

Who Owes Whom an Apology?

Who Owes Whom an Apology?

Please bear in mind when reading the following that this is not a slight against Maoris as a whole; through experience I have personally found the majority are not in favour of separate, racial laws (apartheid) or Maori sovereignty. Only Governments (plural) can change or create laws that enable an apartheid State.

Please pass the following on to your contacts, knowledge is power.

“He who does not know his history is but a baby in the arms of a politician!”

Early next month we will again be bombarded by news media relating to The Treaty of Waitangi as being our founding document. How much of your history do you know?

The Treaty was ratified by extending the boundaries of New South Wales (NSW) to cover “all of the islands of New Zealand” in the same manner as Van Diemen’s Land (now known as Tasmania) and by this act the Treaty saw us ruled by the Government of NSW and monitored by Her Majesties Courts of NSW both exercising English law only. By no stretch of the imagination can this be construed as forming a legal New Zealand body solely within the boundaries of New Zealand, all legal proceedings could only be conducted within the boundaries of New South Wales. In plain simple language, to make enquiry regarding the Treaty of Waitangi enquire to the Government of New South Wales because the Treaty had nothing to do with forming a Government in New Zealand.

At this point in time we could have remained with New South Wales and become another State of Australia, as Tasmania did.

The Government in New Zealand was authorised by Queen Victoria's Royal Charter on 03-05-1841, the date the Royal Charter was ratified..

Queen Victoria's Royal Charter of 16-11-1840 was ratified on 03-05-1841, **New Zealand's true founding date**, and is solely responsible for forming a Government in New Zealand based on the British, Westminster style to grant us **English law only**; our own Courts to administer **English law only**; authorised Hobson's promotion and transference to be our own Governor and eventually our **own flag** which is **older than Australia's**. **That's right, their flag is like ours, not the reverse!**

Important point. "There cannot be a breach of the Treaty of Waitangi, there can only be a breach of the laws of New Zealand established by Queen Victoria's Royal Charter of 16-11-1840 that should be Heard by Her Majesties Court.

Hobson in response to an enquiry by French Baron Charles de Thierry had this to say, "*Your next observation respecting the Sovereignty is one which I must repudiate. The only Sovereign chief that can be acknowledged as such from the date of the Treaty is Her Majesty Queen Victoria*". **END. Clearly no Partnership!**

Question. "Why are actions of Governments of the 1800s blamed for breaching the Treaty of Waitangi with Hearings held by an apartheid Waitangi Tribunal which holds some Hearings on Maraes using Maori protocol that has found "Guilty" verdicts to "Treaty breaches" of which some have already failed in Her Majesties Courts?"

Answer by Waitangi Tribunal Chief Judge, Eddie Durie.

These comments were in a paper, Ethics and Values, released on the Indigenous People and Law website with regards to the Waitangi Tribunal.

“Justice Durie, Chairman of the Waitangi Tribunal and Chief Judge of the Maori Land Court said, ‘some groups had required commissioned researchers to remove material unhelpful to the claimant’s cases or amend their conclusions. Sometimes this was a condition of the researchers being paid. Some also presented biased claims, omitting evidence against their argument that should be presented. ‘There are also complaints from researchers of instructions not to consult with certain persons, or only those approved by the claimant groups’, said Justice Durie.” END

A recently published book by Dr John Robinson, ***“The Corruption of New Zealand***

Democracy – A Treaty Industry Overview’ puts right his astonishing revelation that as a Waitangi Tribunal researcher he had to falsify evidence to get paid.

Hired to study Maori depopulation from 1850-1900, he found the main cause was a chronic shortage of potential parents. The inter-tribal holocaust of the 1820s and 1830s had extinguished up to forty percent of the race, and it was customary practice to kill newborn girls. END

Because you may not be aware of other aspects of our history, those who are unaware might appreciate the following.

Within www.treatyofwaitangi.net.nz (note dot “net” if you

transmit this by telephone) you will find hard evidence which has been gathered from around the world that has found **there are no exclusive rights for Maoris within te Tiriti o Waitangi**, the only Tiriti authorised by Hobson was in the Maori language. The simple truth is Queen Victoria was a figurehead in the same manner as Queen Elizabeth 2nd is at present and she did not have the power nor authority to grant Maoris any exclusive right which would be unavailable to her own British subjects.

The Treaty which does include exclusive right to Maoris is the **false**, English, supposed, "version". So, why is it false?

1. After the signing at Waitangi on 06-02-1840 Governor Hobson's gave the following instruction to those gathering further signatures, *"The treaty which forms the base of all my proceedings was signed at Waitangi on the 6th February 1840, by 52 chiefs, 26 of whom were of the federation, and formed a majority of those who signed the Declaration of Independence. This instrument I consider to be de facto the treaty, and all signatures that are subsequently obtained are merely testimonials of adherence to the terms of that original document"*. Only one Treaty was signed on this day, Maori.
2. Hobson ordered his secretary, James Stuart Freeman, to send an English "copy" to London and he was so inept his errors consist of the following.
3. **He disobeyed orders, copied from earlier rejected draft notes and was even stupid enough to add content out of his own head;** rendering his copy to London useless for its intended purpose, scrap!
4. The "official English version" is a separate and differing copy from that sent to London but was still copied from the same, earlier discarded draft notes as

that sent to London. This also rendered it useless coupled to the fact Freeman was never authorised to write a Treaty. Freeman was so inept he actually made 7 copies, they were all copied from the earlier drafts, contained content **out of his own head** and all were different. In simple term, "trash".

5. The above "official English version" states; "Done at Waitangi on 06-02-1840", wasn't written until March 1840 ("TREATY OF WAITANGI Questions and Answers", by Network Waitangi) causing it to be mythical, was used as a piece of paper in Waikato during April of 1840 on which to catch the overspill of signatures to the Maori Treaty and not "itself" leaving "itself" an unsigned document. To be termed as "legal" all documents must exist on their stated date (this one didn't), carry a true place and date of signing (it did not) and be signed by all participants (Maori signatures pertain to the Maori text and not itself). The claimed but false "official English version" has none of the above.

Question. "So what?"

This is the document flaunted to give Taxpayer forests and fisheries to Maoris.

The Treaty of Waitangi Act 1975 was solely founded upon the mythical, false English version alone and the Waitangi Tribunal was founded by this Act. I'm no lawyer so my opinion may not be worth much but my opinion is that if the Treaty of Waitangi Act 1975 was founded upon something which was copied from the wrong document, did not exist on its stated date, carried a false place and date of signing and "in itself" was unsigned. I fail to see how this Act can be legal and if it could be proven to be illegal in Her Majesties Court would

this not jeopardise all Maori settlements found by the Waitangi Tribunal?

The Treaty of Waitangi Act 1985 contains both the mythical, false English version and the genuine Maori text with direction that both documents be given equal consideration, meaning the false English version must be given full weight before Maori claims are ruled upon. As before, for the same reason/s, I believe this 1985 Act should also be put before Her Majesties Court in order to determine its legality and that of all Maori claims settled by it or anything derived from it, such as "The Principles of the Treaty of Waitangi".

There cannot be a breach of te Tiriti o Waitangi there can only be a breach of the laws of New Zealand established by our true founding document, Queen Victoria's Royal Charter of 16-11-1840, which was ratified on 03-05-1841, our true founding date, and should be heard in Her Majesties Courts.

Land Wars?

What about the "Land Wars" that are claimed to have started in Taranaki in 1860 and the Waikato in 1863 when British troops are supposed to have fired the first shot?

There is no record in any history book or newspaper of the term "Land Wars" during this era, the name is a creation.

Taranaki

The following historical record was found in "The Realms of King Tawhiao", by Dick Craig.

South Taranaki Ngati Ruanui were the instigators of the "Maori Wars" in Taranaki during 1853, 7 years before British troops came to the rescue of New Plymouth Settlers. Ngati Ruanui were later joined by Te Whiti of Atiawa in 1854 after Te Whiti had been summoned to a war conference in 1853 by Te Whero Wero of Waikato.

Hon. C. Finlayson quoted the Taranaki "*Land Wars*" started in Waitara in **1860** when British troops fired the first shot. Why did he not say Taranaki Maoris started the Maori Wars for Tribal Rule in **1853** when Taranaki Ngati Ruanui fired the first shot?

South Taranaki Ngati Ruanui were first to attack the settlers in **1853** aiming for Tribal Rule (sovereignty?), 7 years before Gvt troops went in to defend the area. Also in **1853** Te Whiti, of Atiawa, was summoned & escorted by Waikato warriors to a war conference with King Te Whero Whero in Waikato where it was decided "Taranaki was the best place to fight the Pakeha" because of its isolation. On return in **1854** he was invited to a similar meeting by Ngati Ruanui at Manawapou Pa, Hawera, where they pledged "Tribal Rule, end to European overlordship" and joined forces to wage war on the peaceful settlers, pages 25, 27, 30, 31, 133 the Puketapu feud and other wars and unrest to end European influence **1853 to 1881**.

From 1853 Taranaki settlers were slaughtered, driven off their land, livestock stolen and buildings destroyed while Governor Fitzroy supported the Taranakis by declaring to the settlers, "You are squatters on Maori land I will not protect you, retreat to New Plymouth" . Excuse me, *squatters on what?* He was promptly removed from his post by the British Government afterwards but his confiscation of Taranaki settler lands that had been **paid for 5 times remained and they had to pay 8 to 10 times more in cash than they paid initially to return to what they had previous legal title to only to find it reverted to the original wilderness it was beforehand. **Rev. Ironside wrote, "No excuse for injustice by settlers, their tolerance****

should be praised (page 32)."

Taranakis have had a number of "Full and Final Settlements" starting as long ago as the first in

Wi Kingi Witi (also known as Te Witi, Te Whiti, Wirimu Kingi, Hawk Eye, William King Te Rangitake) found Taranaki was not only being settled by British but also returned slaves and now considered it safe because the missionaries had Christianised the 1st Maori King, Te Whero Whero, who was releasing his slaves, so he approached authorities for permission to return to Taranaki. This was granted subject to 2 conditions,

1:- He settle north of the Waitara river **where most of his lands lay** (remember he took money for all of Taranaki) and

2:- He settle in peace (page 23).

Breaking both promises Te Witi settled south of the river and went to war to claim land settled by despised (Maori custom) Taranaki slaves who were gifted land confiscated earlier from Wakefield's NZ Co.

Would breaking both conditions nullify any claim Te Witi and his Atiawa tribe might have to Taranaki that has been granted by Governments or Waitangi Tribunal if by breaking his conditions of return he had no right to be there!

Waikato.

British troops are also blamed for starting the "*Land Wars*" in Waikato by being the first to cross the Maungatawhiri Stream in 1863. This is also false.

The important thing is what do you think after authenticated history is disclosed by Dick Craig's, "*The Realms of King Tawhiao*"?

"It is said Waikatos did not sign the Treaty but Dick Craig stated it was signed by 7 elderly Waikato chiefs (page 45). King Te Whero Whero had also accepted the Queen's pension, signifying **his wilful subordination** to Queen Victoria and relinquishment of any aspiration of a Maori royal line.

After Te Wero Whero became Christianised he noticed how wealthy northern tribes were becoming through integration with British settlers, deciding he would like some of this privilege he willingly sold land in his Waikato.

During the reign of Tawhiao, son of Te Whero Whero, and after he laid his hat on the centre of the North Island to declare war on the Government, Waikato Kingite warriors crossed the Mangatawhiri Stream **in 1860** (three years before Government troops), advanced as far northwards as 40 miles from Auckland and at this stage believing they were stronger than British as resistance was light asked Auckland to surrender or they would kill every White man, woman and child.

Extermination or slavery being normal Maori culture, would surrender have made any difference? Where are the White pre-Maori people! Te Wero Whero reneged on land sold in Taranaki and Tawhiao to land sold in Taranaki and Waikato.

Kohimarama Resolution:-

Also during 1860 Government called the largest gathering to date of Maori chiefs to the Kohimarama Conference and after several days of debate this ended with the following resolution.

"That this Conference takes cognizance of the fact that the several Chiefs, members thereof, are pledged to each other to do nothing inconsistent with their declared recognition of the Queen's sovereignty, and of the union of the two races; also to discountenance all proceedings tending to a breach of the covenant here solemnly entered into by them."

For full report google, <http://www.nzetc.org/tm/scholarly/tei-BIM504Kohi-t1-g1-t1-body1-d2.html>. The resolution can be found at the end.

Missionaries taught agriculture, a skill which gave Kingites their main food basket for their war (page 52) yet we are told Maoris were prior skilled farmers; the printing press was later stolen by Rewi (page 57); a school had been built and a hospital for Maori people lay on European land in the Waikato which was sold by Te Whero Whero to the Anglican mission who then passed over to Govt which intended to finance the hospital (page 52). Couple the foregoing with the "sugar and flour policy" of Gvnr Grey (page 46 & 54). Governor John Gorst had also given 2,000 pounds (\$4,000, an enormous sum in these days) each to 3 main Waikato chiefs in the hope of promoting peace, some of which went on securing the mail run. Would one expect all of this to go a long way in demonstrating Government's sincerity of peaceful co-existence? Page 50.

Waikatos removed their children from schools (page 44). Adults were being taught the valuable skills of carpentry, blacksmithing, the art of wheel wright, tailoring, shoemaking and printing and the missionaries were teaching them how to crop farm but many of the runanga in the Te Awamutu vicinity passed laws forbidding any young man becoming a pupil. Page 53.

Prior to handing over Governorship to Sir George Grey in September **1861** Governor Gore-Brown wrote to Kingites who had levied war against the Queen, a Maori war party had advanced to within 40 miles of Auckland and the Queen's mail had been interrupted, preventing it from passing over Maori land. Quote. *"The protective mantle for the Maori lands of the Treaty of Waitangi will be withdrawn and be forfeited if some*

of the Maori people thus continue to set aside the authority of Queen Victoria." (Page 45) Unquote. This letter was written 2 years before Government troops crossed the Maungatawhiri.

With the Maungatawhiri Stream crossed by Kingites in **1860** and all legal settlers purged out of Waikato in March 1863, why are we told today it was Government troops who first crossed the Maungatawhiri stream to confiscate land in July 1863, what happened 10 years prior in Taranaki and 3 years earlier in Waikato? **Who owes whom an apology?**

On the **25th of March, 1863**, page 62/63, King Tawhiao's forces ousted magistrate John Gorst, his followers and settlers from Waikato, taking back (confiscating) their land. This was land legitimately sold to approximately 200 to 300 settlers, but, as bad, these settlers had their wives and children taken by the Maori rebels. The Kingites have given neither apology nor compensation for this confiscated land, or for the taking of wives and children and these same settlers were the ones who had been encouraged by the first king, Potatou Te Whero Whero, in the expectation they would bring trade to his people.

After the 1860 Kingite advance to Auckland (Page 45) unrest amounting to virtual anarchy reigned in south Auckland until three years later British troops were called in from overseas at a time Kingites were arming, in the end it was "All Waikato" (page 133)." Maniapoto engaged Government forces prior to Government troops crossing the Maungatawhiri at Cameron Town, just south of Pukekohe, where ambushed British troops suffered heavily (page 73).

So far as Rewi was concerned he wrote on April the 8th, 1863, months before the crossing of the Maungatawhiri stream by Government troops, "*I will attack Pakeha villages at Te Ia, Mauku, Drury, Papakura then Auckland.* Page 58. On page 81 Tamehana wrote on July 18th 1863, after Gvnr Grey issued his ultimatum, "*I shall spare neither unarmed people nor property.*" Separate attacks were also being made on bush

settlers just south of Auckland by Maniapoto (well out of their tribal area of Kihikihi) and other warriors, page 102.

Reacting to Maori actions on legitimate settlers south of the Mangatawhiri stream boundary and 3 years after King Tawhiao declared war by laying his hat down on the centre of the North Island, Governor Sir George Grey issued a second written ultimatum to King Tawhiao and his followers on **9th of July, 1863**, page 65 to 79, quote:-

“Europeans living quietly in their own lands have been driven away, their property has been plundered and their wives and children taken from them. You are now assembled in armed bands and threatening to ravage Auckland.

Those who wage war against Her Majesty or remain in arms must take the consequences of their acts and must understand they will forfeit the right to possession of their lands guaranteed to them by the Treaty of Waitangi. These lands will be occupied by a population capable of protecting the future the quiet and unoffending from the violence with which they have been threatened.

Governor Sir George Grey.”

End quote.

This was the Kingite's second warning, both were ignored.

After Grey issue his second ultimatum (page 65, 66 &79) it was 3 days later he made his advance and had a major skirmish on the **17th July 1863** at Kohera, which is north of the Maungatawhiri stream.

Was it Gvnr Grey's decision to confiscate Kingite lands, or was it Kingites themselves who made the decision by ignoring the Queen's laws, two Governors warnings, refused to back down and remained north of the Maungatawhiri stream threatening to

exterminate Auckland settlers?

First Maori politician, Sir Apirana Ngata, wrote the following:-

“Some have said these confiscations were wrong and that they contravened the Treaty of Waitangi, but the chief’s placed in the hands of the Queen of England, the Sovereignty and authority to make laws.

Some sections of the Maori people violated that authority, war arose and blood was spilled. The law came into operation and land was taken in payment. This in itself is Maori custom – revenge – plunder to avenge a wrong. It was their chiefs who ceded that right to the Queen. The confiscations cannot therefore be objected to in the light of the Treaty”. Sir Apirana Ngata, M.A., LL.B.D. M.P., Minister of Native Affairs, 1922.

Peace came with Maori Kingite rebels surrender. Tamehana wrote on the back of an envelope, quote, “I and my tribes will fight no more. The fighting is at an end in Waikato, so far as my influence is concerned. I have made peace, **the laws of Queen Victoria shall be the laws of King Tawhiao.**” Unquote, (my emphasis), page 139. Why are claims being heard by the Waitangi Tribunal which flaunt the Treaties of Waitangi instead of flaunting the laws of the Queen, as Tamehana stated above, which were established by Queen Victoria’s Royal Charter of 16-11-1840!

Could Government have written these words to Tamehana if Tamehana had won and expect the same pardon and respect as Government gave the Kingites? Tamehana wrote on July, 1863, to his friend Rev A.N. Brown, “I shall spare neither unarmed people nor property (page 81).

King Tawhiao yielded by laying down his arms and those of his 500 followers at Alexandra on July 1881, in person, to Major William Mair (page 112); he was pardoned and accepted the

Queen's pension, signifying total surrender and acceptance of the terms of the Queen's laws established initially by Queen Victoria's Royal Charter of 16-11-1840. Why is there still a Maori King?

How gracious to be treated in such a Christian manner as above instead of being exterminated as Kingites vowed to the Government and settlers.

Tawhiao responsible once more for land loss.

At this point King Tawhiao was virtually landless over **his** abstinence towards land being offered to him. At a meeting in Whatiwhitiho John Bryce laid a plan before the king which was so liberal as to surprise the Pakeha, the tract of land to be offered him on the west bank of the Waipa river was large and in addition was ready to treat with the Maniapoto to secure further territory from that tribe. The amount to be offered amounted to thousands of acres but falling short of what he wanted, a Maori Kingdom, he turned it down (Page 113). Whose fault is it regarding Waikato shortage of land? Why are his descendants grumbling to Government if their king was responsible for the Maori Wars for Tribal Rule, threatening Auckland resident's with extermination, and for cutting their inheritance short by refusing this vast wealth of free land as a **gift**? Why claim against the Government (taxpayer) instead of Maori royalty?

At the First Maori Parliament commencing on **25th Feb 1879** 300 natives attended a conference at Kohimarama, Auckland, where for the third time (Treaty and twice at Kohimarama) they swore allegiance to Her Majesty the Queen and, in this case, mainly blamed themselves for the previous Maori uprising. Please note, "Maoris mainly blamed themselves for the Maori uprising".

to help us to help you.

Why?

Together we are stronger.

Without prejudice,

1. Graham