquiry to be instituted into the present condition of the Native inhabitants of this Province, and to the causes which have led to the present difficulties, with a view to establish peace, &c. I am not aware from the full and complete information that the Government now possess, that such an enquiry would lead to any good result, on the contrary it would raise false expectations on the part of some, doubt and apprehension with others, a succession of such enquiries among a barbarous people will only exhibit weakness on the part of the Government, if not followed by measures which it may not be prudent to undertake.

DONALD MCLEAN.

1st June, 1858.

No. 5.

COPY OF A DESPATCH FROM SIR E. BULWER LYTTON, TO GOVERNOR GORE BROWNE, C.B.

Downing Street,
20th November, 1858.

(No. 35.)

SIR,—

No. 45,
9 June, 1858.

I have received your Despatch of number and date as per margin, enclosing a Memorial addressed by the inhabitants of New Plymouth to the General Assembly, together with a report on that address by the Native Secretary, and a further report of a debate in the House of Representatives.

There are many questions of policy to be pursued by your government to the Natives, which are raised in these papers, and for many years to come they will be attended with difficulties of no ordinary kind; but I rely with confidence upon your judgment, and I concur in the views which you have on this, as on several previous occasions, expressed.

A straightforward and equitable course of proceeding towards the Natives, especially in those negotiations which relate to the purchase or cession of land, is not only a matter of duty, but will, I am persuaded, be found to be most consistent with the interest of the Colonists and the general peace and welfare of the Colony.

I have, &c.,

E. B. LYTTON.

Governor Gore Browne, C.B.,
&c., &c., &c.
New Zealand.
