

1893.

NEW ZEALAND.

FEDERATED MAORI ASSEMBLY OF NEW ZEALAND

(PETITION OF THE).

Presented by Mr. Tanner, and ordered to be printed.

[TRANSLATION.]

To the Honourable the Speaker and Members of the House of Representatives
in Parliament assembled.

THE PETITION of the MEMBERS of the FEDERATED MAORI ASSEMBLY of NEW ZEALAND humbly sheweth,—

1. That your petitioners, the children, and all the descendants of the Maori people, of their own freewill, have acknowledged and bowed to the authority of the Crown of England since the year 1835; and, in the year 1840, by virtue of the Treaty of Waitangi, the whole of the Maori people of New Zealand were declared to the whole world as British subjects.

2. That your petitioners and their progenitors have since always desired to live in amity with the white people that come to settle in these Islands, as we have always had a desire to learn from them the way to acquire wealth and to live in peace.

3. That when Christianity was received by the Maoris they began to live in peace, and to abandon their old ways.

4. Subsequently they released all prisoners heretofore captured in battles and allowed them to return to their homes and people; and were moved by a desire to follow pursuits that would tend to improve their condition and their lands.

5. When the form of government for New Zealand was changed—that is to say, when Parliament was set up, in the year 1854—your petitioners and the Maori people could not understand it, and many apprehended evil for the Maori people.

6. In consequence thereof, some proposed to set up a Maori King, who, acting with the advice of a Council, should have power to issue instructions to all Natives touching the observance of the law, but whose acts and deeds would be made subject to the approval of the Queen's Government.

7. Many were afraid that the new Government would, by its work, deprive the Natives of their lands, and that was the reason why they united themselves to oppose all Native land-laws.

8. It was due to these things that the wars and other troubles arose which ended so disastrously to the Natives.

9. Since the Treaty of Waitangi, your petitioners and many other Natives have, in the Maori-Pakeha wars, fought with the Queen's soldiers against our own relatives.

10. If these loyal Natives had not fought in those wars, the authority or sovereignty of and over New Zealand would have ceased long ago, and the white people would have abandoned these islands there and then.

11. In 1865 the Native Land Court was constituted to investigate and ascertain the owners of Native lands according to laws, customs, and usages of the Maori people.

12. The administration of the said Court has been unsatisfactory ever since; for the lands of the tribes and families have been awarded to ten persons, who, according to the laws of the new Government, are empowered to dispose of these lands as they like; and nothing has been provided to prevent them from misappropriating the tribal or family moneys.

13. Under this law, power has been vested in these ten persons to prejudicially affect their tribes and the tribal lands, and they have been regarded and have posed as the absolute owners of the tribal lands, and the real owners or tribes have been regarded as their dependants.

14. When the new Government saw the error they made by giving the tribal lands to the ten persons instead of merely appointing them as trustees, they passed, in 1867, a new law, whereby the names of all the owners were required to be shown on the face of the Court records. This prevented the ten from alienating the lands of the people.

15. Your petitioners submit that the Act of 1867 has been the best law which has ever been passed respecting Native lands.

16. In 1873 another law, different to the above, was passed by Parliament, and from that time troubles affecting Native lands began, and have since increased from day to day.

17. The administration of the Native Land Court is becoming more and more confusing and unsatisfactory. It injures, but never benefits, the people.

18. Under the laws which have been passed since 1873, tribal and family lands have frequently been awarded to one or two individuals, who have been clothed with titles for the convenience of Pakeha purchasers and lessees.

19. This practice of empowering a single person to do whatever he pleases with tribal lands has been a complete innovation to us, because lands never belonged to one person but to the whole tribe or family.

20. According to the powers vested in these persons by Parliament, we have been debarred from dealing with our own lands. We are like sheep without a shepherd, being driven hither and thither.

21. That the laws of Parliament have made us appear an ignorant and inferior people; and the Native Land Court has ignored the existence of the rights of the chiefs; and the Natives generally have been dispersed, and those who had homes have been deprived of them.

22. Your petitioners desire that what land is now left to the Natives be managed in such a manner as would return to them and their children the largest profits, and that that management be left to the Natives themselves, as they are all anxious to cultivate and improve them, just as the white people do.

23. Your petitioners believe that the Natives are perfectly capable of taking care of themselves and their properties, if they were allowed to do so.

24. It would be too difficult to enumerate all our grievances, and the wrongs that we and our people have suffered in consequence of the laws hereinbefore mentioned. We have year after year raised our voices against them, but nothing has come of our protestations.

25. We cannot understand gentlemen of learning, such as those who are sent to Parliament to make just laws, allowing laws which prejudicially affect us and our lands to be passed year after year; for it is said that their duty is to do that which is right, and not that which is wrong and unjust.

26. We have thought that it would only be right that Parliament should be informed of our grievances, and the manner in which our interests have been neglected; but we hear that little consideration is shown to the Maoris, and our prayers only sound as from afar, and are treated as the murmuring of the wind.

Wherefore we pray that your honourable House may be pleased to grant us the things following, that is to say:—

- (1.) That the right to manage our own property be given back to us; so that peace and happiness may reign throughout these islands.
- (2.) That the power to govern the Natives be delegated to the Federated Maori Assembly of New Zealand.
- (3.) That the said Assembly consist of an Upper and a Lower House. The Upper to consist of the chiefs by birth,
- (4.) And the Lower House shall consist of Natives who shall be elected by the different tribes to represent them in the Assembly.
- (5.) The said Federated Assembly to have power to appoint District Committees comprised of Maoris, who shall investigate titles to Native lands, and subdivide the same, according to the rules of equity and good conscience.
- (6.) We have annexed hereto a Bill which was passed at the meeting of the Federated Maori Assembly which was held at Waipatu on the 22nd day of May, 1893, wherein all that we require are fully set forth.

And your petitioners will ever pray.

MEIHA KEEPA RANGIHIWINUI (Major Kemp),
and 55 Others.

Countersigned by HENARE TOMOANA, as Speaker of the Maori meeting held at Waipatu, in May, 1893.

THE FEDERATED MAORI ASSEMBLY EMPOWERING BILL.

AN ACT to empower the Maoris to enact Laws in respect of their own Properties.

WHEREAS under the Treaty of Waitangi, one thousand eight hundred and forty, and also under a certain Imperial Act of date the thirtieth day of May, one thousand eight hundred and fifty-two, intituled "The Constitution Act of New Zealand," it was provided that the laws, customs, and usages of the inhabitants of New Zealand, so far as the same are not repugnant to the general principles of humanity, should be maintained for the government of themselves in all their relations to and dealings with each other, and that particular districts should be set apart within which such laws, customs, or usages, should be observed: that it shall be lawful for Her Majesty, by any letters patent to be issued under the Great Seal of the United Kingdom, from time to time to make provisions for the purposes aforesaid, any repugnancy of any such native laws, customs, or usages to the law of England, or to any law, statute, or usage in force in New Zealand or in any part thereof in anywise notwithstanding: And whereas, at a meeting of the Federated Maori Assembly held at Waipatu, on the eleventh day of April, one thousand eight hundred and ninety-three, it was resolved that the New Zealand Parliament be petitioned to grant to the Maoris a Legislature of their own for the purpose of governing their affairs: And whereas the Maoris are desirous of standing upon equal footing with the white people as far as perfect liberty of dealing with their lands is concerned: And whereas a petition signed by twenty-one thousand nine hundred of the chief people of New Zealand has been presented to the Parliament of New Zealand, praying for an independent Legislature for the Maori people, to be called the Federated Maori Assembly: And whereas all the laws affecting the Maoris and their lands, especially the Native Land Court Acts, have proved unsatisfactory and unjust; and it is expedient, in order to relieve the Maoris of their grievances, to abolish the said laws, and to make other provisions in lieu thereof.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act is “The Federated Maori Assembly Empowering Act, 1893.”
2. In this Act the word “Maori” means an aboriginal native of New Zealand, and includes half-castes and their descendants by Natives.
3. The said Federated Maori Assembly may from time to time appoint District Committees for the purpose of administering Native lands.
4. The said Federated Maori Assembly may from time to time, by notice duly published, empower the said District Committees (which shall not exceed seven in number) to deal with all Native lands which may be required to be administered.
5. The Federated Maori Assembly shall make rules for the guidance of the said District Committees.
6. Each District Committee shall sign and seal all their orders and judgments, and forward them to the Premier of the Federated Maori Assembly, together with their minute-books, who shall forward the same to the Governor for his approval, and the issue of warrants for certificates of title, according to the orders of the said Committees.
7. All appeals against any of the decisions of the said District Committees must be lodged with the Premier of the Federated Maori Assembly, together with an application setting out all the grounds for the appeal, within three months of the delivery of the judgment appealed against.
8. The Premier of the Federated Maori Assembly shall, if no appeal is made within the said three months, forward the Committee's decision to the Governor for his approval. Where no objection or appeal is so made, neither the Federated Maori Assembly nor the Governor may interfere with the decisions of the said Committees.
9. The Maoris' right to deal with their lands shall be placed upon the same footing as the European subjects of the Queen.
10. On and after the passing of this Act the Native Land Court shall cease to be; but what might have been done theretofore by the said Court shall not be affected hereby.

Ki nga Rangatira me te Tumuaki me nga Mema o te Runanga Nui kua hui ki te Paremata.

HE PITIHANA Whakaiti o nga Tangata Maori i kowhiria e nga Iwi Maori, o te huinga Kotahitanga o Niu Tirenī :—

1. Ko o koutou kai inoi, me nga tamariki, me nga uri o te iwi Maori nui tonu i ata koropiko, i ata rere marie ki raro i te mana o te Karauna o Ingarangi i noho mai i te tau 1835, me te tau 1840, i runga i te Tiriti o Waitangi, ka whakaurua nga Maori o Niu Tirenī, ki roto ki te mana me te Rangatiratanga o Ingarangi o te ao katoa.
2. Ko o koutou kai inoi, me o ratou matua i hiahia rawa i muri mai o taua wa kia ata noho pai ratou ko nga Pakeha, he haere mai ana ki enei motu noho ai, kia akona hoki ratou ki nga mahi whakawhairawa me nga mahi o te rangimarie.
3. No te takiwa i tuturu ai ki nga iwi Maori te whakapono kia te Karaiti, ka noho ratou i runga i te rangimarietanga, kua whakarerea hoki nga tikanga o mua a te iwi Maori, ara no te urunga o nga rangatira ki roto kia te whakapono, kia te Karaiti.
4. Muri iho i tena ka tukua e nga iwi Maori nga herehere i mau i nga whawhai i mua kia hoki ki o ratou kainga me o ratou Iwi, ka puta hoki i reira i roto i te hinengaro o te tangata te hiahia, ki nga mahi rapu tikanga, e puta ai te pai, me te ora me te hiahia ki nga mahi ahu whenua kia whiwhi kia ratou.
5. No te takiwa i whakarereketia ai te ahua o te Kawanatanga ki Niu Tirenī nei a whakaturia ana ko te Paremata i te tau 1854, kaore hoki o koutou kai inoi me o matou kau matua i marama ki taua tu Kawanatanga ahua hou, he tokomaha hoki o matou, i mahara hei taimahatanga tena mo runga i nga iwi Maori ara hei mea whakatina mo ratou.
6. No runga i tenei whakaaro ka mea etahi o nga iwi, kia whakaturia he Kingi Maori mo ratou engari kaore ratou i mea kia rere atu ratou ki waho o te mana o te Kuini, engari he mea ma taua Kingi me tona Kaunihera e hoatu he tikanga ki nga iwi o te motu e whakarongo ai ratou ki te ture a ma te Kawanatanga o te Kuini e whakamana tana mahi.
7. He nui nga tangata i ngakau pawera, kei riro o ratou whenua i nga mahi a te Kawanatanga hou no reira ratou ka whakakotahi hei whakakore i nga ture whenua katoa.
8. I puta i roto i aua whakahaeretanga nga whawhai me nga raruraru i mate ai nga iwi Maori i roto i nga tau maha.
9. I roto i nga whawhai katoa o te iwi Maori ratou ko nga Pakeha i muri mai o te otinga o te Tiriti o Waitangi tae noa mai ki tenei takiwa, he nui nga Maori apiti ki nga kai inoi i uru kite taha o te Kuini whawhai atu ai ki o matou whanaunga Maori ano.
10. Mehemea kaore i whakaurua atu nga Maori me o koutou kai inoi ki roto ki nga hoia a te Kawanatanga penei kua mutu te mana o te Karauna o Ingarangi ki Niu Tirenī i taua takiwa, kua peia atu nga Pakeha kia haere.
11. I te tau 1865 i whakaturia he Kooti i huaina ko te Kooti Whenua Maori hei kimi i nga tangata pono tika ki nga whenua o nga iwi me nga hapu ara i runga i nga tikanga Maori.
12. Ko te mahi a taua Kooti i kino i te timatanga mai rano no te mea i tukua e te Kooti nga whenua a nga iwi me nga hapu ki nga tangata kotahi te kau. Na i runga i te Ture i mahia e te Kawanatanga hou i whaimana taua kotahi tekau ki te hoko atu i nga whenua a te iwi nui tonu ko nga moni utu o aua whenua e puritia ana hei moni ma ratou ake i whakapaua noatia atu ranei.
13. I runga i taua tikanga kua riro ko taua te kau tangata hei whakamate i te whenua me te iwi, kua tu ko ratou nga tino tangata no ratou ake te whenua, ko te iwi hei pononga.

14. No te kitenga o te Kawanatanga hou ara te Paremata i te he o ta ratou mahi tuku i nga whenua o nga iwi ki te kau tangata a kaore i kiia hei kaitiaki noa iho aua tangata te kau mo te iwi katahi ka mahia tetahi Ture ke, i te tau 1867. Ko taua Ture i mea me tuhi ki roto i nga pukapuka o te Kooti nga ingoa o nga tangata katoa, no ratou te whenua me te tekau tangata ano, no reira kua kore e ahei taua te kau tangata ki te hoko ki te mokete ranei i te whenua o te iwi.

15. Ki te whakaaro a o koutou kai inoi, ko taua Ture o te tau 1867, te Ture pai atu o nga Ture katoa i mahia e te Paremata mo nga whenua Maori.

16. I te tau 1873 i mahia ete Paremata tetahi Ture rereke noatu, i taua takiwa ka timata te nui haere o nga raruraru me nga mate o te iwi Maori, ko a matou kawenga e waha ana i nui haere te taumahatanga tae mai ki tenei ra.

17. Kua nui haere i naianei te pouritanga me te kino o te mahi a te Kooti Whenua Maori. He mea whakakino tangata ia, e hara i te mea whakapai tangata.

18. I runga i nga Ture i whakaturia i te tau 1873, i muri mai hoki, he nui nga tangata Maori i kiia no ratou ake nga whenua o te iwi katoa a kua hoatu he mana ki te tangata kotahi ruarua ranei, hei taki mai ki runga ki te whenua o te iwi nui tonu, nga kereme a nga Pakeha hoko whenua, riihi whenua ranei.

19. Ko tenei mana o te tangata kotahi, hei homai raruraru ki runga ki te whenua o te iwi, kaore i kitea i roto i nga iwi Maori i mua notemea na te iwi katoa, na te hapu ranei te whenua.

20. I runga i tenei tu mahi a te tangata kotahi kua whakanohoia nei ki runga kia matou e nga Ture i mahia e te Paremata, kaore e ahei ia matou te whakahaere i o matou whenua te hoko te aha ranei. E penei ana matou me te kahui hipi, kaore he hepara e atiatia haeretia ana piko atu piko mai.

21. Kua whakaitia kua whakakuaretia hoki matou nga Maori e nga Ture i mahia e te Paremata i te whakahaeretanga hoki a nga Kooti Whenua Maori. Ko te mana o nga rangatira, me nga ariki kua whakangaromia ko matou ko te iwi nui o te motu nei kua pakarukaru, ko nga iwi kainga kua whakamatea.

22. Ko o koutou kai inoi e hiahia ana kia ata whakahaerea nga whenua e toe ana kia matou i runga i te ara tika me te whakaaro mohio hei oranga mo matou, me a matou tamariki tetahi kia ata tahuri ki nga mahi ahu whenua kia whai hoki ki ta te Pakeha ki tana mahi i ana rawa.

24. E kore rawa e taea te ata whakaatu i te katoa o nga he me nga mate e pa ana kia matou me a matou iwi i runga i te whakahaeretanga o aua Ture e korero nei matou kua nui nga tau i whakaarahaia ai e matou to matou reo, ki te whakahe ki aua Ture otira he maumau korero noa ia.

25. Kaore matou e mohio ana ki tenei tikanga ara ko nga tangata whai matauranga e tukua ana e nga tangata o te motu nei ki te Paremata hei kaihanganga Ture tika, otira e waiho ana matou e aua tangata, kia takahia kia whakamatea i ia tau i ia tau, ina hoki e kiia ana he mahi i nga mahi pai mo te iwi Maori ta nga Kawanatanga katoa e hiahia ana, kaore he mahi kino.

26. Hua noa he tika kia mohio to koutou Paremata Rangatira, ki nga he e korero nei matou otira kua rongo matou e iti ana te whakaaro ki te taha Maori ko nga karanga me nga inoi a matou kia whakaorangia matou e rite ana ki te reo tangata e wawaro ana, ano he hau.

No konei matou ka inoi ki to koutou Whare Rangatira, kia tukua mai he mana kia matou e taea ai enei mea ara.

- (1.) He whakahoki mai ki nga iwi Maori te mana whakahaere i o ratou whenua me o ratou rawa katoa, me te mana whakahaere i to ratou tikanga hei oranga mo te iwi Maori me te rangimarietanga me te pai mo enei motu katoa.
- (2.) Me tuku mai te mana ki te Runanga e kiia ana Te Huinga Whakamana Kotahitanga Maori o Niu Tireni, hei Kawanatanga mo ratou ake ano.
- (3.) Kia rua nga Runanga, kia kotahi te Runanga Ariki, ko aua Ariki he mea whiriwhiri i nga tino Rangatira toto heke iho, he mea ata karanga ratou mo taua Runanga.
- (4.) Kia kotahi Runanga he tangata Maori he mea kowhiri mai ratou e nga iwi me nga hapu hei reo mo te iwi mo roto i taua Whare Runanga.
- (5.) Ma taua Runanga Kotahitanga e tuku he mana, ki nga Komiti Takiwa, o ia Takiwa, o ia Takiwa, ko aua Komiti he tangata Maori, ta ratou mahi he rapu i nga take whenua, me nga wehewehenga whenua me nga mea katoa e mahia ana e ratou i runga i te pono me te tika.
- (6.) Tenei ka apititia atu e matou ta matou Ture i whakatuturutia e matou i to matou Runanga Huinga Whakamana Maori o Niu Tireni i tu ki te Waipatu i te 22 o nga ra o Mei, 1893, kei taua Ture nga take katoa e hiahia ana e matou.

E tuturu ana ta matou e tono atu nei ki to koutou Whare Runanga whiriwhiri, i runga i te whakaaro pai me te tika mo nga tono a o koutou kai inoi.

A ka inoi tonu o koutou kai inoi.

MEIHA KEEPA RANGIHIWINUI (Major KEMP),

and 55 others.

HENARE TOMOANA, Tumuaiki o nga Runanga e rua.—Waipatu, Mei 27, 1893.

TURE HUINGA WHAKAMANA KOTAHITANGA MAORI.

HE TURE hei whakamana i nga Maori ki te hanga tikanga Whakahaere mo a ratou Whenua me o ratou Taonga.

NOTEMEA i raro i te Tiriti o Waitangi tau 1840 i raro hoki i tetahi Ture Nui o Ingarani i paahitia i te 30 o nga ra o Hune, 1852, i huaina, "He Ture hei tuku atu i te mana ki te Koroni o Niu Tireni" a e whakarite ana i roto o taua Ture tera e tika kia whakamana nga ritenga me nga tikanga me nga mahi whakahaere a nga Maori o Niu Tireni mehema kaore aua ritenga e taupatu-patu ana i nga tikanga whakahaere o te rangimarie a me whakapumau aua ritenga i naianei kia ahei ai ratou te whakahaere Kawanatanga mo ratou hunga Maori me te wehewehe hoki i etahi

takiwa motuhake kia mana ai aua tikanga whakahaere i roto i aua takiwa ka whakaritea nei na reira ka mana te Kuini i runga i tetahi pukapuka mana he mea tuku i raro i te Hiiri nui o te Kuingitaanga Huihui ia wa ia wa ki te hanga ritenga whakahaere pena kia ahei ai nga Maori kite whakahaere i ratou ahakoa e taupapatu ana e rereke ana aua tikanga Maori i nga ture me nga ritenga whakahaere o Ingarani e whai mana ana etahi wahi ranei ki Niu Tireni ki tetahi wahi ranei o taua Koroni "A notemea kua tu tetahi huihuinga Rangatira e huaina ana ko te hui o te kotahitanga ki te Waipatu i te 11 o nga ra o Aperira, 1893, kia tonono atu ki te Paremata nui o Niu Tireni kia homai tetahi mana motuhake kia whai ritenga ratou ki te whakahere i o ratou whenua papatupu whenua karati whenua tiwhikete whenua memoria whenua rahui ranei i raro i te mana o tetahi Komiti Maori a notemea e hiahia nui ana nga Maori kia tu rite ratou ki te iwi Pakeha e kaha nei ki te whakahaere ritenga mo ratou ki te hoko ki te rihi ki te mahi katoa i nga mahi pewhea pewhea ranei mo o ratou whenua me a ratou taonga e mau motuhake ana kia ratou a notemea kua tuhia tetahi pukapuka kawenata i waenganui i nga Rangatira Maori o Niu Tireni he mea haina na nga tangata e 21,900 me era atu pukapuka apiti kia tonono ki te Paremata Nui o Niu Tireni kia homai kia ratou te mana whakahaere i o ratou whenua me te mana whakatu Runanga e huaina ana te ingoa ko te Huinga Kotahitanga kia whakaturia hoki he Runanga Ariki e te Runanga Nui o tenei Huinga kotahitanga a notemea kua tupu ake nga raruraru nui i raro i nga ture whakahaere whenua Maori me nga Ture Kooti Whenua Maori na reira kua whakaaro nui nga iwi Maori ki te rapu tikanga e puta ai he ora mo ratou kia meingatia e te Runanga Nui o Niu Tireni i roto i te Paremata e noho huihui ana i runga hoki i tona mana enei tikanga e mau ake nei:—

1. Ko te ingoa poto o tenei Pire ko te Ture Huinga Whakamana Kotahitanga o nga Iwi Maori 1893.

2. Tenei ingoa te Maori ko nga Maori tuturu me nga hawhekaihe o te taha Maori.

3. Ka ahei tenei Huinga Kotahitanga ia wa ia wa i raro i te panui kite whakarite takiwa Komiti Maori whakahaere whenua.

4. Ka ahei tenei Huinga Kotahitanga ia wa ia wa i raro i te panui ki te whakamana i nga Komiti whiriwhiri a nga takiwa ko aua Komiti takiwa kua e neke atu i te toko whitu.

5. Ka whai mana tenei Huinga Kotahitanga ki te hanga ture whakahaere mo nga takiwa Komiti kia ahei ai taua Komiti ki te whakahaere take whenua e panuitia ana kia whakawakia e taua Komiti.

6. Me haina me hiiri rawa e nga Komiti Takiwa a ratou whakataunga ka tuku mai ki te Huinga Kotahitanga apiti atu kinga pukapuka katoa o nga whakawa ma te Tumuaki o te Huinga Kotahitanga e tuku atu ki te Kawana kia whakamana nga Karauna karati ota tiwhikete ranei.

7. Me tae mai nga tonono whakahe, whakawa tuarua ranei i roto o nga marama e toru ki te Tumuaki o te Huinga Kotahitanga me ata whakamarama mai hoki e nga kai tonono nga putake whakahe o ta ratou tonono.

8. Mehemea ka kore e tae mai he tonono whakahe i roto o nga marama e toru hei reira tuku atu ai kia whakamana e te Kawana te mahi o nga Komiti e te Tumuaki o Te Kotahitanga a kua hoki te Huinga Kotahitanga tona Tumuaki ranei e whakararuraru i te whakataunga a nga Komiti Takiwa mehemea ka kore e tae mai he tonono whakahe.

9. Ko te mana hoko a nga Maori kia rite tonu ki nga Pakeha kia pera me nga tamariki pono a te Kuini.

10. A te takiwa e paahitia ai tenei pire i muri mai hoki e kore e whai mana te Kooti Whenua Maori ki te whakawa whenua haunga ia nga mahi kua whakaotia e te Kooti Whenua Maori.

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