

1856.

House of Representatives.

PETITION OF THOMAS M'DONNELL.

Presented to the House of Representatives April 28, 1856, and ordered to be printed.

TO THE HONORABLE THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF
THE COLONY OF NEW ZEALAND.

The Petition of THOMAS M'DONNELL, a Commander in the Royal Navy, will show—

That your Petitioner, when at Sydney, New South Wales, in 1830, did purchase of Messrs. Jones and Walker, the trustees of Messrs. Raine, Ramsay, and Brown, then bankrupts, all their landed and other property in New Zealand, consisting principally of “Te Horihe” and “Rau Rau,” in the Hokianga district, with the buildings thereupon, a quantity of timber, and a new ship of 400 tons, built at the “Horihe.”

That Petitioner despatched Mr. George F. Russell by a vessel bound to Hokianga, with power-of-attorney, to take possession and to retain charge of the property purchased, and which was recognised by Natives and Europeans, and delivered up to Mr. Russell, as Petitioner's agent.

Your Petitioner coppered, laid a 'tween-decks, and otherwise fitted out the “Sir George Murray,” at an expense of £2,000, independent of putting on board a cargo of goods, and proceeded, with his wife, family, and servants, to Hokianga, where he was put in possession of the purchased property, which he retained undisputed for thirteen years.

That your Petitioner extended his purchase, made roads, cleared the land, erected buildings, formed extensive docks, and expended about £5,000 in so doing, under the conviction that his right and title could never be impugned, or even questioned.

That in 1835 your Petitioner took to New Zealand, at his own cost, twelve Europeans, independent of those that he carried with him in 1830.

The boundaries of the property known by the name of “Te Horihe” not being clearly defined in the deeds conveyed to Petitioner by the trustees of Raine, Ramsay, and Brown, Petitioner called a general meeting of the natives in 1836, when the boundaries were settled, and an addition made to the property; a deed drawn out, the nature of which was clearly pointed out and explained to the natives by two interpreters, and attested by European and native witnesses; a considerable payment was made, and the chiefs expressed themselves fully satisfied. (The nature of the payment is specified in the deed). The natives, indeed, never questioned his right, until they were informed that the Commissioners had instructions from the Queen to reinstate them in the land formerly sold to Europeans; when (urged on by certain European settlers living amongst them, and adopting the worst of native customs), they sought, by every device that their natural subtlety could suggest, to ignore and repudiate the sale, though attested by respectable European witnesses, who sealed their testimony with their oaths.

Your Petitioner further declares, that a number of the principal native chiefs, subsequently to their appearing before Major Richmond, Commissioner of Land Claims, landed at his homestead, and stated that they came for the express purpose of speaking the truth for the last time, namely, “that the land belonged to your Petitioner,” and actually wrote a letter to that effect to the Commissioner.