

## The Old High Court – Te Whiti-o-Rongomai, Riwha Titokowaru and Others v The King, 1886



*Parihaka Pa. Union Steam Ship Company of New Zealand :Assorted photographs. Ref: 1/2-056542-F. Alexander Turnbull Library, Wellington, New Zealand. [/records/23078293](#)*

After what was reported as “Serious Native Aggression at Manaia”, the prophet of Parihaka, Te Whiti-o-Rongomai, Ngāti Ruanui leader Riwha Titokowaru and eight followers appeared in the Old High Court in October 1886 after being charged with forcible entry and riot.

### The Battle of Hastie’s Farm

In 1881, armed constables invaded the pacifist settlement at Parihaka. Its leaders – Te Whiti, Tohu Kāhahi, and others – were detained without trial for 16 months. Five years later, in July 1886, about 500 supporters of Te Whiti and Titokowaru entered a farm that had been claimed by Alexander Hastie, who had settled near the rural Taranaki town of Manaia with his family. As part of their non-violent resistance to Pākehā settlement in the area, Māori erected a whare and 18 tents on Hastie’s farm and brought firewood with them to cook dinner. They invited some of the Pākehā to dinner, including a local constable, but most declined. Pākehā from Hāwera then started arriving in more force and soon they were almost equal in number to Māori. Pākehā horsemen rounded up 20 cattle and 65 of the 150 horses belonging to the supporters. Some of the horsemen used their stock whips on the supporters and their cattle. Many Pākehā used their clubs freely; up to three Māori had their heads severely cut. The horses and cattle were driven to the pound some distance away. By late afternoon, Pākehā had greatly outnumbered the Māori. Special constables were sworn in and Māori leaders were arrested. The remaining Māori left the area, showing no resistance. Inspector Pardy, the officer in charge of the area, took control of the prisoners.

## Appearance in the Old High Court

In October 1886, Te Whiti, Titokowaru and eight followers appeared in this courtroom in front of Chief Justice Prendergast. Te Whiti was charged with inciting the other prisoners to enter on the land that Hastie had claimed. Through an interpreter, Te Whiti tried to explain to the court why he “put [his] hand on” the land, but Chief Justice Prendergast dismissed the explanation, reminding the accused that he must enter a plea. Chief Justice Prendergast said to the interpreter: “Tell Te Whiti if he pleads Guilty – and that is a matter for his own discretion – he will then have an opportunity of saying what he desires to say. If he pleads Not Guilty the trial will proceed.” Te Whiti pleaded guilty, as did Titokowaru and the other 8 defendants.



*Drawing by Walter Jefferson Leslie at the trial of Te Whiti [Wellington]. Titokowaru (left) Te Whiti (right). The Evening Press 1886. (Alexander Turnbull Library, Ref: B-034-015)*

Before being sentenced, Te Whiti was permitted to address the court. He said:

*“I am the original owner of the land. You, the white-faced people, came in a cloud, or army, and turned me off the land. When I got sufficient courage to re-enter, my hand was put forth again. We and others were expelled from the land. We were not expelled peaceably, but by the guns of the Government. When I rose from the ground, the pain of the blow I received was still great, but I still put out my hand. I was then tried by law, but those who turned me from the land were not tried. That is all I have to say to your Honour – not many words.”*

In handing down what he described as a “very lenient” sentence, Chief Justice Prendergast warned Te Whiti that a “much severer” sentence would be passed if another, similar charge was brought against him. The judge said that Te Whiti must have thought his actions were “little short of levying war against the Crown” and that resistance from Pākehā settlers would have been inevitable. “I have nothing to do with any supposed wrong you have against the Crown; all I have to do is to take into account the facts upon which this prosecution are based,” the Chief Justice said. Te Whiti was sentenced to imprisonment for three months and fined £100 (\$25,000). The others were sentenced to imprisonment for one month and fined £20 (\$5,000).

## Apology and Settlement Payment

In 2017 the Government delivered an official apology on behalf of the Crown for the treatment of people of Parihaka. Acknowledging that the peaceful protests of Te Whiti o Rongomai, and the Parihaka people, over the taking of their land, had been met with the Crown’s “tyranny and oppression”. In 2019 this apology was passed into law. In 2018 a \$9 million reconciliation package for the people of Parihaka was finalised.

## Today

In the small settlement of Parihaka the local iwi still meet and uphold the legacy of nonviolent resistance and co-existence of Māori and other races started there by Te Whiti and Tohu.

---

*The above account of the court case is taken from newspaper reports - National Library Papers Past.*

## Resources

- [Serious Native Aggression at Manaia](#), *The Evening Post* (19 July 1886)
- [The Māori Rioters in Court](#), *The Evening Post* (6 October 1886)
- [The trial of Te Whiti](#), drawing by [Walter Jefferson Leslie](#), *The Evening Post* (1886)



*Old High Court courtroom no. 1 from the dock where Te Whiti and others stood*