

*Petitions Nos. 34, 38, 39, and 41.*

105. These petitions all deal with the subject of the Rangitatau Block, Taranaki District. We have not considered it necessary to discuss the merits of the claim which the Natives originally had in connection with this block. That claim was settled by agreement between the Crown and the Natives, and authority to carry out the agreement was conferred by the Rangitatau Block Exchange Act, 1907. The agreement was carried out and titles given to the Natives under the authority of that Act and under the additional authority conferred by section 118 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1915. It is not suggested that the Natives did not understand the agreement they made, and they have accepted, without objection, the benefits conferred on them thereby. It certainly does not accord with good conscience or equity that they should attempt now to go behind that agreement and to reopen their original claim. The petitioners are not entitled, we think, to any relief on their petitions.

*Petition No. 37.*

106. One of the allegations in this petition is that during the course of what is known as the Parihaka expedition in 1881 the Government soldiers plundered the houses of the people, confiscated all guns found, smashed open boxes containing valuable greenstone goods and other things held dear by a Maori. The prayer of the petition appears to be for relief in connection only with the confiscation of Native lands. It was contended, however, by Mr. Smith that the petition ought to be treated as claiming compensation for the damage complained of in the petition. Mr. Taylor, on behalf of the Crown, contended that this could not be done, as the petition did not claim such compensation specifically. It appears to us that it is our duty to inquire into the allegations in the petition, and, if found to be true, to make such recommendation thereon as appears to accord with good conscience and equity. It was not disputed that looting had taken place, and evidence on the subject was given by several witnesses. According to these witnesses, some of the soldiers looted the houses, broke open boxes, and carried away mats and greenstone meres and tikis, and also all guns and powder. They took away also live-stock, consisting of horses, cattle, and pigs. They destroyed the growing crops, and pulled down a number of the houses in the pa. The late Colonel Messenger, who took part in the expedition, said, in the statement which he gave to Mr. Cowan, the historian, that orders had been given that no Maori property was to be touched, but he knew there was a good deal of looting—in fact, robbery. Many of our Government men, he said, stole greenstone and other treasures from the Native houses, including some fine meres.

107. The subject of the expedition is discussed shortly by Mr. Reeves ("The Long White Cloud," 3rd ed., p. 225.), and we quote the following passage from his book: "It is true that the delays in redeeming promises concerning reserves to be made and given back from the confiscated Maori territory were allowed to remain a grievance for more than another decade, and led as late as 1880 to interference by the Natives with roadmaking in some of this lost land of theirs at Taranaki. There, round a prophet named Te Whiti, flocked numbers of Natives sore with a sense of injustice. Though Te Whiti was as pacific as eccentric, the Government, swayed by the alarm and irritation thus aroused, took the extreme step of pouring into his village of Parihaka an overwhelming armed force. Then, after reading the Riot Act to a passive and orderly crowd of men, women, and children, they proceeded to make wholesale arrests, to evict the villagers, and to destroy houses and crops. Public opinion, which had conjured up the phantom of an imminent rising, supported the proceedings. There was no such danger, for the Natives were not supplied with arms, and the writer is one of a minority of New-Zealanders who thought that our neglect to make the reserves put us in the wrong in the affair."

108. The view taken by Mr. Reeves is that now generally accepted, and is the view on which we think the present claim should be judged. The Government was directly responsible, of course, for the destruction of the houses and crops, for that apparently was part of the plan of campaign. The theft of the stock and personal belongings of the Natives may not have been part of that plan, but the Government must be held responsible, morally if not legally, for the acts of the